

Original.
Calvert
Papers.

comissions; The two Gentlemen already remarked for their Weakness should they not continue there, there will then remain only one of the Judges of the Land office (who is not of the Council) & the other private Gentleman; the former of these from the office he holds I think may be depended upon & the other who having been many years a county Magistrate (& as I am informed) an old & steady friend to the Government, & besides, a Man of good understanding & entirely free, said from any Popular Taint, was worthily removed about three years ago from the county to the Provincial Bench, where it may be presumed it will be thought proper to continue him; And thus, there will be three wanting to make up the number 5. There may it is true, be some difficulty in filling these three seats as they ought to be, but it is far from being impossible; The first thought is to keep clear from persons, that are of Impenetrable Ignorance, & the silly affectation of popularity & unaccountable prejudice against his Lordships Rights, which have for some years past been too predominant there; And it is Evident that it is much easier to provide and secure three out of five, than five out of Nine
^{2^{ly}} a Sound Lawyer ought by all means to fill that chair
^{3^{ly}} To induce persons well qualified for such an important service as a Judge, who must have & be furnished Judically in the points of Law to sit in a Court of Judicature for Trying causes especially of real property; The temptation of acceptance is Rewards; not only the renown by just Decision but also by Reward in Money; The latter in Life is by all States allowed as a Noun Substantive & the Executive Means of Government & protection of a Civil State; Of this Latter Reward, Maryland by what I learn has been & is most absurd with regard of Proffit to the Judges of the Provin^l Court of Judicature the Supreme Court of Law concerning property the Decissions thereof; Yeilding hardly a recompence & therefore furnished with Judges Mean & of no acquired Abilities; the Direful Event of Ignorance or corrupt Judgement; As addition of recompence to gain Men of Stability, with submission is proposed, their succession from that Bench to the Council, it is regular from thence being to the Court of Appeals; And all Necessary Reward ought to be contrived & bestowed till their arrival there, & this to themselves, sons or Relations & this invioble ^{complied with,} would fill the Judgement seat at the Provin^l Courts with able & singular Just Men.

I have now done with the Important points of this long Epistle; and hope if this Plan or one something like this is laid down Inviolably adheard to & Speedily put in Excecution, the Government will not only be carried on with Ease & quiet