

the Chancellor deems it wholly unnecessary to say one word respecting himself. When he accepted the office of Chancellor of

markable, that at all times, and under every change of circumstances in Maryland, the compensation allowed to the Judges of the Court of the last resort has been very small in comparison with that which has been paid to those of the Courts of original jurisdiction. This, it is evident, has not been the result of prejudice or accident; and therefore, the causes of it deserve to be inquired into and considered.

In England the House of Lords is the Court of the last resort. Its members receive no compensation for the discharge of their judicial duties; and those of the Judges in office, or the ex-Judges who sit there, as peers of the realm, receive no compensation whatever for their services there. But the Chancellor and Judges of the Courts of original jurisdiction of Westminster Hall have very great salaries; and besides, are allowed to receive a very large amount of fees and perquisites. (*Smol. Hist. Eng. ch. 16.*) It is said, that in old times writs of error in England were rare, for that men when judgment was given against them by course of law were satisfied without prying with eagle eyes into matters of form, or the manner of proceeding, or of the trial, or insufficiency of the pleadings, &c., to the intent to find error to force the party to a new suit, and himself to a new charge and vexation.—(*Higgins' Case, 6 Co. 46.*)

The Court of the last resort of the State of New York, is, in some respects, apparently so strikingly analogous to that of England as to have been looked upon, by some, as a mere adoption of the frame and principle of the ultimate tribunal of that country. How that may have been is, however, unimportant as regards the matter now under consideration. The New York Court of last resort is composed of the Senate aided by and together with the Chancellor or the Judges. The Senators are compensated for their attendance by an allowance of so much for each day's attendance; and the Chancellor and Judges are paid as Judges of the Courts of original jurisdiction; but receive nothing in addition for the discharge of their duties in this Appellate Court.

This ultimate tribunal of New York, if not the very best, is admitted on all hands to be fully equal to any Court of last resort in the Union. Its business has never been suffered to accumulate or fall unreasonably behind hand; and the reports of its decisions are received everywhere as illustrations and guides of the highest respectability. It was organized in 1776; and, on being reviewed, by the convention, called together in 1821, for revising the Constitution, it was continued and re-established without a dissenting voice. (*Debates New York Convention, 1821.*) The Senators bring into it a mass of sound common sense by which cases are met upon their merits; the propensity to overmuch technicality is checked; and there is besides, found among the Senators a degree of legal science often superior to that of the bench, and always sufficient to keep down the mere *esprit du corps* of the regular Judges. The Senators come from, and at short intervals return to the people; and hence it has been truly and emphatically called "the Court of the people;" and as such its proceedings attract much and general attention; and have necessarily a widely extended publicity which does not always follow, and can rarely be given to the proceedings of a Court attended by none but lawyers, and whose decisions are selected and reported for their use only. (*Debates N. Y. Conv. 517, 609, 611.*)

Although in cases of family dispute in Chancery; to save the feelings of the parties and with their express consent, the matter may be privately