

constitution which guaranties to a party a trial, where he has involved *property* to the amount of "five dollars," should authorize a judgment against him *without trial* where the effect of the judgment would be to deprive him of a future salary amounting in the aggregate to nearly *four thousand* dollars !

In my judgment, our State Constitution presents no such unjust and anomolous feature. By the 41st section of the 3d article, provision is made for those trials commonly known as "*impeachments.*" A majority of the House of Delegates must concur in an impeachment, and two thirds of the Senate must concur in a conviction. It seems to me that the provisions of the 30th Article of the Declaration of Rights and of the 9th section of the 4th Article of the Constitution, relating to the *removal of Judges* only, are intended as the *special mode of impeachment* applicable to those officers. As to other officers there may be a removal by a vote of a *majority* of the House and two thirds of the Senate, (sec. 41 of article 3.) But as to *Judges* it is declared, "That the INDEPENDENCY and uprightness of Judges are essential to the impartial administration of justice, and a great security to the rights and liberties of the people; WHEREFORE the Judges shall not be removed except * * upon the address of * TWO THIRDS of all the members of EACH House.

An attentive consideration of the language of the 30th Article of the Bill of Rights will shew, that it was the intention of the framers to secure the "INDEPENDENCY" of Judges, by making *their* removal from office *more* difficult than that of others. But, if the Judges are the only officers who can be removed by the *capricious* action of the General Assembly, *without a trial*, or even without evidence, then the plain intention of said 30th Article would be nullified; because the removal of Judges, instead of being the *most difficult*, would be the *most easy* of accomplishment.

The undersigned, for the reasons above stated, presents the Resolutions hereto annexed, as a substitute for the "address" suggested by the report of the majority of the Committee.

COLEMAN YELLOTT.

RESOLUTIONS.

Resolved, That the Senate, having received and considered the Reports made from its Select Committee, to whom was referred the Memorial for the removal of the Hon. Henry Stump, Judge of the Criminal Court of Baltimore city, hereby fixes Thursday, the 8th day of March, 1860, for the trial of the said Henry Stump, as Judge of the Criminal Court of