

ted to those States, and consequently had not been adopted by them. Therefore it was that the committee on revision changed the phraseology of the preamble, making it to read as we now find it; little dreaming, little imagining, it never entering into their conceptions, that in after times, when the expounders and luminaries of other days came to review their work, they would find in this obviously necessary change of phraseology anything that would sustain an interpretation which virtually makes the people of this broad land slaves and serfs at the feet of federal power.

I will not detain the Convention by reading all the different clauses and authorities. There is scarcely a feature in this Constitution which is national in its character. There is scarcely a feature in it that does not show that the States made it, that the States are the parties to it; that the States are the pillars that uphold it, and when you strike down the States you strike down the pillars that sustain the edifice, and those who have read history have read it to little purpose, if they do not find in the long track of blood and desolation coming down through the dark ages to this present hour, that consolidation always results in anarchy, despotism and ruin.

I desire here not to be misunderstood, so long as I read as I do, in the sixth article of the Constitution of the United States this language:—

“This Constitution and the laws of the United States which shall be made in pursuance thereof, and all treaties made or which shall be made under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.”

So long as I read that clause in the Constitution of the United States, I own and acknowledge that the Constitution and laws of the United States, and the treaties made in pursuance thereof, are the supreme law of the land. But it does seem to me that the very fact that they are the supreme law of the land is the great and incontrovertible reason why this doctrine of paramount allegiance, as now claimed, does not obtain. Nor is there any inconsistency in this position. It is the supreme law of the land. Why? What makes it the supreme law of the land? Is it because it is written here in the Constitution? These words were written down and incorporated here before any one citizen of Maryland was bound one iota, one jot, one tittle by them. They were put in here before Maryland owed one iota, one jot, or one tittle of reverence or obedience to this Constitution, or to any Federal Government whatever, because she was not then a party to the compact. Why am I bound by it? Why am I

compelled to say it is the supreme law of the land? Simply and solely, and exclusively, because my State in adopting it, adopted it in all its parts, and it said in its adoption of it that it should be the supreme law of the land. It of itself is not the supreme law of the land. But it is the supreme law of the land because my State has said that I should recognize it as such, and it seems to me that in thus transferring the services of a subject to another, acknowledging the supremacy of another creation, we have the highest evidence of sovereignty that any people or any sovereignty can possibly give.

Now let us look at the ratification of this Constitution. How was it ratified?

“The ratifications of the Conventions of nine States shall be sufficient for the establishment of this Constitution between the States so ratifying the same.”

And how was it done? “Done in Convention, by the unanimous consent of the States present.” It was not done by the people; it was not done by the mass; it was not done by a majority of the States, or a majority of the delegates, or by a majority of the people. It was “done in Convention by the unanimous consent of the States present, the seventeenth day of September, in the year of our Lord one thousand seven hundred and eighty-seven, and of the independence of the United States of America, the twelfth.”

Now, sir, I have briefly gone through the history of the States as colonies, the articles of the confederation, the Declaration of Independence, and the Constitution of the United States. Every body knows the extreme repugnance some of the people of the different States evinced towards the adoption of this Constitution. In the Convention of Virginia, Patrick Henry, foreseeing the difficulties which would result from it, almost with an eye of prescience glancing into futurity, feared the doctrine advanced here to-day. Said he: “What right had those men to say—we, the people of the United States? What right had they to arrogate to themselves the power to say—we, the people of the United States, when they were not there as the people of the United States?” And he argued that the doctrine of consolidation would be founded upon that very clause, and events have proved that he was correct.

Some of the gentlemen have said these are obsolete ideas. I say they are not obsolete ideas. I do not care if they have been discussed by Webster, and Hayne, and Calhoun, and Woodbury. I do not care if the luminous minds of the past have thrown their light upon these things. They are living, breathing issues of to-day. They have affected past generations; they lay at the foundation of the Government that has been founded; they affect us as individuals, and in our State and national relations. And so long as I read as I do in the amendments to that Constitution—