

then the very first thing he would do would be to put his heel upon those whom he conceived to be his enemies, and to extend the fostering hand of patronage to his friends. The members of the bar who opposed him, would be marked; and those who favored him would be the objects of his adulation. Nor would this be all. As has been well said by the distinguished gentleman from Prince Georges, who reported this bill, if you restrict the tenure to ten years, and do not allow him to be re-eligible, finding that when he retires from the office of judge, his position in life as a lawyer is gone, that other aspiring and ambitious men have risen up and taken his position, and assumed the control of the cases of his clients, knowing at the end of the ten years he will have to look to another theatre of action, he would use the power of his office to court the popular favor, in order to be elected to the office of clerk, or register, or perhaps governor of the State, or member of Congress. This would be the necessary and inevitable consequence, if the judges are not re-eligible.

My friend has attempted to illustrate his position by reference to the office of Governor. That office, he says, is only occupied for a given length of time. Does not my friend see the marked difference between the office of Governor and the office of Judge? What is a Governor elected for? To represent the political branch of the government. What is the judge elected for? To administer the law to all portions of the community alike, without reference to party or politics. The Governor is elected wholly in reference to politics; and a field of politics is ever varying and changing. New interests are suddenly arising, new questions are suddenly presented. But the judge represents the stability of the law; the unyielding sternness and integrity of the law, and is elected to administer the law sternly and inflexibly.—Where is the analogy?

He has also illustrated it by reference to the office of sheriff. I ask my friend where is the analogy to be found. The sheriff is re-eligible, not at the end of his term, but after a given number of years. The sheriff is the officer who executes the process of the courts; that collects debts adjudged by the courts; and is required at the end of his term to render an account. He is only proscribed for three years, when he may be elected again. Is there not as much inducement for the sheriff to electioneer for an office which will be open to him again at the end of three years, as if he was immediately re-eligible? Where, then, is the force of the comparison which my friend attempted to draw?

Now let us take the other side, and suppose the judge to be made re-eligible. It has been argued that the effect of this system would be to make them politicians. We are now upon a field of experiment. We know that their holding office indefinitely, without reference to re-eligibility, does not secure them from being politicians. We know that our present judges are not re-eligible, and from the foundation of the government have not been re-eligible. I ask if it is not the experi-

ence of every man in this House, that in many instances those judges are politicians? I know that there are exceptions; but will any man deny that many of them are or have been politicians? Do they not take part in the elections? They do not go out and make political harangues; but do they not talk freely? Do they not embrace every opportunity of conversation upon the subject of politics; to express their views in regard to men and measures? Do they not take a deep interest in the elections, and watch their progress with anxiety? I do not say this out of the slightest personal disrespect to the judges. It is a feeling natural to man, and they would not be human if they did not share it. In a country like ours, which is at times convulsed almost by the great political excitement, when every man, woman and child enters into it, how can the judges escape from sharing the feelings belonging to human nature? I say, then, that the fact that they are not now re-eligible, does not prevent them from becoming politicians, either in feeling or in action.

We are now about to enter upon a new field of progressive intelligence. The judges are to be placed in another sphere. They are to be appointed to office with a limited tenure. Where is the man who can by any kind of foresight pretend to say that the party which has elected him in 1851 will be in the ascendant in 1861? No man breathing would venture to hazard all his future life to make a conjecture. The effect would naturally be this: The individual would reflect, I am now before the community as a judge. Upon what does my position depend? Upon the gratification of political feeling? In an interest in particular friends who have elevated me? No; those very friends may change their position. In the course of these ten years the whole aspect of parties will be changed; and, if I undertake to serve these particular men, I shall excite in the community a contempt and hostile feeling upon the part of all others. But if I demean myself in such a manner as to win the confidence of my fellow-men, showing myself faithful to my post, and qualified for the office, showing an integrity and stern adherence to duty, I shall command the veneration and affection of my fellow-men. Will any friend of the people say that the people will not discriminate in favor of that judge, and consider him entitled to their confidence? And in such a case, are not the people to have the opportunity of selecting the man who has manifested his integrity and won their respect and confidence? I repeat, that if the judges are not re-eligible, I would advocate their being elected for life. I know of nothing which, in my judgment, would pour upon the community in which we live such a Pandora box of evil, as this election of judges for a term of years, and at the end of that time, however faithful, throwing them upon the world to seek a living as they may.

Mr. JOHNSON. I rise simply to say that I gave a vote yesterday with a view to have the shortest term of limitation imposed upon the judges, and my motive in giving that vote was