

the jurisdiction over real estate is limited to one thousand dollars, you might as well have no provision in regard to the matter, for it is almost impossible to conceive, in these times, of real estate worth so small a sum as one thousand dollars. I vote "no."

Mr. STIRLING. I hardly know how to vote upon this proposition. I am as much opposed to this as to the other. If the convention thinks it wise to adopt this policy, I have no objection in the world to it. But if it is to be adopted, I do not see why it should be limited to one thousand dollars more than any other amount. I vote "no."

Mr. THOMAS. In explanation of my vote, I will say that I am totally opposed to giving this jurisdiction to the orphans' court even to the value of one cent. I vote for this proposition only because I think it is the best we can do under the circumstances; it is the least of two evils. I therefore vote "aye."

Mr. RIDGELY. I propose the following as a substitute for the entire section:

"Sec. 25. The said orphans' courts shall have all the powers now vested by law in the orphans' courts of this State, subject to such changes as the general assembly may prescribe, and shall have such other jurisdiction as may from time to time be provided by law."

I will make one word of explanation of this amendment. If it is desirable that this jurisdiction shall be conferred upon the orphans' court, it can be conferred by the general assembly. And if it should be found, as we think it will, to work injuriously to the public interest, it can be modified or repealed by the general assembly. If it is incorporated into the organic law, it then becomes permanent during the continuance of the constitution, and cannot be changed by the general assembly even if it should be found to work injuriously. I propose, by the substitute I have offered, to confer the power upon the general assembly to enlarge the jurisdiction of the orphans' court, if in their judgment the public interest demands it. The difference between the two propositions is this: mine gives the control of the subject to the general assembly, while the other by putting it in the constitution places it beyond the control of any human power during the continuance of that constitution.

Mr. DANIEL moved that the convention take a recess, but withdrew the motion at the request of

Mr. RIDGELY, who submitted the following:

"Ordered, That the order for recess for evening sessions be suspended for this evening."

The question being taken, the order was adopted.

LEAVE OF ABSENCE.

Mr. THRUSTON asked and obtained leave of absence for a few days.

Mr. BROWN asked and obtained leave of absence for a few days.

Mr. DENT asked and obtained leave of absence for a few days.

Mr. GALE asked and obtained leave of absence for a few days.

Mr. ROBINETTE asked and obtained leave of absence for a few days.

On motion of Mr. CHAMBERS,
The convention then adjourned.

EIGHTY-SECOND DAY.

FRIDAY, August 26, 1864.

The convention met at ten o'clock, A. M.

Prayer by the Rev. Mr. Todd.

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

Messrs. Godsborough, President; Abbott, Anan, Audoun, Belt, Billingsley, Blackiston, Bond, Briscoe, Brooks, Chambers, Crawford, Cunningham, Cushing, Daniel, Davis, of Washington, Dellinger, Dent, Duvall, Ecker, Edelen, Farrow, Galloway, Greene, Heb. Henkle, Hodson, Hoffman, Hollyday, Hopkins, Hopper, Horsey, Keeter, Kennard, King, Lansdale, Larsh, Lee, Markey, McComas, Mitchell, Miller, Morgan, Mullikin, Murray, N-gley, Nyman, Parker, Parran, Peter, Pugh, Purnell, Ridgely, Russell, Sands, Schley, Schlosser, Smith, of Carroll, Smith, of Dorchester, Smith, of Worcester, Sneary, Stirling, Stockbridge, Swope, Sykes, Thomas, Todd, Turner, Valliant, Wickard, Wilmar, Wooden—72.

The journal of yesterday was read and approved.

ABSENT MEMBERS.

On motion of Mr. PUGH,
It was ordered to be entered on the journal that Mr. Scott, of Cecil, is detained from his seat on account of sickness.

On motion of Mr. DELLINGER,
It was ordered to be entered on the journal that Mr. Mayhugh is detained from his seat by indisposition.

JUDICIARY DEPARTMENT.

The convention then resumed the consideration of the report of the committee on the judiciary department, which was on its second reading.

ORPHANS' COURT.

The section under consideration was section twenty-five, which had been amended to read as follows:

"Sec. 25. The said orphans' courts shall have all the powers now vested in the orphans' courts of this State, subject to such