his colleague, and let the subject be postponed until the report on the executive department shall come up. He would withdraw his amendment.

Mr. GRASON cited the amendment as proof that the Convention had not sufficiently considered the connection between this subject and the report on the executive department. The gentleman from Anne Arundel proposes that power shall be given to the courts to grant a new trial. Was it not better to remit the case to the Executive, when it appeared that the conviction had been given improperly, than to try the man over again?

Mr. DORSEY suggested that the gentleman from Queen Anne, (Mr. SPENCER,) had committed an error when he stated that the courts now possessed the power conferred by his amendment. To obtain a new trial, which can only be granted before judgment, it is now necessary to make a motion therefor within some few days after the verdict, according to the rules of the courts. But his amendment proposed to override these rules of court, and to permit the motion to be made any time; and as well after as before judgment. It was alleged by that gentleman that courts were sometimes influenced by prejudices or partialities, as well as jurors.

During his observation, when at the bar, and his experience on the bench, which was not a very short one, he had never know, had never heard of any court in this State, which had been thus influenced. It is well known that the feelings of judges are always in favor of the accused and that in trials by the court to induce a conviction full and satisfactory evidence of guilt is required. He could speak with the same knowledge of facts in exculpation of juries. He recollected but one case to the contrary, as having passed under his judicial cognizance. There the jury under mistaken influences found a verdict of guilty, when the court, after a moment's consultation, informed the counsel of the accused, that if applied for a new trial would be granted. He did not think that the Governor was so likely to be free from political influences the courts. He would further state that he, when acting as a judge, had made it a rule never to suffer any man to approach him for an appointment, on the ground that he was a Whig or a Democrat. He always replied to such applicants, that he knew no politics on the bench, and this he believed was the case of all courts in this State. The Governor on the contrary is a politician. The court when acting has heard both sides; while the Governor, after listening to the testimony on one side, only grants or refuses a pardon. It is important to a just decision, that if a punishment is to be remitted, it ought to be after an examination of the testimony on both sides.

Mr. GRASON considered it improper to commit the pardoning power to the courts, or the Legislature or the Attorney General; he did not think that it ought in all cases to be vested in the Governor. But he did not intend to make any speech. He was not prepared to go into the consideration of this subject at present.

Mr. RIDGELY regretted that he could not comply with the request of the gentleman from Queen Anne's, that he should withdraw his amendment. He would be happy to do so, from courtesy to that gentleman; but he felt himself compelled from a sense of duty to persist in it until the question should be taken. He did not think the amendment was out of place.

Mr. CRISFIELD gave notice that at the proper time he should offer the following amendment:

"Laws shall be made for ascertaining by proper proof, the citizens who shall be entitled to the right of suffrage hereby established."

On motion of Mr. MCHENRY,

The Committee rose, the President resumed the Chair, and the chairman reported that said committee had in obedience to order had said report again under consideration, and had come to no conclusion thereon.

The Convention then adjourned until to-morrow morning, 11 o'clock.

EXPLANATION.—Mr. SPENCER in reply to the gentleman from Dorchester, Mr. PHELPS, said, so far had the law been carried by the judges of elections, in rejecting legal voters, that he had known instances, where persons offering to vote, were rejected on the score of age, who notoriously were above the age of twenty-one years. He could mention many instances of legal voters, who had been rejected on the score of age. He could refer to the case of an individual, who was associated with a newspaper journal in Queen Annes, who had been so associated in Talbot county; who had been a farmer in Talbot county, and whose birth place was in a distant county. He offered to vote in Queen Annes and was objected to, on the score of age, and although he offered to swear that he had voted at previous elections for years antecedent, in other counties in this State, and that he had been conducting *his own business for years and was of age, still* because his parents and the bible in which they had registered his birth, were not at hand, and in the nature of things beyond his reach, his vote was rejected. He could recite other cases of like abuse in reference to age as well as residence.

WEDNESDAY, January 22d, 1851.

The Convention met at eleven o'clock.

Prayer was made by the Rev. Mr. GRIFFITH.

The roll was called, and a quorum was present.

The Journal of yesterday was read, and having been so amended as to correct an error in the statement of the amendment of Mr. SPENCER, was approved.

DEBATE ON THE ELECTIVE FRANCHISE.

Mr. GWINN. I move the adoption of the following order:

Ordered, That all debate on the report of the committee on the Elective Franchise, and on the pending amendments, shall cease at twelve-and-a-half o'clock to-day, and that the chairman of the committee of the whole shall report the