

liable. That they wanted an independent judiciary was not debatable; that the arbiter of their lives and fortunes was to be independent and above all personal considerations was, it seemed to him, not debatable. The constitution of 1776 provided that the judge should be independent, and to secure this independence provided that he should hold his office during good behavior. The constitutions of 1851 and 1864 enunciated the same principle, but took different measures to secure it. Why should this provision be changed? The judge should be removed as far as possible from all outside influence. The salary of the judge was put at a limit which would barely enable him to support his family, and he would come out of office deprived of his practice, and compelled to begin anew the work of his profession.

The judge who was to be elected for the short term would necessarily be an electioneering judge, and, as his term approached to an end, would seek to avail himself of influence to secure a re-election. This, to his view, would necessarily be the result. He hoped the Convention would return to the good old practice which had prevailed anterior to 1851. He believed the people of Maryland would receive such action of the Convention with gratitude. The gentleman from Harford also proposed to superannuate the judges, but he (Mr. D.) maintained that the ripe experience of a judge at the age of seventy would oftentimes be such that the State should not be debarred the privilege of retaining him in office. The committee had discussed this subject at great length, and had thought that the services of the judge should be retained so long as they were *valuable to the State*.

Mr. Brewer, of Baltimore city, moved that the Convention go into committee of the whole, and the motion being sustained, the Convention resolved itself into committee of the whole, (Mr. Dent, of St. Mary's, in the chair.)

The committee then took up the third section of the judiciary article and the amendments pending thereto were read, when

Mr. Carter moved that the committee rise and report progress, and ask to be discharged from the further consideration of the subject. He made this motion to test the sense of the Convention.