is a restriction upon a legislative power which would otherwise be unlimited and unquestionable. It is a tying up of the legislative hand, and therefore, to be construed in a liberal spirit to remedy the mischief at which it was aimed, and not further unnecessarily to fetter the proper governmental powers of the people's representatives.

The power of a Court to set aside the legislative will is unknown, except in American jurisprudence. The authority of an Act of Parliament is supreme and unquestionable in the country from which we derive our laws and the fundamental principles of our political liberty, and in the early days of the Republic, it was not without grave doubts and serious opposition, that the judicial power was carried to this extent even here. And though it is now firmly settled that the Courts are the ultimate interpreters of the Constitution, and that all acts or legislation which are forbidden by the Constitution are to be declared void, yet it is equally well settled that this power can only be exercised where there is a clear and undoubted infringement of the Constitution. In all cases the presumption is in favor of the validity of the legislative act, and where there is room for doubt, this presumption must prevail. Especially is great respect due to the legislative construction of a constitutional provision where, as in the present case, it is a question, not of private right, but of public policy. For the preservation of individual rights, whether as between man and man, or between the citizens and the public, or the Government, the Courts are the natural guardians, with special advantages of training and modes of procedure for the attainment of justice, but for the preservation, as well as for the determination in the first instance, of matters of State policy, the proper tribunal is the Legislature; and its construction of a constitutional mandate upon this subject, must be held binding and conclusive until shown clearly and beyond all question, to be in violation