

What is there in this case to distinguish it from all others? You have fixed the salaries of other officers.

Mr. STIRLING. I would like to know what distinction there is between this and the State reporter?

Mr. CHAMBERS. The State reporter is an officer of the courts, and his duties depend upon the amount of business in the courts, which is by no means uniform. But I am not responsible for that. Here is a case selected, differing from the others in the constitution by no principle that I know of, and I ask upon what principle it is said that some shall have and others shall not have their salaries designated.

The gentleman says that if the legislature appoint an officer, they should fix his salary. I say just the reverse. If the legislature appoint the officer, it will appoint some favorite, and hence they are the last persons to fix the salary. The persons who fix the salary should be impartial men. When the people elect an officer, the legislature stand indifferent, so far as the record shows, with no feeling for the particular individual; but if they nominate him, they certainly have a partiality, a feeling in his favor.

My own opinion is that there ought to have been but one amendment to this section. I hold that the librarian ought to have been appointed by the court. I think the argument of the gentleman from Baltimore (Mr. Stirling) indicates that. Any other amendment to this section is altogether out of place. It strikes me that the salary was properly raised. It is true that there are contingencies arising from the change in the currency and other causes. But the salary of the judges and of every other officer will be liable to fluctuation by reason of the change in the value of gold, just as much as the librarian. Why single out this particular case? So I think the section ought to be adopted precisely in the language reported by the committee, with the exception only that the court should be the appointing power.

I think the amendment adopted, by a small majority, unadvisedly, an entirely unnecessary provision. There is a general provision; and we should strike out one or the other. We first make a provision which applies to all cases, and then in each particular case apply the same principle; for that is the only object of it. I am against it, not because I have any objection to the effect of it in that case, but because it is tautology and a reiteration of a provision already made, precisely identical and of the same character.

I am therefore, so far as my vote is concerned, as at present advised, not knowing what amendments may yet be offered, in favor of adhering to the report as presented by the committee.

The amendment moved by Mr. STIRLING, as modified by him, was rejected.

Mr. DUVALL submitted the following amendment:

Amend section 3, by adding the following words:

"And whenever the general assembly shall appropriate any amount of money for the expenses of any duties to be performed by the librarian, such amount shall be only paid by the comptroller and treasurer upon the order of the governor of the State, who shall transmit to the next succeeding general assembly a report giving the details of such expenses."

The amendment was rejected.

No further amendments were offered.

#### COUNTY COMMISSIONERS.

The next section was read as follows:

Sec. 4. The county authorities, now known as county commissioners, shall be styled "county commissioners," and shall be elected by general ticket, and not by districts, by the voters of the several counties, on the — day of — in the year —, and on the same day in every second year thereafter; said commissioners shall exercise such powers and perform such duties only as the legislature may from time to time prescribe; but such powers and duties shall be similar, and the tenure of office uniform throughout the State, and the legislature shall have power to pass such laws as may be necessary for determining the number for each county, fixing the salary, and ascertaining and defining the powers, duties and tenure of office of said commissioners; and the commissioners elected under this constitution shall have and exercise all the powers and duties in their respective counties, now exercised by the county commissioners under the laws of the State, and they shall receive the same salary, and their present number in the several counties shall remain the same until changed by law.

Mr. PURNELL submitted the following amendment:

Amend by striking out all after the word "the" in the fourth line to the word "and," in the fifth line, and insert "Tuesday next after the first Monday of November, in the year eighteen hundred and sixty-five."

The amendment was agreed to.

Mr. RIDGELY. I will inquire of the committee what reasons influenced them in providing for the election of these officers by general ticket in the county and not by districts. It has always appeared to me that the interests of the people would be better promoted by having the unity which generally prevails in such boards destroyed, and having a minority always represented in these county boards; which would be accomplished by having these commissioners chosen by districts and not by general ticket.

Mr. CLARK. This matter really underwent no considerable discussion before the committee. The provision of the old consti-