

pose to amend the rule, if the majority wishes a reconsideration, and a motion to postpone, or to lay on the table, is made, it can vote that motion down. I think it leaves the question of reconsideration entirely within the power of the majority.

Mr. PUGH. I do not think the gentleman's explanation removes my difficulty at all. I suppose the Convention might vote upon motions for anything indefinitely. There may be constant motions to adjourn and we may keep voting upon them and rejecting them. But suppose some article is submitted to the Convention and is voted upon, but does not receive in its favor the votes of a majority of the members elected to the Convention, though it may receive the votes of the majority of a quorum. We may afterwards want to reconsider the vote by which that article was rejected; we may want to reconsider it several times.

Mr. CUSHING. How does my amendment deprive the Convention of the power which the gentleman desires? I do not see how it does.

Mr. SANDS. I would like to understand what is to be the effect of the proposed amendment. The rule now reads—"and no motion for reconsideration shall be postponed or laid on the table." How is the amendment to work practically? Suppose there are but 50 members of the Convention voting at one time upon any proposed article of the Constitution, and but 48 votes are given for it; that is not enough, and the article is declared to be rejected. Afterwards we may want to reconsider, when we have sent out the Sergeant-at-Arms, (of whom we heard so much talk when we were discussing the proposition to remove to Baltimore city,) to bring in members enough to make up the requisite majority. But how are we to finish the business of the Convention unless we are at liberty to move reconsiderations whenever we find the proposed reconsideration can be made actual and effective? It is not to be supposed that 50 members of this body are going arbitrarily, and for no purpose whatever, to call for constant reconsiderations. The idea of the gentleman seems to be based upon the supposition that the majority of this Convention are going to busy themselves by making constant motions for reconsideration, when there is no use for such motions. This rule, as it stands now, it seems to me simply permits us, if a vote upon any article or section is not satisfactory to a majority of this body, to reconsider that vote whenever such reconsideration can be made actual and effective. It does seem to me that in adopting many of these amendments we are stripping ourselves entirely of the power to do the business of this Convention.

Mr. CLARKE. The reason for the addition of this clause to the rules was this: to place a check upon motions for reconsideration.

If motions to reconsider must be voted upon at the time they are made, members will not make such motions unless there is some probability of carrying them. But if you strike out this clause, then a member can make a motion for reconsideration, and if he thinks he cannot carry it then, he will move to postpone it, or lay it upon the table, to be taken up when it can be carried. This clause is intended as a check upon such motions.

Mr. SANDS. I do not see how the rule is going to operate as the gentleman from Prince George's (Mr. Clarke) seems to think it will operate. Suppose a motion is made to-day to reconsider, and I know there is not a majority present in favor of that motion—could not some member, under this rule, immediately move to postpone the reconsideration until to-morrow, or until the Sergeant-at-Arms can be sent out to hunt up and bring in delinquents? But if no postponement is to be allowed, what will be the effect? Why, that immediately upon a motion to reconsider being made we must vote upon it, although we are in the same minority we were in the day before. I may be in error in my views, but that seems to me to be the effect of striking out this clause of this rule.

Mr. CLARKE. The gentleman from Howard (Mr. Sands) does not seem to understand my point at all. My point is this: that if you cannot move to postpone, or to lay on the table, a motion to reconsider, then members of the Convention will not take up the time of this body by motions to reconsider until they see they can probably be carried. This restriction upon the power of the Convention to postpone and to lay upon the table, will force members to ascertain the condition of the House before they bring forward motions to reconsider. If they find they cannot carry such a motion, they will not take up the time of the Convention by submitting such a motion for its consideration; but they will wait until they think it can be carried. The object of this clause is to prevent those motions being made when no practical result can be obtained.

Mr. CUSHING. The gentleman from Howard (Mr. Sands) argues against my motion to strike out on the ground that the rule as it now stands gives him the power to move a postponement of a motion to reconsider. But the rule as it at present stands entirely precludes that, and I move to strike out this clause in order, if he wants a reconsideration, and finds he cannot carry it at the time the motion to reconsider is made, to give him the power to let the motion lay over until such time as it may be carried. The gentleman is working against the giving power to himself. For the first time I find the magnanimity on his part of refusing power which it is proposed to confer upon him; and for the first time I find the gentleman of the minority working with him.