

this suggestion is entitled to very serious consideration; and I will therefore move that the section be passed over informally until to-morrow. The gentleman who moved this amendment is obliged on account of illness to absent himself, and I think it is just to him as well as to ourselves to postpone it until we can give him an opportunity to be heard upon it. This report will undoubtedly occupy the attention of the convention a long while, so that we can wait without damage to the interests of the State for the gentleman's return.

Mr. DANIEL. I think the proposition has been printed.

The PRESIDENT. No, sir; it is in manuscript.

Mr. DANIEL. Whether it has or not, I see no necessity for passing over it. The main feature of the proposition submitted by the gentleman from Baltimore city (Mr. Thomas,) if I understand it, has twice been before the convention; and that is whether they will elect by districts or by general ticket. The proposition of the gentleman brings us right back to the district system with the exception of one judge; and this question was so fully discussed this morning, when we voted upon it twice, that I see no reason for postponing. After the vote was taken I mentioned to my colleague that I supposed the vote taken to-day would destroy his proposition effectually, or pretty much so; and he said he cared very little about it; that he had to go home; that he was sick and should not be back for several days.

Mr. SMITH, of Carroll. Whether he cares about it much or little is not the question before us. He has submitted a proposition to the convention, and we are as much interested in that proposition as the gentleman himself. The election of these judges is not to take place, some of them for three years, and others for six or seven years; and there can certainly be no political object in the proposition to elect by general ticket. I take it that the sense of the convention has not yet been taken upon the proposition. It is not to be supposed that judges elected in any manner would be controlled by personal or political feelings. It appears to me that the people in electing their judges decide some of the most momentous questions before them. They have an opportunity to judge of the qualifications and fitness of those for whom they are called to vote. Can a convention assembled from every part of Maryland be as well qualified to determine in regard to the qualifications of men for this office as the delegates from the immediate vicinity in which they live? I think that the gentleman from Allegany ought not to be asked to vote for the candidate coming from Worcester. We can only know their qualifications by making the districts so small that any lawyer of any prominence will be known to all the people,

so that they may know who is fit, and whom they are willing to trust. Considering the vital importance of the question, and the fact that the gentleman who proposed the amendment is absent, I think it is but just that we should postpone the section. The system which he proposes is a mixed system; and the sense of the convention has not been taken upon it; nor has the attention of the convention been invited to it. It is a system providing for the election of the chief justice by general ticket, and of the four associate justices from their several districts.

Mr. JONES, of Somerset. I concur most heartily in what has been said by the gentleman from Carroll (Mr. Smith.) This proposition has not been printed upon our journals, and I should like to have an opportunity of considering it very deliberately. It seems to be a sort of compromise proposition, between those who go for election by general ticket, and those who go for election by districts. I concur in all the gentleman from Carroll has said with reference to the importance, if we are to have an elective court of appeals, of electing them from the several districts of the people, where they live, and where the people are best qualified to judge of their qualifications.

I voted with the majority in relation to the elective system, upon what I supposed to be the determination as manifested by the vote of yesterday, to adhere to the system which we now have, which is the system of election of the judges of the court of appeals by districts. But the vote to-day has entirely disappointed me; and I am frank to say that if this is persisted in I shall return and vote for the appointment by the governor. I have conversed with several friends, and found the same view; and we shall go for the appointive system, if the judges are not to be elected by districts. I concur with the gentleman from Carroll in the desire that the section may be postponed informally, that it may be printed, and that we may have an opportunity of seeing the proposition and consulting about it.

Mr. CHAMBERS. I rise simply to do an act of justice to an absent member. I think the gentleman from Baltimore (Mr. Daniel) has mistaken the feelings of his colleague (Mr. Thomas) with regard to this amendment. That gentleman is absent to-night, not from any unwillingness to be in his place, but from sickness. I saw Mr. Thomas after the house adjourned, and I remarked to him that I regretted the vote of the house; and he had high confidence, or seemed to have, that his proposition would be carried. I rose to correct that error, in order to do justice to an absent member.

Mr. ABBOTT. In behalf of my colleague who is now absent (Mr. Thomas,) I will say that I had some conversation with him with regard to this amendment after the adjourn-