

for anything except a criminal offence. As I understand it this section was framed and adopted to prevent the arrest of members of the General Assembly for debt. If it was not framed for that I cannot imagine what it was framed for. So that the exception here is just as broad as the rule; one part of the section entirely nullifies the other, and makes it complete nonsense, with the present condition of the law in this State.

Mr. STIRLING. The reason why the committee left this section in was that it was there, and they thought, as it would do no harm to leave it there, it was not worth while to strike it out. And the committee did not know but what the Convention might restore imprisonment for debt. If there is no imprisonment for debt, this section is unnecessary; the gentleman is right in that.

The question being taken upon the motion to strike out section twenty-four, it was agreed to.

Section twenty-five was then read as follows:

"No senator or delegate shall be liable in any civil action or criminal prosecution whatever for words spoke in debate."

No amendment being offered.

Section twenty-six was read as follows:

"The House of Delegates may inquire, on the oath of witnesses, into all complaints, grievances and offences, as the grand inquest of the State, and may commit any person for any crime to the public jail, there to remain until discharged by due course of law; they may examine and pass all accounts of the State, relating either to the collection or expenditure of the revenue, and appoint auditors to state and adjust the same; they may call for all public or official papers and records, and send for persons whom they may judge necessary in the course of their inquiries concerning affairs relating to the public interest, and may direct all office bonds which shall be made payable to the State, to be sued for any breach of duty."

Mr. CHAMBERS. The last line, reading "to be sued for any breach of duty," would seem to imply that there is some other breach for which they would not be sued. I move to amend by striking out the words "of duty," and inserting the word "thereof," so that it will read "to be sued for any breach thereof."

The question being taken upon the amendment, it was adopted.

CANCELLING OF BONDS.

Mr. STOCKBRIDGE. I move to amend section twenty-six by adding the following: "But shall not, by special act, cancel or annul any bond which for any purpose has been executed to the State of Maryland."

Mr. STIRLING. I hope that amendment will not be adopted. This is a matter to which I have given some attention, and upon which I have given my views when I have been in

the Legislature. Many people last winter thought I was a little too liberal in voting to let some people off. I object to this amendment because it denies to the Legislature, representing all the people of Maryland, a right which every man claims to exercise in reference to his own business. I conceive that there may be a great many individual cases in which it would not be right for the State to make its debtors pay the full amount of their bonds. The representatives of the people of the State ought to be allowed to deal with the individual debtors of the State, as each one of the people would deal with his debtors. Should the treasury of the State be full, and some poor devil of a debtor be unable to pay his debt to the State, he hardly able to get bread for his little ones, then let the Legislature have the right to say that he may not pay the debt. But to say that the Legislature shall make every debtor pay, is to make a general rule without any exception; which is not the case anywhere, except in Heaven, and I am not certain that there is any such general rule there. I think there should be no general rule without exceptions in these matters. This power may be abused, I know; but that is a matter which cannot be cured, unless you go so far as to take away from the Legislature the power which I think they ought to have.

Mr. STOCKBRIDGE. I did not design to argue this question. I moved this amendment because of the frequent abuse of this power. The bonds which have been cancelled by the Legislature of Maryland, within the last four years, have deprived the State of an immense amount of public property. It commenced by the Legislature of 1861 cancelling all the bonds which had been executed to the State of Maryland, for the arms of the State which had been furnished to military companies. Those arms had been given out in good faith, had been received and receipted for, and good and valid bonds executed to the State. Those arms went—it is not necessary here and now, to say where. The Legislature then in session, in order to prevent their recovery by the State, passed acts cancelling at once all the bonds which had been given for them, and which were the only security which the State had for them. And, as far as I know, not a single accoutrement, or a single musket has been collected from that time to this; although the Executive at that time made the most strenuous endeavors to recall them. Matters went on, and since that time legions of bonds have been cancelled, whereby I know great injustice has been done to this State. If a man is not able to pay, then he cannot be made to pay. Now, in this State, were persons abundantly able to pay, were responsible, and had thousands and thousands of dollars worth of the property of the State in their persons; yet the Legislature