

amount to the individual trifling, such as, in their nature, could not be burthenfome to fuitors, and would add to the public resources, by transferring the provision for the salary of chancellor from the present existing revenues to a new and additional resource that would be suitable and adequate. The committee are therefore of opinion, that an act should pass in conformity to the foregoing principles.

The committee also considered the subject in some measure referred to them, how far the foregoing principles could be extended to provide for the whole judiciary department. It has long been an admitted political maxim, that the administration of justice should, to a certain extent, support itself; the principle seems to have been heretofore acknowledged in this state in the act that provides funds for the support of the county courts. The interest, indeed the security and existence of society, require that tribunals of justice should exist to prevent disorder and injustice; so far the whole community are bound to contribute towards their support; but those who actually use them, deriving more benefit therefrom than those who do not, ought to pay more towards their expence. At present, all the costs of suit which bear an average proportion to the value of the property decided on, that can scarcely be credited by the accurate calculator, devolve entirely on him against whom judgment is rendered. This, although generally considered as a proper punishment for the denial of justice, is but too frequently an additional calamity on the innocent and unfortunate, the complication of legal questions affording so little certainty of what is justice to unlettered men. In every view, the committee are of opinion, that the person in whose favour judgment is rendered, may well afford, and ought to pay, somewhat to the support of those tribunals from whose aid he has derived such particular benefit. A tax, therefore, of 7/6, and so pro rata, in the hundred pounds on the amount of all final judgments obtained in the general courts and court of appeals, and of 10s. on all other judgments whereby no specified sum of money shall be recovered, to be paid before execution shall be issued thereon, was considered by the committee as highly reasonable. This resource, aided by a small tax on alienations of 5s. in every hundred pounds, and so pro rata, expressed as the consideration of such deed or contract, would afford, it is supposed, a revenue equal to the support of the judiciary, and enable the legislature to make such additions to the present salaries of those who fill these important stations, as will secure the services of the ablest and wisest citizens.—Men who, from eminence in a lucrative profession, must derive great emoluments for private services, will not devote themselves to public duties without salaries to enable them to live as the generality of citizens of fortune do in those places where public avocation compel them to reside. The first rewards that the approving suffrages of a republic can bestow on rare learning, ability, integrity and industry, should at least equal the ordinary situations in its attendant comforts, in which men of common fortune are placed without any merit at all.

It should be, moreover, the policy of free governments to open the door of public office to indigent merit: The class of men included in this description must provide for their families from the emoluments of public employments. Their families are the great and almost the only security that poverty can offer to the community for its attachment; there should be then something allowed beyond a bare support for the discharge of the most natural and sacred of all duties. The present salaries of the judiciary are undeniably not calculated upon this scale; they afford but a maintenance with economy, if that. The existing provision for the court of appeals, the most important branch of the judiciary, and where all business of importance is accumulating most rapidly, can scarcely be adequate to their expence. The committee are therefore of opinion, that additional allowances should be made to the members of the superior courts from those sources that have been proposed, which will, in a great measure, exonerate the public, by transferring the expence on those particular individuals for whose service the duties are performed, and the expences in a great measure incurred; and they recommend that an act or acts should be passed for these purposes.

By order,

N. PINKNEY, clk.

Which was read.

Mr. Goldsborough, from the committee, brings in and delivers to Mr. Speaker a bill, entitled, An act for the speedy recovery of all monies received by the respective sheriffs and attorneys within this state in their public capacities; which was read the first time and ordered to lie on the table.

On motion, Leave given to bring in a bill, entitled, An act for providing for the qualification of those who, from religious scruples, will not take an oath. ORDERED, That Mr. Mercer, Mr. Wright and Mr. Comegys, be a committee to prepare and bring in the same.

Mr. Mercer, from the committee, brings in and delivers to Mr. Speaker a bill, entitled, An act for providing for the qualification of those who, from religious scruples, will not take an oath; which was read the first time and ordered to lie on the table.

The bill to incorporate the Queen-Anne's county presbyterian congregation, and to vest in them certain parcels of land, was read the second time, and the question put, That the said bill do pass? The yeas and nays being called for by Mr. Oneale, appeared as follow:

A F F I R M A T I V E.

Hopewell,	M'Pherfon,	Denwood,	Oldham,	Barnes,	Wilson,
Comegys,	Chapman,	Goldsborough,	T. Marshall,	Dennis,	Douglafs,
J. Worthington,	Ridgely, of Wm.	Lecompte,	Clark,	Holland,	Whitely,
Mercer,	Gough,	Frazier,	T. Gantt,	J. P. Marshall,	S. Smith,
N. Worthington,	Cockey,	Eccleston,	Duvall,	P. Smith,	Ott,
Wilkinson,	Sherwood,	Miller,	Seney,	Prall,	Swearingen,
Craik,	Kerr,	R. Bond,	Wright,	Love,	Tomlinson.
Hawkins,	Waggaman,	Hollingsworth,	O'Bryon,		

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