

every particular. They, each of them, bestow upon the Chancellor a specified amount of salary; which was, in each instance, by operation of the Declaration of Rights, secured to the Chancellor during the continuance of his commission; and, in each instance, the Legislature reserved, or expressly exercised a discretionary power over the appropriation, or "provision for payment." And these distinct ideas, in this train of thinking, were obviously, as the Acts themselves \* prove, present to the minds of the Legislature during the passage of each one of them. **661**

The General Assembly of 1785, distinctly informs us, in every way, by their messages, by the Acts which they proposed to pass, and by the Act which they actually did pass into a law, that they could only fix the amount of the Chancellor's salary; that when they had so fixed it, that amount was secured by operation of the Declaration of Rights; but that the appropriation might be made in such manner as they thought proper; and, accordingly, they expressly declared, that their general appropriation should remain only until they "make other provision for payment." The evidences as to the opinions of the General Assembly of 1792, are not so various and large; but, they are no less distinctly expressed in the Act which they passed upon the subject. Their Act recites that the salary which they gave was secured by the Constitution; and, then it asserts and exercises a discretionary power over the appropriation, by setting apart a particular fund, and limiting its continuance to five years, and no longer.

There is sufficiently unequivocal evidence, that the same distinct ideas were present to the minds of the General Assembly of 1798; and, that they too acted under the influence of the same opinions.

Their Act upon this subject is entitled, "A supplement to the Act, entitled an Act for establishing and securing the salary of the Chancellor." Thus expressly referring to that law, in which all those ideas and distinctions, and all that train of thinking upon this subject, which had been so thoroughly discussed and considered at the Session of 1785, and re-considered, and re-affirmed at the Session of 1792, were strongly and clearly re-called, and placed before the minds of the legislators of 1798.

And why was this done? Why was the Act of 1798 called "a supplement" to that of 1792? Why were the previous legislative Acts thus referred to? Surely, it could not have been done for the purpose of bringing before the eyes of the legislators of 1798, an example of the prostration of any of the securities of good government. It certainly could not have been done, for the purpose of reading them a lesson, as to the mode, and pretexts, and the expedients under which the Constitution might be evaded or violated. It could not have been intended to read the most solemn recognition of constitutional principles for the purpose of obliterating or smothering them. It would be monstrous to suppose, that