

I think that by a few decisive votes showing that the house is in favor of substituting the old system for the one reported by the committee, we will save pretty much all debate or amendment.

Mr. SCHLEY. I am sure no member of this convention is more deeply impressed with a desire to bring its labors to a close than myself. And I would cheerfully concur in any step that would accomplish that end. If I can be assured that the pending proposition is likely to bring our labors speedily to a conclusion, I will gladly concur in it.

But my object in rising now is to ask how much does this order comprehend? Does it mean that all this matter of the court of appeals, all that portion of the report of the judiciary committee anterior to part third, is to be gone over again in committee? Or is that to stand as the convention has determined it? I believe we have perfected the report up to part third—and I suppose that being the work of the convention to that extent the convention is satisfied with it, and not disposed to reconsider it. If the gentleman from Baltimore city (Mr. Audoun) will amend his order so as to refer only that portion of the report which remains unacted upon, for instance, the part relating to the circuit courts, the orphans' courts, the courts of Baltimore city, &c., with instructions to report at a specified time, or if he pleases to report the old system substantially, and to take before it the amendments proposed to be printed, then I will support his proposition. Perhaps such a reference, with instructions to report by a given time, to-morrow at noon, for instance, would facilitate the deliberations of the convention. I think it would, and I would cheerfully concur in such a proposition.

But if it is to take the whole report before the committee and have them go over all that we have already disposed of, then I for one will have to cast my vote against the order of reference. I understand that there will be at least four members of the judiciary committee absent to-morrow; one or two of them have got leave of absence to-day, and the others are now absent. So I am afraid that this reference will be unproductive of the good that its proposer anticipates.

Now I do not know how the convention is to progress more rapidly than by continuing the order of the day, as it has gone on with it up to this time, taking the proposed amendments into consideration, and substituting such of them for portions of the report as they may desire. And until I hear further from the mover of this order that he means to limit the work of this committee, or of a special committee, to this extent, I do not think I can support his order. If he will move to refer it to a special committee, or move that the committee on the judiciary be filled up temporarily so far as to supply the places of those who will necessarily be absent to-mor-

row, instruct them to report by noon to-morrow, and then move to take a recess until then, I will agree to it; otherwise I shall have to vote against it.

Mr. STIRLING. The proposition of my colleague (Mr. Audoun) strikes me very favorably; but I should like to have him make some modifications in it. It seems to me that it is one of the readiest modes of getting at this question; and I think if something of this sort is not adopted, we shall not soon arrive at a conclusion. I should prefer that that part of the report of the judiciary committee which we have already adopted should be left to stand. With that exception I entirely agree with the proposition to report the present judiciary system. I intended, when the time arrived, to propose an amendment altering the jurisdiction of the court of common pleas of Baltimore city, extending its jurisdiction to seven hundred and fifty dollars. With that exception I am willing to adopt the present system as it stands.

Mr. HARRIS. I move the following as a substitute for the order proposed by the gentleman from Baltimore city (Mr. Audoun.)

*Ordered,* That the report of the committee on the judiciary department, with all the amendments proposed thereto, be recommitted to the committee, with instructions to report the judiciary system as embraced in the existing constitution, except so far as the same has been modified by the adoption of the article in the court of appeals, and excepting also to report nine judicial circuits instead of eight (erecting Baltimore county in a separate circuit,) and also, reporting a provision giving the general assembly the power to create additional circuits from time to time when required."

Mr. THURSTON. I propose to save time by making the motion to substitute for the report by the committee on the judiciary, the present judiciary system of this State, except in so far as the same has been already modified by the action of the convention in considering the report of the committee. That it seems to me will bring the question right before the house, and we can get along without any reference.

The CHAIRMAN (Mr. Pugh.) That motion cannot be entertained, because each section of the report of the committee must be taken up and considered by itself. The report of the committee is not now under consideration. The order of the gentleman from Baltimore city (Mr. Audoun) and the substitute proposed by the gentleman from Allegany (Mr. Hebb,) are now before the house.

Mr. MILLER. I should very much prefer, if this subject is to be recommitted to the committee with instructions, that they be instructed to reorganize the circuits according to the amendment offered the other day by the gentleman from Allegany (Mr. Hebb,) making I think twelve judicial circuits. One