

George's, in hopes of getting back, as near as possible, to the old Orphans' Court system.

He withdrew the motion to postpone.

Mr. TUCK. I renew the motion, and in good faith, and I intend to speak to it.

Mr. GWINN. I rise to a question of order—that we have passed a rule for the purpose of limiting debate on the subject pending.

Mr. TUCK. I am not going to debate the proposition pending. I am going to debate the motion to postpone, and to assign the reasons why the question under consideration should be postponed.

Mr. GWINN. The question has been debated on both sides, and if the gentleman means to confine himself to the single question of postponement, I have no objection.

Mr. TUCK. The gentleman can call me to order when I am out of order. I am going to address myself to the motion I have made, and I congratulate this Convention that the honorable gentleman from Frederick, (Mr. Thomas,) who so urgently pressed the passage of this order, to limit the debate, has availed himself of two opportunities under this motion to consume some twenty minutes of the time of this body in discussing the proposition before it, and, I humbly suggest, in violation of his own order.

Mr. THOMAS. The gentleman ought not to make personal allusions, unless he intends I should respond.

Mr. TUCK. The gentleman can renew the motion and make a third speech.

Mr. THOMAS. I should not like to do that.

Mr. TUCK. I was going on to say that much of these remarks apply to the gentleman, because he voted for the passage of the order, and I consider that they also apply to the gentleman from Queen Anne's and my colleague, who have consumed some thirty minutes under cover of the same motion.

Mr. GWINN. Now I call the gentleman to order.

Mr. TUCK. I have moved to postpone this subject indefinitely, and I am not going to say a word about the Orphans' Court. Here is the great reform party, who have come here to correct the judiciary, and they are divided among themselves. We have determined to adjourn on Monday week. I predict that if we go on in this way, making speeches on motions to postpone indefinitely, we will consume a month longer. I assume that in one week we cannot finish all the other business before us. We have all the political departments of the government to complete, revise, and arrange. They are before the Committee of Revision, who have determined to sit every night until we finish. I say that if we go on in this way we will not finish the judiciary or any other business. I make the motion to postpone indefinitely, and I do not intend to withdraw it. If it succeeds, we shall then go to other portions of the constitution. The present judiciary will remain, which, in my judgment, is far better than any system we are likely to adopt. What we have done affords to me no hope of improvement in practical results. I shall insist on my motion, as the best one we can adopt on this subject.

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Mr. GWINN moved the previous question.

The PRESIDENT stated that the previous question would be exhausted when the question should be taken on the motion to postpone.

Mr. TUCK said that his motion was to postpone the whole report from the Judiciary Committee.

Mr. BROWN stated that if the motion was merely to postpone the section moved by the gentleman from Charles, (Mr. Jenifer,) he would vote for it, but as it was to postpone the whole report, he would vote against it.

Mr. BOWIE demanded the yeas and nays on the motion.

Mr. MAGRAW moved to lay the whole subject on the table, and on this motion demanded the yeas and nays.

The PRESIDENT stated that, in his judgment, if the motion to lay on the table prevailed, it would carry with it the whole subject.

Mr. MAGRAW withdrew the motion to lay on the table.

The question then recurred on seconding the demand for the previous question.

Mr. JOHNSON moved to lay on the table the motion to postpone.

Mr. CRISFIELD. It will carry the whole bill.

Mr. JOHNSON. Will it not, if agreed to, only lay on the table the motion to postpone?

The PRESIDENT was of the opinion that it would only lay on the table the motion to postpone indefinitely.

The question was then taken on the motion to lay on the table the motion to postpone indefinitely, and it was agreed to.

The question then recurred on agreeing to the substitute offered by Mr. Bowie.

Mr. SAPPINGTON moved the previous question.

Mr. CRISFIELD inquired what would be the effect of the previous question?

The PRESIDENT replied that the effect of the previous question would be to bring the Convention first to a vote upon the amendment offered by the gentleman from Prince George's county, (Mr. Bowie,) then upon the amendment offered by the gentleman from Washington county, (Mr. Michael Newcomer,) and then upon the proposition of the gentleman from Charles county, (Mr. Jenifer,) when it would be exhausted.

On motion of Mr. BOWIE, the Convention was then called, and the doorkeeper sent for the absent members.

Mr. HOWARD moved that all further proceedings under the call be dispensed with.

Mr. BOWIE hoped the motion would not be agreed to. Gentlemen who were absent had particularly requested him to notify them when the vote should be taken.

Mr. HOWARD thought that if gentlemen would go away, they should lose their votes; the Convention could not sit all day waiting for their attendance.

The question was then taken on the motion of Mr. Howard, and it was agreed to.

So all further proceedings under the call were dispensed with.