

gation to the State for the confidence which had trusted him in the various high and important trusts to which he had been called. No one knew so well as himself, how far it exceeded his claims, and none knew better that it was the result of kind and generous feelings by many personal friends whose partiality concealed his infirmities. For these repeated instances of confidence and respect, he could never cease to cherish the warmest return of gratitude and thankfulness.

But there is nothing in the value of a judgeship to make an intelligent man a fool, or an honest man a knave. This was no place for party. What is party—political party? The creature of a day. One man uppermost to-day, at the bottom to-morrow. Who could tell how long parties, as now arranged, were to continue? They were now in a crisis state, and as the gentleman from Cecil said the other day, promising an early re-organization. He thought there could be no greater misconception of duty than to suppose we are here to promote any political party. As to the influence of office, he was not quite sure, whether after a full and fair estimate, it would be found to operate more strongly on some half dozen who held the offices, and wished to retain them, or on five times that number who desired to put out the incumbents to put themselves in.

Mr. BRENT, of Baltimore city, stated that he was surprised at the gentleman from Kent (Mr. Chambers) speaking of some cause outside of this House if not in it, for his (Mr. B.'s) course.

Here Mr. CHAMBERS interposed, and disclaimed any such meaning, as his relations with Mr. BRENT had always been friendly—to which he (Mr. B.) assented.

Mr. B. said, he admitted that the gentleman from Kent had fully and honestly earned his salary since he had been upon the bench, but could this be said of all judges? He did not question their honesty, but had all judges in this State, been able to earn their salaries? He should think not. But the gentleman from Kent says he has neglected no duty by coming here, and the Courts were in progress now, the same as if this Convention were not sitting. Now, if I have it on respectable authority, that the Court of Appeals sitting over our heads, has been sometimes compelled to adjourn for want of a quorum, while we have been sitting here.

When he spoke of caucus, he had referred to one for party organization of the House. But the gentleman from Kent had come here on a party organization, and had voted in this Convention, side by side, with the party column to which he was attached. He might not suppose he was as much touched with party here as other men, but he was never found voting with the political party to which he (Mr. B.) belonged. What right has a judge, to know party in any shape, while he holds his commission? And what has a judge to do with party operations? If the gentleman from Kent went into a party caucus, he knows something of party, and is exposed to party taint. That gentleman had spoken of party tendencies here, and had lectured us for

those tendencies, and yet his course showed that he was not perhaps more free from those party influences than others. Mr. B. concurred, that party lines were out of place here, and he deplored this unhappy condition of affairs. When he spoke of judges being influenced by sordid motives, he meant no personal application to any gentleman, but he spoke rather of human nature as found in the aggregate, and which according to all experience is generally prone to selfish and personal considerations, and against which tendencies it should be the policy of the laws to guard.

Mr. B. admitted, that invited by the honest Democrats of Kent, he had gone over last summer and addressed the people of one election district near Cook's Old Fields, where Sir Peter Parker was killed. He (Mr. B.) had there harangued against the election of the gentleman from Kent, (Mr. Chambers,) who now says, that the people of Kent county had turned a deaf ear to my appeals. But I will ask that gentleman if he was not greatly disappointed when the returns from that election district came in, showing the loss of some fifty or sixty votes which the gentleman calculated on—a result which he (Mr. B.) did not claim as caused by his appeal or that of another gentleman who spoke, but rather by the good sense of the people.

It did not, however, look much like turning a deaf ear, when the gentleman (Mr. Chambers) with his commanding talents and high personal character, was only elected by some seven votes in a county which generally gives from one hundred and fifty to two hundred Whig majority. The gentleman from Kent has said that he is here and holds his seat by authority of the people and the Legislature. [Mr. Chambers explained and said "by authority of the Legislature if it had any authority."] And yet, said Mr. B., the gentleman early in the session emphatically denied that the Legislature had any authority to call a Convention, or that the people could ever give any validity to the new Constitution by adopting it at the ballot box in June next. According to the gentleman's notions the new Constitution would be a nullity until the existing State authorities should choose to acquiesce in the new Constitution.

If the new Constitution should disqualify judges sitting in future Conventions, it would certainly bind the Legislature not to pass any act to qualify them.

In pursuing the course he had done he was not actuated by hostility towards the judges, and he claimed no other judgment for his acts but that he had acted from a conscientious sense of duty—even against all the motives of human interest which would have restrained him in his course.

Mr. SPENCER here made a suggestion as to the propriety of passing this article by informally. It would more properly come up, when the judicial report was under consideration; and he had been given to understand that that report was ready.

Mr. BRENT thought the subject was in its proper place.