

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 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 them-