

have had great effect, as has been very ably suggested by several gentlemen here, would have had a very excellent effect if urged at the proper time. But that time has passed. That time was in 1861. That was the time when the gentlemen should have come forward and announced these principles and declared that they were prepared to stand by them. That was the time when in Washington the representatives of these ideas should have acted as they profess that they are willing to act to-day. If they had done so then, I submit that there has not been a word uttered or a sentence quoted by either of the gentlemen, that I would not have willingly and joyfully indorsed.

But study as you will; sit in your closets and con over laws and constitutions as you may; you cannot as reasonable men overlook the fact that there is a question overriding all other questions, that there is a matter involved here overwhelming every other matter, and that is the question of your existence as a people. Have gentlemen of the convention forgotten so soon the beautiful illustration of the gentleman from Baltimore city (Mr. Stirling?) I do not repeat the words, but the idea I shall never forget—that the constitution is but pen, ink and paper; that it is, as it were, the tabernacle that contains the soul of the people; and that as that soul may go on existing through all eternity, even after the tabernacle shall have passed away forever, so may this people exist when every trace of the present constitution shall have been scattered to the winds, when there shall be no more of the old bill of rights, the present one we are now making, when no vestige shall remain of the words, when no vestige shall remain of the present *written* form of government, handed down to us by our fathers, that even at that day we may still exist as a people.

I put it to these gentlemen who are constantly prating about the constitution—I revere that instrument as much as any of these gentlemen, but there is another and a higher question in the matter which must at the same time be noticed—if it shall come to pass that we, in order to protect and defend this people, in order to preserve our existence, and carry into the future with all its great history the nation and the political form of government that have been bequeathed to us by our fathers,—if it shall become necessary hereafter, in the prosecution of this war, and in defending our firesides from the foot of the invader, and in order to bear aloft the flag which was the gift of our fathers to us,—if it shall become necessary to sweep out of existence every vestige of the present written parchments of the land, of any State or of all the States, I for one am perfectly willing to take that alternative.

We have a duty to perform in sustaining the written form of government. But we have another duty to perform which we should not, in the contemplation of our duty in that

direction, utterly forget, as the gentlemen, in my judgment, are constantly doing.

Why then is it that we require of persons who profess to be citizens of the State of Maryland that they shall make known to us and to the world that they are on our side in this matter? Not because it is our side, or because we happen to be upon this side; but because it is a question of the existence or destruction of this nation as a people; because of the necessity of maintaining and carrying to all the lands of the earth that emblem of our nationality—the flag of our country. It is because we have these high aims in view, that we must, in spite of every other consideration, know and determine who are our enemies, at home as well as abroad, without arms as well as with them.

It has been ably suggested here that ballots at home may do us a thousand fold more injury than bullets in the hands of our enemies, for the very reason that the enemy who covertly acts at home is far more dangerous than the open enemy in the field, because you never know where to find him. Nine-tenths of the men who at heart are rebels, are outwardly Union men. I do not charge this upon any one who does not see fit to take it. But I know and I say that the principal danger we have to dread from the ballots at home is because we cannot tell under the present system who are loyal men and who are rebels at home. This is one of the ways to ascertain. If a man is not a rebel, if he is not one of the enemies of his country, if he is at heart in favor of sustaining our nation as a nation, it is no hardship to him as it is no hardship to me, to take the oath of allegiance. It is no hardship to those who are truly loyal, but it is necessary because but a tithe of the real rebels are openly so, while nine-tenths of them profess to be Union men.

I do not mean to have it understood that I am in favor of abandoning the constitution or the laws in order to sustain the life of the nation, so long as there is the faintest possibility that they can be preserved. But I only suggest to gentlemen, suppose we lose everything but the constitution; suppose we preserve that and lose everything else besides; suppose in the course of human events, with the constitution constantly before us and misinterpreted, in the midst of war and the devastation of the country, it should so happen that we should be left with nothing but a constitution, with the people as a people destroyed; will you go before the court of high Heaven with that piece of parchment and plead for pardon when the nation is destroyed because the constitution is secured?

I might talk a week, although I am not in favor of long speeches; there have been so many things said, and wildly said, as it seems to me, upon this question of what we are incorporating into this constitution. If