

our civil and religious liberty, in order to secure the perpetuity of these blessings, do declare;”

Mr. Parke accepted this as a substitute.

The question then recurred upon the adoption of the substitute:

Mr. John Newcomer, moved as a substitute for the preamble and substitute, the following :

“We, the people of the State of Maryland, by our delegates in Convention assembled at the city of Annapolis, taking into our most serious consideration the best means of establishing a good constitution in this State, declare;”

On the question being put,

“Will the Convention accept the substitute?”

Mr. John Newcomer, moved that the question be taken by yeas and nays, which motion was not sustained.

The question was then taken on the adoption of the substitute, and

Determined in the affirmative.

The said amendment was then adopted.

Mr. Spencer, then moved that said report of the committee as amended, be printed in bill form;

Determined in the affirmative.

Mr. Bowie, chairman of the committee on the Judiciary Department, submitted the following report:

The committee on the Judiciary, beg leave to make the following

REPORT :

Section 1. The Judiciary Power of this State shall be vested in a Court of Appeals, in County Courts, in such courts for the city of Baltimore as may be hereinafter prescribed, and in justices of the peace.

Sec. 2. The Court of Appeals shall consist of a Chief Justice and two Associate Justices, any two of whom shall form a quorum. The Governor by and with the advice of the Senate, shall designate the Chief Justice.

Sec. 3. The Court of Appeals shall be co-extensive with the limits of the State, but in criminal cases, and in appeals from interlocutory judgments and decrees, with such exceptions and under such regulations as may be prescribed by law, and the Court of Appeals and judges thereof shall have power to issue writs of *Mandamus* and writs of *Diminution*, and such other writs as shall be necessary to enforce its own jurisdiction, and may also compel a judge of a county court or other inferior court to proceed to trial and judgment in a cause—and the Court of Appeals shall hold its sessions at the city of Annapolis on the first Monday of June, and the first Monday of December in each and every year.

Sec. 4. The Court of Appeals shall appoint its own clerk, who shall hold his office for six years, and may be re-appointed at the