Affirmative—Messrs. Morgan, Hopewell, Lee, Donaldson, Brent, of Charles, Bell, Chandler, Ridgely, Lloyd, Dickinson, Colston, James U. Dennis, Crisfield, Williams, Chambers, of Cecil, Miller, McLane, Spencer, George, Wright, Thomas, Shriver, Gaither, Biser, Annan, Stephenson, McHenry, Magraw, Nelson, Thawley, Schley, Fiery, Neill, Harbine, Michael Newcomer, Kilgour, Brewer, Anderson, Weber, Holliday, Slicer, Fitzpatrick, Smith, Cockey and Brown—45.

Negative—Messrs. Chapman, Pres't, Blakistone, Dent, Chambers, of Kent, Dorsey, Wells, Randall, Sellman, Weems, Bond, Howard, Buchanan, Dashiell, Hicks, Goldsborough, Eccleston, Phelps, Sprigg, McCubbin, Bowling, Dirickson, McMaster, Fooks, Jacobs, Gwinn, Stewart, of Baltimore city, Brent, of Baltimore city, Sherwood, of Baltimore city, Ware, John Newcomer, Davis and Shower—32.

So the amendment, as amended, was adopted.

Mr. THOMAS moved to reconsider the vote of the Convention on the amendment offered by Mr. Dorsey this morning to amend the amendment offered by Mr. Stewart, of Baltimore city, to the 12th section, by striking out all after the word "shall," and inserting in lieu thereof these words:

"Be allowed his costs or adjudged to pay costs at the discretion of the court."

The motion to reconsider was agreed to.

Mr. THOMAS. So long as the Presiding Officer permits members to offer amendments merely for the purpose of speaking; it is impossible for any one to understand the course of business. We cannot know what amendments are moved in good faith, and what to hang a speech upon. There is an abuse existing in the county courts, under an act of Assembly, where the language used is similar to that here employed. It has been decided by Frederick county court, that if a suit for damages in certain cases is brought in that court, and the party plaintiff claims in his declaration more than one hundred dollars in order to bring the case before that court, although the verdict shall be but ten dollars, the plaintiff recovers the verdict and all his costs. Cases are sometimes brought in that court for the purpose of bringing heavy costs upon the defendant. He had himself defended a party who had cut down a tree worth fifty cents, when the damage was claimed over one hundred dollars; the verdict was for less than three dollars; the costs exceeded three hundred dollars. In such a case, if the court had discretionary power, they would not have allowed costs. That is what I desire in this case—to give the descretion to the court.

Mr. BRENT, of Baltimore, moved to postpone. The object of his colleague was to compel suitors to bring their suits in that jurisdiction where they really and properly belonged, and not to allow them to create a jurisdiction for themselves by arbitrarily placing the claim higher than the jurisdiction of the inferior court. The mode of fixing the jurisdiction was the amount of claim. The Supreme Court of the United States had settled this construction, under similar acts of Congress, looking at the declaration to see whether a case should properly come before that court. The object of the amendment was not to turn the man out of court when he had recovered less than the claim, but to prevent the entering of suits in the wrong court.

Mr. DORSEY said that he differed very much from the gentleman from Baltimore, (Mr. Brent.) A man believing himself entitled to five hundred dollars could sue in the superior court. If the court should determine that he was entitled to less, he would suffer a wrong in losing his costs unless the amendment were adopted. Again, if a defendant holds the plaintiff's note for two hundred dollars, and the plaintiff holds the defendant's for six hundred, suit must be instituted in the superior court, when the note being brought in as a set off, would reduce the amount below five hundred dollars and the plaintiff would lose his costs. If he should sue in the inferior court, the set off could not be presented, and the case would be ruled out. In either case, therefore, he must lose his costs and be subject to unavoidable inconvenience and expense. The only way to avoid doing injustice in such cases would be to adopt the amendment now under consideration.

The amendment was agreed to.

The question then recurred on the adoption of the 12th section, as amended.

Mr. BRENT, of Baltimore city, demanded the yeas and nays, which were ordered, and being taken, resulted—ayes 62, noes 18—as follows:

Affirmative—Messrs. Chapman, Pres't, Morgan, Hopewell, Donaldson, Dorsey, Bond, Brent of Charles, Merrick, Howard, Buchanan, Bell, Chandler, Ridgely, Lloyd, Dickinson, Colston, James U. Dennis, Crisfield, Hicks, Hodson, Goldsborough, Eccleston, Phelps, Chambers of Cecil, Miller, McLane, Sprigg, McCubbin, Bowling, Spencer, George, Wright, Dirickson, McMaster, Hearn, Thomas, Shriver, Gaither, Biser, Annan, Stephenson, McHenry, Magraw, Nelson, Thawley, Schley, Fiery, Neill, John Newcomer, Harbine, Michael Newcomer, Kilgour, Brewer, Waters, Anderson, Weber, Holliday, Slicer, Fitzpatrick, Smith, Cockey and Brown—62.

Negative—Messrs. Blakistone, Dent, Lee, Chambers of Kent, Wells, Randall, Weems, Dashiell, Williams, Fooks, Jacobs, Gwinn, Stewart, of Balt. city, Brent of Balt. city, Sherwood of Balt city, Ware, Davis and Parke—18.

So the 12th section, as amended, was adopted.

Mr. MORGAN moved to strike out all of the 13th section after the 5th line.

The amendment was agreed to.

The 14th section was read as follows:

Sec. 14. The Court of Common Pleas shall have jurisdiction in all appeals from magistrates' decisions in the said city, and the said appeals shall be made to the said court. And the Chancery Court shall have jurisdiction in all applications for the benefit of the insolvent laws of this State, and of the administration of the estates of insolvent debtors, and the supervision and control of the trustees thereof.