so happened with me a few years ago that I was for the only time in my life, brought up before a court. I desired to try my own case, but was not allowed to do it. Gentlemen may say what they please, it is not the practice to allow a man to plead his own cause. I have often been on the jury, and in court, and have never known of such a thing being done, and have always heard, from members of the bar, that a man has a right to employ counsel, but cannot argue the case himself. Did I understand the gentlemen from Anne Arundel to say that by any rule of court a man has a right to try his own cause, and have counsel to aid him?

Mr. Randall. Any rule of court denying a man that right would be unconstitutional, and no court in this State has undertaken as far as I know to pass such a rule, nor do I believe any such ever will. I will show the gentleman on every civil and criminal docket in the courts where I practice cases in which the entry is made thus: P. P., which means that the defendant appears himself without counsel to his own cause.

Mr. Brown. Will the gentleman tell me what part of the Constitution is violated by that rule?

Mr. Randall. There is no express provision on the subject. The Constitution is violated in its spirit wherever the natural right of self-defence is attempted to be restrained without express authority—Such would be a restriction upon a man's right to speak in his own cause. There is no provision in the Constitution denying a man that right, nor any provision there requiring him to procure counsel.

Mr. Buchanan. I have a very high respect for the gentleman from Harford, and like to agree with him when I can consistently do so. But I am a little apprehensive that his effort does not go as far as it might if I understand the object in view. The proposition of the gentleman is that in courts of justice every individual shall be authorised to try his own cause. I do not know whether it embraces both whites and blacks, for both have causes in court, but whether it does or not, the proposition is that suitors in courts shall have the right to try their own cases. If the doctrine is that suitors can better protect their own interests by defending themselves, than by trusting to those whose study and education fit them for that particular occupation, then they should prepare their own pleadings. They should be authorised to file their own declarations and other pleadings, and this must be done according to the rules of pleading, otherwise they will fail in their cases, and be turned out of court. I never knew the true value of lawyers—(and I have always estimated them as among the very best in the land, in every particular; as the very salt of the earth—until my friend from Carroll addressed the Convention, and just now told us that when he desired to try his own cause, he was advised by a lawyer by no means to attempt it. I honor the lawyer for giving this advice, for from my knowledge of my friend from Carroll, if he had undertaken to try his own case, God knows what would have become of it. As it was, I doubt not the lawyer who did try the case brought him out safely. I would suggest to the gentleman from Harford, if his object be to allow all to come into the courts to try causes, whether it would not be better to enlarge his proposition so as to permit them not only to try the causes, but to prepare all the nenessary pleadings and papers appertaining to the trial. He would soon see whether this would reduce expense to the suitors, and facilitate the enforcement of their rights.

Mr. Brown. The gentleman from Baltimore county seems to have misunderstood me. I did not say that my lawyer brought me out. It was an overt act; but I could not have had that done without having a lawyer. That is not the matter at issue. The gentleman says a suitor should draw up his own pleadings. The very proposition is to have a lawyer associated with him. Why do you want him associated with you, unless it is to draw up your pleadings? If a farmer, mechanic, or merchant, has a case in court, no matter what his abilities are, he cannot plead his cause, because he is not a practitioner at the bar. If a lawyer propounds to me a question which is insulting—and it is one thing in this whole reform I have come here for the particular purpose of breaking down—and I give a proper reply in the ears of the court, I am ordered to be hushed.

I say, in the face of high Heaven, I have stood by and witnessed judges upon the bench permit the character of highly respectable men to be torn to pieces, and yet these men could not open their mouths. I should like to see the act (and there may be such a one) which makes this distinction in society, which creates this kind of aristocracy in the land, for it has this effect. I am not speaking against lawyers, unless gentlemen will have it so; I am speaking against the system and the manner in which it works.

When you go into a court of justice, how is it? If I had a cause, and should employ counsel to try it, the other party would not fall upon the lawyer nor the witnesses, but he would fall upon me. If I should say to the gentleman from Baltimore county, when lashing my character,—

Mr. Buchanan. I would not do that—

Mr. Brown. If I should say to the gentleman from Baltimore county, when lashing my character, you are insulting me, the judge would say, "Sheriff take that fellow to jail." But I will never live to go to jail. I have seen such cases until the blood has boiled in my veins—seen them occur in a court where men do not meet equal. There ought to be authority to keep the counsel within the case. I do not think there is a single member of the bar here, if he will reflect a moment, that does not know such cases have occurred. I go for fair, even-handed justice. I say this—though I am a very humble citizen, I am as proud a man as ever tramped the soil of Maryland; and no man shall ever assail my character. If they would undertake it, I would pick up an inkstand, and throw it at his head. In such