

have suffered from their dereliction. It is true that now and then you find a punctual man, who at the end of his sheriffalty, will be able to settle up his business. But where you find one such man, I will venture to assert it as a fact known to many members of this body, you will find a score that are just the reverse. Now if you lengthen this term, and make the sheriff believe that instead of squaring up at the end of two years he can wait for four years, the interests of the public are immeasurably made to suffer, because you have taken away the spur to urge him to the discharge of his duties.

I have had an opportunity, as many other gentlemen have had, of watching this, and seeing its practical operation. And I say that for the good of the community, in the respects to which I have alluded, this office, so powerful over the people, should be cut off from politics as much as possible; and the officer holding that position should be cut off as much as possible from the power of using his office for his own individual benefit. That I believe to have been the true and the real reason why, when the constitution was framed, and in all our previous practice, we have required an interregnum, so that the man who was executing the writs of your court, might not have it in his power to hold them in his hands as rods over the heads of other men, and say to them, "How will you vote to-morrow, or the next day, or at the next election? I am a candidate again, and I can indulge you. I will either indulge you or press the matter according as I am satisfied what will be your action." I suggest this for the reflection of gentlemen. I do trust they will give these matters that serious and earnest attention which they so pre-eminently deserve.

This is not a mere question whether a man shall hold an office for two years or four, or whether he shall be re-eligible or not; but it is the question how to protect the public against the improper use of the offices of the State; how to protect them against the abuse that will inevitably grow out of the long term of the office of sheriff. These are very grave considerations. I have really concluded in my own mind, since I have heard this matter talked about, that we could do scarcely anything more deleterious to the public, more dangerous to the very men themselves who hold these offices, than to lengthen the term to any extent, or to make them immediately re-eligible. These are some of the views I entertain on the subject, and I would like that the matter should be well weighed before it is voted upon.

Mr. THOMAS I must confess that I do not see this as the gentleman from Howard (Mr. Sands) does. The same reasons which influence his mind to oppose the re-election of sheriffs induced me to vote in favor of this amendment. The gentleman conjures up in his imagination that if a sheriff is re-eligible to

office, having in his hands a great number of executions, and papers of that kind, he will go to the men against whom the executions are issued, and threaten them that if they do not go to the polls at the next election and vote for him he will levy his executions. The gentleman knows as well as I do that the sheriff of the city or county is a mere executory officer.

Mr. SANDS (in his seat.) I know that.

Mr. THOMAS. When a writ is issued in court and put into the hands of a sheriff to execute it, he is bound to execute that writ within a certain number of days, or he is mulct in damages. Is there a sheriff who will go to the debtor and say, "I have an execution against you which I will levy if you don't go to the polls and vote for me," when he has the provision of law staring him in the face that he may be brought up before the court of justice for malfeasance in office, if he does not levy?

Mr. SANDS. I did not intend to be understood to argue that he would go to the man's face and say these things to him.

Mr. THOMAS. How will he get his vote without going to him?

Mr. SANDS. There are plenty of ways to make a man feel it without saying it.

Mr. THOMAS. I suggest that if he keeps his execution in a pigeon hole and says nothing about it at all, it would not have much influence in getting him re-elected. He must have some influence over him by that execution, to make the gentleman's argument good; and I say that the sheriff dare not do it because the law says he shall not do it. The law compels him to return his execution in a certain time. If he returns *nullum bonum* as a reason for not making a levy, and if it is a false return, if he returns that there were no goods when there were goods, he is responsible on his bond. Therefore I do not see that the re-eligibility of the sheriff is to have any of the bad effects prophesied of by the gentleman from Howard.

It appears to me that when the people have a right to elect an officer, if he turns out to be a good officer, this interregnum of two years in which the people cannot re-elect him is utter nonsense. Besides, he can be elected at the end of the next two years, after having served two years and there has been an interval of two years; and he can make the same promises, "I will not serve these executions if you will vote for me two years hence;" and the argument has the same force to prevent his being re-eligible at the end of two years as to prevent his being re-eligible immediately upon the expiration of his first term.

Mr. NEGLEY. I cannot see the force of the reasoning of the gentleman from Howard (Mr. Sands.) I am opposed to these extremely short terms of office in any case, because the incumbent scarcely gets warm in his position,