

scheme of said Lottery, and shall pay over the said five per centum for the use of the State; and each commissioner shall be entitled to receive an annual salary [of \$1,200] to be paid out of the aforesaid five per cent, "and from no other monies." The salary of the clerk was declared to be "payable from the same fund."

If the year of the late commissioners is to be considered as having begun from the 30th of November 1837, then it would be quite as fair and reasonable to consider the year of the present commissioners as having begun from the 30th of November, 1837.

An officer of annual appointment, and whose term of office may therefore be understood to be limited to twelve months, at a limited compensation for one year, cannot be supposed to have a right to retain a compensation for one year and a quarter; and it was clearly the intent of the law that the commissioners were not to retain any thing beyond the maximum of compensation limited to them, whether their services produced to the Treasury \$20,000 or \$100,000 during their year of office.

The Lottery Commissioners are required to perform all the duties that may be assigned to them by law.

The duty of issuing licenses was, before the act of 1831, required to be performed by the Clerks of Courts. By the act of 1826, chapter 67, the Clerk of Baltimore City Court was authorized to demand and receive, for each license issued by him, from the person receiving the same, the sum of \$2 to his own use "in full of all compensation or claim for his agency concerning the said license, or [concerning] the money received therefor for the use of the State;" by the act of 1826, chapter 251, such license shall be in force until the 26th of December; and by the act of 1829, chapter 160, the Clerk of the Court, by whom money should be received for any license issued by him, was required to pay over the same to the State Treasurer, or to deposit it to the Treasurer's credit "excepting a deduction of ONE PER CENT, which shall be allowed in all cases ON SUCH MONEYS," as commission for receiving and paying said monies, "AND NO MORE."

Hence it is to be inferred that each one of the Commissioners of Lotteries was entitled to receive in any one year only, one third part of one per cent on the amount of monies received for Licences, and 10 per cent upon the net proceeds of the State Lotteries authorized to be drawn, or, which is the same thing, ten per cent "upon the amount raised by the Lottery system."

Accounts and vouchers on file in the Secretary's office, (marked *Extra*, No. 8, No. 10 & No. 11) show that the salary or compensation of each of the persons who were Commissioners of Lotteries for 1830, was calculated and settled up to the 21st of February 1831.—The paper herewith marked D. shows what was the practice in 1829.

For the portion of the last quarter which had commenced on the 1st of December 1830, and ended on the 21st of February following, Messrs. Robert Purviance, Thomas Carlton and William