

great interests that require so much legislation? Put the trade, commerce, and navigation of Baltimore, against the trade, commerce and navigation of New Orleans, and the scale would preponderate vastly in favor of the latter. If then legislation every two years was sufficient there, it certainly ought to be here. But go to the new States, that have adopted the biennial system, Iowa, Texas, and Arkansas. There, to say the least, enterprise is as vigorous as here, and from the very nature of circumstances they must require more legislation than we, yet they get along very well, and prosper under biennial sessions. Nearly all the recently formed State Constitutions contain the same feature, while not one State that has given it a trial has manifested a desire to go back to annual sessions. The present was the age of "progress," and biennial sessions had become one of its great marks. A few months since, and the State of Kentucky made it part of her system; then the Indiana Convention, which has recently adjourned, adopted the same doctrine, and last in this great march of "progress," came the populous and powerful State of Ohio, whose Convention, though yet in session, has made biennial sessions a part of her organic law. He hoped that Maryland would be the last State to renounce this system, the very last in the language of Webster, to "tread backward."

Another argument was, that after the adoption of our new Constitution, "a thousand and one" questions would require legislation, in order to make our laws conform to the new system, and, therefore, we should return to annual sessions. He did not doubt that much additional legislation would be required, but for how long? Certainly only for a few years, until things became settled under the new system, and then it would cease. Now, because a necessity for additional laws would exist for a short time, was to him, [Mr. H.,] not a sufficient cause to justify a provision for annual sessions all the time.

He hoped the organic law, that the Convention was now framing, would last for ages, until in the course of "progress," it would be found unfit for the changed circumstances of a future people; therefore, he could not agree to incorporate a provision for annual sessions, which at most, would only be required one or two years. But for this extra amount of legislation, which would only be required for a short time, he was reminded by his colleague, that the sixth section of the present report, made ample provision by authorizing the legislature during the first two sessions under the new Constitution, to sit as long as they might think the public interests required. Those two sessions would afford sufficient time to harmonize the laws with the new system, and fully answered that argument.

Another reason for annual sessions had been urged with great ability, by the gentleman from Charles county, (Mr. Merrick.) It was that frequent elections were the bulwarks of civil liberty—that a frequent recurrence to the people was a fundamental right that ought to be exercised, else their wishes would be disregarded and evil consequences ensue. He agreed that elections

should be frequent—but how frequent? That was the question, and there they differed. He asserted that every two years was frequent enough for the happiness and prosperity of the people. On the other side, it was argued that "frequent" means annual, and that once a year is the proper time.

The gentleman from Dorchester, had ably argued that once in two years was often enough; and he would ask, if all proper and useful legislation could not be had by biennial sessions, why the great States that lived under that system, did not abandon it?

Mr. H. referred not to those States which had recently adopted it, but to those that had tried it during a long course of years. In Arkansas, the biennial system was introduced in the year 1836; in North Carolina in the year 1836; in Delaware in the year 1832; in Missouri in the year 1820. If all the evils predicted by the gentleman from Charles county, were to flow from this system, why had not these States abandoned it long, long ago? Does not the fact that they still adhere to it, prove these evils a mere chimera, and that argument naught but the "baseless fabric of a vision?" The position was not only incorrect, but that system must operate well, else the States that adopted it, would not be among the most prosperous and flourishing in the Union.

By another argument, it had been said, that biennial sessions in this State, had caused bad legislation, and under that system business would necessarily have to be pushed and hurried through at the end of the session, without sufficient or even any examination.

But had not this also been the case, when the sessions were annual? Without experience himself, Mr. H. had heard from others, that this evil was caused, not by the want of time to transact all the business, but because at the beginning of the sessions, too much time had been spent over champagne at dinner, and over oyster suppers. Now, if gentlemen could show him, that under the old system, this same waste of time did not or would not exist, he would concede the argument; but the facts were too well known to expect any such an attempt. There was an abundance of time under the system, as it now existed in this State, to do all the legislation required; yet, if we must have more time, he would rather extend the sessions a little, than have them annual. He would now come to the argument of the other gentleman from Anne Arundel county, (Mr. Donaldson.) It was that the financial affairs of the State, could not be so well regulated, and fraud upon the Treasury so well prevented or exposed, by biennial, as by annual sessions of the Legislature. All agree, that so far there has been no reason to complain of the present system on that score. But if an annual investigation of the finances be necessary to prevent abuses, could it not be done without incurring the expense of a session of the Legislature? Such a thing was certainly possible, and now, while engaged in framing the organic law, is "the day, now's the hour," to provide remedies for defects complained of, and the evils that might arise under the present system. The committee

on the Treasury department, would doubtless take all these things under their consideration, and report proper safe-guards. In other States, however, whose Legislatures convene but once in two years, we hear of no frauds upon their Treasuries, and no difficulty in regulating properly their finances; yet it is contended, that for these purposes we must hold annual sessions. Is it possible, that we are so much inferior to them? It could not be—for surely the people of Maryland, are as able to govern themselves as any other people; and if others can regulate and properly conduct their fiscal officers under the biennial system and thus effect a considerable saving of the money of the people, we can do the same.

In regard to the economy of this matter, he would say something. He believed that the rights and liberties of all would be, at least, as well secured and protected by the present system, as by any other: while, at the same time, it would save to the tax payers of this State, some thirty or forty thousand dollars annually. No one would be less willing for the sake of saving money, to sacrifice the rights of the humblest citizen; but firmly believing, as he did, that the rights of all would be well defined and protected, he could not withhold his support from that system which would economize the public money.

Annual sessions of the Legislature were productive of one of the greatest curses that could befall a people—instability of the laws. That people are indeed afflicted, whose laws, like the quicksands of the ocean, are not to be relied on. Where the people are unable to tell what their legal rights are, how can the order and interest of society be preserved? Yet, under the annual system, all must admit, that the changes, by amendments and supplements, were so frequent, that even the wisest might be ignorant. Continue the present system, and there would be fewer changes and more stability, because more time would exist to ascertain the precise wants of the people, and if laws worked evil, their defects and the required remedy could be better ascertained before the law making power was again convened.

He could see no good reason to return to annual sessions. Whatever might be the opinion elsewhere, the people of the county he represented, were satisfied with the present system. Change it to annual sessions, and if it does not doom the new Constitution, we may, at least, have some fears of its rejection by the people.

Mr. THOMAS said he came here, believing that if any question was settled, it was the very question now under discussion; and the manifestation on this floor, proves how different is the attitude of the man who has been a legislator and the attitude of the people. The discussion has been all on one side. He had been led to anticipate directly the reverse, and he had gathered this opinion from the expression of the people in his section of the State; for he did not know, in the community from which he came, a single man who had supposed that we were about to disturb this question, which was regarded as the founda-

tion stone of this Convention; and he could not believe that those who were anxious to devise any plan by which annual sessions of the Legislature might be fastened on us for ever, as standing in any other position than that of enemies to the new Constitution. This question is looked at differently by the people and legislators. While, on the one side it is believed that the citadel is not safe, unless the sentinel is always on the tower; on the other, it was the sentiment throughout his part of the country, that there was too much legislation, and the people were all disposed to regard the proceedings of the Legislature as resembling the witches' cauldron in Macbeth:

"Double, double,
Toil and trouble,
Fire burn
And cauldron bubble."

He did not stand here to censure the Legislature without cause. Laws were speedily repealed, because they were hastily enacted, and led to the multiplying of suits and other evils. He intended no charge against gentlemen who were members of the Legislature. He was aware that the mass of public men were unable, without great sacrifices, to leave their private and professional business, and that they were only induced to come to the Assembly from a disposition to benefit their fellow citizens. Scarcely had a law passed and gone into operation, when lawyers have just begun to settle down on the true construction of its provisions, before some philanthropist gets a supplementary law enacted, which has the effect of perplexing the lawyers and dividing public opinion. He believed the great evil we have to complain of is too much legislation, and on coming into this body to meet it, he found gentlemen clogging the question as to a remedy for the evil, with all kinds of matter the most irrelevant. He came first to the Legislature in 1822, and he would ask, whether from that period up to the time when the biennial system was established, it had not always occurred, that a budget of bills was brought forward at the close of every session. He had been a member of the Legislature three times, and he had always found this to be the case. This pressure of business was not the result of the biennial system, but was owing to the indisposition of members themselves, at the beginning of a session, to go to business. During the last four days of the session, more business has been done, than in a month at the commencement. This fact then can be no argument against biennial sessions. If gentlemen who think that the biennial system will not allow sufficient time for legislation, when they come to the proper section which fixes sixty days as the length of the session, should be so disposed, they may so amend it, as to make it ninety days. He would vote against such extension. But he did not wish this section to be put in peril by referring to questions which have nothing to do with it. He would leave them to be considered in their proper place.

He did see some difficulty growing out of the financial condition of the State, until now. The remedy proposed, that the Legislature shall as-