

the continuance of a judicial lien, does not apply to any judgments rendered before the 19th of February, 1824, when that law was passed. 1823, ch. 194.

But these judgments on which Oliver and Carroll found their claims were all of them rendered in Baltimore County Court; and it is insisted, that they cannot therefore be considered as liens upon any of the real estate of the Cape Sable Company, not lying within the jurisdiction of that Court. This is a point of law which it is said, yet remains to be finally determined.

I have, upon a former occasion, endeavored to trace the origin and fully to explain the nature and extent of a judicial lien within the range of the jurisdiction of the Court in which the judgment was rendered. *Coombs v. Jordan, ante*, 284. And it appears, that this lien, which is not given in express terms, by any legislative enactment whatever, is an incident or consequence arising, according to the principles of the common law, from that statute which declared, that lands should be liable to be taken in execution for the satisfaction of such *judgments. The lien was considered as necessarily arising from the liability of the land to be taken in execution; and, therefore, the statutes which gave the *elegit*, the statute staple, statute merchant, and recognizance, all alike carried with them this lien, as an inseparable incident of the liabilities they imposed. Hence it was regarded as a general rule, that no such lien could be fastened upon any species of property which was not so liable to be taken in execution. And, consequently, upon the same principles, that no such lien could attach upon any lands lying out of the jurisdiction of the Court in which the judgment was rendered, and beyond the reach of any execution which could be issued from it. *Harris v. Saunders, 10 Com. Law Rep. 373*. And this was, in truth, the general rule of the common law in relation to this lien. **661**

The jurisdiction of all Courts of common law is confined within certain prescribed territorial limits. They are either themselves, in this respect, circumscribed within particular local divisions; or, if their jurisdiction embraces the whole State, they can only act through the agency of such officers as sheriffs, whose powers extend only over certain counties or districts of the State; and all their process has an express reference to such territorial divisions of the State. *Kames' Prin. Eq. b. 3, c. 7 and 8*. Hence it is, that at common law, even criminal process was not allowed to run from county to county; nor was there any civil process emanating from any Court, however comprehensive its jurisdiction, which could be directed indiscriminately to all, or to any sheriff, or any executive officer of any other class, to be executed wherever the party or his property might be found within the State.

In England, in all actions instituted in the Courts of Westminster, the plaintiff was obliged to give to his cause of action a