

Thawley, Gwinn, Stewart of Balt. city, Brent of Balt. city, Sherwood of Balt. city, Ware, Schley, Fiery, Neill, Harbine, Michael Newcomer, Davis, Waters, Holliday, Slicer, Shower, Cockey and Brown—46.

So the Convention refused to reconsider their vote.

Mr. GRASON. Merely for the purpose of making some remarks on this proposition, I offer the following amendment :

“That the said judge shall also revise the decisions of every justice of the peace in his judicial district, at least six times in every year.”

I believe it is admitted, by all, that it is very important that these law judges should have sufficient time to discharge the important duties devolved upon them by the Constitution. In the judicial district in which I reside we have four counties. According to the present provisions of the Constitution, a judge must hold a regular term of his court eight times a year in these four counties. Besides that, they will have to transact an immense amount of chancery business, if the chancery court is abolished. In addition to all that, the gentleman provides that he shall at least once in three weeks, sixteen times a year, revise the proceedings of the Register of Wills, and an appeal is granted. There are frequently no parties in cases of that kind. A man is both executor and guardian for infant children, three or four years of age, perhaps. After a long lapse of time they may bring up the case; but in the meantime, the action of the Register of Wills is final, although it may have been very unjust. Care will be taken not to place any of the improper accounts before the circuit judge, for his inspection, and he could not know of the omission, being obliged to be in each of four counties at least four times in each year. It would take up all his time, and it would be impossible for him to transact any other business. I withdraw the amendment.

Mr. JENIFER. I move, with a similar view, the following amendment.

[The amendment was read.]

Mr. J. said, it is with very great reluctance that I say a word upon this subject. It is with great reluctance that, upon such a question as this, I differ from my friend from Kent, (Mr. Chambers) I cannot conceive it possible that his proposition should be carried out. It is placing too much power and responsibility upon any register or clerk. You cannot, for the compensation allowed, get men properly qualified to take these high responsibilities, and properly discharge all the duties imposed by this section. If the plan can be so regulated that the judge of the district can perform the duties of the common law and chancery courts, and also discharge the duties of the Orphans' Courts, I might be induced to vote for it. Otherwise I shall be compelled to vote against it. I withdraw the amendment.

Mr. BUCHANAN. I move to amend, by striking out “original,” before “jurisdiction,” so as to let in—what I have to say. (Laughter.)

The Orphans' Court system is one of exceed-

ing importance to the whole of our constituents, as is manifest from the great interest taken in it here. I desire to put myself right upon the subject. I stand pledged before my constituents to reduce the number of judges, wherever they can be dispensed with. Hence it is that I was most decidedly in favor of the proposition to substitute one judge for three, on Saturday last. My own experience is that one judge is just as competent to transact the business of the Orphans' Court as three, and a good deal more so. I consider two associates as supernumeraries, absolutely in the way of the judge who does the business of the court. We have abundant examples to show, not only that the Orphans' Court business may be transacted by one individual, but that a much larger amount of business can be done by a single officer. The Orphans' Court is hemmed in by county lines; whereas the Chancellor's jurisdiction extends throughout the State. He performs his duties alone. He would be encumbered by having any body with him

Now with regard to the county court for civil business in the city of Baltimore. Very frequently, when the most important cases, as cases of insurance or of ejectment, are on trial, there are but two judges on the bench; often but one; and we go on quite as expeditiously as with three. Whether there be three or one, in an important case, an appeal always goes up. My desire is so to arrange the Orphans' Court system as to have but a single judge. In the county of Baltimore, with a population of 40,000, there is practically but one judge in the Orphans' Court. I venture to say that if you have but one judge, and that one elected by the people, and paid a liberal per diem, you will have the duties performed far better than with three. I now withdraw my amendment.

Mr. SPENCER. I move to postpone, and shall say but one or two words. I may be considered by some as tenacious upon the subject of reform in the orphans' court. If there be any subject upon which I feel a deep interest, it is this. In canvassing Queen Anne's county before my election here, upon every occasion, and at all the hustings where I had the honor to address the people, one vital question upon which I addressed them was the reform in the orphans' court, and the necessity for a consolidation of that court with the chancery court. So fully did I discuss that question, that it was even made a charge against me. Having been elected under those circumstances, I feel that I am reflecting the wishes of my constituents. I shall vote for the proposition of the gentleman from Kent. It is not a novel one. It is a system which works well in other States of the Union. I hold that what can be done in Pennsylvania or Delaware, can be done in Maryland. We are not behind the age. Our judges here can perform whatever duties judges can perform elsewhere. I am told that in the great city of Philadelphia, where so many hundreds of thousands of dollars are passing through the orphans' court annually, the orphans' court only occupies twenty-four days in the course of the whole year.—