

is one thing I think clearly determined; and that is that in the phraseology of the law the legislature intended only to appropriate for the actual expense, and did not intend to appropriate anything to the librarian as compensation for his services. If there is any balance, it is the duty of the librarian to make a return of that when he presents the vouchers, and that balance must go into the treasury.

The PRESIDENT. It is the duty of the treasurer to honor the draft of any officer of a department for the sum specified in the law and appropriated, without any diminution whatever. It is presumed that every officer discharges his duty faithfully. When the librarian draws for \$150 for a specific purpose, it is to be presumed that it actually amounts to that sum. There has never been filed, to my knowledge, in the treasury department, any statement whatever by any librarian of the actual expense of transmitting those laws and journals. It is presumed that the legislature have acted upon that information from year to year as to the amount necessary, and appropriated that sum. With regard to other sums which can be arrived at as the per diem of the members of the legislature, that does not require the payment of the specific amount.

Mr. VALLIANT. I do not rise for the purpose of prolonging the discussion, but for the purpose of respectfully suggesting that the discussion has already cost as much as the difference between \$1,000 and \$1,500.

Mr. KING demanded the yeas and nays, and they were ordered.

The question being taken upon Mr. KING's amendment, as modified by him, to insert after the word "annum," the words: "The legislature shall pass no laws whereby he shall receive any additional compensation,"—the result was—yeas 44, nays 29—as follows:

Yeas—Messrs. Goldsborough, President; Annan, Audoun, Baker, Barron, Bond, Brown, Carter, Clarke, Cunningham, Davis, of Washington, Duvall, Ecker, Gale, Galloway, Hatch, Hoffman, Hopkins, Hopper, Jones, of Cecil, Jones, of Somerset, Keefer, King, Lansdale, Larsh, Lee, Markey, McComas, Morgan, Negley, Nyman, Parker, Par-ran, Peter, Ridgely, Robinette, Russell, Smith, of Carroll, Swope, Sykes, Turner, Wickard, Wilmer, Wooden—44.

Nays—Messrs. Abbott, Belt, Blackiston, Briscoe, Chambers, Cushing, Daniel, Dellinger, Earle, Farrow, Greene, Harwood, Hebb, Horsey, Johnson, Kennard, Marbury, Miller, Murray, Pugh, Purnell, Sands, Schley, Scott, Smith, of Worcester, Sneary, Stirling, Stock-bridge, Valliant—29.

As their names were called,

Mr. CHAMBERS said: I believe the law already amply provides for this, and I vote "no."

Mr. DANIEL said: Because it is already

provided for in the constitution, although I have no objection to it, I vote "no."

Mr. STIRLING said: I think this amend-ment is right in itself, but I shall have to vote against it because I regard it unnecessary. The constitution, by fixing the salary prohibits the legislature from giving any more. If we pass this it may be interpreted to imply that the legislature may increase the salaries of other officers of the State. It is especially to avoid that interpretation that I vote "no."

Mr. SANDS voted aye, and subsequently said: The idea of the gentleman from Balti-more city (Mr. Stirling) had not occurred to me. It is a good one, and I ask leave to change my vote, and vote "no."

The amendment was accordingly agreed to. Mr. VALLIANT submitted the following amendment:

Strike out all from the word "qualified," in the third line, to "he," in the fourth line, and insert "the salary of the present incum-bent shall be fifteen hundred dollars per an-num, to begin on the 1st of January, 1865, and continue till the close of his present term of office, but thereafter he nor his successor shall not receive more than \$1,000, unless otherwise determined by the general assem-bly."

Mr. DUVAL gave notice of the following amendment:

Amend section three by adding the follow-ing words:

"And whenever the general assembly shall appropriate any amount of money for the expenses of any duties to be performed by the librarian, such amount shall be only paid by the comptroller and treasurer upon the order of the governor of the State, who shall transmit to the next succeeding general assembly a report giving the details of such expenses."

The amendment offered by Mr. VALLIANT was rejected.

Mr. STIRLING. I find that the amendment adopted destroys my amendment, and I will withdraw it.

Mr. SCOTT submitted the following amend-ment:

Strike out all after "qualified," and insert: "He shall perform such duties and receive such compensation as are now or may be hereafter prescribed by law; but such com-pensation will never be more than \$1,500 annually."

Mr. DANIEL. We have got that in twice already, under the general provision and un-der the special provision.

Mr. PUGH. The point of difference is this: that by my colleague's amendment the salary may be made by the legislature less than \$1,500, whereas as it now stands it must be \$1,500. That is a very material difference.

The PRESIDENT. How does the gentleman get rid of the difficulty that the house has