

circuits are very small. Some of them are so large that the judges could scarcely discharge the duties of their circuits within the year.— For instance, the report puts Carroll county and Baltimore county and Howard county in one district. I think that the business of Baltimore county alone will occupy at least six months of the year. The business of the Howard county court will occupy six weeks or two months more, making eight months. I am not familiar with the Carroll county court. I do not know what amount of time is occupied in the discharge of the business of the court there; but in that circuit, according to my best information, ten months in the year would absolutely be required to discharge the business of the circuit. That is one objection to the system as reported by the committee.

The substitute offered by the gentleman from Allegany, that the State be divided into twelve circuits; that the larger counties be erected into circuits themselves; and that circuits composed of smaller counties shall go to make up the number presided over by a single judge, has many things to recommend it. Baltimore county would be erected into a circuit by that system. Frederick, Washington and Allegany counties, all large and populous counties, and each affording sufficient business for a court, would each be a circuit.

I am, I confess, at a loss to select between the systems proposed; and I do not think we could spend an hour more profitably than in listening to the views of gentlemen, professional and non-professional, upon this subject. I think our sole object ought to be to decide upon the merits of the systems proposed without any regard to the question of expense. If it is so important to the State at large that the children of the State should be educated, that intelligence should be diffused, that we are willing to spend almost half a million annually for this purpose, are not these tribunals which have the custody in fact of the lives and the properties of the citizens of the State, of equally great importance, and equally deserving of our fostering care and consideration? I scarcely know of any subject which has interested me so much as that now before this body. I hope we will take time. We are going to adjourn to-day at half-past one o'clock; and I do not think the time to elapse between the present moment and that hour could be more profitably spent than in carefully considering this subject.

Mr. ECKER. How does the gentleman know that we are going to adjourn at half-past one o'clock?

Mr. SANDS. Well, I feel it, sir; and I think we could scarcely spend the time more profitably than in listening to the views of gentlemen of all sides of the house in regard to this matter. For one I would urge upon the convention the propriety of settling upon the

merits of the systems without any regard whatever to the cost. If you can go out from this convention and say to the citizens of this State that the education of the children and youth of the State is so important a matter as to justify you in expending half a million annually upon it, can you not go out and say to the people that the judicial system of the State is so important that you may be justified in devoting to it at least one-fifth of that sum? I want to listen, instead of talking about this matter. I really desire to be instructed as to the merits of the two systems.

Mr. STOCKBRIDGE. I would like to inquire of the gentleman from Allegany, whether under the system as he proposes it, he assigns that the circuit judge should be the chief judge of the orphans' court of the circuit?

Mr. HERR. It would be impossible for the judge of a circuit of two or three counties to be judge of the orphans' court.

Mr. STOCKBRIDGE. Then there would be a difference in expense, for that reason, of twenty or twenty-five thousand dollars annually.

Mr. SMITH, of Carroll. There is very great force and propriety in the remarks made by the gentleman from Howard county (Mr. SANDS,) and I hope they will receive the attention they deserve. We have wasted a very long while for the report of the committee on the judiciary, and supposed they would be able to submit a report which would be acceptable to the majority of the convention. We have not individually, many of us, provided anything as a substitute in its place. A number of independent propositions have been forced upon us, very hastily; and we have not had the opportunity of giving to them the attention which their vital importance and the interests of the State imperatively demand.— We are determined to adjourn to-day, and are very much like school boys, anxious to get away as soon as vacation comes. I believe the temper of the convention is not such as to be competent to investigate this matter properly. I think we would better fulfil our trust by postponing the consideration of this report until we assemble again on Monday.— To-morrow we shall have an opportunity, many of us, of conversing with our constituents and ascertaining their opinions. They will read the papers very carefully, and make suggestions to us, and enable us to come back on Monday more fully prepared to unite on some system which will command general approbation. I move that the further consideration of the report be postponed until Monday. We can take up the report on the State's attorneys, which will require very little discussion; and finish it to-day.

The PRESIDENT. It is not likely that we shall have a full convention on Monday.

Mr. BELT. I would suggest to the gentleman from Carroll that the amendment of the gentleman from Allegany, and of my colleague, be printed.