

though they have not borne arms. They have given of their money cheerfully and without stint. They have been found wherever you go, visiting our hospitals, caring for the wounded and sick soldiers; they have been found working for the good of those who have been wounded in the common defence, and aiding the widows and orphans who have been deprived of their protectors by the fortunes of war. Their position is not a new one. If it were a thing brought here to-day for the purpose of escaping the disastrous effects of this war, in their own person, the argument that every citizen ought to aid in the common defence, would be good and unanswerable. But when we find that these people have segregated themselves from the world upon that main ground that they conscientiously believed that the triumph of the doctrines of their denomination and of pure religion was a work of moral means and not of force; when we find that they have taken as one great theory of their religious views that the time of the millenium, so to speak, upon the earth, is to be brought about by abstaining from all contentions by arms; when we find that they have passed through all cases of tyranny merely by moral quiescent force, *vis inertiae*, and have succeeded time and again in accomplishing their ends by the very sublimity of the spectacle of men who from principle, rather than resort to means of force which were within their reach, have quietly endured all that could be done against them, have quietly suffered and quietly died; the imputation of cowardice cannot lie against them, or the imputation that in this particular case it is an effort to evade their public duties; but it is simply carrying out what for long years they have persistently maintained to be their religious duty. And we find too that in all civilized and christian countries, it has been found necessary, and it has been sustained by the moral sense of the rest of the community, to provide that those having such conscientious scruples should not be forced to bear arms.

Mr. PUGH. I will remind the gentleman that even the last rebel Congress exempted them.

Mr. CUSHING. Gentlemen will remember that in the valley of Virginia a thrill of indignation went through the whole community because an old Quaker by the name of Daniel had been forced into the military service by the rebel forces. His grey hairs were disregarded, and his religious principles met with derision from those men. I heard it said day after day that the cause which required them to force such men into their army, contrary to the sentiment of the civilized world, could not meet with success.

There comes a time in every crisis of history, in every case of war, when, if in order to carry on the war you have not strength enough to allow fair play to strong religious

convictions, convictions which you have recognized in all the antecedent portion of your history, you must fail. To attempt to force these men into arms in defence of the country is a confession which you would better not put into your constitution. It is a confession that you fear that without these men you cannot defend your State. This we know is not so.

It has been argued here that these men ask you to protect them, and are unwilling to protect themselves. There never has been an instance in which these men have asked you to protect them by force of arms. The ordinary protection against violence they pay for in their taxes, and you are bound to furnish them. They have never made a request for any organized military force to protect them. They have always taken the consequences.— They have always said, these are our principles, and we are willing to stand our lot and take the result.

They have been exempted by the federal government in the last draft from all military service. Those of them who were drawn were not to be required in any single way to bear arms or to yield military service; all the service to be required of them is to attend the sick and minister to the wounded. Even in this time of calamity, in this time of national distress, when it has called upon all other classes of men, and when not even the ministers of other christian denominations have been exempt from the provisions of this law, it is put on record as the result of the experience of this war, and as the opinion of the military authorities that it is more advisable not to force these men to arms; and they have not done it.

In the whole history of our State they have been practically exempt. I think, as my colleague urged, that a great deal is due to them for their unflinching loyalty to the principle that our constitution announces. We have put things into this constitution not so much from principle as because they would please the loyal men in our midst. Here is a thing which we are asked to put in, upon the ground of principle, to relieve these men from violating their principles, rather than to violate which they will die. I ask you if the prejudices of these men in this matter are not quite as much to be regarded as the prejudices of a county or city as to the election of a sheriff, or the tenure of office of a sheriff, or as to the emolument of a judge.

Under this provision, as proposed by the gentleman from Harford, testimony can be taken whether they have been known in the communities in which they live, to be men who have born consistent testimony against the bearing of arms, or whether they have not. That is the reason I object to the suggestion of the gentleman from Howard (Mr. Sands) to put in their names. The gentleman from Cecil (Mr. Pugh) told you that there are