

appropriations. Any other construction of the duties and powers of the Comptroller would render them valueless for the accomplishment of the ends designed.

This Constitution imposes many limitations and restrictions upon the powers of the General Assembly, although their powers are more comprehensive than those of any of the other departments, without the scope of the powers conferred upon the General Assembly, therefore, their acts are as ineffectual and void as the unconstitutional acts of any other public functionary of the State.

Hence, whenever any of those unconstitutional acts of the General Assembly require the people's money to be paid out of the Treasury, it is the right and the duty of the Comptroller, as the people's representative, specially elected by them for that purpose, to arrest the payment of any such appropriation and to refuse to issue any warrant on the Treasurer.

There are special reasons in favor of your arresting the payment of these extra allowances to the members of the Legislature to which I beg leave to refer.

This is the first General Assembly under our New Constitution—what is done now—will, as long as it continues, be a precedent and be followed as such. Let any extra allowance be now paid beyond the Constitutional limitation of \$400,—that being the only one—and there will be no limit, but the discretion of the General Assembly—a state of things the Constitution never intended to exist—to any extra allowances future Legislatures may appropriate for that purpose.

Suppose the General Assembly to pass a law appropriating more to the Judges, Librarian, or any other officer, than their salary fixed by law, to whom, as in this case, any other or larger compensation is forbidden, could a doubt in your mind arise as to your duty—to preserve the constitutional limitation and to reject all over the prescribed sum? I cannot discriminate between the cases in favor of the claims of the members of the Legislature.

But there are discriminations which may be made against such extra claims of the members of the Legislature.