

the habit is to try appeals without argument, and I know a judge, in one of the county districts, before whom I sometimes practice, who usually makes short work of the appeal docket. He of course tries the cases well, but with great expedition. I mean the Chief Justice Dorsey.

Mr. SPENCER. In our court they allow one lawyer to speak on a side.

Mr. BUCHANAN. I believe this is the practice in some of the courts, but in the county courts generally I think they are able to run through the appeals in one or two days. But whether the appeals take a long or a short time to try, my point is that we have the labor to perform in the country as well as in the city.

[Here the President's hammer fell.]

Mr. STEWART, of Baltimore city. I renew the motion. The idea seems to be entertained extensively here, that the proposition to organize an equity court of Baltimore city, (by which name I propose to call it, when we come to that point,) is to be regarded as antagonistic to the existing chancery court of the State of Maryland. In that matter, as in all other matters, I am entirely willing that our friends of the counties should arrange for themselves any system which they desire. We look to this as indispensable, and as an independent equity court for the city of Baltimore. I beg to say here, (and I am sufficiently well understood by the Convention as not to be supposed to be using it in the way of menace or alarm,) that I have the most profound anxiety with regard to the ratification of the labors of this Convention by the people, when they come to pass upon its action. I desire that public agitation shall be delayed. I do not desire that the questions that have been opened in reference to the propriety or expediency of a Convention shall again be discussed, with all the new elements of excitement of which in the future these questions may be compounded. Sound as my city is to the very core, careful as she will be, with all her power and influence, to guard and cherish every possible interest of the state over which she may desire to extend protection, I desire to settle now, by some wise organic law, the agitation which has existed in the state of Maryland, so that we may meet together in the halls of legislation, and no longer in the halls of a Convention, to reorganize, time and again, the great fundamental law under which we have lived, and by the prosperous administration of which we are to thrive and increase in honor and glory. With this object in view, I have to say to this Convention that there is no subject before our people more interesting to them than this subject of Judicial reform.—If this Convention, in its judgment, has chosen to say, in reference to the question of representation, that they will not concede to us a larger number than they have given us, I bow, and in the spirit and with the motive of compromise, cheerfully bow to that decision, looking to the grand objects to be accomplished by the desire of harmony which pervaded their action on that subject. When we come to look at this question, I ask that the public mind of the city of Baltimore may not be fretted with any opinion

of injustice done to them in that which I look to as the most important part of the structure we are here to erect.

I have before said that I did not regard the establishment of a court of chancery in Baltimore city as antagonistic to the chancery court at Annapolis. How did this bill come upon your table? Why, the present chairman of the committee, (Mr. Morgan)—every member of the judiciary committee—have in solemn form presented to you the result of their anxious deliberations, and have said to you—I care not whether speaking by their own experience—I care not whether they had before their faces the vision of the twenty-five hundred cases on the chancery docket, or whether speaking, as they are bound to speak, in obedience to the voices of their constituents—they have told you that they thought, and you confirmed it by your vote of yesterday, that the chancery court ought to be abolished.

Mr. BUCHANAN. I beg to ask the honorable gentleman a question—if he consented to the report of the Judiciary Committee?

Mr. STEWART. By no means, as an *entirety*.

Mr. BUCHANAN. I should like to know if the gentleman did not oppose the county court system?

Mr. STEWART. I did, sir.

Mr. BUCHANAN. Does he make any objection to us who dissented from that report?

Mr. STEWART. Certainly not, sir. I claim the privilege myself, and therefore concede it to others.

Mr. BUCHANAN. I should like to know if Messrs. Randall, Morgan, and myself did not oppose, in committee, the abolition of the chancery court?

Mr. STEWART. Whatever my friend says I will adopt. I have no recollection about it. I am speaking of the bill. I say that when we came to the 25th section, we came upon the conclusion of the bill, that the chancery court should be abolished. That is presented to the deliberate action of this body by the report of the committee.

Mr. MORGAN. I remind the gentleman of the conditions contained in that bill—that the court of chancery shall be abolished in five years, when the unfinished business is to revert to the several counties and the city of Baltimore, together with the whole system contained in the bill.

Mr. STEWART. My position is still maintained. The committee did recommend the abolition of the court, but they put it in liquidation, and gave it five years to wind up.

I do not regard it as an antagonistical proposition. You can ask for any thing for the counties. I believe I represent, in that respect, my colleagues, and the wishes and feelings of the city of Baltimore. Although we have not express instructions, they are implied. I am willing to concede, in the fullest and largest measure, according to the wants and wishes of the counties. I desire to speak in regard to what we claim as a right in Baltimore.

Mr. BUCHANAN. I would like to ask my