brought to bear, to try to rescue those two poor miserable men incarcerated in a jail in Pennsylvania for committing no crime. They had put themselves in that dilemma trying to execute our laws, and we should do all we could to obtain their liberation. They were, probably, friendless; and if we came in to their aid, the sooner we did so the better. The case was this: A colored woman fled from Cecil county into Pennsylvania, and had a child there. She was seized and the child also, and brought back; and after the seizure of that child the owner was indicted, and two agents living in Philadelphia were also indicted for kidnapping. They were convicted and sentenced, and are now in the Penitentiary. There they lay, and were forgotten, except by the people of Maryland, who, he hoped, would not forget them.

The attorney general was right in the opinion he had given, and in which opinion he (Mr. H.) concurred entirely. His opinion was, that those men committed no crime according to the laws of Pennsylvania; that, under the Constitution of the United States, the fugitive was in a state of disability all the time of her absence; that the claim of her master remained pending over her to the same extent as when she was in Maryland. Now, if that was so—and it was a point only to be declared by the Supreme Court of the United States—then those men committed no crime against the laws of Pennsylvania, because they had a right to do what they did under the Constitution of the United States.—It was on this point he concurred with the committee, that the question should be brought up as expeditiously as possible to the only tribunal that could try it. There would be a difficulty in bringing it before it, because the indictment did not certify the nature of the crime, and the supreme court had always decided that where an exception was taken, the record must show that a constitutional point was raised and decided in the court below; and this record did not. But he hoped and thought the court would, in such a case as this, receive evidence beyond the record, because it would be perfectly manifest to every body, that if they choose in the free states to make their indictments general, there would be no way of getting it on the record.—He preferred that immediate action should be had by this body, because if we requested the Governor to take the necessary steps in the matter, he would do it. And he (Mr. H.) thought that every citizen should use every means in his power to extricate those poor wretches from unmerited suffering.

The question was then taken on the resolutions as read a second time, and they were adopted.

REPORT ON THE JUDICIARY.

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. Stephenson moved to amend the 5th section of the report, by striking out from the word "who" to the word "or," in the 11th line, an inserting in lieu thereof, the following:

"And immediately after the judges of the Court of Appeals shall have convened after their first election under this Constitution, the judges shall be divided by lot into four classes; the seat of the judge of the first class shall be vacated at the expiration of the second year; the seat of the judge of the second class shall be vacated at the expiration of the fourth year; the seat of the judge of the third class shall be vacated at the expiration of the sixth year; and the seat of the judge of the fourth class shall be vacated at the end of the eighth year; so that one-fourth thereof, shall be elected on the first Wednesday in November, every second year; and an election shall be held for a judge in each of the judicial districts, as vacancies may occur in consequence of this classification, who shall hold his office for the term of eight years from the time of his election."

The question being taken, it was determined in the negative.

Mr. Biser moved to amend the 5th section, by striking out in the 19th line, the words "five hundred."

Mr. Brent, of Baltimore city, moved to amend the section by striking out the words "two thousand five hundred," and inserting in lieu thereof "three thousand."

The question pending was on the motion of Mr. Biser, to strike out "500."

Mr. Bowie hoped that the committee would allow the report to stand as it was. He was opposed to allowing the sum of $3,000, not because he thought the sum too high for services of this character, but looking to it as a practical question, and taking into consideration the fact that ever since the establishmont of the Court of Appeals, the judges had been content with a less sum, ($2,500,) and had more labor to perform than the judges of the present Court of Appeals would have under the new system, because they were obliged to ride the circuit. He therefore hoped that the Convention would adhere to the report of the committee.

Mr. Brent, of Baltimore, observed that his friend from Prince George's, (Mr. Bowie,) had said the judges of the Court of Appeals had acted for this or a less salary from the foundation of the government. But what was the effect? Those judges had been obliged to look more to farming than to their salaries to maintain themselves and families in a respectable manner, and as became their condition in society. Now he, (Mr. B.,) was for securing the highest order of talent, and giving the judges liberal salaries, so that they would not be reduced to the necessity of devoting so much of their time to their private duties, in order to maintain their families. Again: in proportion as you had reduced the number of the judges of the Court of Appeals—which was to four—you gave them more labor than six formerly had. The labor being divided among six, of course could not be as onerous as among four. The gentleman said you relieved them of a portion of their labor by taking them off their circuit. Now he, (Mr. B.,)