

could hardly be elected always on the general election day.

Mr. HBBB. It will be necessary either to change the term to fourteen or sixteen years, or to have elections in the year when the county officers are elected.

Mr. STOCKBRIDGE. This section is among the provisions relating to circuit courts. The whole difficulty will be obviated if the word "circuit" is inserted before the word "courts."

The PRESIDENT. Is the case of the death, resignation, &c., of justices of the court of appeals provided for elsewhere?

Mr. CHAMBERS. Why not wait until the general election, and let the governor's appointee remain in office until then?

On motion of Mr. STIRLING, and by unanimous consent,

The second line was so amended as to read "of a judge of any court;" and the fifth line so as to read, "the next general election thereafter, whether for members of the general assembly or county officers."

On motion of Mr. STOCKBRIDGE, and by unanimous consent,

The section was transferred to part I, to come in after the 11th section.

CIRCUIT COURTS.

Mr. STOCKBRIDGE. I observe in the 19th section a slight inaccuracy, like that of my friend from Anne Arundel (Mr. Miller.) Since this matter was brought before the convention my attention has been called to it, and I am assured that the first three circuits might without any injury to the business be consolidated into two: St. Mary's, Charles and Prince George's, the first; and Anne Arundel, Calvert and Montgomery, the second. I am not sufficiently familiar with the business of those counties to speak of my own knowledge, and do not profess to do so. But if that statement be correct, gentlemen here may know it; and if they can be consolidated it will save one judge. I therefore call attention to it.

The 19th section as adopted on the second reading, was as follows:

"Sec. 19. The State shall be divided into thirteen judicial circuits, in manner following: The counties of St. Mary's and Charles, shall constitute the first circuit; the counties of Anne Arundel and Calvert, the second; the counties of Prince George's and Montgomery the third; the county of Frederick, the fourth; &c.

Mr. MILLER. I hope the gentleman will move to open the section for the purpose of making that amendment. I know that our friends from Prince George's are anxious that it should be done. We desired a judge for each county; but failing in that I am satisfied that the judge of the lower district, St. Mary's and Charles, would have very little to do; and the judge for Anne Arundel and Calvert may very well have attached

to his circuit, I think, the county of Montgomery.

Mr. STOCKBRIDGE. Distinguished citizens of those counties have assured me so; and that is the reason I called attention to it, thinking that if we could save the expense of a judge, it was an item worth considering. I will now move that these three circuits be so consolidated that St. Mary's, Charles and Prince George's shall constitute the first, and Anne Arundel, Calvert and Montgomery, the second.

Mr. ABBOTT. What do they expect to do when they get a population of forty, fifty, or sixty thousand inhabitants? These circuits must remain until the constitution is altered.

Mr. MILLER. When we get that large number I hope we shall throw this constitution aside.

Mr. CUSHING. The gentleman from Prince George's said when the subject was before us on the second reading, that it was almost impossible for the business to be done; that he had known in the winter season of men lying in jail six months at a time; and that justice could not be rendered in that circuit on account of its extent. Now it is proposed to put the circuit back, when we have diminished it on account of the representation of gentlemen from Prince George's, that justice could not be done, and that men were lying in jail six months at a time, and again to make it what the gentleman from Prince George's considered monstrous and unjust.

Mr. PARRAN. I hope the report will not be opened. As a member from Calvert county, I am very well satisfied with the present arrangement. If to gratify the gentlemen from Prince George's, they are to go back to the old circuit, what becomes of Montgomery? As a necessary consequence, it must go back to Anne Arundel and Calvert, or else make a separate circuit. I do not presume it is intended to make that a separate circuit, the object being to reduce the number of circuits. Montgomery therefore is to be put in the circuit with Calvert and Anne Arundel. I think the present arrangement is better; and I hope the convention will not open the report.

The motion was not agreed to.

ORPHANS' COURT.

By unanimous consent the 26th and 27th sections were transposed.

The 27th section having been read,

Mr. PEGH moved to amend by striking out the words, "at the time of his election," in the 16th line, and transposing the last two clauses of the section, so that the words "to be paid by the said counties and city respectively," should be inserted next after the word "compensation."

The latter portion of the section, as adopted upon the second reading was:

"No person shall be elected judge of the