

court of appeals upon general ticket, and the house had taken a recess, I passed by where my colleague (Mr. Thomas) was bundling up his papers, and said to him—"Well, I suppose that virtually defeats your amendment." He replied—"Well, I don't care much about it." Whether he understood me or not, I do not know. I did not say that he intended to withdraw his amendment, but merely not to press it. And I stated then that I did not wish that to have any influence upon the house.

Mr. MILLER. This order requires the special committee to report a judiciary system entire, including the court of appeals and everything else; the present judiciary system except such as has been adopted by this body. If they report under that order, they must go from A to Izzard, to get the whole thing in.

Mr. STIRLING. I would suggest to the gentleman from Baltimore county (Mr. Ridgely,) to strike out "which has been adopted by this body," and insert "relating to the court of appeals." That will then leave the part of the report relating to the court of appeals to stand just as it is now.

Mr. RIDGELY. I will modify the order in that way.

The question was upon the order as modified.

Mr. MAYHUGH. It seems to me that no two gentlemen in this house understand whether the whole of this report, or but a part of it, is to go to this special committee, for them to report upon as they please, or whether it is to be left subject to the action which the convention has had upon it already. In my own opinion, the business of the convention will be much facilitated by our progressing with this report as we have commenced. If this committee make a report to-morrow, it will be open to amendment just as the present one is. And in order to facilitate the business of the convention, I move that the order offered by the gentleman from Baltimore county (Mr. Ridgely) be laid upon the table.

Upon this question, Mr. RIDGELY called for the yeas and nays, which were ordered.

The question being taken, by yeas and nays, it resulted—yeas 34, nays 23—as follows:

*Yeas*—Messrs. Billingsley, Blackiston, Briscoe, Bond, Brown, Chambers, Cunningham, Daniel, Dellinger, Dent, Edelen, Gale, Hodson, Hollyday, Hopper, Horsey, Lee, Mayhugh, Mitchell, Miller, Morgan, Murray, Parran, Pugh, Purnell, Russell, Sands, Schley, Smith, of Carroll, Smith, of Worcester, Swope, Sykes, Thruston, Turner—34.

*Nays*—Messrs. Abbott, Annan, Audoun, Carter, Cushing, Earle, Ecker, Galloway, Hebb, Keefer, Kennard, King, McComas, Mullikin, Negley, Nyman, Parker, Ridgely, Robinette, Stirling, Thomas, Wooden, Wickard—23.

The motion to lay the order on the table was accordingly agreed to.

Mr. CHAMBERS moved that the convention do now adjourn.

Upon this question Mr. STIRLING called for the yeas and nays, which were ordered.

The question being then taken, by yeas and nays, it resulted—yeas 31, nays 23—as follows:

*Yeas*—Messrs. Billingsley, Blackiston, Brown, Chambers, Cunningham, Dellinger, Dent, Edelen, Gale, Hollyday, Hopper, Horsey, Kennard, King, Lee, Mayhugh, Mitchell, Miller, Morgan, Mullikin, Murray, Parker, Parran, Russell, Sands, Smith, of Carroll, Smith, of Worcester, Swope, Sykes, Thruston, Turner—31.

*Nays*—Messrs. Abbott, Annan, Audoun, Carter, Cushing, Daniel, Earle, Ecker, Galloway, Hebb, Keefer, McComas, Negley, Nyman, Pugh, Purnell, Ridgely, Robinette, Schley, Stirling, Thomas, Wickard, Wooden—23.

The motion was accordingly agreed to.

Mr. KENNARD, when his name was called, said: I would be perfectly willing to remain here if I thought it would promote the business of the convention. But I am convinced, from the discussion we have already had, that we can do nothing more here to-night. I therefore vote "aye."

Mr. THRUSTON, when his name was called, said: I would be perfectly willing to stay here, if I thought any good would result from a prolongation of our session to-night. But, judging from the temper of the house, I do not think any practical result can be obtained by remaining here longer, and therefore I vote "aye."

The convention accordingly adjourned.

## EIGHTIETH DAY.

WEDNESDAY, August 24, 1864.

The convention met at ten o'clock, A. M., (Mr. PUGH in the chair.)

Prayer by the Rev. Mr. Owen.

The roll was called, and the following members answered to their names:

Messrs. Goldsborough, President; Abbott, Annan, Audoun, Belt, Billingsley, Blackiston, Bond, Briscoe, Brown, Carter, Cunningham, Cushing, Daniel, Dellinger, Dent, Duval, Ecker, Edelen, Farrow, Gale, Galloway, Hatch, Hebb, Hodson, Hoffman Hollyday, Hopkins, Hopper, Horsey, Johnson, Jones, of Cecil, Keefer, Kennard, Larsh, Lee, Mayhugh, McComas, Mitchell, Miller, Morgan, Mullikin, Murray, Negley, Nyman, Parker, Parran, Pugh, Purnell, Ridgely, Robinette, Russell, Schley, Smith, of Carroll, Smith, of Worcester, Sneary, Stirling, Stockbridge, Swope, Sykes, Thomas, Thruston Turner, Valliant, Wickard, Wooden—66.

The journal of yesterday was read and approved.