Even if the present Chancellor should be continued, the work could hardly be finished in five years.

If he was to try a case every day, he could not finish them in two years; but Chancery suits could not be got ready in that regular way. The ordinary life time of a Chancery suit was from six to eight years, arising from the death of parties and other causes. There were so many parties, they were continually dying. By the time the representatives of one who had died could be ready, another one would die, and thus the time would be prolonged. Besides, lawyers could not be induced to give up their business in other courts, and to concentrate it upon the Court of Chancery, merely to wind up the business of that Court. And, then, what was to be done with the records? Were they to be scattered in fragments all over the State of Maryland? In nine cases out of ten, the cost of hunting them up, as the evidence of titles, which depended on them, would be more than the property would be worth. He should vote against the amendment, and should consider the State of Maryland very fortunate if they could close up the business in five years.

Mr. HOWARD said that a little arithmetic would show that even the liberal allowance made by the gentleman from Baltimore would not close up the business. There were 2000 cases on the docket. In two years, excluding Sundays, there would be 600 days. The Chancellor then would be obliged to dispose of three cases per day, every day in the year, except Sunday. It was utterly impossible to do this, if any such care and circumspection was used as ought to be used. What would be the consequence? The new judiciary system was expected to keep pace with the wants of the community; but here it would be encumbered, almost at the very outset, and loaded down with these superannuated cases which had been standing a quarter of a century. The system might be amply sufficient for the current business; but as the United States some years ago distributed its surplus revenue, it was now proposed to distribute this load of debt among the different courts; and it might utterly prevent them from properly discharging their duties. He did not consider five years as any too long to wind up the business of the Chancery Court.

Mr. PHELPS said that he had been for a long time an opponent of the Chancery Court. But if the business could now be sent to the different counties without great inconvenience and injustice, it would not be necessary for the Chancery Court to remain in session for a single day. It certainly could not dispose of its vast amount of business in two years; and any reason which would justify its continuance for two years, would require its continuance for a time sufficient to close up the business. At an early period of the session, he had submitted an order requiring the Register of Chancery to transmit to this body a list of the number of cases then on the docket, the years in which they originated; and the counties to which they belonged. The reply showed that there were 2000 cases yet untried. It would be better to abolish the court now than two years hence. And if any time at all was to be allowed to wind up the business, five years would be none two much.

Mr. GRASON said that gentlemen in the western part of the State had not been in the habit of resorting to the Chancery Court, and took but little interest in the numerous cases which remained unlitigated there. But if five years were allowed for winding up the business, the Chancellor would be obliged to dispose of at least one case and a half each day. He would not be able to close it up entirely; but there would be comparatively few cases remaining, and these could readily be transferred to their respective local jurisdictions. There was another difficulty in closing them up in two years. A great many of the parties had been at considerable expense in employing counsel, who were now attending to these cases. If they should be transferred to other courts, new counsel must be employed, and the cases must be commenced *de novo*, at an increased expense. The sum of $9000, the difference in the expense between two years and five, would be entirely out-weighed by the advantage of continuing the court.

Mr. RANDALL said that the receipts from the Chancery Court were $2100 per year; so that the actual cost was less than $1000. The expense of the court was less than one-third what gentlemen had considered it.

Mr. JOHN NEWCOMER moved that the question be taken by yeas and nays;

Which being ordered,

Appeared as follows:

Affirmative—Messrs. Dalrymple, Bond, Bell, Welch, Sherwood, of Talbot, Colston, John Dennis, James U. Dennis, Dashiell, Constable, Chambers, of Cecil, McCullough, Miller, Bowling, Dirickson, McMaster, Hearn, Jacobs, Shriver, Gaither, Biser, Annan, McHenry, Nelson, Carter, Thawley, Hardcastle, Sherwood, of Baltimore city, Ware, Schley, Fiery, John Newcomer, Harbine, Michael, Newcomer, Brewer, Weber, Fitzpatrick, Smith, Parke, Shower, Cockey and Brown—42.

Negative—Messrs. Ricaud, Pres't. p. t., Morgan, Blakistone, Hopewell, Lee, Chambers, of Kent, Donaldson, Wells, Randall, Kent, Sellman, Weems, Howard, Buchanan, Williams, Phelps, Bowie, Tuck, Spencer, Grason, George, Wright, Fooks, Stephenson, Magraw, Gwinn, Stewart, of Baltimore city, Brent, of Baltimore city, Neill, Waters, Anderson and Hollyday—32.

So the amendment was adopted.

The question then recurred on the adoption of the substitute offered by Mr. RANDALL to the 25th section, as follows:

"The present chancellor and the register in chancery, and in the event of any vacancy in their respective offices, their successors in office respectively, who are to be appointed as at present by the Governor and Senate, shall continue in office, with the powers and compensation as at present established, until the expiration of five years after the adoption of this Constitution by the people, and until the end of the session of the Legislature next thereafter; after which pe-