

ing on the amendment of Mr. Brent to prohibit the Orphans' Courts from the power to order sales of real estate, which was not agreed to.

After some discussion, and the rejection of various amendments, the substitute of Mr. Merrick was adopted.

Section 39 was read, and, on motion of Mr. Merrick, was stricken out.

Section 40, now section 39, (relating to registers of wills,) was read.

Mr. Page offered a substitute giving the power of appointment of the register of wills in case of a vacancy, to the judges of the Orphans' Courts, instead of the judges of the Circuit Courts, which was adopted.

Sec. 3 was then returned to, the question being on the amendment of Mr. George, to hold the election for judges in the city of Baltimore on the second Wednesday in October, instead of in November at the time of the general elections.

Mr. Dobbin advocated the amendment as having the effect to prevent the bartering which frequently takes place between the friends of different candidates.

Mr. Tarr, of Caroline, thought it would be better not to fix so early a day until it had been decided when this constitution was to be submitted to the people. It would not do to provide for the election of these judges at a day anterior to the adoption of the constitution.

Mr. Gill agreed with the gentleman from Caroline, that it was best not to fix the time at present. He was, however, of the opinion that the election for judges should take place in November.

Mr. Barnes thought his worthy friend had fallen into an error. The Convention did not propose to fix a day in advance of the adoption of the constitution. He thought that the constitution could be submitted to the people by the 11th of September, and there would be an entire month between that and the second Wednesday in October.

Mr. Maulsby said it was impossible to submit the constitution by the time mentioned.