

such a provision as that in the constitution. There is no question that this convention has the right, if it pleases, to make the respective counties and the city of Baltimore pay the salaries of their judges, and of all their officers. This convention does provide that the State's attorneys should be paid, as far as possible, by the counties out of the fees. I do not think the question of the power of the convention to act on this amendment need cause any gentleman to hesitate. Nor do I see why any gentleman of the counties can hesitate to let the city of Baltimore pay this sum to her judges.

Mr. SANDS. I for one will not vote to place the county I represent in this position. It would be saying that while providing for the general administration of justice, she was not with other counties willing to make provision out of the general fund of the State, but required Baltimore city, through her municipal government to provide for justice within her own borders. I cannot vote to place the constituency I represent in this convention in any such attitude. Nor do I see how any other county member can vote for it. It would appear upon the record that in setting up the judiciary of the State, we were convinced that Baltimore ought to have certain matters, but we would not pay for them out of the public treasury.

Mr. STIRLING. It will represent the fact that the convention does not think this ought to be paid, but the city of Baltimore does.

Mr. ABBOTT. The city of Baltimore don't think any such thing.

Mr. SANDS. Then we are to be put into the position of giving way in the convention to a portion of the members. What does the action of the convention signify in striking out \$3,500 and putting in \$3,000? Does it signify that the convention is unwilling to allow a fair salary for these judges? If it does, then I am ashamed of it. I as one of the members of the counties am ashamed of the fact that we voted upon the ground simply of \$500 additional out of the treasury of the State to fix the salary of the judges of Baltimore city. I did not vote upon any such ground. But I say the fair interpretation of any vote now by this body in favor of the proposition of the gentleman from Baltimore city (Mr. Cushing) will not only be to that effect, but that is the inevitable conclusion. We would not vote to pay the Baltimore city judges \$3,500 when it was proposed for the State to pay it, but we were perfectly willing to vote that the Baltimore city judges should be paid \$4,000 when the city of Baltimore is to pay it. The members of the counties, I think, have too clear an appreciation of the honor of their constituencies to consent to be put in any such false position as that.

If I thought the judges of the city of Balti-

more should be paid \$3,000 by the State and \$1,000 by the people of Baltimore, I never would have voted to strike out the \$3,500 reported by the committee and put in \$3,000. I voted to strike it out simply because it was an anomaly, something which I suppose does not appear in any constitution in the Union, that the judges of an inferior court should receive a larger salary than the judges of a superior court. I voted for it that the people of the State and the people of the city of Baltimore should have no unfair or undue discrimination in favor of certain localities. I do not see how any county member upon this floor can vote to place his constituents in the attitude of saying they were not willing that the Baltimore city judges should be paid \$3,500 out of the treasury of the State, but they are willing they should be paid \$4,000, if \$1,000 of that amount came out of the city of Baltimore. I earnestly trust this amendment will not prevail.

Mr. NEGLEY. I would like to know what right a delegate from Washington county, has to vote money out of the treasury of the city of Baltimore. It would be indecent and improper. We voted to fix the salaries of the judges all over the State. We voted to give Baltimore city judges five hundred dollars more than we give the county judges. But it was in the exercise of a general principle, and to take the amount to be paid out of the common treasury of the State. And it was because this three thousand five hundred dollars or three thousand dollars was to be paid out of the common treasury of the State that we had any right as the representatives of the common State to vote upon the subject at all. And when we did fix the salary at three thousand dollars, we exhausted all the right we had.

Now I am opposed to this special act, to putting this special provision in here, to determine this question of voting money out of the treasury of the city of Baltimore to pay these judges. How do we know that the city wants it? They are divided among themselves. One party says they do want it, the other party says they do not. They are absolutely afraid to trust their own representatives with this question.

Mr. STIRLING. Not a bit. We voted it down, so far as our vote was concerned.

Mr. NEGLEY. We do not ask the city of Baltimore to authorize us to give the judges of Washington county an additional sum; we will settle that ourselves. If we think his salary is insufficient, and we choose to give him more, that is a matter for us; we do not want anybody else to vote away our money for us. Let the city council itself, if it thinks proper, apply to the legislature for power to do this, if they do not have it now. I cannot vote for this proposition, because the people of Baltimore are competent to settle it.

Mr. ABBOTT. The people of the city have