

to meet the wants of all the counties upon the subject of schools. In the adjoining county of Worcester, they have a fund of some \$50,000 or \$60,000 invested. The income of which is managed by the county commissioners. In our county we have school commissioners. I believe there is a special system for almost every county. I do not think a general system would be well adapted to all the counties.

Mr. STIRLING. I wish to say a few words on this proposition. I do it with great reluctance, because there is much that is good in the specific matters contained in the amendment of my colleague (Mr. Stockbridge) and by opposing them I am liable to be placed in a position somewhat of misconception.

It is proposed to insert here the things which as a general rule the legislature ought not to do. Now, what is the legislature? It is the power of the State; it is the body in which, under our form of government, resides the whole residuum of the sovereignty of the people. Now, if you cannot trust the legislature, then I want to know whom in God's name you are to trust? Is it a body whose functions are defined, like the Congress of the United States, every part of whose powers are hedged in and surrounded, and who are to set here cramped and confined, and who are to look into the Constitution to find out everything that they can do, and everything that they cannot do? It is best to give the legislature power. It is increasing the responsibility of the members of the legislature, and it is adding to the rights of the people, to increase the power of the legislature which represents them.

Mr. STOCKBRIDGE. I would suggest to the Chair that the gentleman is discussing the general principles of the entire amendment, when the question before the house relates simply to the school system.

Mr. STIRLING. I am opposed to putting this restriction in, because of the general principle involved in all the restrictions proposed.

The CHAIRMAN. The Chair is of opinion that the general principle may be discussed in its application to the special matter under consideration.

Mr. STIRLING. Let us for one moment consider this question of public schools. I want, as my colleague does, a general public school system. But suppose that we do not get it; suppose the legislature will not provide a sufficiently full and ample public school system, are those parts of the State who have a system to lose the benefits of it, because the rest of the State do not come up to it? Does this mean that the rate of taxation shall be uniform in every county in the State? That Baltimore city shall not levy any higher tax than may be levied in Baltimore county, or in Anne Arundel county?

If you make any discrimination, then that is a local law. I know that my colleague (Mr. Stockbridge) does not mean that, and I think that is not the proper construction of it. But is it not dangerous to have a provision here which may receive that construction? We have just passed a provision in relation to the assessment of taxes.

Mr. PUGH. I rise to a point of order; that is, that the gentleman is not in order in discussing a provision already adopted.

The CHAIRMAN. The gentleman must confine his remarks to the amendment under consideration.

Mr. STIRLING. I merely desired to use the illustration, for the purpose of showing that it was impossible for us to sit down here and undertake to pass rules to guide all legislative bodies for all time to come. The great founder of the Christian religion, established the general principle that the evils of the day are sufficient for the day. Now, I think we better leave to the people who are to come after us the responsibilities which they are to assume, and not undertake to legislate ourselves for all future time.

There is no one who has been in the habit of coming here year after year, who has not seen constantly evils growing up; and it is very natural for people who see them to think that they can cure them by some restrictions. But it cannot be done. We might just as well pass a law that the legislature shall do no hasty act; that they shall not refer bills to delegations; shall pass no unwise legislation. Now, if there are certain great things which you think no legislative body at any time should do, then it is fair to put them in the Constitution. But when it is merely a matter of details, it is wisest to leave it to that power that represents the people. If the people cannot be trusted to send decent and respectable men to their legislative bodies, then you never can have any government worth having.

Going back to the past, it seems to me that the legislative bodies of former times, which were unrestricted in their powers, were better than those which are restricted. These restrictions have all been introduced within the last twenty years or so. Are the legislatures better now than they were formerly? There was a time when the legislature of Maryland sat here as the adjudicator of the grievances of the people, and I undertake to say that it was a wiser legislature than we now have. The ordinary system of legislation pursued in these States, when colonies, was to make the house of delegates the grand inquest of the people. The colonial legislatures of New England met to redress the grievances of the people of the State, and sat there to adjudicate between man and man; and it was only because it became practically inconvenient that it was abolished. And I would rather give the legislature ab-