

ties, or power of the General Assembly, to authorise them to make the supposed Cession. Does the 8th section of the 1st article of the Constitution of the United States confer upon the General Assembly the supposed power? That section enumerates the powers of Congress, and confers no grant of power whatever upon any State Legislature. It contemplates a Cession by particular States "of a district of territory," but the *mode*, by which the State shall exercise this high sovereign power if left entirely themselves. When the high sovereign power, of adopting the Constitution of the United States, was to be exercised, the General Assembly did not conceive themselves to be clothed with it, but it had to be exercised through the medium of a convention of Delegates, chosen for the occasion. In like manner, the *State*, with the consent of the citizens, or a majority thereof, of the territory referred to, might have ceded the said territory to the United States; or by an amendment of the constitution of Maryland, in the prescribed mode, the authority to make the Cession might have been conferred on the General Assembly.

The committee present these views and inquiries with deference and diffidence, because of their seeming novelty, but the principles by which they have tried the question of power, are not new; they lie at the foundation of Republican Government, and are the basis of the rights of the people; and the committee can account for the fact, that the views herein entertained in reference to the supposed Cession have not been generally entertained by others, only by supposing that this *question of power to make the Cession*, has not been directly presented to their minds, but that without inquiry, or reflection, it has been taken and considered as having been a constitutional exercise of power.

According to the foregoing views, there is nothing obligatory upon the state of Maryland, growing out of the act of the General Assembly of 1791. Is there any thing of binding force growing out of the acquiescence of the people included within the territory supposed to have been ceded, and of the people of the State generally, in the act of the General Assembly aforesaid?

This acquiescence has grown out of the opinion which seemed to have been entertained by all parties, that the supposed cession was constitutional, that it was beneficial to all parties interested, that the territory included within the District of Columbia would be peculiarly favoured, and the prosperity of its citizens