

most litigious district in the State, and which, at the time he made the remark, he, (Mr. Blakistone,) thought was rather invidious, but which he explained to mean the district in which most suits were brought. It would be found that the average number of suits which were brought in the district composed of St. Mary's Charles and Prince George's, in those years, averaged 782. Now, the Convention proposed to give us one judge, with a population scattered over three counties, and over a territory which would require a man to pass over some five or six hundred miles of travel to hold four terms in each county, two common law and two equity terms. It would take him over 250 days, in the performance of his duties, to dispose of 782 cases. If you would double the number of cases, you would find it would be more than the number brought in Baltimore city court, to wit: 1564, against 1336 in Baltimore city, an excess of 228 cases.

Mr. MORGAN. Will the gentleman tell me what is the number of jury trials in Baltimore district?

Mr. BLAKISTONE. He would give the gentleman that information directly. Now, if one judge could attend to the judicial business in three counties, holding six separate common law terms and as many equity terms, and administer justice to the whole people of the district, would it require five judges to administer justice in Baltimore city, where the population was so dense and where the judges could get through a great amount of business in the time that the circuit or district judge would be engaged in traveling from one county to another. Well, his friend (Mr. Morgan) called upon the gentleman from the city of Baltimore (Mr. Gwinn) to give the number of jury trials; for it was that sort of trials which imposed the heaviest burdens upon the courts. As, for instance, in the case of notes or single bill it took but little time where there was no dispute, but it was jury trials, where the cases were argued before the court, and exceptions were taken, and the court instructs the jury, that consumes time and renders it necessary for the judge to be a man of legal acquirements to decide properly between the litigants in a case. And by this same record the gentleman from Baltimore city (Mr. Gwinn) could not dispute his own record. You will find the number of jury trials to be 89 in the district composed of St. Mary's, Charles and Prince George's, and the number of original suits brought were 872. Now, before he went any further, he would give the number in Baltimore city. There were 96 jury trials, and 1336 original suits brought there. Seven jury trials more and less than double the number of original suits in the first judicial district. But seven more jury trials according to the paper book! He (Mr. B.) was reading from that paper read by the gentleman from Baltimore, and which he presumed was a correct record. But he would go back to Frederick, Washington and Allegany. In Frederick county alone, he found there were 314 original cases; number of jury trials 41. There was no return from Washington and Allegany. If there were as many in the other two counties, it would make

942 cases. If there were as many trial suits in Washington and Allegany as in Frederick, those counties would have 123 trial cases, being 27 more in that judicial district than in the city of Baltimore.

[Here the President's hammer fell—the time allotted to the gentleman having expired.]

Mr. BRENT, of Baltimore city, moved to postpone. He said the calculations of the gentleman from St. Mary's (Mr. Blakistone) were wholly fallacious, as he could show in a few words. Now, he (Mr. B.) had said there were only seven more jury trials in Baltimore city than in the judicial district from which he came. Did that prove any thing? Jury trials were not of the same uniform length. We knew that sometimes the county court would try five or six small cases a day.

Mr. BLAKISTONE. Have you not tried a case that has lasted a week?

Mr. BRENT, of Baltimore city, said he had tried a jury case in Charles that had lasted three weeks, but it was of very rare occurrence. Five or six were usually tried in a day. In Baltimore city, generally, the civil suits were very heavy and involved large amounts. He spoke of the average of cases. Now, let him make a calculation in order to bring the matter to a test. As the courts of the city and county of Baltimore did not sit in the months of July and August, we have but ten working months, then deduct two months for the court for county business.

Mr. BUCHANAN, (in his seat.) Four months.

Mr. BRENT, of Baltimore city. Only two, on an average. He knew it had been more lately. That left about one hundred and ninety-three working days for Baltimore city business. Ninety-six cases a year tried in that court, was only at the average rate of two days for a case. Now, the gentleman from St. Mary's argued that those ninety-six jury cases tried in the course of a year were all the jury cases that stood for trial in the year. He (Mr. Brent) had shown there were only one hundred and ninety-three working days for the city business, and those cases, as far as they had been tried, averaged two days to a case. Did that argue that they were all the cases they had to try? Not at all. It was well known to members of the bar that we did not try one-fifth of the cases set down for trial, either for want of time or because the court did not go through the docket, or if so, they went through it in such a hurry as to continue hundreds of cases. Sometimes they got a run upon the docket, when the witnesses in expected trials were not present, and run through the entire docket in a whole day, and thus putting off till the next court a large accumulation of business. If we had a sufficient judicial force it would take every day in the year to try our cases.

He would state one fact. So dilatory was the business in our court, owing to the pressure of business, that a suit which was brought in 1840, on a bill of exchange, as to whether the endorser had sufficient notice, was still pending in the court of appeals, having in that time received but