

Henkle, Hollyday, Mayhugh, Miller, Negley, Nye, Parker, Parran, Russell—15.

When his name was called,

Mr. BELT said: As this proposition originated with me some days ago, I shall vote in the affirmative on the principle that if the public works, and the State's interest in the canal particularly, shall be sold at all, I am in favor of compelling such legislation as shall enable those who are chiefly interested in them to have the benefit of them, if they want them. I therefore vote "aye."

The section was accordingly adopted.

No further amendment being offered to the legislative article, it was ordered to be engrossed for a third reading.

Mr. NEGLEY asked and obtained leave of absence for a day or two.

Mr. MARBURY moved that the convention adjourn.

The motion was not agreed to.

COUNTY COMMISSIONERS.

On motion of Mr. STOCKBRIDGE,

The convention then resumed the consideration of the report of the committee on the appointment, tenure of office, duties and compensation of all civil officers not embraced in the duties of other standing committees, which was on its second reading.

The question being on the adoption of the following amendment submitted by Mr. RIDGELY:

"Section 4. Strike out in the third line the words, 'general ticket and not by districts,' and insert 'in such manner and for such term as the legislature may prescribe.'"

Mr. RIDGELY. As I observed the other day, when this subject was under consideration, the adoption of that amendment by the house will necessarily involve several other material amendments to the section, and will require very much a reconstruction of the section. It strikes me that the house would act much more intelligibly upon the subject by recommitting that section to the committee, to be reported in a proper form. This board of county commissioners is perhaps of much more importance than will strike the attention of the house without some reflection. This is a local board for every county, involving local jurisdiction and local powers over subjects of very great interest to the people of the county. Under the former system of the administration of this office there was no provision by which there was any requisition which imposed on these officers the necessity of being controlled by any common or uniform system of legislation. Under this constitution these boards are all to be subject to a regular uniform system throughout the whole State. It is well known that the interests of the different counties differ on these subjects. I am very sure that the practice under this constitutional provision has not improved the old order of things before the adoption of this

constitution. The regulation of the roads is one of the most important functions with which this body is charged. Any uniform system of roads throughout the State seems to me to be utterly impracticable to be attained.

Mr. MILLER. If the gentleman will turn to the legislative report, he will see that there must be a uniform system of public roads.

Mr. STIRLING. We have passed a provision that the legislature shall not pass local or special laws establishing, locating or affecting the construction of roads.

Mr. RIDGELY. That defeats the whole object of my amendment, which was to allow each county to suggest its own means of relief.

Mr. STIRLING. You voted for that yourself.

Mr. RIDGELY. I believe I did. But that does not prohibit the legislature from passing a general law which may not require uniformity in all the counties. They may pass a general law which may meet the exigencies of the case, and by which the wants of each particular county may be gratified. I am very sure the wants of St. Mary's and Charles counties, where they have a gate across the road every mile or two, through which you must pass, are not similar to the wants of such a county as that where I reside, where there are great highways and thoroughfares penetrating the entire county. There are different wants and necessities, and no uniform system of legislation will meet the wants of the counties in my judgment.

Mr. CLARKE. The next section, section 5, relates to road supervisors, the number of whom shall be determined by the county commissioners.

Mr. RIDGELY. That only refers to their duties prescribed by the law. But I shall not press my amendment, because it amounts to nothing independently. I therefore withdraw it.

Mr. SCHLEY. I see by the journal, page 361, that the blank was filled with "Tuesday next after the first Monday in November, in the year 1865." That will require throughout the State, elections to be held every year. We have provided for elections to be held this fall to fill certain offices, on "Tuesday next after the first Monday." Under this amendment we shall have next year an election for county commissioners. So every year we must have an election for one set of officers or another. I propose to amend so as to make this election in 1866, so as to avoid unnecessary frequency of elections. I propose that elections for county commissioners shall occur simultaneously with the general elections through the State. Under a subsequent provision the present county commissioners will hold office until their successors shall be elected and qualified.

Mr. HEBB. Is it in order to move to strike out that which has been inserted? I think