a very clear and concise speech, had objected, in like manner, saying the gentleman was right as far as he went, but that something more was necessary. That "something more" it was the object of his amendment to supply. Another gentleman from Queen Anne's, [Mr. Spencer,] had declared "it was the first time in his whole life, he had ever heard it claimed that government was founded in compact."

Here Mr. SPENCER explained that he had not intended to use language so broad, but to say that the Constitution was not a compact.

Mr. C. resumed. Upon this, his friend from Anne Arundel, (Mr. Donaldson,) had delivered an argument as lucid and logical, and to his mind, as conclusive, and if he were not present, he would add, as statesman-like as any he had listened to in this House. Other gentlemen had expressed conflicting opinions upon the subject. The elaborate argument of the gentleman from Cecil, (Mr. McLane,) was not professedly in reply to that of his friend near him, (Mr. Donaldson,) but was directed against the positions which he, [Mr. C.,] had previously and briefly urged; and these he now begged leave so to restate as to leave no room for misconception.

1st. He maintained, that according to our theory, government was founded in compact; and

2ndly. That the acknowledged sovereign power of the people, to alter and reform the Constitution and form of government, must be exercised by a mode prescribed by the Constitution itself, or by a law pursuant thereto, or it must be by revolution.

As to the first proposition, he begged to be distinctly understood, as not holding the "compact" to be of such a character, as to justify an action at law, by an individual who might allege a particular violation to his detriment. The very nature of the agreement and the parties to it, forbid any such idea. Amongst individuals entering into compacts, there was always a clear understanding, that the courts of justice would administer relief to a party injured by the violation of its terms.

In the formation of a government there were no tribunals superior to the government, and the only redress to which an individual could look, was the moral obligation to perform the stipulations of the agreement in good faith. Except, indeed, where one branch of the government might be appealed to, as a check upon the attempt of another branch to commit such a violation. Thus the courts frequently interposed to arrest the execution of a legislative enactment, which was in violation of individual rights, secured by the organic law.

Nor did he mean a compact in the sense of a treaty amongst nations, sovereign and independent, which having no higher power to decide in questions of alleged violations of their agreements must of necessity, each decide for itself, and recede from the agreement, when a violation was committed.

He had supposed that the express and emphatic declaration in our bill of rights would have been sufficient authority for any Maryland lawyer, but he would be able to show abundant authority for the truth of his proposition without going farther than to the pages of the book relied on by the gentleman from Cecil—Justice Story's Commentaries on the Constitution. Judge Tucker in his commentaries on Blakistone—a book in the hands of every law-student—has minutely entered into this subject. He maintains the doctrine in the strongest terms. Judge Story in the book relied on, reviews at length, Judge Tucker's remarks, and in the course of his examination, refers as is usual with him, to all the leading authorities. Mr. C. here read from various pages, the quotations from Madison, Jefferson, Jay, John Quincy Adams, Mr. Dane, the Constitution of Massachusetts, the resolutions of Virginia and of Kentucky, all in "*totidem verbis*," expressing the distinct doctrine, that Government was founded in compact.

He averred that Justice Story himself maintained this doctrine, and was misconceived by the gentleman from Cecil. It must not be lost sight of in this inquiry, what Justice Story was discussing. The doctrine of the right of secession of one State from the Union, for a violation of the terms of the Constitution had been openly avowed. South Carolina had maintained her right to nullify—to treat as void—any law which she considered contrary to the letter or spirit of those terms. Her senators in Congress had maintained the same claim, and the subject filled the minds of political men all through the country. This right was based upon the ground, that the States as sovereignties were parties to the compact, which, therefore, was to be regarded as a treaty amongst independent nations.

Against this doctrine, Mr. Webster had raised his powerful logic; and his efforts to put down that mischievous creed would have immortalized his name, had he no other claim to the gratitude of the latest posterity. Justice Story, in his treatise, is examining into this question. After expending some five and forty pages in reviewing the authorities on either side, he says, in page 304, sec. 335, "It is easy to understand how compacts between independent nations are to be construed, and violations redressed." "There are but three modes in which these differences can be adjusted:" they are by "new negotiations," "reference to a common arbiter selected *pro hac vice*," or, "a resort to arms." In the following section, 336, he continues, "it seems equally plain that in our forms of Government the Constitution cannot contemplate either of these modes of redress. Each citizen is not supposed to enter into the compact with all the others *as sovereign, retaining an independent and co-equal authority to judge and decide for himself. He has no authority reserved to institute new negotiations; or to suspend the operations of the Constitution, or to compel the reference to a common arbiter; or to declare war against the community to which he belongs.*"

Then follows immediately the section, 337, page 305, triumphantly relied on by the gentleman from Cecil. "No such claim has ever (at least to our knowledge) been asserted by any ju-