

itself would not be defeated by the manner in which it was attempted to be done.

Mr. M. proceeded to show the impracticability of such a task being performed by the legislature. He compared the two propositions, (that adopted yesterday, and that offered by Mr. Dorsey today,) and concluded that the latter proposed to accomplish the object in the only facile mode in which it could be effected. In no other way could a digested system of the statutory laws ever be made. The work was to be prepared by men of eminent ability and skill; but before any binding force could be given to it, it must of necessity come before the Legislature, for re-enactment. If they did not re-enact it, the result would be that the work would still stand, for convenient reference, as an arrangement and digest of the laws of the State.

Mr. SPENCER offered the following as a substitute for the entire section:

"The style of all laws of this State shall be: "Be it enacted by the General Assembly of Maryland," and all laws shall be enacted by bill only, and no law enacted by the Legislature shall embrace more than one subject, and that shall be described on its title, and the Legislature shall at its next session after the adoption of this Constitution, or as soon thereafter as it can be done, at the expiration of every five years thereafter, contract with two learned jurists, distinguished for their industry and professional ability, to digest, abridge and condense and codify, the statute laws of this State, and with two other equally distinguished jurists, to simplify and abridge the rules and practice and pleadings, and proceedings of the courts of record of this State, abolishing all special pleading, subject to the approval of the Legislature."

The substitute having been read,

Mr. CONSTABLE suggested that the first part of the proposition had already been adopted. The latter part, (that which related to the codification,) was new, and for that he should vote.

Mr. PRESTMAN suggested that under instruction from the committee on the legislative department, he had made a report embracing the provisions of the amendment of the gentleman from Queen Anne, [Mr. Spencer.]

Mr. SPENCER said, he was aware that the chairman of the committee on the legislative department, had reported a section pretty similar to that offered by himself. The report of the gentleman was in the following words:

"That the Legislature, at its first session after the adoption of the Constitution, shall appoint one commissioner to revise, digest, and arrange the statute laws of the State, civil and criminal, and one commissioner to revise, simplify and abridge the rules and practice, pleadings, forms, and proceedings of the courts of record of this State."

Mr. S. disclaimed any intention to interfere with the duties or proceedings of the committee on the legislative department, but the proposition adopted yesterday, appeared to him to involve great and interminable difficulty; and he thought that if some proposition should be offered, embodying something of the report of the gentle-

man from Baltimore city, it might be the means of effecting a compromise. With that view he had offered the amendment. It embodied all the unobnoxious parts of the proposition adopted yesterday, and he believed it would disembarass the whole question. This matter of digesting the laws, was a most important and hazardous undertaking, and it would be dangerous, he thought, to trust it to legislative enactment. The learning and skill requisite for the task, could only be found in the legal profession, and his amendment proposed that mode of proceeding.

Mr. S. then briefly explained the latter portion of his amendment, in regard to the simplification and abridgment of the rules and practice of pleading, &c.

Mr. SCHLEY offered the follow amendment.

"The Legislature at its first session after the adoption of this Constitution, shall appoint one or more commissioners, learned in the law, whose duty it shall be to revise and codify the statutes of this State, and one or more commissioners, learned in the law, whose duty it shall be to revise, simplify and abridge the rules and practice, pleadings, forms and proceedings of the courts of record in this State, and report the same to the Legislature for adoption, and it shall be the duty of the Legislature at the expiration of every subsequent period of ten years after the adoption and promulgation of the code of laws, to have published and promulgated all the statute laws of this State then in force."

Which was read.

Mr. S. said, he had yesterday opposed the latter part of the section, because he thought that it would produce inextricable confusion in the legislation of the State—that it would impose on the Legislature a duty which no one could tell how long it would take to perform. If codifiers should be appointed by the Legislature, and one system of laws be arranged, if a code should be drawn up and formed into articles, the amendment adopted yesterday would carry out the design. After having once had the laws codified, the Legislature would become codifiers themselves, and by a republication of the laws every ten years, the public would know what the laws were. The result would be that the code of laws would be gradually reduced and simplified. He referred to the laws of Missouri, as a beautiful model of a system. He hoped that the friends of the measure would accept his amendment, and adopt it as a part of their own proposition.

Mr. STEWART, of Caroline, said it had been suggested to him yesterday to accept, as a modification of his own proposition, the amendment of the gentleman from Washington county, (Mr. Schley.) He (Mr. Stewart) had declined to accept it, because he thought it might as well be offered as an independent proposition. He was still of that opinion. He regarded it as but one system for the simplification of the laws. If it had not been for the lucid and eloquent defence which the gentleman from Frederick, (Mr. Thomas,) had this morning made of his (Mr. S.'s) proposition, he did not know but that he might have been scared off from his proposition.