

schools, the preservation of school funds, the location and regulation of school houses.

"There shall be no special law granting divorces." I rather like the old form in the constitution. "No divorce shall be granted by the general assembly." The general assembly should have no power to provide upon that subject. Let it be entirely a matter within the jurisdiction of the courts.

"Changing the names of persons."

That is legislative power. That has been spoken of by the gentleman from Kent (Mr. Chambers.)

"Conferring rights of citizenship upon minors or foreigners."

I presume it is not intended by that, that they would have the right of naturalizing foreigners. What does this mean, "conferring rights of citizenship upon minors or foreigners," the right of voting, or the right of holding property?

Mr. STOCKBRIDGE. There have been laws passed by which certain persons not naturalized have had the privilege of practicing law in the courts of the State; and various provisions of that sort. They should be naturalized if they want those privileges.

Mr. MITCHELL resumed: "Relating to the interest on money."

That brings up the question of usury, which is a matter before the body upon several orders passed hitherto; the question whether or not we shall have in the constitution any fixed standard as the rate of interest, or whether there shall be none.

"Providing for regulating the election or compensation of State or County officers, or designating the places of voting, or the boundaries of election districts, &c."

It seems to me that all these powers would better be left where they have been. Let the legislature, when the occasion calls for it, have within itself the power to meet these several cases by a special enactment. For instance—

"Giving effect to informal or invalid deeds or wills."

If the legislature passes general laws, the courts must be governed in giving effect to an invalid deed or will by the rules which the general law lays down. There might occur a case in which parties have inadvertently or unwisely omitted to conform to the provisions of the general law with regard to the execution of a deed or will, and where it would be a great hardship to the parties if the legislature, the supreme law-making power of the State, should not have the power to correct it.

"Refunding money paid into the State treasury, or releasing persons from their debts or obligations to the State."

No general law which might be passed would meet the cases which might occur. A man may have paid money to the State which he could not get back under any general law

or regulation that might be passed. It would be very hard that the money should be taken from his pocket, and that the State treasurer should have no power to return it, when it arose simply from the inadvertence or negligence of the party, or his ignorance in conforming to the provisions of some general law that might be laid down. In such cases as this I think the legislature ought to have the power to say that the treasurer shall give that money back to the man.

These are some of the inconveniences which I see would result from the adoption of the amendment as proposed by the gentleman from Baltimore city (Mr. Stockbridge.) I am opposed as much as any one to special legislation, except when a plain case for special interference is made out by the parties who apply to the legislature. It seems to me that we may very well leave this question where it has been left, notwithstanding the attempt in the present constitution to get rid of it. If the people desire that this should not be done, and that this special legislation should be got rid of, they will elect men to the legislature who will be careful not to exercise these powers, unless a case arises in which injustice or wrong would result. I should be opposed to shutting the door to every mode of relief; and I think the legislature is one of them; and the greatest of them. For these reasons I shall vote against the amendment.

Mr. BELL. I am one of those who are friendly to that modern theory of government which would rather seem to base itself upon the theory of disintegration to the utmost extent to which it can be carried, the functions of the State; provided, of course, we can preserve its political integrity and unity; in other words, that theory which would reduce the practice of self-government down to the very narrowest possible limits. Therefore, I am not one of those who find fault with the practice under which there has accumulated so large an amount of local and special legislation. On the contrary, I look upon that feature of the laws as constituting one of the wisest and most glorious features of her history, for the reason that it is based upon a theory of action which was believed to be best calculated to promote the happiness and local well-being and welfare of the people.

The amendment of the gentleman from Baltimore city is more particularly directed to special legislation, and that class of special legislation known as local laws. What was the foundation of the local and special legislation of Maryland? What was the reason of the fact—for I suppose it is a fact—that where you find one general law of this State, you will find fifty and perhaps a hundred of a local character? It arises from the peculiar condition and situation of our people. There never was upon the face of the earth, I suppose, a political community bound together