

**662** any legislators would invoke, and place upon their \* tables, the clearest evidences of the Chancellor's constitutional independency, for the express purpose of prostrating it; and of making him the mere supple creature of either branch of the Assembly; and that too, not by a bold and open movement, which struck down his rights at a single blow; but, by the low and crawling contrivance of a temporary Act; which, while it offered an ostensible extension of bounty, covertly and in reality bought out the Chancellor's independency, the chief stay, the pride, and the only blessing of his high and laborious station. No such designs can, or ought to be imputed to the legislators of 1798.

On the contrary, those legislators could have had no other intention, in thus announcing their Act as "A supplement" to that of 1792, than to assert, by the very first word they recorded upon the statute book, that they followed the example, and legislated under the same impressions, and according to the same principles, that their predecessors had done. They meant to say, that they adopted the principles of the Act of 1792; that as that Act conformed to the Declaration of Rights, in giving to the Chancellor a salary during the continuance of his commission; so this, their Act, should give him a salary for a similar duration. That as the Act of 1792 had made only a temporary provision for the payment of the amount then given; so this, their Act, should, in like manner, temporarily provide for the payment of that they gave. The Act of 1792 gave the less, this the greater amount; the Act of 1792 set apart a particular fund for payment; this Act, in general terms, directs, that the amount given shall be "paid by the Treasurer of the Western Shore." These are the points of similarity and of difference between these two Acts. The latter is, then, in sense and substance, honestly and fairly "A supplement," to the former. It follows, therefore, that the present Chancellor is now, and will be entitled, during the continuance of his commission, to demand and receive, annually, by virtue of this Act of 1798, and of the thirtieth Article of the Declaration of Rights, the sum of twelve hundred and seventy-five pounds current money.

These three distinct ideas of the amount, the duration, and the provision for payment of judicial salaries have been continually, under all circumstances, and on every change, carefully borne in mind by the representatives of the people of Maryland. After the alteration of the judicial system of this State, made by the Act of 1804, ch. 55, was confirmed, the Legislature passed the Act of 1805, ch. 86, entitled "An Act to establish permanent salaries for

**663** \* the Judges of the six judicial districts of this State." The preamble of which recites, that "whereas by the thirtieth section of the Declaration of Rights it is declared, that salaries liberal, but not profuse, ought to be secured to the Judges during the continuance of their commissions." Hence, it appears, that