

made and kept in order. Other places are mountainous and rough, and in their manufacturing and mining operations there is so much hauling and teaming, that a great deal of attention must be paid to the roads. A system which would be good for Queen Anne's county, would be very imperfect for Allegany and the upper part of Cecil county. I propose to make the provision to suit their various wants and conveniences.

Mr. DANIEL. In order to get at that I think another amendment will be necessary. You should give the county commissioners the right to determine the powers and duties, as well as the number of the road supervisors. If you merely strike out the latter clause, it will leave the county commissioners to determine as to their number and nothing else.

Mr. SCOTT. Will not that come under the duties of the county commissioners?

Mr. DANIEL. Not with reference to road supervisors. If this is stricken out I will move to amend so that it shall read that "the number of said supervisors, as well as their powers and duties," shall be determined by the said county commissioners.

The amendment to the amendment was rejected.

The amendment offered by Mr. SCHLEY, to strike out all after the word "commissioners," line six, was agreed to.

Mr. DANIEL submitted the following amendment:

Insert after the word "supervisors," in the fourth line, the words "as well as their powers and duties."

Mr. VALLIANT. I am decidedly in favor of that proposition. Under the operation of that amendment the county commissioners can make such contracts with the supervisors of roads as may conduce to the improvement of the roads. The county commissioners of Talbot will make such a contract as the condition of the roads in that county may require. The county commissioners of Washington county will make a different contract for such work as the condition of the roads of that county may require. That I understand to be the operation of this amendment, and therefore I am decidedly in favor of it.

The amendment was agreed to.

Mr. ABBOTT. It seems to me that we are fast resolving ourselves into a legislature, and are performing legislative duties. I move to strike out the fifth section entirely.

The motion was not agreed to.

#### SURVEYORS.

The sixth section was read as follows:

"Section 6. The qualified voters of each county and the city of Baltimore shall, on the — day of — in the year —, and every two years thereafter, elect a surveyor for the counties and the city of Baltimore respectively, whose duties and compensation

shall be the same as are now prescribed by law for the county and city surveyors respectively, or as may hereafter be prescribed by law. The term of office of said county and city surveyors respectively, shall commence on the first Monday of January next succeeding their election. And vacancies in said office of surveyors, by death, resignation or removal from their respective counties or city, shall be filled by the commissioners of the counties, or the mayor and city council of Baltimore respectively."

Mr. PURNELL submitted the following amendment.

Amend section six, by striking out all after the word "the," in the second line, to the word "and," in the third 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. BELT. I perceive that it will be necessary to move a similar amendment to those in the other two articles. There can be no question on the face of the earth that the office of county surveyor is one that appertains exclusively to the courts. Most of the important business that he has to do arises out of litigation. In reference to that office it is extremely important that there should be a competent officer. There is nothing in which the people are so much interested as in having a man qualified to perform the duties of the office; and it is a matter of public notoriety that under the present system we cannot have that requisite. I propose therefore to give the appointment to the judge of the county. I move the following amendment:

Amend by striking out lines one to five, inclusive, and inserting the words following:

"Section 6. The judges of the circuit courts residing in each county, and of the superior court of Baltimore city, shall, on or before the Tuesday next after the first Monday of November, in the year 1865, and on or before the same day in every second year thereafter, appoint a surveyor for the said counties and districts respectively."

Mr. MILLER. I hope that that amendment will be adopted. The office of county surveyor, as already said by the gentleman from Prince George's county (Mr. Belt,) is of vast importance to the county; of more importance, when the incumbent has the requisite qualifications, than almost any local office in the county. He has to make surveys under the direction of the court in cases arising involving boundary lines, and in many cases of legislation he makes all the surveys. This officer, I think, should be appointed by the court whose duty it is to see that these surveys are properly made. The court will be competent to judge of his qualifications better than almost any man in the county. To have such officers as road supervisors and survey-