

quate to the prompt and faithful performance of that duty. I am willing to give Baltimore another judge at the present time. That being refused, I am desirous that provision be made so that the Legislature may hereafter have power to make such further provision as the necessities of the people may call for, in that important and commercial metropolis.

The question then recurred on the adoption of the amendment as amended.

Mr. HARBINE offered, as a substitute for said amendment, the following:

"And the Legislature shall, whenever it may think the same proper and expedient, provide by law another court for the city of Baltimore, to consist of one judge, to be elected by the qualified voters of said city, who shall be subject to the same constitutional provisions; hold his office for the same term of years, and receive the same compensation as the judge of the court of common pleas of Baltimore city, and said court shall have such jurisdiction and powers as may be prescribed by law."

Mr. HARBINE remarked that this proposition was in substance the same with that of Mr. Howard, only somewhat enlarged. The future of Baltimore city could not be judged of by the future of the counties. Many of the judicial districts were in *statu quo*, or even going back in point of numbers and law business, while Baltimore city was progressing rapidly. Within the last ten years its population had increased some 60 or 70,000. The same principles which now apply to that city would not apply ten years hence. While the western counties might increase five or ten per cent., Baltimore city would increase fifty or one hundred per cent. It was due to the people of that city that some provision should be made for the future. He was one of those who hoped that the new Constitution would last a century; and twenty years could not pass by before there would be an absolute necessity of a further provision for Baltimore city.

Mr. BRENT. I do acknowledge here, sir, that we of Baltimore city owe a debt of gratitude to those gentlemen—among whom I am proud to class the gentleman from Washington (Mr. Harbine) and the gentleman from Somerset, (Mr. Crisfield,) and others—who have spoken in terms of liberality towards the city of Baltimore. I shall vote for an amendment of this kind, and shall then vote against the entire section. The great object of the people of Baltimore is a thorough judicial reform, which will enable us to get rid of our accumulated docket and to dispatch all future business with rapidity. Our courts of justice are clogged up with the accumulation of years. Two judges cannot rid us of that evil. Nor have I any faith that the Legislature will give us an additional judge, excepting accompanied with conditions which may be wholly unacceptable to the people.—They may say that if we want another judge, he must be paid out of the city, and not out of the State treasury.

Mr. DASHIELL inquired whether an amendment would be in order.

The President replied in the negative.

Mr. BRENT. Upon consultation with my colleagues, finding the whole delegation are to vote against the amendments, in order that we may be unanimous, I shall vote even against the amendment.

Mr. HOWARD. The whole delegation going against the amendment? I will withdraw it, sir. They may take care of themselves.

Mr. HARBINE then offered his amendment, to come in at the end of the 12th section of said report.

Mr. DASHIELL moved to amend the amendment, by adding at the end thereof the following:

"And that the Legislature shall have the power, when deemed expedient, to appoint an additional judge in each or any of the respective circuits created in the provisions of this constitution."

Mr. DASHIELL moved that the question be taken by yeas and nays, which being ordered, appeared as follows:

*Affirmative*.—Messrs. Morgan, Blakistone, Dent, Hopewell, Chambers, of Kent, Donaldson, Bond, Brent, of Charles, James U. Dennis, Dashiell, Goldsborough, McCubbin, Bowling, Thawley, John Newcomer, Slicer and Smith—17.

*Negative*.—Messrs. Chapman, President, Lee, Dorsey, Wells, Randall, Sellman, Weems, Howard, Buchanan, Bell, Chandler, Ridgely, Lloyd, Dickinson, Colston, Crisfield, Williams, Hicks, Hodson, Eccleston, Phelps, Chambers, of Cecil, Miller, McLane, Sprigg, Spencer, Wright, Dirickson, McMaster, Hearn, Fooks, Jacobs, Thomas, Shriver, Gaither, Biser, Annan, Stephenson, McHenry, Magraw, Nelson, Gwinn, Stewart, of Baltimore city, Brent, of Baltimore city, Sherwood, of Baltimore city, Ware, Schley, Fiery, Harbine, Michael Newcomer, Davis, Kilgour, Brewer, Waters, Anderson, Holliday, Parke, Shower, Cockey and Brown—60.

So the amendment was rejected.

The question then recurred upon the adoption of the amendment as offered by Mr. Harbine.

Mr. THOMAS moved to amend the amendment by inserting after the words "Baltimore city," the words "to be paid out of the State treasury."

Mr. HARBINE said that he had taken it for granted that it would be paid out of the State treasury, as in all the other cases.

Mr. THOMAS said that the objection of the Baltimore delegation was that they could not trust the legislature. He wished this objection to be removed as far as possible. The other courts were provided for in the Constitution, and would be paid for as the Constitution provided. This court, if established by the legislature, would be paid for as the legislature should provide, and it was possible that they might require it to be paid out of the city treasury.

Mr. HARBINE accepted the amendment.

The question then recurred on the adoption of the amendment as modified.

Mr. HARBINE moved that the question be taken by yeas and nays; which being ordered, resulted as follows: