

# EASTERN SHORE WHIG AND PEOPLE'S ADVOCATE.

VOL. V.—No. 28.

EASTON, MD.—SATURDAY MORNING, JANUARY 26, 1833.

WHOLE No. 236.

PRINTED AND PUBLISHED EVERY  
TUESDAY & SATURDAY MORNING.  
(during the Session of Congress.)  
and every TUESDAY MORNING, the residue  
of the year—BY  
**EDWARD MULLIKIN,**  
PUBLISHER OF THE LAW OF THE UNION.

**THE TERMS**  
Are THREE DOLLARS PER ANNUM,  
payable half yearly in advance.  
No subscription discontinued until all arrears  
are settled, without the approbation of  
the publisher.

ADVERTISEMENTS not exceeding a square,  
inserted THREE TIMES FOR ONE DOLLAR, and  
twenty five cents for each subsequent insertion—larger advertisements in proportion.

**SHERIFF'S SALE.**  
BY virtue of five writs of venditioni exponas issued out of Talbot county Court, and to me directed and delivered by the clerk thereof, against John Cusper, at the suits of the following persons, viz: one at the suit of Edward Jenkins and Austin Jenkins, one at the suit of James Thompson; one at the suit of Gerard T. Hopkins & Co., one at the suit of Gerard T. Hopkins and Thomas Reese, and one other at the suit of William Turner assignee of John Hardesty, will be sold at the dwelling of said Cusper, in the town of Easton, on TUESDAY, the 12th day of February next, between the hours of 10 o'clock, A. M. and 4 o'clock, P. M. of said day, the following property, to wit: 1 negro girl, called Eliza, 1 negro man, Richard; 4 beds and furniture, 1 side board, 1 bureau, 4 doz. chairs, 2 tables and all the residue of his household and kitchen furniture—all his stock of store goods, consisting of dry goods, groceries and earthen and crockery ware, and all his interest and title to a lot of ground near Easton, be the quantity of acre what it may. The above property will be sold subject to prior executions to pay and satisfy the aforesaid writs of venditioni exponas, and the interest and cost due and to become due thereon.  
J. M. FAULKNER, Shff.  
Jan 19

**FAVOURITE SCHEME.**  
100 of \$1000.  
UNION CANAL LOTTERY, Class No. 2, for 1833. To be drawn in Philadelphia on SATURDAY Jan. 30th 1833. 66 Number Lottery 10 Drawn Ballots.

SCHEMES.	\$20,000 is	\$20,000
1 of	10,000	10,000
1	5,000	5,000
1	3,000	3,000
100	1,000	100,000
16	500	8,000
50	100	5,000
56	80	4,480
112	40	4,480
224	20	6,720
1,960	20	39,200
15,400	10	154,000

Prizes amounting to \$66,080  
Tickets \$10, Shares in proportion. A Package, by Certificate, will cost \$124. Please address  
SYLVESTER & Co.  
Baltimore, Md.

**NEW YORK CONSOLIDATED LOTTERY,** Class No. 4, for 1833. To be drawn on WEDNESDAY, Jan. 30, 1833. 66 Number Lottery, 9 Drawn Ballots.

SCHEMES.	\$10,000 is	\$30,000
3 of	4,270	4,270
1	1,000	5,000
5	500	5,000
10	300	5,000
20	200	4,000
35	100	3,500
51	50	2,550
51	40	1,530
51	35	1,275
51	20	2,040
102	10	15,800
1,530	5	57,375
11,475	5	57,375

Prizes amounting to \$136,980  
Tickets \$5, Shares in proportion.  
Jan 19

**MARYLANDS**  
**TALBOT COUNTY ORPHANS' COURT.**  
18th day of January, Anno Domini 1833.  
ON application of Nicholas B. Newnam, Adm'r. of George H. Pickering, late of Talbot county, deceased—it is ordered, that he give the notice required by law for creditors to exhibit their claims against the said deceased's estate, and that he cause the same to be published once in each week for the space of three successive weeks, in one of the newspapers printed in the town of Easton. In testimony that the foregoing is truly copied from the minutes of proceedings of Talbot county Orphans' Court, I have hereunto set my hand, and the seal of my office affixed, this 18th day of January, in the year of our Lord eighteen hundred and thirty-three.  
JA. PRICE, Reg'r.  
of Wills for Talbot county.

In compliance with the above order, NOTICE IS HEREBY GIVEN,  
That the subscriber of Talbot county hath obtained from the Orphans' Court of Talbot county, in Maryland, letters of administration on the estate of George H. Pickering, late of Talbot county, deceased; all persons having claims against the said deceased's estate, are hereby warned to exhibit the same, on proper vouchers thereof, on or before the nineteenth day of July next, or before the otherwise by law be excluded from all benefit of the said estate.—Given under my hand this eighteenth day of January, A. D. eighteen hundred and thirty-three.  
NICHOLAS B. NEWNAM, Adm'r.  
of George H. Pickering, dec'd.  
Jan 19 Sw

**A CART AND GIG WHEEL-MAKER WANTED.**  
A GOOD hand at the above business will obtain employment and good wages, on application to  
WILLIAM TURNER,  
Greensborough, Caroline county.  
Jan 22 Sw

## POETRY.

The following lines are from the new edition of Byron's works. They occupy the place of the exquisite lines addressed to Inez, and seem to have been written at the time when the author was yet in love with the world—N. Y. paper.

"Oh never talk again to me  
Of Northern climes and British ladies,  
It has not been your lot to see,  
Like me, the lovely girl of Cadiz.  
Although her eye be not of blue,  
Nor fair her looks like English lass,  
How far its own expressive hue  
The languid azure eye surpasses!

Prometheus-like, from heaven she stole  
The fire that through those silken locks  
In darkest glances seem to roll,  
From eyes that cannot hide their flashes.  
And as along her bosom steal  
In lengthened flow her raven tresses,  
You'd swear each clustering lock could feel,  
And curl'd to give her neck caresses.

Our English maids are long to woo,  
And frigid even in possession,  
And if their charms be fair to view,  
Their lips are slow at Love's confession;  
But born beneath a brighter sun,  
For love ordain'd the Spanish maid—  
And who, when fondly fairly woo'd—  
Enchants you like the girl of Cadiz?

The Spanish maid is no coquette;  
Nor joys to see a lover trouble,  
And if she loves, or if she hate,  
Alike she knows not to dissemble.  
Her heart can never be bought or sold—  
Howe'er it beats, it beats sincerely;  
And though it will not bend to gold,  
'Twill love you long, and love you dearly.

The Spanish girl that meets your love,  
Ne'er taunts you with a mock denial,  
For every thought is bent to prove  
Her passion in her hour of trial.  
When thronging foemen menace Spain,  
She dares the deed and shares the danger;  
And should her lover pass the plain,  
She hurls the spear, her love's avenger.

And when, beneath the evening star,  
She mingles in the gay bolero,  
Or sings to her attuned guitar,  
Or Christian knight or Moorish hero,  
Or opents her beads with fairy hand  
Beneath the twinkling rays of Hesper,  
Or joins devotion's choral band,  
To chant the sweet and hallow'd vesper—

In each her charms the heart must move  
Of all who venture to behold her,  
Then let not Madam less fair reprove  
Because her bosom is not colder;  
Through many a clime 'tis misdeem'd to roam  
Where many a soft and melting maid is,  
But none abroad, and few at home,  
May match the dark-eyed girl of Cadiz."

From the Globe.

## THE PROCLAMATION AND OUR GOVERNMENT.

In previous papers we have shown, that there is no discrepancy between the President's Proclamation and his Message; that the Proclamation contains not a word in derogation of State Rights, but on the contrary pronounces them as sacred as the rights delegated to the General Government; and that the Messages enjoin a strict adherence to the delegated powers by the general authorities and the best mode of promoting the general welfare, maintaining harmony among the States, and advancing the prosperity of the people.

We have shown that the States, when they entered into the articles of confederation, so far from reserving a right to secede from the Union, stipulated in the most solemn form, that the Union, should be perpetual; that a leading object in adopting the present Constitution, was to form "a more perfect Union;" and that so far from reserving a right to cast off any particular law or the whole Constitution, each and every State has agreed to accept, as a part of the Constitution, such amendments as may be agreed to by three-fourths of her sister States, although contrary to her interests and will.

We have shown that the people of each State adopted the Constitution of the United States as their Constitution; and that in the adoption of their State Constitutions; that the Constitution of the United States, having been thus sanctioned by the people of the States, was an amendment of each State Constitution as effectually as if, it formed a part of it, and is as obligatory upon the government of the States.

We have shown, that although the consent of the people of each State was necessary to the adoption of the Constitution, yet the people of any one State cannot alter it or cast off its authority, because they have stipulated that alterations in it shall be made only by the consent of three-fourths of the States.

From these obvious principles it follows, that the Constitution of the United States is "a part of the Constitution of each State unalterable by its own will." A State may amend or annihilate so much of its peculiar Constitution as has been made by its sole authority; but it cannot alter the Constitution of the United States, because the Constitution of the United States must form a restrictive part. The State cannot resume the powers delegated to the General Government in that instrument, because she has expressly stipulated that it shall be altered only by the consent of three-fourths of the States.

such an amendment shall require the consent of three-fourths of the States, so a majority cannot rightfully amend their own Constitution; where they have stipulated with their fellow citizens, in the original compact, that it shall be altered in any other mode or by a freer majority.

A State Constitution is a social compact between each and every citizen, and they may all stipulate with each other, that it shall not be altered without the consent of two thirds, three-fourths, or any other proportion, once, twice, or three times repeated. The Constitution of South Carolina contains a restriction upon the power of a majority in this respect, couched in the following words, viz: "No part of this Constitution shall be altered, unless a bill to alter the same, shall have been read three times in the House of Representatives, and three times in the Senate, and agreed to by two thirds of both branches of the whole representation; neither shall any alteration take place until the bill so agreed to be published three months previous to a general election for members to the House of Representatives; and if the alteration proposed by the Legislature shall be agreed to in the first session, by two thirds of the whole representation in both branches of the Legislature, after the same shall have been read three times, on three several days in each house, then, and not otherwise, the same shall become a part of the Constitution."

Now, if a bare majority of the States, or a majority of the people of the United States, were to adopt an amendment of the Constitution of the United States, and attempt to enforce it, would the States or people be bound by it? If New Hampshire, Vermont, Rhode Island, New Jersey, Delaware, Maryland, Indiana, Illinois, Missouri, Mississippi, Alabama, Louisiana and South Carolina, being thirteen out of the twenty-four States; but containing less than a fourth part of the population of the United States, were to stipulate in amendment of the Constitution, should it be obligatory upon the other States or even on themselves? Or if they were sanctioned by Maine, Massachusetts, New Hampshire, Vermont, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Virginia, North Carolina, South Carolina, Georgia, Ohio, Kentucky, Tennessee and Alabama, being seventeen States out of the twenty-four, containing more than eleven millions of people—out of thirteen, would it yet be obligatory upon themselves, upon the seven minor States and the people? No man will pretend it. Any seven States of the twenty-four, or two millions of people out of thirteen can defeat any amendment of the Constitution. An attempt to force upon them, as part of the Constitution, a provision to which they or one of them, have not assented, would be itself unconstitutional and a gross usurpation of power. If persisted in, it would destroy the original compact, and restore all the parties to their original rights.

So it is with the people of the State of South Carolina. They have stipulated with each other that their Constitution shall not be altered unless the proposed alteration be first approved by a majority of two thirds of both branches of their Legislature, be next published to the people three months before the election of the members of the House of Representatives, and be finally sanctioned by two thirds of both Houses, after such an election. These being the terms on which the people of South Carolina associated together under their State government, no amendment of the Constitution, adopted in any other mode, or by a less majority, can be obligatory upon the people without a revolution, in which majorities resume all their rights and control majorities, and may amend the Constitution as they see fit, and have a right to resist it as perfect and as clear as the right of the States and the people to resist an amendment of the Constitution of the United States adopted by a bare majority of the States or the people.

The Ordinance, lately adopted by the Convention of South Carolina is in the nature of an amendment to the Constitution of that State and exacts the obedience of the citizens upon that ground. In some particular it is a direct amendment of the meaning. One instance will illustrate our meaning. The Ordinance prescribes as a qualification for "any office of profit or trust in the State," the following oath, viz: "I do swear (or affirm) that I am duly qualified according to the Constitution of this State, to exercise the office to which I have been appointed, and will, to the best of my abilities, discharge the duties thereof, and preserve, protect, and defend the Constitution of this State and of the United States."

The Ordinance prescribes an additional, and we may add incompatible oath. It requires all office holders to swear that they will support the Ordinance and all acts of the Legislature which may be passed to give it effect. This Ordinance, in a certain event, declares South Carolina to be out of the Union, or in other words proclaims the overthrow of the Constitution of the United States. While the Constitution of South Carolina requires office holders to swear that they will support and defend the Constitution of the United States, the Ordinance requires them to swear that they will, in a certain event, aid in its overthrow!

Here, the Ordinance adds a qualification for office which is unknown to the Constitution of the State, and requires an oath to overthrow that which every office-holder is required to swear to defend. Here is a palpable attempt to amend the State Constitution by a process unknown to its provisions.

The amendment attempted in relation to trials, appeals, &c. is equallyagrant. Now, it is palpable, upon the principles which form the basis of our governments, that these amendments to their State Constitution are not obligatory upon the people of South Carolina. They have a right to resist them, and to insist on a strict observance of the original compact. The majority have no right thus to bind the minority, because they agreed to do it by another process, when they associated together under their present form of government. The minority have a right to resist, in any manner they think proper. They have a right to insist on the observance of the State compact, and nothing but brute force, or downright revolution can deprive them of that right.

The Ordinance, therefore, is a double usurpation. It usurps the power to control both the Constitution of South Carolina and that of the United States. ARNOLD NAUDAIN has been re-elected by the Legislature of Delaware to represent that State in the Senate of the United States. The vote stood: For A. Naudain, 17; Richard H. Hayward & John Caulk, 1; blank 3.

## THE PRESIDENT'S PROCLAMATION.

No. 4.

The Declaration of Independence uttered in 1776, was considered, at that day, as the most important act which had ever occurred in this country, and subsequent times has not weakened the sentiment it was then intended to inculcate. We will continue to commemorate it annually, on the day of its date, when all the citizens of these now United States, join with one accord, in humble adoration and joyful thanksgiving to that Divine Providence, under whose protection, the great truths it announces were afterwards maintained and established. But if the effect of this Declaration, was to consolidate all the then colonies, by whose representatives it was made, as one nation, and to amalgamate their inhabitants into "one people," the fourth day of July, instead of being celebrated as a jubilee, would probably be spent much more appropriately in weeping and in wailing. Was such the true nature and intended effect of this Declaration? This is the question I propose now to examine.

In speaking of this Declaration, the President says in his proclamation, "that decisive and important step was taken jointly. We declared ourselves a nation by a joint act;" and that "it is obvious from this passage, that its author designed to establish the existence of a nation, not less by the manner in which this Declaration was made, than by the actual assertions of the instrument itself for not satisfied with stating that this step was taken jointly, he adds, that by such a joint act we declared ourselves a nation. I will examine into the truth of each of these assertions, before I give my own views of the subject.

A joint act, *ex vi termini*, implies the co-operation of several agents, by whose united and jointed agencies it has been produced. Hence, it would be a very great solecism, to speak of any act done by one agent only, as a joint act, and, therefore, no corporate act is ever properly described as the joint act of a corporation, even when such a body is composed of many members; for, although the members may be many, the corporation is but one, and the act, if a corporate act, must be performed by that one body only. It is not every act effected by the co-operation of several agents, however, that is properly termed a joint act. Because, although considered in reference to the number of its authors, every single act accomplished by the co-operation of several agents, must be their joint act, yet considered in reference to its intended effects, as these may be many, and attach to all, to each, or to some only of its agents, the act is regarded as either joint or several, according to the nature of these intended effects. But as the intent of the act cannot possibly be inferred from the number of agents co-operating to its accomplishment, while it is admitted that several as well as joint effects may and do result even from a joint act, the nature of such an act can only be ascertained from the intention of the agents. This intention must always be sought for, and generally, is best manifested in the declaration of the agents employed to perform the act, especially when these declarations are uttered in the act itself, and, of course, at the time of performing it.

If these plain propositions, which every tyro has hitherto acknowledged to be true, are still admitted to be correct, it will be found difficult certainly, nay, impossible, probably, to reconcile them with the assertions of the President, when the effect intended to be produced by these assertions is remembered. The object in view in making these assertions, is to prove thereby, that by virtue of the declaration of independence, we acknowledged ourselves to be one nation. Hence, the President says, "that decisive and important step was taken jointly." Now, if by this he means to say, merely, that this declaration was the work of many persons co-operating to produce it, no matter in what character they acted, he asserts a fact, so unimportant to his purpose, and so familiar to every one, that it really seems almost ludicrous to utter it with such apparent gravity, if indeed it was necessary to state it at all. But if he means to be understood as asserting that this declaration was the joint act of the representatives of any single body, previously known as a community or nation, besides the historical error committed, he states what must be unintelligible to all, except to those who can comprehend how any single body can do any joint act. I should have been disposed to consider this sentence as a mere inaccuracy, caused by the precipitate haste in which this State paper was probably prepared, and, therefore, to have passed it by unnoticed; but that it is in exact keeping with all the previous parts of this argument, and moreover, is in substance repeated more impressively, in the next sentence, where it is said, that "we declared ourselves a nation by a joint act by several acts." Now, if we were a nation before the declaration of independence was uttered, (as it was the purpose of all the previous parts of this argument to prove,) it would have been impossible for us, as a nation, to proclaim this fact by any joint act; and if before that event occurred, we were not a nation, but separate communities or individuals, it seems difficult to conceive, how we (whether the colonies or colonists) could have declared ourselves as a nation, by any other than several acts.

The reason of all this mystification and apparent absurdity will be obvious, when we come to consider the Declaration of Independence itself. We shall then find, that this instrument, instead of proclaiming the colonies to be one nation, declared them to be "free and independent States," in terms. Hence, as it was impossible to infer the existence of one nation from such terms, in which this idea is so plainly and positively negatived, resort was had to the manner in which this declaration was made; and we are told, "that decisive and important step was taken jointly," and that "we declared ourselves a nation by a joint, not by several acts;" as if the plain and obvious meaning of the act itself could be changed by any such extrinsic circumstances.

I have now done with this part of the argument of the President, the design of which is to show, that these States never were sovereign, in showing that they constituted but parts of another sovereignty called the nation. I will now proceed to give my account of the Declaration of Independence; and thereby to state my ideas of its effects upon the several colonies, who, by their representatives, were parties to that instrument.

The true nature and intended effects of the Declaration can never be understood, from a consideration of the manner in which it was executed merely. Whether it was produced by the agency of one only, or by the joint agency of many, or by the several agencies of different persons co-operating to the same end, is of little consequence. Its object and intended effects must be inferred from its language, although, if that is ambiguous, these may very properly be sought for in extraneous circumstances of any kind, whether these circumstances are found in the manner, or in anything else. Let us then turn to the act itself, and judge from its contents of its end and object, before we attempt to discover these last in any other way.

When so examined, the Declaration of Independence seems to be a manifesto, addressed to the world, that is to say, to the civilized world, designed to inform it, of the pre-existence of a new event interesting to humanity, and of the causes and circumstances which had occasioned the occurrence of this new fact. Like the manifesto that generally accompanies or immediately follows every modern declaration of war, which, in announcing the new relation of the belligerents, and narrating how these have been produced, it so contains an implied appeal to other States, and to posterity, for the justification of those by whom this new state of things has been made necessary. Considered in this light, it asserts nothing but what previously existed, although but recently; and its object is confined to the justification of that pre-existing state of things which it so announces. If this was its purpose, it cannot be considered as creating any new community, as ordaining any new government, or bestowing any new name, but as intended merely to announce the new condition in which former societies, under existing governments and names previously known, is placed. Its sole end is to justify to others that new condition which has been recently assumed by those who utter the manifesto. Whether this notion of the Declaration of Independence be correct, must depend, mainly, upon its own language. Let me then examine what this is.

It commences by saying, that "when, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume, among the powers of the earth, the separate and equal station to which the laws of nature and of nature's God entitle them, a decent respect for the opinions of mankind requires, that they should declare the causes which impel them to the separation."—Here then, confessedly, is an appeal to mankind, induced by the decent respect due to their opinions, designed to inform them of the fact of the dissolution of the political bands which had previously connected those making the appeal with some other community.

Immediately following this introduction, comes the intended justification of this act. This consists of two parts; the assertion of certain general propositions, which the authors of this manifesto or appeal held to be self-evident, requiring no proof to establish them; and the application of these general and self-evident truths to the particular notorious historical facts existing in their case—which facts are concisely narrated. The general truths here announced, are those proclaimed in the Declaration of Rights previously promulgated in Virginia, some of which I have stated in a former number. They are, in brief, these:

"That all men are created equal; and are endowed by their Creator with certain unalienable rights, among which are life, to liberty, and to the pursuit of their happiness; that to secure these unalienable rights, governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it, and to institute new government, laying its foundations on such principles, and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness.—That although these things are true, yet prudence dictates that governments long established should not be changed for light and transi-

ent causes; and accordingly, all experiments have shown that mankind are more disposed to suffer while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed; but when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their duty, to throw off such government, and to provide new guards for their future security.

Having thus shown the clear right and solemn duty to do the act, the performance of which they had announced, namely, the dissolution of the political bands that had formerly connected the authors of this manifesto, and their respective constituents, with another Government; provided, such a long train of abuses, and usurpations, on the part of this other Government, as they had referred to, existed—the declaration next proceeds to set forth what were the abuses and usurpations, the previous occurrence of which would give point and special application to their asserted self-evident truths, and so justify that act. The catalogue of these abuses and usurpations need not be repeated here. All men must admit, that if the facts stated therein were true as stated, and if the general propositions affirmed were correct as affirmed, they made together a perfect demonstration of that which they were intended to establish, that is to say, of the right to throw off the Government of Great Britain, by which Government these abuses and usurpations had been practised. But get content with this clear demonstration of a strict right, the authors of the declaration go on to state further.

That in every stage of these oppressions, they had petitioned for redress in the most humble terms; but that their repeated petitions had been answered only by repeated injuries. That they had also appealed to the native justice and magnanimity of their British brethren, conjuring them by the ties of common kinred, to disavow these usurpations, which would inevitably interrupt their connections and correspondence; but that they too had been deaf to the voice of justice and of consanguinity—wherefore, they were bound to acquiesce in the necessity which denounced their separation, and to hold them, as they held the rest of mankind, enemies in war, in peace friends.

For all these reasons, the representatives of the United States of America, in general Congress assembled, appealing to the Supreme Judge of the world for the rectitude of their intentions, did, in the name and by the authority of the good people of these Colonies, their respective constituents, solemnly publish and declare, that these United Colonies were, and of right ought to be, free and independent States: That they were absolved from all allegiance to the British Crown; and that all political connexion between them and the State of Great Britain, was, and ought to be totally dissolved—and, that as free and independent States, they had full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent States might of right do.

This is a full and faithful abstract, of every thing contained in the Declaration of Independence, which any man can consider as important or applicable to the question now under examination. For the truth of this assertion, I refer to the Declaration itself, happily, now in the hands of almost every freeman in this country—I appeal then, confidently, to every candid mind, to determine, whether there is one word uttered, or one thought expressed, or even implied, throughout the whole of this important, clear, and able State paper, to countenance the idea, that it could have been designed by its authors, to incorporate the several communities therein for the first time styled the United States of America, into one nation? Whether it does not affirm, in terms, that the Colonies represented in the Congress which produced this act, were, and of right ought to be, free and independent States—and whether it could have had any other end or aim than what I have stated, that is to say, declare and make manifest to the world, what was the condition of these States; and in tracing the causes which had produced this condition, to justify before the world the position they had already assumed.

I ask of the constitutional lawyer to tell me, whether any act professing, as this does, to be declaratory of what is, and of right ought to be, can properly be considered as an instrument ordaining the existence of that which it declares merely? I ask of any politician, even of the new school, to tell me, in frankness, whether, at that time, the delegates, of any colony, assembled in a general Congress, could have had any authority to extinguish the rights of their constituents, by amalgamating them with others, into one nation, except under their credentials and instruction? Should he say, as speaking in that spirit he must say, that they could not have had any authority derived from any other source, I then refer to those credentials and instructions, to show that all of them contained expressed limitations upon the power of these delegates, by which they were prohibited from doing any such act.

It is not necessary to recite all these papers; a part of one only will suffice. The Provincial Congress of New Jersey, assembled at Burlington, on the 21st of June, 1776, empowered their delegates to join with the delegates of the other colonies, "in declaring the