

addition, was put together and given in the constitutional character of a salary to *the chancellor*; similar to that described by the act of 1792, to which this act, for greater certainty, was by its title declared to be "*a supplement.*"

In every instance, from the year 1785 to the present time, where it was the express intention of the legislature to give an additional compensation to the chancellor, *during their pleasure*, it was given to him as *judge of the land office*. And in all instances, where it was intended to compensate him according to the terms of the Declaration of Rights, the salary was given to him *as chancellor*. This is manifest from all the acts, and the whole course of legislative proceedings from that time down to the 21st of February 1825. For, it certainly could not have been the intention of the Assembly of 1798 to loosen and set afloat the *whole* of the chancellor's salary; to be paid or not according to the mere whim or caprice of every succeeding body of legislators, in utter contempt of the constitution; after the very solemn, and repeated declarations as to the constitutional obligation the legislature was under to *secure* it to him *during the continuance of his commission*, that had been so carefully expressed and recorded.

But, it may be said, that if the act of 1798 is suffered to expire, the act of 1792 will be virtually revived; and, from the nature of the last mentioned act, it cannot be repealed; and, therefore, the salary cannot be reduced below what the act of 1792 has given. This position concedes the point, that the legislature is limited in its control over a part of the amount of the salary. Now, if the General Assembly had intended, by the act of 1798, to hold a discretionary power over the sum of *three hundred and twenty-five pounds*, which is the difference between the salary given by the act of 1792, and that given by the act of 1798, why was not the well known and established precedent followed, of giving that additional sum to the chancellor annually *as judge of the land office*? But the *manner*, and the *character* in which the salary was given, have left not the least doubt about the meaning of the General Assembly, in passing the act of 1798. The act of 1797, ch. 71, having added to the chancellor's salary, in a dubious form, by giving the addition to him "*as chancellor and judge of the land office,*" it was not perfectly certain, that the indicated character "*as chancellor,*" would, when qualified by the expression, "*and judge of the land office,*" draw after it the constitutional security to the whole or only to a part of this addition; and, therefore, to remove this doubt,