

Mr. SMITH, of Carroll. I do not know anything about the merits of this particular case. But I know it has grown to be the common practice in the Legislature of this State for all the old employees to return here at the opening of the succeeding session and to remain until the House is properly organized, and it has been the invariable practice to pay them per diem for the days on which they have been employed, and to pay them their mileage also. So that these gentlemen came back here when this Convention met under a precedent for a great number of years, with the positive expectation that they would receive their per diem and mileage. It is no objection that this young man made an unsuccessful application to be retained here. The same application, but more successful, was made by some of those now employed here. It seems to me unjust to deny this to this young man, when a similar order has been made for another. This practice, to my certain knowledge, has been established in the Legislature since 1856, and this young man had a right to expect that he would be paid. It took him two or three days to come here, and as many to return, and all his expenses will hardly be repaid by the sum this order appropriates.

Mr. NOLAN. There is a little difference between this case and the one from Washington county. The page from Washington county did actually render services in the Convention as a page. In connection with one who is now a page, he rendered all the services of pages which were rendered until the permanent pages were appointed. If the gentleman from the Eastern Shore of Maryland, who is the subject of this order, came here and actually rendered services to the Convention in the capacity of page, it is certainly no more than right and just that he should be paid. The Convention should not ask or receive the services of anybody without rendering a proper consideration for them. The question of mileage is to be determined by the proper authority, but it is a small matter any way. As the gentleman from Carroll (Mr. Smith) has said, it has been a precedent for years past in the Legislature, and I have no doubt the man came here honestly satisfied in his own mind that it was his duty to come, and if so, I do not think we should make an exception to the rule, although the Convention does not stand in the same category with the Legislature, and strictly this custom might not apply to it. Still, it is not a very great matter, and I do not think an exception should be made now.

Mr. SMITH, of Carroll. He came here on Wednesday, when the Convention met, and left when the Convention adjourned on Thursday, so that he was only two or three days here.

Mr. STOCKBRIDGE. How much will his mileage amount to?

Mr. SMITH, of Carroll. The same as is given to persons who come from that county.

Mr. KING. Does the person appointed permanently to that place receive mileage also?

Mr. STOCKBRIDGE. Certainly. It would make no difference to my mind whether this was a precedent for a century, or for a year. But my understanding of the precedent is different from that of my friend from Carroll (Mr. Smith.) It has been customary for the clerk of the previous Legislature to come at the opening of the session of a new Legislature, and it has been sometimes the custom for the Sergeant-at-Arms to come; that, I think, is the extent to which the custom has gone.

My attention was not directed to the case of the page from Washington county at the time, or I might have made the same objection to it. I was aware of it when I made my motion this morning, but I presumed the payment had been made and it was too late to interfere. But there is a great difference in the two cases. The one now under consideration really rendered no service, and was here but two days. The other, at the request of the President of the Convention, and in the absence of the regularly appointed pages, remained here some two weeks and discharged the duties of page. Now I am in favor of compensating fully any one who has rendered any services to members here. But when a person comes here merely upon an electioneering tour, does nothing but electioneer, and really renders no service to us, it seems to me it would be wrong to compensate him for his trip from the Eastern Shore, amounting to quite a sum.

Mr. TODD. I think the gentleman from Baltimore (Mr. Stockbridge) is mistaken when he says this person rendered no services to the Convention. He was here, occupied the position of page, and, according to my recollection, did render services to members of this body for two days. He came here, as he stated to my colleague (Mr. Noble), under the impression that it was his duty to come. I have no doubt he desired, if possible, to obtain the appointment as page. But others did the same; I have no doubt the one from Washington county, who was remunerated for his services as a page, came here to secure the appointment, if possible. That, however, does not, in my opinion, militate against this claim at all.

Mr. MATHUEN. If this order is adhered to, I shall be under the necessity of offering an order in favor of another person, who was at the expense of coming here, because he was under the impression that it was his duty to come here and act as door-keeper until one should be appointed.

Mr. ECKER. My impression is that the Legislature passed an order that these officers should come here and perform their duties until permanent officers were appointed.