Under a proud confidence, that his whole character and conduct, public and private, will bear the closest and severest investigation,

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which prohibited his taking fees or perquisites of any kind; and it was in fact quite common for the same person to have a plurality of offices and to receive a variety of fees and perquisites as such. The last provincial governor was chancellor and also *ex officio* chief judge of the Court of Appeals, (1713, *ch.* 4, *s.* 6; 1729, *ch.* 3,) and consequently the aggregate amount of his salary as governor, chancellor, and judge must have been at least $5066, besides fees and perquisites; yet at that time there was not half the amount of population and wealth in Maryland, that there is at present, (1825.)

The Declaration of Rights declares, that no person ought to hold, at the same time, more than one office of profit; and that no chancellor or judge ought to hold any other office civil or military, or receive fees or perquisites of any kind. Consequently the authority of the chancellor and judges of the republic is limited to a single judicial office, and their official emolument is confined strictly to the salary allowed by law to that single office. It seems to have been deemed, by the first General Assembly of the Republic, "a matter of the highest importance to keep the court of the last resort totally distinct from all inferior jurisdictions." (*Votes & Pro. Sen. 29th March* 1777.) But by the amendment of the constitution, of the year 1805, the principle which had thus rigidly prohibited the holding of a plurality of offices was departed from or modified. The chief judges of the six judicial districts, it is directed, shall compose the court of appeals; and thus, as under the provincial government, the same person holds two distinct judicial offices; that is, he is chief judge of a district of county courts, and also a judge of the court of appeals.

By adverting to the salaries which had been assigned to each of these offices down to 1801 it will be seen, that the salary now allowed to them, as thus combined in the same person, is nearly the same as the aggregate amount which had been allowed to them when held separately, and by distinct persons. Thus demonstrating it to have been the intention of the General Assembly, in giving a salary of only $2200, to preserve a similar proportion between the compensation of the judges of the courts of original and appellate jurisdiction; that is, estimating about *fourteen hundred dollars* as a proper allowance for the discharge of the duties of the former, and only *eight hundred dollars* for the performance of the latter. It is then remarkable, that at all times, and under every change of circumstances in Maryland, the compensation allowed to the judges of the court of the last resort has been very small in comparison with that which has been paid to those of the courts of original jurisdiction. This, it is evident, has not been the result of prejudice or accident; and therefore, the causes of it deserve to be inquired into and considered.

In England the House of Lords is the court of the last resort. Its members receive no compensation for the discharge of their judicial duties; and those of the judges in office, or the ex-judges who sit there, as peers of the realm, receive no compensation whatever for their services there. But the chancellor and judges of the courts of original jurisdiction of Westminster Hall have very great salaries; and besides, are allowed to receive a very large amount of fees and perquisites. (*Smol. Hist. Eng. ch.* 16.) It is said, that in old times writs of error in England were rare, for that men when judgment was given against them by course of law were satisfied without prying with eagles eyes into matters of form, or the manner of proceeding, or of the trial, or insufficiency of the pleadings, &c., to the intent to find error to force the party to a new suit, and himself to a new charge and vexation.—(*Higgin's Case*, 6 *Co.* 46.)

The court of the last resort of the State of New York, is, in some respects, apparently so strikingly analogous to that of England as to have been looked upon, by some, as a mere adoption of the frame and principle of the ultimate tribunal of that country. How that may have been is, however, unimportant as regards the matter