

The report was then ordered to be engrossed for a third reading.

BIENNIAL SESSIONS.

Mr. MILLER. I ask for information whether the legislative article as a whole is before the house?

The PRESIDENT. No, sir; it is divided into three reports.

Mr. MILLER. Is any part of it before the house?

The PRESIDENT. The report of the committee on usury is still unacted upon.

Mr. MILLER. If that report is before the house, or if it is in order, I should like the sense of the house to be taken, in order to put myself right upon the record, upon the proposition for which I voted at the time for the purpose of moving a reconsideration; the question whether the sessions of the legislature shall be annual or biennial. I hope, having voted for it, for the purpose of reconsideration, that there will be no objection to a vote of the convention upon it.

The PRESIDENT. The gentleman can offer an order to go upon the journal.

JUDICIARY REPORT.

On motion of Mr. PUGH,

The rules were suspended in order to place the judiciary report upon its third reading.

The title having been read,

Mr. CUSHING moved that so much be considered the third reading of the report.

Mr. STOCKBRIDGE. I hope that motion will not prevail. This report is a long one. It is known to all sides of the house that this is not at all the system which was reported, but was made up, on successive days, from an endless amount of amendments, more amendments than improvements I fear. That however is with the convention, and I do not impeach their judgment in the matter. But these amendments have been put together, and I greatly fear there may be incongruities in the report. I think that in order that it be perfected as a system, it is essential that we shall go over it, reading it in detail. I certainly do not propose to offer any amendment to it in substance; only what may seem absolutely necessary to harmonize one section with another, if any amendment should be found necessary. I think it is important that for that purpose it should be read over.

Mr. MILLER. I would be in favor of that, but that the committee of revision will have that very thing under their charge; and they have power to make a report making such alterations and doing all together in any way they please. I think if this long report is read over here in convention, there will not be more than two or three that will pay much attention to it.

The motion was rejected.

The secretary proceeded to read the report section by section.

The 8th section having been read as follows:

"Sec. 8. The general assembly shall provide for the trial of causes in case of the disqualification of all the judges of the circuit, to hear and determine the same, but in case of such disqualification, the parties thereto may, by consent, appoint a person to try the same; and the parties to any cause may submit the same to the court for determination without the aid of a jury."

Mr. STOCKBRIDGE (by unanimous consent) submitted the following amendment;

Strike out the words "all the judges of the circuit" and insert "the judge of the circuit, or of the superior court, court of common pleas, circuit court or criminal court in Baltimore city."

The amendment was agreed to.

The 16th section having been read as follows:

"Sec. 16. The salary of the justices of the court of appeals shall be \$3,000 per annum, payable quarterly."

Mr. MILLER said: There is a slight verbal inaccuracy in this section, and I ask the unanimous consent of the convention to move to strike out the word "three" and insert the word "five." [Laughter.]

Objection was offered.

Mr. STOCKBRIDGE. In this same section, in which the gentleman discovers that inaccuracy, the judges of the court of appeals are called justices, while in other places they are called judges.

Mr. CHAMBERS. It is an error in section 15. It was intended that the designation should be justices of the court of appeals; and I move that it be corrected.

There being no objection, the word "justices" was substituted for "judges" in sections 12, 13, 15 and 17.

Mr. STOCKBRIDGE. In the 18th line of section 12, is the expression "the first Monday of November." The law of congress reads, "the first Monday in the month of November."

There being no objection the amendment was made; and a similar amendment in section 22.

The 25th section having been read as follows:

"Sec. 25. In case of the death, resignation, removal or other disqualification of a judge by the courts of this State, the governor, by and with the advice and consent of the senate, shall thereupon appoint a person duly qualified, to fill said office until the next general election for members to the general assembly thereafter, at which time an election shall be held as herein prescribed, for a judge, who shall hold said office for the term of fifteen years, and until the election and qualification of his successor."

Mr. STURGEON said: The judges of the court of appeals are elected for fifteen years. They