

*Article 4, section 13*, declares, that the Clerks of Courts created or continued by this Constitution, shall be allowed the fees appertaining to their offices as are or may be regulated by law.

*Article 4, section 43*, declares, that each of the Judges of the Orphans' Court shall receive such compensation to be paid by the counties and the city of Baltimore respectively, as is now or may hereafter be prescribed by the General Assembly.

*Article 5, section 9*, declares, that States Attorneys shall receive such fees and compensation as are now or may be hereafter prescribed by law.

*Article 9, section 3*, declares, that the Adjutant General shall receive such compensation or emoluments as are now or may hereafter be fixed by law.

*By the 32d section of the 3d Article*, the General Assembly are prohibited from passing any local or special laws (among other subjects) "relating to fees or salaries;" but are required to pass a general law on those subjects.

*By the 44th section of the 3d Article*, it is declared, that the General Assembly shall provide a simple and uniform system of charges in the offices of Clerks and Register of Wills, and for the collection thereof; this is a summary of the various provisions on this second subject, submitted for my opinion. I propose to apply them to these several officers.

1st. The Clerks of counties being public officers, their salaries or compensation cannot be increased or diminished, during their respective terms of office, by the 34th section of the 3rd Article. But by the 13th section of the 4th Article they are to be allowed the fees appertaining to their offices, as are or may be regulated by law, and by the 32nd and 44th sections of the 3rd Article, a general law is to be passed to provide a simple and uniform system of charges in the offices of Clerks of courts, &c.; now these various sections can all, I respectfully submit, be carried into harmonious operation by law, providing such a simple and uniform system of charges, as will not increase or diminish the salaries of these Clerks, and will so regulate their fees as not necessarily to make any material change in their compensation; that such a law may, to some extent increase or diminish the compensation of Clerks is not improbable, but as such an effect is not designed but incidental, perhaps unavoidable in or to accomplish the other and more important objects of the constitution, such a law could not, I think, be regarded as violative of the constitution, because it may produce a change in the compensation of the Clerks of courts.