

TWELFTH DISTRICT.
 Worcester.....17,013
 Somerset..... 19,903
 Dorchester..... 16,338

Total..... 53,254

ELEVENTH DISTRICT.
 Talbot 11,070
 Caroline.....10,390

Total.....21,460

So it seems that as arranged in this amendment the twelfth district has about two and a half times as large a population as the eleventh. There is a great impropriety in that, as the convention will see. In order to equalize it, I move to transfer Dorchester county to the eleventh district.

Mr. SANDS. I wish to make a remark in reply to the suggestion of my friend from Montgomery (Mr. Peter) about the fairness of this proposition. I am in the same judicial circuit with my friend; and I know what difficulties we have under the present arrangement. But I remind the gentleman that this amendment proposes at least to divide the difficulty and leave us only half the difficulty we have had heretofore. My friend asks on what principle of justice we can give to Baltimore city and Frederick county and Allegany county one judge each, and not give to Montgomery one judge. If my friend will just look at the last census, at the number of people over whom these judges are to preside, whose affairs they are to regulate, he will see the even handed justice of this proposition. For instance, Baltimore county, according to the census, has a white population of forty-seven thousand souls, and Montgomery county of eleven thousand. So Baltimore county has four times the amount of white population, the number of people who are to go into the courts as suitors, that Montgomery has. Is there no justice then in saying that Baltimore county shall have a judge, and that Montgomery county, not having near the population of Baltimore county, shall have with another county a judge to preside over the same number of people and to transact the same amount of business?

Mr. STIRLING. There is an additional reason for a judge in Baltimore county, that its situation brings into that county a large amount of business from Baltimore city.

Mr. SANDS. I was about to say that. Applying this principle also to Allegany county, we find that Allegany county has more than twice the population of Montgomery county. Is there no justice in giving Allegany a judge, with twice the amount of population, and four times the amount of litigation from the peculiar circumstances of the case? I think that the proposition is eminently fair. It divides the people of the State into districts containing about the same amount of population in each; and says that you shall have a judge for twenty or twenty-five or thirty thousand; and if there are not so many in one county, to transact business in that

court, two or three counties may be put together.

If the theory contained in the judiciary report was a practicable one; if you could carry it out, I should advocate it here. But I see insuperable difficulties in the way of rendering that theory effective. Believing then that that is not one that can practically operate in Maryland, I go for what next promotes the public interest and convenience; so increasing the number of your circuits, and so constituting your judicial districts in circuits that twenty or twenty-five thousand people, or even less—far less as the gentleman will see by taking the census, for in some districts it is not fifteen thousand, and hardly ten thousand white inhabitants—may have a judge. I am willing to go so far, that ten, fifteen, or twenty thousand white inhabitants shall have a judge to transact their legal business.

I think that this is a proposition which our friends upon the other side can accept as a compromise in this matter, embodying a large step in advance of the previously entertained opinion of the majority of this house. I believe a large majority of those with whom I act, were in favor, in the first instance, of adopting the present system without change. Now we have nearly double the number of circuits. Is not that a long step in the way of compromise which the majority of this house to-day holds out to the minority? I hold on to the principle, definite, ascertained, infallible, that wherever as many as twenty thousand white people are congregated together in any municipal or other capacity, they shall have a judge, to attend to and decide on all matters that arise in litigation between citizen and citizen. I do hope, as the majority have made this long step toward a compromise, to see some gentlemen on the opposite side meeting it in the spirit in which it is made; and that we may at once, in some manner, have a certain degree of unanimity.

Mr. PURNELL. I am entirely opposed to making the change in the circuit which embraces the counties of Somerset, Worcester and Dorchester, contemplated by the gentleman from Somerset (Mr. Dennis.) While there may be some disproportion in population, and in territory, the business of that circuit is not of such magnitude as to require any change, whatever. On the contrary, the judge can attend to the business of the three counties with very moderate labor. By the change contemplated we should lose the judge, Judge Spence, who is now the judge of that district, and resides in Cambridge, Dorchester county. A better circuit judge is nowhere to be found in this State. I repeat, without fear of contradiction, that a better circuit judge cannot be found anywhere than Judge Spence, who now presides with so much dignity and character in that circuit.