

yet do they desire to be protected by this government and to exercise all the rights of a citizen under it?

Mr. PUGH. They pay all their taxes.

Mr. AUDOUN. Why should they have more protection than others?

Mr. NEGLEY. I cannot see the justice of this proposed distinction among our citizens. Suppose all the men in Maryland were to be of the denominations of Quakers, Dunkers, and Menonists. What becomes of your military law? Would there be any men to bear arms in this State in case of an invasion? The State of Maryland might be overrun and trodden under foot, and there would not be a citizen within its borders to lift his arm in its defence. I cannot conceive why any class of men should ask to be exempt. Is it not a part of morals that a man's first duty is to his God, his second to his country, and his last to himself? Why then should this distinction be made? If you exonerate one class of religious people, why should not you excuse other classes? I say that individual scrupulousness has not a right to come into opposition to the law. If your country has a right to demand your services, it is your bounden duty to pay it; and no man has a right to interpose individual scruples against the demands of his country. If the State of Maryland has a right, moral and political, to demand of its citizens military service no individual, I care not what his religious opinions may be, has a right to interpose these scruples between the proper performance of his duty and his State. I do not concede the principle that it is at all right. It has been done in the past; but the federal government do not recognize this and never will recognize it.

Mr. STIRLING. The gentleman is entirely incorrect in his fact, for the last enrolment does recognize it.

Mr. NEGLEY. Does the constitution of the United States recognize it?

Mr. STIRLING. No, sir; the constitution of the United States does not say anything about it.

Mr. NEGLEY. Does the present draft recognize it?

Mr. STIRLING. Yes, sir; the present draft does.

The PRESIDENT. They have to pay a commutation.

Mr. STIRLING. No, sir; he is to perform no duty excepting to attend to the sick in the hospital. That is the law now.

Mr. SCHLEY. They pay a commutation and that is set apart as a separate fund.

Mr. STIRLING. That is the former act.

Mr. SCHLEY. No, sir; that is the provision in the present draft. I am the receiver of commutation money in Frederick county, and these are my instructions.

Mr. PUGH. They pay commutation for a purpose, and that purpose is the hospital and

not the army. That is what they pay the money for. It is not paying an equivalent for bearing arms, but only for hospital purposes.

Mr. NEGLEY resumed: That is a distinction without a difference. It is for hospital purposes. I wonder if it is not for the army—for the wounded soldiers of the army. You may as well give it for the purposes of the army as for anything else. Still I do not concede that the principle is right to the rest of the citizens of the State. I respect their conscientious scruples. I say that there is not a more deserving class of citizens in the State. But I have always doubted, and I always will doubt the principle, whether it is right that that class of citizens should have the right to demand exemption from the performance of the duties of citizens in any direction. They live under our government. They receive its protection. I think it is a duty in correct morals, a religious duty that they owe, to be dutiful to "the powers that be," to "render unto Cæsar the things that are Cæsar's;" and that includes the proper discharge of the individual duty to the government if it means anything at all. I have always doubted the propriety of granting to a part of the State this exemption from military duty; because if the government has a right to claim the obedience and military service of any portion of its citizens, it has certainly *ceteris paribus*, an equal right to claim the services of all its citizens. And if the government releases any portion of its citizens from military duty, on the same principle it ought to release all. For one, on strict political principles, I cannot vote for it.

Mr. CUSHING. While I would not deny that the views of the gentleman from Washington have a great deal in them at first sight, because there is a strong feeling with most of us that all classes of men in a time of public danger should do their part toward the common defence, yet I think that upon the question of expediency alone it might be well for gentlemen to consider whether the services of men conscientiously opposed to bearing arms, who have for many years of history suffered oppression and suffered death rather than to resort to defending themselves by arms, if forced into your military service, would avail anything. Would not they be merely men taken to the slaughter? They are men forbidden by what they believe to be a high religious principle, by what they think to be, as the gentleman from Washington county put it, their first duty, their duty to their God, from bearing arms; believing the bearing of arms to be inconsistent with their duty to their God. Would they not be merely inefficient soldiers, men taken into your military ranks simply to be slaughtered?

There is no question but these men have not only in this war, but in all previous wars done much for the cause of the country,