

Mr. CHAMBERS demanded the yeas and nays upon Mr. ABBOTT'S amendment, and they were ordered.

The question being taken, the result was—yeas 42, nays 19—as follows:

Yeas—Messrs. Abbott, Annan, Audoun, Berry, of Prince George's, Billingsley, Blackiston, Crawford, Davis, of Washington, Dennis, Dent, Duvall, Ecker, Edeien, Gale, Galoway, Hatch, Hopkins, Horsey, Jones, of Somerset, Keefer, Kennard, King, Lee, Marbury, Mayhugh, McComas, Mitchell, Morgan, Murray, Negley, Parran, Purnell, Robinette, Sands, Schley, Schlosser, Smith, of Carroll, Smith, of Dorchester, Thomas, Turner, Wickard, Wooden—42.

Nays—Messrs. Goldsborough, President; Brown, Chambers, Clarke, Daniel, Earle, Hebb, Hopper, Jones, of Cecil, Lansdale, Mullikin, Parker, Peter, Russell, Stirling, Stockbridge, Swope, Sykes, Thurston—19.

When their names were called

Mr. CLARKE said: I was not here when the former vote was taken. I am in favor of the court of appeals being appointed, and the circuit judges being elected. I therefore vote "no."

Mr. JONES, of Somerset, said: In committee I voted for the appointive system for the court of appeals; but the house yesterday manifested its disposition determinedly, by a large majority, to have an elective system. I do not consider the mode of appointment so important as the character of the men to be appointed. I am not afraid to trust the people. Therefore I shall vote "aye."

Mr. STOCKBRIDGE said: I was willing to accept the decision of the house yesterday as the settlement of this question, and I had hoped that the time of the convention would not be taken up with calling the yeas and nays upon a settled question, but as they are called I shall vote in accordance with my real opinion. I vote "no."

The amendment was accordingly adopted.

Mr. DENT submitted the following amendment:

Add at the end of the section "by the qualified voters thereof."

Mr. THRUSTON submitted the following amendment to the amendment:

Strike out the word "thereof," in the last line, and insert the words "of the whole State."

Mr. THOMAS submitted the following amendment:

Strike out all after the word "The," in the first line and insert the following:

"The court of appeals shall consist of a chief justice and four associate justices, and for their selection the State shall be divided into four judicial districts. Allegany, Washington, Frederick, Carroll, Baltimore and Harford counties, shall compose the first; Montgomery, Howard, Anne Arundel, Calvert, St. Mary's, Charles and Prince George's,

the second; Baltimore city the third; and Cecil, Kent, Queen Anne's, Talbot, Caroline, Dorchester, Somerset and Worcester, shall compose the fourth district; and the chief justice shall be elected by the qualified voters of the counties and the city of Baltimore on a general ticket.

"And one person from among those learned in the law, having been admitted to practice law in this State, and who shall have been a citizen of this State at least five years, and above the age of thirty years at the time of his election, and a resident of the judicial district, or if chief justice a resident of the State as herein provided, shall be elected from each of said districts and the State, by the legal and qualified voters therein as a judge of said court of appeals, who shall hold his office for the term of fifteen years from the time of his election or until he shall have attained the age of seventy years, whichever may first happen, and be re-eligible thereto until he shall have attained the age of seventy years, and not after, subject to removal for incompetency, wilful neglect of duty or misbehavior in office, on conviction in a court of law, or by the governor upon the address of the general assembly, two-thirds of the members of each house concurring in such address, and the salary of each of the judges of the court of appeals, shall be four thousand dollars (\$4,000) annually, and shall not be increased or diminished during their continuance in office, and no fees or perquisites of any kind shall be allowed by law to any of the said judges."

The question was stated upon Mr. THRUSTON'S amendment to the amendment.

Mr. THRUSTON. The effect of my amendment is that the judges of the court of appeals will be elected by general ticket.

Mr. DENT. The object of the amendment I proposed was this: Since it had been determined by the convention that the judges of the court of appeals should be elected, I wished to provide that it should be by the voters of the district from which they should be elected. It seems to me much more proper that they should be elected by the voters of the district from which they are to be elected, than that they should be elected by general ticket, as proposed by the amendment of the gentleman from Allegany (Mr. Thurston.) The question is simple and plain between the two, and it is unnecessary to make any extended remarks upon it.

Mr. BERRY, of Prince George's. I object both to the amendment offered by the gentleman from Allegany (Mr. Thurston,) and to that offered by the gentleman from Baltimore city (Mr. Thomas.) My objection to the amendment offered by the gentleman from Allegany is this; that it proposes that the judges of the court of appeals shall all be elected by general ticket. Under the present constitution the members of the court of