

preventing legal votes or procuring illegal votes to be given (and if a governor, senator, member of the house of delegates, or judge,) that I will not directly or indirectly receive the profits or any part of the profits of any other office during the term of my acting as \_\_\_\_\_; I do, further, swear or affirm that I will bear true allegiance to the State of Maryland, and support the constitution and laws thereof, and that I will bear true allegiance to the United States, and support, protect and defend the constitution, laws and government thereof, as the supreme law of the land, any law or ordinance of this or any State to the contrary notwithstanding; that I have never directly or indirectly by word, act or deed given any aid, comfort or encouragement to those in rebellion against the United States or the lawful authorities thereof, but that I have been truly and loyally on the side of the United States against those in armed rebellion against the United States; and I do further swear or affirm that I will, to the best of my abilities, protect and defend the Union of the United States, and not allow the same to be broken up and dissolved, or the government thereof to be destroyed under any circumstances, if in my power to prevent it, and that I will at all times discountenance and oppose all political combinations having for their object such dissolution or destruction."

The question was upon the amendment submitted by Mr. STIRLING, to the amendment moved by Mr. SCOTT.

Mr. JONES, of Somerset. I regret very much that the convention and the committee that had charge of this subject, had not felt it compatible with their duty to adopt the oath of office which the preceding convention, composed of very able and wise men, deemed sufficient for all useful purposes in the administration of the government of this State. I think if our friends will review their historical reading, if they will even look back over the pages of the history of the English civil wars, they will find abundant reasons to abstain from incorporating into their organic law, any such provisions as are embraced in the oaths now attempted to be inserted in this constitution.

These things are not new. The pages of history are full of such instances. You are but following in the footsteps of those who have gone before you, who were actuated by high feelings of party resentment and passion, and who have lived to regret that when in power they had not set an example of justice, moderation and magnanimous forbearance. We are making a constitution, and prescribing an oath of office for all time to come, or until another sovereign convention shall be called to alter it. We are not legislating for what I hope is but a transitory trouble, great and calamitous as it is while upon us. And we are not in a condition to regulate these

matters which are immediately upon us, with that calmness, that sense of justice, propriety and magnanimous forbearance which become legislators. Therefore, it is that I regret to see the disposition to adopt such measures as have been presented here for consideration.

In the amendment offered by the gentleman from Baltimore city (Mr. Stirling,) to one of the sections of this report, he has enumerated no less than ten distinct political offences, which are to disqualify a man from voting in the State of Maryland. He assumes by his amendment that there are now in the State of Maryland enjoying the right of suffrage under the present constitution, ten distinct classes of persons who deserve to be disfranchised from hereafter exercising that right. They are to be put upon an equality with free negroes; they are to be under a government by others, in which they are to have no voice, in which they are not to be allowed to participate in any shape or form. I have looked over the provision very carefully, and I find the following classes of offenders named:

1. A person who has at any time been in armed hostility to the United States, or the lawful authorities thereof.
2. Or who has been in any manner in the service of the so-called Confederate States of America.
3. A person who has voluntarily left this State and gone within the military lines of the so-called Confederate States or armies, for the purpose of adhering to said States or armies.
4. A person who has given any *aid, comfort, countenance or support* to those engaged in armed hostility to the United States.
5. Or in any manner adhered to the enemies of the United States, either by contributing to the enemies of the United States, or unlawfully sending within the lines of such enemies *money or goods, letters or information*.
6. Or who has disloyally held communication with the enemies of the United States.
7. Or who has advised any person to enter the service of the said enemies.
8. Or who has aided any person to enter.
9. Or who has by any open deed or word, declared his adhesion to the cause of the enemies of the United States.
10. Or his desire for the triumph of said enemies over the armies of the United States.

Now, if that were embraced in the criminal law of the State, no lawyer could frame an indictment without naming ten distinct offences to be recognized and punished. And in fact under some of these heads there must be four counts in the indictment, because there are four offences embraced under some of the heads which I have enumerated.

Now, in the first place, if there are citizens in the State of Maryland, as is assumed by this amendment, who are guilty of offences deserving this disfranchisement and inca-