

would say, that that was the most pleasant part of their labors. If he was on the bench, he would much prefer locomotion to being obliged to sit day after day upon the same bench. The going from circuit to circuit he would regard as the most pleasant portion of the time a judge had in the administration of his office. But, in point of fact, the judges of the Court of Appeals were very seldom on the circuit, except in the summer and fall for a few weeks.

Mr. CHAMBERS said, the Convention might fairly expect to hear what was his experience. He had held a seat on the bench for seventeen years, and was very familiar with the severe labor, and the anxieties and perplexities of the situation. The present system was organized in 1806, when, as all knew, the population and wealth, and commerce of the State, were much less than at present. The Court of Appeals, then, found it necessary to hold their sessions for a few weeks, twice in the year: these sessions now extended to five months. The salary was fixed in 1806, and no change whatever has been made since that time, except in relation to the salary of the Chief Judge of the Court, to whom an additional sum of three hundred dollars, per annum, has been within a few years, allowed. In the mean time, a variety of additional duties have been imposed upon the Court. He supposed it might be anticipated that the Court would be in session, hereafter, for something like six months in the year. We all know the expense of being from home, and boarding in a hotel. He had himself paid upwards of three hundred dollars of his year's salary at the hotel, although his bill contained as few items, except simply for diet, fuel and light, as that of any other gentleman. Of course, there are always incidental expenses unavoidably incurred, and the loss at home, necessarily consequent on the neglect of private concerns, and their mismanagement by agents. To all this, is to be added, an estimate of expenditures for similar items, during circuit duty, in most instances, in four counties, in which must be calculated, two sessions of two weeks each, making four weeks for each county, and thirty-two weeks in the whole. With these data gentlemen could easily determine whether a Judge of the Court of Appeals could, with any economy, support a family with the portion of his salary which remained after defraying his necessary personal expenses. Most of us have some experience in this matter of family expenses, and to all such it would be obvious, that the salary, after meeting expenses necessary, as personal, would not afford scarcely a beginning of means to support a family.

But if the pay was inconsiderable, he could say of a truth, not so with the labor, that is intense, greatly beyond the estimate usually formed of it. He doubted whether another instance could be found in the State of an officer whose actual labors so far exceeded the estimate generally made of them. The mere duty of a daily session of six hours, during which a man is confined to his chair, often without a moment's relief, and with his mind earnestly devoted to intricate and conflicting arguments and authorities, and denied the privilege or the prospect of

recreation or exercise to reinvigorate his powers of mind or body for the next day's service, their irksome task may be estimated, and is generally regarded as the aggregate of duty performed by the judge. This he said was a lamentable error, as the judge must find. To these tedious hours of daily session, must succeed afternoons and nights of devoted exertion of mind and continued confinement of body to investigate and compare authorities, confer upon arguments and form satisfactory conclusions. He had, for a month together, been so laboriously engaged, as to prevent him from permitting his head to rest upon the pillow, till after midnight, and this after the fatigue of a full day's labor. This picture is not very attractive, but the feature, which above all, gives it character, is yet to be added. To endure the effort of mind and body required in patiently listening to long arguments, investigating conflicting authorities, conferring upon doubtful or difficult points, all under a high sense of the responsibility which attaches to one who is to decide finally and conclusively on the rights of his neighbors, this is a task arduous enough; but then to write out the results of these labors, to con over the words of passage after passage, to mark the nice distinctions and argue out each to the case at bar, to examine and re-examine every step of the line by which the conclusion is arrived at, with a knowledge that it is to be scanned and criticised and compared by the most acute intellects in all time to come. This, he said, was a task which no man can or will estimate rightly until he is a victim to the necessity which requires it. It had been most truly said by one of the gentlemen, that the writing of opinions in the actual condition of the judge of the court of appeals was of all conceivable occupations, the one most destructive, both to health and comfort, certainly he knew nothing more calculated to break down, and to wear out the constitution, and exhaust the powers of mind and body, than a few years' faithful service as a judge of the court of appeals.

Mr. BAKER said, if he had not made a motion to strike out the words "five hundred," he would have felt satisfied with giving a silent vote, having no practical knowledge of the business of the Court of Appeals, except from observation. He said if his motion carried, it would fix the compensation of Judges of the Court of Appeals at \$2,000 per annum. He felt sure that the best judicial talent of Maryland had been obtained for \$2,200 per annum, and the duty of the judges had been, as far as he knew, faithfully performed. He had heard no complaint from gentlemen occupying those high and responsible stations. Such an event as the resignation of a judge of the Court of Appeals he had never heard of. Their duties were rather decreasing than increasing. It was not necessary to state that they had formerly to appear in the county courts, and attend to the Court of Appeals in addition; and therefore their labors being now diminished, he came to the conclusion that their compensation should not be increased. And he had an additional reason, and