

given the names of lawyers with whom, I suppose, he has had some communication on this subject, who say that this force will not be sufficient. I will ask the gentleman if he has not written to others who have said that the force will be sufficient?

Mr. GWINN. I will say, that in no instance did one say it would be sufficient. There are certain gentlemen in the city of Baltimore, as here, and out of this Convention, who desire to retain the Chancery court against the express and declared will of this Convention. They state that if the Chancery court should be continued and moved to the city of Baltimore, then it would be sufficient.

Mr. MORGAN. The question I put to the gentleman is this. If he has not written to certain distinguished lawyers, who state that two common law judges will be sufficient for the transaction of Baltimore city business?

Mr. GWINN. One gentleman only returned the reply, and another stated that he could not say certainly whether they would or not.

Mr. MORGAN. I only desired this answer, for the purpose of justifying myself, and to show that others, beside myself, thought the business could be done by two common law judges. It was my desire, when I last addressed the Convention, to demonstrate to it, that there were 558 cases more in the first and second judicial districts to attend to, than in Baltimore city, according to returns sent here. And what are these returns? In the first district, composed of Prince George's, St. Mary's and Charles counties, and in the second district, composed of Anne Arundel, Calvert, Montgomery and Howard; there are, as I have before remarked, 558 more original cases to attend, upon the civil side of the docket, than there are in Baltimore city. If you look to the amount of business transacted in the courts of the city of Baltimore and these districts, you will see that the system is arranged upon no principle whatever. How is the third district arranged, composed of Frederick and Carroll counties? In Frederick, there are 314 original cases instituted, and in Carroll 116—making 430 cases for one judge to attend to in that judicial district. What kind a scheme is that, which gives a judge only 430 cases to attend to in one district, whilst in another district, (the second) extending 150 miles, you give the judge double the amount of business? These are facts, and as I said before, I wish the gentleman from Somerset, (Mr. Crisfield,) who introduced his statistics, and presented them to the House, was present to defend his proposition. I would have preferred his presence, and to have adduced these facts for his consideration in his own hearing, because then he could have refuted my argument, it was not correct. How does he arrange the fourth district, composed of the counties of Washington and Allegany? There is not one single return here before this Convention in reference to that district upon which to base any system to be carried out; and yet this Convention voted, and I voted upon the idea, that these returns were complete in themselves; and we thought the business was equally distributed

under the system given to the State. How is it in the other district—in Harford, Cecil and Baltimore? In Harford, there are no returns. In Cecil, the returns are—and the returns from Baltimore county are incomplete.

In this district then, composed of populous, prosperous and growing counties, where from the representations of gentlemen here, there is probably more business than in any other district in the State, we have no data, and no basis to form a system upon—we are at sea, and left altogether to guess work.

Mr. SOLLERS. Allow me to inquire how these returns came before the Convention?

Mr. MORGAN. From the clerks of the counties, under an order of the Convention.

Mr. SOLLERS. Is there any law requiring these returns?

Mr. MORGAN. None except the will of this Convention.

Mr. SOLLERS. I think there is.

Mr. MORGAN. My friend has reference to the law requiring the clerks to report to the Legislature; these returns were sent here not under that law but by an order adopted by this Convention. I see my time is nearly expired. I cannot, therefore, examine the statistics of the other districts—they all show the same result. Gentlemen who voted for this judiciary system, now acknowledge that it is unequal and inadequate—and say if they had time they would vote to arrange the districts differently, but at this late hour, if they again open the question, that it will be impossible to close the Convention by the time contemplated. I would beg them to consider the importance of the question. That it is one which comes home to every man in the community—the highest as well the humblest citizen—the rights, the liberty, the property of the citizen is only rendered secure by giving an effective and proper judiciary. Let us then, even if we have to stay here one day longer, digest and pass a system that will be adapted to the wants and great interests of the community in this particular. Let us be liberal, be just, towards Baltimore and all sections of the State, and my word for it, you will do more to crown your labors, and to commend them to the affection of the people of the whole State, than all the rest you have done since you have been here. I came here a judicial reformer—am ready to vote to Baltimore all she wants, if she and others who act with her will gratify the wants of the State. We were sent here—

[The President's hammer notified the gentleman that his time had expired.]

Mr. TUCK. It is known that I was opposed to an elective judiciary; but after that principle had been fixed by the Convention, I co-operated with its friends to make the system as acceptable as possible. I had this view of it. I could not undertake to say what was necessary for Baltimore city, nor could I undertake to say what was necessary in the districts on the Eastern Shore or Western counties of Maryland. I stated to all gentlemen who approached me that I was willing to allow them a plan according to the