By the bill, it was provided that there should be one judge of the county, or of the district courts. With that branch of the bill, so far as one judge was concerned, I shall act in unity with its friends, because the public mind required, and all reason directed that there should be but one judge of the county court. But, in providing for the court of appeals, it should be so constructed that when a decision was announced it should carry weight and force with it. If the court of appeals consisted of but three judges, and there was an appeal from a judgment below, and if it should so happen that one of the judges of the court of appeals should agree with the court below, it would in fact be the opinion of two judges against two. And thus, upon a question of law affecting the property, the liberty, or the life of a citizen, there would be two judges against two judges, and that too, when the judge below might be as strong and have a reputation as commanding, and as much entitled to respect as the judge above. I trust, sir, we shall adopt a system which will secure judges below, as distinguished and learned in the law as judges in the court above. If such should be the case, then it might occur, that the ablest judge on the bench might concur with the judge below, and in such an event, what confidence would there be in decisions so made and judgments so overruled. If you have four judges above, it will require three to overrule the decision of the court below. For these reasons I prefer that the court of appeals should consist of four judges. The main branch of my amendment is this: that the judge of the court shall be appointed by the Governor, by and with the consent of the Senate. On this subject I do not intend to engage in any declamation. It was not a subject for declamation—it was a sober, sound, and serious subject, which must appeal to the wisdom and good sense of every member of this body. I know that in enforcing the doctrine I am about to advocate, that I shall take ground against the opinions of a large number of the people of this State, with whom it had always been my pride and satisfaction to associate, and against individual members of the Convention, with whom it had always been my gratification when practicable, to coincide in sentiment. But, believing as I do, in my conscience and best judgment, that the court of appeals of Maryland would be best secured in its wisdom and virtue, by appointments made by the Governor, by and with the advice and consent of the Senate, with a limited tenure of office, I cannot vote for any other system. I will support what I believe to be right, and for the best interests of the people. Believing that, in pursuing this course, I am doing that which is best calculated to promote their best interests, I shall meet the consequences of this determination with firmness and without awe.

But I shall examine the last branch of the proposition first; that which relates to the tenure of office. Sir, a limited tenure is the main and chief security for an efficient and wise judiciary. It is vastly more important than the mode of appointment. If the life tenure of office were continued it would be immaterial to me whether the appointment was by the people, or otherwise—for, there would be as little security felt in the administration of justice, as there would, if the appointments were made by the Legislature, or in any other mode. It was the limitation of the tenure of office upon which the whole responsibility rested, which, whilst it did not take from the judiciary its independence, taught men to know and esteem themselves as men. It was the irresponsibility of the life tenure of office which made the judges forget their indviduality, and look at themselves as something more than judges. The learned gentleman from Kent, (Mr. Chambers,) had spent much time in refuting the doctrine that there should be a limitation of tenure of the office of the judges. The gentleman had argued the question with great and marked ability. It was not only distinguished for its ability, but for the eloquent and powerful manner in which it was presented to this body. Yet, when we come to analyse and to examine it, it will be found that it does not apply to the tenure of office, but to another branch of the subject. He had this morning, in order to establish his theory, referred to the opinions of the distinguished sages of the revolution, and those who have treated on American law for the purpose of showing that the principle of the independence of the judiciary, as recognized in England was engrafted upon the American soil, and the American Constitution. The gentleman should have reflected that at the time these doctrines were promulgated we were entering upon the field of an untried government. And, if ever there was a doctrine well and correctly laid down, it was when the gentleman from Prince George's, (Mr. Bowie,) drew the distinction between the responsibility of a judge here and in England. There, it was necessary, to secure the independence of the judges, by the life tenure, and by removing them from dependance on the crown, because the King never dies.

If there were any limitation in the term of office, then the same government that made the appointment, would, when the limitation expired, have the re-appointment, and having that re-appointment, it would forever be an engine of oppression and abuse in the hands of the government. But that was not the case here. Here the government rested upon the sovereign will of the people. Here one party was in the ascendant to-day and another to-morrow, and that judge, who held his office by a limited tenure, who should undertake to pander to the public appetite, would find that instead of enhancing himself in public estimation, he would deprive himself of all position and sink himself to all infamy and into oblivion. Yes! if a judge should undertake to make himself subservient to the party under whom he held his appointment, just as certain as that party fell, the moment his turn for re-appointment came, he would sink into obscurity. As sure as he had existence, he would be driven from the bench. His only security would be, in that he had pursued a consistent