

their views in reference to men and measures. He would say, therefore, that he could see no public necessity for the exercise of this power on the part of the Legislature, and he could see no difficulty in the way of its exercise by the people themselves. Now, in reply to what had been said by the gentleman from Washington, who first addressed the Convention, he would tell him that Baltimore city could exercise more influence in the Legislature, than she could if the power was in the whole people of the State. Why look at the history of the public works. If the gentleman really feared the influence of Baltimore city, then he, [Mr. B.,] would not have that gentleman vest this power in the Legislature.

When he looked around him, he was almost ready to conclude that the present system had drawn a line between the political parties of the State. Now he really did not want to say much about politics in this body, but this he would say there was a great deal more certainly about the past than what was to come. And it was a matter of history, too late now for speculation, that while the Legislature exercised the power, party lines were drawn from one extremity to the other. Gentlemen would not deny that. He was not going to analyze any of those views. Well, there was another argument the gentleman used, and really if there was time to go into it, he could show that it was a bad argument for himself. The argument was, that one single man had been in the employment of that company from its first organization, as chief engineer, till the present time, with the exception of some two years.

Mr. SCHLEY. Not under the present organization.

Mr. SMITH said the present engineer was employed at the very commencement of the work, and had been continued in office ever since, as he understood.

Mr. BROWN continued. Ever since Mr. Fisk had been the engineer, if gentlemen looked at his estimates upon which the work was done, and compare them with the actual cost incurred, it would be found that he had made mistakes and errors sufficient to turn out any engineer, no matter to which party he belonged. He, [Mr. B.,] had voted upon his estimates, and invariably they had fallen short more than one-half, and finally they involved the State in debt to the amount of \$7,000,000. There was no mistake about that fact.

Mr. SCHLEY observed that he would make a few remarks in reply to those which had fallen from the gentleman from Washington, (Mr. Harbine,) and particularly to that portion of them intended to have more effect elsewhere than here. Allusion had been made to matters before the people, and it had been asserted that all officers were to be elected by the people, and the implication was, that what had been pledged to the people at home was repudiated by me here. Now, if one subject more than another had been discussed in Washington county, it was that Baltimore should not have a representation larger

than the largest county in the State. And he found, from looking at the newspapers published there, that all, with one single exception, denounced the representation bill as one of the most unjust ever introduced.

Mr. GWINN rose to a point of order.

Mr. SCHLEY. State your point of order.

Mr. GWINN. My point of order is, that you are discussing a question not now before the Convention.

Mr. SCHLEY proceeded. When he had talked before the people, he had alluded to the officers known to the Constitution, such as clerks, registers, judges, &c. But did it ever enter into the conception of the people of Washington county that such officers as State agents were embraced within that term? They were never mentioned nor alluded to by any speaker nor by the people. They were not "officers" in any sense of the term, but the mere agents or proxies of the State for specific purposes. Their original power consisted in the right to vote the stock of the State in the various joint stock companies, until the Legislature by resolution in 1834, invested them with the further power to give its assent to or dissent from a reduction of tolls on the Chesapeake and Ohio canal. Every argument that had been used by his friend from Washington county, (Mr. Harbine,) in regard to State agents, would apply with equal force to the Directors in the various banks in which the State held stock. They had also charge of the interests of the State. It depended whether the banks were successfully managed or not what dividends would be declared, and according as they were large or small would they *pro tanto* effect the taxation of the people of the State. And, therefore, if the principle was correct in large matters, it was equally so in reference to small; and the argument, in this view, was equally cogent, that Directors of banks and all other companies in which the State held stock should be elected by a vote of the people—by the whole people who were interested in the matter. And, if gentlemen preferred the district system, then the people in the several districts should have the privilege of electing bank Directors. Directors in banks &c. had heretofore been appointed by joint resolution of the Legislature to act as State agents. We had never heard, from 1832 to 1846, and then only in the Governor's message, of the creation of a board of public works. And what was his argument? It was, that all those works should be conducted as *one system*, and should not be regarded as rival works, because, if they became rivals, a competition might be provoked that might jeopardise the interests of the State. If there was any soundness in the argument, it ought to have been adopted. But, the Legislature did not adopt his suggestions. The same thing was done by Gov. Thomas, and it met the same fate. If the people of Maryland desired the election of those officers, their voices would have been heard before now. When they desired any thing, they sent their petitions to the Legislature or instructed their delegates. Last winter a bill was passed to elect clerks and registers, because the people desired