

of the law. The committee can hardly believe that such an argument would be gravely urged anywhere. And the second section of the same Act worked a material increase in the profits of these offices, which was urgently solicited by the clerks at the time, by requiring all fees for recording deeds to be paid in advance.

But the effect of these laws, and especially of the last, is attempted to be impaired by the proposition that section 16, of Article 3 of the Constitution, does not apply to the case of the clerk of Anne Arundel county, because the enhanced profits cannot exceed twenty-five hundred dollars, the limit of compensation fixed by the Constitution.

The result of this argument would be, that if it were proved to the House that a member of the General Assembly from one of the smaller counties, with the avowed purpose of offering himself as a candidate for the clerkship of his county, at an election to be held before the expiration of the period for which he was elected, should introduce and procure the passage of laws directly or indirectly swelling its profits from one thousand dollars to twenty-five hundred dollars, he would be eligible to the office, notwithstanding these matters were proved to the House: in other words, that a member is at liberty to use his efforts to increase the profits of a small office, with a view to his own emoluments, but not of a large office.

The undersigned can see no reason for such a distinction, nor do they perceive any force in the arguments. It is not contended that the laws thus increasing the profits of the Clerk's office are not constitutional and proper, or that the clerks are not entitled to receive the additional profits up to twenty-five hundred dollars; we only insist that, although any other person elected to those offices may rightfully receive this compensation, no person who was a member of the General Assembly when the increase was made can be eligible to them during the whole period for which he was entitled to serve as such member. The constitutional limitation of the salaries of clerks has nothing to do with the matter. Were the salaries or profits increased during the term of the members? is the only question. If there was any such increase, the member is not eligible to the office during his whole term, whether the increase were much or little. The section operates an inhibition upon him from being elected to such office during his term, as positively as it prohibits a Member of Congress from being a member of the General Assembly, or a member of the Legislature from receiving a civil office from the Governor or General Assembly during his term as member of the Legislature.

Article 12, section 1, limits to three thousand dollars the