

Mr. PUGH. Cannot the people unite before they make a constitution?

Mr. CHAMBERS. Just as much as you unite before you make a convention.

Mr. PUGH. That is a union; isn't it?

Mr. CHAMBERS. I said so. That is not my proposition.

Mr. PUGH. I said that the people were above the constitution; and they must unite before they can make a written agreement.

Mr. CHAMBERS. Very good; but the gentleman's idea is certainly very crude. I do not know whether we can agree upon terms or not; but at the rate gentlemen go here—we have had steam, I know, some time ago, and almost everything except ballooning; and I think we have had some ballooning lately. I take the ground distinctly that there is not an officer of the government who can hold his position for one half hour except by virtue of the constitution. If there is no constitution, if the constitution is dead, as the gentleman told us, and if we are under military

Mr. PUGH. I never said that. I only suggested that it might be possible in the future.

Mr. CHAMBERS. Under what authority then does the government arrest men and take them away, and so with a dozen different instances of the violation of the constitution? You justify it;—how? Come; stand up and say like a man—how?

Mr. PUGH. Military necessity.

Mr. CHAMBERS. That is it; outside of and against the constitution.

Mr. PUGH. Not necessarily.

Mr. CHAMBERS. No doubt but the gentleman is honest in his view. But how would he get along with his doctrine if the peace party or the Jeff Davis party should some day prevail? It is all nonsense—it is bosh—to be talking about the Union, and the necessity of preserving the Union. If it were not a tragedy there would be something like a farce in this matter. What does the gentleman tell us? This constitution may yet be trampled under foot. This tabernacle, this shell, this bark, is to be utterly abolished, to pass down to posterity the blessed government which our ancestors have made.

Mr. PUGH. I did not say the government; I said the nation—the people.

Mr. CHAMBERS. Well, sir; the nation. What is the nation? There are nations of all sorts. There are Hindoos, Hotentots, Seminoles, and all sorts of people. Is it that sort of thing? Or what is it? I have a notion—it seems I am wrong—that the government of this nation is to be perpetuated because it secures to its citizens the largest enjoyment of civil liberty consistent with government. I can make this declaration too, not in the words of the gentleman, that I would trample the constitution under foot, but that whenever it shall be the case that this constitution is so destroyed as to be su-

perceded by military necessity, meaning thereby the right to commit the acts which have been enumerated by my friend from Somerset, when that comes to be the Union or the government under which I am to live, I want to go beyond this shore, across the Atlantic, and find a domicile somewhere where its parchment is respected. Whenever the parchment—thereby meaning the solemn, the sacred, the fundamental principles recorded upon it—becomes the subject of jeer and jest, and scorn, threatened to be made cinders of, or trampled in the dust, this nation has no charms for me. I desire to go where I may know what are my rights; and where, knowing them I can have them protected. The idea of violating the constitution, treading it under foot, to secure liberty to those who are to come after us, is an idea which is not a very beautiful one, but is certainly the most offensive one I have heard upon this floor.

Now, sir, a word about the propriety of this proposed oath. At the proper time I shall propose the entire separation of the latter part of it. As I have taken some pains distinctly to express, our allegiance is due to the constitution; and if there be any sense in which it is due to the government, it is due to those authorities which constitute the government by virtue of the constitution. But who would recognize under these words, allegiance to the constitution and the laws made in pursuance thereof? Well may it be remarked, *Tempora mutantur et nos mutamur in illis*. Is it intended to mean anything more by the word "government?" With regard to the oath I have heretofore taken I have not a word to say. I have sworn *ex animo*, and I stand here in the presence of this house and of my God to say that I have never violated it. I throw into the teeth of the calumniator the falsehood of any expression to the contrary. I am willing to take it again. I mean to obey the constitution and the laws; and at present I do not know of anything that could tempt me to violate it.

I object to this then, because it is unnecessary. If the government consists of the constitution and the laws made under it, it is unnecessary to repeat it. It is unnecessary to put the same oath in various forms.

But gentlemen have given the strongest reasons for the latter part of this oath, excluding sympathizers with the offenders against the government. They say that in their own consciences men know whether they have violated this or not. Why should there be any appeal to any man's conscience? He has to go before the public authorities and make an oath in a set form, a precise formula of words, which he has no authority at the time to say he interprets thus and so, a form which he knows those who administer it mean to have a different sense from that in which he takes it, while in his judgment and