

the appointment of Directors of the Maryland Penitentiary, and to re-enact the same with amendments.”

No good reason is perceived for the change proposed by the terms of this bill. A similar provision classifying the directors, as suggested in this bill, was incorporated in the Act of 1837, chapter 320, but after a long and fair trial of it, the Legislature, in 1860, abandoned it, and substituted the present system of appointment. Under its workings, the institution has been made self-sustaining, and the exhibit of its affairs for the last two years should certainly commend the present mode of appointment to favorable consideration.

Gentlemen selected by the Governor at the same time, and for the same term, whose habits of business and dispositions fit them for a harmonious administration of the affairs of such an institution, in my judgment, will be more likely to discharge their duties to the satisfaction of the public.

No demand has been made, of which I am aware, by the officers of the Penitentiary, or any other persons, for a restoration of the old system, and as there is nothing more detrimental to the public interest than frequent changes in the laws, I trust that the present mode of appointment may remain undisturbed. In addition to the general objections to this bill, the bill itself contains an innovation I cannot sanction.

The Maryland Penitentiary is a State Institution, and, therefore, all the citizens of all parts of the State have a common interest in its management.

The bill provides that all of the directors shall be “residents of the city of Baltimore.”

Heretofore, residents of Baltimore county had been selected for this position, and, indeed, some of the most efficient directors of that institution, in the past, have been residents of that county. I am not disposed to concede that there should be any limit as to the locality from which directors should be taken, but leaving the whole State as the field from which a choice could be made, it is highly probable that the Governor would nominate suitable persons from the territory contiguous to Baltimore city, and from that city itself.

There are other objections to the bill itself, which careful reading will suggest, and especially, I call your attention to the apparent conflict between the first part of section 1 and the closing line of the same section, which leaves it doubtful whether by the use of the word “fill,” the Governor is not invested with power to make appointments hereafter for terms expiring under this law, without the “advice and consent of the Senate.”

WM. PINKNEY WHYTE.

Which was read