

"The Legislature shall have power to provide by law, for exempting from execution not more than five hundred dollars worth of the household furniture or other property belonging to each family in this State."

Mr. MORGAN called the attention of the gentleman from Alleghany, (Mr. Fitzpatrick,) to the fact that a similiar provision had been reported by Mr. PRESSTMAN.

Mr. FITZPATRICK said the provision in the report alluded to, was not as specific as his own proposition. But he would withdraw it, and gave notice that he should hereafter offer it as an additional section.

Mr. SPRIGG moved to amend said report by inserting as the nineteenth section, the following:

"The House of Delegates shall have the sole power of impeachment in all cases, but a majority of all the members, must concur in an impeachment; all impeachments shall be tried by the Senate, and when sitting for that purpose, they shall be on oath or affirmation, to do justice according to the law and evidence, but no person shall be convicted without the concurrence of two-thirds of all the Senators."

Mr. CHAMBERS expressed a wish that the words "not otherwise provided for in this Constitution" should be stricken out. He thought that there was no other tribunal competent to try cases of impeachment but the Senate. They were in a thousand instances founded on charges which had no legal definition. The appropriate duties of the ordinary courts of law and of juries were not at all applicable to such cases. They ought to be tried only before a tribunal which is discharged from all the technicalities by which the ordinary courts are bound.

Mr. SPRIGG said he would accept the amendment suggested by the gentleman from Kent, and would modify his amendment accordingly.

Mr. McHENRY moved to amend the amendment of Mr. SPRIGG by striking out the words "two-thirds," and inserting in lieu thereof "a majority."

Mr. McHENRY was sorry the amendment he had now submitted had not been offered by some other gentleman. He believed it would be found impossible ever to get two-thirds of the Legislature to agree to the dismissal of an unworthy officer. He would be happy to take the sense of the Convention on his amendment.

Mr. TUCK replied that the agreement of two-thirds was required in most, or all of the other States. The object of the two-third rule was to protect the accused party against party or political hostility. That was the original cause of the provision. If, in ordinary cases, where an individual is accused of crime, it is required that a jury of twelve men must agree on a verdict, he did not see why there should not be an agreement of two-thirds in cases of impeachment, which are also of a criminal character. He therefore, thought it would be much the best way to let it remain two-thirds.

Mr. WEEMS, after requesting that the amendment should be read, suggested the insertion of

the word "elected" after "members," It would then accord with the rest of the section.

Mr. McHENRY said this would make the provision still more stringent. The gentleman from Prince George's (Mr. Tuck,) says that these are criminal cases, and that they should be treated in a way analagous to others of the same character. But impeachment cases are not always founded on criminal acts. Very frequently, they merely look to the removal of officers who have become inefficient or incompetent. Even if a majority had the power to make these removals, he did not think they would be made as easily as they ought to be. Every facility ought to be rendered for the removal of incompetent public officers. Except in times of great party excitement, all the the public sympathies would be in favor of the accused; and it was his object to obtain some security for the public interests.

Mr. JENIFER was of opinion that if the amendment prevailed, impeachment, instead of being a criminal prosecution, would be a party or political persecution. You insert a provision in the Constitution that these public officers shall be elected by the people, and then you insert another provision giving a party majority the power to remove them from office by impeachment. The subject had been already discussed on a former occasion. He hoped the amendment would not prevail.

Mr. NEILL reminded the House that this subject was likely to come up again for discussion, when the judiciary report shall be before the Convention. There was some portion of that report which contained a provision of this character. He would, therefore, suggest it as the better course to postpone the consideration of this question, until the report of the judiciary committee shall be up for consideration.

Mr. SPRIGG accepted the suggestion, and the section was informally laid over.

The nineteenth section was then read as follows:

*Section 19th.* No money shall be drawn from the Treasury of this State but in consequence of appropriations made by law, an accurate statement of the receipts and expenditure of public money shall be attached to and published with the laws after each regular session of the General Assembly.

Mr. RIDGELY moved to amend said section by inserting after the word "law" in the second line, the following:

"And every such law shall distinctly specify the sum appropriated, and the object to which it is to be applied."

The question was taken, and the amendment was agreed to.

Mr. RIDGELY (to avoid all ambiguity, he said,) moved to amend the section by adding at the end thereof, the following words:

"Provided, that nothing, herein contained, shall operate to prevent the Legislature from placing by appropriation a contingent fund at the disposal of the Executive."

Mr. SPENCER stated, that he felt some hesitation about voting for this amendment. He hoped