

and was there until a late hour in the evening, and issued his order that no one should be allowed to vote there unless he took the oath—I do not know who framed it—an oath stuck up there and presented to everybody.—Hundreds of persons just as loyal as the gentleman himself, men who never did a disloyal act in their lives, and who never contemplated such an idea, men as perfectly pure and spotless as the gentleman himself, came to that town to offer their votes at the polls; and they were met with this oath and this military interference. Capt. Watkins, of the eastern shore, captain of another military company, remonstrated with Colonel Baker and his party; but Colonel Baker being the superior officer, he yielded to him. There was a committee of gentlemen appointed to go to Washington and investigate the affair. They were detained there until a late hour in the evening of the day of election, and when they returned they said it was without order.

When I went up to vote fifty soldiers stood in front of the polls, who stood there the whole day. I went up and offered to vote. They said "You will have to take the oath." I said, "There is nothing in your oath that I object to; I don't care what it is. I don't care what you put there on that subject; I would just as lief take one oath as to take another; but I am opposed to taking any oaths. You have no right to come here and require this oath." The captain, I will do him the justice to say, replied, "I agree with you. I am a Massachusetts man, but I agree with you. We have no right to put such oaths. But I am a soldier, and it is on my orders. Do you blame a soldier for doing his duty?" I said, "No, I do not." I put this question to the captain: "Captain, these judges here are sworn to execute the law of the State. That is their duty. Do you blame the judges for doing their duty?" He said, he did not. He wished that his orders were not the paramount orders, but he had to obey his orders.

I give this as an illustration to show that there was military interference. I know of a number of gentlemen here who can give a great many instances of that sort.

There is another subject which has been introduced here. It has been said over and over again, upon this floor, that there have been demagogues and conspirators in the State of Maryland. I have seen nothing and heard nothing coming from the minority like the appeals made here about the prisoners from the federal army held in the South. It has been said that they are dying inch by inch, and that the cruelty and barbarity that has been practiced upon those unfortunate men have never been equalled in the history of the world.

The CHAIRMAN (Mr. Daniel.) That is not in order.

Mr. MARBURY. It is a branch of the sub-

ject which has been introduced into this debate, and I wish merely to reply to it.

The CHAIRMAN. It is not germane to the subject under consideration.

Mr. MARBURY. Perfectly. I want it to be understood, Mr. President, that I have as much sympathy for those unfortunate soldiers as any man living.

The CHAIRMAN. The gentleman will come to order. The question under consideration is the amendment offered by the gentleman from St. Mary's (Mr. Dent,) to the second section with regard to administering the oath to voters.

Mr. MARBURY. With all deference to the judgment of the chair, I will say that the gentleman from Howard (Mr. Sands) alluded to this branch of the subject, and I wish to reply to that.

Mr. BRISCOE. I will make one suggestion to the chair. The whole subject-matter before the convention is one which appertains to the obstruction of the ballot-box, and we regard the imposition of this oath an obstruction of the ballot-box. The gentleman was discussing it in that connection.

The CHAIRMAN. What has the treatment of our prisoners in Richmond to do with the freedom of the ballot-box?

Mr. STIRLING. I move that the gentleman be allowed to proceed.

The CHAIRMAN. The gentleman may proceed.

Mr. MARBURY resumed: I was going on to say that I have as much sympathy with those soldiers as any man living. It may be true that they have suffered all that has been represented. I regret most deeply that it is so. It may be that they have been dying inch by inch. It may be that they have been brought here starved to death and not properly clad. That may be all so. But there is another side to the picture. If you will go to the captain of the boat that conveys these prisoners to and from City Point, he will tell you that comparing the miserable condition of those that go North with that of those that go South, so far as he is able to judge, it is identically the same.

Mr. PUGH. Who is the captain of that boat? I ask for information. Will the gentleman give us the authority for his statement?

Mr. BARROW. What is the captain's name?

The CHAIRMAN (Mr. Daniel.) The gentleman is entitled to the floor and must not be interrupted.

Mr. MARBURY resumed: The prisoners who have gone South have suffered all that they have suffered, and I regret it most deeply. But whose fault is it? That is the point. Who is to protect the citizen soldier? To whom shall he look for protection? Does he look to Jeff. Davis? Does the soldier of the United States federal army look to Jeff. Davis for protection? My God, sir, he is