

To have accepted the amount, which the treasurer proposed to pay, under the Act of 1792, ch. 76, would have been a total abandonment of the ground taken by the Senate; and it might have been construed into a clear admission by the Chancellor, that the House of Delegates, or the Legislature could, constitutionally, diminish the Chancellor's salary at their pleasure. Such an abandonment he could not make—and he felt himself forbidden from making any such admissions. He deemed it a sacred respect he owed to the Senate, a co-ordinate branch of the "trustees of the public," not to abandon the ground they had taken in his behalf; and, he held it to be a proper regard to himself, and a solemn duty he owed to the Constitution, not to make any such admissions; or to suffer any act of his to influence or embarrass the consideration or determination of this, the most important question, that has ever yet been presented to the General Assembly of Maryland.

It is not in Chancery as at common law, where the Court's docket exhibits a complete list, and a full account of all its business. A Court of Chancery does not, like a Court of law, move forward all its business from term to term, from stage to stage, and periodically; it is continually open; always accessible; and may be, at any time, engaged in business; it has no recesses, no resting places. There are many cases in Chancery, which, although soon brought to a termination, in relation to the immediate object for which they were instituted; yet, as to other purposes may be *opened **678** and reopened; and, from the nature of things, and to answer the purposes of justice, must be kept open and depending for many years. The adjustments under the late Spanish treaty called up, and recently gave rise to much litigation, in cases that had slumbered for nearly thirty years; and, in which the parties, or their survivors had been dispersed over half the Union.

The labours of the Chancellor are not, like those of a Judge of a Court of common law, spread out and displayed before the public, by calling in witnesses and jurymen to be present and to partake in them. The whole weight of his duties fall upon himself, and upon himself alone. The anomalies and the intricacies in the administration of justice are poured out upon him; and he is left unaided and alone to ascertain the course which justice requires to be pursued, according to the established principles of equity as they arise out of the complicated facts of each case. The Chancery is the great property Court of the State. And a vast proportion of the individual rights to the soil of Maryland are only to be found in that Court. Perhaps, it would not be hazarding too bold an assertion to say, that one-half of all the titles to lands in Maryland, when traced from the present holder to their origin, will be found to have some one or other of the links, in the chain of title, resting in the Court of Chancery. (*w*)

(*w*) It has been said, that most of the estates in England, once in thirty years, pass through the Court of Chancery.—(16 *Howell's State Tri.* 417.)