

EVENING SESSION.

FRIDAY, June 21, 1861.

Messrs. McKaig, and Miles, from the Committee on Judicial Proceedings, submitted the following

REPORT AND RESOLUTION :

The Committee on Judicial Proceedings, to whom was referred the Message of the Governor, of the 5th of June inst., in answer to an order of the Senate, asking him "to furnish the Senate with a statement of the facts which induced him to reclaim the arms formerly confided to certain military companies of Baltimore city, also with the reasons why said arms were sent by his order to Fort McHenry," beg leave to report :

That after having given the questions involved in the message and orders of the Governor a full and careful consideration, they are satisfied that the Governor had no authority of law to issue such orders, or to dispose of the arms of the State in the manner he has done.

By the eighth Article of the Code, two armories are established in the State, one at Easton, and the other at Frederick. It is made the duty of the Governor, by and with the advice and consent of the Senate, to appoint, bi-ennially, an Armorer at Frederick, and an Armorer at Easton, to take charge of and keep in repair and fit for use, all public arms and accoutrements in those armories. The Armorers are each required to give bond, with security, for the faithful discharge of their duty.

There is no charge, on the part of the Governor, that the armories had been robbed, or that the Armorers had not done their duty ; but he does say that the State, in addition to a pecuniary loss, has been deprived of the protection designed to her citizens by the purchase of said arms.

It is manifest, however, to your Committee, that the loss referred by the Governor, was sustained to the State by the neglect of the Governor and Adjutant General to comply with the positive requirement of the act of the 27th February, 1860, chapter 188, which made it their duty that, when the arms were so purchased, they should "be deposited in the armories of the State, and distributed by the Adjutant General according to the mode prescribed, to the several volunteer companies of the State. Not