

he considered radically wrong, and a proper subject for serious consideration.

The PRESIDENT suggested to the gentleman from Charles, that his amendment would come in better as a separate proposition, as it did not relate to the section under consideration.

Mr. JENIFER said that he would withdraw his amendment for the present, and offer it at the proper time.

Mr. SPENCER. Although I am opposed to the section, and will vote against it, yet I desire to see it perfected, so that if the Convention adopts it, no inconvenience will grow out of it. It provides that the judges shall respectively hold a term of their courts at least twice in each year, or oftener, if required by law. Under this bill, no court could be held, unless the legislature should first provide for it by law. In order to obviate that difficulty, I suggest to the gentleman—from Somerset, to amend his proposition by inserting the words "or at such other times and places as may hereafter be prescribed by law."

Mr. CRISFIELD. I feel the force of the gentleman's suggestion, but have not the power of accepting the amendment, as the proposition is not now under my control.

Mr. SPENCER then moved his amendment; which, by general consent, was concurred in.

The question being on the amendment of Mr. Crisfield,

Mr. RIDGELY asked a division of the question.

Mr. SPENCER. It has been divided once.

Mr. RIDGELY. This is a distinct vote.

The PRESIDING OFFICER, (Mr. Tuck,) stated that the question was on the adoption of the section in its entire form.

Mr. RIDGELY. The condition in which I am placed, and those who vote with me, is this: we are in favor and approve of a part of the section; but the classification of the districts is so repugnant to us, that we do not like to vote for it as an entirety. For that purpose we would like to have a separate vote.

The PRESIDING OFFICER. The chair understands that the first portion of the amendment, including the arrangement of the districts, was voted upon yesterday, by a division of the question. It is not competent for the gentleman to call for a new vote, but he can move to strike out the classification as arranged in the section, and move to insert another, because otherwise it would be taking a vote twice on the same proposition.

Mr. RIDGELY. Then I will move to strike out the present classification, and insert the following:

Allegany and Washington counties the first; Frederick the second; Baltimore county the third; Harford and Cecil counties the fourth; Carroll and Howard the fifth; Anne Arundel and Montgomery the sixth; Prince George's and Calvert the seventh; St. Mary's and Charles the eighth; Kent, Queen Anne's and Caroline the ninth; Talbot and Dorchester the tenth; Somerset and Worcester the eleventh; and Baltimore city the twelfth.

Mr. CRISFIELD. I rise to a point of order. It

will be recollected that the first branch of the amendment has been voted on affirmatively by the Convention. It has been adopted and incorporated into the report. Now this is a motion to strike out what this body has, by a positive and affirmative vote, adopted. The President of the Convention this morning ruled a similar proposition out of order. This motion, therefore, is not in order.

Mr. BOWIE. I understand that the section is now upon its final passage, as amended in a variety of ways. The final vote, however, has not been taken upon it, and it seems to me to be entirely in order, until that vote has been taken, for any amendment to be made, not precisely the same as an amendment heretofore voted down.

The PRESIDING OFFICER. The chair has no difficulty in deciding the motion to be out of order. When any proposition has been inserted, it cannot be stricken out, and the only way in which the gentleman can effect his object, will be to make a motion to reconsider the vote of yesterday, adopting the first branch of the section.

Mr. RIDGELY. Then I will make a motion to reconsider for the purpose of saying a few words. The statistics upon which the gentleman from Somerset county (Mr. Crisfield) relied this morning, in answer to the argument of my colleague, it appears to me if this Convention will look into the real state of the facts, cannot be relied upon. Now, he drew an analogy between the condition of Queen Anne's county and Baltimore county, to show that there being two hundred cases upon the docket in Queen Anne's county, and no more upon the docket of Baltimore county, the fair presumption was that if the court of Queen Anne's could transact its business in one week or ten days, he believed that the condition of things between the two were comparatively alike, so much so that Baltimore county would be in a condition to be united with Cecil and Harford counties as a judicial district, and to transact its ordinary business in the same length of time. I have one fact to bring to the knowledge of this Convention against the entire theory of the gentleman from Somerset. It is a broad fact, within the knowledge of every member from Baltimore county, that our courts in Baltimore county have extended up to six or seven weeks, and sometimes to two months. During the last two years they have averaged from six to seven weeks. It appears to me that the best guide to understand the amount of business a court has to perform is the length of time which it occupies that court to perform its duties, there being no charge of any dereliction of duty on the part of the judges. The statistics of the gentleman show that it occupies the court of Queen Anne's an average of thirty days in the year to get through the entire docket, while it is a fact that in our county it occupies nearly four months to discharge the duties of the county court. I ask this body to look to these facts in opposition to the entire theory which the statistics of the gen-