

So the amendment to the amendment was adopted.

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

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

*Affirmative*—Messrs. Morgan, Hopewell, Lee, Donaldson, Wells, Randall, Kent, Sellman, Weems, Bond, Sherwood of Talbot, James U. Dennis, Hodson, Phelps, Constable, McCullough, Miller, Tuck, George, Dirickson, McMaster, Hearn, Fooks, Shriver, Gaither, Annan, Stephenson, McHenry, Nelson, Carter, Thawley, Stewart of Carlisle, Hardcastle, Gwinn, Stewart of Baltimore city, Brent of Baltimore city, Sherwood of Baltimore city, Ware, Schley, Fiery, Neill, John Newcomer, Harbine, Michael Newcomer, Brewer, Anderson, Weber, Fitzpatrick, Smith, Parke, Shower, Cockey and Brown—54.

*Negative*—Messrs. Ricaud, Pres't. *pro tem*, Blakistone, Howard, Buchanan, Bell, Williams, Bowie, Grason, Wright and Magraw—9.

So the section as amended was adopted.

Mr. STEWART, of Baltimore city, in accordance with the notice given by him on yesterday, moved to reconsider the vote of the Convention, on the 11th and 12th sections of the report of the committee, with a view to offer the following amendments.

"There shall be established for the city of Baltimore, one court of law, to be styled The Court of Common Pleas, which shall have civil jurisdiction in all suits where the debt or damage claimed shall be above one hundred dollars, and shall not exceed five hundred dollars; and shall also have jurisdiction in all cases of appeal from the judgments of the justices of the peace in said city.

"There shall also be in said city another court of law having jurisdiction over all suits where the debt or damage claimed shall exceed the sum of five hundred dollars, and in case any plaintiff or plaintiffs shall recover in said court less than the sum of five hundred dollars, he or they may be allowed or adjudged to pay in the discretion of the court the costs of said suit; this court shall be styled the Superior Court, and in addition to the jurisdiction hereby conferred, shall have and exercise jurisdiction in all applications for the benefit of the insolvent laws of this State, and of the administration of the estates of Insolvent debtors, and the appointment and supervision of the trustees thereof, and the said court shall also have and exercise jurisdiction as a court of equity.

"There shall also be in said city a court to be styled the District Court of Baltimore city, which shall have in said city exclusive jurisdiction as a court of law over all cases of mandamus quo warranto of appeal from the decision of commissioners, for the opening of streets in the city of Baltimore, of petitions for freedom, and petitions to cancel or enforce contracts of apprenticeship, of all issues from the Orphans' Court of Baltimore city and from the Superior Court, and shall also have jurisdiction over all the contro-

versies proper to be decided in a court of law, which have not heretofore been assigned to the court of Common Pleas or the Superior Court; and the said court as incidental to its powers as a court of law is hereby vested with full power and authority to cause a jury to be summoned, whenever a jury may be required for the business of said court; the District Court of Baltimore city within the city of Baltimore, shall also have and exercise all the jurisdiction of a court of Equity, as now held and exercised in this State, or as may be hereafter conferred or defined by the Legislature.

"Each of the said three courts shall consist of one judge to whom the salary of \$2,500 per annum shall be paid, or rateably for a lesser period, shall hold his office for the term of ten years, subject to the provisions of this Constitution, which have reference to the election or qualification of judges and their removal from office.

"There shall be a clerk of the court of common pleas, a clerk of the superior court, and a clerk of the district court of Baltimore city, each of whom shall be elected by the qualified voters of the city of Baltimore, shall hold his office for the term of six years from the time of his election, and until a new election is held, and shall be re-eligible.

"Each of the said clerks shall be subject to removal for wilful neglect of duty, or other misdemeanor in office, upon presentment, of a grand jury and conviction of a petit jury.

"The clerk of the superior court shall have authority to issue within the city of Baltimore, all marriage and other licenses required by law; subject to such provision as this Constitution or the Legislature hereafter may prescribe.

"The clerk of the district court of Baltimore City shall have custody of all deeds, conveyances and other papers now remaining on record in the office of the clerk of Baltimore county court, and shall hereafter receive and record all deeds, conveyances, and other papers which are required by law to be recorded in the said city.

"He shall also have custody of all other papers connected with proceedings on the law or equity side of Baltimore county court, and on the dockets thereof, so far as the same have relation to Baltimore city.

Mr. STEWART. I would say to the Convention that the section with regard to the Court of common pleas, is section eleven of the original bill, with a mere verbal change. I have no difficulty with regard to the adoption of that. The jurisdiction of the court of common pleas, was divided between the eleventh and fourteenth sections, and I have here engrafted them into one section, and there is no substantial change from the original sections, as gentlemen will see. I propose to give to the court of common pleas civil jurisdiction in all suits where the debt or damage claimed, shall be above one hundred dollars, and shall not exceed five hundred dollars, and also jurisdiction in all cases of appeal from the judgments of the justices of the peace in the city.

I would ask for the question upon this section.