

and to fix their compensation, and the Treasurer of the State of Maryland shall, upon the order of the President of said Convention, pay to each member thereof their *per diem* and mileage as hereinbefore provided, and shall also pay to the officers of said Convention, upon the order of the President, such compensation as the Convention shall allow; provided it shall be the duty of the Speaker of the House of Delegates, and of the President of the Senate, to provide a reporter of the Debates and Proceedings of said Convention, who shall act until the said Convention shall provide its own officers."

I think that under this law, the Comptroller of the Treasury and the Treasurer himself, are bound to pay and to pay only what this law authorizes to be paid. The last appropriation bill, passed in pursuance of the provisions of this law, carrying out its purpose, appropriated \$150,000 for the expenses of this Convention; and they are only such expenses as the Convention bill itself provided for. I do not think the Comptroller of the Treasury nor the Treasurer himself would be authorized under the law to pay such expenses as this order contemplates. I should like very much to have the information these papers would communicate to us; but I do not see how we can get it.

Mr. HEBB. I am astonished to hear the opposition to this order, inasmuch as it was almost unanimously decided, myself in the minority, to pass an order requiring the Librarian to purchase a certain number of copies of the "American Constitutions." I cannot see the necessity of having a paper from each county to pile in the Library. The members of my county want information of the wishes of the people there, and not the information sought by members from other counties. We should not read their papers, neither would they read ours. We all wish to obtain the information from our own people.

The PRESIDENT. The payment would come out of the contingent fund specially appropriated to the increase of the Library.

Mr. HEBB. That did not augment the Library, inasmuch as the order was that we were to take the books home.

The PRESIDENT. Only temporarily; but certainly the books must go into the Library before they can be taken out.

Mr. BELT. I would merely suggest that we have no right to take legislative action for the augmentation of the Library.

On motion of Mr. HEBB,

The order and amendment were laid on the table.

MISCELLANEOUS.

On motion of Mr. DELLINGER,

Ordered, That the Committee on the Executive Department be instructed to inquire into the expediency of creating the office of Lieutenant-Governor, and to provide for his election.

On motion of Mr. GALLOWAY,
Ordered, That the Committee on the Judiciary Department be requested to inquire into the expediency of changing the Sixth Judicial Circuit, composed of Baltimore, Harford and Cecil counties, into two separate and distinct Circuits.

On motion of Mr. HEBB,

Ordered, That the Committee on Accounts be requested to fix the *per diem* and mileage of the officers of the Convention, and report the same to the Convention for its action at as early a day as possible.

Mr. CLARKE submitted the following order:

Ordered, That the Committee on the Judiciary inquire how far this Convention is limited in its powers by the existing Constitution of the State, and the act of Assembly providing for the call of the Convention, and report to this Convention at as early a day as practicable.

Mr. CLARKE. I offer this simply that the question may be met at once, and that we may define our powers, and act intelligently when questions for the appropriation of money or similar questions arise. I perfectly agree with the gentleman from Baltimore city, (Mr. Daniel) that so far as the action of the Legislature calling this Convention into being prescribes a limitation, that action having been sanctioned by the people, the limitation may control this power of the Convention. Thus the oath prescribed, and the place of the assemblage of the Convention, and the question of submitting the Constitution to the people, may all be considered binding limitations, because they are limitations imposed by the sovereignty when they voted under the act to call this Convention into being. But even these propositions I submit as *queries*. Beyond that, I regard this body, in its action, as having full power to pass upon all matters which may come before it subject of course to the provisions of the Constitution of the United States.

On motion of Mr. HEBB,

The Convention adjourned.

TENTH DAY.

WEDNESDAY, May 11th, 1864.

The Convention met.

Prayer by the Rev. Mr. Owen.

The proceedings of yesterday were read.

The PRESIDENT laid before the Convention a communication from the Executive, enclosing the returns of a special election held in Charles county, for a delegate to the Convention;

Which was read and referred to the Committee on Elections.

The qualification of E. P. Duvall, member elect from Montgomery county, was presented, and the gentleman named appeared and took his seat.

On motion of Mr. DANIEL;