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which this amendment is designed to accom-
plish.

Mr. SANDS. In illustration of the argu-
ment of the gentleman from Baltimore city
(Mr. Stockbridge,) I will state some facts
which, to my knowledge, transpired here at
the last session of the legislature. Some
parties in Howard and Carroll counties were
interested in procuring the opening of a road
from a place called Waterville in Carroll
county to a place known as Davis's Gate in
Howard county. They came here and got
an act passed by the legislature giving cer-
tain persons—three parties, named, two of
them living at the termini of the proposed
road—authority to open the road. They
proceeded to open the road, under this spe-
cial act; although within two weeks after
the act had been passed, a petition came here
signed by over two hundred of the residents
along the road they proposed to lay out arbi-
trarily, protesting against the action taken
here.

Mr. STOCKBRIDGE. And at the time the
bill was called up, it was said that it was
purely a local measure, which did not affect
the rest of the State at all, and which every-
body in that locality wanted.

Mr. SANDS. I will do my friends of the
legislature, who passed the act the justice to
say that they were imposed upon. These
parties went on to open the road. They came
to the farm of a gentleman there, and under
the arbitrary power with which the act
clothed them, they proceeded to cut his farm
in two for the distance of nearly a mile and
a half—doing him damage which, when an
injunction was laid upon the work, and tes-
timony was taken before the commissioners
of Howard county, it was proved beyond all
question, amounted to \$1,500. And this, too,
when they could have had the road origi-
nally petitioned for by the citizens upon the
route indicated by them, without doing him
twenty dollars' worth of damage, which
damage he was perfectly willing should be
done. That was a case of special legisla-
tion. Of course the only remedy was to enjoin their
proceedings and apply to the courts for re-
dress. And the road is not opened yet, be-
cause it has not been decided whether these
gentlemen have the right to go upon that
farm and damage it to that extent.

The CHAIRMAN (Mr. Dent). The chair has
permitted a digression in the discussion to
take place. He would now call the attention
of the convention to the amendment under
consideration; that is, prohibiting the legis-
lature from passing special laws for the pun-
ishment of crimes and misdemeanors.

Mr. SANDS. I was stating these facts for the
purpose of illustrating the argument of the
gentleman from Baltimore (Mr. Stockbridge.)

The CHAIRMAN. The chair supposed that
was the object, and has allowed the gentle-
man to get through with his illustration.

Mr. CHAMBERS. Is it in order to move a
substitute now? My object is to move to add
to the section the following:

"Nor shall the legislature pass any special
law to make valid a defective deed, or afford
other remedy in any case in which, by the ex-
isting laws, provision is made."

The CHAIRMAN. The chair is of opinion
that it is not in order to offer a substitute
after ordering a division of the amendment
now under consideration.

Mr. CHAMBERS. I offer this as a substitute
for the whole amendment.

The CHAIRMAN. It is not in order to do
that after the yeas and nays have been or-
dered.

Mr. CHAMBERS. The yeas and nays have
not been called yet.

The CHAIRMAN. The yeas and nays have
been ordered on the amendment now pend-
ing, but the call had not commenced when
this discussion began.

Mr. MILLER. The immediate question is
upon the first clause of the amendment of the
gentleman from Baltimore city (Mr. Stock-
bridge,) to prohibit the legislature from pass-
ing any local or special laws for the punish-
ment of crimes or misdemeanors, &c. Now
what may be the effect of that amendment if
adopted? In the counties there are various
cases requiring special legislation, in refer-
ence to the sale of intoxicating drinks in the
neighborhood of schools and colleges. Is it
proposed that the legislature shall confer the
power of punishing such offences as those
upon any local tribunal in the county?

Mr. BIGELEY. I rise to a question of order.
I am not conversant with the rules upon the
subject. But under the general rule, it
strikes me that after the house has delibera-
tely ordered the yeas and nays upon a proposi-
tion, it is no more in order to debate the sub-
ject than it is to offer an amendment to it.

The CHAIRMAN. It has been the practice of
the convention since I have been here, and
also of other bodies of which I have been a
member, to allow discussion upon pending
propositions until the actual commencement
of the call of the yeas and nays. Strictly
speaking, the chair believes, parliamentary
rules should be administered otherwise.
This, however, has been the practice hereto-
fore, and the chair has conformed to it on
this occasion.

Mr. CHAMBERS. I would be gratified to
receive an explanation from the chair of the
manner in which future amendments can be
offered. I suppose it will hardly be said that,
according to parliamentary usage, it is in the
power of a member at any time to propose a
division of a question, and thereby preclude
all amendments. The proposition as I un-
derstand is now upon the amendment of the
gentleman from Baltimore city (Mr. Stock-
bridge,) by divisions. If a substitute for
the whole proposition is to be offered, I