

delivered the following message from his Excellency, the Governor, together with the bill therein named :

EXECUTIVE DEPARTMENT,
Annapolis, February 10th, 1874.

To the House of Delegates :

I respectfully return, without my signature, House Bill No. 5, entitled an Act to provide for the defence of Officers of Registration, Judges of Elections, and others, who are or may be indicted in the United States Court for acts done in the performance of duties imposed, or in the exercise of rights secured under the Constitution and Laws of this State, which acts are alleged to be in violation of the Act of Congress, approved May the thirty-first, eighteen hundred and seventy, entitled "An Act to enforce the rights of citizens of the United States to vote in the several States of this Union, and for other purposes."

The main object of the bill, namely, the protection of State officers who, in the performance of their duties imposed by State Laws, are subjected to criminal prosecution under the Act of Congress, approved May the thirty-first, eighteen hundred and seventy, has my entire concurrence; and a bill providing for the defence of such persons, and guarded with suitable checks, to prevent the wasteful expenditure of the public money in the obtention of witnesses for the accused, would not be open to just exception.

The bill submitted to me, however, is too ambiguous in its terms, and to carry it out according to its apparent directions, would exhaust the entire contingent fund annually placed by the General Assembly at the disposal of the Executive.

At the last session, I approved an Act somewhat similar to that now returned, though it was free from many of the objections to which this bill is subject. Under that Act, the costs of the defendant, in one case, amounted to \$500.33.

A case has been already tried in the United States Court, within the last few days, intended to be covered by this bill, the costs in which, inclusive of the fine, amounted to \$1,100. One has been settled *without trial*, with costs at \$400.

I am informed that there are some thirty cases in all, which, if conducted on the same scale, will absorb the contingent fund before one-third of them is disposed of.

It seems to me, therefore, to be manifestly my duty to call your attention to this condition of things, that some other fund may be provided to meet the expenses contemplated in the defence of State's officers.

It is important, also, that the summoning of the witnesses for the defendants should be confided to responsible hands,