

James McSherry, Jr. The meeting resulted in a petition for relief by the General Assembly then sitting, but no legislative action followed. The election of 1866 brought an overturn in the legal control of the state, however, the Democratic Conservatives having carried it. Oliver Miller was Speaker of the House which assembled in January 1867. The Assembly directed that a popular vote be taken on the calling of another constitutional convention to begin May 8, and in April the proposal for the convention was carried. The convention lasted from May 8 to August 17.

The debates of this convention were never published officially, but Mr. Philip B. Perlman has collected all the reports printed in newspapers and elsewhere, and from his publication something of the discussion on the judiciary article is known.⁹ The special committee on the framing of the article was composed of twenty-five lawyers of standing, and it opened the debate on the courts by a majority report of a plan for a wide departure from the existing system. It was proposed that the system of five judges for the Court of Appeals chosen from the five districts arranged for the purpose, and of twelve trial judges from twelve county trial circuits, and additional judges for the thirteenth, or Baltimore City circuit, be now abandoned; and that the state return to the essential features of the system which had existed from 1806 to 1851, arranging seven circuits of counties and an eighth of Baltimore City, providing three judges for each county circuit and five

9. Philip B. Perlman, *Debates of Maryland Constitutional Convention of 1867*, Baltimore, 1923.