

ner only can the first resolution of the convention of the 21st, June, 1776, be construed, even if it were necessary to appeal to the instrument for so obvious a truth. The legislature possesses delegated powers, for the reason urged by the committee who reported against a convention in 1847, viz: that its duties are *defined*. For we presume that it is not seriously urged that the powers given to the legislature, amount to such a compact between the popular sovereignty and itself as cannot be legally violated. In any interpretation there is no compact with the legislature. It is the creature of the compact itself,—the agent, indeed, constituted by the contracting parties to carry out the terms of their agreement. If then it is no party to the compact, and possesses only delegated powers, are those powers revocable by the contracting parties? The undersigned have no difficulty in assenting to so plain a proposition.

The undersigned would next inquire, who are these contracting parties. The question is answered by a recurrence to the views they have already submitted. They were the people of the State, assembled in convention by representatives sent from the several portions of the State.

The convention of the 21st June, 1776, was so appointed, as has been already mentioned. It is true that the strict rule of population was not followed; but it is certain that it entered into calculation. The representation allowed to Frederick county proves this, and it is further demonstrated by the provision made that the representation allowed Annapolis and Baltimore towns, should not continue, if the population of those towns respectively became materially less.

The next inquiry is, how can the contracting parties revoke it? If they are the counties and cities, there is no mode in which they can express their act of revocation, unless they vote as units, or according to population. Vote as units, however, they cannot, because there is no pretence that such a confederacy exists, nor was such a manner of voting ever practised in the convention. It only remains then that the revocation of the authority conferred by the constitution, should be made by those stated in the convention of the 21st June, 1776, to be possessed of authority—the people of the State.

The next question for settlement is, how can the people of the State, exercise this right of revocation? Here, it is first material to know, if they desire to exercise it. This, the bill provides for, by directing that the vote shall be taken. But how comes the legislature to possess this right? It has been heretofore exercised. The vote upon the proposal for biennial sessions is a recent and marked instance. Did the constitution provide that such means should be resorted to, in order to determine the proper course of public legislation? If the constitution is a compact between “the shores, the counties and the people,” how comes it that so important a feature was changed by a *popular* vote? The frequent convening of the legislature had been stated in the bill of rights,