

ted as to whether another Convention shall be held to alter the Constitution. We are about to enter upon a great rendition of Constitutional reform. The High Court of Chancery, with its present able and justly esteemed and popular Chancellor, has gained for that court, by his practice, courtesey and decisions, an enviable eminence which Maryland should be proud of. Let that court at least stand as it has, the test of time, unimpeached, unimpeachable; let the suitor have at least one resort where he may look with confidence for justice, equity and impartiality with promptness, in the discharge of the duties of the office. The merit of the proposed system is that it is simple, comprehensive, easily understood—laying down the great land marks of justice and equity, and leaving to future legislatures to amend and correct any defects or omissions.

With regard to expense, it is less than either the present system, that of the report of the majority of the committee on the Judiciary, or of minority report.

The Judges and Chancellors will have abundance of duties to perform, without being overburdened, so as to neglect any portion of them. The amount now paid to the Judges of the Orphans' Courts in the several counties and city of Baltimore, as estimated by the Judiciary Committee, will more than pay the salaries of the Chancellor, including the duties of the Orphans' Court.

The expense of the eight judges for the inferior judicial districts is less by \$800 annually, than is now paid to the Associate Judges of the city courts.

The expense of the Judges of the Court of Appeal, would be less by \$3,200 annually, than under the present system.

The issues would be less by several thousand dollars annually, than the plan proposed by the Judiciary Committee. So that in point of economy, it recommends itself to the consideration of the Convention.

Mr. JENIFER said he was free to say that, although economy in all departments of the Government should be looked to with a scruti- nizing eye, he did not consider the most economical Judiciary system the best. A sound Judiciary system should be adopted, cost what it might—the life, liberty and property of all classes of citizens may depend upon a due administration of justice, and your courts of law and equity should be filled with able, experienced and honest men. To obtain such, adequate salaries should be given—and when he reflected that the Court of Appeals was the Court of dernier resort, to which decision all must yield, Mr. J. said he thought the salaries proposed too low at best.

As regards the judiciary for the city of Baltimore, Mr. J. said he had left it as reported by the Committee on the Judiciary, the more especially as there was a learned gentleman from that city on that committee, and he felt disposed to vote for such modifications, if any were required, as might be approved by the representatives from Baltimore.

With this explanation of his views upon the amendment or substitute, Mr. J. said he should leave it, dependent upon the report now under consideration, whether, and at what time, he should offer it as a substitute. He asked that it should be printed.

Mr. Jenifer gave notice that at the proper time he should offer the following as a substitute to the report of the Committee on the Judiciary, which he desired should be entered upon the record:

#### JUDICIAL DEPARTMENT.

Section 1. There shall be a Court of Appeals, which shall have, use, and exercise all and every the powers, authorities, and jurisdiction of the existing Court of Appeals, and such additional power, authority, and jurisdiction as may be conferred by the constitution and laws made pursuant thereto, and its judgments shall be final and conclusive in all cases whatever.

Sec. 2. The Court of Appeals shall hold its sessions at the seat of government, at least twice in every year, and oftener if required. In every case decided, an opinion in writing shall be filed, and provisions shall be made by law for publishing reports of cases argued and determined in said court.

Sec. 3. The Court of Appeals shall consist of four judges, learned in the law, any three of whom shall constitute a quorum for the transaction of business.

Sec. 4. The State shall be divided into four districts, to be called Superior Judicial Districts, from one of each of which a judge shall be appointed. The districts to be composed in the following manner: The counties of St. Mary's, Charles, Prince George's Calvert, Anne Arundel, Montgomery, and Howard to be the 1st district. The counties of Harford, Baltimore, Carroll, Frederick, Washington, and Allegany, to be the 2d district. The city of Baltimore to be the 3d district. The counties of Worcester, Somerset, Dorchester, Talbot, Caroline, Queen Anne's, Kent, and Cecil to be the 4th district.

Sec. 5. No person who is not a citizen of the United States, or who shall not have attained the age of 30 years, or who has not been admitted to practice law in the State, or who shall not have been a citizen of the State at least five years, and at the time of his appointment, a resident of the superior judicial district for which he shall be appointed, at least two years immediately preceding his appointment, shall be eligible to the office of judge of the Court of Appeals of this State.

Sec. 6. The judges of the Court of Appeals shall be appointed by the Governor for the time being, with the advice and consent of the Senate, one of whom shall be designated as chief judge, the others as associates, whose term of service shall be for twelve years: Provided, however, that no judge shall remain in office after he has arrived at sixty-five years of age.

Sec. 7. The salary of each judge of the Court of Appeals shall be \$2,500 annually, which shall not be diminished during their continuance in office.

Sec. 8. The Court of Appeals shall appoint its own clerk, who shall hold his office for six