

clear; and one, which has been continually acted upon and is well established.

*Tenth*, That the act of 1798, ch. 86, by referring to all those antecedent acts and laws which recognise this distinction, between the *amount*, the *duration*, and the *appropriation* for the payment of a salary, is manifestly predicated upon it. And, therefore, it was clearly understood and intended, that it would and should be continued in full force, as to the *amount* of the salary, by operation of the Declaration of Rights; and, that the *appropriation* for payment *only* would require to be continued or provided for in the same, or in some other way.

*Eleventh*, That on the discontinuing or suffering the act of 1798, ch. 86, to expire, the virtual revival of the act of 1792, ch. 76, would not follow, as a necessary consequence, even according to the common law, much less according to the constitution.

*Twelfth*, That the *appropriation* or provision for the payment of the chancellor's salary, made by the act of 1792, ch. 76, having been *repealed* by a perpetual law, even if all other parts of it were permitted virtually to revive, no salary could be now paid to the chancellor under it.

*Thirteenth*, That the legislature are under a moral, a religious, and a constitutional obligation to make a regular appropriation, either general or special, for the payment of the chancellor's salary, as designated by the act of 1798, ch. 86.

*Fourteenth*, That the *harmony of the constitution* would be destroyed, by withholding or diminishing the chancellor's salary; the three departments brought into collision; and the Delegates would finally become triumphant over all.

*Fifteenth*, That the *appointing power* might be virtually annihilated, by this mode of withholding or diminishing the salary of the chancellor, or a judge.

From all which, it clearly follows, that the present chancellor was, and is now constitutionally and legally entitled to ask, demand, and receive of the State of Maryland, a salary of *twelve hundred and seventy-five pounds*, current money, during the continuance of his commission.

Under this firm conviction, after the sixteenth day of May last, when the first quarter of his salary became due, after the end of the last session of the General Assembly, the chancellor drew a draft for *eight hundred and fifty dollars*, the amount thereof, on the treasurer of the Western Shore, in favour of the cashier of the