

Mr. MILLER. This amendment it seems to me would leave the rule in a very awkward position. It would read if amended as proposed:

"Rule 44. When a question has once been decided in the affirmative or negative, a motion of reconsideration shall be in order, at any time thereafter, if made by one member and seconded by two others who voted in the majority; but should a report or article, on its final passage, be declared rejected for the want of a majority of the members present, the motion for reconsideration may be made by one member and seconded by two others who voted in either the affirmative or negative; and no motion for reconsideration shall be postponed or laid on the table."

If a majority of the members present vote against it, why not let it go under the first provision of the rule? Why not strike out that whole clause?

Mr. VALLIANT. I had proposed an amendment embracing the gentleman's view. I move to amend to strike out the following: "But should a report or article on its final passage, be declared rejected for the want of a majority of the members elected, the motion for reconsideration may be made by one member and seconded by two others who voted in either the affirmative or negative."

Mr. MILLER. Then I will raise the point of order that the only notice of amendment was to strike out the word "elected" and insert "present."

The PRESIDENT sustained the point of order.

Mr. VALLIANT. Then I give notice that I will offer two amendments; first, to amend the 44th rule as I have indicated; and next to amend rule 42d by striking out the words "except those otherwise herein provided for."

Mr. STIRLING. Is it the decision of the chair that a notice to amend the rules must specify the particular change that is desired to be made? Or may notice be given of intention to amend a certain rule, throwing the question open to the convention to make any amendment they choose when it comes up?

The PRESIDENT. The notice must put the convention in possession of the particular change intended to be made.

Mr. STIRLING. Then if the convention does not adopt the motion of the gentleman from Allegany, the rule cannot be amended without another day's notice. I do not see the necessity of changing the rule twice. The motion of the gentleman from Allegany effects the purpose entirely. It strikes out all that requires a report or article on its final passage to receive the votes of a majority of the members elected. It is true it leaves in the rule a matter which is entirely unnecessary. It leaves in the rule a provision that if an article is rejected on its final passage a member on either side can move a reconsideration. Still

that is mere surplussage, and cannot do any harm. I do not think there is any danger from it. I suppose we may as well adopt this amendment for to-day, and make it better afterwards.

Mr. CLARK demanded the yeas and nays, and they were ordered.

Mr. MILLER. It is childish to change the rule in such a way as to allow a minority to move a reconsideration.

Mr. STIRLING. We can vote the reconsideration down.

Mr. PUGH. We will amend it so far to-day, and the rest to-morrow or next day.

The question being taken, the result was—yeas 45, nays 30—as follows:

Yeas—Messrs. Abbott, Aiman, Baker, Carter, Cunningham, Cushing, Daniel, Davis, of Washington, Dellinger, Earle, Ecker, Farrow, Galloway, Greene, Hebb, Hoffman, Hopkins, Hopper, Jones, of Cecil, Keefer, Kennard, King, Larsh, Markey, McComas, Murray, Negley, Nyman, Pugh, Purnell, Ridgely, Robinette, Russell, Sands, Schley, Scott, Smith, of Carroll, Sneary, Stirling, Stockbridge, Swope, Sykes, Valliant, Wickard, Wooden—45.

Nays—Messrs. Goldsborough, President; Audoun, Barron, Belt, Blackiston, Bond, Briscoe, Brown, Chambers, Clarke, Duvall, Gale, Harwood, Hatch, Hodson, Hollyday, Horsey, Johnson, Jones, of Somerset, Lansdale, Lee, Marbury, Miller, Morgan, Parker, Parran, Peter, Smith, of Worcester, Turner, Wilmer—30.

So the amendment was agreed to.

#### PRIVATE CLAIMS.

Mr. BRET submitted the following order:

Ordered, That the committee on the judiciary be requested to consider and report upon the following proposed section.

Section — Any citizen having a claim against the State shall have the right to institute suit for the same, in the circuit court of the county in which he shall reside; and if the judgment of such court shall be in favor of the plaintiff, the duty of the comptroller and treasurer shall be to pay the amount of such judgment, without any appropriation by the general assembly; and the general assembly shall pass all laws necessary to carry out the provisions of this section.

The order was agreed to.

#### COMMITTEE ON ELECTIONS.

Mr. PURNELL, from the committee on elections, submitted the following report, which was read the first time:

The committee on elections, to examine and consider the credentials and to inquire into the validity of the election and qualification of the members elected to this convention, respectfully submit the following report:

Resolved, That all the members holding