

mortification, as well as surprise, at the opposition to the proposed change or addition to the rule. He had supposed if any proposition could be offered, which would receive universal consent, it was this. It seemed to him to be dictated by the plainest principles, not of generosity only, but of common fairness and propriety. What was it? Why nothing more nor less than this, that after a majority had deliberately adopted a measure, it should not be defeated and annulled by a minority. He thought the fairly expressed will of the majority ought to prevail. If this republican doctrine was sound any where, it certainly was here in this body. He must be permitted to say, that he could not perceive the accuracy of the conclusions to which the argument of the gentleman from Cecil, had conducted him. With the gentleman's argument, he found no necessity to battle, but his, (Mr. C.'s,) perceptions must be strangely oblique, if they justified the result at which that gentleman had arrived. The argument was that in a body like this, there should be a full and perfect opportunity to reconsider every measure which might have been adopted. No one has gainsaid this. We have a rule granting leave to reconsider, more liberal and of broader extent than ever prevailed, so far as he knew and believed, in any Convention or legislative body, in any State in this Union. It allows a reconsideration to be moved, at any period of the session, however remote from the day of the original vote, by any individual, whether in the majority or minority. The gentleman had found a debate, in the proceedings of the Massachusetts Convention of 1820, on this subject of reconsideration, and supposed he also found there a proposition like this, and that it was rebuked by Mr. Webster. Sir, said Mr. C., there is not more difference between light and darkness, than there is between that case and this. In that case, as it is read by the gentleman, for he had not seen it, the rule proposed for reconsideration was, that the motion must be made on the *same* or the *next day* after the vote taken. Here it may be reconsidered at any period of the session. The rule there required as many members of the Convention to be present, at the time of the reconsideration, as at the time when the original vote passes. In our rule no such requirement is found.

The object of Mr. Webster seemed to be, as far as he could collect it from the gentleman's reading, to have the rule conform to the rule which obtains in Congress. Where the motion to reconsider was confined to the same or the next day, there could not well be surprise, and that was what he wished to avoid. The same members would be apt to be present; at all events they would know that a reconsideration might be moved within that period, and after remaining to the close of the succeeding day, would be secure against surprise. But how is it here? We have one hundred and three members. They may all be present, and on a contested question, in a full house a proposition is carried, and an article of the Constitution adopted, by a vote of seventy-six to twenty-seven.

The yeas and nays are recorded, showing this to be the sentiment of the house. At the expiration of three months after this vote, there are fifty-five members attending; a case not impossible, because it has actually and repeatedly occurred. One of the twenty-seven moves, after a day's notice, for a reconsideration, and it is voted for by twenty-seven members, then being a majority, and the vote of the seventy-six is overruled by the vote of twenty-seven; it may be the same twenty-seven, who, when the house was full, constituted barely a fourth of the whole number of votes given. Was this proper? Was it consistent with fair dealing? Was there anything in the Massachusetts Convention, or any other Convention like it? He thought not. But, says the gentleman, we may expect a full Convention when a final vote on a proposition is to be taken. What security have we for this? Nay, what reasonable expectation have we? We have taken final votes, and most important votes; we have waited and postponed from time to time, but have we had a full house? The journal would sadly contradict any such statement. We all knew that members were continually absent, attending to their professional and domestic concerns, and the prolonged session of the body would further increase the motives to be absent. He had no motives, personal or political, to gratify. He was in his chair all day, every day. His particular views were as little likely to be injuriously affected by the existing state of the rule, as those of any other individual. His sole object was to secure the Convention against the effects of excited feeling, which might lead an accidental majority, to yield to other influences than such as prudence and sound discretion would suggest, and do what was wrong in itself.

His amendment, only applied to votes taken by yeas and nays, [always the index of a fixed purpose,] and simply protected such a vote from a reversal by a smaller number of votes, at any subsequent time.

Mr. C. here read from the proceedings of the Massachusetts Convention, [which had been handed to him from Mr. McLane,] and insisted that Mr. Webster had not said one word in opposition to the views which he, [Mr. C.,] had advocated. The state of the rule there, does not make it a case of resemblance or comparison in the particular to which his amendment applied. Mr. Webster's rule was, on the contrary, decidedly more stringent than ours would be after the amendment should be added to it.

He alluded to the various instances of motions for reconsideration—and the extended discussions which have been had since the presentation of the first report—the report from the committee on the elective franchise—and to the small number of attending members, to show the danger of reconsidering with a thin House.

He was a thorough-bred republican, at least in one respect. He thought a decision of the majority, fairly expressed, ought to prevail and not be subject to reversal by a subsequent vote