

1 not to leave it up to the legislature or the rule of court.

2 The only objection I have heard to it is that
3 some have abused it. Granting that some have abused it, a
4 lot of others have used it correctly in order to obtain
5 justice and we ought to protect the rights of all of our
6 litigants in civil cases.

7 I agree with Delegate Grant that I think it
8 was an inequity before and make it applicable and say that
9 this does apply in equity cases.

10 What do they complain of, that they go in at
11 the last minute after the witnesses are ready. I have had
12 it happen to me, but I have had to remove cases where I
13 felt I couldn't have a fair or impartial trial either by
14 a prejudiced jury or by the court himself.

15 Sometimes the judge sitting high and mighty
16 rapping the gavel can make a lot of prejudicial remarks.
17 In equity he has the full sway of it.

18 We can leave this in the Constitution and we
19 can take care of it. One little simple amendment would
20 cure all of their objections and if we took out the word
21 pending in 19 and added filed within a reasonable time