

we cannot do more, we can do no less, than enter this, our solemn protest, against the said acts of the President of the United States, and declare the same to be gross usurpation, unjust, oppressive, tyrannical and in utter violation of common right and of the plain provisions of the Constitution.

*Resolved, 2.*—That the right of separation from the Federal Union is a right neither arising under nor prohibited by the Constitution, but a sovereign right, independent of the Constitution, to be exercised by the several States upon their own responsibility.

*Resolved, 3.*—That prudence and policy demand, that the war now being waged, shall cease, that if persisted in, it will result in the ruin and destruction of both sections, and a longer continuance of it will utterly annihilate the last hope of a reconstruction of this Union; therefore we want peace, and are in favor of a recognition of the Southern Confederacy and an acknowledgment of its government.

*Resolved, 4.*—That we deem the writ of Habeas Corpus, the great safe-guard of personal liberty, and we view with the utmost alarm and indignation, the exercise of the despotic power that has dared to suspend it in the case of John Merryman, now confined in Fort McHenry.

Were taken up, read the third time, and put upon their final passage.

It appearing that no quorum voted,

On motion of Mr. McKaig,

A call of the Senate was ordered, when the following Senators answered to their names:

Messrs. Blackistone, Duvall, Franklin, Gardiner, Lynch, McKaig, Miles, Smith, Stone, Townsend, Watkins, Whitaker—12.

On motion of Mr. Miles,

Further proceedings under the call were dispensed with.

On motion of Mr. Duvall,

The Resolutions were considered *seriatem*.

The question was then taken on the first resolution.

It appearing that no quorum voted,