solemnly *pledged* to whoever should be appointed chancellor. May he now be permitted, respectfully, to ask—has that *faith* been kept?

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agree upon any adequate complex form of granting relief; and, therefore, a jury cannot, with propriety be called upon, in any case, even although it should involve a complicated title to property, for more than a general affirmative or negative verdict; or for a special verdict, finding the truth of the facts, leaving the conclusion of law to be pronounced by the judge.—(3 *Jeff. Corr. Lett.* 2.)

Hence it is that all judicial proceedings, according to the course of the common law, have a perpetual tendency to rigid exactness and precision; so as to be easily explained to, and applied by a jury; or, at least, so as to enable the judge to pronounce a formal judgment, as the general conclusion of law from the facts as found by the jury; either in the form of a general, or a special verdict. And, as it would be attended with great expense and inconvenience to keep constantly together a sufficient number of the people to compose juries; and to have witnesses kept long in attendance in order to testify orally before them; without all which the administration of justice, according to the course of the common law, could not proceed; the courts of common law have always been limited in their sittings to particular times or terms.

On the other hand, that branch of our code, called equity, is administered by a court of chancery, without the assistance of a jury, upon the written allegations and proofs laid before it. And, therefore, although a court of chancery, for the return of process and the more orderly conducting of its business, in other respects with convenience to its suitors, has regular *terms;* yet it is always open to meet and provide for the peculiar exigencies of every case, "for conscience and equity is always ready to render to every one his due." (1 *Rep. Cha. The Earl of Oxford's Case*, 6.) The high court of chancery of Maryland, may indeed, not only like that of England, be said to be always open in a sense, though not always equally accessible, because of the other necessary avocations of the chancellor, and because of its long vacations, (2 *Newl. Chan.* 400; 2 *Ves. & Bea.* 351;) but, to be in fact always open, and in truth always equally accessible, because of the chancellor's having no other official duties to perform, and because of there being no vacations other than those intervals between its regular periodical terms or sittings for the return of process and the hearing of cases. For, seeing the great importance of having the chancellor always in place, the General Assembly, during several of those years, that the judicial salaries remained insecure, directed, that so much should be paid to the chancellor, "if he shall reside at the seat of government."—(1782, *c.* 28; 1783, *c.* 31; 1784, *c.* 68.)

The judgments of the courts of common law are always drawn up by their clerks according to precise forms; and, therefore, it is a general rule, that where the case is of such a nature, or the relief sought is so complex as, that no adequate redress can be given by any of the fixed forms of common law judgments, the party may obtain relief in chancery, where the orders and decrees of the chancellor, although regulated by well settled principles, are always accommodated to the anomalous or peculiar nature of the cases of which his court takes cognizance. And because of the complex or peculiar frame of a great proportion of such orders and decrees they can only, according to the practice in Maryland, be drawn up by the chancellor himself.

Looking to the exact and reduced form into which a case must necessarily be presented in order to obtain a concise decision, according to a settled form, from a tribunal composed of a judge and jury on the one hand; and to the anomalous and complex frame of the cases, and of the orders and decrees thereupon in chancery, on the other, it has been very strongly, if not conclusively, argued, that the trial by jury itself, in controversies as to the right of property, must be altogether abandoned, or certainly could not exist in its purity and vigour, without the helping hand of a court of chancery.—(*Southern Review, Feb.* 1829, *art.* 3.; *The Federalist, No.* 83.)