

orphans' court unless he be a citizen of the United States, and resident for twelve months in the city or county for which he may be elected at the time of his election; each of said judges shall receive such compensation as is now or may hereafter be fixed by the general assembly, to be paid by the said counties and city respectively."

The amendment was agreed to, by unanimous consent.

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

The words "at the time of his election" were inserted next after the words "unless he be" in the fourteenth line.

DETENTION IN SLAVERY.

The thirty-first section having been read, as follows:

"Section 31. Any person who shall, after this constitution shall have gone into effect, detain in slavery any person so emancipated by the provisions of this constitution shall, on conviction, be fined not less than five hundred dollars, nor more than five thousand dollars, or be imprisoned not more than five years; and any of the judges of this State shall discharge, on *habeas corpus*, any person so detained in slavery;"

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

The word "so" was stricken out in the second line.

Mr. MILLER. I was not here at the time this provision was adopted, and I move that the report be opened for the purpose of enabling me to move to strike out this section. It must be acknowledged that after we have declared that slavery or involuntary servitude shall no longer exist in the State, there can be no such thing as detaining any emancipated slave in slavery. It seems to me a contradiction in terms, and rather mars the symmetry of this great work in the estimation of gentlemen, to say that a man can be detained in slavery after you have said that slavery shall not exist.

Mr. STIRLING. A man is detained in slavery who is taken by a slave ship, and he might escape punishment, although it is piracy by the laws of the country.

Mr. MILLER. The laws of the United States provide for that.

Mr. BELT. I trust that my friend from Anne Arundel (Mr. Miller) will withdraw his motion. I desire to vote for that section, taking it as a recognition of slavery.

Mr. PUGH. I have no objection whatever to all the comfort there is in it being administered to the gentleman.

The motion was rejected.

SUPERIOR COURT OF BALTIMORE CITY.

The thirty-fourth section having been read as follows:

"Section 34. The superior court of Balti-

more city shall have jurisdiction over all suits where the debt or damage claimed, exclusive of interest, shall exceed the sum of one thousand dollars, and in case any plaintiff or plaintiffs shall recover less than the sum or value of one thousand dollars, he or they shall be allowed or adjudged to pay costs in the discretion of the court. The said court shall also have jurisdiction as a court of equity within the limits of the said city, and in all other civil cases which are not hereinafter assigned to the court of common pleas, and shall also have jurisdiction in all cases of appeals from the commissioner for opening streets; provided all cases now pending on the law side of said court, where the debt or damage claimed is less than one thousand dollars, shall be prosecuted to final judgment in said court, as though its jurisdiction had not been changed;"

Mr. CHAMBERS said: I would ask why the provision is made that the principal, rather than the principal and interest, shall exceed the sum of one thousand dollars. By this provision a verdict of one thousand dollars and interest could not be entered; and I do not see why the interest, every dollar of it, is not as important to the plaintiff as the principal. If the debt amounts to more than one thousand dollars, I do not see why it may not as well be interest as anything else. The value consists in the sum of money due. I would suggest that the words "exclusive of interest" be stricken out.

Mr. STOCKBRIDGE. These words were put in for the reason that in many cases where the time was a little uncertain, the mere matter of interest would change the jurisdiction; and there have been cases where persons have been thrown in costs because the jury took a certain view as to the point of time from which interest could be properly claimed. It was thought more safe for suitors that the matter of interest should not be included in the sum determining the jurisdiction; and these words were inserted to avoid that practical difficulty.

Mr. CHAMBERS. In an action the party plaintiff claims that his principal amounts to one thousand dollars, and the case is tried before a jury, and they bring in a verdict of eleven hundred dollars. You cannot tell how much is principal and how much is interest. They consolidate it. The law requires them to bring in the aggregate amount. Then the question must be opened before the court to decide that. It strikes me that where a party can recover more than one thousand dollars, he should be heard in the superior court, no matter whether it is principal or principal and interest. So before a justice of the peace, a man may claim ninety-nine dollars principal and ninety-nine dollars interest. The law does not allow the justice of the peace to decide upon a claim amounting in the aggregate to more than one hundred dollars.

Mr. STOCKBRIDGE. There have been all sorts