

would suggest to his friend, that he had better confine his amendment to appointments made by the Governor and Legislature, and not to those elected to office by the people. Suppose you were a member of the Legislature, and your friend desired you to be Governor, for instance, although you might be preferred to any other gentlemen, yet the people would be debarred the benefit of your services. Therefore, do not hold out to the people the idea that you have implicit confidence in them, and directly after say to them, you shall not elect to office those they prefer. He hoped his friend would modify his proposition.

Mr. BOWIE suggested to the mover of the amendment the adoption of the word "elected," instead of appointed.

Mr. TUCK accepted the amendment.

Mr. CHAMBERS said he found from various communications made to him, much discontent was felt by persons whose opinions were entitled to consideration, in regard to the terms of this provision. The word "teacher" was considered as so indefinite as to allow a very extended meaning, and one which might include a class of persons not designed to be excluded by those who had adopted it. The terms in which the existing constitution expressed its meaning were plain and explicit, and had received an interpretation now generally understood. He therefore proposed to substitute them for the word he had moved to strike out.

The question being taken on the acceptance of the substitute, it was determined in the affirmative.

The question then recurred on the adoption of the amendment.

Mr. BRENT, of Baltimore city, moved further to amend said report by adding at the end thereof, as an additional section, the following:

"It shall be the duty of the General Assembly at its first session after the adoption of this constitution, to regulate by law, the time of holding elections for Senators of the United States, so that the said elections shall not take place earlier than at the regular session of the General Assembly next preceding the commencement of the Senatorial term to be filled, and the said time when so fixed, shall not be altered by any subsequent law."

Mr. B. stated that at the very last session of the Legislature, there had been an election to fill an unexpired term, and also to fill an entire term to commence on the 4th of March, a year afterwards. There was nothing in the present constitution to prevent the Legislature from electing a Senator six years before his term would commence.

Mr. BOWIE was glad that an amendment had been offered in relation to the election of U. S. Senator. He held that the State of Maryland had entire control over the whole subject, except so far as limited by the Constitution. The Constitution providing that the election should be by the legislature, it would not be competent to throw it before the people; but it would be competent to prescribe the mode and manner in which the Senator should be elected by the

Legislature. If the office of Governor was so important that it was deemed expedient to district the State in order equitably to divide that honor and advantage among the different portions of the State, he trusted that a provision would be introduced also to district the State with regard to the no less important office of U. S. Senator. He was clear upon the question of Constitutional right. If the plan for districting the State should be adopted, there could be no complaint between different sections, that any one section was neglected.

Mr. BRENT suggested that this was altogether beyond his amendment.

Mr. BOWIE inquired if he had any doubt about the Constitutional right.

Mr. BRENT replied that he had not examined that question directly, but his impression would be that it was not unconstitutional. He was inclined to think he should vote against it, however, as being inexpedient.

Mr. CHAMBERS suggested that this question had already been decided in a case before the Senate of the United States, which had the right to judge of the elections of its own members. He had not examined the question definitely, but he believed that the Senate had decided that the election must be made at the session next previous to that at which the term would commence. In reference to the districting of the State, the Legislature had at one time undertaken to divide a district geographically, making the whole district elect two members, one from each side of the line; but the two highest votes being given for individuals on the same side of the line, Congress had admitted those members, deciding that the Legislature had no right to make any such provision.

Mr. BOWIE stated that this was an entirely different case. In that case a conflict had arisen between candidates in the same Congressional district. He held it to be entirely competent for the State to decide from what portion of the State a United States Senator should come. The Constitution of the United States prescribed that the Senator should be elected by the Legislature, and left to them to determine the mode and manner. This was a question upon which he was anxious that there should be an understanding. The Convention were engaged in the distribution of power, and if the State was districted with regard to the Governor, much more ought it to be districted in regard to the infinitely more valuable and honorable office of Senator of the United States. The only question was whether the Convention would do it? They had the power, and he considered it their bounden duty to do it. He hoped, therefore, that the gentleman from Baltimore would unite with him in passing such a provision.

Mr. BRENT, of Baltimore city, said that the whole power of regulating the place and manner of the election of United States Senator, in the absence of legislation by Congress, was in the Legislature of the State. The only question now was, whether the Constitution of the State could dictate to the Legislature the time, place, and manner? He believed that as the Legislature was the creature of the Constitution, the Constitution might prescribe any such regulation not inconsis-