

Mr. JOHN NEWCOMER protested against the engrafting of a provision in the Constitution, limiting the number of the Commissioners in the counties. He knew that in Washington county, perhaps the third largest county in the State, they formerly had nine Commissioners. In 1845, they changed the law, and reduced the number to three. He had been a Commissioner since that time, and he knew that the three dispatched business more readily and at less expense than the nine, and he had heard no complaint yet that the Commissioners had not been able to do the business of the county. He desired that the Legislature should hereafter fix the number to suit the different counties.

Mr. TUCK moved to amend the fourth section, by inserting after the word "for" the words, "determining the number for each county, and," and by adding at the end of the section, the following:

"And the number of Commissioners that may be hereafter prescribed by law shall not be changed."

Mr. McHENRY said:

That he would withdraw his substitute, as he found that the House were disinclined to go into details, although he had full belief in the propriety of the system.

Mr. CONSTABLE moved the previous question, which was seconded, and under the operation thereof, the first amendment of Mr. TUCK was agreed to.

The question was then taken on the second amendment, (that the number of Commissioners that may be hereafter prescribed by law shall not be changed,) and it was rejected.

The section as amended was then agreed to.

Mr. McHENRY moved to insert the following as an additional section:

Sec. The Commissioners of the respective counties shall on or before the first day of June in each year, designate three justices of the peace, in and for each election district, to serve as judges of all elections to be holden in such district, until the same period of the following year.

Mr. McHENRY said, that this section met with the unanimous consent of the committee, as a correct mode for the appointment of judges of elections.

Mr. MITCHELL said, that they had but two magistrates in his county. His idea was, that that they would have but one if they should elect magistrates by the people, and he desired to know what effect this law would have them?

Mr. TUCK said, that it was known that some gentlemen had expressed a willingness to elect all officers by the people—judges, coroners, and every thing of that kind. To prevent a multiplicity of elections occurring, the committee thought that if they should designate three out of a class who had received public approbation at a popular election, to be judges of elections, that that object would be accomplished.

Mr. BUCHANAN had been in favor of electing the judges of elections by the people, but that seemed not to have been adopted. He had no idea of confining the judges of elections to three

or four men elected as magistrates. The commissioners themselves, having been elected by the people, were presumed to know something about the people's wants, and the better plan was to allow them full latitude.

Mr. PHELPS said, that if the judges themselves were made judges of elections, how would they elect them? The judges themselves would be candidates to be elected, and yet would be judges of their own election!

The question was then taken on agreeing to the amendment of Mr. McHENRY, and it was decided in the negative.

So the section was not adopted.

The fifth section was then read as follows:

Sec. 5. The General Assembly may provide by law for the election or appointment of such other county officers as may be required, and are not provided for in this Constitution, and prescribe their powers and duties; but their tenure of office, their powers and duties, and mode of appointment shall be uniform throughout the State.

Mr. CONSTABLE moved to amend the section, by inserting after the words "the General Assembly," the words "shall provide by law for the election of road supervisors in the several counties by the voters of the election district respectively, and."

Mr. BLAKISTONE offered as a substitute for said fifth section the following:

"The commissioners of the several counties of this State, after the adoption of this Constitution, shall fix the number of Supervisors of roads for the several election districts of their respective counties, who shall be elected by the legal voters of said districts respectively, at the first general election of delegates, and at each general election of delegates that may happen thereafter, and in case of the death or removal of any supervisor, the commissioners shall supply such vacancy until the next general election, and any person elected supervisor, who shall refuse to act shall be subject to a penalty of \$10 unless such person has previously served in such capacity within the last ten years next preceding."

Which was read.

The President ruled the substitute to be out of order.

The question then recurred on the adoption of the amendment as offered by Mr. CONSTABLE.

Mr. JOHNSON said, that in no portion of the State were the people more interested in the subject of roads than in his county. They had a rolling country and bad roads, and the commissioner of roads was very important for their intercourse. The rains of Heaven in some portions of the State beat the roads hard, but in his county they made them worse, because they had a soft soil.

Mr. BROWN suggested to the gentleman from Cecil, that it would be difficult in his section of the country to carry out the system he had proposed. The roads were divided into sections, and each section was superintended by a different individual. Their county was unfortunately divided by a road running through it, and there