

the report to mean. I withdraw the amendment.

The second section was read as follows:

Sec. 2. The general assembly may provide by general law for dividing the counties into towns or permanent municipal corporations in place of the existing election districts, prescribing their limits, and confiding to them all powers necessary for the management of their public local concerns, and whenever the organization of these township corporations shall be perfected, all officers provided for in this constitution, but whose official functions shall have been superseded by such organizations, shall be dispensed with, and the affairs of such towns, and of the counties as affected by the action of such town, shall be transacted in such manner as the general assembly shall direct.

Mr. SCOTT submitted the following amendment.

Strike out from the word "assembly," in the first line, to the word "the," in the second line, and insert the words "shall by general law authorize the county commissioners to divide."

Mr. STOCKBRIDGE. I hope that amendment will not prevail. It destroys the section; and it may as well not be enacted in the constitution at all. It is perfectly competent, as the section stands for the general assembly to do precisely what is indicated by that amendment. It is the simple, natural way which they would most certainly hit upon. The latter portion of the section stricken out is a vital portion of it necessary to the working of the system.

Mr. SCOTT. I do not strike out the latter portion of the section. One object is to provide for the mode of dividing the counties, that it shall be by the county commissioners, and not by the legislature; and another is, instead of leaving it optional with the legislature whether they will provide or not, my amendment makes it obligatory upon them to provide.

The amendment was rejected.

Mr. ECKER moved to strike out "may," and insert "shall," in line one.

The amendment was agreed to—ayes 32, noes not counted.

Mr. SCOTT submitted the following amendment:

After the word "shall," in the first line, insert the words "at its first session after the adoption of this constitution."

Mr. VALLIANT. I hope the gentleman will not insist upon that. If the general assembly should happen to fail at its first session so to provide, I apprehend that the succeeding general assembly will not feel obliged to do it at all, or any other general assembly. At any rate that is a question that may arise.

Mr. CLARKE. I have only a word to say in opposition to the amendment. I am satisfied that a large section of the State is not pre-

pared for this important change to be inaugurated, of the whole reorganization of their county systems. We have county commissioners and election districts, and we are accustomed to the regular mode in which county matters are transacted. I am not aware that these county officers have failed to meet the wants of the people. In our section of the State they have managed properly and wisely for the interests of the people. Now you propose to divide up these counties by an entirely new organization of a political character, to divide the counties into townships, different political communities. The counties are many of them thinly settled. I am satisfied that in New England it is an improvement to divide the counties. In such a thickly populated country it answers very well. But I am satisfied that the people in many portions of this State are not prepared for this change. I do not wish to go into any discussion of the matter. I do not think much could be effected by adopting the amendment.

Mr. S. ORR. I hope gentlemen will consider that this will operate to their advantage particularly. We want it for the roads. Our present election districts are entirely too large, as indicated yesterday, for one man to have charge of the roads. And if they were divided into smaller districts, the roads could more conveniently be put under the control of one man, and would be attended to, and road supervisors could be better provided for by elections.

The amendment was rejected.

No further amendment being offered,

The report on counties and townships was ordered to be engrossed for a third reading.

On motion of Mr. DELLINGER,

The convention took a recess until 8 o'clock.

#### EVENING SESSION.

The Convention met at 8 o'clock, P. M.

The roll was called, and the following members answered to their names:

Messrs. Goldsborough, President; Abbott, Annan, Audoun, Brooks, Brown, Cunningham, Cushing, Daniel, Davis, of Washington, Dellinger, Earle, Ecker, Edelen, Farrow, Galloway, Green, Hebb, Hollyday, Hopper, King, Lee, Markey, Mayhugh, McComas, Mitchell Murray, Nyman, Parker, Parran, Pugh, Purnell, Robinette, Russell, Sands, Schley, Scott, Smith, of Worcester, Sneary, Stirling, Swope, Todd—43.

There being no quorum present,

On motion of Mr. CUNNINGHAM,

The Convention adjourned.

#### SIXTY-EIGHTH DAY.

TUESDAY, August 9, 1864.

The Convention met at 10 o'clock, A. M. Prayer by Rev. Mr. Owen.

The roll was called, and the following members answered to their names: