

near together as they could be brought, rather than divide the territory of this nation into conflicting jurisdictions, and separate national authorities.

Now, what is the meaning of the deduction in the latter part of this article? Gentlemen who have taken part in this debate, admit that the Constitution and laws of the United States are the supreme law of the land. They say that everybody owes allegiance in a qualified sense to the Constitution of the United States; I mean qualified by the effect of our form of government. If a man owes allegiance to the Constitution of the United States as the supreme law of the land, then I say—though it is but a repetition of the very able argument my friend from Baltimore county (Mr. Ridgely) made yesterday—that it follows as a necessary conclusion that if allegiance is due at all to authority, supreme allegiance must be due to supreme authority.

But gentlemen say that this is a Government of limited powers. What has that to do with it? Is there a government upon this continent, in any part of American territory, that is not a government of limited powers? Is there such a thing known, excepting in the case of despotisms, as a government of unlimited powers? I suppose the government of the State of Maryland is a government of limited powers. Yet gentlemen contend that allegiance is due there and sovereignty rests there. The governments of other countries are limited. The government of Great Britain is a limited government; yet did any Englishman ever deny that he owed supreme allegiance to the King of Great Britain, because the King of Great Britain no more than Abraham Lincoln, possessed unlimited powers.

Mr. BRISCOE. The allegiance is due to the King, Lords, and Parliament.

Mr. STIRLING. The King, Lords, and Parliament, are a limited government; for while the Parliament of Great Britain is in one sense supreme, there are limitations and restrictions upon the Parliament. The question of its being a limited government has nothing to do with its being the supreme power, to whom supreme or paramount allegiance, for they both mean the same thing, is due.

Then it is said to be a government of delegated powers. I suppose that every government upon this continent, of the American people, is a government of delegated powers. I do not suppose that any inherent or aboriginal sovereignty resides in any government here at present. I do not suppose that any government exists here except in the exercise of delegated powers. I shall not go back to the confederation or to the Declaration of Independence. I shall leave all that question whether there was sovereignty in the States or no sovereignty in the States; whether sovereignties formed the Constitution, or whether sovereignties did not form the Constitution;

because, in my judgment, it does not make the slightest difference. The Constitution of the United States was framed by a Convention which was called into existence by a Congress under articles of confederation which gave that Congress no power to call a Convention. The people acceded to that recommendation of that Congress, and elected through their State Legislatures that Constitutional Convention. That Constitutional Convention went on to frame a form of government, and created one single organism for the purpose over the whole people of the United States. It took away from the States what they undoubtedly had, sovereign or not, the exclusive power of acting directly on their own people. It was submitted to the people of the States; and how was it submitted to them? Each State had a government which the individual citizen was bound to obey, a government represented by an executive, a legislature, and a judiciary, with a written Constitution, which defined and regulated the powers of the government and the rights of the people; and under that government, the united colonies, or United States held their conventions and acted upon and adopted the Constitution. No matter how much or how little sovereignty the confederacy had, the form of government was adopted by the people of the United States, in their separate States, or by States, by which powers were granted to the General Government and taken from the States, and by which the whole powers of the people were made a complex system of government, and re-distributed between the General Government and the States.

It is a sensible and practical conclusion that this was a peaceable and orderly revolution. The Legislatures of the States had no right to call State Conventions, by any power delegated to them. The Congress of the Confederation had no delegated power to call a General Convention. It was by the powers residing in the people that the General Convention was called into existence and the State Conventions were called into existence, and, by the sovereign act of the people of the States in the States, remodelled the whole form of government and re-distributed certain powers which resided nowhere else than in the people, the States, or the General Government. They gave the General Government the attributes which nations are possessed of, all those attributes which constitute one of the family of nations on the earth; and took them all away from the States. It results as a matter of law, and a necessary moral consequence, that the duty which a man owes to preserve that Government which was thus erected by the people of these States and which was by them declared to be supreme, the characteristics of which were the characteristics of the only National Government on the continent, the characteristics of which were the only characteristics required