

less than the sum of five hundred dollars, he or they may be allowed or adjudged to pay in the discretion of the court the costs of said suit; this court shall be styled the Superior Court, and in addition to the jurisdiction hereby conferred, shall have and exercise jurisdiction in all applications for the benefit of the insolvent laws of this State, and of the administration of the estates of insolvent debtors, and the appointment and supervision of the trustees thereof, and the said court shall also have and exercise jurisdiction as a court of equity.

"There shall also be in said city a court to be styled the District Court of Baltimore city, which shall have in said city exclusive jurisdiction as a court of law over all cases of *mandamus quo warranto* of appeal from the decision of commissioners, for the opening of streets in the city of Baltimore, of petitions for freedom, and petitions to cancel or enforce contracts of apprenticeship, of all issues from the Orphan's court of Baltimore city and from the Superior court, and shall also have jurisdiction over all other controversies proper to be decided in a court of law, which have not heretofore been assigned to the court of common pleas or the superior court; and the said court as incidental to its powers as a court of law is hereby vested with full power and authority to cause a jury to be summoned, whenever a jury may be required for the business of said court; the District court of Baltimore city, within the city of Baltimore, shall also have and exercise all the jurisdiction of a court of equity, as now held and exercised in this State or as may be hereafter conferred or defined by the legislature.

"Each of the said three courts shall consist of one judge to whom the salary of \$2,500 per annum shall be paid or rateably for a lesser period, shall hold his office for the term of ten years, subject to the provisions of this Constitution, which have reference to the election and qualification of judges and their removal from office.

"There shall be a clerk of the court of common pleas, a clerk of the superior court, and a clerk of the district court of Baltimore city, each of whom shall be elected by the qualified voters of the city of Baltimore, shall hold his office for the term of six years from the time of his election, and until a new election is held, and shall be re-eligible.

"Each of the said clerks shall be subject to removal for wilful neglect of duty, or other misdemeanor in office, upon presentment of a grand jury, and conviction of a petit jury.

"The clerk of the superior court shall have authority to issue, within the city of Baltimore, all marriage and other licenses required by law, subject to such provision as this constitution, or the Legislature hereafter may prescribe.

"The clerk of the district court of Baltimore city shall have custody of all deeds, conveyances, and other papers, now remaining of record, in the office of the clerk of Baltimore county court, and shall hereafter receive and record all deeds, conveyances, and other papers which are required by law to be recorded in the said city.

"He shall also have custody of all other papers connected with proceedings on the law or equity side of Baltimore county court, and with the dockets thereof, so far as the same have relation to Baltimore city."

On motion of Mr. DENT,

Further proceedings under the call of the Convention were dispensed with.

The question then recurred upon the adoption of the substitute as offered by Mr. DENT, for the amendment offered by Mr. MERRICK, and the substitute offered by Mr. JOHN NEWCOMER.

On motion of Mr. BOWIE,

The amendment and substitutes were postponed informally.

The 21st section of the report of the committee was then read, as follows:

Sec. 21. There shall be five justices of the peace in each election district of every county in the State, and two in each ward of the city of Baltimore, to be elected by a plurality vote of the qualified voters in each of said districts and wards respectively, who shall hold their offices for two years from the time of their election, and until a successor in office is elected. They shall be, by virtue of their offices, conservators of the peace in the said counties and city respectively, and shall have such civil and criminal jurisdiction as shall be provided for by law; in the event of a vacancy in the office of a justice of the peace, a new election shall be held under the directions of the sheriff of the county or city where such vacancy occurs, upon ten days notice thereof; an appeal shall lie in all civil cases from the judgment of a justice of the peace to the judges of the county courts, and of the court of common pleas for Baltimore city, as the case may be, and on all such appeals, either party shall be entitled to a trial by jury, where the amount in controversy shall be above ten dollars.

Mr. SPENCER moved to amend the section by striking out all from the beginning of the section down to the word "be," in the 3rd line, and inserting in lieu thereof the following:

"The Legislature shall prescribe the number of justices of the peace in each of the counties in this State, and in the city of Baltimore, who shall."

Mr. SPENCER said he did not think it was proper that the convention should undertake to determine how many justices of the peace there should be in each county of the State. The number that might be sufficient in one district, would not, perhaps, be enough in another. And, we could not go into detail on the subject. We must establish some general principle in regard to it, and leave it to the Legislature to carry out the details.

Mr. PHELPS said that he was willing to accept the modification, so far as he was concerned.

Mr. GWINN would suggest to the gentleman from Queen Anne, (Mr. Spencer,) the propriety of leaving the whole matter to the Legislature, under some general directions, to provide for the election of Justices of the Peace in the city of Baltimore. He contended that it was impossible to provide for the election of Justice of the Peace