4

ARCHIVES
OF THE STATE OF
MARYLAND.

COMMONWEALTH OF PENNSYLVANIA.

IN SENATE,

March 30, 1805.

RESOLVED, as the opinion of this House, that the extension of the judicial power of the United States, to "Controversies between citizens of different states—to controversies between citizens of the same state, claiming lands under grants from different states—and to controversies between citizens of a state, and citizens or subjects of a foreign state," hath been found, on experience, to involve the good people of several of these states in much difficulty, vexation, and expence; inasmuch as a foreigner, or non-resident, has it in his choice to commence his suit either in the state courts, or those of the United States, as former decisions in either of those courts may appear to favour his pretensions; and if he shall make choice of the former, in the first instance, he may, after the most solemn decision of the highest judicial tribunal of the state, remove his cause to the courts of the United States, thereby involving the citizen in great delay, vexation, and expence: Nor is this the only difficulty, the wealthy and artful citizen having it in his power, to harass his indigent or ignorant opponent, in the same manner, by a transfer of his claim to a confidential agent. That it is evident, that the judges of the several state courts, who have made the history and laws, of their own state, their peculiar study, must be more competent to decide cases arising under those laws, than judges at a distance, who can not be supposed to have so intimate a knowledge of them. That an uniformity of decision, at all times desirable; but more particularly so, in the trial of titles to land, cannot reasonably be expected from different tribunals, sitting at different places, and viewing the subject under different aspects; and, a jarring of judicial decisions on that subject, will be a fruitful source of jealousy, distrust, and contention. That the state of Pennsylvania is deeply interested, in having an uniformity of decision in the conflicting claims to land within her territory; which can only be expected, by confining the decision of those claims to her own courts.

RESOLVED, THEREFORE, That the senators in congress from this state, be instructed, and our representatives in congress requested, to join the senators and representatives from the state of Kentucky, in endeavouring to procure such an amendment to the constitution of the United States, as will confine the judiciary power of the courts of the United States, "To cases in law and equity, arising under the constitution and laws of the United States, and treaties made, or which shall be made, under their authority—cases affecting ambassadors, other public ministers, and consuls—cases of admiralty, and maritime jurisdiction—to controversies, to which the United States shall be a party—and, to controversies between two or more States."

RESOLVED, That the Governor be, and he is hereby requested, to forward a copy of the foregoing resolutions to each of the senators and representatives from this State, in the congress of the United States; also, to the executive of each state in the Union, that the same may be laid before their respective legislatures; with a request for their concurrence and co-operation, in procuring the said amendment.

JOHN STEELE, *Speaker of the Senate.*

Attest.

GEORGE BRYAN, *C. S.*