Mr. Bowie said that if it did not include the right to alter or change the tolls, then it meant nothing, and be presumed the mover intended that the power to act upon the tolls should be given; for that gentleman, he supposed, would introduce no amendment without a practical end.

Mr. Howard said that he had not intended to interfere with the charters at all. The charters prescribed the maximum rates.

Mr. Bowie was sure he could not have meant that, for as a constitutional lawyer he would have seen that this Convention could exercise no such power. But he, [Mr. B,] was about to show that it would necessarily lead to the same result, and if so, it would be improper to insert the amendment into the Constitution. He could not support it, because the right to review the tolls with a view to make them uniform, implied the power to change and alter them, it either amounted to that or nothing. If it amounted to that, the Convention had no power to modify or infringe the charters of these institutions.—There was a maximum and a minimum in some of the charters, and in others the rates were specifically named. No board of commissioners, whether elected by the Legislature or by the people, could review those rates, or could use any influence to produce a uniform rate of charge. And if they had the power, it would be unwise to pass any such amendment.

With reference to the Chesapeake and Ohio Canal, the State had the controlling power, by means of her stock. Although Alexandria, Georgetown and Washington city, the State of Virginia, and even the General Government, by virtue of its assumption of the debt of those cities, as well as by virtue of its being an original stockholder and subscriber, were interested in the work; yet Maryland had the control over the election of President and Directors of that Canal. But with reference to the Baltimore and Ohio Railroad, this was not the case. The State had no control over them. Would it be wise, then, to direct that the tolls upon the Canal should be lowered or increased, when there was no power to regulate the tolls of the Railroad, and when the latter would be left entirely to the vote of the directors of that work? He could not, therefore, vote for the proposition, if the power existed, and still less believing it to be an interference with the chartered rights of the companies.

As to other questions connected with this matter, he was indifferent about them. As the board of public works was created by law, and an office not known to the Constitution, he was perfectly willing to leave it to the Legislature hereafter to mould it as they might think proper. The time had passed by when appointments of this government would be delegated by the sovereign people to any special agents. They understood better than they once did, their rights and their duties; and if the whole question could now be submitted to the Legislature, he could not doubt for a moment that those State's agents would hereafter be appointed by the people. He saw no necessity for engrafting any such office upon the Constitution. It was a creature of law, brought into being by the mere exigencies of the times, and when the times changed, it might be expedient to dissolve the connection which had bound together the State of Maryland and these corporations. Why then make the office paramount. He could therefore vote against the whole proposition. But he would say that if he conceived there was any necessity for incorporating such an office as this upon the Constitution, he should not hesitate for a moment to vote, as proposed by the gentleman from Frederick, that they should be appointed by the people. He would have them appointed in districts, and if it could be done would have them appointed from sections of the State as remote as possible; not from Allegany county, but from those who were the owners of the coal works or coal mines in Allegany. He agreed with the gentleman from Anne Arundel that there was a direct and necessary conflict between the interests of the State and the interests of the owners of coal mines in Allegany. While the owners of the coal mines were interested in having the rates of toll as low as possible, it was the interest of the State to have them so regulated as to bring the greatest amount of money into the treasury. The true ground was to bring them to the very highest point that the consumers would bear. The rates of toll had been reduced from one dollar to 54 cents. The object and design had been, no doubt, to open the way for a greater trade, and thus to obtain a higher income of revenue. About that policy gentlemen might differ. It was a mere experiment. They had tried 54 cents; and if that would not do they could bring 60 cents, or a dollar, or any other rate within the chartered limits. His own notions of policy would not have induced him to reduce the tolls, for he believed consumers to be very patient, and liberal, and generous. The price to the consumer embraced all the costs necessary to bring the raw material into the manufactured state; and when an article was wanted it would be purchased, whatever the price might be. If he did not want it he would not buy it; and if it was not in demand, it would not sell. His own policy then would be to put up the tolls as high as consumption would bear, and if the Allegany coal was what we have always been told it was, for purposes of generating steam, he had no doubt it would bear a very high rate of toll. But these were questions which he did not think it necessary to discuss now.

He was willing to confide the question to the people. He did not wish the Constitution to be marred by such questions, and he should therefore vote against the whole proposition. These offices could be moulded and controlled by law, and it was the duty of the Convention to put into the Constitution nothing more nor less than was absolutely necessary to control the Legislature and the other departments of the Government.