

REPORT.

The Select Committee on the part of the Senate of Maryland, to whom was referred the memorial of sundry citizens of Baltimore city, for the removal of Henry Stump, Judge of the Criminal Court of that city, having had the same under consideration, beg leave to submit the following Report:

It is provided in the 30th Article of the Declaration of Rights, that judges being essential to the impartial administration of justice, and a great security to the rights and liberties of the people, they should not be removed, except for misbehaviour on conviction in a Court of law, or by the Governor, upon the address of the General Assembly, with the concurrence of two-thirds of all the members of each House.

In the 9th section of the 4th Article of the Constitution, the Judges of the several Judicial Circuits are removable for misbehaviour in the same mode prescribed in the 30th Article of the Declaration of Rights, and in the 13th section of this Article the Judge of the Criminal Court for the city of Baltimore is placed in the same condition and made subject to the same provisions of the Constitution, in regard to his removal from office, as are the Judges of the Circuit Courts.

The Committee do not regard the present proceeding as a criminal proceeding, being fully satisfied that the framers of the Constitution intended the present proceeding as a summary mode of disposing of an officer who has been guilty of such misbehavior as would justify two-thirds of each House to interpose for the protection of the rights and liberties of the people. Being an additional remedy to the one provided for by conviction in a Court of law, they can see no reason why the Committee, as well as the two Houses, should be compelled to pursue all the formalities of a legal investigation, and why they should be precluded from acting upon the testimony herewith submitted, if, in their judgment, the impartial administration of justice, and the security of the rights and liberties of the people, require their interposition.

Your Committee are of opinion that the testimony is of such a character as will justify the removal of said Judge upon the concurrence in an address of each House of the General As-