

year in relation to the election of municipal officers. He could not see why the fixing of the number of justices of the peace in each county should not be left to the Legislature. That, certainly, was the more advisable course.

Mr. BROWN said:

That the gentleman from Queen Anne's, (Mr. Spencer,) had evidently misunderstood him. The election of the county commissioners would take place after the election of members of the House of Delegates. There would be an opportunity for the candidate for the House of Delegates to say, if you will vote for me I will increase the number of magistrates, and you can run as a candidate for that additional office. He should consider the power just as safe in the hands of the levy court, or the county commissioners, as in the hands of the delegates from the counties. He believed it to be the safest for the people to let the county commissioners decide upon the number.

Mr. WEBER did not consider the proposition of his colleague liable to the objections urged against it. There had already been adopted an article that the board of commissioners in the respective counties should be chosen uniformly by general ticket throughout the State. The legislature was expected also to provide some law to extend to the county commissioners certain powers which had before been exercised by the general assembly of the State, giving to them a local legislation. They were certainly more competent to decide upon the number of justices of the peace, and of constables, than the legislature could possibly be. There had been heretofore much complaint that every little local question must be brought before the General Assembly, thus engrossing a large portion of their time. If this power should be vested in the county commissioners, the legislature would be saved a great amount of labor.

In Allegany county five justices of the peace might be this year amply sufficient for all the purposes in Cumberland District. Two years hence, ten might be required. Shall they be required to go to the General Assembly for those additional justices of the peace? The statute books would be covered with such enactments. The county commissioners were elected every two years, and it seemed to him that this power could be entrusted to them for that time.

Mr. HOLLYDAY modified his amendment by inserting after the word "Commissioners" the words "and the city council of Baltimore."

The question recurred and was taken on the adoption of the amendment as amended.

Determined in the negative.

Mr. FOOKS then moved to amend the twenty-first section by striking out all from the beginning of said section to the word "the" in the third line, and inserting in lieu thereof the following:

"There shall be two justices of the peace in each election district of every county in the State, and each ward in the city of Baltimore respectively, having one hundred voters, and one

additional justice for each additional two hundred voters elected by."

Determined in the negative.

Mr. STEPHENSON then moved to amend the twenty-first section by striking out from the beginning of the section down to the word "respectively," in the fourth line inclusive, and inserting in lieu thereof the following:

"There shall be elected for each of the wards of the city of Baltimore and for each of the election districts of the several counties of this State, by the voters thereof respectively, such numbers of Justices of the peace and constables as may be fixed and regulated by the legislature at its first session."

Mr. BRENT, of Baltimore city, moved that the question be taken by yeas and nays;

Which being ordered,

Appeared as follows:

*Affirmative*—Messrs. Blakistone, Ricaud, Lee, Chambers, of Kent, Dorsey, Randall, Howard, Buchanan, Bell, Lloyd, John Dennis, James U. Dennis, Dashiell, Williams, Hicks, Hodson, Goldsborough, Phelps, McCullough, Miller, Spencer, Grason, George, Wright, Dirickson, McMaster, Hearn, Jacobs, Shriver, Annan, Stephenson, McHenry, Magraw, Carter, Stewart, of Baltimore city, Schley, Fiery, Neill, John Newcomer, Harbine, Michael Newcomer, Anderson, Fitzpatrick, Parke and Cockey—45.

*Negative*—Messrs. Chapman, Pres't, Morgan, Dent, Hopewell, Wells, Weems, Sherwood, of Talbot, Colston, Bowie, Tuck, Sprigg, Bowling, Fooks, Gaither, Thawley, Stewart, of Caroline, Harcastle, Gwinn, Brent of Baltimore city, Ware, Brewer, Weber, Hollyday, Smith, Show-er and Brown—26.

So the amendment was adopted.

The question then recurred upon the adoption of the substitute as offered by Mr. BOWIE, for the twenty-first section of the report.

Mr. WEEMS offered as a substitute for said section and substitute the following:

"Magistrates, constables, coroners and elizors, shall be appointed as now prescribed by law, or in such manner as the General Assembly may direct."

Mr. WEEMS said:

That he would not object to allowing the people to elect all the officers they might desire to elect, but in the section of the State from which he had the honor to come, he did not believe they desired to elect these minor officers. They were perfectly satisfied to let them be appointed by the local authorities. They would prefer that mode of appointment, or to have them appointed by the Governor, by and with the advice and consent of the Senate, and upon the recommendation of their delegates biennially elected to represent them. They would not have any more efficient officers than they had already had.

On the contrary, they would be worse, infinitely worse, because those best fitted for the stations, would not be disposed to canvass the district for an office for two years. It would be utterly impossible for them to be elected with-