In the Pennsylvania Convention, Mr. Wilson said:

"But in the Constitution the citizens of the United States appear dispensing a part of their original power in what manner and what proportion they think fit. They never part with the whole, *and they retain the right of recalling what they part with.*"

This must of course be understood as affirmed of the people of the several States, in their separate sovereign capacity.

Col. Mason said: "If the government is to be lasting it must be founded in the confidence and affections of the people; and must be so constructed as to obtain these. The *majority* will be governed by their interests. The Southern States are the *minority* in both Houses. Is it to be expected that they will deliver themselves bound, hand and foot, to the Eastern States, and enable them to exclaim, in the words of Cromwell, on a certain occasion, 'the Lord hath delivered them into our hands?'"—3 *Madison Papers*, 1453.

In 1795 the Supreme Court of the United States decided a case, reported in 3 Dallas, p. 54, (Penhallow *vs.* Doane's administrators,) involving the validity of an act of the New Hampshire legislature, passed 3d July, 1776, erecting a prize court for the trial of captures, &c., and also the powers of the Revolutionary Congress. After enumerating the powers exercised by that Congress, Justice Patterson said:

"These high acts of sovereignty were submitted to, acquiesced in, and approved of, by the people of America." He proceeds to argue that New Hampshire was bound by the acts and proceedings of Congress, and among other reasons, "that she continued to be bound *because she continued in the Confederacy.* As long as she continued to be one of the Federal States, it must have been on equal terms. If she would not submit to the exercise of the act of sovereignty contended for by Congress and the other States, *she should have withdrawn herself from the Confederacy.*"

Justice Iredell, in his opinion in the above case, says: "Two principles appear to me to be clear. 1. That the authority was not possessed by Congress, unless given by all the States. 2. If once given, no State could, by any act of its own, disavow and recall the authority previously given, *without withdrawing from the Confederation.*"

Judge Iredell, in this opinion, remarks upon the distinct, separate political character of each of the Colonies, and that they "were no otherwise connected with each other than as being subject to the same common sovereign."

Justice Blair, in the same case, said: "But it was said New Hampshire had a right to revoke any authority she may have consented to give to Congress, and that by "her acts of Assembly she did in fact revoke it, if it ever were given. To this a very satisfactory answer was given. if she had such a right, there was but one way of exercising it, that is, by *withdrawing herself from the Confederacy;* while she continued a member, and had representatives in Congress, she was certainly bound by the acts of Congress."

I shall be able to state only the propositions, which I intended to argue and illustrate, if I had the time necessary for that purpose. I intended to show:

That the people of the United States are, under the Constitution, a Confederation of Sovereign States, as contra-distinguished from a consolidated people into one nation without regard to their separate State organization.

That this is shown in the organization of each of the three departments of the Government of the United States.

In the Legislative department, because it consists of two branches, in one of which (the Senate) the States are all equally represented, and no law can pass without a concurrence of the Senate.

In the Executive, because the President and Vice-President are elected by electors chosen by the people of each State, equal in number to the number of its representatives and senators. And if no election by electors, then by the House of Representatives as to President, where each State has one vote, and a *majority of States* must concur in the election; and in the Senate the Vice-President is elected by a majority of the Senate.

In the Judiciary, because the judges are appointed on the nomination of the President, by and with the advice and consent of the Senate, thus giving a majority of the States control of the appointments.

So also in the mode of amendment.

It requires two-thirds of both Houses *to propose amendments*, and they are not valid till ratified by *three-fourths of the States*, without regard to population. Each State has *agreed*, by the act of ratifying the Constitution, that as to alterations and amendments, she will yield with her co-States, such portion of her reserved powers as in the judgment of three-fourths of her co-States, the interest and safety of all the States may require.

I intended to show further that,

There is no reason why the people of a sovereign State should retain the right, universally admitted, of resuming the powers delegated to their State governments, and of readjusting and redistributing them in a new Constitution, when the old has failed to answer their purposes, which does not apply with equal force for resuming the powers delegated to the Federal Government in the Constitution of the United States whenever, in their deliberate judgment, that compact has been so far and so persistently broken by the co-States, that all hope of other redress has failed, and the liberty and safety of the people of such State, are manifestly endangered. The purposes the people of the States