ent associate judges are employed so small a portion of their time. In correcting this evil, we ought to be cautious in attempting to abolish courts that are absolutely necessary. It is proposed to abolish the high court of chancery, because it is expensive; but the chancellor's salary is nothing in comparison with the advantage of having a competent tribunal for the trial of equity cases. The question is not whether a system is expensive, but whether it is necessary to the proper administration of justice. Liberty and justice are expensive, and can only be secured by providing the necessary means. Equity jurisdiction is to be vested in the circuit courts, as it now is in the county courts; and it is important to continue the high court of chancery so as to prevent the accumulation of equity business in the courts of law. At present, suitors may choose between these courts, and select whichever is most likely to decide a case in the most expeditious and satisfactory manner. The most important cases will be carried to the chancellor, while simple and ordinary business will be transacted in the circuit courts. It is true that very little chancery business is brought to Annapolis from the western counties, but in other parts of the State the equity cases have been constantly accumulating, and could not be properly attended to, if the duties and business of the chancellor were transferred to the circuit courts. If the chancery court, and the equity jurisdiction of the local courts be continued, the business of all will become more equal, because if it accumulates in one, new cases will be taken to the other. But it is important to continue the present chancery system for another reason.

It is a common opinion that any good lawyer is qualified to be an equity judge; but the rules of proceedings and evidence are so different in courts of law from those in courts of equity, that a judge well qualified to preside in one, would find it necessary to commence a new course of study to qualify himself for the other. Even Chancellor Kent, with all his experience and ability as a lawyer, declared in the New York Convention, that it was not till several years after he was appointed a Chancellor, that he became familiar with chancery proceedings. How then can it be expected, that all the judges of the Circuit Courts, however respectable they may be, will be competent to decide in cases of equity? In case of incompetency in a circuit court, parties may resort to the high court of chancery; which, as now organized, is equal to any in the Union; for the Chancellor, Auditor and Register, are all distinguished for capacity, and unremitting attention to their duties. If this court is abolished, the chancery business of the State will be divided among eight distinct courts of law, all more or less incompetent, and governed by different and conflicting rules and decisions. At present, parties have their choice between inexperienced tribunals, and a court that is distinguished throughout the Union for its ability and impartiality. Shall we destroy a court of this description, merely to save the salary of a judge, and transfer its jurisdiction to incompetent courts of law, which will require double the time to decide a case in equity, and then perhaps decide it incorrectly.

Mr. Dorsey remarked that he would not make a motion merely to have an opportunity of introducing remarks not otherwise authorized before this body, intending then to withdraw it; for he considered it an evasion of the order. He moved to insert the word "of" after "undisposed," in the last line but one, so as to read "undisposed of and unfinished," which is necessary to make English or sense of it.

He had had some connection with the different county courts in this State, which have undertaken to transact equity business, and he must say that the interests of the clients are frequently most seriously endangered if not sacrificed by the manner in which proceedings are brought before the appellate courts. He conceived it to be his bounden duty to say, if you wish to preserve any judicial system, to have separate jurisdiction between law and equity, retain the chancery court as absolutely indispensable. He was satisfied that our chancery system is one of the best in the Union. Let him come from what part of the State he might, he would believe that he was doing great injustice to that part of the State which he represented, if he should, for one moment, consent to the destruction of that court. It is not only for the benefit of the judge in the appellate court, but of the solicitors in the chancery court, for they receive aid and assistance from the chancellor when they come into the chancery court. The chancellor sees the effect of their proceedings, and knows what ought to be introduced and what ought to be stricken out. He kindly suggests to them what they ought to know for the benefit of their clients. He had no personal interest in this subject; but gave his vote according to his observation and experience, were it the last act of his life, he would vote to retain the chancery court in our judicial system.

The amendment was agreed to.

Mr. Brent, of Baltimore city, moved to amend the 25th section by striking out in the 3d, 4th and 5th lines, these words: "nor shall any cause be removed from any other court in the State to the said court of chancery from and after said ratification."

Mr. Brent. What is to become of these cases? I tell you, Mr. President, that these old cases sleeping in the county courts, are sleeping in the tomb of the Capulets. It will take the hand of resurrection to resuscitate them. With my own knowledge, after the cases have arrived at a certain antiquity, very many of the county court lawyers entirely give them up and will not look after them. I have had cases put into my hands for removal to the high court of chancery where all the original parties were dead, and where all the original lawyers were dead. The judges are averse to look at them, and there is a very good reason for it, which will continue to exist under the new constitution. A great many judges are farmers who regard their judicial labors as a secondary matter. The great object with them is to try the jury cases, which are the most urgent, interesting, pressing and