

The question was then taken upon the amendment as modified, and it was adopted. The order reported by the committee, as amended by the convention, was then adopted.

PER DIEM OF THE PRESIDENT.

Mr. RIDGELY. I offer the following:

"Ordered, That the president of this convention be allowed a per diem of seven dollars, and that the committee on accounts audit his account accordingly."

I have only to say that it is customary with every deliberative body to make an additional allowance to its presiding officer, in view of the extraordinary labors which that officer has to perform. It was done in the last convention, and I believe has been the custom of every deliberative body.

Mr. HARR. I would state in regard to this order that I would vote for it very cheerfully, but there was a motion made in the house of delegates when the convention bill was pending, to make the *per diem* of the president of the convention six dollars a day, and it was voted down.

Mr. JONES, of Somerset. There is nothing in the convention bill that fixes the *per diem* of the president; that matter was left to the convention. I second the proposition of the gentleman from Baltimore county (Mr. Ridgely.)

Mr. DELLINGER. If it be in order, I move to postpone this order until to-morrow. I will perhaps then offer an amendment to it, if the committee on accounts refuse to allow the amount which the convention this morning ordered it to allow.

The CHAIRMAN (Mr. Purnell) stated the question to be upon the motion to postpone until to-morrow.

Mr. RIDGELY. I will state that it is uniformly the rule in every deliberative body to make an extra allowance to its presiding officer; and it does not depend upon any other contingency. This house surely will not undertake to connect with this proposition any independent matter that has no relation to it whatever. I trust the house will act upon this proposition as it stands, and decide it upon its own merits. When the other proposition comes up the gentleman will find that I will be a friend to it, and will advocate it, believing as I do that it is founded in justice, in equity, and in right. But I desire this proposition to be considered independently, and so acted upon by the house.

Mr. DELLINGER. I will withdraw the motion to postpone. I am one of those who believe that the legislature have no power under the constitution to fix the *per diem* of members of this convention. I believe it is perfectly competent for this convention to fix the *per diem* of its own members, and to say what their services are worth, and what they shall receive. Being under that impression, I shall vote for this as an independent propo-

sition, to allow the president this additional compensation. But I think it more proper that this matter should be referred to the committee on accounts, and I therefore make that motion. Let this proposition, as well as the claim which members of this body make for their services here, go together to the committee on accounts.

Mr. JONES, of Somerset. The committee on accounts can do nothing in the world with this matter. They have no power to fix the compensation of the presiding officer.

Mr. RIDGELY. This is a proposition to instruct the committee on accounts, in auditing the accounts of the president of this convention, to conform to the suggestion of allowing him seven dollars a day. Now what purpose is to be served by referring this to the committee on accounts? If the house do not desire to give those instructions they can vote it down. Its reference to the committee on accounts will accomplish no purpose whatever, because it will go to them without any instructions from the house. It will therefore be idle legislation to refer this proposition to the committee on accounts. If the house is disinclined to vote that amount, it would be infinitely better to vote down the proposition. But I trust they will not do so.

Mr. DANIEL. I should have less difficulty in voting for this proposition, if this question, as has been stated, had not come directly before the legislature, which voted down a proposition to give the president an increase of *per diem*.

Mr. RIDGELY. What has the legislature to do with it?

Mr. DANIEL. Upon the theory that the gentleman and I adopt—for I have agreed with him on that theory in regard to the powers of this convention—we have adopted the theory that this convention is bound by the provisions of the act of the legislature which called us into being, so far as those provisions are applicable; and the legislature having fixed the compensation at five dollars a day, I cannot vote for more. Now if I assumed the theory that this convention was not bound by that act, that we had a right to make our own rules and regulations, and to determine upon all these questions, I should vote for this proposition with great pleasure, because then I should believe this convention had the power to do it. But having adopted the other theory, that so far as the convention act is applicable it does bind the convention, and that act having received a construction by the legislature, they having voted down a proposition to increase the *per diem* of the president, I cannot vote for it.—I will say at the same time that there is no gentleman here who has a higher regard and respect for the able manner in which the chair has discharged his duties, and for him personally, and in every other way, than I have.