

county, or that they shall be elected in every county; but the legislature would not give discretion to the county commissioners to say whether they shall be appointed, or shall be elected by the people.

Mr. SANDS. Suppose the legislature should pass a law that each county should provide its own internal police arrangements. Would not that be a general law, leaving the counties to do what they please, according to the circumstances?

Mr. DANIEL. If the amendment was that they should pass a general law that the county commissioners should regulate their own internal arrangements, I can conceive that would be consistent with the provision already adopted; but it does not say so. It says they shall provide for the appointment or election of road supervisors, and not that they shall regulate their internal affairs to provide either for election or appointment.

Mr. CHAMBERS. Can we delegate to the counties the power of legislating?

Mr. DANIEL. I think we cannot. That is a point I intended to make, that we cannot delegate it to the county commissioners. I do not see how we can get at it without interfering directly with the provision we have already enacted, which says that the general assembly shall pass no special law relating to roads. I think therefore it is better to retain the section. To the proposition of the gentleman from Washington (Mr. Davis,) I have no objection. If he chooses to put constables in another place, let it be so. I think it is better to let the section alone.

The amendment offered by Mr. DAVIS, of Washington, was rejected.

Mr. STIRLING. I hope we shall have some constables in Baltimore city. We do not expect to get very good ones, but we should like to have some.

Mr. SCHLEY. Baltimore city will be provided for under the judiciary department.

Mr. STIRLING. Why not put them all there?

Mr. SCHLEY. For the reason assigned some time ago, that in this section we are defining the powers of the county commissioners.

Mr. STIRLING. You do not leave it to the county commissioners now.

Mr. DANIEL. The counties embrace the city.

The PRESIDENT. I think not.

Mr. STIRLING. They cannot. There are no county commissioners there to appoint.

Mr. BELT. If the gentlemen from Baltimore city desire any provision inserted here for the city, we have no objection. All we want is to secure to ourselves in the country the system we want.

Mr. MILLER demanded the yeas and nays upon the amendment submitted by Mr. BELT, and they were ordered.

The question being taken the result was—yeas 21, nays 33—as follows:

Yeas—Messrs. Abbott, Annan, Audoun, Belt, Brooks, Cunningham, Ecker, Hatch, Henkle, King, Lansdale, Markey, Mayhugh, Pugh, Ridgely, Sands, Scott, Sneary, Stirling, Stockbridge, Wickard—21.

Nays—Messrs. Goldsborough, President; Baker, Brown, Chambers, Daniel, Davis, of Washington, Dellinger, Duvall, Earle, Edelen, Farrow, Galloway, Greene, Hebb, Hodson, Hollyday, Hopkins, Hopper, Lee, Miller, Murray, Nyman, Parker, Parran, Purnell, Robi- nette, Russell, Schley, Smith, of Carroll, Smith, of Worcester, Todd, Valliant, Wilmer—33.

As their names were called,

Mr. GALLOWAY said: I do not wish to trust a matter of legislation to the road supervisors. I am satisfied that the citizens of Harford county are opposed to the election of road supervisors as they have been provided for by the old constitution. I hope this convention will not adopt any article making these officers elective in the counties. What is the system as at present carried out? The people in each election district elect a road supervisor. In compliance with the duties of his office, he appoints road supervisors for all the roads in the counties. These sub-supervisors go on and regulate the roads. They have nothing to do but to ride about over the roads and look at them; and in a county where they extend eight hundred or a thousand miles, there is not a particle of benefit to be derived from it. The people are sick and tired of this mode of electing supervisors. If it is intrusted to the legislature, I am afraid the legislature will adopt the same system; and I therefore vote "no."

Mr. HOLLYDAY said: We have tried this system a long time, and we have found in Kent county, as my colleague has stated, that it does not answer the purpose at all.—Our people are very much opposed to the system as it now is. Under the old system, which had existed a very long time, the roads were taken care of by persons living upon them, and we generally had them in repair; but since we have had supervisors elected under the present constitution, we have had supervisors who have received the compensation without rendering any service whatever. I therefore vote "no."

Mr. VALLIANT. I think the county commissioners should determine, and not the legislature, as to the number of road supervisors the county may require. Under the old system, an election district now having but one supervisor of the road, had some four or five. I think the cause of the unhappy condition of the roads at this time, is the fact that we have a general provision for one man, and that one man has the whole responsibility; whereas, under the old system, we have four or five, and each supervisor has some eight or ten miles to take care of, and he performs his duty well and faithfully. Under the present