

or enact any thing. And, in the enacting clauses, there is not one word which expresses or suggests a single idea upon the subject of their *security* or *duration*. But read the law, and the *thirtieth section* of the Declaration of Rights together, and there is no room for any doubt whatever. The *amount*, specified by the *law*, is *secured*, by the *constitution*, to each judge, during the continuance of his commission. So, there is nothing in any part of the law itself, that declares, or from which it may be inferred, that it cannot be repealed or altered at the pleasure of any succeeding legislature. But, the nature and character of the subject, for which it provides, inevitably and necessarily carries us to the constitution, where we find that positive, mandatory clause, which prohibits the withholding or diminishing of the salaries of the judges during the continuance of their commissions.

The security of these judicial salaries, given by this act of 1805, ch. 86, therefore, is expressly rested upon exactly the same basis, which sustains the salary given to the chancellor, by the act of 1798. The only difference between the two acts, is as to the manner in which the foundation of their security and duration is referred to. The preamble of the act of 1805 leads us to the foundation of the security and duration of the judges' salaries, by a direct reference to the Declaration of Rights. The act of 1798, in a different manner, but, with equal certainty, leads us to the same immovable basis, whereon we find the *security* and *duration* of the chancellor's salary reposes. The act of 1805 makes a *general appropriation*, and directs the treasurer of the Western Shore to pay quarterly. But, as to this, these salaries might have been made payable, as by the act of 1792, out of a special fund, to be collected from taxes on proceedings at law or the like; or the appropriation, whether general or special, might have been limited to five years, as by the act of 1792, or to two years, as by the act of 1798, or even from year to year, as by the several acts continuing the act of 1798, passed since the year 1805. There is then, in point of principle, when taken in connection with the Declaration of Rights, no difference whatever between any two of these laws relative to judicial salaries. They are all, alike, controlled by the constitution, which specifies the *security* and *duration* of judicial salaries; and, in each the *appropriation* is suited to the occasion, to the convenience of the State, or to the then opinion of the General Assembly.

It may, probably, be said, that the suffering of the act of 1798