

jurisdiction, was given to each county. My views still remain unchanged. The state, however, has been divided into judicial circuits, and the one judge system for each county rejected. I believe it is now important, in this state of things, to preserve this very valuable court, which is now administered by one of the ablest and most distinguished lawyers of the state. It is for this reason that I favor the retention of the court of chancery, and shall vote for any proposition looking to its continuance.

Mr. MORGAN. That, also, was my position.

Mr. SPENCER. When I referred to the views of the committee, I think that my friend from Charles could not have been in the House, otherwise he would have understood me. I did not refer to it for the purpose of implicating the committee in any respects. I referred to it to meet the argument of the gentleman from St. Mary's. I understand the argument of that gentleman to be, that as the members from Baltimore had abolished the High Court of Chancery, he was unwilling to grant an equity court to her.

Mr. MORGAN. I do not recollect making such an argument.

Mr. SPENCER. That was my argument in answer to him yesterday.

Mr. BUCHANAN. I rise to a question of order. I take the liberty of calling my friend to order, inasmuch as he is referring to matters which took place in the committee.

The PRESIDING OFFICER, (Mr. Blakistone.) The gentleman will reduce his point of order to writing.

Mr. SPENCER. I say that I referred to no matter in the committee room, until it was referred to by others. I stated that this bill came in here by the entire approbation of the committee, at the time it was reported, upon the subject of the chancery court. My motive in referring to this matter, was to disabuse members of the effect of the charge made against the city of Baltimore on this subject.

Mr. BUCHANAN. I insist on my point of order, which I have reduced to writing, in the following words: "That it is out of order for the gentleman from Queen Anne's, in debate in the Convention, to refer to the proceedings that took place in the committee room."

Mr. SPENCER. I did not discuss such a proposition.

Mr. BUCHANAN. I say it is out of order to undertake to speak of what took place in the committee.

Mr. SPENCER. The gentleman from Baltimore county has been doing it all day. [Laughter.]

Mr. BRENT, of Baltimore city. I suppose I can make a remark. Two wrongs do not make a right. If it be a violation of parliamentary law for members to speak of what took place in the committee, and if members have violated that law, I suppose it can be stopped.

The PRESIDING OFFICER. In the opinion of the Chair, it is the duty of every member to speak to the question before the House. As to

what took place in committee, it cannot be a matter for the action of the House.

Mr. SPENCER. I had stopped referring to any thing in the committee. I had said that I never intended to refer to any thing in committee. I referred to the action of the committee in this body from the first. I have a right to refer to it, and I did refer to it. I say that when that committee came into this body by their chairman, they reported in favor of the abolition of the chancery court.

Mr. BUCHANAN. I call the honorable gentleman to order. He is violating the decision of the Chair.

Mr. SPENCER. I ask if it is out of order for me to refer to the action of this body by its individual members, or by the body itself, for the purpose of disabusing the public mind and this body that the city of Baltimore is not answerable for the abolition of the High Court of Chancery? Is my mouth to be closed in this Convention? Am I not to be allowed to say that one portion of this Convention is no more answerable for the abolition of that court than the other? When it is said that Baltimore city has refused to do justice to the other portions of the State—when it is said she has broken down the high court of chancery by her action here, have I not a right to refer to the proceedings of the Convention to the blow given by the gentleman from Somerset, and his friends acting with him, to break down this system? I say I am in order when I do this. This right I claim, and so help me God, that right I will ever use! I have been forced to say more than I intended to—much more. I am sorry that the subject had been introduced here. I was speaking upon the character of the High Court of Chancery. I was arguing that if we refused to give Baltimore city a chancery court, we would be driven back to the High Court of Chancery that we have abolished. It will necessarily follow. I caution members of this body, who I know have themselves advocated the abolition of this court, as a matter of reform, how by their votes they may oblige us to fall back upon that very system which we have looked upon as fraught with evil to the State. It is with this view I offered my proposition.

The question was stated to be on the amendment of Mr. Spencer.

Mr. THOMAS. I really think it a loss of personal dignity to practice under such a rule as the chair has prescribed; yet I must move to postpone the further consideration of this subject. I am forced to practice under this rule, for I cannot sit still and hear all the argument on one side, and reasons assigned for votes that have no foundation. I came in here five minutes ago. I voted against giving the city of Baltimore a separate chancery court. Does any man suppose I gave that vote because the Baltimore delegation abolished the high court of chancery, or that I gave it because they did not abolish it? Is it to be supposed that any one will be influenced by such a motive? I voted against it because I desired that our judicial system should be symmetrical—should be