

Congress from which the Senators and Representatives of eleven States of this Union were forcibly and illegally excluded, was not proposed in accordance with the requirements of the Constitution, and that that fact, of itself, presents an insuperable obstacle to the ratification of the amendment by the Legislature of Maryland. But if this fact were otherwise, your Committee are of opinion that the State of Maryland could not voluntarily assent to any of the propositions contained in the proposed amendment.

The passions of men, when highly excited, are too apt to render them blind to, and reckless of, consequences. In the midst of high political excitement we are in danger of losing sight of the cardinal principles of our American system of government. It would be unwise to rashly disturb that admirable adjustment of the balance of powers between the Federal and State governments which our fathers made. They guarded against the dangers of consolidation. That now is the rock upon which our ship of State is in imminent danger of being totally wrecked.

The character of our government is thus truly described by the Supreme Court of the United States in 6 Peters 570. Judge McLean says: "The powers exclusively given to the Federal government are limitations upon the State authorities. But with the exception of these limitations, the States are supreme; and their sovereignty can be no more invaded by the action of the Federal government, than the action of the State governments can arrest or obstruct the course of the national power."

No court, statesman or jurist, in former times, ever questioned the truth of this fundamental doctrine.

Now let us consider the first section of the proposed Article XIV.

The first clause of the first section relates to citizenship of the United States, and of the several States. Its object and effect is to give to Congress, instead of the State governments, the right to determine who shall be deemed citizens of a State, and what residence shall be required to constitute that citizenship. The law upon this subject is already well settled: "Every citizen of a State is *ipso facto* a citizen of the United States." 3 Story on the Const. 565; Rawle on the Const. 85, 86.

"And a person who is a naturalized citizen of the United States by a like residence in any State of the Union, becomes *ipso facto* a citizen of that State." 3 Story, 566.

And the Constitution of the United States declares that "the citizens of each State shall be entitled to all privileges and immunities of citizens in the several States."

In the judgment of your Committee, it is not safe to confer any additional powers upon Congress touching this subject.

The latter clause of the first section declares: "Nor shall