

been made on a strong assurance of peace. The signature of the preliminary treaty of peace was not formally announced to the legislature until the 8th day of May, 1783.(n)

The independence and freedom of Maryland were thus finally recognized and established; but the State was left in debt, and in poverty. We commenced a new era, with a new set of political institutions, founded on principles original in themselves, or never before so connected and tried. The several public functionaries were called to their respective stations; and the constitutional principles and restrictions, applicable to each, began to operate. Maryland, with her confederates, then, but not until then, set out upon that career of prosperity to which there is no parallel among the nations of the earth.

Hence it appears, that our government was not brought forth at once, complete in all its parts; that it was not the work of one election, of one, or of two sessions; of one or two years; but, that it was created and established by parts, as times, means, and circumstances would allow. But, the matter, now under consideration, does not involve an inquiry into the manner in which all the several parts, and provisions of our constitution were put into operation. The present subject necessarily carries our investigations no further than to the judiciary; and to but one single question relative to that department; that is, when and how those judicial salaries were ascertained and settled, which are required by the Declaration of Rights to be secured to the chancellor and to the judges during the continuance of their commissions.

A *salary* is a compensation for services rendered; it is the periodical payment of a certain value, *in money*, for work and labour done. The provision of the Declaration of Rights, which commands the legislature to *secure* to the chancellor and judges their salaries, must have been predicated upon the *capacity* of the State to effect the *security* required. If no revenue could be raised, *in money*, no salary could be paid *in money*. And, if the money,

---

(n) The battle of Camden was fought on the 16th of August 1780; and the British army was captured at Yorktown on the 19th of October 1781. (2 *Ram. His. U. S.* 349 & 454; See the *Votes and Proceedings of the House of Delegates of the 3d of January, the 2d February, and the 25th, 29th, and 30th of May, and the 9th of June of the year 1781; the 15th of May 1782; and the 8th of May 1783; with the acts of May 1781, ch. 1, 5, 12 and 13, and November 1781, ch. 5.*) The necessity of immediately reinforcing the army and filling its ranks seems to have been deemed so urgent, that the acceptance of *able bodied slaves* as recruits was authorized with the consent of the owner.—(October 1780, ch. 43, s. 4; 2 *Life J. Jay*, 31.)