

courts. But that has been changed, and now you have districted the State, giving one judge to two or more counties. If you now allow to Baltimore city three judges, you will be giving to that part of the State alone the extended benefits of the single county system. If we are to go back to that system, surely you cannot deprive the counties of it without great injustice. But I fear from what has taken place, you have determined to adhere to this district system, by which, in this district, I do know you have not afforded us equal advantages to those you have conferred on Baltimore city. We were to have four judges, whereas you now give us one—one-fourth of what the bill originally gave us—whereas Baltimore city was to have had three judges and now you give her two. It is obvious therefore, that we have much more cause of complaint than Baltimore city.

Mr. MORGAN. I merely rise, for the purpose of defending, before this Convention, the proposition which I originally introduced, which has been adopted, and now ought to be reconsidered. I desire this body to understand, in advance, that I look upon those who acted and voted with me on that occasion, as the best judicial reformers in it. I desire, as the representative of a constituency writhing and smothering under the imperfections of the old system, to see the evil eradicated and a wholesome reform given to every county throughout the State. When I took charge of the bill introduced by the chairman of the judiciary committee, I believe I submitted a system which facts and figures demonstrated to be more liberal towards Baltimore city, than that which the Convention had given my own section, and the rest of the State. I regret that I have not more time, but I will give the statistics for the purpose of proving what I say. Now, sir, this paper which I hold in my hand containing the returns from some of the counties, has given as the system which we now have, and I do not see upon what principle it can possibly stand. I do not see upon what calculation the proposition which has passed this House, for the counties of the State was based; and I regret that the mover of it is not present to defend it. In some sections there is the greatest inequality of business, and in other sections there are no returns whatever.

I will barely call the attention of the Convention to these facts, and compare them. For the purpose of illustration, I desire to compare the two districts in which my own constituency are more immediately interested, and I will inform this House that I have taken these statistics and facts from the paper submitted by the gentleman from Somerset [Mr. Crisfield.] himself, who prepared them, and brought them before the notice of this Convention. These returns are certified to by the clerks of the courts. I will take the first district, in which I reside. In this district, composed of Charles, St. Mary's and Prince George's counties, there were 782 common law cases, and 81 criminal cases, (and we have no separate criminal court, as in Baltimore,) making a total of 863 civil and criminal cases. The second district is composed of the counties of Anne

Arundel, Calvert, Montgomery, and Howard. In Calvert county we have no returns, but from what was stated by my friend from Calvert county, [Mr. Sollers,] who is clerk of the court, and from my own knowledge, I have put it at two hundred. There are in that district 958 original cases upon the common law side of the docket, and 73 criminal cases, making 1031 cases. Then if you add the two districts, you will have 1813 cases for the two judges you have given us.

I desire the Convention to bear in mind that in this estimate the equity business of which my friend speaks, is not at all included. One district extends from the Frederick line to the Chesapeake bay, and as far as the southern portion of Maryland runs, and the judge has to travel a distance of one hundred miles, from one county seat to another. There are 1200 Chancery suits on the docket besides this. How do the returns of these two judges in these two districts compare with the returns of the work given to the two judges which we have allotted to Baltimore city—the returns upon which you have fixed this basis. In Baltimore there are 1336 original cases. I do not include in that the equity business, for I have not done so in preference to the two districts of which I have spoken. We have then 1336 cases for each year, estimated, taking the average from 1844, which these two judges have to attend to. Subtract these 1336 cases from the 1813 cases which are brought in the 1st and 2nd districts, and the result will be that the two judges which you have given us for these districts will have 487 more cases to attend to than the two judges which we have given Baltimore city. These statistics refer now solely to the original common law business instituted yearly in the courts I have mentioned. Take another view, you will find—

(Mr. M's allotted time here expired.)

Mr. BOWIE. I hope the gentleman will be allowed to proceed, the information he is giving us is invaluable for a proper consideration of this important question.

Mr. MORGAN. My friend from Prince George's will excuse me. I desire for myself no exemption from the rules of this House, that has not been given to others—I will proceed at another time. I wish it to be understood, though, that I do not introduce these statistics to show that Baltimore has a sufficient number of judges to attend to all the business of that city—her delegation say otherwise—but I introduce them to shew that if that city has not judicial labour enough, the greatest inequality and injustice has been practiced upon the remainder of the State.

On motion,
The Convention then adjourned.

WEDNESDAY, May 7th, 1851.

The Convention met at 9 o'clock.
Mr. BLAKISTONE, of St. Mary's, in the Chair.
Prayer was made by the Rev. Mr. GRAUFF.
The proceedings of yesterday were read.