

spoken of our extremely progressive democrats who in a great measure controlled the former Convention; that they were disposed to yield vital rights for the purpose of building up partizan power in the city of Baltimore. In other words, they dug a pit into which they supposed the whig party would sink into oblivion, and fell into it themselves. The same thing may occur in the other direction. It is a dangerous experiment; it is an unfair experiment. Although personally and politically I say to gentlemen, with perfect candor and sincerity, I do not care three straws about it. I do not object to the arrogation of any power to this State, or to any section of this State, and particularly to that section of it. Because I know that when things come to their last results, how the people of this State will stand upon those matters which are dearest to my heart, and have best approved themselves to my understanding.

Upon this doctrine of allegiance, which is the second point to which I shall advert, it is necessary, perhaps, that I should depart a little from some gentlemen on both sides. I do not know any form of words in which I could define what I hold to be the exact meaning of this power you call sovereignty. It does not consist in the possession of powers, or the exercise of them. It seems to me that there is a thing which we may term "sovereign character" in reference to nations; a character of sovereignty that is apart from the mere right to exercise its incidental functions. And that character is to be determined upon various considerations, among which is the way in which a people originate. What I would wish to get at is this: and I wish I could adopt a form of words that would carry the idea as clearly home to the minds of members, as it exists in my own mind—that any distinct community or political body that exists of right, of itself possesses sovereignty—that excludes the idea of confederate sovereignty; it excludes the idea on the one hand, that the people of a community under our State system could be sovereign, as well as the idea that a confederated government, on the other hand, could be sovereign. And that the only true sovereignty, under our political theory, is that unique, properly originated, political community—the only one of which you can predicate unity—the people of a State for themselves collectively. That, in my judgment, constitutes a sovereignty; and of course allegiance is due where sovereignty is, and nowhere else. Because you cannot have allegiance to mere powers; it is incompatible, it is incongruous, it is illogical. Allegiance follows sovereignty: obedience follows powers. My allegiance is due wherever I find residing the sovereign character which overrules me.

I mean a full sovereignty. I have no time

to enter into this abstract discussion as fully as I would like. But I maintain that such a thing as a division of sovereignty is an absurdity in logic, as it would prove a source of untold tumult in practical legislation. And here I might stop for a considerable time to prove that, under my doctrine of allegiance, it cannot possibly be due to the Federal Government, because the Federal Government affords no protection, except in reference to foreign nations and foreign intercourse. If I am assaulted by England, or by France, my protector is the Federal Government. But if I am assaulted in my personal rights, in my family rights, in all of the best, highest and most glorious rights and privileges which we enjoy at all, as man and citizens, where is my redress? who protects me? to whom do I look? whose arm do I invoke? whose shield do I ask to cover me? Why, sir, I ask that almost unknown, that fragile power which the gentleman from Baltimore city (Mr. Cushing) yesterday said was too little to be heard of abroad.

I maintain, therefore, that allegiance, in the first place, is not due to the Federal Government, because the Federal Government is not a sovereign government. And here I speak of my theory, as apart from that of some gentlemen who in the general result agree with me. I hold that the Federal Government is not sovereign, because there is nothing in the process of its formation, in the condition of the colonies before they formed this Constitution, or what they have surrendered since, which by any just construction can be held to be a denial to the States of the sovereign powers which they had before. As colonies they were confessedly independent; they entered into the war of the Revolution in concert, but they declared their independence and afterwards achieved it, and then formed a confederation, and afterwards formed a Constitution and Union. And yet, as I hold, in all these steps they have departed in not one single instance from, but, quite the contrary, they have held to, every element of their sovereignty. There is a loose way of talking about the State of Maryland being sovereign in regard to the powers she has reserved, while the Federal Government is sovereign in reference to the powers granted to it; and, therefore, ours is a divided allegiance, and we are bound in our allegiance to the Federal Government to the extent of its powers, just as we are bound to the State of Maryland to the extent of her reserved powers. Now, that is not so; you cannot divide allegiance because you cannot divide sovereignty; you cannot divide the sovereign character.

And more than that—in order to make myself understood—I hold that the State of Maryland was free and independent, after she made good her declaration of independence;