

EVENING SESSION.

The convention reassembled at 8 o'clock, P. M.

The roll was called, and the following members answered to their names:

Messrs. Goldsborough, President; Abbott, Annan, Audouin, Baker, Barron, Belt, Billingsley, Blackiston, Brown, Carter, Clarke, Cunningham, Cushing, Daniel, Davis, of Washington, Dellinger, Dent, Duvall, Earle, Ecker, Farrow, Galloway, Greene, Hebb, Henkle, Hoffman, Hollyday, Hopkins, Hopper, Horsey, Keefer, Kennard, King, Lansdale, Larsh, Lee, Marbury, Markey, Mayhugh, McComas, Miller, Morgan, Mullikin, Murray, Negley, Nyman, Parker, Parran, Pugh, Purnell, Ridgely, Russell, Sands, Schley, Schlosser, Scott, Smith, of Carroll, Smith, of Worcester, Sneary, Stirling, Stockbridge, Swope, Sykes, Thomas, Todd, Turner, Wickard, Wooden—89.

On motion of Mr. EARLE

The committee on engrossment and revision were permitted to meet during the sessions of the convention.

MILITIA AND MILITARY AFFAIRS.

On motion of Mr. STOCKBRIDGE,

The convention then resumed the consideration of the report of the committee on militia affairs, which was on its second reading.

Section one was under consideration, having been amended to read as follows:

Sec. 1. The militia shall be composed of all able-bodied male citizens, residents of this State, being eighteen years of age, and under the age of forty-five years, who shall be enrolled in the militia, and perform military duty in such manner, not incompatible with the constitution and laws of the United States, as may be prescribed by the general assembly of Maryland, but persons whose religious opinions and conscientious scruples forbid them to bear arms, shall be relieved from doing so on producing to the proper authorities satisfactory proof that they are thus conscientious.

Mr. NEGLEY. I do not see why one class of our citizens should be exempted from military duty, any more than another. I therefore move to amend the section by adding the following:

All married men between the ages of eighteen and forty-five years, who support their families by their daily labor, shall be placed upon the same footing of exemption, as persons whose religious opinions, and conscientious scruples forbid them to bear arms.

Mr. PUGH. I rise to a point of order. It occurs to me that this amendment is inconsistent with the action already taken by the convention upon this subject.

The President. That is for the convention to determine.

Mr. NEGLEY. I have no doubt, it is extremely inconsistent with the gentleman's ideas of what should be there. I do not see what right the State of Maryland, or any other State, has to make any distinction in favor of one class of its citizens or another, upon the ground of religious opinions or scruples. I would ask the convention, whether there is not a very large class of people in the State of Maryland whose families are dependent upon their daily labor for their support? Whether it is not a matter of conscience with those men to support their wives and little ones? Yet by the action of this house this class of our citizens can be torn away from their families, and dragged into military service, while another class, who are perhaps a great deal better off in respect to this world's goods, or are perhaps a great deal better able to perform military duty, are exempted. Now, I know that in many portions of the county in which I live, there are numbers of stalwart young men who, under the operation of this section, would be exempt from military duty, and the State would not be able to call for their services under any circumstances. Yet there is another class whose families, and whose children depend upon their daily exertion for their support. You take them away, but allow the others to go free. I do not think this is fair, that it is just. I think it is the duty of every person to render that duty to his country, which the country demands. I do not believe in the doctrine of exempting one class of citizens from duty, and compelling another class to perform that duty.

If this matter of individual conscience is to exempt a man, then every man might have conscientious scruples about shedding human blood. And you would have no man in the service of the State; the State would not possibly get any man to serve it. And as a matter of principle it is not right. Last night we inserted that in our constitution which is not in our present constitution. Why were you not content to leave the matter as it was in the old constitution? There are only two sections about the military, and there is not one word about exempting any class of citizens from military duty. Why was not this convention content to let the matter rest where the old constitution left it? There is legislation on the subject, and why not leave it there?

Mr. STIRLING. Did not this report, as it came from the committee, provide that every able-bodied citizen should be liable to bear arms?

Mr. NEGLEY. It was possible to amend that so as to conform to the law as it now stands, or to the constitution, and leave the whole matter in the hands of the legislature, where it ought to be. Just look at the operation of