

District system you may devise, (and least of all the system proposed by the gentleman from Somerset, by which additional labor will be thrown upon our judges,) it is utterly impossible for any one judge to attend to the orphans' court business of more than the county in which he resides.

I have no great anxiety upon the subject of this section of the bill. I do not wish to have this article incorporated upon the constitution because I am the projector of it. I do assure this Convention that the idea is not altogether original with me. I have but followed in the wake of the opinions of a large portion of persons in whose judgment I have the utmost confidence. I believe that if you wish to have some useful, practical plan which will bring relief to the people and dispatch the public business with promptness and efficiency, we must devise some scheme or other of this kind. We must entirely break up the system of circuit riding.

[Here the Presiding Officer's hammer fell, the gentleman's time having expired.]

Mr. CRISFIELD said: I promise the Convention I will not occupy thirty minutes. In the first place, the gentleman from Prince George's says that my proposition superadds judicial duties. He states that I was adding labor to the judge. Well, so I am; but at the same time I am taking it away from him. I add to him the entire performance of the chancery jurisdiction in his district, and also the performance of the orphans' court jurisdiction. What is the extent of the judicial labor I propose to add? The orphans' court duty will be quite light if the powers of the register of wills shall be enlarged as I propose. I will read the 19th section of my report, which shows more clearly the alterations in the powers of the register I desire to make. It is as follows: "To facilitate the dispatch of business in the orphans' court of this State, the General Assembly shall, by law, prescribe rules of practice in the said courts, enlarge and define the powers and duties of the registers of wills, and authorize them to pass such orders as may be necessary and proper to bring any cause, suit, or business depending in the said courts, to a final hearing and determination; but no order, act, or proceeding of the register of wills, of a judicial nature, shall be binding and conclusive until ratified and confirmed by the court."

Now, with this enlargement of the powers of the register, the business of the orphans' court to be performed by a judge, except cases of unusual litigation, which occasionally arise, will not take, I feel satisfied, one week in the whole twelve months, in most of the counties. Take my own county—the only one I profess to be acquainted with. The judge, under my system, can perform all the judicial duty of the orphans' court required to be performed by him in Somerset county in one week, and can perform it as well, and I think better, than it generally has been performed. I require the register to do all the details of that office, subject to the revision of the judge, and the public interest will be as well protected, and the judge will not be required to be in that court one week. This is the amount of the judicial

duty superadded to the judge on account of the orphan's courts under the system I propose.

How is it with regard to the chancery jurisdiction, proposed to be conferred on the district judge exclusively? What will be the extent of the increase of judicial labor on that account? Take my own county again as an example. Not one-tenth of the equity business of that county is brought up to the high Court of Chancery. Carry down the business of that county which has been done in the Chancery Court here, and it will not prolong our terms one week.

Mr. President, I have some acquaintance with this subject, and I venture to affirm that if, according to my proposition, you confer upon the judge who shall exercise the common law jurisdiction in Somerset county, the probate jurisdiction, as I modify it, and the entire discharge of the chancery jurisdiction, it will not add more than a week—I am sure not a month of additional labor. I apprehend the same may be said of the other counties in the district. I have not the same acquaintance with them as I have with my own, though I have a general acquaintance with them all.

This is the extent of the superadded labor; now what is taken off? I take from that district one county. This is a curtailment of one-fourth of the present service performed. I feel confident that a man fit to be a judge, one who has the slightest degree of activity and energy, will perform the whole business of the district to the satisfaction of the people in two-thirds of the year. I speak with a knowledge of the subject. I know it can be done. I have been in these courts, and I have witnessed their proceedings.

Now, as to the continuance of causes on account of the absence of the judge, occasioned by want of time. In a practice now of nearly twenty years, I have never known this thing to occur. I have known causes to be continued time and again, and continued improperly, too; but it was not the judge's fault. He sat patiently to hear the case. I never saw a case continued, because the Court would not sit to hear it. I have known the Court to prompt gentlemen to be more industrious, and not waste time in the trial of their causes. Was not this right and proper? I do not presume that a court ever existed which did not prompt suitors to hasten the dispatch of business. I have seen very unreasonable delays in the transaction of business often attempted; delays not required for the purposes of justice, and which are alike injurious to suitors in courts and the public; and, in my judgment, a judge is not fit for his position who would allow such delays. The public interests require that courts should terminate their sessions in the shortest possible period, because of the large expenses attending their sittings.

The gentleman says that this district system imposes upon the judges the duty of traveling. Is there any district in the State in which it would take a judge over twelve hours to travel from one point to another? Is there a single district proposed in my substitute in which a