

Mr. DORSEY then moved a reconsideration of the vote, by which the thirtieth section had been adopted.

The vote was reconsidered.

Mr. DORSEY moved to amend the said section by striking out in the second line the word "district," and inserting "city," and in the first line after the word "disqualification," inserting "resignation," and in the fourth line by inserting the word "such," between the words "more," and "qualified."

Mr. BROWN suggested to Mr. DORSEY to insert "city" instead of "district," in the second line.

Mr. DORSEY accepted the suggestion.

And the amendment was agreed to.

Mr. DORSEY then moved further to amend said section by striking out from the word "issued," in the fifth line, to the end of said section, and inserting in lieu thereof, the following:

"By the Speaker of the House of Delegates or President of the Senate, as the case may be, for the election of another person in his place, and in case of such resignation or refusal to act, being communicated in writing to the Governor, by the person making it, or such death occurring during the legislative recess, and more than ten days before its termination, it shall be the duty of the Governor, to issue a warrant of election to supply the vacancy thus created in the same manner that the said Speaker or President might have done during the session of the legislature, of which election not less than ten days notice shall be given, exclusive of the day of the publication of the notice, and of the day of election; provided, however, that unless a meeting of the General Assembly may intervene, the election thus ordered to fill such vacancy shall be held on the day of the ensuing election for delegates and senators."

Mr. D. said, his object was to give to the Governor the power of ordering elections, when the parties elected, died, or resigned. But in the other cases—such as disqualifications, removals, &c.—it seemed to him that the legislature was the proper branch to decide upon such cases.

The amendment was agreed to.

And the section, as thus amended, was adopted.

Mr. DORSEY moved a reconsideration of the vote by which the thirty-first section of the report had been adopted.

The vote was reconsidered.

Mr. DORSEY moved to amend the said section by striking out the words "the general," and inserting the words "their elections."

Mr. D. said, that he made this motion in accordance with what had been sanctioned by the House in some of the preceding articles of the report.

The amendment was agreed to.

The question recurring on the section as amended;

Mr. JOHN NEWCOMER expressed his desire to offer a substitute for the section.

Whilst Mr. N. was preparing the substitute, The section was informally passed over.

Mr. DORSEY now moved to reconsider the vote by which the thirty-third section of the report had been adopted.

Mr. D. explained that he made this motion with a view so to amend it, as to make more definite the crimes for which persons should be excluded from voting, or holding office, &c.; and also that the Convention should itself exercise powers which were appropriately their own, instead of leaving their exercise to the Legislature.

The question was taken on the motion to reconsider, and by yeas 22, noes 36,

The Convention refused to re-consider the vote.

So the amendment of Mr. DORSEY was not entertained.

#### MOTIONS TO RE-CONSIDER.

Mr. MORGAN, in pursuance of the motion he had yesterday given, moved to amend the twenty-second rule by inserting after the word "re-considered," in the fourth line, the words "on the same day."

Mr. M. stated that, after reflection, he had decided to offer the amendment in the form in which he now presented it, instead of that which he had yesterday indicated.

After some explanations between Messrs. MORGAN and BROWN,

The question was taken and the amendment was agreed to.

So the rule was amended accordingly.

#### THE LEGISLATIVE DEPARTMENT.

The Convention then passed to the orders of the day, and resumed the consideration of the report of the committee on the Legislative Department of the Government.

The Convention resumed the consideration of the thirty-first section (which had been informally laid over.)

Mr. JOHN NEWCOMER, pursuant to the notice he had given, now moved to strike out the said section and insert the following:

"The members of the Legislature shall receive three dollars per diem, as a compensation for their services, and the sum of one dollar for every ten miles they shall travel, once going to and once returning from their place of meeting, on the most usual route. No book or other printed matter not appertaining to the business of the session shall be subscribed for, for the use of the members or be distributed among them."

Mr. MITCHELL called for a division of the question—which was ordered.

And the question was first on striking out.

Mr. JOHN NEWCOMER asked the yeas and nays, which were ordered, and being taken, resulted as follows:

*Affirmative*—Messrs. Mitchell, Bell, Sappington, Stephenson, Nelson, Thawley, Hardcastle, Fiery, Neill, John Newcomer, Harbine, Michael Newcomer, Slicer and Parke—14.

*Negative*—Messrs. Chapman, Pres't., Morgan, Blakistone, Dent, Hopewell, Ricaud, Lee, Chambers of Kent, Donaldson, Dorsey, Wells, Sell-