

Mr. NEGLEY said: The members of the court of appeals being State officers, I have always believed that the State had a right to elect them by general ticket. This convention has solemnly so determined. I am willing to abide by that decision. I therefore vote "no."

Mr. PUGH. I am in favor of the appointive system for the judiciary. For that reason I vote for it, without any hope at all of its being carried. I willingly submit to the decision of the majority; but being in favor of that kind of system for the judiciary, I vote "aye."

The motion to reconsider did not prevail. No further amendment was offered to section twelve.

#### OFFICERS OF THE COURTS.

Mr. RIDGELY. Before we pass away from part three, I desire to move as an additional section, the following:

"Section —. The judge or judges of any court may appoint such officers for their respective courts, as may be found necessary, and it shall be the duty of the general assembly to prescribe by law a fixed compensation for all such officers."

I do not desire to argue that amendment; but I will simply submit for the consideration of the house the reasons which induce me to offer the amendment. When the section which was stricken out, on the motion of the gentleman from Baltimore city (Mr. Stirling,) was under consideration, the gentleman from Prince George's suggested that it was an appropriate subject for legislation. With the view to meet that suggestion, I have made it the duty, in the section I have offered, of the general assembly to fix the compensation for these officers. In my own county there are officers appointed by the courts, whose fees of office are far greater than those of the judge himself, in my county. I consider the office very much a sinecure. At least there is comparatively no equivalent whatever for the service performed. I do not think it is right, as these expenses are to come out of our county treasury, as the counties have to levy for the expense of these officers, whose duties are comparatively very light, that they should be permitted to receive a compensation so far beyond the value of the services which they perform. I therefore propose that it shall be the duty of the legislature to fix the value of these services, and to prescribe by law what compensation this officer shall receive. I will not argue the matter; but simply ask that the yeas and nays be taken upon the proposed section.

The yeas and nays were ordered.

The question being taken, the result was — yeas 54, nays 11—as follows:

Yeas—Messrs. Goldsborough, President; Abbott, Annan, Audoun, Belt, Berry, of Prince George's, Billingsley, Blackiston, Bond,

Carter, Chambers, Cunningham, Daniel, Dent, Duvall, Ecker, Edelen, Farrow, Galloway, Hatch, Hebb, Hodson, Hoffman, Hollyday, Hopkins, Hopper, Horsey, Johnson, Jones, of Cecil, Kennard, Larsh, Mayhugh, McComas, Mitchell, Miller, Morgan, Murray, Negley, Nymann, Parker, Pugh, Purnell, Ridgely, Russell, Smith, of Carroll, Smith, of Worcester, Sneary, Swope, Sykes, Thomas, Turner, Valliant, Wickard, Wooden—54.

Nays—Messrs. Briscoe, Brown, Cushing, Keefer, Lee, Mullikin, Parran, Robinette, Schley, Stirling, Thruston—11.

The section was accordingly adopted.

#### LEAVE OF ABSENCE.

Mr. DANIEL. I ask leave of absence for this evening, having important business in Baltimore.

Leave was granted.

Mr. RIDGELY. I ask similar leave for this night only.

Leave was granted.

Mr. BERRY, of Prince George's. I ask leave of absence for a few days. I am unwell.

Leave was granted.

Mr. WICKARD. I ask leave of absence for to-night.

Leave was granted.

Mr. STOCKBRIDGE asked leave of absence for a few days.

Leave was granted.

Mr. MULLIKIN subsequently asked leave of absence for to-morrow.

Leave was granted.

#### FILING WRITTEN OPINIONS.

Mr. MILLER. I move that the convention recur to section fifteen.

The motion was agreed to, and the section was read as follows:

"Section 15. Any three of the judges of the court of appeals may constitute a quorum, but no cause shall be decided without the concurrence of at least three judges in the decision, and in every case decided, an opinion in writing shall be filed within six months after the argument or submission of the cause, and the judgment of the court shall be final and conclusive."

Mr. MILLER. I move to amend the fourth line by striking out "six" and inserting "three;" so that the judges of the court of appeals may be required to furnish an opinion in writing within three months after the argument.

Mr. THRUSTON. I am in favor of that motion. I think three months is abundant time.

The amendment was agreed to.

#### CIRCUIT COURTS.

The convention resumed the consideration of section nineteen, which had been passed over informally, and which was read as follows: