

may have at all times, one, two, or more experienced members on the board. The truth is that the commissioners are frequently chosen for availability, and not for the qualifications which they possess as fiscal agents of the county. There are very important trusts confided to them. We have no county treasurers; and consequently they are the fiscal agents of the county. They have to pass upon accounts and adjust all the financial matters in the county. In view of that fact it seems to me important to secure the services, not only of men qualified to discharge the duties, but of men with some experience in the office.

By the plan I propose, we retain, in the county of Worcester, for instance, where there are five commissioners, either two or three, as we cannot have an even division of the five, and the others go out. Those that are retained have therefore the experience of two years at least, which will enable them to conduct the affairs of the county; and the same would be the result at every election; which I conceive would be attended with very beneficial results to the people of the county. Whether I have presented the amendment in a practical form I leave for the convention to judge. If the boards of the counties of the State were all composed of even numbers, the scheme would work well and could be readily carried out. But there is no uniformity among the counties. I am told that in this county there are seven, and in some of the smaller counties three. We should have to approximate as nearly as possible to equal numbers in the classification. I would be glad to hear the views of gentlemen of the different counties upon this matter; for doubtless many of them appreciate the necessity of some change, and perhaps some improvement may be suggested which will better attain the object sought.

The reason why I place the election in 1867 is this; that the tenure of office of the commissioners now elected expires in 1865. One half of them would be elected for four years, and in two years, in 1867, the vacancies arising from the expiration of the term of the other half of those elected in 1865 would be filled with commissioners also elected for four years. From that time there would be no difficulty. The plan would be carried out as contemplated by the amendment.

Mr. RIDGELY. The more this subject is agitated the more satisfied I am of the absolute necessity of the entire reconstruction of this section. I favor the principle of the amendment suggested by the gentleman from Worcester. I am satisfied, moreover, that there is no act more important than this particular section for the local interests of the people of the counties; and that will require a more thorough and deliberate examination on the part of this house. Indeed, I do not know whether it would not be wise to strike

out the whole section, and leave the subject entirely to the legislature. I do not see the necessity of inserting in the constitution of the State a provision for the government of the local affairs of the particular counties of the State. The organic law should confine itself, so far as possible, to general principles of general government, to deciding the policy of the State; but in the detail, the minute affairs, it strikes me that the proper place to deposit the power is in the legislature of the State. It is of easy access, easily approached, and will readily redress the grievances that may be found to exist. I would prefer that the whole section should be stricken out, and that the whole subject should be devolved upon the discretion and supervision of the general assembly.

If we are to have this section continued in the constitution, it requires the most thorough reconstruction. I will just call the attention of the house to the gross inconsistency in the terms of the section itself. The first paragraph provides for these officers, and declares what shall be their tenure of office, and declares they shall be known as county commissioners, and elected every two years, which, of course, prescribes the tenure to be a two-year tenure; and yet you will find afterwards that the power is given to the legislature to regulate the tenure of office. The words are:

“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.”

It is expressly declared that the tenure of office shall be two years, and yet the power is given to the legislature to ascertain and regulate it. There is an inconsistency in the section itself. There are other matters requiring amendment. I have studied the matter with a good deal of care, for the purpose of offering amendments to it; but it seems to me that we cannot act upon it intelligently in this house; that we ought to recommit it for the purpose of reconstruction. If there is any improvement we desire in it, we can submit the proposition here in convention, and leave it to the committee to provide for our local wants in an intelligible form. In the present aspect of the subject it seems to me difficult to amend it at all to make it continuously intelligible. I would prefer, speaking for my own county, that the whole subject should be left to the legislature, and the whole article were stricken out. I throw out this suggestion for the consideration of members whether it would not be better, in view of the interests every county has in the government of this particular board, relating to our local interests, that we should have this article presented to us in a much more acceptable form by reconstruction.