

gentlemen to seek to bring in here lexiconographers and dictionaries with which to determine the meaning of the word "mileage." It has a very wide and comprehensive meaning. If we take the meaning adopted by the general government heretofore, we will find "mileage" to be a very different thing from what gentlemen would confine it to here.

I hold, upon theories which I advanced here the other day, and which I regard as still stronger than the theories derived from the law itself, that this law is the fundamental law. It is fixed, by the people who have prescribed what your compensation is to be, and you cannot go behind their verdict. They have said that you shall receive the mileage allowed to members of the general assembly of this State. It is a right which belongs to members of this body, and I trust there will be no extraordinary fastidiousness of conscience upon the subject. If there are gentlemen here who do not feel that they can conscientiously take this money, then I hope they will not take it; and I trust they will make no mistakes when they come to settle up their mileage accounts. It is perfectly easy for them to adjust those accounts without mistakes. For my part, I feel that I am asking no favor—that I am receiving no gratuity—that I am receiving nothing at the hands of this body but what my constituents and the great body of the people voted to me, and if it is withheld by a vote of this house, it is withheld under a mistaken sense of duty.

Mr. ECKER. It is rather presumption in me, I know, to get up here and say one word after the very able argument of the gentleman from Baltimore county (Mr. Ridgely). That gentleman says this hundred dollars was received in addition to their mileage.

Mr. MILLER. In addition, to their usual mileage.

Mr. ECKER. Every man got a hundred dollars besides his mileage. I got one hundred and twenty-four dollars. But according to the construction of the gentleman, I should have taken the twenty-four from the hundred dollars and received seventy-six dollars. If they had adjusted the mileage in that kind of style, taken the usual mileage from the hundred dollars, how would it have worked? We had a very worthy friend from Anne Arundel county, who resided in the city of Annapolis. He would have got his hundred dollars straight out, because he had no mileage to deduct from it, while the members from Allegany and Worcester and Washington and Somerset, would have got their one hundred dollars with their mileage off.

Now this whole thing is nothing more nor less than a raid upon the State treasury. When I reached home last Saturday morning, my friends asked me, when we were going to adjourn? I said, "We have got all through, except stitching the pieces together,

and making a book of it"—and then I added, in a joking way—"No, there is forty thousand dollars of the appropriation left yet, and we are going back to distribute that on Monday and Tuesday next." Now, from indications here, I am beginning to be afraid that what I said as a joke, will turn out to be the fact. I should be very sorry to have my words prove true. I therefore move that we adjourn.

The motion to adjourn was not seconded.

Mr. BOYD. The mileage now claimed under the amendment of the gentleman from Queen Anne (Mr. Lee), is claimed as a matter of law, as an absolute right of members of this convention, under the existing law of this State. It seems to me that there are one or two lawyers here who differ from that opinion. Yet the other lawyers are of the opinion that this claim is right according to the law. Now, if it be that there is a doubt as to whether this be the law or not, then I say there are circumstances now existing which ought to give that doubt in favor of those claiming this mileage.

What is the state of the case now, as compared with the state of the case when this resolution number four was passed? On that day—and I have looked at the record for the purpose of ascertaining that fact—gold was at a premium of 67—now it is 1.50 per cent. premium. And if the reason then given for increasing the mileage was a good one, how much stronger is the argument now? In point of fact five dollars a day now is very little more than two dollars a day in coin; and yet that is the rate at which we are now being paid. It is for this reason that I say that if there be any doubt about the matter at all—though I do not think there is any—if there be any doubt at all upon the question of the law, it should be given in favor of the claimants.

But this question, according to my judgment, has been settled; and I confess I have had but little experience in the construction of statutes. The legislature undertook to adjust—what? To adjust the mileage to which members were entitled. Was it necessary that, according to my friend from Baltimore city (Mr. Stockbridge), they should have descended to count the number of miles that each member lived away from here, and say that he was entitled to so much mileage? No, sir. They had the right to give the gross sum if they chose. They did give it—whether rightfully or wrongfully as regards the different members it is not for us to inquire. The matter of adjusting the mileage was referred to the committee on accounts. They did adjust the mileage, and under that adjustment they awarded one hundred dollars to each member of the legislature. Then came the law calling this convention together, which says that in addition to the five dollars per diem, the members of the convention should be entitled to the mileage allowed to mem-