

Mr. MERRICK said he thought this was the place to discuss it.

Mr. RIDGELY said that when he had offered the amendment which had given rise to this debate, he intended it to have a general, not a special application. He supposed that it was conceded on all hands, that the judicial officers should be kept distinct from all other officers. He had not anticipated the opposition which had risen up to his proposition. It had been doubted by some, whether a judge ought to have a seat in this Convention. His object was to prevent a judge from holding any political trust or employment; that it may be distinctly understood hereafter, that no person sitting as a judge, should be a member of any political body. He thought his object could not be misunderstood.

Mr. CHAMBERS said he had no objection.

The question was then taken on the amendment of Mr. RIDGELY, and it was rejected.

The question then recurred on the amendment of Mr. BRENT, of Baltimore city.

Mr. McMASTER moved that the amendment be laid on the table.

The PRESIDENT said, that that motion, if it should be insisted on, and should prevail, would carry with it the whole report of the committee on the bill of rights.

Mr. McMASTER thereupon withdrew his motion.

Mr. BRENT asked the yeas and nays on his amendment.

Mr. SPENCER made a few observations to the effect, that he held the people to be supreme. If a majority of the Convention intend to say the people shall not change the Constitution, except in the mode here pointed out, then this amendment is proper to carry out that intention; but if the Convention should declare that the people have the right to change the Constitution at their will, and in their own way, that would settle the matter. He gave notice that he intended to move a reconsideration of the amendment of the gentleman from Anne Arundel, (Mr. Dorsey,) and he would do it. With such a modification, he would feel himself compelled to vote against the amendment of the gentleman from Baltimore, (Mr. Prestman.) But, he repeated, if the doctrine is to be established that the people are to be bound to act in the mode prescribed by this Constitution, then this proposition is right; if not, it ought to be rejected.

Mr. HICKS moved an amendment to the amendment, which was modified once or twice, and finally assumed the form hereafter given.

[The Reporter cannot make the proceedings on the amendment intelligible, as he has no means of tracing the proposition. It appears upon the journal only in the form which it finally assumed. The same difficulty exists in regard to the other propositions.]

The question then came back to the modified amendment of Mr. BRENT.

Mr. JENIFER suggested to Mr. BRENT, to include *all* offices, and expressed his surprise at the speech which the gentleman had made to-day—seeing that that gentleman had gone as far as the furthest in giving the election of judges, and all

other offices, to the people; and yet now the gentleman proposed to forbid the people exercising the very power which he was so anxious to give to them. It seemed like "keeping the word of promise to the ear, and breaking it to the hope."

Mr. BRENT replied to the suggestion, as to making the amendment general, that the article which he proposed to amend related to no other subject matter than that of judges.

Mr. JENIFER indicated his intention to go against the proposition.

Mr. THOMAS said, he took no pleasure in discussions of this character, and would not participate if he was at liberty to avoid voting. But, as he must vote, and intended to vote against the proposition of the gentleman from Baltimore city, he felt constrained to say a few words, that his reasons for that vote might not be misunderstood. By a silent vote against that amendment, he might leave room to have it supposed, that he did not feel the force of what had been said, as to the inconvenience parties to appeals, before the Supreme Court of the State, might experience by the absence of two of the judges of that Court, in attendance as members of this Convention. He would say that there was much force in what had been said on that subject. But in saying this, he desired to disclaim all wish to make the attendance here, of two gentlemen who were distinguished by a long career of useful public service, in any degree unpleasant. They were here in pursuance of the provisions of the law, under which this Convention had assembled. That law authorized the judges to take seats as members of this Convention. The law had been submitted to the people of the whole state for their sanction. A large majority of the people had accepted the law, and we were all here in obedience to its privileges and requirements. Indeed, but for the requirements of that law, Frederick county would never have consented to meet her sister counties in a Convention such as this, where the people are not fairly represented. The Legislature of the State had proposed to the people to meet in Convention, with representatives apportioned as they are under this law. The people had no alternatives, but submission to the Constitution as it is, or, to meet in Convention on the conditions that the Legislature had imposed. The majority made choice of the last alternative, and we were all here under the law, the judges being here with as much title as other members.

Now the gentleman from Baltimore proposes to insert in the Constitution we are to frame, a provision denying to Judges in this State hereafter, a right to take seats in any future Convention, that may be assembled to change or abolish this Constitution. For this, Mr. THOMAS said he could not vote. We had no power to come after us in this respect. Such an article in the Constitution could have no effect. The generations of men who are to succeed us as residents of this State, will have a right to meet in Convention, and disregard such a restriction. If we were to declare in this Constitution, that the people of Maryland should not, hereafter, meet in Convention to abolish or change that instrument, such a