

thereupon appoint a person duly qualified to fill said office until the next general election for delegates thereafter, at which time an election shall be held as hereinbefore prescribed, for a judge, who shall hold the said office for 10 years, according to the provisions of this constitution."

Mr. GRASON offered as a substitute for the section, the following:

"In case of a vacancy in the office of a judge in any court of law, or orphans' court, the Governor, by and with the advice and consent of the Senate, shall fill such vacancy by appointing a judge, whose commission shall continue in force till the next general election of delegates, and till his successor shall qualify."

On the question being put,

Will the Convention accept said substitute? it was

Determined in the negative.

The question then recurred on the adoption of the amendment offered by Mr. DONALDSON; and it was agreed to.

The 28th section of the report of the committee, as amended by the revisory committee, was then read;

And the question being on its adoption,

Mr. SPENCER moved that the question be taken by yeas and nays,

Which being ordered,

Appeared as follows:

*Affirmative*—Messrs. Lee, Chambers of Kent, Donaldson, Randall, Bell, Williams, Hicks, Hodson, Tuck, Grason, George, Wright, Annan, Stewart of Caroline, Gwinn, Stewart of Baltimore city, Brent of Baltimore city, Sherwood of Baltimore city, Ware, Harbine, Michael Newcomer and Parke—32.

*Negative*—Messrs. Chapman, President, Morgan, Wells, Sellman, Weems, Jenifer, Howard, Buchanan, Welch, Chandler, Ridgely, Lloyd, John Dennis, Dashiell, Goldsborough, Eccleston, Constable, Miller, McLane, Bowie, Spencer, Dirickson, McMaster, Fooks, Jacobs, Thomas, Gaither, Biser, Sappington, Stephenson, McHenry, Magraw, Nelson, Pressman, Schley, Brewer, Waters, Anderson, Weber, Fitzpatrick and Brown—41.

So the section, as amended by the revisory committee, was not adopted.

The report of the revisory committee was then got through with.

Mr. HOWARD. We are about to adjourn without doing strict justice, and I will state the facts that members may see whether I am right or wrong. I understand that the compensation of the reporter of this Convention is dependant upon the amount of printing. A deduction has been made of 20 per ct. upon the whole amount of his compensation, which money is retained in our hands as a guaranty for the faithful performance of his duty, and is to be held by us until he shall have accomplished all his duties to the Convention. The legislation, now by resolution, is such that he is to be paid a certain compensation for his attendance here in the completion of the work, up to the first of June; and

we have annexed a limitation to the powers of the committee, of the president, and of every representative of this convention, to take effect on the first of June. After that day, there will be no authority in any body to pay money on behalf of this convention. If this is so, my conclusion follows that we shall do an act which will not be equitable, fair and just to this officer; because he is not responsible for the non-performance of the work upon the first of June. He cannot hasten the printer. He cannot receive compensation for what is published after that date. Nor can he receive the 20 per cent upon the whole amount when the debates shall have been printed. If we now adjourn, he will find himself upon the first of June, from the very impossibility of the printers completing the work, and without any fault on his part, mulct in 20 per cent of the money which he has fairly earned, and which is justly due to him from this body, and which he cannot get without an appeal to the Legislature. I suppose that no member of this convention desires to place this officer in that situation; and it is the inevitable consequence of our action here. I therefore move the following resolution:

Resolved, That the journal of accounts having been closed, the president of this convention draw upon the treasurer for such amounts as may be certified by the committee on printing, to be due for the fulfilment and the execution of the contracts made by this convention, for the reporting and printing the debates of the Convention.

Mr. STEWART, of Baltimore. That resolution assumes that the power of the committee goes over the first of June. If they are to certify to accounts, it can only be done by the grant of power; and that I understand to have been already given by the order passed yesterday. My friend and former colleague upon the Committee on Printing, suggested that the certificate should state as of the 12th of May, 1851, what was due to the Reporter, to be paid accordingly. I only desire to call the attention of the House to this point; I know something of the labors of that committee. The object of this resolution is to extend their labors beyond the first of June. The Committee would understand that their powers were continued until this whole matter should be wound up; and if so, it was no more than right that they should be paid their *per diem* while here in the discharge of that duty. If they were to be called upon to perform the duty of examining the vouchers of the reporter, and to certify to them, he should insist upon it as a matter of justice, to which they were entitled, quite as much as the reporter, that they should be paid the *per diem* until the duty should be fully discharged. There should be no difficulty about that.

Mr. BOWIE said, that the object of this was simply to authorise the committee to certify after that day. There would be no committee sitting here day after day. But upon the limitation of the gentleman from Calvert, (Mr. Weems,) there would be no power to provide for the payment of