

Appeals, he repeated—and upon that turned the whole question—let gentlemen show him the political questions which that tribunal is to decide. He had lived long enough in Maryland to believe and know—he said it with the most sincere personal respect for the Judges of Maryland—that the organization of a court with but one class of politicians on the bench, had a tendency to foster and encourage practicing lawyers with reference altogether to their legal knowledge. It favored the practice of a particular class of men belonging to a particular party.

Now, as he had seen the force of that state of things under our old judiciary system, as he believed that a political court had a tendency to foster a certain class of lawyers, and to give them the lead, he would assist to organize courts on such a basis. We ought all to know that clients over-estimate the advantage of having counsel who coincide in politics with the presiding judges, and will place their business into the hands of the party favorites of a court. And, when about to form a Constitution, our Superior Court, especially, ought to be so organized as to establish for one party an abuse of which many members of another party had experienced the advantages. He (Mr. Thomas) thought he could stand between the two parties on this question as an umpire.

His political career was over. Tired and care-worn, with long continued contest in the public arena, he repeated, he long for the pleasures of retirement. He was to hold none of the stations to be created under this new Constitution.

He had no personal aspirations to bias his judgment, and would not advocate a mode of electing Judges of the Courts of Appeals that would give, probably, exclusive control of that branch of our Government to one political party. He would not, if he could, inflict upon others one of the evils he, (Mr. Thomas,) had contended against all his political life. These opinions he had long entertained, and must act in accordance with them. He would make, if he could, all the walks of professional and political life equally accessible to the meritorious. He would not arrange for favors to be shown to those who came after him in any political or professional career they desired to run.

The broad aspect of this question was plain; there ought to be no politics in it. He was not so sure that if the election were by general ticket, the people of Maryland would not elect four Whigs. The inclination of his mind was in the direction of that as a possible event. But whether so or not, he was not disposed to make a political question of the election of Judges. But he would not have a Judge disfranchise himself, or deny himself the privilege of political party association. We were apt to judge men by the promptings of our own bosoms. He (Mr. T.) was disposed to believe that he was responsible yet for a strong political feeling, and he did not feel conscious that it would disqualify him to sit on the judgment seat. Even if

our Judges were politicians, they would proceed as lawyers and not as politicians, when presiding in our courts, if they were not elected as party men. And, whether or not, he desired to see the elections held by the district system, and not by general ticket. The people may know nothing of a candidate for the Presidency, and yet know how to select one who represented their political principles. The politician represented a principle, but the Judge represented nothing but his own professional and private life.

These were the reasons that would influence him to vote for the district system. He would take the occasion to say that he could not, under any combination of circumstances, vote for the bill as it came from the Judiciary committee. He had followed his leader—the chairman of the Judiciary committee—with the utmost cheerfulness, as it regarded many of the provisions of his report; but he could not consent to vote for one judge in every county of Maryland. He thought if the Convention was to sanction the election of one judge in every county, it would make the adoption of the constitution extremely doubtful.

He could not vote for such a measure, because he thought it would be creating supernumerary officers. And he said that out of respect to that constituency he represented. For, if there was one feature more obnoxious than another to his constituents, it was that Frederick, Allegany, and Washington counties had not had as many judges as they required, while other sections of the State had had an unnecessary number.

In this connection, he would say, he could not, in any event, vote for that part of the report from the committee on the Judiciary that proposed to abolish the revenue of the Orphans' Courts of the counties; for he believed those courts to be well qualified for the duties assigned to them, and they were very popular. He would so far change their organization as to authorize the people to elect them. He did not see that business enough would devolve upon any one judge of a county in Maryland to give him employment. He was familiar with the business before the county court of Frederick county, and felt very certain that a judge could not find constant employment in its transactions. He knew that one judge could try, without much effort, every case in Frederick and Washington counties. He was sure that one judge could preside there and transact all the business as well at law as in equity. If we give one judge to each county, he would be idle; and instead of improving, as all intellectual men should do, by constant employment—instead of progressing in improvements, he would get rusty. If you made one individual a judge, in the prime of manhood, for some of the smallest counties, he would, in all probability, rot to sleep like the weed on Lethe's shore. But he would prefer very much—it being the wish of his constituents, and he might speak generally of the counties of the West—that they should have one judge on the benches of our county court—and he believed that if the State was divided into seven or eight circuits for such