

the heavy current of business continually pressing through the court.

On reflecting upon the nature of the undertaking I deemed it proper to begin with the earliest of my own decisions, taking them up in chronological order according to the date of the last material adjudication in each case, and to make such a selection from them as would give to the profession the greatest amount and variety of information within the smallest compass. I have rarely or never preserved my notes of the arguments of counsel after my decision has been pronounced; and therefore it has been entirely out of my power to give even the usual skeleton of the arguments of solicitors; many of which have been distinguished by great ability; and from most of which I have derived much instruction. To make up in some degree for this defect, I have taken pains so to digest the pleadings, and to state the circumstances as to present a full view of all the points which had been, or could have been made in the case; and to render the decisions as useful as possible I have revised the reasons for them all, and have so recast and enlarged some as to comprehend all the points which apparently might have been made. In each case I have given references to all the authorities deemed pertinent and within my reach; and have also inserted, from the records, by way of notes, short reports of a number of cases decided by my predecessors.

Although *The Chancellor's Case* cannot in any way be considered as a controversy which had been adjudicated upon by the Court of Chancery, it is nevertheless a determination of the General Assembly in relation to the sole judge of that tribunal which involved the examination and discussion of subjects of the most interesting nature; and is a decision of the legislative department upon a question of constitutional law of the most vital importance to the Chancellor in particular, and to the judicial department in general. It therefore appeared