public", can elude, or will dare openly to defy and insult. The people constitute that august *American tribunal*, in the last resort, before which every case may be brought, and whose final determination is altogether irresistible.

This interference with the *duration* of judicial salaries has another obvious and direct tendency, no less hostile to the principles of our constitution. The *appointing power* is lodged, exclusively, with the governor and council. But, if the General Assembly can, at pleasure, withhold or reduce a judicial salary, it is evident they may, in that manner, come into direct collision with the *appointing power* of the executive. If the person, appointed to a judicial office, happens to be displeasing to the legislature, his salary may be, at once, withdrawn or reduced so as to force him to resign. And what is most odious, in this kind of collision, is, that this unjustly excited and misguided feeling of the legislative body may be aroused by persons who are not members of it; by persons who are not of either house; but, who have influence and a knack at intrigue. Such malcontents may work upon the honest indolence of members, and urge them on, unthinkingly, to effect the ruin of the best of men, and the most sacred of institutions, merely to gratify some smuggled and vile malignancy, which they dare not have the impudence to exhibit openly before the public.

The executive alone are responsible for the appointments they make; and the legislature have no right, and ought not to interfere in any way whatever. They have no right to look beyond the *official behaviour* of those *in office*. It is their constitutional right to inquire whether a public officer behaves himself well or not; and, if he does not, to proceed against him. Let legislators *now* put the question to their constituents, to any competent and credible witnesses. Has the chancellor, have the judges discharged their several duties as they ought, as was required of them by the law and the constitution; have they behaved themselves well? If they have not, it is the solemn and sacred duty of legislators, from which, according to the principles of the constitution, they ought not to shrink, to call the alleged delinquent before them to answer for his conduct; and, on finding the charges against him sustained, to remove him from office. But, beyond this, the General Assembly have no right to go. In all other respects, the chancellor and judges are independent of legislators, and legislators of them.

From what has been said it appears, *First*, That the House of Delegates, of the last session, assumed the power to *reduce* the