

use of this Convention, their respective accounts; provided the whole amount shall not exceed one hundred dollars.

Mr. C. said it would be recollected that when this question was moved, there was a limitation placed on the amount to be charged, of \$50. He understood it would be \$10 more; and he would state frankly that, besides those amounts, a small remuneration was due the gentleman who had kindly volunteered his services, and had made no charge for them. He made this proposition entirely without the gentleman's knowledge, and he hoped the Convention would give their assent to it. The second order was:

2. Ordered, also, That the secretary distribute to each member of the Convention, three copies of said map, and one to each officer of the House, and deposit the remaining copies in the library.

Which was twice read and adopted.

Mr. Howard, chairman of the Committee on Militia, said: Before the regular business is taken up. I ask leave of the Convention to submit the following

REPORT:

Sec. It shall be the duty of the Legislature to pass laws for the enrollment of the militia, to provide for redistricting the State into divisions, brigades, &c., to pass laws for the effectual encouragement of volunteer corps, either by the payment of an annual sum not exceeding one dollar to every member of a company regularly mustered and reported to the adjutant general, or by some other mode which may induce the formation and continuance of at least one volunteer company in every county, and division in the city of Baltimore.

Which was read.

The PRESIDENT announced that the Doorkeeper had returned, having notified the absent members to return.

REPORT OF THE COMMITTEE ON THE JUDICIARY.

The convention then resumed the consideration of the order of the day, being the report submitted by Mr. Bowie, as chairman of the Committee on the Judiciary.

The question pending before the Convention being on the substitute offered by Mr. Bowie, for the amendment offered by Mr. Jenifer, and the substitute as offered by Mr. Michael Newcomer,

Mr. BOWIE observed that he had very little to say in favor of the amendment which he had proposed; but, in looking over all the judicial circuits, as they had been established by a vote of the Convention, he found that Kent, Queen Anne's, Talbot and Caroline counties formed one circuit, and that Calvert, Anne Arundel, Montgomery and Howard another; Baltimore county, and Harford and Cecil another, and St. Mary's, Charles and Prince George's another. Now, he thought it was utterly impossible for one judge, in those circuits, to attend to the chancery and common law business. The great complaint of the present circuit system, to which the attention of gentlemen had been called, was that the equity business was not attended to in the counties,

and there was an immense business of that description in nearly all the counties. He would state to the convention, that which his colleague would vouch for, that on the equity side of Prince George's county alone, there were, at this moment, nearly eight hundred cases on the docket, three-fourths of which were undisposed of. And he believed that his friend from Charles, (Mr. Brent,) would say that a large amount of equity business was done also in his county. In St. Mary's, he understood, there were three or four hundred suits. It was utterly impracticable to get the business done. It was so now, and must continue to be so in large circuits. For the Eastern Shore there was a district of four counties. He did not know what might be the amount of chancery business done there; but he held it was impossible for the circuit judge to attend to the chancery business and the common law also. And so it was in Baltimore county, and Harford and Cecil counties. It was, therefore, the bounden duty of this Convention to devise some mode by which the chancery business should be transacted—one of the most important branches of the law. He thought it could be done, by establishing an Orphans' Court in each county, and enlarging its power, by giving it chancery jurisdiction. But the objection was, that it required a legal mind to preside over it. He, however, did not conceive that to be an objection. On the contrary, it was a beautiful feature in the system, that under this mixed system of Equity and Orphans' Court jurisdiction, you may establish a system by which you might insure the services of the best legal learning in the State, and the salary he proposed by his amendment was not a very large one. And when the scheme came to be analyzed, it would be found that it would not cost the people, in any one county, more than two or three hundred dollars a year, over and above the costs of the present Orphans' Courts. In his county, it would be a saving of about one hundred dollars per annum. He had heard it said that measures of this sort had been gotten up to make places for members of the bar. Now, he would say that a man who would get up here and make such an assertion, offered a direct insult to the feelings and pride of every honorable gentleman on that floor. Was there, he would ask, a member here so base as to be influenced by such a motive as that—to create offices, in order that he or his relations might hold them? He had heard that such intimations had been thrown out—that such opinions had been entertained and expressed. He, however, had not heard them. He did not believe it, and he regarded it as a base slander, come from where it might. It was the bounden duty of the Convention to adopt such a judicial system as would work off the vast amount of business which was now hanging on the dockets of the several courts throughout the State.

He spoke from experience, when he said it was utterly impossible, unless the common law and chancery jurisdictions were separated, to dispose of the business. The two must be separated, or otherwise business would go on accumulating year after year. We knew that