

would be willing to let the Legislature prescribe one mode of electing justices of the peace in the counties; and another in regard to the city of Baltimore? The Legislature is to provide for the election of justices of the peace in each of the wards of the city of Baltimore, just as they are to be elected by districts in the counties. The gentleman's view is that nothing should be stated in this bill, in regard to the manner of regulating the election of justices of the peace in the city of Baltimore, but that all shall be left to the Legislature. I say it is not right in that point of view. We desire uniformity. The question has been taken and decided by a very large majority, and I suppose there is no desire to change the rule, and make the election different in the city from that all over the State.

Mr. GWINN. I do not see that we have adopted a uniform rule, in relation to the city of Baltimore, and the counties heretofore. Since I had been in this Convention, I have heard no other statement than that the city and the counties, are in every way opposite in interest, and are not to be tried by the same rules. I now call the attention of the House to the operation of this system. In the 10th ward, which is situated in the neighborhood of the Courthouse, four justices of the peace are certainly required. If the construction of this article, made by the gentleman from Prince George is correct, that there shall be one justice of the peace for every ward in the city of Baltimore, and as many additional as certain wards will require, we will have more of these officers than any man desires.

Mr. BOWIE. I suppose the Legislature is not going to give you more than one for each ward.

Mr. GWINN. Well, I will suppose that gentlemen have not the slightest idea of the existing system in Baltimore city; they are speaking without any knowledge in relation to this matter. Several years ago we had thirty justices of the peace, who were at liberty to take the fees of their office. It was said that this system led to many gross abuses. Charges were made that combinations had existed between the justices and officers, which resulted in serious injury to the people. The plan resorted to, was that we should have only so many justices as were sufficient to do the business of the city, and to bring the fees into a common fund, which were distributed amongst the parties. In order, therefore, that they should be properly remunerated, it is necessary to have only a number sufficient to transact the business of the city.

What is the experience of the city? It is that twenty justices are amply sufficient to do the business. What is the plan of the gentleman? It is to have one at least from every ward. Now, more than one is required in the tenth ward—we cannot do without four. We require more in the central wards than in those which lie in the extreme eastern and western wards. In some wards, I am told, they require none at all. What is the effect of the plan proposed? That some wards must go without an adequate number of officers, or else we shall be compelled to depart

from that system of common fund and division which we have found so wholesome in the jurisprudence of our city. So far as the city is concerned, I suppose you are disposed to do right by it. I do not conjecture that you adopted this system with a view of taking away from us the plan of a common fund for the remuneration of the justices. The system you have made is applicable to the counties, but is not in any degree applicable to the city.

Mr. RICAUD. The same amount of compensation is now established by law as is provided for by this law.

Mr. GWINN. I will show gentlemen how such a system would work. The twenty justices of the peace for the city receive each about \$750 a year. To fill these offices, we require competent men, men of character, who are to be remunerated in proportion to the services performed. Increase the number to thirty-five, and they will each receive a sum so small as to be insufficient for their support. The gentleman says that the old system attaches to the present, but by doing so it neutralizes all the effect of this system. The gentleman will see this. Does not the bill provide for one justice in every ward?

Mr. BOWIE. It provides for no particular number.

Mr. GWINN. Under his own construction, it cannot be less.

Mr. RICAUD. I desire to ask the gentleman a question. Do the five justices of the peace required for the tenth ward, come from that ward, or live there, or only hold their offices there?

Mr. GWINN. The question has nothing to do with the case. The tenth ward requires them; and it is not likely that, if it elects them, it will vote for men out of the ward.

The PRESIDENT stated that the gentleman's time had expired.

Mr. GWINN. I ask the indulgence of the House for a few minutes to reply to the interrogatory of the gentleman.

Unanimous consent being required, and objection being made, Mr. GWINN was not permitted to proceed.

Mr. BRENT, of Baltimore city. I will take up the proposition. It does not matter where the justices of the peace live or where they sleep, it is proposed to elect one justice from each ward. There are some wards in which you will find it impossible to find men who will serve as justices, and what will you do then? I do hope that we will be allowed to select our justices of the peace from the whole city.

Mr. RICAUD. Is there a ward that cannot furnish one or two justices of the peace?

Mr. BRENT. I will answer the question. I say there are wards, in my opinion, where you can find no man who will serve as justice of the peace.

Mr. BLAKISTONE. When these gentlemen have a little more experience, they will become anti-reformers. I find that both of the gentlemen from Baltimore city, (Messrs. Brent and Gwin,) are getting to be anti-reformers. They think that the people are perfectly capable of electing