

A point of much importance during the sessions of the Convention was the question as to the eligibility of certain members. It was commonly known that a number of them were ineligible, according to the Convention Bill, which imposed the same qualifications as those necessary to a seat in the House of Delegates. On July 7, Mr. Miller submitted an order requiring the Committee on Elections to make a report as to what the qualifications for a seat in the Convention actually were, but added that he meant this to be an entirely non-partisan measure, as it would equally affect both the majority and minority. This order was tabled by motion of Mr. Stirling, who stated that it would either accomplish nothing or else result in breaking up the Convention.³⁸ The Committee on Elections, which had been appointed early in the session, had as yet made no report, so on July 8 Mr. Chambers submitted an order requesting the committee to do so as soon as possible. A favorable vote on this was at once secured, but Mr. Cushing's order instructing the committee to report all members duly elected was lost by a vote of 17 to 47.³⁹ On August 3 the committee, consisting of of four Union and two Democratic members, unanimously reported all the members as duly elected.⁴⁰ This report was concurred in on August 9 by a vote of 55 to 4, Mr. Miller being the main opponent and basing his adverse argument on legal technicalities.⁴¹ On August 6 Mr. Belt had offered a resolution declaring, for reasons stated, that eleven named members were ineligible to a seat in the Convention, himself being one of the number.⁴² This was indefinitely postponed on August 9, and never appeared again.⁴³ It is worthy of note that, although two members of the minority, Mr. Miller and Mr. Belt, were the ones who insisted on the inquiry and led in this "strict construction" movement, the final action was

³⁸ Proc., 229; Deb., ii, 796.

⁴⁰ Proc., 385-6.

⁴² Proc., 414-5.

³⁹ Proc., 240-2.

⁴¹ Proc., 435-6; Deb., ii, 1195-1201.

⁴³ Proc., 436.