

substituting that reported by him. He took it for granted that the friends of the original proposition would perfect it, before the vote would be taken upon the substitute.

Mr. BOWIE said that this would bring the matter to a direct vote. The substitute of the gentleman from Somerset, provided that the judges should be appointed by the Governor and the Senate, and during good behaviour. Before the vote should be taken, he should wish to say something upon this whole question.

Mr. CRISFIELD said that there was a radical difference in the two reports, from beginning to end. He did not wish to embarrass the original bill, but simply to bring his substitute before the Convention for their consideration, and to be voted upon at a proper time. The original bill would first be considered and perfected of course.

The substitute moved by Mr. CRISFIELD, was read.

The first section of the report was then read as follows:

*Section 1.* The judicial power of this State shall be vested in a court of appeals, in county courts, in such courts for the city of Baltimore as may be hereinafter prescribed, and in justices of the peace.

Mr. BOWIE remarked that this would apply to any sort of arrangement of the system of jurisprudence, and suggested that it be adopted.

The section was then adopted.

On motion of Mr. BOWIE, the second section of the report was passed over informally.

On motion of Mr. CRISFIELD,

The 3rd and 4th sections of the report were passed over informally.

The 5th section of the report was then read, as follows:

*Sec. 5.* The State shall be divided into three judicial districts, one on the Eastern and two on the Western Shore, which said districts shall be laid off as the Gubernatorial districts are, and one person from among those learned in the law, having been admitted to practice the law in this State, and who shall have been a citizen of this State, at least five years, and above the age of thirty years at the time of his election, and a resident of the judicial district, shall be elected from each of said districts by a plurality vote of the legal and qualified voters therein, as a judge of the said court of appeals, who shall hold his office for the term of ten years from the time of his election, or until he shall have attained the age of seventy years, whichever may first happen, and be re-eligible thereto until he shall have attained the age of seventy years and not after, subject to removal for incompetency, wilful neglect of duty, misdemeanor in office and such other causes as may be prescribed by law, by presentment of a grand jury and conviction of a petit jury of the county in which he may reside, or by the Governor upon the address of the General Assembly, two-thirds of the members of each House concurring in such address; the salaries of the judges of the court of appeals shall be two thousand five hundred dollars annu-

ally, and shall not be diminished during their continuance in office.

Mr. CRISFIELD moved as a substitute for the 5th section, the 4th section of the report submitted by him on the 18th of March, which was read as follows:

"The judges of the court of appeals to be appointed in pursuance thereof, shall be citizens of the United States, and shall have resided in this State at least five years next before the time of their respective appointments, and shall continue to reside herein, while they act as judges; they shall be selected from among those who are most distinguished for integrity, wisdom and sound legal knowledge, and appointed by the Governor, by and with the advice and consent of the Senate, and shall hold their offices during good behavior, removable always for misbehavior on conviction in a court of law, or shall be removed by the Governor, upon the address of the General Assembly, provided that two-thirds of the members of each House concur in such address; and shall each, at stated times, receive for their services, a salary of twenty-two hundred dollars per annum, which shall not be diminished during the time of their continuance in office."

Mr. PHELPS moved to amend the 5th section of the report of the committee by striking out in the 5th line thereof these words, "a plurality vote of the legal and qualified voters therein," and in inserting in lieu thereof "joint ballot of the two Houses of the General Assembly of Maryland."

Mr. BOWIE. This is, in my judgment, so far as the mere private interests of the citizens of the State of Maryland are concerned, to say nothing about their political rights, the most important question that has been or that can be submitted to the consideration of this Convention. In my humble judgment, this is the very question which, above all others, has induced the people of certain portions of this State to consent to the calling of a Convention for purposes of reform. I can very well understand that in the larger and more populous portions of your State the people have desired a change in the Constitution, with a view of obtaining what they conceive to be a larger share of the political administration of the government and the enlargement of their political rights; and that this alone may have led some of them to desire a reform.

But in the section from which I come, and on the Eastern Shore of Maryland, and I may speak for the entire southern portion of the State, no such question, could have, for one moment, induced the people to have consented to a Convention to reform the Constitution, because they would have had sagacity and intelligence enough to know, that by a change in the formation of the basis of representation, they would necessarily lose a portion of their political power. Yet, looking to the fact as a fact, that in these very portions of the State, we found the people agitated upon questions of reform and change in the Constitution, we would be at a loss to conjecture the reasons why they should be influenced