

phical position in the colony. Internal boundaries had not then been marked out. The general character of the provision in question, is further shewn by the terms of the eighth article, which taking into consideration the obvious difficulty of collecting so large and widely scattered a population, recognises, incidentally, the right of different portions of the community, in case of sudden accident, or in great emergencies, to send delegates, or deputies, in their stead. In such cases also, and indeed in all, for the words of the grant are capable of so large an interpretation, that it is difficult to say in what instance the Lord Proprietor would have been compelled to take the advice of the freemen of the province, he was empowered to pass ordinances of all kinds whatsoever, which were to be of binding force, there being no check upon this legislation, saving the very uncertain reservation, that it should be conformable to reason, agreeable to the laws and statutes of England, and should not interfere with the life, liberty, or vested rights of any person.

Before the year 1650, it is known that the proprietary government exercised the exclusive right of convening assemblies, and of dissolving them at pleasure, and that it determined in what manner they should be convened. The freemen were sometimes directed to attend in person, or by proxy, sometimes by delegates or deputies and sometimes there was given only a general direction to attend. (McMahon's Maryland p. 146.) There were then only two counties in existence,—St. Mary's, and the Isle of Kent county. So it will be apparent that the Assembly convened in this general manner, was not regarded as representing those two districts, but as composing, theoretically at least, the whole body of the freemen of the province.

It is not known at what precise period the General Assembly of the freemen of the province, either in person, or by delegates, was abandoned. In the year 1650, however, or shortly before, the General Assembly was divided into two Houses, called "the Upper and Lower Houses," and thenceforward the style of the laws was—"by the Lord Proprietary, with the assent of the Upper and Lower Houses." One of the earliest, and the most material to this inquiry, of the enactments passed by this body, was that settling the constitution of the two bodies upon a certain basis, during the session of the Assembly, in which the act was passed, and providing for its division into two separate houses. The governor, his secretary and council, were to constitute the Upper House, and the burgesses for St. Mary's county, the Isle of Kent, and the District called Providence, were to compose the Lower House. The general attendance of the freemen of the province was thus dispensed with.

The Lower House was represented by burgesses from different hundreds in the two counties, and from the settlement of Providence. It is probable from the fact that St. Mary's hundred sent two burgesses and St. Inigo's one, Kent Island one, and Providence two, that the population of these hundreds determined the