

and demanded it. And how, he, (Mr. S.,) would ask, did his friend from Washington county know that the people wanted these officers to be elected by the people? for he, (Mr. S.,) had never heard it mentioned until the attention of the Convention had been called to it by the gentleman from Allegany, (Mr. Fitzpatrick.)

He (Mr. S.,) would say that there was no feeling on the part of the people at all on this subject. This was merely an attempt to anticipate the supposed feelings and wishes of the people. The gentleman from Carroll, [Mr. Brown,] had said he was opposed to giving patronage to the Legislature. What patronage, he (Mr. S.,) asked, had the Convention to give to the Legislature? What patronage was it, voting for A, B and C? The moment the legislature elected the State's agents, it had discharged its entire duty. He was not disposed to attribute to any gentleman party action and party motives, although he thought he could see party results. We were told there was nothing like party feeling here, because there would be a board to consist of two whigs and two democrats. Suppose this board to be thus composed, and suppose also, its members could not agree upon a man to act as President of the Chesapeake and Ohio Canal Company, what was to be done then? This is to be done:

"And in case of an equal division in the board of said commissioners on any subject committed to their charge, the treasurer of the State shall have power, and shall be called upon to decide the same."

The Convention had not, as yet, acted on the report of the treasury department, and he did not remember its provisions.

Mr. DONALDSON It was to elect their treasurer by joint ballot of the Legislature.

Mr. SCHLEX. But was there any probability of that mode being sanctioned by this body? If the State agents, whose duty it is simply to vote the stock of the State, and to act in the reduction of toll, must be elected by the people, were there not stronger reasons why the Treasurer, who managed the entire finances of the State, should be elected by the people of the State? Then, if we took the Governor's election as any criterion, the probability was that the Treasurer would be a democrat, and thus we would have in this board three democrats and two whigs. The Convention could judge whether or not party results might or would grow out of this scheme. But, he had another objection to this project, and it was in the amendment:

"In the event of a tie vote for any two of the candidates for the office of Commissioner in the same district, it shall be the duty of the Governor to commission one or the other of the candidates having an equal number of votes."

Why, the Governor was to select for the people when they could not make a choice between two individuals; and he would decide, as a matter of course, on his political side of the question. This, therefore, was a surrender to the party to which the Governor belonged.

And again:

"If the Governor doubts the legality or result of any one election held for the choice of said

commissioners, it shall be his duty to send the returns of such election to the House of Delegates, who shall be the judge of the election and qualification of the candidate at—such election."

Here was a provision that if the Governor entertained a doubt as to the legality or the result of any one election, then the effect of his entertaining a doubt, was to destroy the election, and send it to the House of Delegates. Why select the House of Delegates? And why not send it to both branches of the Legislature, and let them decide?

The provisions in this substitute would, of themselves, compel him to vote against this proposition, or at least against this feature of it—for he had no idea of giving the Governor the power to decide when the people could not decide. The proper plan would be to have another election. The Governor might doubt about a mere quibble, and because he doubted the result of the election, was to be sent to the House of Delegates. He [Mr. S.] was not opposing the election of officers by the people, and he had risen chiefly to make this remark, in order that it might go forth with the debates. He was in favor of it, when the people, the fountain of power, asked it, and the proper time to give it was when they did ask it. He was opposed to another feature of the proposition, and at the proper time, if he could do it, he would offer an amendment to it. He alluded to the salaries of the officers being left to the Legislature, when the office was to be fixed by the Constitution.—

He would fix it in the Constitution at \$100 each. He [Mr. S.] contended that the people had not the necessary information on the subject, to enable them to act intelligently and discreetly.— The Legislature was the recipient of all the reports and other information relative to it, as it was brought before it when in session, so that they could form a correct judgment, but the people at present, could not do that. The gentleman from Carroll, [Mr. Brown,] said he was opposed to it because there was a consumption of time. What consumption of time was there in the Legislature balloting once or twice, or in passing a resolution to elect three State agents. Why it would not take more than three minutes.

Mr. HOWARD said, it was perfectly manifest that we were not discussing the original proposition, but the proposition of the gentleman from Frederick, (Mr. Thomas,) therefore, he thought we had better take it up, and dispose of it in some way or another.

Mr. TUCK desired to submit one or two remarks, because the views he entertained had not been stated. He supposed that every gentleman would be glad, if any thing can be done to keep the public works out of the vortex of politics. It was a sad day for the Canal Company when it became involved in partizan strife. When General Eaton was elected President in place of General Mercer in 1833 or 1834, it was said that it had been done to conciliate General Jackson, and through him, to procure aid to the Company from the General Government. Then, for the first time, its conduct and affairs had entered into