

features. The county superintendent is an officer employed, I believe, in every State where they have a system of public schools such as we intend to establish in our State. When the commissioners are appointed this county superintendent will have to devote his whole time to the organization of the government of schools, and will be chairman of this board of education. I vote "no."

Mr. CUSHING. I should prefer, of course, the report. But I have agreed to accept the amendment now pending, and I therefore vote "aye."

Mr. EDELEN. While I am decidedly in favor of referring this whole matter to the legislature of the State, and leave them untrammelled by any provision in this constitution to act upon the whole question of public school education, I shall vote for the amendment, preferring it to the section as it stands in the report of the committee. I vote "aye."

Mr. RIDGELY. Like my friend, the chairman of the committee (Mr. Cushing,) I prefer the section as it stands; but I shall vote, because I promised so to do, upon the idea that we were going to compromise upon it, "aye."

Mr. STIRLING. I voted before against striking out this second section, not so much that I cared about it, because I had made up my mind to vote against the whole, thinking it unwise to insert a provision for an officer of doubtful utility in the constitution; but as this is agreed upon, and as if it becomes necessary it can be stricken out hereafter, I will vote "aye."

The amendment was accordingly agreed to.

#### BOARD OF EDUCATION.

The third section was read as follows:

"Sec. 3. There shall be a State board of education, consisting of the governor of the State, the lieutenant governor, the president of the senate, the speaker of the house of representatives, and the State superintendent of public instruction, which board shall perform such duties as the general assembly may direct."

Mr. EDELEN. I am doubtful about the propriety of inserting the words "lieutenant governor," for I am not aware that there is any such officer known to the constitution or laws of this State.

Mr. DAVIS, of Washington. I move to amend by striking out the words "the lieutenant governor."

Mr. STIRLING. I hope the gentleman will not press that amendment, because if we are going to have a lieutenant governor he ought to be a member of this board; and if not then there will be no president of the senate. We shall have to strike one out, and we can better do that when we have decided upon the executive article. I was about to move to

strike out president of the senate, but for this consideration.

The PRESIDENT. The different articles will be made hereafter to conform to each other.

The amendment was withdrawn.

#### SCHOOL COMMISSIONERS.

The fourth section was read as follows:

Sec. 4. There shall be in each county five school commissioners, who shall be appointed by the State board of education, shall hold office for four years, and shall perform such duties as the general assembly may direct; the school commissioners of Baltimore city shall remain as at present constituted, and be appointed as at present, by the mayor and city council.

On motion of Mr. SANDS,

The section was stricken out, being included in the amended second section.

#### THE PUBLIC SCHOOL SYSTEM.

The fifth section was read, as follows:

Sec. 5. The general assembly, at its first session after the adoption of this constitution, shall provide a uniform system of free public schools, by which a school shall be kept open and supported free of expense for tuition in each school district, for at least six months in each year; and in case of a failure on the part of the general assembly so to provide, the system reported to it by the State superintendent of public instruction shall become a law, and have full effect as if enacted by the general assembly; *provided*, that the report of the State superintendent shall be in conformity with the provisions of this constitution.

Mr. STIRLING submitted the following amendment:

Amend by striking out from the word "become" in line seven down to the word "provided" in line eight, and inserting "the system of public schools of the State;" and by adding at the end of the section the words, "and such system shall be subject to such alterations conformable to this article as the general assembly may from time to time enact."

Mr. MILLER moved to strike out all after the word "year" in the fifth line.

The question was stated first upon Mr. STIRLING's amendment.

Mr. MILLER said: I do not doubt the power of the convention to perfect in this article an entire system of common school education in the State. Then when the constitution is submitted to the people, the people will know what they are voting upon; but if you leave this subject to stand as it has been reported, or as amended by the gentleman from Baltimore city (Mr. Stirling,) what is the result? You say that "the general assembly at its first session shall provide a uniform system of public schools by which a school shall be kept open and supported free of expense for tuition in each