

controversy, and wherein it differs from the printed section, is that part of it which continues the powers of the chancery court for five years.

At this time we are making an experiment as to the efficiency of a new chancery system which may be wholly inadequate. With twenty-one judges it has been found necessary to pass laws for the removal of equity causes from most of the county courts to the court of chancery. With eight judges, that necessity must be greatly increased. Shall we, while the people incur the expense, deny them the advantages of a chancery court?

The object of continuing this court until the end of the next session of the Legislature, after the expiration of the five years, is to allow ample time for the perfecting of any system which may be rendered necessary by its dissolution.

Mr. SPENCER moved to amend said substitute by adding at the end thereof, the following proviso: "Provided that no new business shall originate in the said court, nor shall any cause be removed to the same from any other court in this State, from and after the ratification of this constitution."

Mr. S. said: It will be observed that while the amendment of the gentleman from Anne Arundel (Mr. Randall) provides for a chancery court for five years, it makes no provision whatever to prevent the accumulation of business in that court. This would defeat our purpose in abolishing that court. There has been a great deal said about the inconvenience of sending the cases to their proper destination. There is no force in the objection—not the slightest. It is just as easy when you look at a bill to see where the defendants reside as it is in framing the bill. The bill must be originated in the county where the principal defendants reside; and the residence of the parties can be ascertained by looking at the bill. I hope they will be able to wind up their business in less than five years. I am perfectly willing, after this test vote shall have been taken, to go back to the original proposition of the gentleman from Baltimore, for that was the understanding when we took up this subject.

Mr. JOHN NEWCOMER, moved to amend the 25th section in the printed report, by striking out from the word "office" in the eighth line to the end of the section, and substituting in lieu of it the following:

"For two years, at the expiration of which time, any causes remaining unheard and undetermined, shall be taken to the county or city where the defendant, or if more than one, a plurality of the defendants may reside, where the judge of the county or city court shall have jurisdiction, hear and determine the same, and after the expiration of two years from the adoption of this constitution, the office of register in chancery shall be and is hereby abolished;"

Which was read.

Mr. MORGAN, moved that the Convention postpone the further consideration of the 25th section and amendments.

Determined in the affirmative.

Mr. MORGAN then moved that the Convention

resume the consideration of the 13th section of the report.

The question was then stated on the motion of Mr. Morgan, to amend the 13th section, by striking out all of said section down to the word "equity," inclusive in the fifth line thereof.

Mr. BRANT, of Baltimore city, moved that the question be taken by yeas and nays, which being ordered appeared as follows:

*Affirmative.*—Messrs. Chapman, Pres't, Morgan, Blakistone, Dent, Ricard, Lee, Chambers of Kent, Dorsey, Wells, Randall, Kent, Sellman, Dalrymple, Brent of Charles, Lloyd, Dickinson, Colston, John Dennis, Dashiell, Williams, Hicks, Hodson, Goldsborough, Eccleston, Miller, Bowling, Dirickson, McMaster, Hearn, Fooks, Jacobs, Johnson, Gaither, Biser, Annan, Sappington, Nelson, Schley, Fiery, John Newcomer, Harbine, Michael Newcomer, Davis, Kilgour, Waters, Anderson, Weber, Slicer, Smith, Shower and Cockey—51.

*Negative.*—Messrs. Donaldson, Bond, Howard, Welch, Crisfield, Chambers of Cecil, McLane, Spencer, George, McHenry, Carter, Thawley, Stewart of Caroline, Gwinn, Stewart of Baltimore city, Brent of Baltimore city, Sherwood of Baltimore city, Neill, Brewer, Holliday, Parke and Brown—22.

So the amendment was adopted.

Mr. WEEMS, when his name was called, upon the vote just taken, said that he had paired off with Mr. Shriver.

Mr. STEWART of Baltimore city gave notice that on to-morrow, he should move to reconsider the vote of the Convention just taken on this amendment.

Mr. MORGAN then moved that the Convention take up for consideration the 11th section of the report.

Determined in the affirmative.

Mr. CRISFIELD moved to strike out the 11th and 13th sections, and to insert the following:

"There shall be appointed, as hereinafter provided, four persons having the requisite qualifications, for the fifth judicial district, to be Judges thereof; who may sit jointly or separately as the exigencies of business may require; and the said judges shall be styled district judges, and shall hold a term of their court at least twice in each year, and oftener if required by law; and this said court shall be called the District Court for the city of Baltimore, and shall have, hold and exercise in the said district, all and every, the powers, authorities and jurisdictions, which Baltimore county court, sitting for said city, Baltimore city court, and the Chancellor of Maryland, as a judge in equity, now have, hold and exercise therein; and the said judges shall also be judges of the Orphans' court for Baltimore city, and have, hold and exercise, all and every, the powers, authorities and jurisdictions appertaining and belonging to the said Orphans' court within said city; and the number of judges authorized by this section may be increased by law, when such increase shall be required for the dispatch of business in the said district, and such additional judges shall have the same powers, authorities