

Ordered also, That where propositions are submitted to this house, which do not impeach the official conduct of an officer, the institution of an inquiry into it upon his own surmises, is to permit the officer to be both plaintiff and defendant in his own case, that it cannot, for a moment, be contended, that it is the right or duty of the legislature to institute an inquiry into the official conduct of any officer, whensoever he may please, whether he has any duties to perform or not, and whether it has been assailed or not, that the state expects every man in office to do his duty, and is content with the presumption that he does it, until the contrary appears, or is alleged; and that the effect of so anomalous a precedent, for instituting inquiries when there is nothing to inquire about, would be to convert the legislature into a mere court of inquisition, to which every officer might resort whensoever to insure his reappointment, or for other purposes, it might be convenient to institute an amicable action against himself for the honour and benefits of a verdict of acquittal, in which the only benefit the state would derive would be the payment of the costs of the inquiry.

Ordered also, That such a precedent is fraught with the most mischievous consequences in times of party excitement and division, in enabling a majority to frustrate the views, and misrepresent the motives of a minority, when honestly endeavouring to abolish what they may deem unnecessary offices, which may happen to be filled by the friends of the majority, by enabling them to represent such endeavours as an attack upon the incumbent himself; and by thus rallying around him, and in support of his office, from mere political attachment, many, who unbiased by the sympathies, arising from political and personal regard, and viewing solely the utility and efficiency of the office itself, would not have hesitated to abolish it; and that it would thus not only invest the office with all the attributes and claims of the officer, but would also enable such majority, by convenient and seasonable eulogiums, to increase the influence, and enhance the merits of their own supporters.

Ordered also, That if such investigations are to be instituted whensoever an officer may deem it proper to demand them, they are at least only proper when the party, who invites them, stands to the state in the relation of an officer; and that when it appears that he has retired from the office, and that such investigation can have no effect upon the past, and no direct effect upon the future, inasmuch as the party asking it has ceased to hold the office, it cannot subserve any interests of the state, and would merely operate as a passport to future consideration.