

two cases were not analogous. Under this bill, the Commissioners were not merely to meet in stockholder's meeting to appoint Directors of the companies in which the State was a stockholder; or to vote upon the reduction of toll, but to exercise a general supervision. They were to be the agents of the people. They were to be elected by the people from every portion of the State, so that every interest should be represented. They had certain duties prescribed them; to make certain reports, &c.; and in addition to this they were to do whatever the Legislature should prescribe. This branch of the proposition embraced the very thing for which the gentleman Charles (Mr. Merrick,) had contended. The Legislature might prescribe to the Commissioners the duty to elect one of their own number President of the Chesapeake and Ohio Canal Company, and thus the President of that Company might in effect be elected by the people themselves. They might direct that the President should in one year be elected from a particular district, so as to be a Whig, and the next year from another district, so as to be a Democrat, and thus entirely disarm all partisan machinery. They might prescribe duties of so much usefulness, and fraught with so much advantage, taking up so much of the time of the Commissioners, that the salary proposed would be entirely inadequate. As the duties could not be definitely settled by the Convention, but must be left to the Legislature, the compensation must also be left to the Legislature; the two being inseparable.

When the office of Attorney General was under consideration, he had advocated the proposition to abolish the present system, and in the new system to prescribe the duties of an Attorney General, and to fix his salary. But a majority of the body abolished the office entirely, and were unwilling, while they authorized the Governor to employ counsel for the State, to allow him to fix the fees to be paid. Now, when gentlemen had left it to the Legislature to fix the fees to be paid to counsel in such cases, with what consistency could they refuse to allow the Legislature to fix the compensation to be paid in this case, where the duties were to a certain extent to be of their own appointment? His course had been consistent throughout. He had disapproved the perpetuation of the tax system; because there might be a change required hereafter. Here was a proposition intimately connected with the system of taxation; and here also he wished to avoid restricting the Legislature.

He had spoken longer than he intended. He had twice moved the previous question, and had this morning voted to lay this proposition upon the table; but it had been the pleasure of the Convention that the debate should not cease, and he had felt it incumbent upon him to vindicate the position he held upon this subject, and to assign to this Convention and to his constituents, the reasons for the vote which he should give upon this proposition. Having done this, he would leave the measure in the hands of the Convention.

Mr. BUCHANAN moved the previous question, and demanded the yeas and nays thereupon,

Which were ordered,

And being taken, resulted yeas 44, nays 33, as follows:

*Affirmative*—Messrs. Donaldson, Sellman, Dalrymple, Howard, Buchanan, Bell, Welch, Ridgely, Lloyd, Dickinson, Sherwood of Talbot, Colston, McCullough, Miller, Spencer, Grason, George, Thomas, Shriver, Gaither, Biser, Annan, Magraw, Nelson, Stewart of Caroline, Hardcastle, Gwinn, Stewart of Baltimore city, Brent of Baltimore city, Sherwood of Baltimore city, Ware, Schley, Neill, John Newcomer, Harbine, Brewer, Weber, Hollyday, Slicer, Fitzpatrick, Parke, Shower, Cockey and Brown—44.

*Negative*—Messrs. Chapman, President, Morgan, Blakistone, Hopewell, Ricaud, Lee, Chambers of Kent, Mitchell, Dorsey, Wells, Randall, Kent, Weems, Bond, Brent of Charles, John Dennis, Crisfield, Dashiell, Hicks, Goldsborough, Eccleston, Bowie, Tuck, Sprigg, McCubbin, Bowling, Dirickson, McMaster, Hearn, Fooks, Jacobs, Davis and Smith—33.

So the previous question was sustained.

The question was then stated on the adoption of the amendment as offered by Mr. Tuck.

Mr. RIDGELY inquired whether a proposition would be in order, if this amendment should be rejected, to make the salary two hundred and fifty or three hundred dollars.

The PRESIDENT replied in the affirmative.

Mr. RIDGELY. Then with a view of economizing time, I shall vote for it.

Mr. Tuck demanded the yeas and nays,

Which were ordered,

And being taken, resulted yeas 33, nays 47, as follows:

*Affirmative*—Messrs. Chapman, President, Lee, Chambers of Kent, Mitchell, Donaldson, Randall, Kent, Weems, Dalrymple, Bond, Brent of Charles, Ridgely, John Dennis, Crisfield, Dashiell, Hicks, Goldsborough, Eccleston, Phelps, Tuck, Bowling, Dirickson, McMaster, Hearn, Fooks, Jacobs, Nelson, Schley, Fiery, John Newcomer, Davis, Brewer and Smith—33.

*Negative*—Messrs. Morgan, Blakistone, Hopewell, Ricaud, Dorsey, Wells, Sellman, Howard, Buchanan, Bell, Welch, Lloyd, Dickinson, Sherwood of Talbot, Colston, McCullough, Miller, Bowie, Sprigg, McCubbin, Spencer, Grason, George, Thomas, Shriver, Gaither, Biser, Annan, Magraw, Stewart of Caroline, Hardcastle, Gwinn, Stewart of Baltimore city, Brent of Baltimore city, Sherwood of Baltimore city, Ware, Neill, Harbine, Anderson, Weber, Hollyday, Slicer, Fitzpatrick, Parke, Shower, Cockey and Brown—47.

So the amendment was rejected.

On motion of Mr. Bowie,

The Convention proceeded to the consideration of the special order of the day, being the report No. 13, submitted by him as chairman of the committee on the judiciary.

Which was read.

Mr. CRISFIELD, in order to bring before the Convention the report which he had submitted on Mr. 's 18th, moved to amend the bill, by