



A Brief View of Constitutional Powers: Showing That the Union Consisted of Independent States United (Classic Reprint)

Charles Ingersoll

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Excerpt from A Brief View of Constitutional Powers: Showing That the Union Consisted of Independent States United

In England, which is a constitutional government, one of the limitations of the central power, that of the monarch who commands the military forces, is the custom of making the Mutiny Act an annual one. Continuing in force but one year, Parliament, which therefore cannot be prorogued beyond that period, or either House thereof, by refusing to re-enact it, can paralyze the military organization which pervades that mighty empire, and in one instant plunge it into anarchy. And were the occasion to arise, in which either element of that government were to clearly perceive its existence aimed at by the others, can it be supposed that it would hesitate to use a power conservative of its being? If it believed the existing form of government an appropriate one, would it have the right to refrain from so proper a use of its reserved power? Would it not by refraining in fact lend its aid to destroy it? The military power of the kingdom is therefore only delegated to the crown, and for a year at a time. In the event supposed, the soldiery would side with the orders of the State to which they might happen to feel themselves allied, just as in this country, were the Federal Government to go out of existence, the different portions of the army would fall back to the States which furnished them.

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