

and jurisdictions in all respects as are conferred by this section on the judges directed to be appointed; and the Legislature may establish within the city of Baltimore, a court of limited criminal jurisdiction for the trial of offences not punished capitally, which may be committed in the said city, define its powers and prescribe the number, tenure, mode of appointment, and compensation of the judges thereof, which shall be paid by the city of Baltimore."

Mr. CRISFIELD. I make this motion rather to invite the attention of the gentleman from Baltimore city than to press it myself. It is the 7th section of my report. The system which has been devised, and which is now under consideration, is to parcel out the jurisdiction of Baltimore city between several independent courts. I voted against the motion which has just prevailed, believing that that city will not have an adequate supply of judicial labor. It is quite possible that the motion to reconsider, of which we have had notice, may not prevail. I therefore invite the attention of the gentleman from Baltimore, to this amendment. It provides for the city of Baltimore four judges; and it provides that the Legislature shall have power to increase the number of judges. It proposes to establish but one court in that city, to which shall be given the entire jurisdiction within the city. While I propose a single jurisdiction, with four judges who may sit separately or together, the proposition of the Committee creates several independent jurisdictions, each having peculiar and distinct powers, and between which there must necessarily be a conflict of jurisdiction. Suitors will bring their suits in the wrong court. If you give to these various tribunals a concurrent jurisdiction, then whatever court happens to be popular will be crowded with business. I therefore prefer that the jurisdiction should be given to one tribunal, holding, in fact, four courts, as the Baltimore county courts are now held; thus having the power to multiply the courts according to the wants of judicial law in the city. Thus you will avoid all conflicts of jurisdiction. You will have the means of increasing the number of judges whenever the condition of the business in that city shall demand an increase, and the wants of the city will be amply gratified, or at least more so than under the scheme proposed by the committee and now under consideration. If the members from Baltimore choose to take up this plan and press it, I shall be very happy to aid them; but if they object to it, I will withdraw it.

Mr. BRENT, of Baltimore. I move to postpone, with a view of making some remarks. The gentleman from Somerset is not aware of the difficulties which exist in the city of Baltimore. If it depends upon the judges whether to separate themselves or not, those who desire the dispatch of the business by their separation will rarely be gratified. So attractive and exciting are the jury trials, that although under the present law it is in the power of the judges to separate themselves, the power is of little value, and we generally have two judges on the jury trials.

Mr. CRISFIELD. Will the gentleman allow me to interrupt him one moment. We are about to elect the judges by the people, and this will be a strong incentive to integrity upon the part of the judges.

Mr. BRENT. I recollect that perfectly; but I like in a Constitution to prescribe to judges their duty, even if they are elected by the people. I want them to take an oath; and I will not trust them without it. They are human beings even if they are elected by the people, although they have first rate endorsement. It would be hard to get judges to separate themselves to go into chancery. The only way is to have something imperative and mandatory. We require at least three judges for the dispatch of the civil business of Baltimore city. Make it obligatory upon them to hold separate courts, and the object is accomplished. I do not care what name is given to the judge. It is the discretion whether or not to separate, to which I object, because I have seen the practical working of it. It will not add to the convenience of suitors in chancery.

Mr. CRISFIELD. I do not intend to press the amendment. I merely offered it to call attention to it.

Mr. STEWART, of Baltimore. I move to postpone for the purpose of making a few remarks. I begin, sir, by saying, as I do most cordially, that however much I and my colleagues may differ in opinion from the plan proposed by the gentleman from Somerset, I thank him for his kind expressions towards us and towards our city. His words have fallen upon very grateful ears. My friend's plan does not look at all to any diminution in the number of judges. I would beg leave to say to him that we of Baltimore are speaking from their experience under the old system, which is precisely the same in important particulars with that which he has proposed. There is not a man in Baltimore who does not complain of the composite jurisdiction of the Baltimore county court, relying for its distribution of powers rather upon the voluntary assignment of the judges than upon any established principle. If it were truly said by Chancellor Kent, (as stated by my friend from Queen Anne's,) that he had to learn for some time in the court of equity before he could mould and discipline his mind to the forms and proceedings of that court, might it not be equally the case with our chancellor? He becomes familiar, by study and concentration upon this particular branch, at the end of ten years. When he has become familiar with the whole subject, he is again thrown before the people for re-election, ripe with this peculiar learning. He has a practice entirely distinct from the fields to be explored in common-law. The simple question is whether the judges can better discharge their duties separately from term to term, or changing from one to the other court as their colleagues assign the duties to them. What would the criminal judge in the Baltimore city court, who was only familiar with the records of crime, know of chancery jurisprudence? What would he know of common law jurisprudence? My friend will at once see that there would be con-