

JOURNAL
OF
PROCEEDINGS
OF THE
HOUSE OF DELEGATES
OF
MARYLAND,
JANUARY SESSION, 1878.

BY AUTHORITY.

ANNAPOLIS:
George Colton, Printer to the General Assembly.

1878.

On motion of Mr. Knight,

Ordered to be spread upon the Journal.

Mr. Scharf, Chairman of the Committee to investigate the expenditures of the Adjutant-General and Governor, growing out of the labor disturbances of July, 1877, presented the following

REPORT.

The Special Committee, who were directed under an order passed by the House to investigate the expenditures of the Governor and Adjutant-General, growing out of the labor disturbances in Baltimore, respectfully submit the following report:

In July, 1877, a violent and ferocious mob openly and violently seized the property of the Baltimore and Ohio Railroad, stopped its main line of transportation, and prevented law abiding citizens from pursuing their usual occupations. These were matters of grave importance, and public interests demanded speedy rectification by the suppression of the disorder. Under these circumstances, the Governor, as Commander-in-Chief of the military forces of the State, and by the power and authority vested in him under Section 8, of Article 2, of the Constitution, called upon the military to aid the civil authority in enforcing the laws. At this time, the situation of affairs in Baltimore City were critical, and demanded speedy action. In pursuance of the Governor's orders, the military responded with the result, as stated in the Governor's Message.

The expense incurred by the State in the suppression of this riot, amounts to about \$85,000.00. We required of the Adjutant-General, Assistant Commissary, Quartermaster and Paymaster-General, and the Surgeon-General, itemized accounts, with the vouchers, which they exhibited to our satisfaction. Upon a thorough and careful examination of these accounts, we believe, that notwithstanding the responsibilities that were suddenly brought upon these gentlemen, they discharged their duties faithfully, and with the strictest economy.

The largest portion of these disbursements having been made by Col. N. S. Hill, Acting Assistant-Quartermaster, Commissary and Paymaster-General, the Committee scrutinized his vouchers—and every item expended, with the greatest care. They not only found every voucher correct, but the purchases showed most excellent judgment and the greatest economy. We regard the recognition of the discharge of the arduous duties imposed upon him, made by

his Excellency, the Governor, to your Honorable Body, in his annual message, as most truly and fully merited.

In view of these facts, your Committee are of the opinion, that the question of paying the expenses of the militia called into service by the Governor during the late troubles, and who so vigilantly guarded the chief metropolis of our State, should occasion no trouble.

There is one thing certain, and that is, that the sentiment of the tax-paying community is in favor of meeting every legitimate expense incurred by the State authorities in preserving the peace, and there will be neither sense nor justice in quibbling over such expenditure through false and narrow ideas of economy.

The experience of other States shows that we were suddenly plunged into a most extraordinary emergency. What might have been, can now only be a matter of speculation, but it is safe to say, that, except for the prompt action of our citizens and the Municipal and State authorities, Baltimore would have been handed over to a mob, and the plunderer, and the incendiary would have left traces of work that might have taken years to wholly repair.

In conclusion, your Committee recommend that these expenditures be promptly paid, and further add, that when a number of citizens voluntarily step to the front and undertake to guard our people from the ravages of a mob, the few dollars that are drawn out of the Public Treasury look very small and insignificant when weighed against the chances of life and personal injury which the citizens threw into the scale.

J. THOMAS SCHARF, Chairman,
WILLIAM SNOWDEN,
J. H. W. G. WEEDON,

Which was read, and

On motion of Mr. Scharf,

Ordered to be spread upon the Journal.

Mr. McCosker, from a minority of the same Committee, presented the following report

MINORITY REPORT:

The undersigned, a minority of the Select Committee, appointed by an order of the House, adopted March 6th, 1878, to carefully examine the vouchers and expenditures of the Governor and Adjutant General, in the late Railroad Riot, and report fully upon the same at the earliest practicable

moment, beg leave to report that the Committee have held four meetings, two on March 19th, one on March 20th, one on March 23d, and examined vouchers for expenditures amounting to \$84,830 10, showing a deficiency of \$169 90 of the expenditure reported, no vouchers for which were presented to the Committee. It was understood by the members of the Committee that another meeting would be held to compare the result of the examination with the books of the Adjutant General, but for some reasons unknown to us, we have failed to obtain a meeting, and we regret to state that the Chairman of the Committee when pressed to call it together consented to do so and after giving notice of the meeting, went to Baltimore with the papers containing the result of the investigation in his possession and returned the following day with a report to which the undersigned refused to give their assent for the following reasons.

The order by which the Committee was appointed did not empower or require us to investigate the causes which resulted in the employment of the military, nor did it instruct us to inquire into the authority of the Governor upon such occasion, nor into the wisdom or policy of superseding the civil by the military power when the former possessed the power, and had the inclination to promptly and effectually suppress all tumults and disorders. These matters were not before the Committee and we did not consider them proper subjects to be embodied in a report.

The honesty of the expenditure we do not propose to question, as we believe that a full and impartial investigation would establish that fact; but we do question the propriety of the expenditures, as the investigation in our opinion clearly shows that they were lavish and extravagant; in a great measure unnecessary and not justified by the then existing circumstances. The outlay with the exception of the purchase of arms, according to the date of bills, was made after order and quiet was restored in Baltimore.

Two regiments were recruited, composed to a great extent of the very lawless element, which produced the trouble and for whose misdeeds the large class of order loving citizens were unjustly held responsible. Amongst the items of expenditures for those regiments were 70 dozen shirts, 70 dozen pairs drawers, 70 dozen pairs stockings, 887 pairs of shoes and many other needless items which might be justified in preparations for a protracted war, but in the organization of a militia force for the suppression of a temporary tumult displayed a puerility deserving of the severest censure.

The following account of the vouchers is the result of the labors of the entire Committee and will show in detail the

different items of expenditures, and we beg leave to call the attention of your Honorable Body to this, in support of our reasons for refusing to assent to the report of the majority of the Committee.

Respectfully submitted,

THOS. McCOSKER,
JAS. MASSEY.

Investigation into Adjutant General and Governor's Accounts of Riot Expenditures.

Annapolis, Md., March 19th, 1878.

Committee met in Adjutant General's Room.

Present:—Messrs. Scharf, McCosker and Snowden.

Mr. McCosker. How many men were in the regiments and how many enlisted?

Adjutant General Bond. The morning reports show the number of men.

Mr. McCosker. Did the 5th M. N. G. have field officers when they were ordered out?

Adjutant General Bond. No sir; they had an election for them within three days at Camden Station, and the Governor then forwarded to them their commissions.

Mr. Scharf. (We will take up the Fifth Regiment first.) General, have you the pay allowed U. S. officers?

Adjutant General Bond. No, sir; that was not in my department; they sent to Washington for a list of pay for the various ranks.

Mr. Scharf. What were the dates of the commissions issued by the Governor!

Adjutant General Bond. Col. Wm. P. Zollinger's was dated July 25th, 1877; Lt. Col. R. P. Brown and Major J. D. Lipscomb, August 12th, 1877. They however entered into the State's service under their respective ranks, July 20th, 1877; Captain Douglas H. Thomas organized his company and entered into service July 23rd, 1877; these were the only new officers; the new company of Captain Thomas received the same pay as other companies; they were discharged August 20th, 1877.

Mr. Scharf. What was the pay of officers, &c.?

Adjutant General Bond. Col. Zollinger received \$291.67; Lt. Col. Brown, \$250; Major Lipscomb, \$208.33; Adjutant