

reasons which have been so ably given. I only wished to say a word, that I believed it to be our duty in this day of light and knowledge to keep on in the path which we have commenced, and keep our record clear throughout of infringing the rights of anybody; that we should give all people their rights while we are about it. That is all I demand. I ask nothing at your hands but their rights. I ask nothing but what I demand for them as citizens of the State. I am opposed to every effort to amend this section so as to deny to these people their rights.

Mr. TODD. I did not intend to make any remarks upon the amendment which I have offered; and I would not have done so had it not been for the remarks which have fallen from the lips of the gentleman from Cecil (Mr. Pugh). He seems to think that I have a kind of spite or prejudice against the Society of Friends, that led me to the course I felt called upon to pursue in relation to the amendment offered by the gentleman from Harford (Mr. Russell.) But, sir, I stand side by side with the gentleman from Cecil in my deep admiration for that class of our christian community. There are many things about them, that I need not here enumerate, that I admire. I will simply say that I regard them as among the very best classes of citizens in our community; and I should regret very much to do anything that would be an affliction to them, or to any individual member of that church.

My reasons for offering the amendment I have offered, are, that I regard the institution of marriage as almost entirely a religious ordinance. It was instituted by the Almighty in the beginning of the world, in the beginning of the existence of human society. In its religious element, it lies at the very foundation of human society; and should we step aside and ignore that religious element, the foundations of human society would be undermined; all our social relations would become null and void, and general moral ruin and desolation would sweep over our land.

It is acknowledged on all hands to be partly of a civil character; and that legal character is recognized by the laws of our State, in so far as the law requires certain things to be done in order to the valid solemnization of that sacred rite. But it seems to me that if we were to open the doors, and allow this sacred rite to be solemnized by men, who, as the gentleman from Somerset (Mr. Jones) has said, are not only not ministers of the gospel, but many of them very far removed from being ever moral men, we should do much to deprive this sacred institution and ordinance, ordained by God in the beginning of the world, and which lies at the very basis of human society, of that element which tends to bind society together, and to place human beings in a proper relation to each other and to the Almighty.

Mr. PUGH. Will the gentleman allow me to ask him a question? The gentleman from Somerset (Mr. Jones) has said that a great many magistrates are not as worthy men as they might be. Is there anything whatever to prevent me, or any other gentleman who sees fit to get married, from selecting the most moral man in the community to perform the service?

Mr. TODD. That does not do away with the force of my objection, because if we adopt the original amendment of the gentleman from Harford (Mr. Russell,) it certainly makes marriage, solemnized by the most wicked man in the community, provided he be a justice of the peace, a legal rite. If some such suggestion as that made by the gentleman from Howard (Mr. Sands) can be adopted by this convention, it will meet the necessities of the case; and I am disposed to go so far toward relieving our friends of that church from the embarrassment under which they labor. Let there be some specific provision made in their case, so that when it may be necessary, the marriage rite solemnized in such cases by a justice of the peace, may be valid.

So far I am willing to go; but I am not willing to vote for the amendment as it stands. Therefore I shall be under the necessity of adhering to the amendment I proposed.

Mr. CUSHING. I shall vote for the proposition of the gentleman from Harford, just as it stands, because I think it comprises, in a very few words, the whole question of determining the policy of this State with regard to marriages; fixing it as a civil contract alone in the eye of the law; making no invidious distinctions between persons of different religious denominations; going into no little details; singling out neither Jew nor Gentile; but allowing any man of any religious denomination, or any man who has no religion at all, to stand in the eye of the law in reference to marriage, exactly as any other citizen.

I regard this whole idea that has pervaded the law of Maryland from the beginning until now, that marriage must only be solemnized by a minister of some religious denomination, or as it is phrased, a minister of the christian religion, as being to a certain degree a relic of an old superstition. Finding nowhere in sacred or profane history that marriage ever was established as a sacrament, notwithstanding the remarks of the gentleman from Caroline (Mr. Todd,) I find no trace that in the marriage of Cain there was any minister; I find no trace that for 4,000 years of the history of the world there was any solemnization of marriage as a sacrament by any decree of the Almighty or from any other source; nor do I find in the christian religion any one word establishing marriage as a sacrament or defining that it