December Session 1857.

Maryland Sct:

At a Court of Appeals of the State of Maryland begun and held for the said State at the City of Annapolis on the first Monday of December, being the day of said month, in the year of our Lord one thousand Eight hundred and fifty seven and in the year of the Independence of the United States of America the Eighty fourth.

Present.

The Honorable
John C. Le Grand chief Justice.
John B. Eccleston
William H. Tuck } Associate Justices.
James L. Bartol

William A. Spencer Clk.

On motion by Cornelius McLean Esquire, John Prentice Poe of Baltimore City was admitted an attorney of this Court.

On motion by J. Mason Campbell Esq. Bernard Carter Esquire of Baltimore City was admitted an attorney of this Court.

On motion by S. Teackle Wallis Esquire, Charles H. Wyatt Esq. was admitted an attorney of this Court.

On motion by William H. Norris Esquire, Andrew Sterrett Ridgely Esq. of Baltimore was admitted an attorney of this Court.

Mr. George M. Gill of the City of Balto. then rose and said, "I have risen to announce to this Court the death of the Hon: David Stewart for many years a distinguished member of this Bar, and to move an adjournment of this Court, as a mark of respect for his memory."

"It is my painful duty to make the announcement - our friend and professional Brother has passed away. The places which have known him here will know him no more. He passed away peacefully and resigned, and we may hope that this change, mournful to his friends and to be lamented by them, will be to him one of bliss and everlasting happiness.

"In this presence, it is not necessary to pass a labored eulogium on this gentleman. His public career is well known. For a period of upwards of thirty five years he was actively engaged in his profession. He was an ardent and enthusiastic temperament, that he did was earnestly done, and with his whole heart and soul. He was always conservative. His attainments were enlarged, and his intellect was vigorous, and he has sustained himself throughout a long career with ability and distinction, and has performed his part during a long and active life with eminent success."

"I am here to speak of him as a personal friend, untiring, devoted, and one who knew no change or shadow of turning in his devotion to me. We were students at Law at the same time, and our intimacy then commenced.

"Through all the events and changes of the last thirty five years, amidst all the conflicts of political and professional life, at this we have often differed still our intimacy has remained unshaken, and whenever I required the counsel the assistance or services, the devotion of a personal friend, I found him ever ready and willing to render his aid and assistance."

"When I look back and recollect the constant and ever ready sympathy and kindness of my departed friend, I cannot but feel how irreparable is my loss, and how impossible it is for one advanced in life as I am, to supply the loss which I have sustained in the death of my friend.

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"He has gone and in long, we must expect to follow him, Whether soon this may be we cannot tell. This is all the of the warnings with which life teems. Death is ever in our midst. May we now hope that some of us will profit by it, and remember the necessity of being prepared for that change, which while it is certain to come, none of us can say when it will arrive, we too often speak thus and refer to these continued warnings, but the remembrance thereof soon passes away and we act as if they had never been".

Justice Eccleston responded to the remarks of Mr Gill in terms of great respect for the memory of the deceased, in which he and all the Court participated.

He referred to the long and practical life of usefulness of the deceased, the courtesy with which he had been himself, and the integrity which distinguished him in all his transactions.

The Court then passed the following order

"Ordered that it be entered on the minutes that the Court have heard with deep regret of the death of the Honorable David Stewart, late a Senator of the United States, and for a long time an able and distinguished member of the Bar of this Court, and a gentleman who in all the relations of life, private and public proved himself a good citizens and an upright man, and the Court do now adjourn in respect to his memory."

Whereupon the Court adjourned until to morrow 10 o'clock A.M.

Note - The following is a copy of a letter sent by William A. Spencer, the Clerk of this Court to Mrs David Stewart, relict of the deceased.

"January 6th 1858.
Annapolis."

"Mrs David Stewart"
"Madam"

"With this I have forwarded to you a copy of the proceedings in the Court of Appeals of Maryland in testimony of the high respect entertained by the Court and Bar for your late most excellent and distinguished husband.—

"It is doubtless well known by you Madam, and by his whole family, how well he was esteemed by the entire community, and especially how sincerely he was loved by those who knew him intimately.

"Although this may afford you but slight consolation in your hour of deep affliction, yet I trust testimonials of his worth, will be pleasing to his family who come after him.

"I had the pleasure to know him among my chosen friends, with whom in all the vicissitudes of life, though we sometimes differed, nothing ever occurred for a moment to interrupt our friendship. May I beg you then to accept my deep regret for your great loss, and my sincere sympathy in the bereavement.

With great respect.
Yours &c
"Wm. A. Spencer."

On motion of T. Bruce Esquire, Stewart Brown Esquire of Baltimore City was admitted an attorney of this Court.

On motion by George W. Dobbin Esquire, Henry C. Dallam Esq. of the City of Baltimore was admitted an attorney of this Court.

On motion of Richard J. Bonie Esquire; W. Veirs Bonie and John T. Venson Esquires were admitted attorneys of this Court.

The Court passed the following order.