

Mr. NEGLEY. I do not know as it will.— But still we certainly ought to change the law on that subject. And there ought to be certain instructions go to the committee to change this matter of special judges.

Mr. THOMAS. I would ask the gentleman from Washington county (Mr. Negley) what change he proposes to get rid of special judges? Suppose the circuit judge gets sick?

Mr. NEGLEY. Let the parties interested in the case select their own judge.

Mr. RIDGELY. That will be a special judge.

Mr. NEGLEY. And if they do not select their own judge, then the judge in the adjoining district will act. These frauds, as I conceive them to be, never have occurred in cases where the attorneys have been allowed to select the judge.

Mr. STIRLING. They can do that now.

Mr. NEGLEY. Where they have selected a special judge. But the judge of the adjoining district has appointed the special judge. The parties to the case not having exercised their privilege of designating the judge. The parties to the case ought to be compelled to select the judge; or some way to avoid this difficulty.

Mr. SANDS. Will the gentleman from Allegany (Mr. Hebb) accept an amendment to this substitute? Otherwise I must vote against it. His substitute as it stands leaves many of the circuits just in the condition in which they are now; and leaving them so, it leaves them subject to great difficulties. If the gentleman from Washington (Mr. Negley) wants a judge for his county, he does not want to go to Allegany, as he must do under this substitute. We have four counties in our circuit; and an amount of business too great for one man to attend to. Surely if he wants one judge for his county, we ought to have more than one judge for our four counties. I therefore suggest to my friend that he make such a modification of his substitute as will permit the committee to report such a number of judicial circuits as they may think best—subject of course to the subsequent action of this convention. I agree with my friend from Anne Arundel (Mr. Miller) that in our circuit, composed of four counties, Howard, Anne Arundel, Montgomery and Calvert, we do need relief; and I hope we will get it.

Mr. HEBB. I would prefer twelve districts of course; but I do not know that it will be carried.

Mr. RIDGELY. I hope the gentleman will not accept the amendment; let us vote upon his proposition.

Mr. PURNELL. Does the proposition of the gentleman from Allegany (Mr. Hebb) remodel the district in which I reside, Worcester, Somerset, and Dorchester, or does it leave it as it is now?

Mr. HEBB. My amendment to the proposi-

tion of the gentleman from Baltimore city (Mr. Audoun) leaves the district of the gentleman from Worcester (Mr. Purnell) exactly as it is now. Because I do not propose to change any district except the one now composed of Baltimore, Harford and Cecil counties. I propose to make Baltimore county into one circuit, and the other two counties will compose a circuit. The proposition I submitted the other day changed every circuit but the first, composed of St. Mary's, Charles, and Prince George's counties. I propose now to leave the committee to report such number of circuits as they may think proper, only to report the system which is in the present constitution.

Mr. PURNELL. I should prefer the arrangement as under the old system, composed of three counties. I should oppose any curtailment of our circuit by taking off the county of Dochester. Let the district remain as it is, embracing the three counties.

Mr. STIRLING. I would suggest to the gentleman from Allegany (Mr. Hebb) that if he accepts the amendment of the gentleman from Howard (Mr. Sands,) it brings us back to the discussion of the merits of the question of the number of judicial districts. If we will agree to adopt either his substitute, or the proposition of my colleague (Mr. Audoun,) instructing the committee to report the present system, with these particular alterations agreed upon by the convention, we will get clear of everything before us, and will get a proposition which substantially meets the action of the convention. Then if the convention is in favor of increasing the circuits from nine to twelve it can easily be got at with one amendment. But if that amendment is to be brought in now, it raises the discussion at once as to the number of circuits, and no time is saved.

Mr. SANDS. If it is easy to put nine up to twelve, it is just as easy to put twelve down to nine. We only want some initiatory steps taken by which we can be sure of some reform. What is the objection? What does it amount to?

Mr. STIRLING. I have no objection to that whatever. As I said before, I am in favor of the proposition; but there are others here who are not. The course of remark of the gentleman from Howard (Mr. Sands,) and the gentleman from Anne Arundel (Mr. Miller,) shows that if we go on and add to this, it will lead to interminable discussion.

Mr. SANDS. This leaves it to the committee to fix it as they please. No matter how they may fix it, that does not hinder the convention from increasing or diminishing it. The committee would of course report a definite number, and it is just as easy to decrease the number, if they report ten or twelve districts, as it will be to increase it if they report seven or nine.

Mr. HEBB. As there is some objection to