

be submitted to the people. As I do not believe in this policy of the legislature refusing to perform its proper functions, and to discharge its own duties, and submitting everything to the consent of the people, I cannot vote for it in any form like this. There may be a particular part of a county which it may be desirable to set off to another county for public reasons. There is no reason in that case for asking them whether they are willing to go or not. I see no reason for asking the consent of the counties. The legislature is to judge of the matter. If the legislature choose to divide a county, who has a right to complain?

The only reason why these questions should be submitted to the people, about setting them off from one county to another, is that the legislature do not desire to exercise their power of transferring the people unwillingly to a jurisdiction where they do not want to go; for if they are unwilling to go, nobody is going to make them go. The mere question with the people of the county generally, is the question whether they shall be shorn of their territory, which only concerns them indirectly and not directly. If they lose that amount of county tax, they avoid that amount of county expense.

According to the proposition of the gentleman from Allegany (Mr. Hebb,) the legislature cannot change a county line two feet without submitting the question to a vote of the people. They cannot run a new boundary line without submitting the question to a vote of the people. I do not think he intended this; but that is the result of his amendment.

It has been the practice always in this State where a county has been set off, to have the question submitted to the counties affected by the change. That has been the uniform practice heretofore.

The change of county lines is merely a question of legislation. The counties possess no sovereignty. There is no right in the people of a county to say that they shall have a certain county line. That is a matter within the discretion of the whole people; and the only reason why the question is submitted to the people of the county at all, is that it is not good policy to take people away from one county and put them into another, unless they want to go. If they want to go, and if the legislature thinks they ought to go, I do not see why the rest of the county should say that they shall not go.

Mr. SANDS. Howard county is a new county, and is a precedent. In that case the question was submitted wholly and solely to the people within the prescribed limits set off to form the new county. That is a rule which will always be acted upon. The reason why I oppose this amendment is that it violates all rules and all precedents, and takes the question from the people really interested in the settlement of the matter. I think the report of the com-

mittee, as it stands here in this section, just leaves the matter on this ground.

A part of one county is greatly inconvenienced by the existing division of county lines, and that portion come up to the legislature and petitions the legislature for the privilege of detaching itself from the county to which they have belonged, and of attaching itself to some county which would give it greater facilities. The whole question of the rights and interests of the people of these two counties comes here before the legislature to be settled. The legislature, under this section, sits in judgment upon the matter, and considers the grievance. If the grievance is such as is set forth in the petition, it grants the request of the petitioners, withdrawing them from the county to which they belong, and putting them into that into which they desire to go; and the vote is taken merely of the people desiring to be transferred.

Look at the case of Howard county. A narrow stream not only divides two communities but the same town, Ellicott's Mills.— We have been struggling for an act of incorporation for a long time; but we cannot get it as the matter stands. Just see how it operates. A gentleman who lives across the stream comes over to a storekeeper within a stone's throw of his house and deals with him, and contracts a bill. The storekeeper must follow that man to Towsontown to collect that bill, although he can almost step from his own store into the court-house of his own county. But the debtor lives on the Baltimore county side of the river, and he must undergo the inconvenience, expense, trouble, and loss of time, to go over to Towsontown to collect his bill. I want to have this corrected. If the majority of the voters of those three contiguous districts desire still to remain attached to Baltimore county, with all its inconveniences, let them do so; but if they will come as one man and say they are laboring under these difficulties and annoyances, and that they desire to be annexed to our county by the consent of the legislature, what shall hinder the legislature from doing it? Why should we depart to-day from the precedent? Why depart from the principle that the people have the right to come to the legislature with their grievance, and that the legislature has the power to act upon it? I hope the convention will adhere to the section, which leaves the matter entirely to the people interested and the legislature of Maryland.

Mr. KING. I hope the convention will not adopt the principle that one part of a county may go off and get rid of their share of the debt of the county, whenever they choose to do so, without the remainder of the county being consulted.

Mr. SANDS. I will suggest to the gentleman from Baltimore county, that they will get into as big a debt as they get rid of if they come to our county.