

provide that the prescribed oaths be in force only till the end of the war was voted down, 47 to 23.¹²³

The debate on all these questions was more bitter than at any other time during the Convention, with perhaps the exception of the consideration of the soldiers' vote and of the mode of submitting the new Constitution to the people.¹²⁴ The minority held that the oaths largely tended to continue after the war had ceased the conditions co-existing with it, and would go far to prevent the subsequent reconciliation necessary to the peace and prosperity of a reunited country. They also rightfully objected that it gave far too much power to the Judges of Election, and offered every opportunity for unfairness and abuse.¹²⁵

Another strong point was that it was eminently improper to compel the entire support of the National Government, a requirement especially irritating to many who held that the coercion of the South was in violation of the Constitution of the United States.¹²⁶

The majority held that there was nothing unusual in the oaths when the circumstances in which the state was placed were considered, and that no one could faithfully, zealously, and honestly serve the State of Maryland as an officer, who could not undergo the prescribed tests.¹²⁷

We of this day, while admitting the force of the arguments of both sides in the Convention, must necessarily take a middle course in forming our judgment, and conclude that the majority were right in providing test oaths of some sort as a war measure, but that they made a great mistake in the extent of their requirements and the method of enforcing them.

Other points of interest to be noted in connection with the treatment of the franchise are that it was again in this connection restricted to white male citizens, and that there were unsuccessful attempts to allow ex-convicts to vote

¹²³ Proc., 511-2.

¹²⁵ Deb., ii, 1266, 1335.

¹²⁴ Deb., ii, 1262-89, 1299-1303, 1330-81.

¹²⁶ Deb., ii, 1359. ¹²⁷ Deb., ii, 1358-9.