

ill-organized Judiciary system as ours, and in all of which, the laws are still faithfully executed without complaint from the public as to their delay, and an absence of all protest by the judges in commission, against the imposition of duties too onerous to be easily performed. Indeed, there is not a State in the whole Union, notwithstanding the population of several of them is quadruple that of ours, where the number of the law Judges, and the amount of their salaries are not less than those of Maryland. New York Pennsylvania, Virginia and Ohio having three of them, a population four times greater, and one of them a population more than three times greater than ours, pay respectively a less sum in the annual salaries of their Judges than that with our Treasury is charged. The same States have each a superficies over which their laws are extended, more than four times as great as that of Maryland, and nevertheless have in commission a less number of Judges. In the payment of unnecessary salaries to Judges, since our system was framed, more than five hundred thousand dollars have been wasted. With these illustrations before us, of the effects before, of the effects to be expected from a re-organization of the system, so as to diminish sensibly its cost, we ought not to pause in the discharge of a high public duty, from any apprehensions as to the effect of such proceeding on the interests and well being of society.

Besides these objections to the system, another will be found in the fact, that no effectual means are provided in the Constitution to get rid of Judges once commissioned, as promptly as the public interest may sometimes demand. The tenure during good behaviour is found in practice to be tantamount to a term for life. A Judiciary, independent of all the evil passions that may influence, at intervals, the mass of community, is desirable. But it does appear, that a tenure for life will in itself, exempt the occupant of a seat on the bench from the feeling in a greater or less degree, a sympathy in the passions, that sometimes sway to and fro our popular assemblies. Observation compels us all to concur in such a conclusion. A tenure for life is, is and ought to be, a popular doctrine in Great Britain. Such a tenure there, may afford a safeguard to the people against the influence of the Crown. The commissions of the Judges being granted by the King, a periodical re-appointment would give to the sovereign a most dangerous power, in the opportunity to dismiss all who were not willing to prostitute their offices to subserve his purposes, however tyrannical and unwarrantable. Here we have no permanent or hereditary executive to dread. All our public functionaries, but the Judges, return at stated periods, to their separate stations in private life, to give place to successors qualified to rule by having been taught to obey. It is believed, that there can be found neither in our experience, where the life tenure of Judges prevails, nor in the experience of several of the States of the Union, where all such distrusts of intelligence and integrity have disappeared, any good reason for adherence to a doctrine becoming daily more and more obsolete. There was a time when improvements in government were hard to make. Those who were interested in existing abuses, could arrest innovations and changes by magnifying and misrepresenting the effects of a proposed reform. - But it is time that such artifices should lose all influence on our deliberations. In the hope that full justice will be done to all the deep interest involved, the whole subject without further remark is submitted to the Senate and House, who are empowered to make such alterations in the fundamental law of the State, as may be required.