

REPORT

OF THE

COMMITTEE ON

Grievances and Courts of Justice.

The Committee on Grievances and Courts of Justice, to whom was referred an order of this House requiring them to inquire into the constitutionality of an act passed at the last Session, proposing the erection of a new county, have given the subject such consideration as its importance demands, and a proper regard for the relation which they bear to this House imposes.

The novelty of the question to which their attention was directed, connected with the general interest which it seemed to have excited, will be their apology for having delayed a more speedy action upon the subject. Opposite opinions are entertained by the members of the committee, in relation to the constitutionality of the bill which was referred to our consideration, and two separate reports have been made, each signed by three members of your committee; one report says it is constitutional, the other says it is unconstitutional; to the latter opinion I incline, and beg leave respectfully and briefly to assign the reasons which have induced this opinion.

Whenever there is a general delegation of power, whether for general or special purposes, it vests in the parties to whom the power is delegated, the ex-