

no spark of human sympathy about him? I must appeal from the decision of the chair.

The PRESIDENT. The gentleman will state the ground of his appeal.

Mr. MARBURY. It is this: I was explaining my position, which the gentleman from Baltimore city (Mr. Cushing) has misrepresented.

The PRESIDENT. The chair does not understand the gentleman from Baltimore city, (Mr. Cushing) to reflect upon the motives of the gentleman from Prince George's (Mr. Marbury,) in the slightest degree.

Mr. DAVIS, of Charles. The gentleman from Baltimore city stated that the gentleman from Prince George's used certain language, which he (Mr. Marbury) says he did not use. He (Mr. Marbury) claims now the right to state what he did say.

The PRESIDENT. The chair permitted the gentleman from Prince George's to deny the facts stated by the gentleman from Baltimore city. But the gentleman from Prince George's was proceeding to make an argument which the chair did not think was proper.

Mr. DAVIS, of Charles. The gentleman is only repeating what he had said. I would advise the gentleman from Prince George's to call upon the reporter to read what he did say.

The PRESIDENT. If the gentleman from Prince George's did so, the gentleman from Baltimore city would have the right to reply to him. If that is allowed the convention would soon become involved in interminable discussions of this character. If the gentleman from Prince George's thinks his character has been assailed, or his motives improperly impugned, the chair will allow him ample opportunity to correct that. But the gentleman from Prince George's can very readily perceive that if the chair were to permit the discussion to continue, whenever the facts stated by one gentleman, were repeated by another, and his interpretation placed upon them, there would be no end to the discussion. The chair is not aware of any case where it has ever been done or permitted. If the gentleman from Prince George's conceives that his motives have been assailed in any manner by the gentleman from Baltimore city, he will be permitted to make his explanation. But the chair does not understand the gentleman so to say.

Mr. MARBURY. I do consider that my motives have been improperly construed; that the gentleman has represented me as being influenced by motives of inhumanity, motives that would reflect upon me as a christian man, as a good citizen of any State, and under any government. I consider this a reflection upon me.

I was going on to state simply the reasons upon which I based my judgment, to show the gentleman that he could not consistently impute any such motives to me. I was going

on to say that at the time the exchange of prisoners was refused, it was a notorious fact, known all through the country, heralded in every newspaper, you heard it at every turn and corner, that the southern country was in a starving condition, that they had neither bread, meat, sugar, tea nor coffee; that flour was \$200, \$300 and \$400 a barrel; that such was the condition of the southern people. At that crisis, at that very time, there was a proposal for the exchange of prisoners. I say this government ought not to have stood upon a punctilio, but should have delivered these men from their position.

The PRESIDENT. The chair must say that that is a mere matter of difference of opinion, between the gentleman from Prince George's (Mr. Marbury) and the gentleman from Baltimore city (Mr. Cushing.) The gentleman from Baltimore city has as perfect a right to entertain his opinion in regard to the course of the government of the United States as has the gentleman from Prince George's. How the gentleman from Prince George's can draw the conclusion that that is an imputation upon his motives, the chair cannot perceive. The chair does not regard this as a matter of personal imputation at all.

Mr. MARBURY. Very well; I will waive my appeal.

Mr. LANSDALE. I move to substitute the report of the minority of the committee on the schedule, for that part of the report of the majority which relates to soldiers voting.

The report of the minority was as follows:

"The undersigned, a minority of the members of the committee on provisions and ordinances as may be desirable to carry into effect amendments to the constitution, report that they dissent from the report submitted by the majority of the committee.

"First. Because they believe the authority given to soldiers in camp to vote at all elections, will utterly fail to have the effect proposed by those who advocate the measure; on the contrary, as the undersigned believe, it will enable the officers who command the soldiers, to control the votes of those who feel and know the power of their officers, to make them suffer in various ways the penalty of disobedience to their wishes. To a soldier on duty, the first great lesson taught, is obedience to his commanding officer. Military necessity requires a rigid exaction of this duty; it allows of no discussion or discretion. To fail in the smallest respect insures harsh treatment, even in cases where martial law prescribes no specific penalty. It will not be doubted that the only safe approach to the favor of an officer, is to gratify his wishes by voting his ticket.

"Second. But whatever may be the propriety of taking the votes of soldiers or their officers, the undersigned cannot permit themselves to doubt of the concurrence of the con-