

ful and insidious, than open, generous, or brave. Their arts are more to be feared than their arms. The public may sustain much injury, if to dissuade or discourage men from entering into the service be not considered as a misdemeanor, and liable to some punishment. The cunning secret enemy may, by magnifying the dangers of war, the fatigues of a campaign, and the sufferings of the soldiery, deter and prevent many from engaging in the service. From these observations we flatter ourselves with your honours concurrence to that part of our bill.

To her internal enemies America is in great measure indebted for the present unnatural war. They diligently labour to work the destruction of their native country. Every illiberal device, every mean ungenerous stratagem is practised. A liar is one of the most detestable of characters. To publish a falsehood to the injury of an individual, has ever been held a great offence, at all times and in all ages, not only by the civilized and polished nations of Europe, but by barbarians and savages. Is it then no offence *maliciously and designedly* to publish and circulate false news, which may prove fatal to a whole community? We consider the political tale-bearer, circulating his slander, as a dangerous foe. We only lament the difficulty of bringing him to punishment. The intention and malice will be seldom proved. Your honours will, it is hoped, concur therefore in this part of our bill.

We cannot assent to your proposal of striking out of the bill the oath of fidelity and support to this government; the obligation on disaffected persons (if required) to take it; their incapacity, on refusal, to hold offices; and the power invested in the general court to order their departure from this state, if adjudged dangerous to reside among us. We retain our opinion that the members of both houses, of the council, and all civil officers of this state, ought to take the same oath of fidelity. This house are at a loss to conceive the reasons which influenced your honours judgment. It remains a question whether the oath proposed was improper, whether your honours conceive that no test is necessary to distinguish whigs from tories, friends from foes; and whether the oath is such a one as ought to be taken by your honours, and this house and the civil officers of government. The whole is objected to, and we infer that no amendment could render the oath, or the bill in those parts, perfect, or doubtless your honours would have proposed amendments. This house conceive the oath in the bill the proper evidence and test of fidelity. The oath directed by the form of government must have your honours hearty approbation. By taking that oath your honours renounced any allegiance to the king of Great-Britain, and swore to be *faithful* and to bear *true allegiance* to the *state* of Maryland. It is apprehended by this house, that the oath proposed extends no farther, and contains no more, than is *implied* in the oath prescribed in the form of government, and is only explanatory of those duties of the subject which are couched under terms technical and legal, not obvious and plain to the common understanding of our people. In endeavouring to point out, in plain and explicit terms, the duty and obligation of the subjects of this state, we have imitated the example of our ancestors. Should we be mistaken on this subject, your honours are well able to inform us. The oath proposed is similar to the oath long taken in this state to the old government, and we doubt not your honours would require from each subject of this state, the same security and evidence of his attachment to our new government, which he readily yielded and paid to the old.

This house are of opinion, that it is high time that some test should be established to discover, if possible, our internal and secret foes. We have made an appeal to the conscience to discover the political principles of the owner. We are perfectly satisfied your honours ardently wish to find out the enemies of our peace and happiness, and would cordially join with us to bring them to punishment. If our attempt by a test oath is improper or defective, your honours will doubtless propose some more effectual mode. In this too we have followed the conduct of our ancestors, adopted at different periods of time, where the prerogatives of the crown, and the liberties of the subject were best understood, when the duty of the one and the obligation of the other were fully explained and settled. Our association was intended as a test, but proved defective.

This house cannot but be of opinion, that the oath is not only proper as a test of the disaffected, but that it ought to be taken by the members of both houses, the council, and all civil officers of this government. To this your honours object. We beg leave to remind your honours, that our present governor, at his qualification, took the oath of fidelity prescribed in the form of government, and also an oath exactly similar to the one in the bill, in pursuance of the directions of this general assembly. We beg leave further to remark, that by a law passed a few days ago, all future governors must qualify themselves for their office by taking the same oath. What is your honours opinion of the obligation and duty of the subjects of this state who take the oath of fidelity and allegiance prescribed in the form of government? Will your honours be pleased explicitly to inform us of your opinion on this head? Are your honours of opinion, that the oath taken by the governor contained more than the oath prescribed by the constitution? If the oath is the same in substance, and only explains and expresses what is implied, what is the objection to it? If it contains greater duties, and is a stronger evidence of attachment and fidelity to our government than the oath directed by the constitution, and was necessary to be taken by the supreme magistrate, we are not able to discover why it should not be taken by your honours, this house, the council, and all the civil officers of this state. We presume such an oath was  
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