

then perhaps released, because the man could not be found base enough to produce one? This, Mr. President, is the way the prisons are filled to overflowing with State prisoners, and all is done in the name of *loyalty*.

And yet we are called upon, after a bitter experience of nearly four years, by solemn constitutional provision to indorse this cruel policy, and stultify all those fundamental principles in our bill of rights which we have asserted underlie all good government. We are gravely asked to put a Procrustean bed in this constitution, not one to accommodate the masses of the citizens of the State, but one only suited for the purposes of the bloody war-loving few, and which others must be cut to fit. In the name of the constitution of the United States, and of the declaration of our independence, in the name of civil and religious liberty, in the name of humanity everywhere, I enter my solemn protest against the incorporation into the organic law of this State, of a principle so much at war with all the teachings of civilization and Christianity.

If this word "loyal" is not intended to convey all the power and significance I have supposed will be given to it, why put it in the constitution? If it only means that traitors to the State or Federal Government shall not vote, it is useless, because a much severer punishment than a disqualification to vote has been provided already as a punishment for traitors; a punishment admitted to be just on all sides; a punishment absorbing the disqualifications of every kind; *the punishment of death*. To suppose that the drafters of this report would provide a less punishment for so grave a crime as treason, without the heavier penalty being first repealed, is to suppose them guilty of an absurdity; a charge which the ingenuity and knowledge of the force of language displayed in this report, would entirely disprove, were I even disposed to make it against gentlemen of so much general intelligence.

If this proposition is not then intended to cover the crime of treason, which we have seen has been abundantly provided for, both as to the nature of the penalty, and the mode of proof, I think we may safely infer that it will be construed to cover the cases I have cited. If that is its object, and if thereby it is a power to be wielded indirectly to point out for punishment persons of different political sentiments with the accuser, will not its adoption have the effect to establish an inquisitorial power in the State, which it will need only the guillotine and a Robespierre to perfect, *a la mode* the French revolution?

Think of the consequences of this apparently trivial alteration, or insertion in your constitution of the word "loyal," and tell me if I have exaggerated them. Think of the injustice and wrong both to State and individual that may follow. Put this test oath

in your constitution, and at no distant day you will have some candidate for office, with his soldiers stationed at every poll, arresting and driving off all those who dare oppose his election. Instead of a government founded on the sovereign power of the people, we shall have a military despotism; instead of *right* being the rule of action, *might* will usurp supreme control.

The history of other nations tell us that revolutions do not go backward. They either accomplish the purpose for which they were started, or else they overthrow the whole form of government, and erect some other in its place. It was so in England, in France, Russia, and other countries. It will be so here. If you violate some vital principle of the constitution of the United States, other States will argue thereon the right to do the same, until finally there will be nothing left but the skeleton of the original instrument; its soul and spirit will have departed. There will be none so low as to do it reverence. The revolution will be complete, and the old constitution which has so long borne these sovereign communities like a ship of State, mid storm and mid calm, in triumph to the haven of peace, and prosperity, and happiness, will go down to rise no more.

Whilst there is yet life in the old land, fellow-countrymen, and Mr. President, before it is too late, let us rouse ourselves to the magnitude of the great work that is before us. Let us resolve there shall be peace, and not barter away our rights for the mere mess of pottage we might get from Washington. Let those long-tried principles of constitutional liberty and free government still be objects of our affection and love; let us grapple them with hooks of steel. Let us bury all party issues, and cry "all hail," "all hail," to the chieftain who in triumph advances from the great north or west, to restore peace to our distracted country.

Mr. SANDS. If it were not for my peculiar position, as chairman of the committee on elective franchise, I should not say one word in reply to what has been urged here to-day; not one word. But having listened to the bitter denunciations of those who for the present administer the government under which I live, and to which I owe my allegiance, I should be unworthy its blessings, if I kept my lips closed, and refused to utter a word in their vindication. We have heard talk here of a character which would impress strangers in this State and in this country with the idea that there were two classes of people in this country, the loyal and the disloyal; and that of all the oppressed, wronged, down-trodden people on earth, the disloyal were the worst off. The remarks of the gentleman from Prince-George's (Mr. Marbury) require me to do what I would not otherwise do.

What does the general tenor and spirit of this report demand of a man? Whom does