

having been read the third time, was passed by yeas and nays, as follows:

Yeas—Messrs. Goldsborough, President; Abbott, Annan, Audoun, Baker, Carter, Cunningham, Cushing, Daniel, Davis, of Washington, Dellinger, Earle, Ecker, Farrow, Galloway, Greene, Hatch, Hebb, Hoffman, Hopper, Jones, of Cecil, Keeler, Kennard, King, Larsh, McComas, Mullikin, Negley, Nyman, Parker, Pugh, Purnell, Ridgely, Russell, Schley, Schlosser, Scott, Sneary, Stirling, Stockbridge, Swope, Sykes, Thomas, Todd, Valliant, Wickard, Wooden—47.

Nays—Messrs. Belt, Brown, Chambers, Crawford, Dent, Hollyday, Horsey, Lee, Marbury, Mitchell, Miller, Parran—12.

When their names were called,

Mr. CHAMBERS said: So far as I am concerned, I have voted thus far against every bill; and I shall vote against this, not upon the ground of opposition to everything that is done here; but I cannot vote for a judicial system with a tenure for a term of years. My opinion is that it ought to be during good behaviour. Upon that ground I shall vote "no," although I am glad to see an approach towards the correct tenure in this report.

Mr. MILLER said: The subject of the judiciary has been one in which I have felt more interest than almost any other question before this convention. I voted against the call of the convention of 1850, and against the adoption of the present constitution of 1850, because it changed the judiciary system of the State from an appointive system with a life tenure to an elective system for a term of years. I have had all my life a great and strong feeling upon that subject, and I never will vote for an election, or a term of years. I vote "no."

Mr. STOCKBRIDGE said: I must be allowed, contrary to my usual custom, to say one word in explanation of my vote upon the question before the convention. It is very well known to members that this judiciary article, as now prepared, is a very different one from what I had hoped to see adopted by this convention. I think it defective and wrong in many respects. But the question is not what I would like to see it. If that were the question; if it were a question between adopting this and something better, I should most readily vote "no." But the question is between this and the existing article upon that subject. I consider the article as now completed a decided improvement upon the existing article in many features. I am not aware that it is worse in any respect. The features that are most objectionable to me are similar to those in the present constitution. On other points I consider it a decided advance; and I shall therefore vote for the article as it stands. I vote "yes."

Mr. VALLIANT said: My explanations have been frequent here; but I have not troubled the convention very much with speech making.

This system is not as I would have it. It does not meet with my entire approbation; but as has been remarked by the gentleman from Baltimore, I believe it is an improvement upon the old system. I prefer the life tenure; and I prefer the appointive system; but as this is a nearer approach to my views than the old system, I vote for it. I vote "aye."

Mr. BELT said: One single remark. Inasmuch as I misunderstood the effect of the proposition of my friend from Baltimore city (Mr. Stockbridge) at the time he offered it a little while ago, and did not say what I would like to have said then, I will do it now in explanation of my vote. There are many objections to the report on general principles, and one feature of it is so objectionable to my people and those of the surrounding counties that it is impossible for me to vote for the article with that provision in it. I refer to the provision in the nineteenth section which redistricts the lower counties. The proposition that we have made to the convention several times, and which I do not think and am sorry that it has never yet been understood, is to put Prince George's, Charles and St. Mary's into one circuit, as they are now, and Calvert, Anne Arundel and Montgomery into one, relieving them of Howard county which goes into another circuit.

The immediate effect of it is to save the expense of one judge, saving one circuit. There is not one feature of this constitution so productive of feelings of regret and sorrow in those counties, as this arrangement which has been made for them. We would ten-fold rather have the three counties in one circuit than any two of them. As represented upon this floor, I believe the arrangement is without a single voice in any of five of the counties. Five out of the six counties are earnestly in favor of the old system being re-established.

The PRESIDENT: The gentleman from Calvert (Mr. Parran) objected to the amendment.

Mr. BELT: I speak of the other five counties. The sixth, Calvert, which here opposes the re-establishment, is the smallest county of the whole six. As to the practical question, the reason for my vote, it is this. We made a proposition with almost the universal assent of the people of six counties, to be re-established in our old relations, and to save the State one judge and one circuit; and we are refused so reasonable a proposition as that. I am therefore compelled to vote "no."

The report on the judiciary department, as amended, was accordingly passed.

USURY.

Mr. STOCKBRIDGE: I now move to take up the usury report, our last report. I have no objection to taking a recess when that is taken up; but I want gentlemen to understand that it is to come up this evening.

The motion was agreed to.