

1 law.

2 JUDGE CARTER: What is the difference between
3 using probate and original jurisdiction?

4 MR. ENEY: Original jurisdiction has a much
5 more significant meaning than probate jurisdiction. Is
6 the jurisdiction exercised by the Circuit Court in the
7 administration of the estate of a decedent a probate
8 jurisdiction?

9 JUDGE BRUNE: May I suggest the administration
10 of the People's Court is not administrative.

11 MR. ENEY: That is right, guardianships and
12 many other things.

13 JUDGE PROCTOR: I would like to raise one
14 question which I think is fundamental on this one aspect:
15 It seems to me that you ought to say in the Constitution,
16 the Supreme Court is the Supreme Court. The way this is
17 drawn, as I see it, the Legislature could turn topsy
18 turvy and make the Appellate Court the highest court if it
19 saw fit and make the Supreme Court the intermediate court.

20 THE CHAIRMAN: As they can now.

21 JUDGE PROCTOR: That doesn't make it right.