

tices *v. Murray*, 9 Wall. 274. *Edwards v. Elliott et al.*, 21 Wall 532. *Pearson v Yewdall*, 95 U. S 294 *McElrath v United States*, 102 U S 426. *Callan v Wilson*, 127 U. S. 540. *Ark. Valley Land and Cattle Co. v. Mann*, 130 U S. 69 *Whitehead v. Shattuck*, 138 U. S. 146. *Scott v. Neely*, 140 U. S 106. *Cates v Allen*, 149 U S 451 *Chappell v U. S.*, 160 U. S 499 *Coughran v Bigelow*, 164 U S 301. *Chicago, &c R R Co v Chicago*, 166 U S. 226. *Amer Pub Co. v. Fisher*, 166 U. S 464 *Guthrie Ntl. Bank v Guthrie*, 173 U S. 528.

ARTICLE VIII.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Pervear v. Commonwealth, 5 Wall. 475 *Manning v. French*, 133 U. S. 186. *Ellenbecker v. Plymouth County*, 134 U. S. 31. *In re Kemmler*, 136 U S 436 *McElvaine v. Brush*, 142 U. S. 155. *O'Neill v. Vermont*, 144 U. S 323 *McDonald v. Massachusetts*, 180 U S. 311. *Howard v Fleming* · *Howard v. N. C.*, 191 U. S. 126.

ARTICLE IX.

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Lessee of Livingston v. Moore et al., 7 Pet. 469.

ARTICLE X.

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Chisholm, ex , v. State of Georgia, 2 Dall 419. *Hollingsworth et al v The State of Virginia*, 3 Dall. 378. *Martin v Hunter's Lessee*, 1 Wh 304. *McCulloch v State of Maryland*, 4 Wh. 316. *Anderson v. Dunn*, 6 Wh 204. *Cohen v Virginia*, 6 Wh. 264. *Osborn v. United States Bank*, 9 Wh. 738. *Buchler v Finley*, 2 Pet. 586. *Ableman v. Booth*, 21 How. 506. *The Collector v. Day*, 11 Wall 113. *Clafin v Houseman, assignee*, 93 U S. 130. *Inman Steamship Company v. Tinker*, 94 U. S. 238. *Church v Kelsey*, 121 U. S 282 *Ouachita Packet Co v. Aiken*, 121 U S 444 *W. U. Tel. Co v Pendleton*, 122 U S 347. *Bowman v Chicago and Northwestern Rwy Co* , 125 U S. 465 *Mahon v Justice*, 127 U. S. 700. *Leisy v. Hardin*, 135 U. S 100. *Manchester v. Mass.*, 139 U. S 240. *Pollock v Farmers' Loan & Trust Co.*, 157 U. S 429.

ARTICLE XI.*

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or

*The eleventh amendment to the Constitution of the United States was proposed to the legislatures of the several States by the Third Congress, on the 5th of March, 1794; and was declared in a message from the President to Congress, dated the 8th of January, 1798, to have been ratified by the legislatures of three-fourths of the States.