

cles, and elect their own judges from their own knowledge, you will always find that they get good judges.

Mr. SPENCER. In reference to New York, I know the press is licentious in a great many things—the papers condemn the election of judges by the people. A man was lately indicted then charged with being a swindler. The announcement of his acquittal has gone forth to the world. The papers, which usually speak the sentiments of the people, are proclaiming that he is a great scoundrel, and state that if a man only has money, he can buy his way through any court. I do not believe it; but when a sentiment of that kind is uttered by the public press in reference to the judiciary, ought we not to stop and reflect upon this subject?

These, Mr. President, are my views on this great and deeply interesting question, and the opinions of my constituents, with a few exceptions, when I was elected to this Convention—I shall by my votes carry them out as far as practicable. But should it be the determination of a majority of this body to elect the judges by the people, be assured that in all the sincerity of my heart, that I will endeavor to make the scheme as perfect as possible, and will support and sustain it with all my heart, here and at home.

Mr. CRISFIELD moved to amend the fifth section of the report of the committee by striking out the words, "for the term of ten years," and inserting in lieu thereof the words, "during good behavior."

Mr. CRISFIELD said:

The vote upon my amendment brings the Convention to decide the question, unconnected with other questions, between a term of ten years and a tenure of good behavior. It is not mixed up with any question as to how the Judge is to be appointed. I shall not occupy the time of this body with any remarks in favor of this proposition.

The able argument advanced by the gentleman from Kent, (Mr. Chambers,) is sufficient to convince me, if I had entertained any doubts upon the subject, and I feel that I could add nothing to its weight, or any thing which could give it additional force. And allow me to add, I have heard no suggestions from any quarter which weakens the force of that argument or my convictions. I ask the yeas and nays on my amendment.

Mr. WARE rose for a similar purpose.

A motion was made that the Convention adjourn.

which was not agreed to.

On motion of Mr. WARE.

The Convention was called.

On motion of Mr. SHRIVER,

All further proceedings under the call were dispensed with.

The yeas and nays were then ordered on the adoption of the amendment offered by Mr. CRISFIELD,

And being taken,

Resulted as follows:

*Affirmative*—Messrs Chapman, President, Morgan, Ricaud, Lee, Chambers of Kent, Mitchell, Donaldson, Dorsey, Wells, Randall, Kent, Weems, Dairymple, Crisfield, Dashiell, Hicks, Goldsborough, Tuck, Sprigg, Bowling, Grason, Fooks, Jacobs and Davis—23.

*Negative*—Messrs. Seliman, Howard, Buchanan, Bell, Welch, Ridgely, Lloyd, Sherwood of Talbot, Colston, Eccleston, Phelps, Miller, Bowie, Spencer, George, Wright, Dirickson, McMaster, Hearn, Thomas, Shriver, Johnson, Gaither, Biser, Annan, Sappington, McHenry, Nelson, Stewart of Caroline, Hardcastle, Gwinn, Stewart of Baltimore city, Brent of Baltimore city, Sherwood of Baltimore city, Ware, Schley, Fiery, Neill, Harbine, Kilgour, Brewer, Anderson, Weber, Hollyday, Slicer, Fitzpatrick, Smith, Parke, and Shower—49.

So the amendment was rejected.

Mr. DONALDSON then moved to amend said 5th section, by striking out all after the word "and" to the word "who," and inserting in lieu thereof the following:

"For each of said districts one judge of the Court of Appeals, shall be appointed in the following manner:—Three persons of integrity and sound legal knowledge, being above the age of thirty years and residents of the district, shall be selected by joint ballot of the legislature, and their names shall be presented to the Governor, who shall thereupon commission one of said persons to be a judge of the said Court of Appeals."

On motion,

The Convention then adjourned.

#### DEFERRED DEBATES.

*Remarks of Mr. W. COST JOHNSON, Friday, March 28, on the question of Representation.*

Mr. W. COST JOHNSON said, he was free to confess he had never hoped that the views which he entertained would be successful and triumphant in this Convention, for the very basis upon which the law apportioned representation here, gave to the small counties a preponderance of power on every vote to be taken. The small counties could form just such a project of a Constitution as they pleased, and hence he felt but little inclination to engage in any of the discussions but had contented himself chiefly with silent voting.

It had been stated that those who advocated popular representation, and a division of all the counties and the city of Baltimore, into separate election districts, which districts should elect but one member, each, to the House of Delegates, was starting a new and strange doctrine. It was to correct this error that he had been induced to take the floor for a few moments.

These principles are sustained as I will show not only by argument, but by what might be far more convincing authority; the past history and early laws of Maryland—and it can be shown that all departures from those principles