

term of office, and therefore shall vote "aye" on this proposition. But if it is voted down I shall then submit an amendment to make the term six years; thinking the reason will apply with more force to six years than to ten years. If you elect a good judge you can re-elect him. If you elect a bad judge you can get rid of him. I vote "aye" on this proposition.

The question recurred upon the amendment of Mr. HEBB.

Mr. THRUSTON moved to amend the amendment by striking out "ten" and inserting "six."

Mr. STIRLING. I shall vote for that amendment. If it is rejected, then I shall move to insert "five" years. My opinion is that we should adopt the one extreme or the other.— If we are not to have a permanent tenure, then let us have a short one, so that we can put bad men out if they happen to get in.— We can induce a good man to take the office for six or five years, for if he should not be re-elected he can return to his practice. But ten years will be just enough to ruin his practice.

The question was upon the amendment of Mr. THRUSTON to the amendment of Mr. HEBB, to strike out "ten" and insert "six."

Upon this question Mr. CHAMBERS called for the yeas and nays, and they were ordered.

The question being then taken, by yeas and nays, it resulted—yeas 11, nays 53—as follows:

*Yeas*—Messrs. Annan, Carter, Cushing, Hodson, Keefer, Miller, Robinette, Stirling, Thruston, Turner, Wickard—11.

*Nays*—Messrs. Goldsborough, President; Abbot, Berry, of Prince George's, Billingsley, Blackiston, Bond, Briscoe, Brown, Chambers, Cunningham, Daniel, Dellinger, Dent, Duval, Edelen, Farrow, Gale, Galloway, Hatch, Hebb, Hoffman, Hollyday, Hopkins, Hopper, Horsey, Johnson, Jones, of Cecil, Kennard, Larsh, Lee, Mayhugh, McComas, Mitchell, Morgan, Mullikin, Murray, Negley, Nyman, Parker, Parran, Pugh, Purnell, Ridgely, Russell, Schley, Smith, of Carroll, Smith, of Worcester, Sneary, Stockbridge, Swope, Sykes, Thomas, Valliant, Wooden—53.

The amendment to the amendment was accordingly rejected.

Mr. PUGH, when his name was called, said: I act upon principle, and try to get what I think is about right. After failing in that I am perfectly willing to take the best I can get. In the first place I tried to get a long tenure. Since I cannot get that I shall certainly vote "no" on this proposition.

The question again recurred upon the amendment of Mr. HEBB.

Mr. NEGLEY moved to amend the amendment by striking out the words "ten years from the time of his election, or until he shall have attained the age of seventy years, whichever may first happen, and be re-eligible

thereto until he shall have attained the age of seventy years, and not after," and insert "fifteen years, and be ineligible for re-election."

Mr. BERRY, of Prince George's. There seems to be a diversity of opinion upon this subject. Every member of the convention seems to have his own peculiar ideas as to the proper tenure for the office of judge, how judges should be elected, and everything pertaining to that matter. I think we have voted upon a sufficient number of propositions now to indicate the sense of the convention upon those subjects. I therefore move that the whole report be referred back to the judiciary committee, with instructions to so amend the report as to meet the views of the convention, and to report by Tuesday next.

Mr. STIRLING. We spent two hours last night upon a similar proposition.

The PRESIDENT. The motion of the gentleman from Prince George's (Mr. Berry) cannot be entertained now without a suspension of the rules.

Mr. BERRY, of Prince George's. Then I move that the rules be suspended, in order to enable me to submit the motion to refer.

The question being taken, the motion to suspend the rules was not agreed to.

The question recurred upon the amendment of Mr. NEGLEY to the amendment of Mr. HEBB.

Mr. THRUSTON called for a division of the amendment to the amendment, which was ordered.

The first question was stated to be upon inserting the words "fifteen years," instead of "ten years."

Mr. PUGH. There seems to be a prevailing impression upon the minds of the majority of this convention, that we shall have an elective judiciary. To that I have no objection. But I think that the views of their constituents are not fully met by the adoption of that system by the convention. I do know that there are a great many people in the State of Maryland, and I know that all of the constituents whom I in part represent, with whom I have conversed, are in favor of the appointive system, for the reason that they think they can in that way better preserve the purity of the judiciary. It is with them, as it is with me, a very important matter to keep the judiciary as pure as possible. It is with them, as it is with me, a matter of conviction that one of the means by which the judiciary can be kept pure, is the extending their tenure, and removing them to that extent from the influences of political considerations.

Now I put the matter to gentlemen who have secured the elective system for their constituents, whether they cannot at least meet us half way upon this question, and extend the tenure of office to fifteen years. There can be no objection urged to that upon the ground that it is proper for the people to elect