

Mr. CHAMBERS. I do not except anybody. I am not carried away, as my friend is, with an idea because it may affect some particular friend. Never mind whom the principle affects. Truth is eternal; it is immutable. A principle which is sound to day will be sound to-morrow under equal circumstances. This idea of some danger which has been supposed to have been the cause of this provision, is quite a novel idea on the part of the gentleman. I do not know where he got it. No history of the State that I know of justifies it. The reason for it was that the interests of the people excluded this class. The better class will not be here, and we do not want the worst.

Mr. TODD. I do not rise for the purpose of making a speech upon this question now under consideration. Neither do I rise to notice the personal reflections that have been made.

The PRESIDENT. The gentleman is mistaken. The Chair will permit no personal reflections. If the Chair had supposed for one moment that there had been any personal reflection upon the gentleman from Caroline, he would have protected him as soon as anybody in the Convention.

Mr. CLARKE. There has been quite as much reflection upon the lawyers.

Mr. TODD. I have only to say that, whether there was any reflection intended or not, even if there had been, I should not have noticed it any further than I have.

The PRESIDENT. The gentleman from Caroline will perceive that it is rather a reflection which he is making upon the President. It is the duty of the President to preserve any individual member from imputation. The gentleman from Caroline is certainly not correct in imputing to the Chair any inclination to permit any remarks disparaging to him or to any other gentleman.

Mr. TODD. I disclaim any such intention. I had intended to offer some remarks upon this question. But believing that the Convention is fully prepared to vote now, and being desirous that this debate shall be closed, so that we may proceed with our business, I now move the previous question.

The motion for the previous question was seconded, and the main question was ordered.

The question then recurred upon the motion of Mr. DANIEL to amend section nine by striking out that portion disqualifying ministers of the gospel from holding seats in the Legislature.

On this question Mr. CHAMBERS called for the yeas and nays, which were ordered.

The question being then taken by yeas and nays, it resulted—yeas 40, nays 10—as follows:

Yeas—Messrs. Abbott, Annan, Baker, Carter, Cunningham, Cushing, Daniel, Davis, of Washington, Dellinger, Earle, Ecker, Gallo-

way, Hatch, Hebb, Hoffman, Hopkins, Hopper, Jones, of Cecil, Keefer, McComas, Mullikin, Murray, Noble, Nyman, Parker, Pugh, Purnell, Russell, Schley, Scott, Smith, of Carroll, Sneary, Stirling, Stockbridge, Swope, Sykes, Todd, Valliant, Wickard, Wooden—40.

Nays—Messrs. Goldsborough, President; Audoun, Belt, Brown, Chambers, Clarke, Dent, Mitchell, Miller, Wilmer—10.

The amendment was accordingly adopted. On motion of Mr. SCHLEY,

The words "except justices of the peace" were inserted after the words "under this State."

Mr. BELT. I do not see the necessity of saying that these persons shall not be eligible. Everything designed to accomplish by this section will be accomplished by saying that being elected they shall not hold those offices. I see no reason why a person holding an office of profit, or profit and trust, should not be eligible as a senator or delegate, provided after he is elected he resigns the other office. Suppose a public exigency to arise, so that the people of any county would like to have the services of a man who is a judge or fulfilling the duties of any other office, should not he be eligible? Why should the people be excluded from the benefit of having any person as their representative, if after his election he will resign the office which he holds. Everything is accomplished if it is so provided that a man shall not fill two offices at one time. I move to amend by adding:

"Unless after his election as such senator or delegate he shall resign his said office of profit or profit and trust."

Mr. MILLER. I am sorry to differ from my friend from Prince George's (Mr. Belt,) but I shall vote against that amendment. What was said yesterday in the debate upon the eighth section by the gentleman from Kent (Mr. Chambers) I think applies equally to this. An amendment was offered to the eighth section, providing that a person holding any civil or military office under the United States shall not be permitted to act as senator or delegate. I think the argument that was made then is conclusive upon the question now. What this section attempts to get rid of is the fact that a man holding an office shall use his influence derived from that office to secure his election to another office. The difficulty which my friend from Prince George's suggests, that an exigency may arise in which it may be necessary that a judge or some other person holding office should become a member of the Legislature, may be very easily obviated by the judge or other person whom the people wish to send to the Legislature resigning his office before he becomes a candidate; not holding on to his office and using his official position in getting elected and taking the chances of re-