

the utter falsity of that position. But there are other authorities.

The gentleman from Prince George's (Mr. Clarke) refers to the letter of Luther Martin, but he read from one part of that letter only, and did not read from all parts of it. Why, sir, the very letter of Luther Martin, to which he refers, and which will be found at page 382, Elliott's Debates, vol. 1, proves just exactly the contrary to what the gentleman asserted it to prove, in relation to State sovereignty. And there was no man, of those in the Convention that framed the Constitution, who opposed its adoption with more bitterness and more vindictive hate than Luther Martin. He followed it up into the hall of the General Assembly of Maryland, where was assembled the Convention of the people of Maryland, that adopted this Constitution, with a long and elaborate argument to prove its utter worthlessness in relation to the different departments of the government which that Constitution established. See what he says in relation to the clause in the Constitution in reference to treason.

"By the third section of this article, it is declared that treason against the United States shall consist in levying war against them, or in adhering to their enemies, giving them aid and comfort.

"By the principles of the American Revolution, arbitrary power may, and ought to be resisted even by arms, if necessary. The time may come when it shall be the duty of a State, in order to preserve itself from the oppression of the General Government, to have recourse to the sword; in which case, the proposed form of government declares that the State, and every one of its citizens who acts under its authority, are guilty of a direct act of treason; reducing, by this provision, the different States to this alternative, that they must tamely and passively yield to despotism, or their citizens must oppose it at the hazard of the halter, if unsuccessful; and reducing the citizen of the State which shall take arms to a situation in which they must be exposed to punishment, let them act as they will, since, if they obey the authority of their State government they will be guilty of treason against the United States; if they join the General Government, they will be guilty of treason against their own State."

Then he goes on to say:

"To save the citizens of the respective States from this disagreeable dilemma, and to secure them from being punishable as traitors to the United States, when acting expressly in obedience to the authority of their own State, I wished to have obtained, as an amendment to the third section of this article, the following clause:

"Provided, That no act or acts done by one or more of the States against the United States, or by any citizen of any one of the United States, under the authority of one or

more of the said States, shall be deemed treason, or punished as such; but in case of war being levied by one or more of the States against the United States, the conduct of of each party towards the other, and their adherents respectively, shall be regulated by the laws of war and of nations."

"But this provision was not adopted, being too much opposed to the great object of many of the leading members of the Convention, which was, by all means, to leave the States at the mercy of the General Government, since they could not succeed in their immediate and entire abolition."

Now, I contend that Luther Martin is a good authority in support of this proposition that gentlemen want to break down, that the allegiance of every citizen of Maryland is paramount to the Government of the United States, before any allegiance to his own State.

I might show, if it was necessary, that the very gentleman, (Mr. Chambers,) who drew up the report of the minority of the Committee on the Declaration of Rights, was just about as good anti-States' rights man as I am, while in the last Constitutional Convention, the one that met in 1850. By referring to pages 469 and 470 of the second volume of the debates of that Convention, it will be found, while discussing the question of the selection of judges by the people, and taking away their appointment from the Governor, this question of sovereignty came up. And Judge Chambers then said:

"The sovereign power of the people would be embodied whenever action was to be had, and neither Constitution nor law would exist or oppose their sovereign will. That will would be Constitution and law above all restraint; and include in itself, legislative, executive, and judicial authority. Sir, is this theory attractive which yields results so full of mischief? But fortunately, it is as impracticable as it is mischievous. "The Government of the United States"—that is the phrase they quibble on now—"the Government of the United States originates from the supreme sovereign power of the people of the United States. They are as supreme and sovereign in relation to that Government as the people of Maryland are in relation to our State government. There is as much moral and political propriety in respecting their rights, as there is in respecting the rights of the people of Maryland."

Then, at page 261 of the same volume, in relation to the election of members of Congress, and the inserting a provision in the Constitution requiring that one of the United States Senators should be taken from the eastern shore, and the other from the western shore, Judge Chambers opposed it, on the ground that it was in conflict with the Constitution of the United States. He says:

"As to this matter, the Legislature is not the creature of this Convention. It derives