

their several districts, and the chief justice on general ticket.

Mr. BERRY, of Prince George's. That is not so stated in the amendment.

The PRESIDENT. If the gentleman from Baltimore proposes to alter the mode of election, the convention having decided to elect all of the judges by the qualified voters of the whole State, it will be proper to reconsider that vote.

Mr. THOMAS. I will withdraw my amendment then.

Mr. BERRY, of Prince George's. I move to reconsider the vote by which it was determined that the judges should be elected by the people. I shall go for an appointive system. I certainly voted for the elective system.

The PRESIDENT. The gentleman can move to reconsider any part of this section, which is now pending.

Mr. BERRY, of Prince George's. Then I move to reconsider the vote that these judges should be elected by the qualified voters of the whole State.

Mr. DANIEL. The gentleman voted against that.

The PRESIDENT. The gentleman must have voted in the affirmative on the particular amendment he moves to reconsider.

Mr. DENT. He did vote in the affirmative on striking out "appointed" and inserting "elected."

Mr. BERRY, of Prince George's. I move to reconsider that vote.

The motion was duly seconded.

Mr. HEBB. If that is carried the gentleman will not effect his object; for the convention have decided in another section that judges shall be elected by general ticket.

Mr. BERRY, of Prince George's. I intend to follow up this motion.

Mr. STIRLING moved a call of the convention; the motion being sustained.

The roll was called, and the following members responded:

Messrs. Goldsborough, President; Abbott, Annan, Audoun, Berry, of Prince George's, Billingsley, Blackiston, Briscoe, Brown, Carter, Chambers, Cunningham, Cushing, Daniel, Dellinger, Dent, Ecker, Farrow, Gale, Galloway, Hatch, Hebb, Hodson, Hoffman, Hollyday, Hopkins, Hopper, Horsey, Johnson, Jones, of Cecil, Keefer, Kennard, Larsh, Lee, Mayhugh, McComas, Mitchell, Miller, Morgan, Mullikin, Murray, Negley, Nyman, Parker, Parran, Pugh, Purnell, Ridgely, Robinette, Russell, Schley, Smith, of Carroll, Smith, of Worcester, Sneary, Stirling, Stockbridge, Swope, Sykes, Thomas, Thruston, Valliant, Wickard, Wooden—63.

On motion of Mr. GALLOWAY,

Further proceedings under the call were dispensed with.

The question then recurring upon the mo-

tion of Mr. BERRY, of Prince George's, to reconsider.

Mr. BERRY, of Prince George's demanded the yeas and nays, and they were ordered.

The question being taken, the result was—yeas 23, nays 43—as follows:

Yeas—Messrs. Belt, Berry, of Prince George's, Billingsley, Blackiston, Bond, Briscoe, Brown, Chambers Daniel, Dent, Edelen, Gale, Hodson, Hollyday, Horsey, Johnson, Lee, Mitchell, Miller, Morgan, Parran, Pugh, Turner—23.

Nays—Messrs. Goldsborough, President; Abbott, Annan, Audoun, Carter, Cunningham, Cushing, Dellinger, Davall, Ecker, Farrow, Galloway, Hatch, Hebb, Hopkins, Hopper, Jones, of Cecil, Keefer, Kennard, Larsh, Mayhugh, McComas, Mullikin, Murray, Negley, Nyman, Parker, Purnell, Ridgely, Robinette, Russell, Schley, Smith, of Carroll, Smith, of Worcester, Sneary, Stirling, Swope, Sykes, Thomas, Thruston, Valliant, Wickard, Wooden—48.

When their names were called,

Mr. ABBOTT said: I was the mover, I believe, of the amendment to strike out "appointed," and insert "elected." I did it from principle; from the principle that our government consists of three separate and distinct branches, legislative, executive and judicial; and feeling that it was of the utmost importance to keep these as separate and distinct as possible from each other, I made that motion and voted for it; and I shall now vote against the reconsideration—"no."

Mr. AUDOUN said: I am here representing a portion of the people of Baltimore, instructed by them to vote for an elective system. As my course in life has been to obey the will of my constituents, I vote "no."

Mr. BILLINGSLEY said: I am here from St. Mary's, without any instructions. I was opposed to the appointment by the governor; but I am much more opposed to the general ticket system for the judiciary; and believing it a greater evil than the executive appointment, I shall vote to reconsider. I vote "aye."

Mr. DENT said: I voted for the motion to strike out "appointed" and insert "elected," when the motion was made, under the impression that the convention would allow each district to elect the judge which it was decided should come from that district. It was afterwards, however, so amended that the judges of all the districts were to be elected by general ticket throughout the State.—Preferring that there should be an appointment by the governor, rather than a general election by general ticket, I now vote for the reconsideration in order to substitute appointment in place of election by the people; "aye."

Mr. EDELEN said: The reasons stated by the gentleman from St. Mary's (Mr. Dent) are precisely those that govern me in voting "aye."