

that we have done. For the system of common school education we have raised four hundred and fifty thousand dollars a year. We have increased the taxation for the purpose of supporting common schools, over and above what we have heretofore been in the habit of paying, much more than the judicial system is proposed to be increased. While I do not disparage at all the importance of common school education, I think if we are to be liberal in these matters, it becomes us in the administration of justice to be a little liberal also. Let us manfully take it on ourselves to say that we will have justice administered speedily without delay; that we shall have at every man's door ready access to a judge; that courts shall be frequently held; and that the judge shall sit on our orphans' court bench and try the cases there which may be important in reference to matters of law.

Mr. PURNELL. I should like to ask the gentleman a question. In the system you advocate is it proposed to retain two judges of the orphans' court?

Mr. MILLER. Yes, sir; to preside with the judge of the county.

Mr. PURNELL. Did you deduct the amount of salary paid to this one judge?

Mr. MILLER. I did.

Mr. PURNELL. And what difference do you make in the expense?

Mr. MILLER. It makes a difference of about sixteen thousand dollars a year only. I think if we could adopt this system it would do more to benefit the people of the State than we shall do by almost any act that we have done from the beginning. That is a fair, it seems to me, and a candid statement of the matter; and I appeal to gentlemen not to let this small item of additional expense weigh in comparison with the great benefit and great advantages we shall attain by the adoption of this system.

Mr. THRUSTON. I have no doubt that it would add very much to the economy of certain classes of suitors to have a judge in each county in the State; and if the difference is to be trifling, only fifteen or twenty thousand dollars a year, I think it will be more than saved by the convenience to the community derived from having a judge always at hand. I know that under our present system, in cases where injunctions are wanted, we frequently have to go to an adjoining county to get an injunction; and sometimes it takes three or four days. In our present state of affairs we could not communicate with an adjoining county sometimes for ten days or two weeks. If it is only to make a difference of fifteen or twenty thousand dollars distributed over the whole State, it ought not to weigh a feather with the convention in regard to giving each county a judge; for there are cases where bail is to be given in criminal cases, there are cases of injunction, and other

cases of that kind, which require immediate attention.

But there is another view to be taken of it, more important in my mind than even that; and it is this: the vast importance of having a bench of three judges to decide on important cases, especially if you have low priced judges, as you will have with the salaries provided now. There is a greater safety in having three judges. With three minds, there is a much better chance of having correct decisions than with one. We shall therefore have fewer appeals.

There is also another advantage in the system advocated, and which is I believe substantially that reported by the committee; and that is that we shall have the benefit of a legal man on the orphans' court bench, assisted by two judges to be elected by the people as heretofore. I think in that way economy will be subserved, by having a legal man on the orphans' court bench. I am in favor of this system decidedly, if there is but that small difference in the cost. I think it is the system reported by the committee on the judiciary.

Mr. MILLER. Substantially.

Mr. THRUSTON. I do not think we ought to hesitate one single moment, to gain the advantages we shall gain by this system at an expense of twenty thousand dollars; for we shall save it ten times over in the correctness of the decisions, and in the convenience of having access to judges always at hand, a judge residing in each county. I am therefore very much in favor of this system.

The question was stated upon Mr. MILLER'S amendment.

Mr. ABBOTT. I should like to inquire what became of the amendment offered by the gentleman from Frederick (Mr. Schley,) this morning?

Mr. BERRY, of Prince George's. I would suggest to my friend from Frederick to include Baltimore city in his amendment.

Mr. STIRLING. It is perfectly proper as it is, for this section has nothing to do with Baltimore city. It relates entirely to the courts of the counties. Still I have no objection, if each county is to pay the expense of its own courts, to have the same principle applied to Baltimore city. We shall save a great deal of money by it.

The PRESIDENT. There were two amendments already pending; and the amendment was not in order. The question is upon the amendment submitted by the gentleman from Anne Arundel (Mr. Miller) to the amendment submitted by the gentleman from Allegany (Mr. Hebb.)

Mr. BELT. Before the vote is taken upon this question, I wish to make an inquiry of the chair with regard to the motion I proposed to offer this morning. I proposed to recommit this report with the view of having it reported on Friday evening, after deciding