

“The Comptroller is chosen immediately by the people, who have entrusted him of their own choice with duties formerly performed by the Executive and Treasurer.”—Page 229.

The only mode of harmonizing these conflicting acts of the different departments is to have the decision of the Courts on the subject, after the Comptroller has refused to issue his warrant for the money claimed under what he deems an unconstitutional Resolution or Act of the General Assembly.

It would not only be against this constitutional obligation first to pay it, and then to institute proceedings to justify himself or to recover it back, but it would be most unwise and unjust to subject the State to the costs of a multitude of suits to settle such a controversy.

All respectfully submitted,

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