

scarcely gets familiar with the duties of his office, before his term expires. I cannot see how this is to prevent the settling up of the sheriff's accounts. I am satisfied that if you were to abbreviate his term still more, and instead of putting in the sheriff for two years, were to put him in for six months, so that instead of having one sheriff appointed for two years you would have four sheriffs appointed in the same length of time, it would not facilitate the settlement of the accounts. If you make it four years, instead of having two sheriffs appointed in four years, you will have only one.

As to the clause to prevent re-election, I think it is hardly necessary to put it there, for this reason. I have scarcely ever known any disposition in our county to re-elect a sheriff, and I have never known a sheriff to be re-elected or re-appointed. I do think that is not much of an evil, if it is an evil.

I do not think any bad result will follow from extending his office for four years. We have lengthened the term of a good many other officers, and I do not see why we should not this. As to the terrible, tremendous, overwhelming, and irresistible influence of the sheriff, of the exercise of which the gentleman from Howard speaks, I cannot conceive of it. It exists more in the fertile imagination of the gentleman than in the actual fact. I cannot conceive what terrible, crushing influence he can exercise as an executive officer in any case. I do not want to revolutionize society, or overturn its foundations, or endanger public justice. Not at all. Yet the gentleman speaks as though it were something terrible to lengthen his term of office. I do not so think.

Mr. STIRLING. I shall certainly vote against this amendment. I certainly think this is bad enough as it is, and I shall not vote to make it worse. It strikes me that the provision in the constitution, which has been there for so long a period of time, must have been put there for some reason. Sheriffs have been elected before any other subordinate officer, way back for a period of thirty or forty years past; elected by the people. Yet in every constitution this same provision has been retained of election for two years, and forbidding re-election. That alone carries with it the conviction that there must have been some reason for it. The position taken by the gentleman from Howard (Mr. Sands,) it seems to me, is not entitled to be treated as a matter of imagination at all. A sheriff has power distinct from everybody else. He may have writs of execution, on the person or property of three or four hundred citizens of the county.—What sort of a man is that to go before the people for re-election, with a large part of the voters of the county subject to his control, when he can put them in jail or sell their property at auction? It strikes me that that provision was put into the constitution be-

cause it was thought it was not fair to give a man that power, allowing him to put himself up as a candidate for office; it was because of the temptation to the sheriff constantly to exercise his office for his own immediate emolument. The powers and influences of the other officers are indirect powers to a very great extent; but this is an absolute, fixed, definite, personal control over A, B and C.

It is of no use to say that the sheriff is bound to make a return in a certain number of days. It is a fact that he does not make it in a certain number of days. They are often allowed to grant time, and are often instructed by the persons who have the judgments to obtain money by compromise. Nobody complained of the constitution as it stood. It was a part of the constitution of 1836, and of the constitution of 1850, and I heard no complaint about it. I certainly see no reason why we should extend the term beyond two years. It will not be a popular provision.—Certainly when the sheriff has been in two years making money, there are plenty of people who want him to give way to somebody else. Certainly some sheriffs make an independent fortune out of the office; and there is no reason for continuing them in it.

Mr. SCHLEY. Before the convention votes on this amendment I should like to call their attention to what has been the practice in this State. Not dreaming that such a thing would be proposed here, I am not prepared to give all the reasons for the law as it now stands. I find, on referring to the constitution of 1776, that the sheriff was elected every third year in this State. So that we had a term of three years, which, when we came to reform the constitution in 1850, was deemed to be too long a period. In both constitutions the disqualification for the succeeding term was incorporated in the organic law.—I am sure the convention must admit the validity of the reasons adduced by the gentlemen from Howard (Mr. Sands) and Baltimore city (Mr. Stirling) in behalf of retaining this qualification. I hope some gentleman who voted in the affirmative upon that proposition will move its reconsideration presently.

From three years the term was reduced to two. I have never heard any one complain that that term was too brief. In my own experience, in my own county, I find that every incumbent of that office has made a fortune for himself in two years. I say a "fortune," which is a comparative term. I have never known a man within my recollection, to retire from the office of sheriff, in Frederick county, after serving in it for two years, with less than seven thousand dollars clear earnings; and I have heard that it has ranged up as high as twenty thousand. I regard either of these sums as a fortune. I have not heard any reason why the term should be prolonged to four years; but I can very well conceive reasons why it should be limited to two. If