

report, and the actual adoption of a clause of the Constitution without printing it and without giving it proper reflection, even down to its most minute details. I entirely agree with him. But I do not want, in order to avoid that danger, to go so far as to place it in the power of too small a portion of the Convention or control the action of the body. The general rule of parliamentary proceedings is that the rules may be suspended upon a vote of two thirds of the members present. The Constitution of Maryland has gone far beyond the ordinary rule, in requiring a vote of three-fourths; and yet there is one reason for that which does not apply to the business of this Convention. If we adopt a report, it does not make it a part of the Constitution. It is in the power of the House to reconsider it at any time. But if the Legislature passes an act that act goes into immediate effect. Therefore there is more reason for providing that it shall require three-fourths of the members of the Legislature to pass an act through in one day than for providing that it shall require three-fourths of the members of the Convention to adopt a report, the adoption of which will have no immediate effects. We merely resolve that it shall be a part of the Constitution; but we have to pass all over it again, and it is in the power of any member to move a reconsideration. So there is not the same urgency in the objection to passing through a report in a single day. I think my own proposition, of two-thirds, sufficiently guards against the possibility of too rapid legislation.

Mr. CLARKE. I have no desire to prolong this debate, but the result of the amendment of the gentleman from Baltimore city will be that propositions may be put through in this hasty manner. I admit that we have the privilege of moving a reconsideration; but a bare majority of the Convention can prevent a reconsideration. It is in order that the minority of this House may escape from the dilemma of being placed in a position to be required to vote upon propositions of whose character they are ignorant, that I desire to embody this proposition in our rules. A reconsideration afterwards will have no power to aid them. I ask it as the plainest proposition of justice, that we should not have a report made here and passed right through without being seen, but that it should be read on one day, discussed and perfected on another, and put upon its final passage on a third day.

Mr. KENNARD. My colleague on the committee (Mr. Clark) referred to the fact that there is no provision in Legislative bodies similar to that proposed by my friend from Baltimore city Mr. (Stirling.) That provision is precisely the same in language with the present rule of the House of Delegates relating to resolutions. Rule 42, provides that the House may, "by special order, two-thirds of the members present agreeing, dispense with the rule."

Mr. CLARKE. I beg leave to correct the gentleman from Baltimore city (Mr. Kennard.) Rule 15 applies merely to reports from committees containing articles or sections proposed to be made a part of the Constitution; and in this report we have assimilated these reports to bills. By referring to Rule 39 it will be seen that bills are to be read on three different days "unless three-fourths of the members of the House otherwise determine." In everything else excepting a report embodying a provision to be inserted in the Constitution the ordinary rule of the House of Delegates applies, as will be seen by referring to the next rule, Rule 16.

Mr. SANDS. It occurs to me that the adoption of the two-thirds rule can work no hardship, and may do good. Some of the committees who will report here have more and some less subject matter on which to report. Some of the reports are so brief that a single reading of them at the clerk's desk, would enable any gentleman in the House to pass upon this report; why require that the same length of time be given to such a matter, as to a report the subject matter of which would comprise many sections? For instance Art. 9 of the present Constitution does not contain twenty printed lines, and has but two sections, which are so plain and simple that a single reading of them would enable this House to pass intelligently upon them. Why should we adopt a rule to require the same time to pass such an article as to pass the bill of rights or other important matters. The adoption of the three-fourths rule put it in the power of any minority, however small, a fourth and one member over, if they choose, to avail themselves of it to hinder the action of this body. Requiring a two-thirds vote to suspend a rule is simply giving to this body the reasonable facility in the transaction of its business that it ought to have. I do not think our friends need apprehend that we are going to hurry them on any important matter. I am opposed to that forcing process. If they claim the three-fourths rule simply in dread of that, I think that all that believe as I do will unite in assuring them that they need have no dread of that sort. I simply throw out the suggestion that the reports of committees will be very various, the article on the militia for instance now containing but sixteen lines. Why consume three or four days over that matter when it might be acted upon in one? I shall vote for the amendment of the gentleman from Baltimore city (Mr. Stirling) because I believe it will facilitate the transaction of the business of the Convention.

Mr. CLARKE. One difference between the amendment of the gentleman from Baltimore city and that I offered, is that he does not propose two-thirds of the members elect, but two-thirds of the members present, which very materially alters the character of the amendment. If the gentleman will make it