

your laws," in the very teeth of the President's pledge to European nations in 1861, that whether the revolution should succeed or fail the condition of slavery would remain the same?

Mr. STIRLING. I wish to say to the gentleman that I can hardly recognize my own proposition under his interpretation, and I should like to know what part of the oath that is in.

Mr. JONES, of Somerset. "I do further swear or affirm that I will bear true allegiance to the State of Maryland, and support the constitution and laws thereof, and that I will bear true allegiance to the United States, and support, protect and defend the constitution, laws, and government thereof, as the supreme law of the land, any law or ordinance of this or any State to the contrary notwithstanding; that I have never directly or indirectly, by word, act or deed given any aid, comfort or encouragement to those in rebellion against the United States or the lawful authorities thereof, but that I have been truly and loyally on the side of the United States."

What does that mean?—"truly and loyally on the side of the United States?"

Mr. STIRLING. It simply means on the side of the stars and stripes against the stars and bars; on this side in the war, and not on the other.

Mr. JONES, of Somerset. Then does it mean anything more than is contemplated in the former part, in swearing to support the constitution and laws of the country? The language does not stop there. It goes further and covers the officer of the government, though you may know he is a violator of the constitution and a usurper. But that is not all the gentleman says. The person taking the oath declares "that I have been truly and loyally on the side of the United States against those in armed rebellion against the United States; and I do further swear or affirm that I will, to the best of my abilities, protect and defend the Union of the United States, and not allow the same to be broken up and dissolved, or the government thereof to be destroyed under any circumstances, if in my power to prevent it, and that I will at all times discountenance and oppose all political combinations having for their object such dissolution or destruction."

I say that if that means anything other than to support the constitution and the Union under the constitution, it means a thing that no citizen is bound to swear to, or to do. I presume, having already sworn to support the constitution and the laws, this is an additional obligation; that it is not considered sufficient to support the constitution and the laws of the United States, but you must go further and swear that you will sustain the Union without regard to the constitution and the laws. It is not intended,

to make a new application of that principle; but it is to sustain the war, to sustain the President in his declaration that he will not receive even overtures for a peace except they will totally abandon all their rights and bow in entire subjection and submission to his purpose.

That I am not willing to do. I say that the time has come when the people of this country ought to try the old efficient mode of compromise and peace. Would to God that we had a Clay to pour the eloquence of compromise again into the ears of the American people as he did in his day! It is our misfortune that we have not a man in the whole country—a man to rise up and with the voice of persuasion interpose between these contending parties, and say to the country, come back under the constitution your fathers made, to all your rights and all your privileges, and let this sea of blood be stayed.

I repeat that I think we commit a great mistake in incorporating the passions of the hour in our organic law. Everything that is necessary for the faithful performance of duty and the exercise of the elective franchise is contained in the constitution under which we now live. Anything beyond that appertains to and embodies the bitter passions of the present civil strife, which we ought always to seek to avoid. Let them be forgotten instead of being brought into perpetual remembrance by being incorporated in your organic law. Let them be forgotten as the first step to peace. Do not proscribe men for their sentiments.

I shall heartily regret to see a proposition of that sort come in, and that so kind-hearted, and excellent a gentleman as the gentleman from Cecil (Mr. Scott) should be the means of disfranchising men because of their sympathies. Sympathy is the natural, spontaneous, unbidden burst and gushing of a generous heart whenever and wherever it sees suffering. It comes like the unbidden blush upon the maiden's cheek, or the tear in the poet's eye. How shall men be called upon under oath to swear to their sympathies, not acted out—not evidenced even by expressions? Can anything but the bitterness of strife engendered in the midst of civil war like this give rise to any such idea or suggestion? Do not these things warn us against letting go the old landmarks—pulling down the old bulwarks of human liberty and constitutional law, and putting in these firebrands of civil war, when we ought to be looking to purposes of peace? If we desire that the country should ever again be reunited under one form of republican government, we must forget the past and come together again as a band of brothers upon the negotiation of terms of reconciliation.

I might quote upon this point the inaugural address of the President, in which he