

The change in the judicial department was the cause of much opposition to the adoption of the constitution.⁴⁴ The jury was declared to be the judges of law as well as fact in the trial of all criminal cases.⁴⁵ All judges were to be elected by popular vote for a term of ten years. The salary of the judges of the court of appeals was fixed at twenty-five hundred dollars per year, and that of the circuit judges at two thousand. The State was divided into four, instead of six, judicial districts. The number of judges in each district was reduced from three to one.⁴⁶ The court of appeals was composed of four judges; one of whom was elected from each of the four judicial districts. The chief judge was to be designated by the governor. The court of appeals had appellate jurisdiction only, and its judgment was final in all cases.

In Baltimore City there was established a court of common pleas, which had civil jurisdiction in all suits where the debt or damage claimed did not exceed five hundred dollars; and was not less than one hundred dollars. This court had also jurisdiction in all cases of appeal from the judgment of justices of the peace in Baltimore City, and in all applications for the benefit of the insolvent laws of the State.⁴⁷ A superior court of Baltimore City was also established with jurisdiction over all suits where the debt or damage claimed exceeded five hundred dollars. Each of these courts consisted of one judge, elected by the voters of Baltimore City, for a term of ten years. The salary of the judges was twenty-five hundred dollars annually.⁴⁸ A criminal court of Baltimore City was also established, which exercised the jurisdiction heretofore exercised by the Baltimore City court.⁴⁹ In place of the county courts, the constitution of 1851 established circuit courts. For this purpose, the State was divided into eight judicial circuits. For each of these judicial circuits (except the fifth,

⁴⁴ Baltimore American, June 3, 1851.

⁴⁶ Art. iv, sec. 7.

⁴⁸ Art. iv, sec. 12.

⁴⁵ Art. x, sec. 5.

⁴⁷ Art. iv, sec. 10.

⁴⁹ Art. iv, sec. 13.