

Farmers Bank of Maryland, in the same manner in which he had obtained payment of the previous quarter of his salary. This draft the treasurer refused to pay; giving for answer, that "*as the General Assembly, at its last session, refused to continue the law of 1798, or the act of 1797, which gave to the chancellor an increase of salary, I am not authorized to pay this order; or, on account of his salary, more than is allowed by the act of 1792, to wit:—at the rate of £950 per annum.*" From which it appears, that the treasurer either construed the law for himself, or followed that which he supposed to be the construction given to the law and the constitution by the House of Delegates. After the 16th day of August last, the chancellor drew another draft, in the same manner, for the payment of the quarter of his salary, which became due on *that* day, which was, in like manner, rejected. And, after the 16th day of November last, the chancellor had a third draft presented to the treasurer, for a third quarter of his salary, which had *then* become due, the payment of which was refused, in the same manner, and for the same reasons.

To have accepted the *amount*, which the treasurer proposed to pay, under the act of 1792, ch. 76, would have been a total abandonment of the ground taken by the Senate; and it might have been construed into a clear admission by the chancellor, that the House of Delegates, or the legislature could, constitutionally, *diminish* the chancellor's salary at *their pleasure*. Such an abandonment he could not make—and he felt himself *forbidden* from making any such admissions. He deemed it a sacred respect he owed to the Senate, a co-ordinate branch of the "trustees of the public," not to abandon the ground *they* had taken in his behalf; and, he held it to be a proper regard to *himself*, and a solemn *duty* he owed to the *constitution*, not to make any such admissions; or to suffer any act of *his* to influence or embarrass the consideration or determination of this, the most important question, that has ever yet been presented to the General Assembly of Maryland.

It is not in chancery as at common law, where the court's *docket* exhibits a complete list, and a full account of all its business. A court of chancery does not, like a court of law, move forward all its business from term to term, from stage to stage, and periodically; it is continually open; always accessible; and may be, at any time, engaged in business; it has no recesses, no resting places. There are many cases in chancery, which, although soon brought to a termination, in relation to the immediate object for which they were instituted; yet, as to other purposes, may be