

companies that did. It therefore could not exercise management over the actual operation of the projects but was limited merely to casting its vote as stockholder.¹²

While Thomas preferred a stronger supervision of the state's investments in internal improvements, he saw no reason why such supervision could not be exercised through continued use of salaried agents, thus avoiding the unnecessary expense of a new board of public works. Formerly the agents were paid a flat annual salary of \$100 each, as set by the legislature, for performing their limited role.¹³ Their salaries would have to be raised if a board were to assume the task of directly managing the various projects in which the state had an interest. Except for salaries, however, the essential change in the existing system made by the Thomas proposal was the popular election by district of the state's agents or the commissioners.

Samuel P. Smith of Allegany County opposed not only the committee's proposal but Thomas's as well. Smith had been a director of the C & O Canal Company at a time when the state agents had a concurrent jurisdiction with the directors in assuring completion of the canal, and he had found their task to be an arduous one. Now that the canal had been completed, he said, the agents had no duty other than to attend the annual stockholders' meeting and cast the state's vote. "They can have no supervision over the work," he said, "because the charter gives the entire control to the President and Directors"; thus he felt that the legislature was as competent to select the people to perform that function as the general electorate.¹⁴

George Schley of Washington County also picked up this critical theme. "It would be a misnomer to call this a board of public works," he exclaimed, "when there were no public works to be constructed, and when the constitution which we are now framing absolutely forbade any future public works."¹⁵ The state's agents performed their limited duties faithfully and punctually, and he saw no compelling reason to change that system.

The debate over the board, as these comments illustrate, centered on the question of whether such an entity was really necessary, but other considerations, of a more political nature, were also involved. An undercurrent of both sectional and partisan rivalry was very much in evidence when the committee proposal and the Thomas substitute were discussed and compared. Ezekiel F. Chambers of Kent County, for example, noted that under the Thomas proposal the representation of the entire Eastern Shore was but 25 percent—one of four—whereas under the committee proposal its voice was one of three; and he objected to this "fritter[ing] away, by piecemeal, the remnants of our political privileges."¹⁶

Thomas Harbine of Washington County attempted to answer some of the concerns expressed, particularly the political ones. Party considerations should be disregarded, he said. Although it might be supposed that at that time two of the districts (Eastern Shore and southern Maryland) might elect Whigs, and Baltimore City and the western area would elect Democrats, who could say what would be the case in five or ten years? The looming national crisis was changing the political scene—"absorbing old parties and creating new ones."¹⁷ No area with but one vote would dominate another, much less the whole state, especially under the Thomas proposal.

12. *Reform Convention Debates*, 2:392.

13. Acts of 1841, ch. 290.

14. *Reform Convention Debates*, 2:397. This and the succeeding remarks of George Schley of Washington County (see note 15 below) were in response in part to comments made by William Merrick of Charles County. Merrick's remarks unfortunately are not recorded, but from the response to them it appears that he suggested a provision allowing the legislature directly to elect the president of the C & O Canal Company.

15. *Reform Convention Debates*, 2:398. This referred, of course, to what became part of art. 3, sec. 22, of the 1851 Constitution, which removed from the General Assembly the power to involve the state in the construction of internal improvements or in any enterprise involving the faith or credit of the state.

16. *Ibid.*, p. 394.

17. *Ibid.*, p. 400. Harbine perhaps did not realize the degree of his prescience. Within five years the Whig party had all but disappeared as a political force. It was replaced by the American party, or Know-Nothings, which held sway until 1860 and in turn was replaced by the Union party. See chapter 4.