

would save themselves the trouble and expense of appealing; and I have no doubt that the time and labor of the court of appeals would be saved in hundreds of cases by having three judges upon the bench instead of one.

With reference to the orphans' court system, which is necessarily connected with this question now before the convention, it is a matter of importance that there should be upon the bench of the orphans' court some judge who knows something of the law. It must of necessity be so, if we adopt the provision recommended by the committee, to give the orphans' court jurisdiction over the administration and distribution of real estate, concurrent with that of the court of equity.

The expense to the State may be a little more. I cannot state whether, if we adopt a system of having a judge for each county, it might not be so modified that where the counties are small, and their business would be less onerous than in the larger counties, there might be such a modification of the salaries in those cases as to save some expense to the State. Let the administration of justice, however, come home to the people of every county. Let every man have free and easy access to the judicial tribunal of the county. By the one-judge system, the judge living in one of two or three counties, that is an impossibility in the lower sections of the western shore, and in the lower sections of the eastern shore. In Allegany county, according to the gentleman's scheme, they will have a judge there; in Washington county they will have a judge there; in Frederick county they will have a judge there; but gentlemen from Calvert, Prince George's, or Anne Arundel, will have to go entirely out of their counties before they can reach their judge for the purpose of transacting important and pressing business.

Then in reference to the appeals from magistrates, important matters of litigation are constantly going on before the justices of the peace of the several counties; and if those appeals could be taken at once as they can be under a provision for having in each county a judge, and decided at once, a great deal of expense, a great deal of annoyance, and a great deal of difficulty would be saved to the citizens of the several counties in that particular.

From all these considerations, I trust that this mere matter of additional expense to the State will not be taken into consideration. I wish the convention to consider that we are now framing and organizing the most important branch of our State government, in comparison with which all other departments in my opinion, sink almost into insignificance. What does the governor of our State do, or the legislature even, in comparison with the administration of justice, in

contact with which the people daily and hourly come? The administration of the executive branch of our government is now but a mere nominal affair. Our legislature is to meet but once in two years, and then sit only for a short time. But the judges are constantly at their labor, administering the law, protecting the weak, redressing wrong, disposing of the estates and property of individuals. We are daily and hourly brought in contact with the judicial department of the government. Why should gentlemen stop, when we are organizing such a branch of the government as this, to weigh dollars and cents, in comparison with the great object to be attained, a judiciary which will administer equal and exact justice to all, placing upon the bench men of learning, of integrity, of high character, who will hold the scales of justice evenly between man and man, free from political bias, free from party prejudice?

There is no function that a man can perform on earth, it seems to me, equal to that of judge. A community can be cursed with no greater evil than having over it an unjust, a partial, or a corrupt judge. If gentlemen would reflect upon the great importance of this branch of our government, it seems to me that these considerations of expense would be lightly weighed. I believe the people of the State would willingly bear the expense for the purpose of obtaining a judiciary such as I have indicated.

The gentleman from Baltimore city who last spoke (Mr. Stirling) said that in the election of so many judges we were running the doctrine of election into the ground. I was opposed to the elective system altogether; but there is this about it. Elections will not be very frequent under this system, if we provide that the tenure of office shall be during good behavior or until a specified period of age. The independency and uprightness of judges will be secured I think vastly more by giving them an independent and long tenure of office than by the mode in which they may be selected. Elections will not occur frequently. It will only be in case of death or the resignation of one of the judges, which may not occur for twenty or thirty years. Taking any one of the counties, electing a man thirty years of age, or thirty-five years of age, a man at the bar and in good practice, a man of integrity, giving him a sufficient salary, so that his time may be devoted to the discharge of his official duties, electing him once for this long tenure of office, during good behavior, and elections will not occur frequently in that county for a judge; and the election of judges will not be brought into politics; which is the strongest argument that the gentleman from Baltimore city has urged against this section. I hope that the amendment of my friend from Prince George's (Mr. Clarke) will prevail.