

after that period. One day was sufficient preceding his election; and after that, he could remove into the county if he thought proper to do so. He knew that the Constitution required that he should be a resident of the district, but it did not require him to live there all the time. If a judge desired to be re-elected, all he had to do was to remove back into the city a few days before his first term of office ran out and he would be constitutionally re-eligible.

Mr. BRENT of Baltimore city, replied that the Constitution required that a judge should reside in the district at the time he was elected, and he (Mr. B.) conceived that it would be a fraud upon that instrument, for the judge to remove out of the district afterwards. According to the spirit of the article he was expected to reside in the district where he discharged his judicial functions. Now, was it reasonable to expect that a gentleman who had resided in the city for years, because elevated to the bench, should be compelled, on account of the smallness of his salary, to reside in the county, where he could live cheap? Was he to abandon his social ties and personal friends and acquaintances? It could not be expected. He would say that no man, having a large family to support, could live in a respectable manner in the city of Baltimore on \$2,500 a year. Our city and county judges, at present, receive, the Lord knew not how much. They had an indefinite rent roll. They received a tax on every writ that was issued, a per centage on all moneys paid into court, and they also received in other ways, fees and perquisites. He understood that in a report made by a committee of this Convention, it was stated, as a calculation, that each judge received no less a sum than \$3,000 per annum, in the shape of extras. Now, as we reduce the number of judges cannot we afford to be more liberal and pay the judges well. He would rather live—where he used to live—in Hagerstown, upon \$1,200 a year, than \$2,000 in Baltimore. Now, could they get a gentleman of great professional standing, who had a practice of seven or \$8,000, or even \$2,500 a year, to accept a judgeship on the bench of the Court of Appeals for a sum of \$3,600, much less \$2,500? No. Not unless he was a nabob, or a Croesus, or perhaps a man ready to go on it for any thing at all. It was for those reasons he had moved to strike out \$2,500 and insert \$3,000.

Mr. BUCHANAN observed that the gentleman from Baltimore city (Mr. Brent) seemed to think that a gentleman in the country could live on the air.

Mr. BRENT of Baltimore city, replied that he did not suppose that a gentleman in the country could live on the air, but he certainly could live at a much less expense than in the city.

Mr. BUCHANAN had some knowledge of the expense of living in Baltimore city. He was at more expense now, residing in the county, than he had ever been in his life when sojourning in the city. Now, if gentlemen residing in the city, supposed that a man of family and respectability could live so much cheaper in the country than in the city, he (Mr. B.) begged

leave to say that it was an entire mistake. You were compelled to keep more servants than in the city, besides carriage and horse, or horses, &c., all of which had to be added to the expense. Now, the Convention would perceive that his friend (Mr. Brent) did not put down these items of expenditure in the estimate he has given us. If gentlemen went into the country to reside, on the score of economy, they would find themselves mistaken. He (Mr. B.) could not tell how far the gentleman had been saved expense in the antecedent period of his life in the country. His (Mr. B's) experience was, that it was more expensive in the country than it was to live in the city. But he (Mr. B.) had risen for the purpose of saying that he did not concur with the gentleman in his legal construction of this article. It seemed to him that the gentleman who drew it was correct. The construction was, that the party should live in Baltimore at the time of the election. Now, if it was intended that he should reside in that district the whole term of his service, it would have been specified in the article itself.

Mr. BRENT. I only said it was the *spirit* of the article.

Mr. GRASON observed, that a salary of \$2,500 would not be sufficient to induce a competent lawyer to relinquish his practice for a seat on the bench. It had been found that the present salaries of the judges in that city were inadequate, and the deficiency had been supplied by allowing them fees and commissions. But the gentleman from Prince George's, (Mr. Bowie,) and others, had said that a judge could remove from the city as soon as he was elected and retire to some cheaper residence in the country. The Constitution required the judge to be a resident of the district in which he was elected, and the spirit of the provision required that he should continue a resident while in office. Besides, if a judge removed from the city of Baltimore, he would necessarily lose his residence, and become incapable of re-election. But the principal reason for allowing a higher salary to the judges in Baltimore is this,—that no prominent member of the bar in that city would be willing to accept the office of judge with a salary so much below the amount of his professional income.

Mr. CRISFIELD said that he was willing that liberal salaries should be given to the judges. As the length of their term was diminished, he would be disposed to give them an increased salary; and for this reason, that under the tenure of good behaviour, the judges did not expect to return, as they will do now, to the practice of their profession. Now it was proposed by this Convention to give the office for ten years, and every judge will expect, at the end of his term, to return to the bar. To procure, therefore, the talents, learning, and legal means necessary to discharge the high duties of a judge with advantage to the public, additional salaries must be given, or it cannot be expected that suitable men will leave profitable practice to go upon the bench. He would go for liberal salaries to the judges from the country districts, and espe-