

by considerations of that sort, unless we can trace it to some such sentiment, some such all-absorbing interest which the people of those sections of the State feel in some department of the government. Now, I am free to say, that in my portion of the State, and I have no doubt that in this respect the feeling was equally common to those of our brethren who live in larger and more populous portions of the State. I am free to say, that we alone, were actuated by the sole, and exclusive desire, so far as my judgment will allow me to form an opinion, to obtain reform, more particularly, in this great branch of our government—the judicial department of the State. I never would have consented, nor do I believe the people of Prince George's would have consented, nor do I believe the people of the Eastern Shore would have consented—aye, or the people of any portion of the State who looked alone to other questions, than those of mere political power, would ever have consented to a Convention to reform the Constitution, but in the hope of having some wholesome, necessary, radical change in the judicial department of the government, which would bring home to their consideration, not as mere politicians, but as citizens, a just appreciation of that relief in which their property, their lives, and their dearest interests in society were at stake.

Considerations of this sort, I have no doubt, upon the part of a very large portion of the people of the State, more prominently than any thing else, led to the call of a Convention to change their Constitution. I say then, that is the most absorbing question of all that could be submitted to the consideration of this Convention. I am here today to discuss it. On this question I have formed opinions widely at variance with some of my friends, in whose opinions I have great confidence, and I must say that I shall go on, straightforward, in the line I have marked out for myself, not looking to the right or to the left, with a single eye to the preservation of those great political rights which belong to the people, and the maintenance of principles which I regard as intimately associated with their happiness and well being, however deeply I regret the difference of opinion between us.

I am met, in the outset, by these two amendments, which propose to leave in the hands of the Governor and the Senate in the one case, and in the other, in the hands of the Legislature of the State, the appointment of the judges. The report which has been laid upon your table from the committee on the judiciary, proposes to give the election of judges to the people. And here, perhaps, it may be well enough for me to say, that in reference to this question, as to the propriety of electing judges by the people, there was but little difference in the committee on the judiciary. The committee is composed of thirteen, and out of this number not over three or four dissented from the report. Now, sir, this question of electing judges by the people seems to have taken some gentlemen by surprise. I recollect the time very well when it was considered a radical proposition. I recollect the time very

well when, perhaps, you could not find one man in twenty who thought that the judges should be elected by the people. But I have lived to see the day when I can find not over one in twenty who is opposed to it. If there is any subject at all upon which, more than any other, the popular mind has undergone a change, in my judgment, it is this in regard to the election of judges by the people.

Since I have been in this Convention, I have seen at least fifty men who acknowledged that at one time, they thought judges ought not to be elected by the people, yet who have thoroughly changed their views and opinions, and who now come out in favor of the broad doctrine of the right of the people to have the selection of their judicial officers. I mention this merely to show that there is and must be a gradual change going on in the popular mind.

But I want no further evidence of the opinions of the great majority of the people of the State with reference to this question than the organization of this very Convention itself. I venture to say, that whenever the vote may be taken upon the broad question—whether the people shall elect their judicial officers or not, you will find that more than two-thirds are in favor of it; who came here in favor of it, directly from their constituents; who took the ground before their constituents, that they were in favor of electing the judiciary by the people, and whose opinions and sentiments have thus been endorsed by the very act of sending them here.

I have had several times to encounter the argument, in private conversation, “we have no evidence before us, that the people of the State are in favor of electing the judges by the people, because no petitions have been sent to us; no evidence of popular will demonstrated here in the form of petitions.”

Why, sir, if we are to look at that we will find but one subject upon which the people have petitioned this Convention. In reference to all great measures of reform, radical, entire, and thorough changes in every branch and department of your government, you will find that there is but one single isolated question upon which the people have thought proper to petition this Convention, and that is, in reference to the sale of ardent spirits.

Mr. BUCHANAN. The gentleman is mistaken. I had the honor to present a petition in reference to the abuses of the banking system.

Mr. BOWIE. I beg the gentleman's pardon. It escaped my notice, or perhaps I was not here when it was presented. I will not say that the question in regard to the general spread of temperance is not an important one, for I regard it as one of the utmost importance to the people of the State; but I leave that to the moral associations of the country; I leave that to other force of public sentiment and to influences to be worked out, beyond the limits of this body, rather than to the action of a Convention assembled to frame fundamental law.

I mention this to show that if there should be any gentlemen upon this floor who should think that the mere fact of our having received no pe-