

and yet you propose to cut us down to only two civil judges of law and equity. We cannot contemplate such a judiciary for Baltimore with any other feeling but indignation.

Mr. BUCHANAN. I renew the motion. My friend from Baltimore city properly takes into consideration the subject of population when he is discussing the matter of judicial arrangement of the State. In my calculations I have done the same, and from this and other elements which I have taken into the calculation, I have shown the gross injustice which is done to the district of which Baltimore county is to form a part. I maintain that, upon his own showing a few days ago, and upon his argument now, it is impossible to arrive at any other conclusion than that the business thrown upon the judge of the Baltimore county district, is more than any one man can satisfactorily perform.

The convention will remember that a day or two ago, in apportioning the judiciary of the State of Maryland, a question arose as to what should constitute the district of which Baltimore county composes a part. It was then proposed to create one judicial district of Baltimore county, of Harford county, and of Cecil county. I protested against this as unequal and oppressive to our people. I considered it impossible that one judge, with civil, criminal and equity jurisdictions, together with the transaction of the business growing out of applications for the benefit of the Insolvent Laws, and so forth, could possibly perform the labor. My learned friend, and those who acted with him at the time, thought otherwise, and the district was established to consist of these three counties.

I felt satisfied then that the time would come, as we approached that part of the article which looked to the formation of the judicial department for the city of Baltimore, when our friends who had insisted upon it that one judge was sufficient to transact the business of a population of near eighty thousand in the Baltimore county judicial district, would be by no means satisfied with one judge for the same amount of population in the Baltimore city district.

In this it now appears I was not mistaken. One judge it is thought is altogether insufficient. In a preceding debate I exhibited the tables to show the precise amount of the population of the Baltimore county district, and I called upon our friends to come to our relief. I showed that Baltimore county had a population of 41,599; Harford county had a population of 19,358; and Cecil a population of 18,397; making in all, the largest judicial district in the State. No relief was granted, and the district stands now as at first reported. Then the amount of population was considered as nothing—now, in apportioning the city districts, as every thing. The population of the city of Baltimore amounting to 169,054, it is proposed in the article now under consideration to give to that city two judges with common law and equity powers, and independent criminal courts. This would give one judge to eighty-four thousand inhabitants in the city, without criminal jurisdiction, while in the county district

we have but one judge for a population of near 80,000 with the criminal jurisdiction of three counties superadded.

This apportionment I consider as greatly to the disadvantage of the county district; and if any have cause to complain, surely we have. I do not pretend to argue that the judicial force offered to the city of Baltimore is sufficient—I think it is not—but I do pretend to say that, if we of the counties are entitled to no more, they are not. The criminal business in Baltimore county alone is very large. I am informed that nearly the whole of the present term of that court is taken up with criminal business alone.

In looking to this matter of the relative judicial labor to be performed in the counties and in the city, it is to be remembered that the county judge has to ride the circuit, whilst the city judges have their duties to perform at their own doors.

In estimating the expense of this proposed judiciary system as compared with the old, I admit there is an error in my calculation in regard to the expense of the orphans' court; but still the result is the same. The whole expense of the present judiciary of Baltimore, exclusive of fees and perquisites of office, is not far from \$11,799. Whereas the expenses of the system proposed, including a chancery judge and a police judge, will not fall short of \$13,799; thus incurring the expense, by the new system, of about \$2,000; and this, too, when you have taken off from the city judges the business of Baltimore and Harford counties, which were formerly attached to the Baltimore city district. Call you this economy? Call you this an equal distribution of labor?

I am perfectly willing, regardless of the expense, to give to the city of Baltimore as much judicial aid as will be required for the expeditious, prompt and safe transaction of her business; but what I am willing to grant to Baltimore I am not willing to withhold from Baltimore county.

It is argued that the labor of the judges in the city will be greater than in the county district; and to show this, it is maintained that the appeal cases alone are of themselves almost sufficient to occupy the time of one of the judges. The appeal cases, it is true, are numerous, and much time is occupied in their investigation; but it is to be remembered that there are also appeals to be tried in the county district, which will necessarily occupy the time of the judge there. A practice has grown up in the city that I do not think prevails much in the counties, which is to hear elaborate arguments in appeal cases. This necessarily occupies much time of the court. The judge who usually presides in the appeal court of Baltimore, (Judge Purviance,) is known to the whole profession, as one of the most patient, investigating, upright, accomplished judges that ever adorned a judiciary bench. So nice is his sense of justice, and so cautious is he in the investigation of every case which comes before him, no matter how small may be the amount involved, he will not decide until he has afforded to all sides the fullest opportunity to be heard. In this, I doubt not, he is right; but still, the practice necessarily consumes much time.

In the counties, as far as my knowledge goes,