

as much injustice has been done; and where if the parties had been obliged to apply to the courts under existing laws, this injustice could not have been done. In the very case which has been mentioned here, the party had the right to go before the proper court in the county, and ask for the opening of the road. If the application had been objected to, then witnesses could have been summoned and examined, and justice administered to all the parties.

But influential parties come before the legislature—influential, perhaps, with the members—and claim to have a certain law passed, and they secure their application. Again, a man has a deed defective in some respects; but one which the existing law can remedy. But he does not apply to the courts for his remedy. He is an influential person; the members of the legislature are his personal and political friends. He drafts a bill; comes here with it, and with no trouble or expense to himself, he obtains its passage, without the knowledge of any other party interested. And when the facts come to be known, it may turn out that the case is one entirely different from what he has represented it to be.

The evil, I think, is in legislating in such cases which have already been provided for by general law. The gentleman from Baltimore city, and those who advocate his proposition, will see, I think, that wherever it is proper to restrain the legislature in any of the cases referred to, the only remedy, if the existing law does not afford a remedy to persons, is to have such a general law passed. What is justice for one is, under equal circumstances, justice for another. Every man is entitled, under the same circumstances, to the administration of the same law.

If the proposition of the gentleman from Baltimore city (Mr. Stockbridge) should be rejected, then I would submit my proposition, which is simply, that there shall be no special legislation in any case in which the provisions of the general law enables the party to obtain redress.

I think this class of cases occupy a large proportion of the time of the legislature, and I do not think they ought to be listened to by the legislature. Whenever a party comes to the legislature and asks it to remedy a defective deed, or to afford any other remedy to any rights which he may suppose himself to possess, it is an abundant answer, to say to him—"You already have a remedy under the provisions of the existing law; in such or such an article of the code; go home and obtain it, without troubling the legislature."

I shall therefore vote against this proposition; and I do it with a view of submitting the proposition which I hold in my hand, and which I will read for the information of the Convention. Add to section nineteen the following:

"The legislature shall pass no special law in any case in which under existing law provision is made."

The question was then taken by yeas and nays, upon the first branch of the amendment, prohibiting the legislature from passing special laws for the punishment of crimes and misdemeanors, regulating the practice of courts, or authorizing or directing the trial of any case in any court; and resulted—yeas 27, nays 32—as follows:

**Yeas**—Messrs. Goldsborough, President; Abbott, Anson, Daniel, Earle, Galloway, Hebb, Hoffman, Hopkins, Hopper, Keefer, Kennard, Larsh, Markey, McComas, Mullikin, Murray, Nigley, Nyman, Parker, Pugh, Ridgely, Russell, Sands, Sneyry, Stockbridge, Sykes—27.

**Nays**—Messrs. Audoun, Belt, Bond, Brooks, Chambers, Crawford, Cunningham, Dail, Davis, of Charles, Davis, of Washington, Dent, Duvall, Ecker, Edelen, Harwood, Henkle, Hollyday, Johnson, Jones, of Somerset, King, Mitchell, Miller, Morgan, Parran, Schley, Smith, of Carroll, Smith, of Dorchester, Stirling, Swope, Thomas, Valliant, Wooden—32.

That branch of the amendment was accordingly rejected.

Mr. VALLIANT, when his name was called, said: In explanation of my vote, I desire to say that while I have no objection to any principle or theory that may be contained in this clause of the amendment of the gentleman from Baltimore city (Mr. Stockbridge,) still I see no necessity for it, and I therefore vote "no."

The next question occurred upon the next clause of the amendment, prohibiting the legislature from passing special laws—

"For the assessment and collection of taxes for State or county purposes, or extending the time for the collection of taxes."

The question being taken, upon a division—ayes 31, nays 28—the clause was adopted.

The next question was upon adopting the clause prohibiting the legislature from passing special laws—

"Providing for the support of public schools, the preservation of school funds, the location or the regulation of school houses."

Mr. SANDS. Many of the school districts are constantly being divided, two districts being made out of one. How are we to reach that case, if this be adopted?

Mr. STOCKBRIDGE. By means of the school commissioners of the several counties.

Mr. JONES, of Somerset. I would inquire whether there is any general school system which would apply throughout the State? I think that nearly all of the counties have systems peculiar to themselves. I do not think that any general system would suit all the counties. I very much regret that a general system has not been found adequate