

upon a division, ayes 25, noes not counted, it was agreed to.

Section two was then read as follows:

"No person who has at any time been in armed rebellion against the government of the United States or the lawful authorities thereof, or who has been in any way or manner in the service of the so-called "Confederate States of America," shall ever thereafter be entitled to vote at any election to be held in this State, or to hold any office of honor, profit or trust under the laws thereof, unless such person has been pardoned by the President of the United States, and has fully complied with the requisitions of said pardon."

Mr. STIRLING submitted the following as a substitute for the second section:

"Sec. 2. No person who has at any time been in armed hostility to the United States or the lawful authorities thereof, or who has been in any manner in the service of the so-called "Confederate States of America;" and no person who since the ——— has voluntarily left this State and gone within the military lines of the so-called Confederate States or armies, unless he shall have gone by the authority of the United States; and no person who has given any aid, comfort, countenance or support to those engaged in armed hostility to the United States, or in any manner adhered to the enemies of the United States, either by contributing to the enemies of the United States, or unlawfully sending within the lines of such enemies money or goods, or letters, or information, or who has disloyally held communication with the enemies of the United States, or who has advised any person to enter the service of the said enemies, or aided any person so to enter, or who has by any open deed or word declared his adhesion to the cause of the enemies of the United States, or his desire for the triumph of said enemies over the arms of the United States, shall ever be entitled to vote at any election to be held in this State, or to hold any office of honor, profit or trust under the laws of this State, unless since such unlawful acts he shall have voluntarily entered into military service of the United States, and been honorably discharged therefrom, or be on the day of election actually and voluntarily in such service, or unless he shall be restored to his full rights of citizenship by an act of the general assembly passed by a vote of two-thirds of all the members elected to each house; and it shall be the duty of all officers of registration and judges of election carefully to exclude from voting or being registered all persons so as above disqualified; and the judges of election at the first election held under this constitution shall and at any subsequent election may administer to any person offering to vote the following oath or affirmation: I do swear or affirm that I am a citizen of the United States, that I have never given any aid, countenance or support to those in armed hostility to the

United States, that I have never expressed a desire for the triumph of said enemies over the arms of the United States, and that I will bear true faith and allegiance to the United States and support the constitution and laws thereof as the supreme law of the land, any law or ordinance of any State to the contrary notwithstanding, and will in all respects demean myself as a loyal citizen of the United States; and I swear this without any reservation or evasion; and any person declining to take such oath shall not be allowed to vote, but the taking of such oath shall not be deemed conclusive evidence of the right of such person to vote; any person swearing or affirming falsely shall be liable to penalties of perjury; and it shall be the duty of the proper officers of registration to allow no person to be registered until he shall have taken the oath or affirmation above set out, and it shall be the duty of the judges of election in all returns of the first election held under this constitution to state in their returns that every person who has voted has taken such oath or affirmation."

The PRESIDENT. The question will first be taken upon filling up the blank.

Mr. FARROW moved to fill the blank with the words "fifteenth day of April, in the year 1861."

Mr. STIRLING. Communication between the two sections was not broken off until after that time, and a man might properly, after that time, have gone into the southern States. Now I do not want to exclude any one who went, even from doubtful motives, but only those who went there with the desire and intention of adhering to the enemy.

Mr. STOCKBRIDGE. The gentleman from Worcester (Mr. Farrow) has indicated correctly the date of the proclamation of the President of the United States, calling out seventy-five thousand men.

Mr. STIRLING. That proclamation did not declare non-intercourse.

Mr. THOMAS. I was down south myself after the 19th of April, 1861, and so were a great many other good Union men.

Mr. STIRLING. I move to fill the blank with the words "first day of June, 1861." The war was actually in progress long before that, I think. The State of Virginia did not secede until May 24, 1861, and there was not a United States soldier on her soil until the 25th of May, 1861.

Mr. PUGH. I would suggest filling the blank with the words "seventeenth of April, 1861." That was the day on which the ordinance of secession was passed by the convention of Virginia. I had some business in Virginia about that time, and decided it was not safe at all for those who were not in sympathy with the rebellion to visit Richmond at that time. I have here a statement of the vote upon the Virginia ordinance of secession. It was decided