

and if the South had been a unit upon that subject, the North never would have made war, and the rights of the South would have been maintained. I believe that a proper executive officer in the State of Maryland could have done more at that time to preserve the Union than any other man in the country; and, in my judgment, could have saved the Union. For we know now, when we look back to the history of those days of passion and excitement, that when the President of the United States had under discussion the question of peace and war, Secretary Chase was opposed to war, as well as a number of other northern men whose voices were heard imploring for peace. And, sir, what brought on the war? A small coterie of governors from the northern States, and some men in the border States who styled themselves Union men, as Andrew Johnson, of Tennessee, and others like him, called upon the federal authorities to apply force to put down the rebellion. And when this question is settled—I know not how it may be, but I hope it will be settled honorably to all parties and all men—when that is done, and we know all the facts, in my humble judgment, it will be found that the Union men of the border States did more to bring about this war, this sacrifice of blood and treasure, than even the men of new England—certainly more than Secretary Chase, and those who acted with him upon that question. I go further, and say, that the State of Maryland, manacled and chained, saw at that time great events transpiring around her, and was permitted not even to articulate a word, except as uttered by her Governor, who declared “he would see his right arm wither before it should ever be raised against his southern brethren,” at the very time when he was allied with, and immediately afterwards known to be in council with those who precipitated a civil war upon the country. Why not, in this the first utterance which Maryland makes through a sovereign Convention, let her speak something worthy of her independence and dignity as a State? Why bring her in meek and lowly submission before the throne of Federal power, and make her utter, through a bill of rights, a sycophantic confession of *paramount* allegiance on the part of her people to the Constitution and Government of the United States, which no State in the Union has been senile enough to offer, or so forgetful of the principles of FREE government as to tolerate in its organic law. It is a spectacle of infantine weakness which astounds me more than anything that I have yet witnessed in the chapter of Maryland's history; for the reason that this professes to be the free will offering of men who have recently sworn “to bear true allegiance to the Constitution and Government of the United States and the State of Maryland,” and not *paramount* allegiance to the former. My only explana-

tion of this course of the committee is this: “Little stars wish to reflect the light of the larger planets around which they revolve.” And I should like to ask the gentleman from Baltimore city whether it originated in his brain, in the brain of the gentleman from Allegany, or the brain of the gentleman from Worcester, or the brain of the gentleman from Caroline. If I might be permitted to guess, to use a Yankee privilege, and gentlemen will remember now that I make no charge—I should say that it bears the evidence of the inspiration of a certain gentleman whom the Senator from Frederick last winter announced upon the floor of the Senate, in open session, was using his influence to place the notable Don Piatt—notable abroad as well as here—in command of the State of Maryland, with a view to carry out the purposes of those who were to call this Convention together.

MR. STIRLING. If the gentleman will permit me, I will say that the gentleman he alludes to never saw a word of this article unless he has read it in the newspapers.

MR. CLARKE. I make no assertion; but I say it bears the ear-marks of a certain Cooper Institute speech delivered in New York city; and the doctrine which the chief legal adviser of Col. Piatt announced last November, in the Military Headquarters at Baltimore, when the subject of allegiance underwent discussion there. Sir, the doctrine surpasses even the famous *Schenck* standard of loyalty. What is that? He says, in an order, dated October 27, 1863:

“It is known that there are many evil disposed persons, now at large in the State of Maryland, who have been engaged in rebellion against the lawful Government, or have given aid and comfort or encouragement to others so engaged, or who do not recognize their allegiance to the United States, and who may avail themselves of the indulgence of the authority which tolerates their presence to embarrass the approaching election, or through it to foist enemies of the United States into power. It is therefore ordered:

“1. That all provost marshals and other military officers do arrest all such persons found at or hanging about, or approaching any poll or place of election on the 4th of November, 1863, and report such arrest to these headquarters.”

That is what General Schenck says. He says nothing about *paramount* allegiance. Now I recognize an allegiance to the Constitution and Government of the United States, within the limits of the powers conferred upon that government by the Constitution. And then follows the form of oath, showing that this is no dogma even of this administration. The issue was made, and to a very great extent by the very same gentleman I have already alluded to. It is a doctrine—and here I particularize no individual of a set of