

VOTES AND PROCEEDINGS, NOVEMBER, 1782. 19

After the word "enacted," in the first line of the sixth page, insert, "that the governor and the members of the council, the members of the general assembly, the chancellor, the judges of the general court and of the court of appeals, and judge of the court of admiralty, delegates of congress." In the eighth line of the eighteenth page, strike out from the word "according" to the word "delegates" inclusive.

The resolution respecting Alexander Symmer was read, assented to, and sent to the house of delegates by William Hinuman, Esq;

The bill to settle and pay the civil list, and other expences of civil government, was read the second time and will not pass.

On motion, Matthew Tilghman, Charles Carroll, of Carrollton, John Henry, and Charles Carroll, Barrister, Esquires, are appointed a committee to draught a message to the house of delegates, informing them of the objections to the bill for the payment of the civil list.

His Excellency the governor communicates to the president sundry letters from the council to the financier and the secretary at war, with their answers, relative to the cloathing troops within the state; and a letter from major Davidson to the governor, representing the present distressed situation of the troops at the post of Annapolis, and requesting they might be supplied; which were read, and sent to the house of delegates by Matthew Tilghman, Esq;

The senate adjourns till to-morrow morning 9 o'clock.

T H U R S D A Y, December 12, 1782.

THE senate met. Present as on yesterday. The proceedings of yesterday were read.

The witnesses on behalf of Nathan Levy are returned summoned.

John Henry, Esq; brings in and delivers to the president a bill, entitled, An act to confirm certain purchases of confiscated British property; which was read the first time and ordered to lie on the table.

A petition from sundry the inhabitants of Worcester county, praying that the register of the land-office might be directed not to grant warrants to affect those parts of Bald-Beach, calculated for salt making, where the applicants have no other view than to monopolise the manufacturing of that article; was read, and referred to the consideration of the house of delegates.

Matthew Tilghman, Esq; from the committee appointed to draught the message on the civil list bill, brings in and delivers to the president the following; which was read, assented to; and, with the bill for the payment of the civil list, and the above petition, sent to the house of delegates by John Henry, Esq;

BY THE SENATE, DECEMBER 11, 1782.

GENTLEMEN,

THE bill, entitled, An act to settle and pay the civil list, and the other expences 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 on 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 an 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 œconomy 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 treasurers 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