

to a participation in the profits of the concern. In consideration of his devotion of his time and capacity, he is to share the earnings of the company. Well, business prospers, the firm make large profits, the new partner grows rich, and as sometimes happens, affluence sets him to covet larger wealth. In process of time matters are to be wound up, and the new partner, not satisfied with the large dividends of profit, claims his full aliquot portion—his full seventh part—of the million of dollars. Why surely the old partners would say, and properly say, “you have no sort of claim in conscience or equity to any part of that sum which we alone contributed long ago, perhaps before you came into the world.” It would be no satisfactory answer to say “we are now seven, and of course equality and equity require a division into seven parts, of which one is due to me.”

In his humble judgment there was no room to complain of the justice or the propriety of the distribution ordered by the Legislature. He wished not to be misunderstood. The rule of distribution which he sustained was only applied to this ancient, revolutionary, or rather anti-revolutionary fund. He did not ask to extend it to later acquisitions. These were already differently distributed, and when the proceeds of the public works should be disposable to such purposes, a different rule would govern their appropriation. The Legislature, who had provided that an especial exception should apply to this ancient fund, perfectly knew what they were about. They knew it was subject to peculiar consideration; probably knew better than we do the history of its origin; that it heretofore belonged to the counties when those now of small importance in population and wealth were most populous and influential, and when those now with immense population were weak and feeble; when some of them had no existence; when the city of Baltimore, now boasting her one hundred and seventy thousand souls, was in the predicament indicated by an anecdote which this moment occurs to my recollection.

In the year 1809, said Mr. C., I was at Frederick, returning with my father, then an old man, from Hagerstown; for it was then the work, and in winter hard work, of two days, to get from Hagerstown to Baltimore. At Frederick my father engaged in conversation with a venerable old gentleman, whose locks were white with the frost of many winters, and who proved to be Mr. Grant, many years before the respected keeper of the Light Street Hotel in Baltimore, in which my father had been a guest. They had many incidents to relate of gone-by times and things. Amongst others, allusion was made to some event, when the old gentleman remarked, “That was when I could not venture to ask the butcher to kill a beef until he could go around and obtain the agreement of others to purchase part, so as to prevent any part of it spoiling on his hands.” That was the condition of Baltimore then—a single beef would overstock the market. What a wonderful change! At this day it was not only every beef reared in the State which they consumed, but

they were making continually inroads upon our pasture fields, and seemed to regard all we had as necessary for their well being.

When the gentleman from Frederick proposes a rule of distribution, let him recollect that, however just and equitable the rule may be in itself, yet it is quite proper to consider whether the fund belongs to those who propose to distribute it. Don't let him take my fund to appropriate it amongst his friends. In conclusion, Mr. C. said he hoped the next vote instead of being 51 to 11 would be 62 to —.

#### CHANCERY COURT.

*Remarks of Mr. Chambers, April 30, 1851.*

MR. CHAMBERS said he would renew the motion to enable him to say a few words. I take it for granted, said he, that we are all anxious to do that which will best gratify the interests of those concerned in the proper administration of this branch of the government. I may be mistaken, preconceived opinions may have made arguments tell upon my mind, both as to their force and their directness, to an extent not felt by others, but it does appear to me that what has been said by the several gentlemen who have given us the results of their observation and experience, is calculated to impress us with a thorough conviction that a chancery court is necessary. All concur in this, and we are told that if the present court of chancery is destroyed, another court of chancery will be essentially necessary for the city of Baltimore. It is also conceded by all, that the present court of chancery does most admirably answer all the ends of its creation, that the excellent officer who presides over the court, is able and industrious and prompt in the discharge of his duties, and that business is transacted entirely to the satisfaction of parties and solicitors and all who have an interest in its operations. Now, Mr. President, is it prudent under such circumstances to hazard a change? Is it wise—nay, is it excusable to tear down a system which has so long and so well effected its intended objects, which now, by common consent, is doing all that can be required; is it proper to tear down such an institution merely to try an experiment with some other system, the practical operation of which is at best mere matter of conjecture? You have not even the pretence of economy, if as is said, we must create another chancery court at Baltimore. The salary of this last, must be as large as that of the chancellor at Annapolis.

Then why not allow the present court to remain? It is coeval with the government, we all understand its duties and authority, we are all familiar with its mode of proceeding; its organization is complete, and its appropriate jurisdiction exercised in the most salutary and satisfactory manner. Can you expect to do better? If not, why encounter the risk of doing a great deal worse? Change without benefit is certainly not desirable, and rarely fails to produce serious mischief and sad disappointment. You do not consult the pecuniary interest of the State, because you are informed it will be absolutely necessary to reconstruct the court and locate it in Baltimore, and when created and located there, you are told by gentlemen of the bar there, that it will not be at all more convenient, even for the business of the city, than the present court at Annapolis. With these premises before us, how is it possible to escape the conclusion that the present court of chancery should remain, with such modifications as may be deemed necessary, if any be necessary?