

from unjust imprisonment secured. I have been anxious to take measures to bring this case properly before the Supreme Court, but Mr. Alberti and his friends are so poor that the necessary expenses cannot be obtained.

I will feel obliged to your Excellency, if you will communicate the purport of this letter to the Convention.

I am with great respect, your Excellency's obedient servant,
HOR. HUBBELL.

His Excellency Gov. Lowe, Annapolis.

Which was read, and

On motion of Mr. Brown,

Referred to the select committee already appointed on that subject.

The Convention then resumed the consideration of the order of the day being the report submitted by Mr. Bowie, chairman of the committee on the Judiciary.

Mr. Spencer, gave notice that on to-morrow, he should move that the consent of the Convention be granted to enable him to move to reconsider the vote of the Convention on the 10th section of the report adopted this morning for the purpose of offering the following as a substitute therefor :

“There shall be in each county of this State an Orphans' court, which shall hold, use and exercise all the powers, authorities and jurisdictions, now held, used and exercised by the existing Orphans' courts in the several counties of this State; and the General Assembly may by law, restrain or enlarge the powers and jurisdiction thereof. The judge of the circuit in which any Orphans' court shall be held, shall be judge thereof; and shall hold at least four terms of said court in each year in each county in his circuit, or oftener if required by law. In the recess of the Orphans' court, the Register of Wills, in each county, shall have and exercise all and singular the powers, authorities and jurisdiction of the said court; and from any final order, judgment or decree of the Register of Wills, there shall be a right of appeal, under such regulations as may be provided by law, to the judge of the Orphans' court; and the said judge shall have the matter of said appeal *de novo*, and decide according to the equity and right of the matter. From any final order, judgment or decree of the said circuit Judge, sitting as a judge of the Orphans court, there shall be a right of appeal to the court of Appeals, as now or hereafter may be provided by law.”

The amendment offered by Mr. Spencer, on Saturday, as the 11th section of the report, was then read ;

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

AFFIRMATIVE—Messrs. Ricaud, Lee, Buchanan, Dickinson, Miller, McLane, Bowie, Sprigg, McCubbin, Spencer, George,