

floor of this house, into whose minds their inmost and secretest minds, the thought of disloyalty has ever come—whole constituencies, forty thousand men in number, should be found to which this oath would be disfranchisement. The estimate of loyalty must differ vastly between the gentlemen who represent these constituencies and myself. I do not esteem a man at all loyal to the government who could hesitate to take this oath; I do not hold that there is an element of loyalty in him.

I can understand that a man might be simply obedient, so far as not to risk his life in treason, and yet decline to take this oath. I can understand that a man might not have been found raising the banner of revolt, or inciting insurrection in his district, and yet refuse to take this oath. But loyalty and obedience are different things. A man, who through fear has all his lifetime been kept in bondage, is not a loyal man. Loyalty takes hold of the heart, and the soul, and the life; it impregnates a man with devotion to the country he calls his own. It bids him give, according to the best of his judgment, his every power to the service of his country. And I go farther; I much question the loyalty of any man, in any portion of this country who, through three years of civil war, has never made his voice heard, to any person, or assemblage of persons, strongly, openly, clearly and unequivocally in favor of the government which protects him. Loyalty is something which does, and not a thing which merely leaves treason undone.

We are told that we extend the right of suffrage. I deny that as a fact. That question was argued before you so ably this morning that it seems almost trifling at this hour to bring it again before the house. I had not supposed there was an individual who would for one single instant maintain that under our present laws soldiers are not entitled to vote. This is solely and simply a question in relation to the place of voting. It is astonishing that, after hearing fifteen or sixteen speeches upon this subject, law essays, appeals to your judgments, your hearts, your passions, denunciations of your course, there should still be found some gentlemen in this convention who cannot understand the perfectly clear words of a portion of that bill under which we are assembled here. It does seem as if much words had confused their counsel; and that the more they heard, and the longer they read that bill and the constitution, and the longer they talked about treason, and against treason, and what treason was, they finally got so they could not make the distinction between what law was and what was not law; what constitutes treason and what was not treason; what made a man loyal, and what did not.

I was much astonished at one argument of the gentleman from Prince George's (Mr.

Marbury,) which struck me as strange from an ardent lover of freedom; from a man who desired this constitution to be preserved; from a man who, morning, noon, and night prayed the Almighty to grant us this one thing of constitutional liberty, and that freedom might be preserved upon this continent. He complained of the government of the United States that it had used any means that came into its hands to preserve itself. He actually upon the floor of this house did complain of and denounce this government, and did justify the cruelties practiced upon our suffering prisoners in Richmond, because the government of the United States had taken men with black skins and put them in the front to be shot. The gentleman phrased it differently: he called it "putting slaves into the army." But I ask what is the difference? I simply put it in the other form, that they took men of color and put them in the front to be shot, that the gentleman from Prince George's, myself, and others might not be shot. That is only a different way of stating just the same fact. And I cannot understand on what ground he does, on the floor, to some extent excuse the atrocities of these fiends at Richmond upon our unarmed prisoners in their hands, because of the use by the government of the United States of negro soldiers; when we have had members of this convention from his own county urging upon the majority of this body to take measures for having the slaves enlisted in the armies of the United States from Prince George's county, credited to their quota. It is strange, to say the least of it.

The gentleman from Calvert (Mr. Briscoe) has alluded in remarks here to a foreigner named Haynau. I suppose that, in his own judgment, he found a counterpart to that Austrian different from the one I found. I doubt me if the gentleman would have gone as far south as Richmond to have found him. But I know of no other place upon the civilized earth that produces such men in such boundless profusion as does the city of Richmond. Every man there, from the so-called president of the so-called confederate States, down to the meanest and pettiest underling whom he controls, who has in the slightest degree countenanced that treatment of prisoners, is in comparison with Haynau a very fiend of darkness; and at the judgment bar that Austrian butcher will have a luminous radiance around his head in comparison with the blackness of despair which will settle upon the hearts of those men at Richmond.

This whole discussion upon the subject of this oath reminds me of those trite lines:

"Let the galled jade wince; my withers are unwrung."

Now, if gentlemen will read this oath and apply it to the hearts of the loyal constituencies they represent, they may find the reason why this oath is so unpleasant to them.