

"And the mayor and city council may provide, by ordinance, from time to time, for the creation and government of such temporary additional police, as they may deem necessary to preserve the public peace."

The reading of the two is all the comment I desire to make.

Mr. STIRLING. I wish to say a word in relation to the clause which it is proposed to strike out, resembling a provision on the same subject in the present constitution. I do not see any unfairness in the mode in which that is introduced; but I cannot vote for it, because although in the same place, it has a broader effect. It does unquestionably abolish the present police force in the city of Baltimore. I do not wish to argue the question of the present system. I am unable to say whether it is unpopular with a majority of the people. But at all events I do not think this is the time or place in the present constitution to undertake to abolish that system, and introduce a new system. The people of Baltimore have a right to appeal to the legislature to change it, if they think proper. They have never done so. I shall therefore vote for the motion to strike out, because I am indisposed to vote in this way to abolish the present police force of the city.

The motion to strike out the clause was agreed to.

Mr. THOMAS. I now move the same amendment after the word "law" in the fifteenth line of the substitute that I offered to the original section, to insert:

"And shall be subject to be removed by the judge of the county or city having criminal jurisdiction, for wilful neglect of duty or misdemeanor in office, on conviction in a court of law."

The amendment was adopted.

The question recurred upon the adoption of the amendment moved by Mr. AUDOUN, as amended.

Mr. MILLER. As I understand it the only difference between the two is that in one case these officers are elected by the people, and in the other they are appointed by the county commissioners of the several counties, subject to removal by the judge on conviction in a court of law. The convention by a very decided vote, has just adopted the system of appointment instead of election by the people. I hope the convention will adhere to that vote, and let the original section stand as it now is.

Mr. THOMAS. In what respect have we so decided? We have not taken any vote upon that.

Mr. MILLER. By adopting the amendment of the gentleman from Calvert (Mr. BRISCOE.)

Mr. THOMAS. Oh, no. I voted for that myself.

Mr. MILLER. I do not want to take away any of the power of the people. I am

willing that the principle of election by the people should be carried out. But we have taken away from the people the election of road supervisors; and it seems to me that the selection of magistrates and constables should be placed in some appointing power rather than left in the hands of the people; because as it has been frequently stated here, men will go to the polls and mix up these little matters of road supervisors, constables and magistrates, with the election of the most important officers of the State. I think that to cut off one from the other would do more to prevent corruption in our elections than anything else we can possibly do. I hope we shall hold on to the amendment we have adopted, and the section as amended, and give the appointment to the county commissioners.

Mr. PURNELL. I indorse entirely what my friend from Anne Arundel (Mr. Miller) has said in this connection. The only difference, I understand, between the original section as amended, and the substitute, is that the original section provides for appointment instead of the elective system. While I have no disposition whatever to curtail the elective franchise, yet I do think in relation to these particular offices, it would be much better that they should be appointed than that they should be elected. I think it would insure the selection of better officers, without having that disturbing element of politics referred to so properly by the gentleman from Anne Arundel. I shall move at the proper time for a division of this question. I think while they should be appointed, I should prefer their appointment by the judges of the circuit court, who I think are better qualified to judge of the competency of the officers than perhaps the county commissioners would be. It often occurs that the judges of the circuit courts have to review the judgments of magistrates, and they are better qualified to judge of their qualifications than those who occupy different spheres, and who have not had their attention directed to that particular line of duties. Hence I think it is better that the magistrates should be appointed by the judges of the circuit court, and in the city of Baltimore by the concurrent action of the city courts there. So far as relates to constables, I think it would be better to have them appointed by county commissioners. While the county commissioners might not be so well qualified to judge of the qualifications of justices of the peace, they would be and are qualified to judge of the competency of constables. So that at the proper time I shall ask that this be modified, although I prefer appointment for both offices.

Mr. AUDOUN. If I understand what I was sent here for by the people who sent me here, I believe I was sent here as their servant, and not as their master. I believe that I was sent here for the purpose of voting for such