

justices of the peace each county and the city of Baltimore shall have. They shall be appointed by the Governor of the State, by and with the consent of the Senate, for the term of two years, and shall be apportioned among the several election districts of the counties and wards of the city of Baltimore, as shall be directed by the Legislature."

Determined in the negative.

Mr. DENT moved for the yeas and nays.

Which motion was not sustained.

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

Mr. STEPHENSON moved to amend the twenty-first section of the printed report, by striking out after the word, "peace," in the ninth line to the word "thereof," inclusive, in the eleventh line, and inserting the following:

"The Governor shall appoint a person to serve as justice of the peace, until the next regular election for justices of the peace; and, in case of a vacancy in the office of Constable, the county commissioners of the county in which a vacancy may occur, shall appoint a person to serve as constable until the next regular election thereafter for constables."

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

Which motion was not sustained.

The question was then taken on the adoption of the amendment,

And determined in the affirmative—a division—yeas 30—nays 25.

On motion of Mr. BOWIE,

The twenty-first section of report was further amended by striking out in the twelfth line the words "the judges of."

On motion of Mr. SPENCER,

The section was further amended by striking out from the word "jury," in the fifteenth line to the end of said section.

Mr. BOWIE then withdrew the substitute offered by him for this section.

Mr. RANDALL. I suggest that we prescribe the mode by which appeals are to be taken, or else we will not secure the constitutional right to appeal. I suggest therefore that to insert, after the words "may be," in the 14th line these words, "according to the laws as are now or may hereafter be enacted,"

The amendment was agreed to.

Mr. GWINN. I move to strike out so much of this section as relates to the city of Baltimore. I will make a final appeal to the House on this subject. I know that everything stated by the delegation from Baltimore, which relates to the interest of that city, is viewed with suspicion here.

I can only say as to this question that I am actuated by on selfish motive. I think I can satisfy gentleman, who will listen to me, that the system proposed in this section for Baltimore city is utterly unreasonable; besides the House misapprehends the case. The gentleman from Baltimore county voted for the section, as it now stands, utterly unconscious of the real signifi-

tion which it bears. Other gentlemen vote in equal ignorance. The magisterial business of the city of Baltimore centres perhaps about some four or five localities. These are the neighborhoods of the Lexington market, of the Bel-Air market, of the Centre market, and of the Court house. The section provides that the legislature may divide the justices of the peace among the people of the city of Baltimore, that is to say, it may give to any ward any number of justices of the peace. The tenth ward, in the neighborhood of the Court house, requires three or four of those officers. These transact business for all the surrounding wards. But under the plan they will not be chosen by the people whose business they attend to, but by residents of a ward which owes the necessity of their presence to the accident of the location of the Court house. I ask the House, if it means to adopt the system of election at all, whether that system is reasonable which throws in the hands of a constituency the election of these officers, who are to take in charge the business of a constituency to which they are not responsible? Why should this evil be fastened upon us? We cannot district the city here; we cannot make arrangement here, for we are without the necessary information. Why not leave the whole matter so far as the city is concerned, to the legislature?

Mr. HOWARD. It does not strike me that the construction of this section is such as the gentleman indicated. I do not know that it is fair to call upon the gentleman from Prince George's to explain this section, because he is in the position alluded to.

Does the section mean to say that the legislature shall have the right to provide that one election district in Baltimore county shall elect five justices of the peace and the rest none?

Mr. BOWIE. It does not.

Mr. HOWARD. That is what I supposed.

Mr. BOWIE. That part of the bill was amended at the instance of the gentleman from Harford. It provides that there shall be in each election district and in the city of Baltimore, in each ward, some justices of the peace, the number to be left to the legislature. That is what I understand the proposition of the gentleman from Harford to be. There are some election districts where two justices of the peace may be sufficient, and other election districts where five may be required. The gentleman from Frederick says that in the district in which Frederick is located, four or five would not be enough while perhaps one or two would be enough in the other districts. The legislature is required to prescribe the mode of electing justices of the peace at each election, in the election districts, and also in the city of Baltimore.

Mr. HOWARD. Does it prescribe that each ward shall elect the same number?

Mr. BOWIE. I would be unwilling to incorporate such a provision. Here is a uniform system, applicable alike to the counties as to the city of Baltimore. Is it possible that gentlemen