The question was then taken on the first branch of the amendment, and resulted as follows:

Affirmative — Messrs. Weems, Bell, Lloyd, Dickinson, Sherwood of Talbot, John Dennis, Hicks, Hodson, Constable, Chambers of Cecil, McCullough, Miller, Bowling, Dirickson, Shriver, Gaither, Biser, Annan, Stephenson, Magraw, Nelson, Carter, Thawley, Stewart of Caroline, Schley, Fiery, Neill, Weber, Fitzpatrick, Smith, Ege, Cockey and Shower—33.

Negative—Messrs. Chapman, President, Morgan, Blakistone, Chambers, of Kent, Donaldson, Dorsey, Wells, Merrick, Ridgely, Williams, Phelps, Sprigg, Spencer, George, Wright, Hearn, Gwinn, Stewart, of Baltimore city, Presstman, Harbine, Davis, Brewer, Parke and Brown—24.

So the first branch of the substitute was agreed to.

Mr. Chambers, of Kent, asked a further division on the second branch of the amendment, as follows:

"And every law enacted by the Legislature, shall embrace but one subject, and that shall be described in the title."

Mr. Stewart, of Caroline, said it was due to the gentleman from Prince George, (Mr. Sprigg,) to state that he, (Mr. Stewart,) had taken this branch pretty much *verbatim* for his amendment.

Mr. Merrick enquired whether it could be possible that this grave body was going to require the Legislature, when it came to revise any of the previous legislation of the State, to re-enact a whole statute.

Mr. Thomas said he was in favor of the amendment of the gentleman from Caroline, as it was originally offered, if it was the same now. He did not concur with the gentleman from Charles, [Mr. Merrick,] that the whole of a system of laws must be re-enacted if we touch any single branch of it. The testamentary system was one law, but it had many chapters. Should it be thought necessary to amend the chapter which relates to guardians, you do not re-enact the whole system, but merely that law which relates to guardians. You take a single part and not the whole system. If the law concerning guardians were re-enacted, the advantage to the practitioner of law would, in his opinion, be great. He had only practised law for five years, but his short experience had satisfied him that no man, unacquainted with the subject, could believe what amount of labor it required to go through the whole of the testamentary system, with its supplements and additional supplements, when advice was required as to any particular part of it. It would be a great advantage to have the whole of the laws, or any one subject, thrown into one statute. He thought the cost of printing, which had at first struck him as a strong objection, could be materially diminished by a judicious arrangement of the bills, as they might require amendment or not. He noticed the complaint that members of the legislature, not lawyers, sometimes drafted laws which were so loose as to give rise to conflicting constructions by lawyers and judges, in consequence of which they had to be submitted for decision to the Court of Appeals. He expressed his belief that lawyers were quite as ready as other persons to reform the laws, where it was necessary, and he asked if any one supposed that there could not be found lawyers to undertake the codification. He had found some difficulty in deciding on his course, but when he looked at the evils which had resulted from the present practice of legislation, he could no longer hesitate. In illustrating the evils that might grow out of the practice of revising statutes by reference to their titles only, he referred to the fact, that before the year 1798, the salary of the Chancellor was $2200. In 1798, in consequence of the great expense of living here, it was raised to $3400, by an act that was to expire in one year from its enactment. That salary continued to be appropriated year after year, by reviving, by reference to its title only, this Act of Assembly. Members who voted to revive had never read the law. This continued for several years, when this act, increasing the Chancellor's salary, was continued from year to year by an act passed at the close of each session, declaring that all laws that were to expire at the end of the session, should be continued to the end of the next session of the General Assembly.

Mr. Merrick admitted that there was great truth in much of what had fallen from the gentleman from Frederick, (Mr. Thomas.) There was much confusion in the laws, and it certainly would require great care on the part even of the most skilful lawyer, to say what is precisely the law of the State on many subjects. He did not differ, therefore, with that honorable gentleman as to the existence of the evil of which he had spoken, but he did differ from him as to the proper mode of remedying that evil. The honorable gentleman thinks the laws should be codified, and to effect that object he advocates the pending amendment which contemplates requiring the Legislature whenever they shall amend, alter, or repeal any of the existing laws, they shall re-enact and publish at length all the existing laws on that subject—in short codify to that extent. And it is argued this will require greater care in preparing bills and prevent incompetent persons from attempting to prepare and present them. Now I have two objections to this—the one is that the Legislature are not—no large body can be—competent to the codification of the laws. This Convention has been in session very nearly four months, endeavoring to make a Constitution. We have yet traveled over only a few and a very few pages. How long at the rate we have progressed would it take us to codify the laws of the State? Sir, we could never accomplish it. What is true of us, will be found to be equally true of the Legislature—we cannot, they cannot—from their very nature; both bodies are utterly incompetent to any such task. If left to the Legislature then, there will never be a codification of the laws, and the evils of which the gentleman has complained will, by the mode proposed, be increased rather than diminished, and the necessity the Legislature will be under, if the amendment prevails, of attempting that for which their nature as a body