

the words of the same eminent judge in *Gibbons v. Ogden* :—

Powerful and ingenious minds, taking as postulates that the powers expressly granted to the Government of the union are to be contracted by construction into the narrowest possible compass, and that the original powers of the States are retained, if any possible construction will retain them, may, by a course of well-digested, but refined and metaphysical reasoning, founded on these premises, explain away the Constitution of our country, and leave it a magnificent structure indeed to look at, but totally unfit for use. They may so entangle and perplex the understanding as to obscure principles which were before thought quite plain, and induce doubts where, if the mind were to pursue its own course, none could be perceived. In such a case, it is peculiarly necessary to recur to safe and fundamental principles.

---

Judgment in accordance with the rulings of Griffith, C.J., and Barton and O'Connor, J.J., was entered for the defendants.