

proper to correct this inequality by enacting that thereafter "the clerks of the court of appeals for the western and eastern shore respectively shall have the same fees for their services as the clerks of the county courts were entitled to for the same and similar services by law," and yet the fees of the register in chancery have been suffered to remain as they were, and thus this officer is permitted to receive charges of a much higher compensation than are allowed to the officer in a court of the first dignity and the highest appellate jurisdiction in the state, or than are allowed to the clerks of the county courts, where the services are similar, or precisely the same. We submit to the senate a brief comparative statement of some of the principal items, which will not fail to attract their notice, as it exhibits a singular and striking contrast.

F E E S.

To the clerks of the county courts.		To the register in chancery.	
	<i>lbs. Tobacco.</i>		<i>lbs. Tobacco.</i>
For filing every bill,	2		20
every answer,	2		17
every plea,	2		4
every demurrer,	2		4
accounts, books of entries, &c.	2		4
every return of commission,	2		4
every petition and order thereon,	2		4
copying any matter and not enumerated,	4		8
For every continuance,	2		20

The fee last specified, for the continuance of causes in the chancery court, being ten times the value of what is allowed in the other courts, and being manifestly exorbitant in its nature, ought not to escape a particular consideration. For every continuance of a cause the register now receives 20 lbs. of tobacco, or the sum of 2/6, so that for every cause which continues on the docket one year, (and we apprehend there are very few indeed which continue less,) there being four terms in the year, the register is entitled of course to the sum of ten shillings for his service, which service is generally a mere fictitious one, and cannot consist in any thing more than in entering the mark of continuance in the four quarterly columns as they are extended through a single docket, which he annually makes out for his own use, and thus, it being ascertained that there are at this moment at least twelve hundred cases depending in chancery, it results, from a very obvious and simple calculation, that the register derives no less than the enormous amount of six hundred pounds a year from the bare article of continuances alone, or rather for the doing of no service whatever. Is it possible that this can be right? and does it not afford an unanswerable argument in favour of the present bill?

As to those services which are peculiar to the chancery court, this house, being perfectly satisfied from a comparison with analogous duties required of the clerks in the other courts, and from a view of the whole subject, that the register's fees are all of them extravagantly high, it is proposed in the second section of the bill, that those fees, not specially limited by the first section, should be reduced to one half the present scale, and it is believed they will still be left higher in proportion to the trouble than those of the other officers already named.

The senate will no doubt observe, that the law which regulates those fees has become a temporary one, dependent on the general continuance act, which is usually passed at the end of every session; there can be no impropriety, therefore, in this mode of interference, for it seems to have been intended that the legislature should exercise the discretionary power of altering any part of the fee bill whenever such reformation should be perceived to be necessary or expedient. The clerks fees in the court of appeals were reduced three years ago in the manner which has been stated, and those of the register also would certainly have long since shared the same fate if the matter had been duly urged, or if the attempt, which has been sometimes thought of, had not been defeated by going too far, or because of its connexion with other schemes which were found to be impracticable. But if abuses, as in this instance, do exist under our laws, particularly such as relate to the public economy, and the perquisites of office, which the people are to pay, could there be a time more proper to legislate on such a subject than a period like this, which imposes so many sacrifices on every other class of society.

We therefore presume to return this bill to the senate, and we trust that upon further reflection they will be pleased to give it their assent.

By order,

T. J. BREWER, clk.

Which was read.

The resolution in favour of Michael M. Can, the resolution in favour of Young Wilkinson, and the resolution in favour of John Imeson, were severally read the second time by especial order, dissented from, and sent to the house of delegates by the clerk.

The bill, entitled, An act authorising the levy court of Harford county to levy a sum of money for the purpose of amending and repairing the road therein mentioned, the bill, entitled, An act to continue certain acts of assembly, the bill, entitled, An act authorising a lottery to erect suitable buildings for a school-house for the accommodation of the youth of Emmitsburg, and its vicinity, in Frederick county, and the bill, entitled, An act for building a bridge over Tuckahoe creek where the old bridge now stands, were severally read the second time by especial order, passed, and sent to the house of delegates by the clerk.