

tion, and had been withdrawn. He now renewed the motion that there be a call of the Convention, and he should not withdraw it.

Several Voices: There is a quorum present.

Mr. BOWIE. A bare quorum.

Mr. SPENCER. A bare quorum—but we want that all the members who are in the city should be in attendance.

Mr. BOWIE. I understand there is a full Convention in the city.

Mr. SPENCER. I insist on my motion that there be a call of the Convention.

Five members voting in favor of the motion, as required by the rule, a call of the Convention was ordered.

And the roll was called.

Mr. BROWN moved that all further proceedings on the call be dispensed with.

The question was taken on that motion, but no quorum voted.

Mr. SPENCER said, he had one object in view in the motion which he had made. The Convention was now progressing with its labors, and he was anxious that they should be brought to a close as speedily as possible. Questions were pending upon which it was not probable there would be a debate. Some of these questions, he supposed, would come in immediately. One of them was the motion of which the gentleman from Kent (Mr. Chambers) had yesterday given notice, to reconsider the vote of the Convention on the amendment offered by the gentleman from Somerset (Mr. Crisfield) on the 19th instant, and subsequently rejected, in relation to four Judges for the Court of Appeals. He did not suppose there would be any debate upon it. Such he supposed would be the case in relation to other questions. And if gentlemen would not attend, he thought it was the duty of the Convention to compel them to do so. He was sincere in this opinion, and he intended to move that the Sergeant-at-Arms be sent to compel the attendance of the absent members. He now gave notice that, from this time to the close of the session, if the members were not in their places, he would move a call of the Convention, and would ask for the yeas and nays on the motion, so that it might appear on the record who were present and who absent.

Mr. S. concluded by moving that the Sergeant-at-Arms be sent to require the attendance of such absent members as were in the city.

The Chair suggested that the time had not yet arrived for such a motion, inasmuch as the door keeper, who had been sent to notify the absent members to attend, had not yet returned.

Mr. GWINN moved that all further proceedings on the call be dispensed with.

Mr. SPENCER asked the yeas and nays on that motion, which were ordered, and being taken, were yeas 40, nays 24.

So the Convention refused to suspend further proceedings on the call.

Mr. HOWARD inquired whether gentlemen were not satisfied with the names of the absentees being recorded. He thought it would be better that the Convention should proceed to business. Why should they be fighting the air

here, waiting for the presence of gentlemen who were not in the city. His own opinion was, that the best plan was that the Convention should go to its work like the railroad cars—let those who were in stay in, and these who were out stay out. When the time came to start let them start. However, that was a matter of opinion.

He moved that all further proceedings on the call be dispensed with.

Mr. SPENCER said he did not desire to produce delay. His object was not to get the names of gentlemen on the journal. His object was to secure the attendance of members, in order that the Convention might proceed to dispose of its business. The business was awaiting the action of the Convention, but its members were not present.

Mr. HOWARD. There are sixty-four members present.

Mr. SPENCER. I know there are. But there is a much fuller attendance in the city, and I wish to see gentlemen here when the vote is taken on questions so important as those which are now before us.

The question was then taken on the motion of Mr. Howard, and decided in the affirmative.

So further proceedings on the call were dispensed with.

Mr. HICKS said: I am not disposed, Mr President, to consume the time of this body by any remarks of mine upon this subject. To my mind, it is a self-evident thing—its propriety, its importance, must, at the very first glance, present itself to the mind of every gentleman upon this floor. I will say no more (for I said last Saturday all that I can say now in this connection) than merely to add that I desire, above all things connected with the performance of our duties here, to see an independent judiciary. I do not think I am singular upon this subject. I have not the slightest doubt that every member has this same feeling, and is as anxious to secure an independent judiciary as I am; the only difference between us is that one expects to bring it about by one mode, and others by another mode. I would greatly have preferred a longer term; but I am satisfied, as it has been so clearly manifested by this body to make the term ten years, with that period. I prefer the election of judges by the people; but in doing that, I desire to see the judges, when elected, placed upon a high and independent ground. This is a department of our Government I look to with greater concern, with a greater degree of anxiety, than all the rest. It will go down to those who are to follow us, for weal or for woe. Give us a sensible, sound, and independent judiciary, and we are safe,—our lives, liberty, families, fortunes and all depend upon it.

Mr. BOWIE said I will make one or two remarks. I think that the object which the gentleman professes to have in view will be better accomplished by striking out this word than by any other mode he could possibly have conceived. I want, too, an independent judiciary, and I believe that the only way in which we can secure one will be, in the first place, to make the term of the office long enough to secure the very best ta-