

deliberative body to which they belong, should warn us in time to protect the new constitution from even the colouring of such influences.

If salutary measures of Reform should be defeated, such defeat will be laid to the door of an interested opposition. If Judiciary reform is denied to an excited people who demand it, the influences of Judges will be held in a great measure responsible for it. We all know what strong and opposing considerations are likely to distract our labors in this body. Let not personal or official influences conspire to swell the unhappy discord.

These considerations do not apply personally to those Judges who are claiming seats on this floor, but rather to a principle which, as it is common to all-men, is shared by every man in a greater or less degree.

Therefore, the undersigned concludes that no person while holding a Judicial commission, can or ought to qualify as a member of this Convention, whether we look to the Bill of Rights, the incompatibility of the two employments, or to the high considerations of public policy. Nor is there any want of jurisdiction in this Convention, to entertain and decide all questions affecting the competency of its members, because the jurisdiction to decide upon qualifications of its members is expressly granted by the 5th section of the act of Assembly, under which we meet, and independent of that act, the jurisdiction is inherent in every body constituted as this is.

There are other gentlemen claiming seats in this body, who hold offices of trust and profit under the State. Are they entitled to qualify as Delegates? The undersigned can find no part of the Bill of Rights or Constitution which prevents their acting as members of this body, unless the 3rd Article of the Bill of Rights should disqualify them, but that article only prohibits "any person from holding at the same time more than one office of trust or profit."

Does the undersigned does not regard the office of delegate in this Convention as an office of profit? The fact does not seem to be in dispute, but the question of trust, and hence of incompatibility, is the subject of the present case. It is evident that a person who holds a number of offices of trust or profit is not disqualified from holding any one of them, unless the constitutional provision would be applied to each of such offices.

The undersigned therefore explains to you the article which prohibits a person from holding more than one office of trust or profit, and shows that it does not apply to a person who holds several offices of trust or profit.

Does the undersigned regard the disability as the same as that which is mentioned in the Legislative form being proposed? No, as all applications under its terms are made to the same body, bearing on the same subject with the new and amended articles, it will clearly appear, that a member of the