serious attention. If this constitution was to go into operation prior to a session of the Legislature, there would be a necessity for preparation to meet that contingency. There were many details in relation to clerks, registers, and various other officers, which must be arranged. He must frankly say, it appeared to him most proper to have all these details in the form of legislative acts, and it was difficult to comprehend how all these details could be prepared here. Yet if gentlemen thought it best to anticipate the time at which the constitution should go into effect, and to assume upon ourselves legislative duties, it is proper we should understand the necessity for detail. He supposed the preparation of a schedule would in such case be the most proper mode.

If a session of the Legislature should intervene before the new constitution commenced, it would be quite sufficient to deal in general provisions and instructions, leaving to the Legislature to carry out in detail the general provisions, by means of such machinery as the occasion might require. On the contrary, if the constitution is to operate before the next session of the Legislature, the Convention must in that respect represent the Legislature, and provide all the necessary machinery. His object was to call the notice of the House to this subject, that they might act accordingly.

Mr. Bowie. The 26th section of the report provides for all those matters.

The question was then taken on the resolution, and it was adopted.

The question then recurred on the second branch of the amendment as offered by Mr. Crisfield.

Mr. Harbine moved to amend said second branch of the amendment, by striking out after the words "term of," the word "ten," and inserting in lieu thereof "eight."

Mr. Harbine observed that he had very little to say in support of the proposition he had submitted. He believed the doctrine of short terms as applicable to the judiciary as any other department of the government. If you had a good man and a short term, you could re-elect him; and he (Mr. H.) believed he would be re-elected. That was his confidence in the people of this State and country. If they had a man who had performed faithfully his duty, let him be in what department of government he might, he would be a very dangerous opponent to run against any other person. On the contrary, if you had a man who was not well qualified, then the term would be too long. Ten years would be too long if it was proved that he was not qualified, not capable, or that his moral principles were bad. Therefore, he (Mr. H.) thought it would be better to restrict him at once, and say that he shall serve eight years. There was nothing, it appeared to him, (Mr. H.,) could prove a stronger incentive for a man to do right, than to hold out to him the idea that in the course of a few years his conduct would be subjected to a rigid scrutiny. The sooner that came the better it would be, so that the acts of persons in office might be made known for the information and benefit of the public. If his conduct was bad, it would be condemned by the public, not only of his own State, but every other in the Union. In proposing to elect our judges there was nothing novel or extraordinary, for we had the authority of a great many States of the Union, who had successfully tried the experiment and engrafted the principle upon their constitutions. He had looked over the different constitutions and found that the term of office for the judges was shorter than the one he proposed. He had not named seven years, because he did not wish to put the people to the inconvenience and expense of holding an extra election. It was proposed by him that the election of judges should take place at the general election, which was biennially. This he had done, because it was, in his opinion, better to keep up that principle in the constitution than to hold a special election for the purpose in question. He had proposed eight years, and preferred a shorter period, but such did not seem to be the pleasure of the convention, as on yesterday the term of six years was voted down. We had precedents enough on the subject when we looked at what had been done by the various constitutional conventions which had been held of late years. For instance: We found that Michigan elected her circuit judges every four years; and in Wisconsin, he believed that the term of office was five years. The State of New York, which had very lately adopted a new constitution that met with the general approbation of the people, elected their judiciary by the people; the supreme court judges for a term of eight years, and the county court judges for four. Indiana, whose constitutional convention had adjourned within the last few months, having passed a new constitution, in which it was provided that the supreme court judges, and the judges of the court of common pleas should be elected for five years. And, under the newly adopted constitution of Kentucky, as we all know, the supreme court judges were elected for eight years, and the circuit and county court judges also for the same term. The State of Mississippi, likewise, elected her judiciary. She had had an elective judiciary ever since 1836. The judges of the high court of errors and appeals are elected for six years, and judges of the circuit court for four years. In Georgia, too, there was an elective judiciary, and the superior court judges held their offices for three years; and the inferior court judges for one year only. Thus, in every single one of the States in which there was an elective judiciary, we found them below the mark we had named as the proper term. Now, if we could base any action upon what other States had thought proper to do, even eight years was too long. But he desired to act according to the principle of biennial elections, and his own sense of propriety, not giving up his opinion on account of what other States had done. They might have gone too far; yet he would say that *the combined wisdom of the great men who had discussed the question in Ohio, Kentucky, New York, and Mississippi and other States, was worthy of grave consideration, and went far to settle the principle.* He hoped the convention would adopt the term of eight years.