

voters of the said city, * * and shall be subject to the provisions of this Constitution, with regard to the election and qualification of judges, term of office, and removal therefrom."

It will be seen, by reference to the above provisions, that there are two modes by which the Judge of the Criminal Court of Baltimore city may be removed from office.

FIRST. He may be removed "for misbehavior, *on conviction in a court of law.*"

SECOND. He may be removed "by the Governor, upon the *Address of the General Assembly*, provided that two-thirds of all the members of each House concur in said *Address.*"

The memorialists charge Judge Stump with "misbehavior" in office, and it was therefore competent for them to have resorted to the FIRST mode of removal, viz: by "*conviction in a court of law.*" Considering the brief period to which the session of the General Assembly is limited, and the unusual amount of important business which has been presented for the attention of its members, it is to be regretted that the memorialists did not find it consistent with their views of propriety to have resorted, for redress, to a Grand Jury and Petit Jury instead of the Senate and House of Delegates. The undersigned admits that there seems, at first view, to be much force in the statement made in the memorial, that such mode of proceeding would be objectionable, because the case would be tried in the same Court where Judge Stump presides. The same objection applies in the case of the Circuit Judges of the twenty-one counties; each one of whom has exclusive jurisdiction in all the criminal trials in his respective circuit; in which alone, he could be indicted for any alleged "misbehavior" in office. In Judge Stump's case, an indictment against him might be *removed for trial* out of his circuit; but, in several of the county circuits, even this would be impracticable, as the removal must be to an *adjoining county*. In those county circuits just alluded to, it would be impossible, under existing laws, to have an indictment against a Circuit Judge (unless by his own consent) tried before any other Judge but himself! But, no such *insuperable* objection to proceeding by indictment applies to the case now under consideration; as a removal of the trial could readily be had to a court out of Judge Stump's judicial circuit.

Whatever the result of the present proceeding, the remedy indicated will remain open to the memorialists and all other citizens of Baltimore.

But, as the said memorialists have seen proper to elect the *second* mode of redress, it is due to them and to myself as one of the Committee, to state briefly the reasons why I cannot concur in the report made by the majority.