

circumstances require peculiar action. The gentleman spoke to us of the effect of its example; and I will quote an example. Under an election held in the city of Baltimore in the beginning of this rebellion, for members of the Legislature, it was clearly expressed by their newspapers, that "among arms laws are silent," and the city of Baltimore sent delegates, by a vote of secession sympathizers, to the Legislature, unauthorized by law and in direct contravention of the provisions of the laws of Maryland. They justified it, because Baltimore must be represented, and there was no time in the emergency for following out the letter of the law.

The gentleman, I think, forgets that to-day Maryland is under martial law, and that all that this Convention has done is to request that that martial law shall be exercised in a particular way; to pay losses, which there is no power in the general or the State government legally to make good to those Union people—for neither the State nor the General Government has ever held itself liable to pay to citizens losses incurred in actual warfare, and their property was not taken by the State nor by the United States for the public good, but was taken by bands of marauders and thieves under the authority of the Confederate States, who descended in their petty thefts to rifling men's pocket books and the trunks of women; and it was a legalized robbery so far as robbery of that kind can be legalized by a government which is not at all recognized.

I moreover hold that any known sympathizer with the rebellion in this State is by that very fact cut off from the privilege of any of our laws. I hold that any man in this State who freely and openly expresses his sympathy with the people in arms against this State, has no claim to one single right under our bill of rights, under our constitution, or under any one of our legislative enactments. He has voluntarily, and willingly cut himself off from all his protection as a citizen. I hold that we ought to have passed another and more stringent order, similar to that passed by this State during the Revolution, that any man who expresses, clearly and decidedly, sympathy with the rebellion and the invasion of this State, should be put without the limits of this State, never to return; just as I have always held that any man in the Southern States, who has raised his arms to strike down this government, is not entitled to any constitutional privilege; that you have a right to deal with him as with a murderer on the highway, and shoot him down.

I hold that any known sympathizer with the rebellion, wherever the officers of the United States may reach him, has no claim to law or the forms of law. This order relates only to those who have by sympathy or act favored the rebellion, and does not refer

to members of this convention, every member of which, upon taking his seat here, has sworn that he has "never either directly or indirectly, by word, act or deed, given any aid, comfort or encouragement to those in rebellion against the government of the United States." Every member of this convention, therefore, has purged himself of all that, and to assess upon them would be contrary to the very order which was introduced here and passed by the convention.

But to tell me that this is improper for the people of this State, in their collective capacity here, to say that the people who guided those troops, the men that pointed out to them your Governor's house, and the men that signed the order for the burning of that house, are entitled to be tried by their peers; to tell me that the men who pointed out in that train Major General Franklin, and asked them to take him into captivity, are entitled to a trial of their peers! They are entitled to a quick, short trial, and an easy death.

I want to say distinctly that my own conviction is that that order is right, and that not one word in the bill of rights or the constitution, in the slightest degree conflicts with the propriety of that order. Not a single man touched by the terms of that order, has any rights under that bill of rights, as a citizen or resident of Maryland. I hold him as an outcast before God and man. We have the right to try him by any law, the quickest that shall get rid of him. It is a question of expediency whether this mode of assessing these men would not be the most effectual means of preventing these raids in the future.

When the trains went out from Memphis, and were fired upon every day, what was the most effectual means of protecting them? Not cannon; but all along the sides of the engine known rebel sympathizers were stationed, and the trains went free from molestation. If to-day the people in the State knew that whenever a single sheaf of wheat was taken, or a horse carried away, or one of a herd of cattle disturbed, those who invited them would be taxed for the aggressive incursions of their rebel friends and would have to foot the bill, I much question whether you would not find them hurrying to the border with arms in their hands, to drive away what to them would be the most dangerous of enemies, from coming into the State.

I have heard of them in Baltimore, city, marching up and down our streets with smiles upon their faces, and in their hands the list that they had of the men in Baltimore, who were to be assessed should the rebels come, a list of ninety names footing up some \$20,000,000, to be paid by the loyal citizens of Baltimore when they should come in. They marched out, and rode out with their carriages and horses, to dine with the leader of the rebel band.