

or a sovereignty. For, wherever the law expresses its distrust of abuse of power, it always vests a superior coercive authority in some other hand to correct it; the very notion of which destroys the idea of sovereignty. 1 *Blac. Com.* 244. Ours is a government assumed under the authority of the people; it originated from the people, is founded in compact only, and instituted solely for the good of the whole; and all persons invested with the legislative or executive powers of government are the trustees of the public, and as such *accountable for their conduct. Decla. Rights **232** Maryland, Art. 1 and 4. These are our fundamental axioms and first principles; consequently, the General Assembly, or all, or any portion of our government cannot exercise sovereign authority, in any case, over any subject whatever; since it is clear that, when regarded in this point of view, our whole government must be considered as strictly limited, as well by its general nature, as by the special provisions of the Constitution itself. Here, therefore, the sovereignty belongs altogether and exclusively to the people of the State. *Vanhorn's Lessee v. Dorrance*, 2 *Dall.* 311; *Culder v. Bull*, 3 *Dall.* 386; *Dash v. Van Kleeck*, 7 *John. Rep.* 477; *Enslin v. Bowman*, 6 *Binney*, 471; *Trustees of the University v. Foy*, 2 *Haywood*, 310, 374; *Satterlee v. Matthewson*, 2 *Peters*, 380; *Wilkinson v. Leland*, 2 *Peters*, 628; *Crane v. Meginnis*, 1 *G. & J.* 463.

It is declared, that the legislative, executive, and judicial powers of government ought to be forever separate and distinct from each other; Decla. Rights Maryland, Art. 6; that no State shall pass any bill of attainder, *ex post facto* law, or law impairing the obligation of contracts; Const. U. S. Art. 1. s. 10; and that no freeman ought to be taken, or imprisoned, or disseized of his freehold, liberties, or privileges, or outlawed, or exiled, or in any manner destroyed, or deprived of his life, liberty, or property, but by the judgment of his peers, or by the law of the land. Decla. Rights Maryland, Art. 21. Consequently, the General Assembly must be considered as restrained, not only by the general principles and delegated nature of the government itself, from exercising any arbitrary power over the rights or property of an individual; but according to this declared separation of powers, and under the positive restrictions by which its powers are limited, it can exercise no authority which is manifestly beyond the confines of its own legitimate sphere as a legislative department. *Berrett v. Oliver*, 7 *G. & J.* 206. It cannot adjudicate upon any matter in the manner of a Court of justice; *Dash v. Van Kleeck*, 7 *John. Rep.* 508; *Evans v. Eaton*, 3 *Wheat.* 513; *Crane v. Meginnis*, 1 *G. & J.* 476; it can make no partial distinctions among citizens, *Kames' Pri. Eq. b. 2, c. 3*; Decla. Rights Maryland, Art. 39; or pass any law impairing the obligation of contracts; nor can it be allowed to assume the truth of any facts upon which of itself to pronounce a