

Report of the  
Committee.

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 any State deprive any person of life, liberty or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the law." This, and all other provisions of the amendment, must be read in the light of the fifth section, and of the interpretation already given by Congress to the same language in the thirteenth Amendment already adopted, namely, section five. The Congress shall have power to enforce, by appropriate legislation, the provisions of this Article."

The clause under consideration, for the protection of life, liberty and property, will be found in the declaration of rights of every State as a fundamental principle of free government. It is a subject of "internal government," to regulate which is the sole and exclusive right of every State.

The proposition to vest in Congress the power of supervision, interference and control over State legislation affecting the lives, liberty and property of its citizens and persons subject to its jurisdiction, is virtually to enable Congress to abolish the State governments.

The second section relates to the apportionment of representatives among the several States. This, too, proposes to abridge the heretofore unquestioned rights of the several States, and to upheave the foundations so securely laid by our fathers.

The basis of representation fixed by Congress, is "numbers." This scheme, says Story, "seems to have obtained more general favor than any other in the Convention, because it had a natural, universal connection with the rights and liberties of the whole people."

1 Story 403: "Every Constitution of government in these United States has assumed as a fundamental principle, the right of the people of the State to alter, abolish or modify the form of its own government, according to the sovereign pleasure of the people, in fact the people of each State