

Mr. BLAKISTONE. I move to postpone the order limiting the debate.

Mr. MORGAN. I hope it will not be done.

Mr. BLAKISTONE. My object in making the motion is, that the gentleman from Baltimore city has occupied so little the attention of this body, and this is a subject in which he says he and his constituents are greatly interested.

Mr. STEWART, of Baltimore city, hoped that this would not be done.

Mr. BLAKISTONE said that if the gentleman did not desire it, he would withdraw his motion.

Mr. STEWART then withdrew his motion to postpone.

Mr. CRISFIELD renewed the motion, and said: I think that this is an important question, and I believe that this Convention, or at least a great many of its members, have taken erroneous views of it. The question to be determined is, is this court which is asked for by the gentleman from Baltimore city necessary? It will be remembered that I made a suggestion to my friends from Baltimore city, to allow them, in a different form, the same amount of judicial labor which they will have if their proposition now presented shall be carried. They thought that the form in which I proposed to give it was not the proper form. They desired a distribution of the jurisdiction among the several courts, instead of having it concentrated in one court, with an additional number of judges. My own judgment is, that the judicial labor which is now asked for is necessary for the proper transaction of the business in that city. The number of suits now pending in that court, as a common law court, for city business, amounts annually to some thirteen hundred cases. This does not include the number of appeals from justices of the peace, of which no returns have been made, but which the gentleman from Baltimore city (Mr. Stewart) states amounts annually to something near one thousand. The returns do not show the amount of criminal business done in the city, which is now proposed to be transferred to some one of the three judges which are to be established by this system. You will then have, if this proposition of the gentleman from St. Mary's succeeds, but two judges to perform the civil business arising in that city. And what is it? You have thirteen hundred suits brought upon the common law side, and some ninety-eight trials per annum, upon an average of five years. You have, as the gentleman from Baltimore city says, nearly one thousand appeal cases; and this court will have to discharge all the duties now performed by the court of chancery! Now, we find, by the returns, that they pass, on an average, one hundred and twenty-four decrees per annum in the Baltimore county court. We have no return of the amount of business which comes from that city to the High Court of Chancery, which, by a vote of this Convention, is to be abolished; but I understand from a gentleman familiar with the business of that court, that there are filed in that court some three hundred bills per annum, and that fully one-third of them are from the city of Baltimore. Thus they have thirteen hundred common law cases to be

disposed of; they have, according to the estimate of the gentleman from Baltimore city, one thousand appeals from justices of the peace, and will have, in addition to the number of chancery cases heretofore disposed of in that city, if the estimate which has been given me by a gentleman familiar with the business be correct, one hundred equity cases by the destruction of the High Court of Chancery. I ask any gentleman in this house, who knows any thing upon the subject, whether two judges, which is all the gentleman from St. Mary's proposes, can dispose of that business? What is the result now? You have, by a practice which has grown up in the city of Baltimore, to meet the exigencies of business, Baltimore county court severed into three distinct tribunals. You have one judge in one room, performing the common law jurisdiction; you have another in another room; presiding over appeal cases; and another, in a third room, transacting the chancery business. It is, in my judgment, utterly impossible that the business of the city of Baltimore can be fairly transacted by the number of judges which my friend from St. Mary's proposes, and we know, too, that the business of the city is annually increasing. For this reason, I think the wishes of Baltimore, in this respect, ought to be gratified. I think it would be unwise to refuse this additional judge, even if we deem the necessity not altogether apparent. What motive have we to refuse it except the additional expense it will be upon the treasury?—some two or three thousand dollars per year. If it is necessary that the city of Baltimore should have this judge, you should give it. The people of Baltimore think it necessary, no one can deny the necessity now or prospectively; and I ask my friends who are opposing this proposition, those who desire to preserve the present system, whether they are willing to force the people of Baltimore to vote down any constitution we may frame; whether they are willing to run the risk of another convention; and put their defence upon the ground of refusing the people of that city an additional judge, who all must admit is necessary? I am not willing to allow Baltimore any unjust power. I stood here and battled as far as I was capable of, against an increase of the political power of the city, which I thought would be injurious to the people of my section of country, and I am ready to do it again. But when she asks for necessary labor to perform her judicial business, we have no interest in it, save and except the mere pittance which comes from the treasury to pay the judge, and I am not willing to refuse it. Although I might deem it unimportant and unnecessary, I am not willing to drive the people into an opposition to the constitution, and thus keep the excitement alive, upon the mere ground of saving that sum every year. It is an indefensible position. You cannot defend yourselves before the people upon it. I may probably vote against the constitution which you shall adopt. I do not believe the public interest will be better maintained by it than by the old constitution. But when I take ground against the constitution, if I am forced to take it at all,