

in relation to the consumption of time. That legislature did, by special rule upon important bills, restrict debate in some cases to five minutes speeches, and even with that restriction, after passing more laws than any two legislatures had heretofore done, found it impossible to get through with the public business—and this he declared, in his opinion, was the result of the measure fastened upon the State, by the gentleman and others who acted with him in the passage of his biennial session bill. If every gentleman here had the experience of the last session of the legislature, which he, (Mr. M.,) the gentleman from Carroll, and the gentleman from Baltimore, had, they would never vote for another biennial session.

A word as to the objections of the gentleman from Dorchester. He says, that frequent elections of members of the House of Delegates are no more necessary, than in the case of judges and other officers elected by the people for a long term of years. His friend had mis-read the old bill of rights, where it is said in reference to the legislature only, "that elections should be free and frequent." In this clause there was no reference whatever to judges; the clause declared that a participation in the legislature, frequently by the people was the foundation of all free government—it defines the rights of the people, by securing the sovereign exercise of their will through their representatives in legislature assembled. It simply secured this great principle, and says, in effect, the sovereign power should often be returned to the source of its emanation.

The judges were clothed with no such power; their duty was to administer, not to make the laws. The one could, therefore, with great propriety, be a perpetual office—whilst the other required a frequent recurrence to the original source of all power—the people. The same reason, therefore, did not apply in the case of a judge, as in that of a representative. He referred to the reforms that had taken place in the British government. Instead of long parliaments which sat at earlier times, triennial parliaments were substituted, which was wrung from the reluctant Charles by his people, for the very reason that induced the insertion of the clause referred to in the old bill of rights by our forefathers. It was true their Parliaments were now elected septennially, yet such was the frame work of their Constitution, that even in England at this day, annual Parliaments were obliged to be held.

The British declaration of rights prohibited a standing army, except by consent of Parliament, nor could the King obtain supplies except by appropriation of that body, and these two provisions are considered the greatest bulwark of Constitutional freedom, because it forced the assembling of the representatives of the people annually, to watch their interest, and to guard against all encroachments and abuse from any and all quarters. It was the assertion of this principle having its origin far back in British history, in order to secure the advance that had been made in liberalizing government, that caused the Convention of '76 to place the present article in the

bill of rights; and we are now called upon at this day to go back—to approach nearer to the times when usurpation demanded and forced a change. In throwing out these views he not only expressed his own opinions, but was happy to say that he also uttered the voice of the people he represented, who, by a large vote, had declared against biennial sessions. He believed experience had proven the correctness of their opinions, and that no good had resulted to the State, from the change that had been effected.

Mr. PHELPS said he had been charged with attempting to fasten biennial elections on the Legislature, and he was now charged with attempting to fasten them on the people. Gentlemen who made these charges did him too much honor. The question as to biennial sessions was referred to the people of Maryland; and the question was distinctly put to the voters as they came up to the ballot box, whether they were in favor of biennial sessions or against them; when, out of fifty-five thousand votes deposited, there was found to be a majority of no less than five thousand in favor of biennial sessions. From that moment it ceased to be his bill. The people took the bill off his hands and made it their own. The people of Maryland, whose agents we are, adopted the bill, and now it will be seen whether the people of Maryland will be willing to see their decision reversed by this body. For himself he cared but little. His participation in the proceedings of this Convention would be the end of his political life. When he had retired from this body, and reached his own fire-side, he should not thereafter mingle in political bodies. But it would well become the Convention to pause before they act in opposition to the expressed will of the people. He was no prophet, nor the son of a prophet, but he would venture an expression of his belief, that if the Convention should determine not to adopt the system of biennial sessions, the reformers will find that they will have to be content with the old Constitution for the next half century. He reiterated what he had before said on the subject of the salaries of the officers of Government. The gentleman from Anne Arundel, (Mr. Donaldson,) and the gentleman from Charles, (Mr. Jenifer,) had argued that if the sessions should be made biennial, there would be no check on the Treasury. What check, he asked, is provided by annual sessions? If there was a disposition on the part of the Treasurer to defraud the State, he could make false returns to the Legislature annually, as easily as biennially. Our present Treasurer is faithful and honest, and we have every confidence in him. He was ready to give his vote for that officer.

One word, as to the multiplicity of business at the close of the General Assembly. This press of business did not originate with biennial sessions. The number of bills not acted upon, were quite as large, during the existence of annual sessions. You, Mr. President, and I, are old stagers here, and have had much experience within these Halls. We have, time and again, seen the clerk's desk, at the close of the sessions, loaded with bills, and not unfrequently would a member approach that desk, upon the last night