

of the gentleman from Baltimore city (Mr. Audoun) says that he has consulted with a majority of the members of this house in reference to this matter, and that they have pretty much agreed to take the old judiciary system with the amendments which he has proposed. Now the substitute offered for the order he submitted provides very well for Baltimore county and perhaps for some other parts of the State. But we have four counties at present in our judicial circuit, and it is almost impossible for the judge to attend to the business of those four counties. I wish, if instructions are to be given at all, that the committee be instructed to report a system of circuits, making the number larger than either of the propositions now before the house; making at least twelve circuits. And I should hope also that we might get rid of the one-judge system, which we now have, and adopt something which will come near to having three judges upon the bench, a judge for each county in the circuit; and let that judge be a judge of the orphans' court.

I think, however, we can get along very well in considering the report of the committee, by offering amendments to each section as it comes up. The question of the consumption of time has been very much urged here. Every one of us is anxious to get through with our labors. But gentlemen must recollect that we are now considering the most important branch of our business here. I believe the people of the State desire a radical change in our judiciary system; that that question as much as anything else induced the people to call together this convention. And I think we shall not have performed our duty unless we give the people of this State as perfect a judiciary system as we can make. I do not think we should take into consideration the time necessary for that. We can afford to sit here a week or two longer for the sake of getting an improved judiciary system, even if we debate, and take vote after vote, upon the different amendments offered. I do not think the time will be wasted.

I hope, therefore, that this order will not be adopted; or that if it is adopted the amendment I have indicated will be made to the instructions. I know that the people of this circuit, and of other parts of the State, are very anxious for a radical change in the system of judges.

Mr. RIDGELY. Power is proposed to be given to the legislature to re-arrange the circuits.

Mr. MILLER. But not to increase the number of judges in the circuit.

Mr. RIDGELY. Yes, sir.

Mr. MILLER. I think we better provide for that in the constitution itself, as far as we can.

Mr. NEGLEY. I am opposed to the substitute, and the proposition for which it is a substitute, principally upon the ground taken

by the gentleman from Anne Arundel (Mr. Miller,) unless you embody in it instructions to report twelve judicial circuits, instead of what is now proposed. By that means you do get rid to a certain extent, if not fully, of two very serious objections to the present system. One is the present system of special judges. The operation of that system is a perfect nuisance in our portion of the State. And if Allegany, Washington, Frederick and Baltimore counties are arranged into separate judicial circuits we get rid of that nuisance to that extent. Besides, we get rid on the other hand, of the inconvenience attending the issuing of injunctions when the court is absent in another county.

Mr. STIRLING. I wish to vote intelligently upon this subject. I have all along been friendly to the proposition of the gentleman from Allegany (Mr. Hebb.) But I understand that the counties of Washington and Frederick do not want to be separate judicial districts. If they want it, I am prepared to vote for it.

Mr. NEGLEY. We want Washington county to be a separate district.

Mr. STIRLING. Does the gentleman express the sense of his delegation?

Mr. DELLINGER. Not mine.

Mr. MAYHUGH. And not mine.

Mr. NEGLEY. We are suffering from a want of justice from that cause now. We want Washington county created into a judicial circuit, and then one judge will do for us, and we should then avoid the necessity of having a law judge and an orphans' court bench. The entire State would be subjected to an increase of only four judges.—There are great abuses in our county, in reference to this system of special judges. As an illustration: we had a special judge up there; he got ten dollars a day. One of our lawyers went to him with three orders to sign. He could have signed them all in five minutes. But he said—"I will sign one to-day, one to-morrow, and one the day after to-morrow." And he signed one of those orders a day, and got his ten dollars for signing each of those orders. I think that very judge had got more than three thousand dollars from Washington county alone, for these little special cases. If we have the county erected into a judicial circuit, then we will get rid of that nuisance. And then we get rid of the trouble of getting into the stage and going off into Allegany county, to get the judge to issue an injunction, or sign some equity paper. That trouble will not all be obviated by the proposition of the gentleman from Allegany (Mr. Hebb,) but it will be lessened.

Mr. EDLEN. I do not understand how the creation of additional districts, or the creation of Washington county into a separate judicial district will obviate the difficulty of special judges.