is an exception to the ordinary rules of parliamentary practice. The Constitution of the United States says that a quorum of each House of Congress shall consist of a majority of those elected; but it does not restrict the members of the Senate and the House of Representatives from passing any law by a majority of the members present.

Mr. VALLIANT. Though a member of the committee making this report, this rule did not receive my hearty concurrence. I am glad the proposition to amend has been made, and I shall vote for the amendment. The Congress of the United States, in making rules for its government, has seen fit to adopt a rule precisely the same as Rule 43 will be if the proposed amendment be adopted And I have very great respect for the judgment of the Congress of the United States, particularly when succeeding Congresses have determined that that rule is a proper rule. It is provided in Article 5 of the Constitution of the United States, that Congress, whenever two-thirds of both Houses shall deem it necessary, may propose amendments to this Constitution. And I suppose the Congress of the United States considers nothing of graver importance than amendments to the Constitution of the United States. And yet under the rule of Congress, similar to this 43d rule, as proposed to be amended by the gentleman from Allegany (Mr. Thruston,) a minority of the members elected to Congress may propose amendments to the Constitution of the United States. And that is purely and strictly parliamentary practice, and a practice I am in favor of; and it has been the rule of the House of Representatives for a great many years past. I remember particularly a decision under that rule in the latter part of February, 1860, when Mr. Crittenden, I think it was, proposed an amendment to the Constitution. A minority of the Senate voted in favor of it; but that minority was a majority of the members present, and so the proposition was considered as passed.

Mr. MARBURY. I do not rise to make any extended remarks upon this subject. I will merely say that the argument used by the gentleman from Alleghany county (Mr. Hebb) that a majority of the provisions of the present Constitution were adopted by the affirmative vote of less than one-half of the members elected, will recoil upon himself. The majority of the members elected to this Convention, were elected as favoring a change in the organic law of this State; they have come here for that purpose. It is presumable, therefore, that they must have seen some great defects in the organic law of the State, or they never would have favored the call of this Convention. Now it seems to me that if this rule of the last Convention was defective, it may be held to have been the cause of all the defects in the present Constitution. But if the members of that Convention had been bound by the same rule by which it is now proposed to bind the members of this Convention, we should have then had a much better organic law than we now have. The gentleman is in this dilemma: he must either give up the rule adopted by the last Convention which brought about this evil state of things, the present defective Constitution; or else he must adopt a rule which will guard against defects in the future.

Mr. ABBOTT. I shall vote in favor of this amendment for the simple reason that no measure adopted by this Convention can go into effect as a part of the Constitution of this State until the people shall have ratified it by their votes. But it is very different with acts passed by the Legislature, for they go into effect immediately upon their passage. Therefore, if I was in the Legislature I should vote for the adoption of a rule requiring the votes of a majority of the members of the Legislature to pass any law.

Mr. CLARKE demanded the yeas and nays upon the adoption of the amendment, and they were ordered.

The yeas and nays being then taken upon the amendment of Mr. Thruston, they resulted as follows: yeas 34, nays 41.

Yeas—Messrs. Abbott, Annan, Audoun, Baker, Barron, Brooks, Cunningham, Davis of Washington, Ecker, Galloway, Greene, Hatch, Hebb, Hopkins, Jones of Cecil, Keefer, Larsh, Markey, McComas, Mullikin, Negley, Nyman, Pugh, Robinette, Sands, Schley, Schlosser, Scott, Sneary, Swope, Sykes, Thruston, Valliant, Wooden—34.

Nays—Messrs. Goldsborough, President; Belt, Berry of Baltimore county, Berry of Prince George's, Briscoe, Brown, Carter, Chambers, Clarke, Crawford, Cushing, Daniel, Dennis, Duvall, Earle, Edelen, Gale, Harwood, Henkle, Hoffman, Hopper, Jones of Somerset, Kennard, King, Landsdale, Mace, Marbury, Mitchell, Miller, Morgan, Murray, Parker, Parran, Peter, Purnell, Russell, Smith of Carroll, Smith of Worcester, Stockbridge, Thomas, Wickard—41.

So the amendment was not agreed to.

THE ORDER OF BUSINESS.

The PRESIDENT announced that the hour had arrived for the consideration of the special order for to-day, at one o'clock, being the report of the Committee on the Bill of Rights.

Mr. STOCKBRIDGE moved to postpone the order of the day until after the Convention had completed its action on the rules.

Mr. DANIEL moved to amend that motion so as to postpone the order of the day until to-morrow at one o'clock, as the chairman of the committee (Mr. Stirling) was absent.

Mr. BERRY of Prince George's. I think, in view of the importance of the measure, there need be no haste in taking up the special order—the Bill of Rights. It contains several