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BF The courts have decided that persons are ac-

SPEECH OF

## HON. WILSON REILLY

OF PENNSYLVANIA, IN FAVOR OF THE

Admission of Kansas

## THE LECOMPTON CONSTITUTION.

DELIVERED IN THE HOUSE OF REPRESENTATIVES, MARCH 20, 1858.

The House beinglin Committee of the Whole on the state of the Union-Mr. REILLY said: Mr. Chairman: I have, up to this hour, re-

frained from a public expression of my views on the Kansas question, in the hope that some fair and honorable compromise would be effected which would settle it in a way satisfactory to all parties. I begin to fear that my hope will prove a false one; and as I will shortly be called upon to record my vote for or against the admission of Kansas, under the Lecompton conreasons which induce me to vote as I shall when confidence upon his statements. the time arrives for me to give that vote.

I confess, sir, that this question has given me more anxiety than all others to which I have more anxiety than all others to which I have had my attention called, or on which it has been my duty to vote since I took my seat as a member of this House. Indeed, I consider it a question of more moment, and fraught with more of good or evil to the country, than any other ever presented for the consideration of Congress since the formation of our Government. It certainly demands an exercise of the best

now, a fruitful theme for all classes of our citizens. The statesman and the politician; the fear, and perhaps not without just cause, that, if not settled now, it may for years to come, continue and increase the jealousy and bitterness which now exist between our brethren of the North and South, and are, therefore, anxiously direction their streation and house to Congress (Congress Constitution and have no other allowed in the property of Kansas, I must support the laws and the direction their streation and house to Congress (Congress Constitution and have no other allowed in the property of Kansas, I must support the laws and the congress of 1851, and is recognised in the very latest congress of 1851, and is recognised in the very latest congressional legislation. It is recognized by the Congress of 1851, and is recognised in the very latest congressional legislation. It is recognized by the present Chief Magistrate of the Union, just chosen by the American people, and many of its acts are now in operation here by universal assent. As the Governor of the Territory of Kansas, I must support the laws and the their attention and hopes to Congress Constitution; and I have no other alter for a speedy and amicable termination of the agitation and excitement which this vexed and dangerous question has produced throughout to perpetuate the same of those whose wisdom constituted body, and the act passed by it, callplanned it, as also the pride and boast of the ing a convention, to be a binding statute.

fellow-citizens? How shall we drive from our vention called into being by virtue of that act another of our people. We cannot do it by convention was without force and void, and the institution of slavery is wrong. No, sir, this session of the Legislature called for the purpose will not heat the wound inflicted upon our alone of passing an act submitting the Lecomp widen the breach, already too wide, between our fellow-citizens of the North and South. The

prove that Kansas ought to be admitted into the or authority? citizens of this free country have a perfect right to settle on any of the unappropriated territory of the United States; and, if the decision of the highest judicial tribunal of the nation is to be whether the Lecompton convention was a legally ture of Kansas provided that an enumeration of to all the delegates, except those who took their bold enough to take this position? taken as the law, they have a right to take elected body, and if so, is the constitution fra- the citizens, qualified to vote for delegates should seats as members of the convention, they would their slaves with them, and, if they can, even establish slavery as one of their domestic insti-

hand over to others to discuss, if they feel in-PUBLISHED EVERY FRIDAY MORNING clined to do so, and shall proceed to state a BY MEYERS & BENFORD, few facts, as I understand them, and the conclusions I have arrived at upon those facts.

In the year 1854 an act of Congress was pasat Lecompton. Divers laws were passed by represented, or disfranchised. These

tion of the committee for a short time.

First. Was the Legislature which passed the act calling a convention to frame a constitution a legally elected body?

Second. Was the convention which framed

other time than that prescribed in that consti-

In answering the first of these questions, it ems to me that I need do very little more than read one or two extracts from the inaugural address of Governor Walker to the people of stitution, it is but proper that I should make Kansas. I presume these will be considered known to my constituents and my country the good authority by those who rely with so much

The extracts from the inaugural are as fol-

"Under our practice, the preliminary act of fra Congress since the formation of our Government. It certainly demands an exercise of the best judgment, and must appeal to the patriotism of every true American citizen. We may, perhaps, in a few days decide the fate of this Republic. How careful, then, ought we to be of our words, how sure that we do no act which will cause us regret in the future!

This subject has not occupied the minds and engaged the attention of those in authority alone; it has been and is yet being discussed at almost every fireside in our land. It has been, and is now, a fruitful theme for all classes of our citi-

Again:
"But it is said that the convention is not legally zens. The statesman and the politician; the minister, the merchant and the mechanic; the farmer, the laborer and the lawyer, have all felt, and still feel, a deep solicitude for its rightful solution and peaceful settlement. They fear and perhaps not without just cause, that my oath but to see that all constitutional laws are fully and fairly executed."

The position here taken by Governor Walker our country, so that peace and harmony may once more prevail among our people, and the sir, both parties in Kansas, have, by their acts. Union stand, as it has in time past, a monument admitted that Legislature to have been a legally pro-slavery party have admitted it by voting for How shall we meet the expectations of our the constitution framed at Lecompton by the con political horizon the clouds which lower o'er and the free-State party admitted it by voting our house, and cause the sunshine of peace and against that constitution on the 4th of January happiness to enter and keep possession of every last. For, if the Legislature which called the dwelling in our once thrice happy land? We convention had no legal existence, it had no cannot do it by engendering and encouraging legal authority to pass any law; and it would strife and contention between one portion and follow, of course, that the act passed calling a calling each other harsh names and using op- convention which convened in pursuance of its probrious epithets; by stigmatizing as base, mean, provisions had no legal existence, and all its acts and vile, all those who may hold a certain class were simply and absolutely void. Will any of human beings in servitude. We cannot do gentleman on the other side say that the freeit by condemning in harsh, unmeasured terms of abuse those who may honestly think that the head, would act so unwisely as to have an extra country by the indiscretion of some and the ton constitution to a vote of the people for ramadness of others. This will only tend to diffication or rejection, if that constitution was a circumstances in which we are placed demand convention had no legal authority to pass such calm, sensible action, and unyielding devotion an act ? It will not, I presume, be denied that calm, sensible action, and unyielding devotion to the interests and welfare of the great people to the interests and welfare of the great people the extra session of the Legislature was called twenty-one of the thirty-four counties were representatives and servants we are.

It will be seen, by this apportionment, that of which the convention was to be composed, and it will show how many voters it required the instance of those who opposed the Legislature was called twenty-one of the thirty-four counties were representatives and servants we are. Mr. Chairman, in performing the duty which compton constitution; and what was it called I undertook to discharge, I shall not detain the for, if the act which called the convention was ing sixteen not represented by their own dele-House by an elaborate or lengthy argument to an act passed by a body without legal existence gates.

is it my purpose to go into a history of the set- the parties in Kansas are estopped by their own represented. tlement of Kansas, to show that a portion of the acts from denying that the Legislature, which

med by it a legal instrument?

tutions. Nor will I pretend to show that the constituted body, and the constitution framed by citizens of the North or of the South have not it a void instrument for two reasons: First, the right to appropriate money for the purpose because a number of the Counties of the Territoof sending persons into a Territory to make it ry were not represented in the convention, and form the duty, and was authorized to appoint of the convention? Would not the convention? either a free or a slave State, provided such could not be represented for the reason that the deputies. It in any county there was neither tion have come from the convention precisely that government was called into being? How as valid and binding, its provisions. Who dare persons, after they have arrived in the Territory, set about the accomplishment of their work in registered, and consequently could not vote for appoint persons to make the enumeration. The

few facts, as I understand them, and the con- the constitution framed at Lecompton would be

affected by them. By the nineteenth section of the territorial sed organizing the Territory of Kansas. A Gov- act organizing the counties therein, there were ernor and other officers for the Territory were created thirty-seven counties. Three of these appointed by the President then in power. In counties lie on the extreme western frontier, 1857 a Legislature was elected, and convened and are said to have no population to be either this Legislature, among them one calling a con- counties are Washington, Clay, and Dickinson. The courts have decided that persons are accountable for the subscription price of newspapers, if they take them from the post office, whether they subscribe for them, or not.

If he courts have decided that persons are accounting a dmission of Kansas into the Union as a State. This convention met at Lecompton, framed a subscribe for them, or not.

If his name is not on the list, and submitted it to a vote of the quire, where is the evidence that there is a life has not paid a State or counting that his name of all legal votes polled, were they not legally counties are without proposed to sustain it. I would not of election. If his name is not on the list, and mittee appointed to ascertain the right of a vention to frame a constitution preparatory to the 1t may be said that this assertion that these constitution, and submitted it to a vote of the people.

There are four questions arising out of this state of facts to which I will direct the attensingle vote given. On the 4th day of January himself assessed, it is his own fault, and no sym-last, when the constitution was submitted to a pathy is felt for him by any one. The assessor tion of a member of Congress and a delegate to vote of the people, in the form in which the is not bound to inform him whether his name is a convention which would render the election free-State party desired it to be submitted, not a on the list or not. He must see to this himself. of one void and not that of the other. If all single vote was cast in either or all these three I am of opinion that the people of my State the offices were to be vacated now in our Union the Lecompton constitution a legally elected body?

Where were the qualified citizens at so important an election as this; an election at Kanaas, and that, if the citizens of Kansas will by those filling them, who have received illegal to the so important an election at so important an election at the citizens of Kansas will by those filling them, who have received illegal to the control of the citizens of Kansas will be scarcely a corporal's guard Third. Was that convention bound by law, precedent, or otherwise, to submit the constitu
of officers in all the land. I do not wish to be not take the trouble to have their names put upon the list of voters, as we are required to do in understood as approving the frauds committed

Union, will the people of that State have a without population. This would leave thirty-four right to alter, amend, or abolish the Lecompton counties to be represented in the Lecompton constitution in any other manner or at any convention. These were arranged by law into counties would have been entitled to if the citi- would destroy our Government itself, and leave ple? election districts for the election of delegates to zens therein residing had been registered and us without law and all our rights insecure.

the convention, as follows: 1st district, Doniphan county. Brown and Nemeha counties. Atchison county.

3d Leavenworth county. Lefferson county. Calhoun county 6th 7th district, Marshall county. Sth Riley and Pottawatomie counties. 9th Johnson county. 10th Douglas county. Shawnee, Richardson, & Davis co. Lykings county. 13th Franklin county. Weller, Breckinridge, Wise, and Madison counties. 14th 15th Butler and Coffee counties. 16th Lynn county.

Bourton, McGee, Dorn, and Allen Co. Woodson, Wilson, Godfrey, Greenwood, and Hunter, counties. There were, as the returns made to the Governor will show, nine thousand two hundred and fifty-one voters registered in twenty-one of these thirty-four counties. The names of these counties, and the number of voters registered in

Anderson county.

17th

each,	are as follows:				
No o		No of lego			
distri		volers.			
1	Doniphan,	1,08			
2	Brown,	20			
	Nemelia,	14			
3	Atchison,	80			
4.	Leavenworth,	1,83			
4 5	Jefferson,	55			
9	Calhoun,	29			
7	Marshall,	20			
8	Riley,	35			
	Pottawatomie,	20			
9	Johnson,	49			
10	Douglas,	1,31			
11	Shawnee, Richardson, and				
12	Lykings,	4.1			
13	Franklin,	no retur			
14	4 counties,	no retur			
15	2 counties,	no retur			
16	Lynn,	4.1			
17	1 (Anderson,)	no retur			
18		bon, McGee, Allen, & Dorn, 64			
19	5 counties,	no retur			

Upon this registration being returned to Governor Stanton, he made an apportionment of re-presentation in accordance with law. That ap-

1	A 2000	m accordance with in		a muc al
portio	nment	is as follows:		
1st	district	t, Doniphan county,	7	delegate
21	"	Brown and Nemeha,	2	"
3d	66	Atchison,	5	46
4th	44	Leavenworth,	12	**
5th	66	Jefferson,	4	"
6th	"	Calhoun,	2	"
7th	46	Marshall,	1	61
8th	44	Riley & Pottowatomie	. 4	"
9th	"	Johnson,	3	46
10th	66	Douglas.	3	
11th	"	Shawnee, Richardson,		
		and Davis,	2	"
12th	"	Lykings,	3	16
16th	"	Lynn,	3	66
18th	"	Bourbon, McGee, and		
		Allen,	4	"
	*** *	APARTIC AND ADDRESS OF THE PARTY OF THE PART	2000	THE RESIDENCE ASSESSMENT

Union under the Lecompton constitution. Nor It seems to me, therefore, Mr. Chairman, that sixteen counties there was no population to be

The citizens of the remaining 13 counties.

Let us inquire whether or not these two posi-tions are correct; and if they are correct, how of all qualified citizens. The Probate Judge tained by the facts, and is without support in was required to continue his court for one month, law. I have never yet heard it asserted, here or so that the lists returned into his office might be elsewhere, that these delegates had not severalcorrected at the instance of any person who ly received a majority of all the regal votes poll-dent, or otherwise, to submit the constitution might request it. Is there any evidence that a ed at the delegate election. If such is the fact, there framed to a vote of the people for adoption single person in either of these counties, re- I have not seen the proof. It is said, however, or rejection? quired himame to be put on the list of voters and perhaps truly said, that these delegates reand was refused? If there is such evidence ceived a great many fraudulent votes. What I have not seen it. In my own State each person effect would this have on their right to seats in who desires to vote at any State or county election, is required to see for himself that his name is on the list of voters, ten days before the day elected? What is the inquiry before a com-

maining thirteen of the so-called disfranchised gal votes may be polled by bad men. This

entitled to vote for delegates. when the Lecompton constitution was submit- the qualified citizens of Kansas refused to vote ted for ratification or rejection to a vote of all at the election of delegates, because they apprethe qualified citizens of Kansas, in the form hended violence on the part of the pro-slavery desired by the free-State party, there were given men, and that they would be outvoted by fraudin six of these thirteen counties one thousand ulent votes; and that even if they did poll a two hundred and twenty-five votes, all told, and in the other seven not one vote was cast. have been made to defeat them. Would this I would ask again, where were the qualified citi- plea answer in a court of justice if the question zens of these seven counties at this time when of the election of an officer was being inquired they could have voted, and, lif opposed to the Le- into before it? Certainly not. The mere apcompton constitution, had an opportunity to prehension of violence or fraud could not be alshow that opposition? Were there qualified leged before a judicial tribunal so as to render voters in these seven counties entitled to be void an election. It is the same here. We represented in the convention? If there were, can not inquire into the apprehension of citizens their conduct was not only singularly strange, of fraud or violence to invalidate an election. but it affords strong ground for a presumption Governor Walker, when speaking of the act that they were satisfied with what the conven- calling the convention, and entreating the citition had done, and approved the constitution. zens of Kansas to vote at the election of dele-There is a trite adage, and one generally true, gates, was right when he said: G behance gives consent. It is generally so in elections.

Governor Walker assumed this position in Lis inaugural address to the people of Kansas.

"The law has performed its entire appropriate function when it extends to the people the right of suffrage, but it cannot compel the performance of that duty. Throughout our whole Union, however, and wherever free government prevails, those who abstain from the exercise of the right of suffrage authorize those who do vote to act for them in that contingency, and the absentees are as much bound under the law and constitution, where there is no fraud or violence, by the act of the majority of those who do vote, as if all had participated in the election. Otherwise, as voting must be voluntary, selftion. Otherwise, as voting must be voluntary, self-government would be impracticable, and monarchy or despotism would remain as the only alternative."

last, the constitution which had been the House as verity itself. If this rule be a I have already quoted what Governor Walk- to be understood as opposing a submission of correct one, does not a fair presumption arise, from the conduct of the citizens of these seven and agree with him that "those who abstain it. But I assert here that a constitution is a submission of State constitutions to a vote. I am in favor of it. But I assert here that a constitution is a submission of the citizens of these seven and agree with him that "those who abstain it." on the 4th day of January, that they either approved it, or that they would not have voted for contingency." If this rule was not to be obtained and binding without it; and when the law calling a convention to frame or alter a constitution does not require such submission, the conmind it is clear that, if they approved the con- an end. stitution, or if they obstinately refused to vote when they had the opportunity, they would men, as well as lawyers, whether we have controverted here and elsewhere; that is, wheth-

225, and you have as the total, 10,476. This frame a constitution for the people of Kansas. number divide by 60, (the number of delegates | That the Lecompton constitution is a legal

be taken. The sheriff of each county was re- have been entitled to only sixteen delegates; for tion framed at Lecompton was even legally whether a convention should be called to amend It is said that the convention was not a legally quired to perform this duty, and was authorized it will be observed that forty-four delegates from framed it was made void by the vote of the peo-

ence to the Constitution of the United States.— The position assumed by some, that the delegates who did assemble in that This part of the present controversy I shall convention were not legally elected.

The position assumed by some, that the delegates who did assemble in that to return lists of the qualified voters into the gates who did assemble in that to return lists of the qualified voters into the gates who did assemble in that to return lists of the qualified voters into the gates who did assemble in that to return lists of the qualified voters into the gates who did assemble in that to return lists of the qualified voters into the gates who did assemble in that to return lists of the qualified voters into the gates who did assemble in that to return lists of the qualified voters into the gates who did assemble in that to return lists of the qualified voters into the gates who did assemble in that to return lists of the qualified voters into the gates who did assemble in that to return lists of the qualified voters into the gates who did assemble in that to return lists of the Probate Judge, and also to post compton and frame a constitution, were not legally elected. office of the Probate Judge, and also to post compton and frame a constitution, were not Legislature elected on the 4th of January are the State are satisfied with it, who has any right

the Lecompton constitution? The fair and the Keystone State, they have very little cause in Kansas. I hate frauds at elections, and heartiratification or rejection?

Fourth. If Kansas shall be admitted into the to be otherwise—is, that these counties were in they had pursued the proper course. Let us see, then, how many delegates the re- pronounce all elections void because some ille-

It is further urged as an argument against the At the election on the 4th of January last, Lecompton convention, that a large number of

"I see in this act calling the convention no impro per or unconstitutional restrictions upon the right of suffrage. I see in it no test-oath, or rather similar provisions objected to in relation to previous laws, but it was afterwards passed, over the veto of the clearly repealed as repugnant to the provisions of this convention. It is said that a fair and foll vote will bers of the Legislature. If the members of the

These people who refuse t vote for this reason were badly instructed, and should have submitted to a vote of the people its constitution despotism would remain as the only alternative."

I have not read this portion of the Governor's disobeyed their leaders, gone to the polls, offerbefore entering into the Union. Not one half naugural to show that the citizens of Kansas ed to vote, at least; and if they had been turnand a right to annul, by their votes on the 4th ed away by violence, or defeated by fraudulent Union since, had their constitution submitted votes or returns, the convention would not have adopted by a vote of the citizens on the 21st of dared to sanction the outrage. By staying away least, of all our States entered the Union with-December preceding. I only quote from this from the polls they gave the right to those who out a submission of their constitutions. Are all authority to establish the rule which I have did vote to secure a majority of the delegates these constitutions invalid because they were laid down, because whatever the Governor says to the convention, and that, too, in accor- not submitted to a vote of the citizens. now is taken by my friends on the other side of dance with all the rules of law in such cases.

counties in not voting against the constitution from the exercise of the right of suffrage authordelegates if they could have done so ? To my served, all free governments would soon be at

have refused to vote for delegates if they had any right to inquire into the right of a member been permitted so to do, and in either case they of the Lecompton convention to his seat. They change, or abolish the Lecompton constitution are in law without remedy, and the Lecompton say, and I agree with them, that such a body is at any time they may see proper so to do? constitution is to be taken as an expression of the sole judge of the qualifications of its own members; and that if fraud was committed in Let us inquire next to what number of dele- the election of one or more of the delegates, the Lecompton constitution, the qualified citizens gates the remaining six of the disfranchised coun- convention alone could inquire into it. This is ties would have been entitled in the convention certainly the law with regard to members of it they could have elected delegates? The con- Congress, and of all the legislative bodies in the vention; by legislative enactment, was to consist Union. Is it not the same with regard to the of sixty delegates. The number of voters re- election of delegates to a territorial convention ? gistered in the counties presented in the con- I think I have shown that the delegates to the vention was 9,251. Add to this number the Lecompton convention were legally elected; whole number of votes given in these six coun-ties on the 4th of January last, which was 1,- it will not be denied that they had the right to

presented in the Lecompton convention, leav- to elect a delegate. It will be seen that it re- their acts, admitted it to be legal. The proquired 174. If we divide 1,225 (the number slavery party admit it now, and ask for the adf votes polled in the six counties referred to) mission of the State into the Union under it .-I have shown, I think, that in three of these by 174, it will show that the six counties were The free State party has recognized it as a bindentitled to just seven delegates.

Now, sir, taking it as granted that all these counties would have elected tree-State delegates voting for the officers provided for in it. If the tlement of Kansas, to show that a portion of the people now there went there with the intention of making it a slave State, and another portion. It is of making it a slave State, and another portion to make it a free State. In my judgment, the legislature, not conflicting with the Constitution make it a free State. In my judgment, the legislature, not conflicting with the Constitution of the legislature, not conflicting with the citizens of other sections of the legislature, not conflicting with the citizens of other sections of the legislature, not conflicting with the citizens of other sections of the legislature, not conflicting with the convention. It is greatly added to be people will be at liberty to disregard all they do. It will be observed that this provides that two tion of the United States, were valid and binding. country should know why these persons were argument, that the thirteen counties said to be people will be at liberty to disregard all they do. The second question, to an examination of not registered, and I will therefore endeavor to disfranchised, (not taking in the account the If this be true, the people of Kansas are without conscecutive Legislatures shall approve the law which I will direct the attention of members, is, give that information. The act of the Legisla- three where nobody lived,) had been entitled a government. Is there any gentleman here providing for the alteration of the constitution,

legally elected, then the constitution under which they were elected is a legal instrument. The next question for discussion is, was the Lecompton convention bound by law, prece-

I confess that I would have preferred a submission of that constitution altogether to a vote of the qualified citizens. I have every reason to believe that the President desired that submission; and we all know that Governor Walker preferred it. But, let me ask, what has my preference to do with the question?— What had the desire of the President or of Governor Walker to do with it? Just nothing at all. The convention was independent of all control, let it be assumed by high or low. Governor Walker says to the people of Kansas :

"You should not console yourselves, my fellow-citizens, with the reflection that you may, by a sub-sequent vote, defeat the ratification of the constitu-tion. Although most anxious to secure to you the exercise of that great constitutional right, and believing that the constitution is the servant and not the master of the people, yet I have no power to dic-tate the proceedings of that body."

Governor Walker was right. He had not, nor had any other human being outside of the convention, the power to dictate what its proceedings should be

Was there any law requiring the convention to submit the constitution to a vote of the peo-If there was, I have failed in my search

The territorial act, under the authority of which the convention assembled, is in the words following

"The delegates thus elected [to the convention] "The delegates thus elected [to the convention] shall assemble in convention at the capital of said Territory on the first Monday of September next, and shall proceed to form its constitution and State government, which shall be republican in its form, for admission into the Union, on an equal footing with the original States in all respects whatever, by the name of the State of Kansas."

It will be observed that there is not one word, either in the organic law organizing the Territory, or in the territorial act calling the convention, requiring a submission of the constitution to a vote of the people, before it should become binding on them as the fundamental law of the State. By what law, then, was its submission required? By no law whatever.

Indeed, it is but fair to argue that the people of Kansas were opposed to the submission, for the reason that the act which was passed, calling the convention, was vetoed by the Governor because it did not require the convention to subbers of the Legislature. If the members of the Legislature represented the views of their constituents, and it is generally supposed that legislators do so, the enactment of a law under such circumstances would be strong evidence to prove that the people were averse to a submission of the constitution, for adoption or rejection, to a vote of the citizens.

Did precedent require a submission of that constitution to a vote of the people of Kansas? Not one of the original States of this Union had of the remaining States which have entered the before they were admitted. Two thirds at will dare assert such an absurdity? I wish not and binding without it; and when the law calvention is not bound to submit it.

The last subject to which I shall direct the er or not the people of Kansas can alter, amend,

I hold the doctrine, Mr. Chairman, that if Kansas is admitted into the Union under the of that State can alter, amend or abolish that constitution whenever they see proper. I am further of the opinion that the citizens of a State may change their constitutions in any other way than that prescribed in the constitution itself: and that if they do, it will be binding upon the people of the State until it is changed again. In this opinion I am at least sustained by precedent, and I think by common sense. The people of the State of Maryland are at this hour governed by a constitution framed and adopted at a different time, and in a different mode, from that prescribed in the constitution chang-

The constitution of that State provided as follows

"That this form of government, and the declaration of rights, and no part thereof, shall be altered changed, or abolished unless a bilt so as to alter, change, or abolish the same, shall pass the General

The Legislature at a single session passed an act It is said, however, that if the constitu- authorizing the people to decide by vote would.

The position assumed by some, that the deleword by virtue of which the government clives, to live under that constitution, and to punish moves, and has its being?" If the Governor, all who violate it? Can any people out of that