

depend much more upon the abilities and integrity of gentlemen who fill these judicatories than perhaps at first view may be imagined. These officers ought to be put above want, and whatever is given ought to be absolute, and without control, and not be obliged to look up annually to the legislative body for their next year's support. The increase I would recommend would be £150 to each, amounting in the whole to only £600; a small tax upon law proceedings would bring in much more than this sum to the treasury."

At the session of the General Assembly held in November, 1785, there were convened, as our statute book will show, the most **642** *worthy and enlightened body of legislators Maryland ever saw. On the 24th of November of that session, the Senate sent the following message to the House of Delegates:

"Gentlemen, We think it a duty incumbent on us to call your attention to the state of our judiciary department. The Thirtieth Article of our Bill of Rights, for very obvious and important reasons, enjoins that the Chancellor and Judges should be independent, not only by holding their commissions during good behavior, but also by having proper salaries secured to them during the continuance of their commissions. It is the duty of the Legislature both to fix the salary of the Chancellor and Judges, and to provide funds by a permanent law for the regular payment of such salaries. This duty has not been complied with; and instead of being in that state of independency required by the Bill of Rights, and strongly dictated by the first principles of free governments, the Chancellor and Judges have hitherto remained dependent for their salaries upon the annual votes of the Legislature. This House have been of opinion for a considerable time past, that there was no circumstance which would justify the Legislature in delaying to make the provision required by the Constitution; and our opinion hath been ineffectually communicated to a former House of Delegates; but we trust, gentlemen, you will concur with us in sentiment, that this very important subject ought to be properly attended to early in this session; and that you will in due time send us a bill for fixing the salaries of the Chancellor and Judges, during the continuance of their commissions, and for the payment of those salaries with certainty and regularity. The experience of past sessions induces us to apprehend we may find ourselves under the necessity of determining too hastily, matters, by which the welfare of this State in particular, and of the United States in general, may be essentially affected, and which consequently demand the maturest consideration.

"Towards the close of each session, when from its length and the approaching severity of the season the House of Delegates have been usually anxious to rise, the most important part of the public business hath been transmitted to the Senate. As the Constitution does not allow this House to propose amendments to