

the distance they live from this place. But it is contrary to any principle to call this hundred dollars mileage, or to take it as mileage.

And in reply to the gentleman from Anne Arundel (Mr. Miller) who says that if we do not take it we adjudge ourselves to be not as worthy as members of the legislature, I say that if the convention adopts this order, it will adjudge itself very unworthy. I hope we are not so unworthy as to take it.

Another point which I wish to state is just this: It is a rule of construction that where there is a doubt as to what a law means, you must arrive, if you can, at the intention of the law-makers; and that intention, if it can be clearly arrived at, will aid you in construing the law. Now when the bill was passed calling this convention together, the joint resolution in relation to mileage had not been passed by the general assembly. The convention bill was passed on the 3d of February, 1864. That bill says that the members of the convention should receive the same per diem as members of the general assembly. Up to that time no member of the legislature had ever received "one hundred dollars, in addition to his usual mileage." The joint resolution in relation to mileage was passed on the 9th of March, 1864, more than a month after the convention bill had been passed. Now, will it be said that the legislature intended the members of this convention to receive this additional hundred dollars when that thing had never been heard of when the convention bill was passed? How could they have contemplated any such thing? They said that the members of the convention should receive the same mileage that had always been allowed and received up to that time. It is clear to my mind, that they did not intend, when they passed the convention bill, for us to have this hundred dollars; and that if we take it, we take it without any real principle to justify us in doing so. As my colleague (Mr. Stockbridge) says, if we are going to take it, let us take it as a bonus, or extra compensation, or something of that kind; let us call it by its right name, and take it upon the theory adopted by some members of this convention, that we are not bound by the convention bill at all. Do not let us do in a roundabout way, that which we would not do directly.

Mr. RIDGELY. This subject has taken a most extraordinary turn. The gentleman from Baltimore city (Mr. Daniel) has referred to the proceedings which took place in the general assembly at the time of the passage of those two propositions—the convention bill and joint resolution number four. As I understand him, he has invoked those proceedings as furnishing a key for unlocking the meaning of this law. If I have understood him correctly, then this is the first time that I have ever in my life heard that the transactions which took place in a legislative body could be invoked as a means of inter-

preting the meaning of a statute. You might as well call the members of the legislature into a court of justice, and ask them to testify upon the witness stand as to their intention and their purpose when they voted for any particular law, as to invoke them under circumstances of this kind. When we are called upon to expound a statute, we are to take its contents and to arrive at the meaning of the law from the statute itself, and not go behind the statute into the proceedings of the legislature for lights by which we are to be guided in reaching the true meaning of the contents of the statute.

We cannot go behind the law. That law I hold in my hand, and in my judgment it is clear of all ambiguity in its context. What are its words?

"And said convention shall have full power and authority to determine on the validity of the election and qualification of its members; and the compensation of the delegates to said convention shall be five dollars per day, and the mileage allowed to the members of the general assembly of this State."

They do not call it "bonus." They do not call it by any other name than its proper name—"and the mileage allowed to the members of the general assembly of this State." What general assembly? Any particular general assembly? The general assembly of last year, or year before last, or four or five years before?

Mr. MILLER. Not "as is now allowed," but as "is allowed to members of the general assembly."

Mr. RIDGELY. Yes, sir. Can there be any ambiguity about the phraseology of that law? True, I concede to the gentleman from Baltimore city (Mr. Daniel) that you are to look to the intention of the legislature. But you are to look to the text of the law from which to gather that intention of the legislature. Did the legislature mean to convey the idea that this was to be received as a bonus—as a compensation in the form of extra per diem? On the contrary, the phraseology used shows that it was to be received as mileage. As mileage in what connection? As mileage in connection with the mileage which was to be received by members of the general assembly, and the legislature received the mileage prescribed in resolution number four. What is that resolution?

"Resolved by the general assembly of Maryland, That the sum of one hundred dollars, in addition to their usual mileage, be paid to each of the senators and delegates of the general assembly."

Not in addition to their per diem—not in addition to any other compensation which shall be received by that body. But it was in connection with the word "mileage." It was to be received "in addition to their usual mileage." It will be in vain for honorable