

359. "The power of compelling the militia and other citizens of the United States, by a forcible draft or conscription, to serve in the regular armies, as proposed in a late official letter of the Secretary of War, is not delegated to Congress by the Constitution, and the exercise of it would be not less dangerous to their liberties than hostile to the sovereignty of the States."

In this whole series of devices and measures for raising men, this Convention discern a total disregard for the Constitution, and a disposition to violate its provisions, *demanding from the individual States a firm and decided opposition. An iron despotism can impose no harder servitude upon the citizen, than to force him from his home and occupation, to wage oppressive wars, undertaken to gratify the pride of passions of this master*"

History Hartford Convention, 361.

"That the Acts of Congress, in violation of the Constitution, are absolutely void, is *an undeniable position*. It does not, however, consist with respect and forbearance due from a confederate State towards the General Government to fly to open resistance upon every infraction of the Constitution. The mode and energy of the opposition should always conform to the nature of the violation, the intention of its authors, the extent of the injury inflicted, the determination manifested to persist in it, and the danger of delay. *But in cases of deliberate, dangerous and palpable infractions of the Constitution, affecting the sovereignty of a State, and liberties of the people, it is not only the right but the duty of such State to interpose its authority for their protection, in the manner best calculated to secure that end.* When emergencies occur which are either beyond the reach of the judicial tribunals, or too pressing to admit of the delay incident to their forms, States which have no common umpire must be their own judges and execute their own decisions."

In 1825, there was published in Philadelphia a Commentary on the Constitution of the United States, by William Rawle, L. L. D., an eminent lawyer and philosopher of that city. A second edition of the same work appeared in 1829, in which the author said, "The principles laid down in the first remain unaltered; the author has seen no reason for any change of them."

The following extracts are taken from the concluding chapter, "on the permanence of the Union."

"The Union is an association of republics—its preservation is calculated to depend on the preservation of these republics. The people of each pledge themselves to preserve that form of government in all." \* \* \* \* \*

"It depends on the State itself to retain or abolish the principle of representation, because it depends upon the State itself, whether it shall continue a member of the Union."