

The *appropriation* for the payment of this sum was general without specification. By the act of 1797, ch. 71, it was declared, that the chancellor "as chancellor and *judge of the land office* shall be entitled to receive *four hundred and fifty-six dollars and fifty-seven cents*, in addition to the permanent salary fixed by law." The *appropriation* and provision for the payment of this addition was made by the second section of this act in these words; "the said sum shall be paid at the same time, and in the same manner during the continuance of this act, as his permanent salary is by law directed to be paid." By the act of 1798, ch. 86, it is declared, "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." The *appropriation*, and provision for the payment of this salary is general; it is "to be paid quarterly by the treasurer of the Western Shore." There is no designation of any fund as in the act of 1785, or in that of 1792.

It appears then, that the salary of the chancellor has grown up and increased with the wealth, business, and population of the State from 1785 to 1798. It has never, during the last forty years, been in any manner *diminished*, nor at any time, prior to the 21st of February in the year 1825, been *attempted to be diminished*. That the amount, thus, from time to time, given to the chancellor was secured to him during the continuance of his commission, has never, from any thing that appears in the votes and proceedings of the General Assembly, or in our statute book, been at any time called in question previous to the last session of the legislature. If the General Assembly have any discretionary power to *withhold*, or to *diminish* the chancellor's salary, it cannot, as we have seen, arise from any thing contained in the Declaration of Rights; nor can it be sustained by any precedents of cases in which any previous legislature have distinctly asserted and main-

---

acts, or being submitted for the allowance or disallowance of the crown. (*Pown. Adm. Col. 75.*) This practice of the colonial legislatures, of passing temporary laws and special orders was strongly condemned in England as a pernicious evasion of the king's prerogative of approving or disapproving of all their legislative enactments; and the governors were accordingly positively instructed to give their assent to no such acts or orders. (2 *Chal. Opin. Em. Law*, 58; *Pown. Adm. Colo. 75*; 1 *Chal. Opin. Em. Law*, 350.) But, it seems, this inconvenient practice had become so much a habit in Maryland, that it has been too long continued; since the revolution, by which the causes that had suggested and rendered it expedient, have been completely removed.