

lated land with nothing left of our nationality, nothing but the paltry parchment.

Mr. DENNIS. I ask the gentleman what sort of a figure he cuts now going over the country with no parchment at all?

Mr. PUGH. No, sir; I do not say that we have no parchment at all, and have not said so; but I say we are here framing a parchment for the State of Maryland. At this time there is no necessity for our being without the present constitution. But I suggest that it is important to secure and sustain our *existence*, a matter which seems to be forgotten, as a State, as a people; and that it is important to engraft upon the constitution, a provision which shall designate who are our enemies and who are not. But I do state that so far as the constitution of the United States is concerned, with the manifold constructions given to it, I am not in favor of sticking to that parchment as *interpreted*, more especially when Chief Justice Taney gives it the construction he does give it. I will not moreover, allow the gentleman from Somerset, to stick his construction of the parchment into my teeth. I believe the constitution is a subordinate part. I believe in the *existence* of the nation as the paramount and most important matter; and as I suggested, I adopt the idea of the gentleman from Baltimore city, when he said that the constitution was the tabernacle wherein rested the soul of the people; the *present* tabernacle might go to ashes, but the nation, as a people, exist forever.

Mr. EDLEN. Will my friend before he takes his seat answer a question for my information? He has arisen on this floor the advocate and defender of this amendment offered by the gentleman from Baltimore city (Mr. Stirling.) Now, I happen to be one of those who hold an office under this State government, and I find upon this same page of the journal that the gentleman from Baltimore city has given notice that he will introduce as an amendment at the proper time that every person continued in office by this constitution shall take and subscribe this same oath to protect and defend the Union of the United States. The question that I now put to the gentleman from Cecil for my own enlightenment and instruction upon this point is, whether I am to swear to support the Union that our fathers made or a Union to be reared up and reconstructed on the basis he has laid down in the remarks he has just submitted to this convention. They are widely, vastly different. I wish to be put right upon that point. I do not want to go into this thing blindfold.

Mr. PUGH. The Union as suggested by the oath takes no cognizance of any other matter than the mere matter of Union. If the gentleman subscribes that oath he swears to sustain and support the Union of the States. It is a mere question of opinion. It

is my opinion, and perhaps my opinion only, that that Union can never be perfect again with a system of slavery existing or tolerated anywhere within the borders of the Union. But that has nothing to do with the gentleman's oath. He may hold what opinion about that he pleases. He is only to swear to sustain the Union as I will swear to sustain the Union without any regard to the question of slavery itself. It is a mere matter of opinion whether slavery can exist in this country when united, or not. My opinion is that it cannot.

All the gentleman is called upon to swear to sustain is the Union, because by the word "Union" is represented the nation—because the flag of our country is the flag of the Union—because there is a people with another flag—a rag—displayed everywhere around us, who wish to be recognized as a people within this people—it is because we cannot exist as a people with another established nation, with another flag within us—it is because we cannot exist as a people recognizing any such existence in our midst—it is for that reason that it is necessary for every man to swear to support the Union of the States in the interpretation of the words I have given, meaning the people of the United States whose flag is the stars and stripes. [Applause promptly suppressed by the President.]

Mr. EDLEN. I will suggest to the gentleman from Cecil that he has not answered my question. The gentleman from Baltimore city, from whom he quoted that celebrated simile, that the constitution is the tabernacle in which rests the soul of the people, said very truly, the other day in this hall, said upon the authority of the court which sits above us, (the court of appeals) has said that constitutions are different from mere statutory enactments—that constitutions are to be construed and interpreted in the sense or meaning which the framers of the constitution intended should be placed upon them; in other words—the true sense to be given to the constitution was the intention of the framers.

Here is the point I wish to submit to the gentleman from Cecil. He is going to support this amendment by his vote, I doubt not. Now I desire to be enlightened upon the point, whether, when I come to swear to this oath I shall be called upon to support, protect and defend the Union such as it stood in the past—such as it was under the constitution our fathers framed in the days of 1776—or whether I shall be required to support the Union as expounded by the gentleman from Cecil.

Mr. PUGH. I thought I did answer the gentleman thoroughly. What is meant by the Union is the Union without any reference to these side issues. The Union which the gentleman will swear to support will be the