

speech, seems to be a matter of grave and serious discussion. Will gentlemen force members to speak? Cannot gentlemen think without speaking, and do those who speak most, think most? The complaint is, that gentlemen will not discuss. I think they are showing their good sense by coming to a vote.

Gentlemen can understand subjects for themselves, and they do not want perpetual discussion upon everything. Many may speak in order to hunt up a thought, and speak an entire day without finding one. Cannot gentlemen read the bills, think them over, and digest them, and then go to their work and vote. I rejoice to find in this hall a disposition to vote more and to talk less.

Mr. SPENCER. I suppose that no one here desires to force members to speak. The difficulty is, that there are so few here. I know that there are gentlemen who are absent, and who want to vote upon this question. I know that they went away because they supposed the vote would not be taken until next week. I cannot concur in the opinion that the Convention may remain until the close of the session with so thin a house as this. I believe that there will be more members present hereafter.

Mr. BUCHANAN. I should like, above all things, to gratify my excellent friend from Queen Anne's, [Mr. Spencer.] I should like to be able to concur with him now. I could not concur with him yesterday, and perhaps in the few remarks I then had the honor to submit to the Convention, I may have given evidence of my disagreement in a manner not altogether acceptable to himself. I take this early and this voluntary opportunity, to say that there is no man in this Convention or out of it, whom I should be more indisposed to wound or to offend, as the honorable gentleman who sits now upon my left, [Mr. Spencer.] But I am sure that with the best intentions in the world, he is wrong now. In candor I am obliged to say that that is my judgment. What is the posture of the case? We have been engaged for two days, I believe, upon the subject of the judiciary report. It was a most absorbing subject. The great question involved in it, however, in which everybody felt an interest, was in reference to the mode of appointment. Yesterday we took a vote upon that subject, and as my friend from Prince George's says, it is settled every where throughout the State now, that the judges are to be elected by the people. The vote yesterday was a test vote in reference to the election by the people. I had the honor some time ago to say, that I believed that after the first day of April, we should have great difficulty in obtaining a quorum. We have been a little more successful, than I expected, attributable as much, I think, to the untowardness of the weather for agricultural purposes, as to any other cause, in keeping a quorum here. But I am confident in the opinion, that from this time you will not be able to have, on any occasion, when the question of the judiciary is under consideration, a House beyond the present. They leave these matters of detail to the few. The

members of the House choose to confide a good deal in the committee themselves, who reported this bill, and a good deal to the members of the bar in reference to the details of the bill. They leave the details to be adjusted very much by them. The great principles in which they were concerned, the question of the mode of eligibility and of the tenure of office, I suppose no one will deny is settled. I suggest then, that we go on and take a vote upon the proposition of the gentleman from Anne Arundel, [Mr. Donaldson.] If we dispose of that, we shall have progressed so far. Then there is another question, with regard to the electoral college, which has been, I think, sufficiently discussed. At all events there are enough speakers here to occupy the time, if they are inclined to speak. If we lose the balance of this day, because men won't speak and won't vote, what will our constituents say to that? Let us vote so far as we can, and let our constituents know that we are advancing.

After a brief conversation upon a point of order,

Mr. SPENCER moved a call of the House.

Which was ordered.

Mr. TUCK suggested that the House be counted, instead of taking up the time by a call of the House.

Mr. SPENCER. I am content with that.

The Sergeant-at-arms, having counted the members,

The PRESIDENT announced that there were sixty-four members in attendance.

Mr. SPENCER moved that the Convention do now adjourn until Monday morning, there being only sixty-four members now in attendance.

Mr. GWINN. On that I ask for the yeas and nays.

Mr. SPENCER. I will ask it myself, and save you the trouble.

The yeas and nays were ordered.

Mr. GRASON said he had always apprehended great difficulty in establishing a proper judicial system. He had examined the bill of the committee, and though he disapproved of many of its provisions, he thought that the question had as well be discussed now as at any other time, and whatever might be the decision of the Convention, in relation to the tenure of the judges, or their mode of appointment, he should cheerfully, as he always did, bow to the will of the majority.

I was opposed to fixing a particular day for taking the vote on the judiciary bill, because it involved a variety of important questions which required discussion and reflection. Though opposed to the rule that had been adopted, I am in favor of going on with the bill, and deciding upon the amendments as they arise, until the whole question is disposed of. I am opposed to any postponement, on the ground of members being absent. Every member of the Convention ought to be made to understand that the public business will not be delayed on account of his absence, and that if the settlement of important questions should be affected by the loss of his