

None of the rights of the States is more important to them than the right of representation in the Senate of the Union. It is a vital part of the Constitution guarded with peculiar care alone of all its provisions made irrepealable and perpetual. The qualifications of the Senators are ascertained by clear and precise definition in the Constitution.

Congress has assumed to add others by legislative enactment thereby to create disqualifications unknown to the Constitution, and abridge the Constitutional freedom of election by the States. The entire right is now imperilled, the proof which the statute prescribes is rejected, and a majority in the Senate denied by the Constitution any authority to expel a Senator, has assumed the powers to exclude him.

By such means a mere majority of small States may exclude from the Senate all the great States of the Union.

A great wrong is done in this proceeding to the State of Maryland, and to the Constitution of the United States, but it is a wrong against which the Constitution has no defence, and for which it affords the State no remedy. The place of Senator Thomas is vacant in the Senate of the United States, and the law requires this General Assembly to go into an election to supply the vacancy, on Tuesday, the third of March next.

The Committee submit that the General Assembly should enter the protest of the State against this proceeding of the Senate of the United States. They propose the following joint resolutions:

Protest.

*Resolved*, That the General Assembly of Maryland make this their earnest and solemn protest against the proceeding in the Senate of the United States, whereby a Senator elected from this State and duly qualified has been excluded from the Senate.

Vindication.

*Resolved*, That the foregoing statement and this protest be transmitted to the Legislatures of the other States now in session; that they may judge what notice it merits from them in vindication of the Law, the Constitution and the common rights of all the States.

*Resolved*, That as the action of the Senate has created a vacancy in the representation of this