be considered as infamous in him. He wanted something more definite in the phraseology, such as perjury, felony, &c.

Mr. CHAMBERS, of Kent, said, the words used were technical words in common law, and in common law treatises; and to strike them out might involve us in difficulty. It depended on the punishment affixed by law to a crime.

Mr. WEEMS resumed. He was opposed to too many technicalities in the Constitution. The people are complaining of them. These terms are beyond their comprehension. A great majority of the people are not in a situation to refer to law books. Many who have capacity to comprehend, have no means of reference to books, and cannot understand the meaning of these terms. As far as it could possibly be done, he would wish to expunge all technicalities. He did not like to oppose any thing coming from such a high source as the gentleman from Kent, but he did desire to see the organic law made as comprehensible to the masses as it could be. The explanations of the gentleman were not satisfactory to his mind, as he could have wished. Let the organic law be so plain, that he who runs may both read and understand it.

Mr. PRESSTMAN thought it was due to the committee, to say, that the construction they put upon the phrase "infamous crime," was the same as that which the gentleman from Kent, (Mr. Chambers,) had indicated. It meant, he thought, most unquestionably, no other offence, at least, than such as were punishable capitally or by imprisonment in the penitentiary, though strictly speaking, some offences punishable under certain acts of Assembly might not be deemed infamous at common law. There could not be any room to enlarge the catalogue of infamous crimes beyond those he had specified. As to the idea that the Constitution can be free from technicalities it is wholly out of the question. To courts of law, any other than technical words defining crime would be mere jargon. There is scarcely a man in Maryland, outside of the legal profession, who in cases of homicide, knows the precise distinction between murder in the first and second degrees, and manslaughter. Neither Solon, Lycurgus, nor any of the greatest lawgivers in the world, ever yet found a mode of framing laws so simple and plain, that "a wayfaring man, though a fool," might understand them. Should any man succeed in that effort, he would enrich himself beyond the cunnings of all the inventors of patent medicine. To discover that would be to discover the philosopher's stone. Lawyer's become acquainted with these terms by study and practice—they are the tools of their trade, and by them all things are made comparatively easy. So a farmer may make himself perfectly intelligible to another farmer by the use of terms and phrases which are only familiar to those engaged in agriculture. It is so in all other pursuits as well as in the science of the law, and they are indispensable.

Mr. WEEMS, in reply, said he had never entertained the idea that the Constitution could be made so simple as to be comprehensible to a fool. He knew that could not be done, because we are told that if you bray a fool in a mortar with a pestle, his foolishness will not depart from him. So that whether we insert techicalities or any thing else, the fool will not understand. His object was to make the Constitution plain to men of ordinary intellect; he was not making war against technicalities which, he had no doubt, were found useful. The gentleman from Baltimore was a lawyer, and was familiar with these expressions. But he, (Mr. W.,) said he was not a lawyer, nor were a majority of the people lawyers, but he did not object to the desire of the gentleman from Baltimore to retain technicalities in the courts of law. He, (Mr. W.,) had already stated his inexperience in Constitution making. He had not even ventured to suggest a single article; he left the work to those who had more practical knowledge of the business. But when articles were presented to him for his opinion, then he was required to call his judgment into action, and he would act independently; and when he felt a doubt, he would seek for further information. No one had a greater respect for the profession of the law than he had. But he had noticed with deep regret, that when a plain man, as he was, rose to say any thing in this body, the lawyers immediately begin to put questions to him, until they embarrass him. He, however, was not to be deterred from seeking information to guide him right in his votes. He would merely say in conclusion that he would like some other words in this case, or he would like to hear a more satisfactory explanation as to the extent of the meaning of those which were used.

Mr. SOLLERS expressed a wish that the gentleman from Baltimore would show him where it was laid down that a man must have been in the penitentiary before his crime could be called infamous? He understood him to say that whether it was an "infamous crime" or not, must depend on the sentence of a court. It must be very well known to gentlemen round him, that courts do not always decide the same way. He believed that even the Court of Appeals had decided both ways. At the beginning of a term, he had known a court to decide one way, and before the end of the term, decided the other way. It was his wish to put a restraint on the courts, so far as this matter goes.

Mr. PRESSTMAN expressed his regret that the gentleman from Calvert, (Mr. Weems,) would for a moment suppose that he had not heard any views or suggestion he might make, or any other member, with the most entire respect and courtesy. Indeed, he would take occasion to say, as that gentleman had disclaimed any unkind imputation, that he entertained for him the highest respect, as well for his intelligence as his strict integrity. And he must have been understood in a way far different from that he intended, if any gentleman thought that by the denial of legal and technical knowledge to many of those around him, sufficient to frame a Constitution in all its parts, he would wish to arrogate any superiority to the profession of which he was an humble member. Among the most esteemed and valued friends he had in that body, and in whose judg-