

of public justice required imperatively that they should be dealt with according to law. To refer to the constitutional provisions in which principles so vital are embodied, appears like seeking after proof that we see by God's sunlight, or have our breath from his air. "The right of the people," says the 4th Amendment to the Constitution, "to be secure in their persons, houses, papers and effects against unreasonable searches and seizures *shall not be violated*, and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized." "No person," says the 5th Amendment, "shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the militia, when in actual service, in time of war or public danger." "In all criminal prosecutions," says Article VI. of the same, "the accused shall enjoy the right to a speedy and public trial, by an impartial Jury of the State and District wherein the crime shall have been committed, which District shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation—to be confronted with the witnesses against him—to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense."

These provisions are the fundamental law of the land—a law to the government as well as to the people—a covenant of right and liberty, and a limitation upon power. They are an essential and indefeasible portion of the compact which created the Union, and of the conditions upon which alone the people of Maryland and of all the States consented to abide by it. Without them everything else in the Government is worthless, for they represent and guard the great principles of human freedom, which the Union was framed to perpetuate, and compared with which all governmental forms—all names and symbols, all institutions, and traditions, and men—shrink away into dust and nothingness. Of these provisions there is not a single one which has not been trampled upon in the cases before us. Themselves arrested and their papers seized, without warrant or oath of probable cause—held to answer, not only without presentment or indictment, but after a Grand Jury had failed to indict or present—denied a speedy and public trial—indeed, refused the privilege of trial altogether—carried away, by force, from the State and district where any offense alleged against them must have been committed, if at all—no information of the nature and cause of the accusation vouchsafed to them—the President of the United States,