

they were about to extend that right of suffrage. And it is an acknowledged and well-known fact that they did so; and that was the reason they put that provision in their schedule.

Mr. EDELEN: It would have been more appropriate, if they had used the term "this constitution."

Mr. STIRLING: The gentlemen from Kent (Mr. Chambers) admitted that they had extended the right to persons not previously qualified to vote, but said they had not excluded those who were previously qualified.

Mr. EDELEN: I do not know that the gentlemen can claim that interpretation for the ordinance submitting the constitution of Tennessee to the people. The first section of that ordinance contains this:

"Provided, That no person shall be deemed a qualified voter in said election; except such as are included within the provisions of the first section of the fourth article of this amended constitution."

Unless the gentleman can follow that up and show that the antecedent constitution of the State of Tennessee was different in that respect from their "amended constitution," he cannot claim that they meant to put in any new qualifications for voting; and make it apply before their new constitution went into operation. It is only a way, I doubt not, a very succinct, clear and concise way, they had of describing those qualified to vote on the constitution. It does not appear on the face of the constitution, or from anything which the gentleman from Baltimore city (Mr. Stirling) has brought to the notice of the convention, but that this very identical section referred to in the new constitution of Tennessee was a copy of the section in the old constitution.

But I do not wish to occupy the time of the convention longer. I really think that the question amounts to nothing more nor less than this; that this convention says in so many words that one part of this constitution shall go into operation on the second Wednesday of October next, when it is to be submitted to the people for their ratification or rejection; and the rest of it shall go into operation when the people shall so signify by their votes in its favor. While they submit a part of the constitution, they make the other part, by the omnipotent fiat of this convention, go into operation *eo instanti*.

Since I have taken my seat in this convention, I have heard it conceded by every gentleman who has spoken upon this question, that even apart from that provision in the convention bill, no man upon this floor has ever dreamed of making any portion of this constitution operate as the organic law of this State, until the people by their votes have so declared. This constitution is nothing more in effect than a blank piece of paper, until the people so pronounce.

Now I really hope that this house will be consistent; and as they say they are bound by this convention bill, they will not take a part of it and reject the rest. My amendment is a very important part of that section one of the convention bill, making it the imperative duty of the judges of election to have the voter challenged before they propose this oath.

Mr. CUSHING: I had supposed that the whole debate upon this subject was concluded this morning. I had thought that everything had been said that could be said, about the outrages committed upon the people of Maryland by the government of the United States; the outrages committed upon the people of Maryland by this convention. I had supposed that the whole political and moral question of slavery, and the right and want of right to compensation, had been thoroughly gone over; and that this house had decided definitely that they would not change the provisions for submitting this constitution to the people for their action. With that view I had not intended myself to trouble this house with any more remarks.

But when I find to-night that this whole question is opened again, that this old charge of inconsistency is again thrown back upon us; with no further argument; not one single point touched which was made this morning by the members of the majority of this house; not one single fact which they adduced disproved; but the mere repetition of assertions which, in my humble judgment, are entirely destitute of foundation in law or in fact—under these circumstances I think it incumbent upon me simply to express that opinion to the house, and to give some few reasons why I entertain that opinion.

The gentleman from Charles (Mr. Edelen) has again brought in here the constitution of the United States as it has again and again been brought in here, to be used to defeat measures designed to strengthen the operation of that very constitution. He thought, possibly, that the members of the majority of this house had never read that document, or that they had come here with deliberate intention to destroy it; and that we must go to the delegation from Charles county to be instructed as to what does or does not constitute treason.

Now I will take the definition of treason as the gentleman from Charles has read it to us from the constitution of the United States, and every single thing which a man in this oath in the article on elective franchise, is required to swear he has not done. I contend that the open expression of opinion in this State, in the length and breadth of this land, or of any portion of it, the expression of one single desire that the enemies of this nation may triumph, is treason for which, as one of a jury of twelve men, on the testimony of two witnesses, I would hang any citizen of the United States or any resident of the State of