

little, and if the amount be once fixed in the Constitution, it must stay there until that Constitution would be changed, which certainly would not be soon, and perhaps not for half a century. In the mean while circumstances might entirely change, and the duties of these officers dwindle down to nothing, or increase to an extent not dreamed of now. But let the Legislature determine the matter, and if the sum they give be too high, they can be made to lower it, and if too low, or additional duties be prescribed, they can make it higher, thus proportioning the salary with the labour. That was the true principle, but it was impossible for this Convention to carry it into effect in such a case as the present.

Some gentleman thought that because these commissioners were to be elected by the people, and would likely be nominated by their respective parties, and canvass their districts, that the Legislature would give them high salaries. He did not believe such would be the result. Certainly it was not necessarily so. It could scarcely be supposed that the Legislature would reward a person in proportion to what the cost and trouble of his election had been, but in proportion to the labor he had to perform in the discharge of his official duties. Any other doctrine he held to be wrong, because if parties see fit to canvass and spend money to secure their own election, it was their own fault. Such things certainly ought not to be encouraged by any law-making body. Much better would it be for the people, if they were less practiced, and all without solicitation or hindrance, would cast their votes for whom they pleased. Should, however, some additional compensation be made over that at present paid the State's agents, he did not doubt that the people would receive much more than an adequate benefit by the change.

It was true that the duties of these commissioners were not very specifically set forth. They were to supervise all public works in which the State was interested as creditor or stockholder, to represent the State at the stockholder meetings, "and perform such other duties as may be prescribed by law." That it seemed to him was sufficiently explicit. It must be recollected that we were now making a Constitution, not a set of laws, and in doing this all that would be required, is to give the outline, the general principle, leaving all retail to the Legislature. We have designated the purpose and general duties of these commissioners. With their particular duties we could not deal, unless we would turn our Constitution into a statute book, and could foresee all contingencies that would hereafter arise. No officer under the Constitution would have all his duties set forth in it, and the provision in this case was as specific as in most others. Their duties are supervisory, and being merely the agents of the State, although they will not be able directly to control any of our great internal improvements, yet where the State has a majority of the stock, as in the case of the Chesapeake and Ohio canal company, they can do so indirectly. They cannot go upon that work and say things must be done thus and so, but they can

elect a President and Directors pledged to carry out their wishes, and if they fail in doing so, can replace them by others who will. In other companies where the State stock is not paramount, they will of course only exert a control *pro tanto*. Where the State's interest was paramount, voting for these commissioners, was like voting for the electors for President and Vice President of the United States.

The people did not elect the President and Vice President, but they elected those who did elect them, and that was the same thing in effect. These high functionaries were first committed upon the various leading measures of public policy, and the electors were pledged to vote for them, and by this means the will of the people controlled the administration of the government almost as certainly as though the vote were direct. Precisely so it could be with regard to those persons now under discussion. Gentlemen who preceded him in this debate, had well said that these were most important officers to the people of this State. Upon them might depend the productiveness or non-productiveness of seven millions of stock in the Chesapeake and Ohio Canal, and of millions in other works of internal improvements. By proper management on their part, our tax-ridden citizens might before many years be relieved, and Maryland made more prosperous. Their power for weal or woe, was immense, and he held it a cardinal principle, that particularly such officers, ought to be elected by, and held directly responsible to the people. There was a great principle involved in this matter of electing officers directly by those who bear the burdens of the government, and keep its wheels in motion. It made them more responsible, and therefore more attentive and prompt in the discharge of their duties. No argument could be used in favor of electing any officer under our government, from the Governor to the magistrate or constable, that did not apply to these commissioners. He thought it was the public opinion in this State that all officers, as far as practicable, were to be elected by the people and held amenable and accountable to them. That principle during his canvass for a seat in this Convention, he had insisted upon and never heard any objection to it, except perhaps from a few, who doubted the expediency of electing judges, considering them as a special class, holding life and death in their hands. That was his view of the sentiments of the people whom he in part represented, but he spoke only for himself. But the great principle had been admitted everywhere, and not as he thought without the best of reasons—the faithful discharge of the duties of all office-holders. He intended nothing against those now in power, but was speaking of the general principle. It was natural that persons removed farthest from, should feel least responsibility to the people, and for the simple reason, that they were under less obligations to them. Now, how was it with the class of officers under consideration? Why the people elected the members of the Legislature, and the