



Field Genealogy Being the Record of All the Field Family in America Whose Ancestors Were in This Country Prior to 1700: V. 2

Frederick Clifton Pierce

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..... Mr. Field was a member of the judiciary Committee, and his work naturally related mainly to the administration of justice. "Among the most important of the measures drawn up by him," says Prot. Pomeroy,* "was a bill concerning the judiciary of the state. This act was general, dealing with the whole judicial system, and requiring great labor in its preparation. It completely reorganized the judiciary, and defined and allotted the jurisdiction, powers and duties, of all the grades of courts and judicial officers. An act passed in the subsequent session of 1853, revising and amending in its details the original statute of 1851, was also drawn up by him. although he was not then a member of the Legislature. The system then planned and established in 1851, and improved in 1853, and again in 1862, to conform to the constitutional amendments of the previous year, was substantially adopted in the codes of 1872, and continued in operation until it was displaced by the revolu-

•John Norton Pomeroy, LL.D., Professor of Law in the University of California, has written a somewhat elaborate review of the career of Judge Field, as a legislator, State Judge, and Judge of the Supreme Court of the United States, from which the above is taken. _ _

tionary changes made in the new constitution of 1879-80. In connection with this legislation affecting the judiciary, he also drafted and procured the passage of an act concerning county sheriffs, defining all their official functions and duties; an act concerning county recorders, creating the entire system of registry which has since remained substantially unaltered; and an act concerning attorneys and counsellors at law, by which their duties were declared and their rights were protected against arbitrary proceedings by hostile judges."

"He also prepared and introduced two separate bills to regulate the civil and criminal practice. These acts were based upon the Code of Civil Procedure, and the Code of Criminal Procedure proposed by the New York commissioners, but they contained a great number of changes and additions made necessary by the provisions of the California constitution, and by the peculiar social conditions and habits of the people. They were by no means bare copies taken from the New York codes, since Mr. Field altered and reconstructed more than three hundred sections, and added over one hundred new sections. The two measures were generally designated as the Civil and the Criminal Practice Acts. They were subsequently adopted by the other states and territories west of the Rocky mountains. They continued, with occasional amendments, in force in California until the present system of more elaborate codes was substituted for them in 1872; and even this change was more in name than in substance, since all their provisions substantially reappear in some one of these codes." ...

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