

timore city, Sherwood of Baltimore city, Prestman, Ware, Schley, Harbine, Kilgour, Davis, Waters, Brewer, Hollyday, Parke and Brown—31.

So the third and last branch of the amendment was agreed to.

The question then recurred on the adoption of the said section, as amended.

Mr. SPRIGG thereupon withdrew his amendment,

And the Convention adjourned until tomorrow at 10 o'clock.

THURSDAY, February 20, 1851.

The Convention met at ten o'clock.

Prayer was made by the Rev. Mr. GRIF-
FITH.

The roll of the members was called; and
A quorum being present,

The journal of yesterday was read and
approved.

On motion of Mr. STEPHENSON, it was

Ordered, That it be entered on the journal that
Mr. SAMPINGTON, is detained from his seat in con-
sequence of the serious indisposition of his
family.

Mr. FIERY moved that the Convention proceed
to the orders of the day.

The motion was agreed to.

THE LEGISLATIVE DEPARTMENT.

The Convention resumed the consideration of
the report of the committee heretofore made by
Mr. JOHNSON, on the legislative department of the
government.

The question pending at the time of adjourn-
ment yesterday,

Was on the adoption of the sixteenth section as
it had been amended.

Some conversation followed on a point of or-
der.

Mr. DORSEY moved the following as a substi-
tute for the said sixteenth section:

"The legislature of Maryland, shall, at its next
session, if then practicable, and if not, as soon
thereafter as it can be done, contract with two
learned jurists of this State, distinguished as
well for their industry, as professional ability, to
codify or digest and abridge the public acts of as-
sembly then in force."

Mr. DORSEY referred to the proposition which
had yesterday been adopted, and briefly stated
his objections to its various branches. He
dwelt especially upon the inconveniences and dif-
ficulties which would attend the introduction into
the title of a bill, of every subject upon which
legislation might have been had, and elucidated
his position by reference to the testamentary and
other systems.

It seemed to him that the section as it now
stood, would lead to inextricable confusion. He

explained the import and object of his own
amendment, and earnestly urged upon the Con-
vention the necessity and expediency of a codifi-
cation of the laws under the requirement of an
imperative constitutional provision.

Mr. THOMAS rose to call the attention of the
House to the character of the amendment of the
gentleman from Anne Arundel, (Mr. Dorsey.)
It was a proposition not only antagonistic to the
article adopted at the instance of the gentleman
from Caroline, but it was against another pur-
pose, entertained by many members of the Con-
vention.

The gentleman from Anne Arundel proposes
to strike out the section, moved by the gentleman
from Caroline, and to insert his own amendment,
which is intended to procure a digest and com-
pilation of the laws, and not a codification. A
digest and compilation of the laws had already
been prepared by Judge Dorsey—not by the
member on the floor—but by Judge Clement
Dorsey, deceased. That digest was never acted
upon by the legislature.

It was admitted by all the members of the pro-
fession, to be a very imperfect work. No pru-
dent member of the profession would undertake
to say what are our statute laws on any particu-
lar subject, after having consulted this compila-
tion of Judge Dorsey alone. For it had been
ascertained that laws still in force were often
omitted in the digest. And as the legislature had
not passed a law declaring that all statutes and
parts of statutes not included in that compilation
were repealed, the profession of the law and the
public had desired a partial and a very small ad-
vantage.

We want not a digest but a code; and he was
in favor of requiring the legislature to act upon
the code, and after adopting it to pass a law re-
pealing every statute in force now not re-enacted
in the adoption of the code.

He explained the difference between a code
and a digest, to show that the latter mode of leg-
islation would meet the public demand, which
required that our statutes should be analysed and
that each several element or subject should be
incorporated into a statute, and that no incon-
gruous subjects should be mixed up in the same
law.

Mr. MERRICK said, he had no pride of opinion
on the subject, nor had he any particular anxiety
that his own views should prevail. The question
as now presented, was different from that which
was under consideration yesterday, and gentle-
men might express opinions upon it different
from those which they expressed yesterday, with-
out any inconsistency. He thought that the pro-
position offered by the gentleman from Anne
Arundel, (Mr. Dorsey,) came nearer to the de-
sires of the Convention, and to the accomplish-
ment of a cherished object on the part of the peo-
ple themselves, than the section as it now stood.
That object was a simplification, codification,
and digest of the laws under which they lived,
so as to make them plain, and easy of access. It
would be far better not to attempt such a work,
unless the Convention was sure that the object