

States. The latter instrument having been declared supreme law, and being the work of the same people, necessarily controls and abridges any sovereign power vested in the State governments under the State constitutions. It is needless to pursue the subject further; it is apparent that the State of South Carolina has no such right as she claims under the Constitution. And if she can justify the measure at all, it must be on the ground of intolerable oppression and the unconstitutionality of the acts complained of; but, on this ground the rights of her whole body of citizens, or any portion of them, are no other, and no greater, than those of the humblest individual in the community: but they cannot trammel up the consequences. Their political organization as a State, may furnish readier means of resistance and greater probabilities of success, but the consequences are the same. They cannot sanctify or legalize resistance, and the predicament in which the individual may stand if mistaken in his judgment, is that of a traitor to his country.

The view here taken of the origin of the government and the nature of the constitution, is confirmed by the solemn decisions of that great tribunal which has been created by that instrument, and which is the sole and proper one for the settlement of all controversies arising under it. The language of the supreme court, as delivered by Chief Justice Marshall, in the case of *M'Cullough* against the State of Maryland, is as follows: "In discussing this question, the counsel for the State of Maryland have deemed it of some importance in the construction of the constitution, to consider that instrument not as emanating from the people, but as the act of sovereign and independent States. The powers of the general government, it has been said, are delegated by the States, who alone are truly sovereign; and must be exercised in subordination to the States, who alone possess supreme dominion. It would be difficult to sustain this proposition. The convention which framed the constitution was indeed elected by the State Legislatures.

But the instrument when it came from their hands, was a mere proposal, without obligations or pretensions to it.— It was reported to the then existing Congress of the United States, with a request that it might be submitted to a convention of delegates chosen in each State, by the people thereof, under the recommendation of its legislature for their assent and ratification. This mode of proceeding