

"And whereas the limited powers, which, by the articles of confederation, are vested in the Congress of the United States, have been found far inadequate to the enlarged purposes which they were intended to produce, and whereas Congress hath, by repeated and most urgent representations, endeavored to awaken this, and other States of the Union, to a sense of the truly critical and alarming situation in which they may inevitably be involved, unless timely measures be taken to enlarge the powers of Congress, that they may be thereby enabled to avert the dangers which threaten our existence as a free and independent people; and whereas this State hath been ever desirous to act upon the liberal system of the general good of the United States, without circumscribing its views to the narrow and selfish objects of partial convenience; and has been at all times ready to make every concession, to the safety and happiness of the whole, which justice and sound policy could indicate;"

And then they go on to appoint their deputies to meet in the general Convention to remodel the old Constitution.

Now, sir, allow me to ask gentlemen upon the other side of this House, what is this Constitution framed in that Convention? Gentlemen tell us it was framed by sovereign and independent States. I say it was framed by the sovereign and independent people, not of one State, but of all the States; not acting in their sovereign capacity as States, but as a whole people—the same people that formed the Constitution of the United States. Who but the people had the inherent and unalienable right to form one grand national Government, for the good of the whole people, as they had the power to form local State governments, for the regulation of their own domestic concerns, since they, the people, were the framers of both? The Constitution was an organic law; it speaks in the name of the people; it was ordained and established by the people of the whole land, acting through conventions of delegates, chosen expressly for that purpose by the people of each State, and independent of State governments. It was not drawn up by States; it was not promulgated in their names, nor was it ratified by them.

Gentlemen say it is a compact. How? A compact is an agreement between two or more parties. Where can you find two parties to this Constitution? There is but one party mentioned in the whole instrument, "the people." How could the people, acting as one man, make a compact with themselves? Allow me to refer gentlemen to the words and the arguments used by the men who adopted this Constitution, and if they are not convinced by those authorities that this is not a compact, then all I have to say is, that, like Ephraim of old, "they are joined to their idols," and there is no

language and no authority that could convince them to the contrary. Look over the debates of the State Conventions that adopted this Constitution. I have them here, but do not intend to read from them all, but merely to give gentlemen the authorities upon which I rely to show that the very men who adopted this Constitution, and the very people who sent their delegates to the Convention that framed this Constitution, did not regard it as a compact. The very objections that were urged by men opposed to the adoption of this Constitution were solely and exclusively upon the ground that it was a government of the people, and not of the States; that it was a government that emanated from the people, and with which State sovereignty had nothing to do. How was it with Patrick Henry, that great and good man, who perhaps had more to do with bringing on the war of the revolution than any other man of his day? He fought the British lion, and fought it bravely and well; and his eloquence reached from one end of this country to the other, and kindled the fires of patriotism in the bosom of every true American. But as soon as the revolutionary war was over, and our liberties had been achieved, and a more perfect union was to be formed by the States, when the Convention met in Virginia to ratify this Constitution, what did Patrick Henry say? At page 22, vol. 3, Elliott's Debates, will be found what he said, when speaking of the men who framed the Constitution.

"I have the highest veneration for those gentlemen; but, sir, give me leave to demand, what right had they to say, *We, the people?* My political curiosity, exclusive of my anxious solicitude for the public welfare, leads me to ask, who authorized them to speak the language, *We, the people*, instead of, *We, the States?* States are the characteristics and the soul of a confederation. If the States be not the agents of this compact, it must be one great, consolidated, national government of the people of all the States. I have the highest respect for those gentlemen who formed the Convention, and were some of them not here, I would express some testimonial of esteem for them. America had on a former occasion put the utmost confidence in them—a confidence which was well placed; and I am sure, sir, I would give up anything to them; I would cheerfully confide in them as my representatives. But, sir, on this occasion I would demand the cause of their conduct."

And at page 24 will be found the remarks of Gov. Randolph, who, in rendering an account of his stewardship, thus replies to Patrick Henry:

"I come not to apologise to any individual within these walls, to the Convention as a body, or even to my fellow citizens at large. Having obeyed the impulse of duty, having