of Appeals became the law of the land, whether that or their reasoning was or was not correct; and where the reasoning was bad, it was too often blended with the decision of the court, and considered likewise as the law.

Chancellor Alexander Contee Hanson had expressed another view a few years previously.[18]

> He may be mistaken with respect to those principles [under discussion], which indeed the Court of Appeals has not explained; but he flatters himself that the important tribunal of the Court of Appeals, on reflection, will perceive the propriety of always explaining the ground on which they reverse a decree, in order that the Chancellor may in all future causes obey them, as his duty requires him to do.

And, again, he laments that tribunals whose decisions are to govern other tribunals, do not give their opinions at large on every point. But cases continued to be decided without opinions,[19] and there were opinions in other cases, sometimes only a few lines, but adequate, sometimes much longer. The act of 1832, chapter 302, concerning the remanding of cases for further proceedings without affirmance or reversal, contained a special requirement that the judges should when doing so "declare the opinion of the Court of Appeals," and the provision is still contained in the statute as it is embodied in the state code, article 5, section 42. It was not taken as a requirement of an opinion in writing. One judge often filed an opinion for the whole court, and it was not unusual, on the other hand, for more than one judge, or for all

18. 2 Harris & Johnson, 50, 52 and 307.

19. In the National Intelligencer of March 1, 1836, Daniel Webster, reviewing the work of the Supreme Court of the United States at a term just ended, remarked that in sixty-five cases disposed of there were forty-six written opinions besides several oral judgments.