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sum of ten dollars as the per diem of mem-  
bers of this body.

Now so far as living and other expenses  
are concerned, they have increased fifty per  
cent. over what they were at the meeting of  
the last general assembly of this State. I  
think that in view of everything that is stated  
here in the report of the committee of the  
last general assembly, and in view of the law,  
this convention ought to be liberal enough to  
allow the poor members of this convention  
the amount asked for in this order.

Mr. STIRLING. I wish to say a word upon  
this subject, because I am not in the habit of  
refusing to acknowledge anything I have  
done. It has been said or insinuated here,  
that those who reported that resolution in  
the last general assembly were not to be re-  
spected, so far as their judgments were con-  
cerned, and were not quite to be respected so  
far as their motives were concerned. That  
resolution passed both houses of the general  
assembly, by a large majority. And so far  
as I have heard, with the exception of one  
gentleman, whom I have heard of since,  
every member of both houses took the money.  
And I think that anybody who took that  
money has no right to say anything against  
the legislature for voting it. I voted for that  
resolution, and I stand here responsible for  
having voted for it. And the reason why I  
shall not vote for the order of the gentleman  
from Washington (Mr. Dellinger) is that the  
per diem of the members of the last general  
assembly was only four dollars, and more  
than a hundred dollars in addition to that  
has already been received by members of this  
convention whose per diem is five dollars.

Mr. RINGELY. Consistently with my own  
views of law, I reach a very different conclu-  
sion from that just communicated by the  
gentleman from Baltimore city (Mr. Stirling.)  
I do not think this convention has any right to  
decide this question at all. If this convention  
bill is susceptible of the construction which  
has been put upon it; if it will admit of the  
interpretation which the gentleman from  
Washington county (Mr. Dellinger) has put  
upon it, and I think it will, that appears to  
me to be an end of the question. This con-  
vention bill is no longer an act of assembly.  
It ceased to be an act of assembly the moment  
the people passed upon it and indorsed it.  
When the people passed upon it and indorsed  
it, it became the law, and imperative in all its  
parts. We have no discretion to relax it or to  
extend it. If the convention bill be susceptible  
of the interpretation and construction put  
upon it by the gentleman from Washington  
county, then I say you are bound to pay the  
mileage received by the members of the last  
legislature, because the people have said so.

I care nothing about the proposition itself.  
I rise simply to express an opinion upon the  
law of the case. And I go further; and I do it  
with great deference and respect. I believe

that each member of this convention has a  
legal right to this amount, and that that legal  
right could be enforced by a mandamus.  
I think, therefore, it is no longer a question  
of discretion, but imperatively a question of  
right which we cannot resist.

Mr. STOCKBRIDGE. I do not see either the  
right or the justice of it. The phraseology of  
the convention bill is: "and the compensa-  
tion of the delegates to said convention shall  
be five dollars per day, and the mileage al-  
lowed to members of the general assembly of  
this State." Now what does that mean?  
Does it refer to one single exceptional case  
in all the State's history, or does it refer to  
the customary and usual mileage? That is  
the question. At the time of the passage of  
this convention bill, there had never been in  
the State of Maryland, so far as I know, but  
one rate of mileage established by law; cer-  
tainly not more than one rate for many years  
at least.

The PRESIDENT. It had been so from the  
days of the revolution.

Mr. STOCKBRIDGE. There had been but one  
rate of mileage, and that is what it was at the  
time this convention bill was passed. I sub-  
mit to the convention, with great deference,  
that a single, wrongful, exceptional case,  
transpiring after the passage of this conven-  
tion act, should not in this case have any in-  
fluence upon the minds of members of this  
convention. What is mileage? A certain  
fixed rate allowed as travelling expenses;  
nothing else. There are members sitting here  
whose homes can be hit with a stone thrown  
from the steps of this State-house. A hun-  
dred dollars mileage to them for travelling  
expenses to those homes? The proposition  
is absurd upon its face. It is a wrong upon  
the State which we have no right to per-  
petrate. I hope this order will not be  
adopted.

Mr. DELLINGER. The gentleman from Bal-  
timore city (Mr. Stockbridge) cannot throw  
a stone to my house, at any rate. I would  
inquire of the honorable gentleman from Bal-  
timore city (Mr. Stockbridge) whether he  
took the mileage that was allowed by the  
last general assembly, to every one of its  
members? I know one thing; it has cost me  
a great deal more than the mileage I receive,  
to travel to my home and back. It is well  
known to members of this convention that  
we had to leave the city of Annapolis upon a  
certain occasion, and I could only reach my  
home then by going around by the way of  
Philadelphia and Harrisburg. I have gone to  
my home and come from my home, but once  
since I have been a member of this convention,  
directly by the Baltimore and Ohio Railroad.  
I have been subjected to extra expense every  
time I have gone home from here, which has  
been but three times. And I would ask whether  
the cost of everything has not increased at  
least fifty per cent. beyond what it was when