

between them, are the County courts. These courts, of which there is one in each county, whilst they have appellate jurisdiction over tribunals inferior to themselves, have also, to a certain extent, both in civil and criminal cases, a concurrent original jurisdiction with the Supreme court; for the Circuit courts may be regarded as mere amplifications of the Supreme court for the trial of issues of fact. The County court has cognizance only of such matters as, being otherwise within its jurisdiction, arise within the limits of the county. It formerly consisted of five judges, one of whom was styled First Judge, whose duration of office was five years, and whose appointment lay with the Governor and Senate of the State. As it was not necessary to be a lawyer to be a county judge, the decisions of the County courts were frequently very wide of the legal mark; nor did they attach to themselves that respect and confidence which, under a different regulation, they might have inspired. I have known instances in which all the five judges were farmers—not a single professional man being on the bench. The consequence was, that most suitors, when their cases were important, preferred resorting to the Supreme court; when, had the County bench been properly constituted, justice might have been administered to them much more cheaply and more speedily than by the superior tribunal. I have frequently heard bitter complaints made of this radical defect in a court which had cognizance, concurrently with the Supreme court, of civil cases, involving property to a large amount; and of all criminal cases, which were not capital in their nature, or punishable with imprisonment for life in either of the State's prisons of Auburn or Sing