the people, and not of the State Governments. We are all agents of the same supreme power, the people. The General Government and the State Governments derive their authority from the same source. Neither can in relation to the other be called *primary*, though one is definite and restricted, and the other general and residuary. The national government possesses those powers which it can be shown the people have conferred on it, and no more. All the rest belongs to the State Government, or to the people themselves. So far as the people have restrained that sovereignty, by the expression of their will, in the Constitution of the United States, so far it must be admitted, State sovereignty is effectually controlled. I do not contend that it is or ought to be controlled further."

Mark the expression used by Mr. Webster, "neither can in relation to the other be called primary." The allegiance due to neither is therefore *primary*. To the Federal Government the allegiance is "definite and restricted." To the State the allegiance is "general and residuary." And Mr. Carlisle, in the argument of the prize cases before the Supreme Court, 2 Black. R., 641, refers to this question of allegiance in such terms as would indicate the Court would not have tolerated an argument to sustain a proposition that paramount allegiance was due to the United States Speaking of the President's proclamation, he says: "From the nature and structure of our government, it could have had no precedent. The coexistence of Federal and State sovereignties, and the *double* allegiance of the people of the States, which no statesman or lawyer has doubted until *now*, and which this Court has repeatedly recognized as lying at the foundation of some of its most important decisions; the delegation of special and limited powers to the Federal Government, with the express reservation of all other powers "to the States and the people thereof," who created the Union and established the Constitution, the powers proposed to be granted, and which were refused, and the general course of debates on the Constitution, all concurred in presenting this to the President as a case of the first impression."

And the Court, page 673, use this language: "Under the *peculiar* Constitution of this Government, although the citizens owe supreme allegiance to the Federal Government, they owe also a qualified allegiance to the State in which they are domiciled. Their persons and property are subject to their laws." The *supreme* allegiance clearly, from the reasoning of the Court, only means *within* the *limits* of the *powers* conferred by the Constitution on the Federal Government. There is no assertion of a claim on the part of the Federal Government to *paramount* allegiance, which means *superior* to, overriding all other forms of *allegiance*.

But, Mr. President, while I contend that the Constitution was formed by *States*, and by *compact* between the States, and I deny that *paramount* allegiance is due to the Federal Government, I do not claim, as a *logical* conclusion therefrom, that a State has a right to *secede* from the Union, in the sense in which the advocates of that doctrine maintain it. A denial of the proposition contained in the proposed article does not involve the existence of the right of secession, or demand the adoption of the proviso offered as an amendment by the gentleman from Howard, (Mr. Sands.) If the gentleman supposed the amendment I offered contemplated any such thing as the assertion of the right of secession, or that his proviso was necessary, it shows a want of knowledge of constitutional law upon the part of that gentleman with which I had not credited him. I supposed he had a more thorough acquaintance with the Constitution and the true structure of our government. The Constitution being founded by *compact*, certain powers were surrendered by the States, viz., the right of the Federal Government to exercise all the powers with which it was clothed.

Among others, the State surrendered the right to amend or change the Constitution, except in the manner provided in article 5. To this the States assented by compact. Now, although the States were *free*, *sovereign* and *independent* before the adoption of the Constitution, by that adoption they *limited* their right to change the Constitution and form of government. They thus, to a certain extent, tied up or restricted their *sovereignty*. They are bound to exercise their powers with due regard to the obligations imposed upon them by the compact with each other. Their power or right to depart from the compact is determined by the interests or rights which have intervened with the other States, by a compact binding upon their faith. The right of a State at will—for causes of which it is to be the *sole* and *exclusive* judge—to withdraw from the Union, is to my mind clearly not a *Constitutional* right—that is, a right conferred by the terms of the Constitution—it is not a *reserved* right, in the sense of the right specially retained to the States, either by implication or express permission. It does not result from the nature of the compact or constituton in any other sense than as a *revolutionary* right. It is in fact *revolution*—secession is revolution. It makes a change in the the government organized by the Constitution in a mode and manner not provided in the Constitution, and is carried on against the will of the existing form of authority. It is organized *revolution* It is conducted by an *organized body*—a *political* body, recognized by the Constitution as a *State*. It is in a word *revolution* by States.

And here let me remark the distinction which exists under our form of government