

Mr. SANDS. Perhaps it would be proper to refer this subject to the Committee on Accounts. There is only a definite sum of money to be expended here; and I understand that this will be a matter of some cost.

Mr. MARBURY. I do not know what clause of the Constitution is referred to; but I do not consider this Convention debarred from adopting any rules or order necessary to frame a Constitution, or to aid them in the prosecution of their work. I understand we have unlimited power to do anything that is necessary to perfect this Constitution; and I consider this as one of the means necessary to give us the information which we require from every part of the State. It is certainly very desirable, and I think it is necessary that we should have that information.

Mr. BERRY of Prince George's. I think, from reference to the constitutional provision that it does not apply. I understand the object of the order to be to procure these papers for the benefit of the Convention, to furnish us with statistical and other information from all parts of the State, upon matters that may come before the Convention for their action. The provision of the Constitution which is referred to, is Art. 3, Sect. 20:

"No money shall be drawn from the Treasury of the State, except in accordance with an appropriation made by law, and every such law shall distinctly specify the sum appropriated and the objects to which it shall be applied; *provided*, that nothing herein contained shall prevent the Legislature from placing a contingent fund at the disposal of the Executive," etc.

A provision has already been made by the last Legislature for the purpose of defraying the expenses of this Convention. This information is for the purpose of enabling the Convention during its session to get at the public opinion on the various questions which shall be considered here.

The PRESIDENT. The chair will call the attention of the gentleman to the 30th Section of the same article:

"No book or other printed matter not appertaining to the business of the session, shall be purchased or subscribed for, for the use of the members or be distributed among them, at the public expense."

Mr. BERRY of Prince George's. This applies merely to the Senators and Members of the House of Delegates, and has no applicability at all to members of this Convention.

Mr. DANIEL. I concede that there is nothing in the Constitution prohibiting this, if the Convention deem it necessary to forward their deliberation here in any way; but I shall vote against it because I think it is wrong in principle and would be a bad precedent. I think that the members will generally obtain their own papers; and I take it for granted that nearly every member of the Convention has subscribed for papers, which

they will receive either at their homes or here. I think it is wrong in principle to make this a charge upon the State; and therefore although there is nothing in the Constitution forbidding it, I shall vote against it. I disagree with the gentleman from Prince George's that there is nothing in the Constitution that binds us at all, for we have a right to do as we please and submit anything we please. Certainly I think it is an erroneous idea that until we make a new Constitution we are not bound by the one that is made; and the new Constitution is not only to be made but to be ratified by the people of the State.

Mr. MARBURY. I intended to say that the Convention has unlimited power to do anything to perfect the Constitution.

Mr. DANIEL. I referred to your colleague, who sits next to you, (Mr. Clarke.)

Mr. ABBOTT. I move to amend by allowing each member to subscribe for one copy of such paper as he may desire.

Mr. MARBURY. In that way we should lose the advantage of having the papers collected in the Library where each member can go and obtain a correct idea of what public opinion is throughout the State. One member will subscribe for a paper representing certain views, and another member for a paper representing different views, and each will read only one side. My object in making a general provision was that we might ascertain the public opinion all over the State, and learn what the people think of our proceedings here, what suggestions they have to make. I think it is very necessary to enable us to prove such a Constitution as the people will adopt. How can we ascertain what they desire in any other way except through the press of the State. If a gentleman takes a newspaper representing only certain views, which may not be the views even of a majority of the people of that county, how is he to ascertain the real sentiments of the people. I can think of no other way than this to get at the public opinion of the State.

Mr. MILLER. I think the question is whether the Comptroller of the Treasury or the Treasurer himself, will pay the money on the order of this body; whether they will deem themselves authorized to pay it or not. Whether we are sitting under and bound by the provisions of the present Constitution or not, undoubtedly the officers of the State, the Treasurer and the Comptroller, are bound to act under the provisions of the present Constitution and the present laws. The bill which authorized the calling of the Convention, fixed the *per diem* of the members at "\$5 per day, and the mileage allowed to the members of the General Assembly of this State, and the said Convention shall have power to appoint such clerks and other officers as may be deemed necessary to facilitate the transaction of the business of the Convention,