

settle on some fixed periods for revising the constitution, and inquiring whether any organic changes were indispensable.

Among other violent proceedings, I found that the late convention had cashiered all the judges of the Supreme Court, although they had been appointed for life, or "*quamdiù se benè gesserint*," and with very high salaries. They were to have no retiring pensions, and this I remarked was an iniquity, as some of them had doubtless given up a lucrative practice on the faith of enjoying a seat on the bench for life. Some lawyers agreed that the measure was indefensible, and said they presumed that, in the end, the democratic party would elect all the judges annually, by universal suffrage. I met, however, with optimists who were ready to defend every act of the convention. Several of the judges, they said, were superannuated, and it would have been invidious to single them out, and force them to resign. It was better to dismiss the whole. "As for retiring pensions, we hold, with your Jeremy Bentham, that no man can acquire a vested right in a public injury. Men are apt, when they have retained possession of an office for a great part of their lives, to think they own it." "But what is to become of the judges," said I, "who are thus cast off without pensions?" "Old Judge A——," he replied, "owns a plantation, and will go and farm it. Judge B—— will probably get a professor's chair in the new Law University;" and so he went on, providing for all of them. "In future," he continued, "our judges are to be appointed by the Governor and Senate, with good salaries, for eight years; those first named being for two, four, six, and eight years, so that they may go out in rotation; but members of the Legislature can not be raised to the bench, as in Great Britain." I objected, that such a system might render a judge who desired to be re-elected subservient to the party in power, or at least open to such an imputation. "No doubt," he rejoined; "as in the case of your judges, who may be promoted to higher posts on the bench. As to the corrupting influence of their dependence on a legislature chosen by a widely-extended suffrage, many of your mayors and aldermen are elected for short terms, and exercise judicial functions in England."