

propositions being referred to the delegation of the county to which they relate, if there was a special committee, or a standing committee composed of sound and judicious men to whom all such propositions were referred, there would be something like uniformity in the action of the legislature.

At the very last session of the legislature, there were two memorials from my county to confirm the wills of married women not executed according to the requirements of the law. They were referred, and bills were reported in favor of both cases, and I believe they passed the house of delegates. They were sent to the senate, where they were referred to the judiciary committee, and that committee reported against them both. One of those bills came up for action, and was rejected. But on the last night of the session, the other bill came up and was passed, though involving the same principle as the bill which had been rejected. That was the result of negligent legislation. If they had been referred to the judiciary committee in the house of delegates, in all probability, they would have been reported against, as they were in the senate. The house would have come to the conclusion that the property in question had become vested under the law, and that it was very questionable whether the legislature had power to divest property under a will that was not legal when made.

But if this amendment is adopted, the legislature can in no case exercise jurisdiction over these matters, and very great difficulty, I think, may result. I think we must leave to the legislature itself, the power to apply the remedy by a more careful exercise of their power. It may be easily reached, perhaps, by having all these matters of special legislation referred to a standing committee on local laws, and not have them referred exclusively to the county delegations. It is very difficult, when a case has any plausibility, for a county delegation to refuse to report the bill, and leave it for the legislature to determine the matter. It should be referred to an impartial committee, that would not be influenced by local considerations to report the bill, and permit the legislature to decide upon the expediency of passing it.

I am rather inclined to think, upon the whole, that we better leave the power of the legislature as it now is. That is the view that strikes my mind.

The question recurred upon the motion of Mr. CHAMBERS, to amend the amendment of Mr. STOCKBRIDGE, by striking out the following clauses:

"Changing the names of persons;

"Conferring the rights of citizenship upon minors and foreigners."

The question being taken, upon a division, yeas 30, noes 20, the amendment to the amendment was adopted.

Mr. BELT. I will now submit my amend-

ment, which I think will raise the question directly upon the theory of the gentleman from Baltimore city (Mr. Stockbridge.)

Strike out the amendment and insert:

"The general assembly shall have power, from time to time, in its discretion, to pass general laws providing for the exercise by the courts of law or equity, or other local authorities, of such powers and duties not necessarily legislative in their character, having reference to private or local affairs, which are now exercised and performed by the general assembly."

Mr. CHAMBERS. I now move the following as a substitute for the amendment of the gentleman from Prince George's (Mr. Belt.)

"The legislature shall not pass any special law to make valid a defective deed, or afford other remedy in any case for which under existing laws provision has been made.

The CHAIRMAN (Mr. Dent.) The amendment of the gentleman from Kent (Mr. Chambers,) is not now in order; there being already pending an amendment to an amendment.

Mr. STIRLING. I would suggest to the gentleman from Prince George's (Mr. Belt,) that it occurs to me his proposition is not so much in the nature of an amendment to the amendment of the gentleman from Baltimore county (Mr. Ridgely,) as it is a distinct and substantive proposition. I am very much disposed to vote for it. But it is not the antagonistic of the other; it is somewhat german to it. But there is a difference between restricting the legislature, and authorizing the legislature to increase the powers of the county boards. And the gentleman strikes out the 19th section, prohibiting the general assembly from granting divorces, and substitutes another proposition which has no provision in it in regard to divorces, but leaves the legislature with the old power to grant divorces. I cannot vote for that.

Mr. BELT. I will modify my amendment so as to add the following to the 19th section:

"The general assembly shall have power, from time to time, in its discretion, to pass general laws providing for the exercise by the courts of law or equity, or other legal authorities, of such powers and duties not necessarily legislative in their character, having reference to private or local affairs, which are now exercised and performed by the general assembly."

Mr. MILLER. I do not think that amendment gets rid of the difficulty. As I understand it, from hearing it read, it says the legislature shall have power to pass laws conferring upon local boards the power to do certain things, not necessarily legislative in their character, which the legislature have heretofore been in the habit of doing. Now, are we willing to say here that the legislature have been in the habit of doing anything which it was not within their power to do—