ever for the payment of his debts, since an inadequate or ineffectual provision is as if none had been made.

But, in behalf of the infants, their guardian objects, that the before mentioned private Act of Assembly has prescribed a mode whereby the debts of their ancestor are to be satisfied from the estate devised to them; and, therefore, that these creditors cannot be permitted to obtain satisfaction in any other manner.

This objection seems to have been thrown into the answer of these infants, rather by way of an appeal to the indulgence of the Court, than with any great degree of confidence in its validity as a bar to the relief claimed by the bill. But when it is recollected how many private Acts of this description the General Assembly have passed, and how often they have been tempted or urged, by generous feelings or by considerations of the difficulty and hardships of the case, by such enactments, apparently to step beyond the limits assigned to them by the Constitution, or to trench upon the confines of the judiciary, it may be well to investigate this matter somewhat more attentively than might otherwise be deemed necessary.

This mode of granting relief in particular and anomalous cases by legislative enactments, is said to have prevailed in England as far back as the beginning of the fifteenth century. *Hallam Mid. Ages, vol.* 2, *c.* 8, *pt.* 3, *p.* 134. But even in the earliest times, and always since, when the matter was of such * a nature as that relief could obviously be had in the ordinary Courts of justice, Parliament has refused to interfere, and left the parties to apply to the regular tribunals. But where the petitioner could have no relief, without a special enactment in that particular case, or without a general law comprehending it, then the individual application has been considered, and such a private or public Act has been passed as seemed most proper; and, in some instances, a private clause has been inserted in a public statute to suit the particular case, so that the statute has been, in fact, both public and private in its several provisions. It appears, too, that the fees for obtaining relief in this way, in England, are taxed like the costs of a suit in the ordinary Courts of justice. *Spelman* v. *Woodbine*, 1 *Cox*, 49; *Wheeler, Ex parte*, 3 *Ves. and Bea.* 21; *Holmes* v. *Higgins*, 8 *Com. Law Rep.* 27; *Dwarris on Statutes*, 628. (*k*)

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(*k*) The evils of this private legislation, it is said, in an able English Review, consists in the impossibility of giving proper attention to more business of the sort, which is already too abundant, and distracts the attention of legislators from the larger and more universal matters of State to the smaller and particular affairs of districts; a vice, in a national assembly, of which few can conceive the magnitude, who are not aware of the universal force of gravitation towards self, and one's own kin and fellows, which, in the most intelligent, will often sacrifice to a class the good of the community. What would not be given to bribery in other forms, is given in this.