

At November session, 1782, the Senate, on the 11th of December, sent to the House of Delegates the following message:—
“*Gentlemen*—The bill entitled, an act to settle and pay the civil list, and the other expenses of civil government, may be considered by you as a money bill, to which our assent or dissent only can be given; and as you might have deemed it improper in us to make any alteration, we have returned it with a negative; we might otherwise have offered such amendments as would have met with your approbation; we are therefore under the necessity of communicating to you, by message, the reasons of our dissent.

“You will readily believe, gentlemen, that we do not mean to leave the officers of government unprovided for; on the contrary, we would willingly bestow upon them liberal, though not profuse salaries; but when the weight of taxes, already so severely felt by the people, is likely to continue, and even to be increased by a heavy accumulating interest upon a large debt, for which no funds are yet provided, and our quota of the continental debt and interest remains also unprovided for, the strictest economy in all our affairs is certainly become necessary; we therefore think that the salaries of the gentlemen of the council might be lowered to three hundred pounds each, the auditor-general three hundred and fifty pounds, and his deputy one hundred and fifty pounds; and the clerk of the council two hundred pounds; the treasurer’s office, we are of opinion, may well be executed for six hundred pounds to the principal, out of which he might employ assistant clerks.

“We have another objection to the bill, more weighty than that already mentioned. The independency of the judges is essential to the impartial dispensation of justice; this principle cannot be questioned, and is recognized by the Declaration of Rights; *for, in pursuance of the principle that declaration provides, ‘that salaries liberal, but not profuse, ought to be secured to the chancellor and judges during the continuance of their commissions.’ Their salaries have hitherto been settled annually by the civil list bill; and consequently cannot be said to be secured to them during the continuance of their commissions.*—It may not be improper to settle annually the salaries of officers annually chosen; nothing at least in our Constitution expressly militates against an annual regulation of the salaries of such officers; but an annual regulation of the judges’ salaries, is repugnant, as we conceive, to the letter and spirit of the Constitution, which meant that they should really be independent, and superior to every undue influence. *In our judg*