

out a canvass, because men less fitted for the offices would enter into the canvass and prevent it. In order to be elected, the candidate must be "hale fellow well met" among his fellow citizens, and very frequently give them a trifle to secure their votes. No man suitable to be a magistrate could spend so much of his time for a magistracy of two years, with the probability of being superceded by the time he had become familiar with the duties of the office. He should vote against the proposition of the gentleman from Prince George's, [Mr. Bowie,] in order to relieve the people of the election of these minor officers.

Mr. WEEMS demanded the yeas and nays.

The yeas and nays were not ordered.

The question being taken upon the amendment, it was rejected.

Mr. THAWLEY moved to amend the 4th line, by striking out "two" and inserting "four."

Mr. GWINN said that the election of a given number of justices of the peace, from each ward in the city of Baltimore, would be utterly destructive of the system which the Legislature had prepared for that city, and which had been found to answer so admirably. It had been said that although the magistrates were elected from each ward, they might do their business in other sections of the city. But why elect a magistrate from a particular ward, if he was to have jurisdiction out of that ward? In some of the wards, as the 19th and 20th, there was no necessity for a justice of the peace at all; while in the tenth ward, where the court house was situated, there were four or five, and they were inadequate to discharge the duties of that ward.— In that ward were the record office, the city court, and the county court; and persons having business there, and requiring a justice of the peace, would go to one in that neighborhood.— Yet these magistrates should not be elected by the citizens of that ward, for they performed the bulk of the business of the city. The whole plan of election from wards was radically wrong. No man could tell any one year where the bulk of the business would be for the next year. Each man would have his business done in that ward where it was most convenient, and it might sometimes be in one and sometimes in another, and to attempt to confine each to his own ward would lead to inextricable confusion. The whole matter should be left to the Legislature. The Baltimore delegation would each year lay before the Legislature such inequalities as it was necessary to remove; and the Legislature would act in accordance with the facts laid before them. He trusted that the Convention would remember that all practical knowledge would not be likely to be exhausted in this Convention; and that there was a probability that there might be some faith reposed in the Legislature. Posterity would be quite as wise, and in all probability wiser than themselves. He expressed his hope that the plan of the gentleman from Prince George's would prevail.

Mr. BOWIE, with the consent of the conven-

tion modified the substitute by striking out after the word "the" in the 2d line, the words "county and city," and inserting in lieu thereof these words: "Several election districts of the counties and of the wards of the said city respectively," and also by inserting after the word "duties," in the 7th line the word "jurisdiction."

Mr. BOWIE demanded the yeas and nays, on the motion of Mr. THAWLEY,

Which were ordered, and being taken,

Resulted—yeas 31; nays 38; as follows:

*Affirmative*—Messrs. Chapman, Pres't, Ricard, Lee, Chambers, of Kent, Dorsey, Randall, Weems, Sherwood, of Talbot, Dashiell, Williams, Hodson, Goldsborough, Bowling, Spencer, George, Fooks, Jacobs, Shriver, Gaither, Annan, McHenry, Magraw, Carter, Thawley, Stewart of Caroline, Hardcastle, Gwinn, Ware, Michael Newcomer, Anderson and Smith—31.

*Negative*—Messrs. Morgan, Blakistone, Dent, Hopewell, Wells, Bond, Howard, Buchanan, Bell, Welch, Lloyd, Colston, John Dennis, James U. Dennis, Phelps, McCullough, Miller, Bowie, Sprigg, Grason, Wright, McMaster, Stephenson, Stewart, of Balt. city, Brent, of Balt. city, Schley, Fiery, Neill, John Newcomer, Harbine, Brewer, Weber, Hollyday, Fitzpatrick, Parke, Shower, Cockey and Brown—38.

So the amendment was rejected.

The question again recurred upon the adoption of the substitute as offered by Mr. BOWIE.

Mr. JOHN NEWCOMER offered as a substitute for the substitute, the following:

"The Legislature at its first session after the adoption of this Constitution shall provide by law for the election of justices of the peace, coroners, constables and supervisors of the public roads, by the qualified voters of the several counties and the city of Baltimore of this State."

Mr. JOHN NEWCOMER moved that the question be taken by yeas and nays.

Which being ordered,

Appeared as follows:

*Affirmative*.—Messrs. Weems, Welch, McCullough, Grason, Shriver, Gaither, Thawley, Stewart, of Caroline, Hardcastle, Gwinn, Stewart, of Baltimore city, Brent, of Baltimore city, Ware, Fiery, Neill, John Newcomer, Harbine, Michael Newcomer and Anderson—19.

*Negative*.—Messrs. Chapman, Pres't, Morgan, Blakistone, Dent, Hopewell, Ricard, Lee, Chambers, of Kent, Dorsey, Wells, Randall, Dalrymple, Bond, Howard, Buchanan, Bell, Lloyd, Sherwood, of Talbot, Colston, John Dennis, James U. Dennis, Dashiell, Williams, Hicks, Goldsborough, Phelps, Miller, Bowie, Sprigg, Bowling, Spencer, George, Wright, Dinckson, McMaster, Fooks, Annan, Stephenson, McHenry, Magraw, Nelson, Carter, Schley, Brewer, Waters, Weber, Hollyday, Fitzpatrick, Smith, Parke, Cockey and Brown—52.

So the Convention refused to accept the substitute.

Mr. DENT then offered as a substitute for the substitute, the following:

"The Legislature shall determine how many