

1 to perform, it says it can perform all powers except those  
2 which the Legislature says it cannot.

3 MR. MARTINEAU: Then you go further and say,  
4 and is something that the Legislature has said it can do,  
5 and that's what doesn't make sense to me.

6 MR. CLAGETT: Again I point out that it is a  
7 continuing supervision by the General Assembly.

8 MR. MARTINEAU: That's necessarily implied.

9 THE CHAIRMAN: I don't think that's the point,  
10 Mr. Clagett. It seems to me the point Mr. Martineau is  
11 trying to make is that the first part of the sentence is  
12 drafted on the theory that the county has all power except  
13 that which the Legislature has denied to it. The theory of  
14 the second part of the sentence would seem to be the con-  
15 verse, namely, that the county has the powers which the  
16 Legislature has granted to it.

17 MR. CLAGETT: Yes, but I believe we've got to  
18 look at this clause, counties generally, to include the  
19 Constitution, by the Constitution, and there it may be  
20 denied to the counties and when we then go further and say  
21 within the limitations of the General Assembly, we're