

- having them distinct and specific, by the Intendant of the revenue, who said to them, in his report of the 14th of May, 1783, to the House of Delegates, that "as peace is now established, he begs leave humbly to suggest the propriety of *appropriating* all moneys in such manner, that the application and payment thereof cannot be mistaken by the treasurer." And, profiting by this intimation, the legislature, in one of their acts of that session, say, that "it is of singular consequence, that all and every *appropriation* should be executed agreeably to the order and intent of the General Assembly; and that the Assembly should be enabled, at each session, to judge of the state of said *appropriations*," &c. A multitude of instances might be adduced, from our statute book, of specific *appropriations* of particular funds, and of designated portions of the public moneys being applied to the payment of particular debts. The warm party controversies about *specific appropriations*, under the federal government, which once pervaded the Union, is within the recollection of every one.

But, as this distinction, between the *contract*, and the *appropriation*, has an important bearing upon the subject now under consideration; it is of "singular consequence," that it should be exemplified, illustrated, and fully understood, as regards judicial salaries. The General Assembly of November 1785, *secured* the chancellor's salary, according to the Declaration of Rights, during the continuance of his commission. And, in the before recited message of the Delegates to the Senate, of the 23d of January of that session, they say, "If time will permit, we shall attempt to provide particular funds to secure the payment of the salaries established by our bill;" that is, by the act of 1785, ch. 27. It appears, that after that bill became a law, which was on the 7th of February 1786, "leave was given to bring in a bill to provide, and *appropriate* a permanent fund for the payment of the salaries to the chancellor and judges." But, it seems, as had been expected, there was not time, during that session, to provide a fund, as was proposed; and the subject was not called up again. By the third section of the act of 1785, ch. 27, it was declared, that the salaries of the chancellor and judges should be paid "out of the surplus raised every year, *until the General Assembly shall make other provision for payment.*" Thus, the constitutional obligation to pay the chancellor his salary, during the continuance of his commission, is, most clearly and distinctly, recognised by the acts of that session; and yet, the same enlightened legislators, no less