

The following message was received from his Excellency the Governor per hands of his private Secretary, Mr. Samuel W. Brooks:

EXECUTIVE DEPARTMENT,

Annapolis, March 24th, 1876.

*Gentlemen of the House of Delegates:*

I beg to return, without my approbation, House bill, No. 108, entitled an Act to extend the jurisdiction of the Justices of the Peace for St. Mary's and Baltimore counties, to cases of assault and battery.

There are in my judgment several serious grounds of objections to this proposed measure.

The 5th Article of the Bill of Rights declares, "That the inhabitants of Maryland are entitled to the Common Law of England and the trial by jury," and Article 21 confirming the doctrine of our Federal Constitution expressly declares: "That in all criminal prosecutions, every man hath a right to be informed of the accusation against him, to have a copy of the indictment or charge in due time, if required, to prepare for his defense; to be allowed counsel; to be confronted with the witnesses against him; to have process for his witnesses, to examine the witnesses for and against him on oath, and to a speedy trial by an impartial jury, without whose unanimous consent he ought not to be found guilty." It cannot be denied that these important privileges which are thus conferred by the highest authority known among us, may be entirely annulled by the passage of the proposed law, and that instead of being subject to the unanimous verdict of an impartial jury the liberty of the citizen in this class of cases controlled by the will of a single individual. This is a dangerous power, and utterly inconsistent with our theory of government.

The most important objection, however, to this bill exists in fact that it is based on special legislation, which is not only prohibited by the Constitution, but entirely opposed to the best interests of the community.

The criminal jurisdiction of our Courts, so important for the welfare of all, is most carefully provided for by the laws of this State, and its advantages and restrictions are applicable alike to every city and county. Uniformity in the law, by which Criminal Tribunals are organized, must always be of great advantage, and it cannot be in accordance with a wise policy that such county should have Criminal Tribunals of its own, independent of those organized by the Constitution of the State, with a jurisdiction found upon special laws which are wholly inoperative outside of its limits.