

to act as clerks of said courts respectively, during the time for which they were severally elected, and in case of the death, resignation or disqualification of either of said clerks before the expiration of the time for which they were elected, the judge of the court, where such death, resignation or other disqualification may occur, shall have the power to appoint a clerk as provided by the thirty-third section of this article. The present clerk of the circuit court of Baltimore city shall continue to act as clerk of said court, until the first election for members of the general assembly next after the adoption of this constitution, when a clerk of said court shall be elected in the same manner, and hold his office for the same time, and be subject to the same provisions of this constitution as the clerks of the courts in said city."

Mr. STIRLING. I suggest to my colleague to strike out "members of the general assembly" and insert "county officers."

Mr. THOMAS modified his amendment accordingly.

Mr. STOCKBRIDGE. As it stands it seems to me that there ought to be a verbal modification made in it. There are no county officers elected in Baltimore city of course. I suppose that means county officers throughout the State; and I would suggest that it be modified so as to read "until the first election for county officers in the State."

Mr. STIRLING. My impression is that it is perfectly correct as it stands. The city of Baltimore so far as the clerks of the courts and the sheriffs are concerned is one of the counties in the State. The mayor and city council of Baltimore are a municipal corporation; and it is only a municipality so far as they are concerned.

The amendment was agreed to.

No further amendment being offered, the next section was read, as follows:

"Sec. 35. The clerk of the superior court shall have the custody of all dockets, records, and papers now in the custody of the clerk of the superior court or court of common pleas, and of all such other dockets, records and papers as he may hereafter be required by law or by the judges of the said court to take custody of, and shall receive and record all deeds and other papers required by law to be recorded in said city, and not otherwise provided for; he shall, unless the general assembly shall provide a different mode, issue all marriage and other licenses required by law, and discharge all the duties and be subject to all the obligations heretofore discharged by or imposed upon the clerk of the superior court and the clerk of the court of common pleas, subject to such modifications thereof as may be made by law or by the judges of his said court."

Mr. THOMAS submitted the following amendment:

Strike out section 35, and insert:

"Sec. 35. That the clerk of the court of

common pleas shall have authority to issue within said city, all marriage and other licences required by law, subject to such provisions as the legislature have now or may hereafter prescribe, and the clerk of the superior court of said city shall have the custody of all deeds, conveyances and other papers now remaining in the office of said court, and shall hereafter receive and record all deeds, conveyances and other papers which are required by law to be recorded in said city. He shall also have custody of all other papers connected with the proceedings on the law or equity side of Baltimore county court, and of the dockets thereof so far as the same have relation to the city of Baltimore."

Mr. THOMAS said: This is the same provision that is contained in the present constitution, including the provisions the legislature have already prescribed as well as those which they may hereafter prescribe.

The amendment was agreed to.

No further amendment being offered, the next section was read as follows:

"Sec. 36. The clerk of the circuit court of Baltimore city shall have the custody of all the dockets, records and papers now in the office and custody of the clerk of the circuit court of Baltimore city, and of the clerk of the criminal court of Baltimore city, and of all dockets, records and papers hereafter pertaining to the business of the said circuit court as hereby constituted, or which he may be required by law, or by the judges of said court to take custody of. He shall discharge all the duties pertaining to the office of clerk of said court, or which have heretofore been imposed by law upon the clerks of the circuit or criminal court of Baltimore city, or which may hereafter be imposed by law, or required by the judges of his said court. And the present clerk of the criminal court of Baltimore city shall be clerk of the circuit court as hereby constituted until the end of the time for which he was elected clerk of said criminal court."

Mr. THOMAS moved to strike out this section.

Mr. STIRLING. This section is useless unless the convention reconsider the action taken on Saturday.

The motion was agreed to.

JUDGES OF CIRCUIT COURTS.

Mr. THOMAS submitted the following as an additional section:

"Sec. —. There shall be elected by the legal and qualified voters of the third, sixth, seventh, eighth and eleventh judicial circuits on Tuesday next after the first Monday in the month of November, 1864, (eighteen hundred and sixty-four) one person to be judge of each of said judicial circuits respectively, who shall possess the same qualifications, exercise the same powers, receive the same salaries, and serve for the same term, as prescribed by this constitution for the judges of the several