

system of adopting two judges, and then referring our future wants to the Legislature, because I have no faith in that body. If you do not give us three judges, I have no belief that the Legislature will give them to us. If they do give them to us, how will it be done? Why, by an onerous taxation upon the people of Baltimore city, as they have inflicted for years on us. I have more faith in this body than in the Legislature, and if this body does not give us what we desire, I shall not vote for any proposition referring the matter to the Legislature.

Mr. THOMAS. I will vote for two common law and chancery judges, and criminal judge, and a court of police.

Mr. BRANT. I will not vote for less than three judges to transact our civil business, because I am satisfied that less than that number cannot discharge the accruing business, and get rid of the accumulated business there, which is immense. It is a reproach that a party cannot go into the courts of Baltimore city, without leaving a lawsuit as an inheritance to his children. I have a case in suit—that of a bill of exchange—which has been pending for eleven years. I withdraw my motion.

Mr. SPENCER. A gentleman from the city of Baltimore has suggested to me a proposition which he intends to submit, and I will not therefore interpose my amendment. I shall withdraw it, because I believe something better will come from that city. My view in offering it was to see if something could not be done to accommodate the city of Baltimore. I did not intend to impose any thing upon the city unjust or unkind. So far as that city is concerned, I shall not be found interfering with her.

Mr. STEWART, of Baltimore city, then moved to amend the 11th section of said report, by inserting after the word "shall," in the fourth line, these words: "be over one hundred, and shall."

Determined in the affirmative.

Mr. McLANE. I suppose that I must make a motion to postpone, for the purpose of entering into the discussion. I confess that I am so much embarrassed about these different propositions that have been presented, that I scarcely comprehend the purport of any one of them. I would have been perfectly willing to have taken this bill as reported by the Convention, supposing that it had been framed after due consultation with the gentlemen from the city of Baltimore; and being disposed to yield that amount of deference and concession to that city, as to give them, according to their own judgment and experience, that amount of judicial labor which would be calculated to promote the interests of that great commercial city. That is the object I have in view, and I throw expense out of my view entirely. I think that the cheapest administration of public justice is that which promotes its speedy and prompt administration. Whatever number of judges may be necessary to give satisfaction to the public, both civil and criminal, I am prepared to concede, no matter what the expense may be. I concur generally in the views presented by the

gentleman from Frederick, (Mr. Thomas.) This subject of the abolition of the chancery court does not enter my mind at all. I was in favor of the abolition of that court, constituted as it is now, because I have heard nothing here that satisfied me that that court was at all necessary to a proper and speedy jurisdiction of the equity jurisprudence of the State. I have as much confidence in the present chancellor as any one. Without the pleasure of much personal acquaintance with him, I cannot be insensible to the testimony universally borne to his intelligence as a lawyer, and his uprightness of character. I have not confidence in the court of chancery. I rest upon what has been shown here, and find it now in possession of twenty-five hundred cases, undisposed of. This is not the fault of the chancellor, I am sure. I rather think, from any information I possess, that if inquiry is made, it will be shown to grow out of the professional practice which has been indulged in, their dilatory course of proceeding to argue a cause whenever they are ready, and not before.

I mean to say nothing in disparagement of the profession; but I think the client has much protection, from the dilatoriness of the counsel as well as the judge. The inclination of the counsel is to consult his convenience, much more so than the judge. An eminent barrister of Pennsylvania once said that "if the counsel be apt, and the client clever, a chancery suit may last for ever." I am in favor of abolishing this office, because the whole experience of the country has proved it unnecessary in the administration of justice. There has been a march of improvement in every state. This court does not exist in Virginia; it has been dispensed with in New York; I believe that in Pennsylvania they have been twenty years without it. Now, the Convention has proceeded upon the principle, in refusing this particular officer called chancellor to the city of Baltimore, that it is denied to the counties. I hope gentlemen will allow me to say that it is.

We have destroyed the office of chancellor for the whole State, including the city of Baltimore. But we must give a chancery jurisdiction somehow to Baltimore, as we have given it in the counties. We gave it to the circuit courts, but according to the idea of the gentleman from Frederick, we are now to give it to the city of Baltimore. I am for giving it to the circuit courts. I think that the phraseology of the bill has probably led to the difficulty under which we are now laboring. I concur in the views presented by the gentleman from Somerset, (Mr. Crisfield,) that we are to give this jurisdiction to one or both of the judges of the city of Baltimore, and that we are to make the number of judges in the city equal to the transaction of their business. I, for one, am very willing to defer to those who to represent Baltimore city here as to the number of judges which may be necessary to transact their business. We have given the counties all they desire, and we should give to the city of Baltimore all that they can lay a just claim to. What I