

during the continuance of his commission. But, the constitution being wholly silent as to a *judge of the land office*, the executive and legislature are under no *such* constitutional obligation to appoint and provide for *such* an officer. This was always the clear and distinct understanding of the General Assembly.

At the session of 1785, when the legislature were about to pass that act, which first secured to the chancellor his salary during the continuance of his commission, it will be seen, by the before recited message from the Delegates, that this distinction between the chancellor's *two characters* was adverted to as a matter then familiarly and well understood. For, it is evident, that their disinclination to give a higher salary, at that time, arose from the conviction, that whatever salary they should give him *as chancellor*, must be given *during the continuance of his commission*, during which period it could not be diminished or revoked; and, being unwilling so to pledge the State, at that time, for the payment of an amount which they admitted was then reasonable, they gave him an addition to his salary in another character; that is, *as judge of the land office*; in which form, that addition was always subject to be renewed, reduced, or withdrawn at pleasure. The chancellor was thus, at the session of 1785, for the first time, separately compensated in *each* of his two distinct characters. By the 27th chapter of that session, a salary was secured to him during the continuance of his commission, *as chancellor*; and by the 74th chapter of the same session, he was additionally compensated for his services, *as judge of the land office*, for the current year. In the one character his salary, being *secured* by the Declaration of Rights, was intangible, in the other, his compensation was renewable from year to year, and to any amount, *at the pleasure of the legislature*.

By the act of 1785, ch. 74, the sum of *two hundred pounds* was given to the chancellor, *as judge of the land office*, for the then ensuing year. The sum of *one hundred pounds* was given to him, *in the same character*, by the civil list bill of each successive year until 1792; when his salary, *as chancellor*, being increased, his compensation, *as judge of the land office*, was discontinued until the year 1797; when an addition was again made to his salary of *four hundred and sixty-six dollars and fifty-seven cents*, in the two-fold character of *chancellor and judge of the land office*. And at the next session of the legislature, the character of *judge of the land office* was again dropped, and the whole, with a still further