

fate, was the strong effort to provide for an appointed judiciary. Mr. Stockbridge was the leading advocate of this plan, and the Judiciary Committee, of which he was the chairman, reported a system in conformity with these ideas.¹⁹⁰ He was supported in this move by the more progressive members of both sides, but the test vote, which was taken on the question after very little debate, showed a vote of 51 to 19 in favor of an elective system,¹⁹¹ as had been provided in the Constitution of 1850-1. The old arguments of right of choice of the people, and too much power given to the Governor if he was allowed to appoint the judiciary, proved too strong for Mr. Stockbridge and his supporters.¹⁹²

There had been some complaint in the state that the courts did not sufficiently expedite business,¹⁹³ and in order to relieve this and provide for speedy justice in all cases, the numbers of courts and Judges were generally increased, and their jurisdiction was more clearly defined. A decided improvement was introduced by raising the salaries of Judges, though not to the extent that the committee report had provided. The term of office was increased from ten to fifteen years. Numerous minor changes were introduced, but they are largely of legal or professional interest, and hence out of the province of this work.¹⁹⁴ It should be mentioned however, that provision was made for all the Judges then in office to serve out the terms for which they had been elected under the old Constitution.

The minor legal offices showed some change, as the Justices of the Peace were now appointed by the Governor, and the Constables by the County Commissioners and by the Mayor and City Council of Baltimore. These officers were formerly elected by the people. Also, the cumbersome system of electing two Sheriffs, one of whom

¹⁹⁰ Proc., 415-23. ¹⁹¹ Proc., 514-5. ¹⁹² Deb., iii, 1385-93.

¹⁹³ See Frederick "Examiner," July 6, 1864.

¹⁹⁴ See Article iv of the Constitution as adopted.