

honors, lifted to its highest place, the scorn of the bar must be intolerable. Its members were once more united than they are now. By want of association they have lost power and influence. But as it is, no one who has ever been of it can stand up against its contempt. The desire to retain its esteem is no mean support to the judge. The most of its members are brave and manly, far above mean sycophancy to the dispenser of patronage, and though patient and forbearing, slow to action and willing to forgive, they are ready and able, when the crisis comes, to speak with an emphasis which cannot be treated lightly. If an erring judge is capable of disregarding such a rebuke; if neither the training to which he has submitted, the pride of his science, or the respect of his brethren, can influence him for good, he is vile indeed; a fitting tool for the enemies of all law and decency.

To secure the safety of the judiciary, therefore, the candidate for the bench must be imbued with the learning of the bar, with its spirit of fraternity and subordination, with its legends and instincts, its confidence in its own organization, the desire which each member has for the respect of all the rest; and such a candidate is to be found only among those who lead in learning and integrity.

Heretofore the judges have, by a sort of common consent, been chosen from among practising lawyers. It might have been otherwise, however. Even in those localities in which it is required that candidates for the bench shall be taken from the bar, it would be easy for designing politicians to evade the rule. Our communities are full of men who have been admitted to practice, but who have been driven from it, or drawn away by other pursuits, and have lost all professional tone and all professional acquirement. From among these, candidates might be sought by those who desire a corrupt and subservient judiciary, and we should lose all those grounds of reliance which have just been enumerated.

But from a singular deference to the common sense of the community it has been generally conceded, if not by expression, by action, that this office is to be treated differently

from others. In the midst of the most exciting political struggles, in which, for all other purposes, the lowest agencies have been at work, the bench has been rescued from contamination by being left in the hands, mainly, of the bar. The politician has drawn off, in a measure, from this field, and surrendered it to the profession most directly concerned and interested; and it is to the credit of that profession that in exercising this duty, it has been lifted in the main, far above the considerations that involve themselves with all other portions of the political struggle.

However we may turn, then, with disgust from other fields of political contest, let us not surrender our rights here. Our interest and our duty unite to require vigilance in these elections. With the bench as degraded as the legislature, what are the privileges and honors of the bar worth? When the day shall come in which the client in selecting his lawyer shall do so because he is the son of a judge, or helped a judge into office, or is his friend, favorite, or tool; when learning shall be as nothing before unscrupulous influence; when the highest skill shall be shown in picking the judge for the case, and moulding him by adroit manipulation; when learning shall go down before trick and cunning, and honor and integrity shall be at a discount; when the judge shall drink with the politician, and spend his nights with the gambler and debauchee; when libraries shall become useless, and our three years' training a waste of time; when roughs shall take out licenses to practise, and jostle and threaten us with impunity in the very halls of justice, who that has any pride or decency will practise himself or rear his child to the bar? All these things may be near if we shrink from the struggle, or forget, among the cares and emoluments of practice, the dangers to which we are exposed.

But there is another motive which should operate with each one of us. For ages this profession of ours has been sacredly guarded and preserved. Through all perils it has been borne along bravely, firmly, successfully. High maxims have sustained its character and its privileges. Instances of dishonor have been so few as to serve only as a wholesome contrast. Shall we neglect the trust commit-