

cases. These small cases have heretofore often consumed in costs more than the amount involved. We have then a judge in each county—that is, a chancellor—and hears the appeals from magistrates where the parties desire to appeal to the circuit court of the county.

Then put three adjoining counties into a circuit, and let the three judges constitute the circuit court, with full common law powers and criminal jurisdiction; and thus you bring home to the people a more speedy and rapid settlement of the business, not only of the equity court, but in hearing appeals from magistrates, and all questions of common law or of criminal jurisdiction. Yet it does not increase the number of judges.

Mr. JONES, of Somerset: I merely wish to add to what I have said that it is a maxim of law that it is for the interest of the republic that there should be an end to litigation. I think that the experience of the one-judge system in this State has shown that it tends to multiplicity of appeals, and especially in those districts where the judge is overworked and has to decide without due reflection. In our district the judge has not been overworked. He is an excellent judge, learned in the law and the decisions, remarkably accurate, and in the few appeals which have been taken he has generally been sustained. But in other districts, where the judges have been overworked, where they have done more than could be done accurately, exceptions have been taken and often sustained. The bar would not have that confidence in the decision of one man that they would in the decision of three lawyers of good standing, agreeing upon a point of law; and in the latter case there would be fewer appeals. I think this is worthy of consideration. These appeals cost money to the litigant, and it is for the public interest that they should be as few as possible. I think that consideration is worthy to be taken into view in deciding whether to adopt the three-judge system or the one-judge system.

Mr. HERR: The reason why I did not put in the section that they should be elected by the people, was that the general provisions pass upon the mode of election; and all the clauses there are applicable to all the judges.

Mr. MILLER: This is one of the gravest subjects we have had under consideration since we have met in convention. The administration of justice in the counties of the State, especially is a matter of deep interest to the people of those counties. The system that is proposed by the gentleman from Allegany may work very well for the counties in the western portion of the State. He has there by his system all the benefit of the one-judge for the single county. He makes Frederick, Washington and Allegany counties, each to compose a judicial circuit, where one

judge is there to administer the law. He is easy of access to every part of the county and can be approached on business matters readily.

But in the other portions of the State, as I caught from the reading of the amendment, a large number of the counties would still be left without a judge—that is, the judge would have to go from one county to another.

I hope that the amendment of the gentleman from Prince George's (Mr. Clarke,) or the report of the committee will be adhered to. The gentleman from Baltimore city, the chairman of the committee (Mr. Stockbridge,) has very ably set forth in his remarks to-night the advantages of the system which he has proposed. So far as our own judicial circuit is concerned we have had a very able and excellent judge upon the bench. But it is true that business has accumulated on his hands, and there are instances of delay, and complaints made by the judge himself, that he is overtasked and overworked. If upon a proper consideration of the expense to the State we should adopt a system by which one judge should be appointed in each county, having equity jurisdiction, and presiding over the orphans' court, we should bring home the administration of justice to the doors of the people of the State generally.

We have declared in our bill of rights that it is a fundamental principle of all government that every man for every injury done to his person or his property ought to have justice, speedily, without delay. The complaint that has been universally heard in the State under the present system is the delay in the hearing of cases which are brought before the courts. It has been in many instances almost intolerable. It is conceded on all hands that there must be some modification of the present system to meet the wants of the people. I can conceive of no better plan than to have the judges appointed in each county, and then to throw three adjoining counties into a circuit for the purpose of having civil and criminal cases tried before three judges.

Now, although we have had no complaint of that kind in our judicial circuit, yet I have heard lawyers from other parts of the State complain, and the people generally complain of this one-man business, this one-man power, in judging and determining every case that comes before them. The concurring opinion of three eminent and distinguished men upon the bench would carry with it a weight which no one man could possibly have.

Under the old system appeals were less numerous to the court of appeals. Now, in almost every case where one man decides it, under the present system, an appeal is taken. Litigants would oftener be satisfied with the decision of three men upon the bench in important cases, than with that of one; and