

combinations are formed which can carry through any measure, and party influences and party control cannot check legislation of this sort. And there is no power to check it unless you impose some such restraint as this in the Constitution. And it is a very salutary one. Our legislation has degenerated from measures for the public good into mere legislation for various local interests in the several counties. We have seen it illustrated, day after day. Now, as I understand these provisions, proposed by the gentleman from Baltimore city (Mr. Stockbridge,) are intended to check that very evil; not intended to deny to the legislature any of the general powers belonging to it. It merely provides that the legislature shall not pass these mere local laws that are gerrymandered through this hall by local influences to the detriment of the public interests of the people of this State. That is the purport of these propositions. Gentlemen say they cannot vote for some of them because it may deny the general power over the subjects to the legislature. Now, it does not affect the general power of the legislature. It is intended only to restrict the legislature in the exercise of special powers to the injury of the general powers that ought to be exercised for the benefit of the public interests of the State. That, I presume, is the object of the gentleman from Baltimore city. And if the gentleman will accept of this amendment—"unless recommended by the governor and officers of the treasury department," I will vote for it.

Cases will necessarily arise in which persons have overpaid into the treasury. And if it has been done in error, and honestly, it should be repaid. But instead of coming here and appealing to members, very frequently resorting to improper influences, one measure made to depend upon another, the votes of members from one county upon one measure influenced by votes of members from another county upon another measure; and fifty of these local bills being carried through by combinations which ought never to exist in legislative bodies—instead of that, let them appeal to the proper department, and then if their claims are proper, and are certified to by the governor and treasury officers, the legislature would have no difficulty in passing them, for the books of the treasury department would show the true state of the case. In fact that is the law now. The comptroller is required to certify to the legislature all cases of improper payment, and the legislature upon the faith of his certificate, does refund to the party all over-payments of money. Under the general provision of the law under the Constitution the party has his remedy.

But is it confined to that? Why, I was going to say, millions of dollars, certainly thousands of dollars were appropriated last winter for purely local purposes, by purely

local laws, and not at all with any regard to the certificates of the officers of the treasury department. So great was the flood of these bills, that one of the senators, when I went into the hall the last night of the session, told me that he had to move an adjournment of the senate for the purpose of saving to the State of Maryland thousands upon thousands of dollars which he knew would otherwise be appropriated by the passage of bills before the senate. Whether that was so or not, I heard the senator make the statement, and the senate did adjourn some half hour or so before the expiration of its regular session. And I believe it was more from the dread of this thing than from any other cause. They said we would have no treasury if they continued much longer in session. And I thought the senate did a wise thing when they did adjourn.

Mr. STOCKBRIDGE. I will cheerfully accept the amendment suggested by the gentleman from Talbot (Mr. Goldsborough,) to come in at the close of so much of my proposition as may be adopted.

Mr. KING. As I understand it the refunding of this money is to depend entirely upon the governor and treasury officers, and the legislature will have nothing to do but what they say. I can only say that I had no idea the legislature was such a corrupt body until the gentleman from Talbot (Mr. Goldsborough) addressed this convention. I am opposed to this amendment.

The question recurred upon the first clause of the proposition of Mr. STOCKBRIDGE, prohibiting the legislature from passing special laws "refunding money paid into the State treasury . . . unless recommended by the governor and officers of the treasury department."

Upon this question Mr. MILLER called for the yeas and nays, which were ordered.

The question was then taken, by yeas and nays, and resulted—yeas 46, nays 16—as follows:

Yeas—Messrs. Goldsborough, President; Abbott, Annap, Barron, Bond, Brooks, Carter, Chambers, Crawford, Cunningham, Dail, Daniel, Davis, of Charles, Davis, of Washington, Earle, Ecker, Galloway, Greene, Hebb, Hoffman, Hollyday, Hopkins, Hopper, Keefer, Kennard, Lash, Markey, McCombs, Mullikin, Murray, Negley, Nyman, Parker, Pugh, Ridgely, Russell, Sands, Schley, Smith, of Carroll, Smith, of Dorchester, Sneary, Stockbridge, Swope, Sykes, Valliant, Wickard, Wooden—46.

Nays—Messrs. Balt, Dent, Duvall, Edelen, Harwood, Hatch, Henkle, Jones, of Somerset, King, Lee, Mitchell, Miller, Morgan, Parran, Stirling, Thomas—16.

The clause was accordingly adopted.

The next question was upon the second branch of the clause, prohibiting the legislature from passing special laws "refunding