

var, proceeds to the cession "of jurisdiction as well as soil, for the only use and benefit of such of the States, as are or shall become parties to the confederation, to be granted, disposed of and appropriated, in such manner only, as the Congress of the said united or confederated States, shall order and direct."

The next in order is the cession of Virginia: and by the terms of that cession, after certain conditions, the lands so ceded "shall be deemed a common fund, for the use and benefit of such of the United States as have become or shall become members of the confederation or federal alliance of the said States, the State of Virginia inclusive, according to their usual respective proportions in the general charge and expenditure; and shall be faithfully and bona fide disposed of for that purpose, and for no other purpose or use whatsoever."

Massachusetts, in April, 1785, "transfers, quits claims, cedes and conveys to the United States, for their benefit, Massachusetts inclusive, all right, title and estate of and in, as well the soil as the jurisdiction." Connecticut, by deed of September 14, 1786, cedes her claims in similar terms.

These cessions were all prior to the formation of the constitution of the Union.

South Carolina also, on the 9th of August, 1787, cedes in terms similar to those of Connecticut and Massachusetts.

Georgia, by deed of April 24th, 1802, after certain reservations and conditions, proceeds to say, that "the grants recognized by the preceding conditions, be considered as a common fund, for the use and benefit of the United States, Georgia included, and shall be faithfully disposed of for that purpose, and for no other use or purpose whatever."

What power did Congress derive from these cessions or the treaty with Great Britain? We answer, the power of a trustee, bound to the especial observance of the conditions of the trust. At this period, there was no such political confederation as the General Government. The articles of confederation were the compact of States; the Congress, or assemblage of State representatives, were the agents to carry out certain specific authorities and powers, granted mutually by the States to each other. In the treaty of 1783, Great Britain treats, not with the Congress or confederation, but with the States, as such, distinctively naming them; and to the States, *eo nomine*, cedes all the territory. The terms of the cessions show that the States