

“Patriot”, of December 6, 1859, in approving an offer of the position of Judge of the Superior Court of Baltimore City to Arthur W. Machen, then thirty-two years of age, said :

Everybody remembers the astonishment which Governor Thomas' appointment of Judge LeGrand created in this city. Nearly the whole bar were as much opposed to him as Mr. Webster was to Judge Story. They assembled to hear his first decision, expecting something even worse than a failure. They left the court room convinced of the fallacy of human judgment in the absence of correct and sufficient data.<sup>2</sup>

Mr. Machen's case was not similar, for his success as a judge could not have caused surprise; even then he was well known as a lawyer of unusual learning and success. He was too successful a practitioner to accept the place. Judge LeGrand is described as a man of prodigious memory, and one of wide miscellaneous reading. When, therefore, he became a candidate for the Court of Appeals under the new constitution, he had the seven years' experience behind him, and the approval of the bar with it. Judge Eccleston, on the Eastern Shore, had been an associate judge in his district since 1832, and so came with an abundance of experience. John Thomson Mason and William H. Tuck had both been successful lawyers. They were all looked upon as good men, and as men of ability; and, generally, the bad results which could logically be predicted to follow from the filling of judicial offices by popular election did not at least follow at once.

Richard W. Gill, the clerk, died in 1852, less than two months after the new judges took up the work, and he left unfinished his last reports

2. Letters of Arthur W. Machen, Privately printed, Baltimore, 1917  
218.