

no power or authority whatever on this subject from this Convention, or from the people who gave us our authority. It is, on the contrary, in this respect, exclusively the creature of the Constitution of the United States; or rather of the people of the United States, by whom that Constitution was framed. Again, the members of the Legislature will be bound, by the solemnities of an oath, to respect the Constitution of the United States as the supreme law of this State, as it is of all the States; and if any provision in that law should conflict with, and oppose our code, it will repeal the enactment of any State authority and render it void and of no effect—of no effect to impose any political or any moral obligation on members of the Legislature to respect it. I have therefore, sir, come to the conclusion that we have no authority to adopt the proposition now before the Convention."

Mr. DANIEL. He was a whig then.

Mr. THOMAS. So he was, and refers to Daniel Webster in his speech, and compliments Mr. Webster on his great speech against States' rights in 1833. On page 271, Judge Chambers says:

"To proceed, then, I have again to express my regret at the introduction of this question. It is calculated to place some of us in a false position, by the appearance of not enforcing a practice which we approve. Believing, as I do, that to adopt this provision would violate the Constitution of the United States, I feel bound in candor to say so. That Constitution, in the name of the people of the United States, by whose authority it was made, has delegated to the States; as States, certain powers, amongst which this of electing Senators is one." The Constitution then delegated to the States, not the States to the Constitution.

On page 287, he says further:

"If the Constitution of the United States forbids the exercise of the power we are now asked to exercise, we are bound to refrain. It is the supreme law of the land, overriding our own Constitution and laws, and we have all of us on some occasions solemnly appealed to the Searcher of all hearts to witness our deliberate purpose to obey and respect it. Now, sir, I am at a loss to comprehend how, in a question whether we shall incorporate in the Constitution a provision contrary to the Constitution of the United States, any principle of self-defence is involved. Is an aggression upon the supreme law to be regarded in any way as self-defence? I believe the provision utterly at variance with the law to which I have sworn allegiance; can I violate that oath, and burden my conscience with the deep stain of false swearing, because that gentleman, or any other, chooses to think it desirable for some supposed political advantage?"

Now, he had sworn to support the Consti-

tion of the United States, and his interpretation was that he had sworn allegiance to it, and that that allegiance was paramount to the allegiance that he owed to the Constitution and laws of the State of Maryland.

I would also refer gentlemen to the eighth and tenth sections of the first article of the Constitution of the United States, where they will find that powers of sovereignty were taken from the States and given to the General Government. It is not necessary for me to enumerate those powers. Every single power of sovereignty that could be exercised by a sovereign people were taken directly by the people themselves, and transferred to another government which they had formed, giving that new government the exclusive right to exercise those powers, and taking those powers directly from themselves.

But, let us suppose the Constitution to be a mere compact between the States, as gentlemen say it is. What then? Has any State the right to break or dissolve that compact? Is not a compact made for posterity and to endure forever? And how can it be contended that any one State has the right or the power to abrogate or annul that compact at pleasure? Does the compact contain within itself any power for its own destruction? Are not parties to the compact bound by the terms of the compact? The word "compact" is mentioned but once in the Constitution, and that is where it says, "no State shall make a compact with another State." And yet gentlemen say the States are sovereign. Gentlemen will find what I have stated by reference to section ten, article one, of the Constitution of the United States. The compact defines treason. Have any of the parties to the compact the right to commit treason? And suppose they do, (as they have done,) have not the remaining parties to the compact the right to compel obedience to the terms of the compact? The compact makes the Constitution and laws of the United States supreme. Suppose a State makes a law that conflicts with and nullifies a law of Congress; have not the remaining parties to the compact the right to enforce a compliance with its terms? Why, sir, the compact itself, to say nothing of the inherent right of every nation to sustain and preserve its own existence, gives to Congress all necessary powers to carry into effect all powers vested by that compact in the United States. Yes, sir, compact as they say it is, it strips the States of all sovereignty.

I understood the gentleman from Prince George's, (Mr. Belt,) to say that the Government had no power to coerce a State. Does the gentleman forget that in the articles of confederation there was a power to coerce, and Thomas Jefferson so said? If there is no power to coerce, what did Luther Martin mean when he said that in case a State deemed it proper to have recourse to the sword to