

of the highest military officer of the United States, the commander-in-chief of the army and navy; when I am called upon here, in addition to the oaths which are previously required in this section, to support the constitution and the laws, to go further and swear that I have never in any shape opposed the views of the government, for that is the amount of it—I reject it as a demand on me which there is no just power to execute, a demand which there is no constitution or law to require or authorize; a demand which I will not say I never will submit to, for I think a freeman does well to give himself the power to judge of any emergency when it shall arise, but one which I cannot but believe is designed—if it is not calculated to have an effect just the reverse of that which the gentleman has anxiously expressed to me as the object of some of its supporters—to secure them votes at the election. If these men were not bound hand and foot by these provisions, and kept away from the polls, such gentlemen could not be elected. It is a case of life and death; a case of existence and non-existence. Sir, I fear that this is the lurking motive which moves the whole machine.

I desire to see every freeman in the State who has not made himself amenable to the laws—nay, I go further, every freeman in the State—white man, of course, for I take it for granted that it is not to include the negro; and I mean the men by whom the government was formed, the white people—I desire to see every such man vote, qualified by the terms of the constitution to vote, although he may have made himself amenable to the laws, unless according to the terms of the constitution he has been tried and convicted.

I desire to see this the more, because I now know a man who holds office, who, were it not for the bayonet, could not have received, as they themselves will tell you, one vote in ten; and perhaps not one vote in a hundred. I believe I can state without the fear of contradiction, that within the precincts of my own county, an individual desirous of holding one of the very best offices, proclaimed without any very great secrecy that if he could only secure twelve voters in the county he would have that office.

I desire to see no such elections, whether they be by the bayonets of the soldier or whether they be by the stringent oaths supposed to apply to every other person but those who are friends of the national government. I desire to see every man come to the polls freely to cast his vote. I want no officer to rule over him. I want no man elected by the people unless he can show a majority of their votes.

I tell gentlemen that this is a dangerous weapon. You have the power to-day. You can exercise it with an iron hand. You can

exercise it without reference to any constitution or laws. You can pile up, and keep up, and throw all into the hands of your military chieftain. But how soon *Tempora mutantur et nos* may be said again with reference to these things, no man can tell. Now, only conceive your term of power at an end. Consider that others may come into your places, and that passion and prejudice may incite them to treat you as you now propose to treat those who are unfriendly to the political administration of the country. Now, there is an idea that no man can be a friend to the government unless he can support the war; that no man can be anything but a traitor from the teeth outward unless he supports the administration. There must be a power to rule somewhere.

Mr. PUGH. Will the gentleman allow me to tell him that I never made use of any such remark?

Mr. CHAMBERS. If the gentleman disclaims it, that is enough; but I understood him so.

Mr. PUGH. I will state what I did say; that there were people in this State and throughout the country who professed to be Union men, who really were rebels at heart. I have no doubt of that. I suggested therefore that they were only from the teeth outward Union men, but at heart were rebels.

Mr. CHAMBERS. As I suppose there are traitors at heart who would have this constitution destroyed. Why is Jeff. Davis a traitor? What is his offence? Opposition to the government of the United States—that is, to the constitution and the laws, which opposition he thinks proper to evince by the means which he has used, the military power of the territory over which he has control. Is it any less treason—the gentleman will excuse me, but I am only putting the abstract idea—is it any less treason, opposition to the government of the United States and the constitution of the United States because it is not armed? Is it any less undermining this government to do it by votes, in this body, than it is to undermine it by Paixhan guns and shells and batteries of every sort? I do not see any difference.

Was Aaron Burr less a traitor because he did not do as Jeff. Davis did, arm a whole section of the country? It is the undermining of the government, by any overt act. Every gentleman here is not a lawyer, and I regret it. There certainly has been very strong evidence of the want of those legal ideas and views which gentlemen educated to that profession entertain. It would seem that treason is understood to be committed by taking up arms and shooting at the government. There never was a greater mistake in the world. That is not one whit more treason, not one atom more treason than undermining the constitution and destroying the government in any other mode.

Mr. STirling. I should like to ask the