

of office, had the great seal of the State delivered to his keeping, and entered upon the duties of his office. What was then the salary assigned to the Chancellor, he contends does now, constitutionally, belong to him; on the ground, that whatever was then declared by law, to be the amount of the Chancellor's salary, was, by force and operation of the Declaration of Rights, secured to the Chancellor, who then came into office, during the continuance of his commission.

The present Chancellor claims his salary under and by virtue of the Act of 1798, ch. 86, and the thirtieth Article of the Declaration of Rights. This Act of Assembly is entitled "A supplement to the Act entitled an Act for establishing and securing the salary  
**660** of \*the Chancellor." And it is enacted, "that the Chancellor shall be entitled to receive, for all duties and services whatever prescribed or to be prescribed by law, an annual salary of twelve hundred and seventy-five pounds current money, and no more, to be paid quarterly by the Treasurer of the Western Shore." And then immediately follows the second section limiting the duration of the Act in these words: "This Act to continue and be in force till the twentieth day of October, eighteen hundred, and until the next Session of Assembly which shall happen thereafter."

The limitation of this Act operates so far, and so far only, as it is compatible with the Declaration of Rights. In so much as it contravenes the Constitution, it is a nullity; but, in other respects, it may be allowed to operate according to the express or implied intention of the Legislature. This Act specifies the amount of the Chancellor's salary; and, that amount, not by the Act, but by the Declaration of Rights, is secured to the Chancellor during the continuance of his commission. So far, then, the Constitution expressly cuts off and prevents the operation of the limitation of the second section. But, upon other matters, this limitation may have its full effect. Upon the general appropriation, or authority to pay that amount out of any money in the treasury of the Western Shore, it may and does operate; because as to the fund to be appropriated, and as to the mode of making provision for payment, the Legislature has a discretionary power; and, as to that, they may make an express reservation of the right to appropriate at pleasure, as was done by the Act of 1785; or, they may make a special, and, also a limited appropriation, as was done by the Act of 1792. Because, as we have seen, the amount, and duration of the salary being wholly distinct from the appropriation, or "the provision for payment," as it is called by the Act of 1785, the two first are secured, during the period specified by the Constitution; and the other is at the pleasure of the Legislature.

The three Acts of 1785, of 1792, and of 1798, are, then, all of them in their objects, intentions, and principles precisely alike, in