pleasure. As a question of policy it might have been better for the Legislature to have differently provided: as a question of law, there is no doubt in my own mind of its competency to decline paying out this class of securities to any save the ~~volunteer~~ veteran himself, his surviving wife or children. The remedy is by subsequent legislation, and the Executive Department is not competent to supply it by intendment and construction.

The third Clause of Section fourteen Bill of Rights, does not seem to me to affect the question. The remedy specified therein has a judicial signification and refers to the enforcement of a legal or equitable right by appropriate action. If the granting of a pension by the Act of 1870 was a contract, the Act of 1874 does not deprive the applicant of any remedy for its enforcement. He never had any to be deprived of, for like all other creditors of the State, he would be forced to await its action in payment, and an attempt to hasten or enforce payment could only end in one way.

In the present attitude of the law, I am of opinion that it would be improper action on your part to issue the bonds applied for; but it is hoped the Legislature may, at its next session, afford the applicant relief by appropriate amendment of the Statute.

I am Sir,

Hon. S. H. Darden. Very Respectfully.

Comptr Public Accounts. Your Obdt Servt.

Geo Clark

Att Gen.