

Mr. Bowie, moved the question be taken by yeas and nays, and being ordered, appeared as follows :

**AFFIRMATIVE**—Messrs. Ricaud, Pres't, p. t., Morgan, Lee, Chambers, of Kent, Mitchell, Donaldson, Doisey, Wells, Weems, Dalrymple, Sollers, Merrick, Jenifer, Howard, Buchanan, Bell, Welch, Ridgely, Sherwood of Talbot, John Dennis, Dashiell, Hicks, Hodson, Goldsborough, Eccleston, Phelps, McCullough, Bowie, Tuck, Bowling, Spencer, Wright, Thomas, Shriver, Gaither, Biser, Annan, Sappington, Stephenson, Nelson, Gwinn, Brent, of Balt. city, Schley, Neill, Harbine, Kilgour, Hollyday, Smith, Shower and Brown—50.

**NEGATIVE**—Messrs. Sellman, Colston, Miller, Gason, George, Dirickson, McMaster, Fooks, Jacobs, Johnson, Stewart, of Caroline, Hardcastle, Stewart of Balt. city, Sherwood of Balt. city, Ware, Fiery, Anderson, Weber, Slicer, Fitzpatrick and Parke—21.

So the amendment was adopted.

Mr. Gwinn, moved further to amend said 5th section by striking out from the word "elected," in the 7th line, to the word "who," in the 9th line, and inserting in lieu thereof the following :

"On general ticket by a majority of the legal and qualified voters of the State, as Judges of the said Court of Appeals;"

Mr. Gwinn, moved the question be taken by yeas and nays, and being ordered, appeared as follows :

**AFFIRMATIVE**—Messrs. Welch, Colston, Miller, Spencer, Stewart of Caroline, Gwinn, Stewart of Balt. city, Brent of Balt. city, Sherwood of Balt. city, Ware, Anderson, Parke and Shower—13.

**NEGATIVE**—Messrs. Ricaud, Pres't, pro tem., Morgan, Lee, Chambers of Kent, Mitchell, Donaldson, Wells, Kent, Weems, Dalrymple, Sollers, Merrick, Jenifer, Howard, Buchanan, Bell, Ridgely, Sherwood of Talbot, John Dennis, Crisfield, Dashiell, Hicks, Hodson, Goldsborough, Eccleston, Phelps, McCullough, Bowie, Tuck, Sprigg, Bowling, George, Wright, Dirickson, McMaster, Hearn, Fooks, Jacobs, Thomas, Shriver, Johnson, Gaither, Biser, Annan, Sappington, Stephenson, Nelson, Hardcastle, Schley, Fiery, Neill, Harbine, Kilgour, Weber, Hollyday, Slicer, Fitzpatrick, Smith and Brown—59.

So the amendment was rejected.

Mr. Jenifer, gave notice that at the proper time he should offer the following as a substitute to the report of the committee on the Judiciary, which he desired should be entered upon the record :

### JUDICIAL DEPARTMENT.

Section 1. There shall be a Court of Appeals, which shall have, use and exercise all and every the powers, authorities and jurisdiction of the existing Court of Appeals, and such additional power, authority and jurisdiction as may be conferred by the con-