

war than that declared in 1861, in which state's rights had been guaranteed and the desire expressed to preserve the Union according to the ante-bellum conditions.³⁴ Mr. Sands, of Howard, well expressed the position of the majority members by saying: "It comes to the question whether you will give to the loyal people of the state of Maryland the power of the state, or whether you will allow the secessionists to force them to the wall and make them give up all their rights under the Constitution and the government or drive them from the state. For one, as a Union man, holding my allegiance to the government straight through, I prefer to be one of the men that shall live in Maryland."³⁵

On August 5, Mr. Chambers, on behalf of the thirty-five minority members, presented a protest signed by all of them, in which they strongly condemned these various resolutions. In this protest they stated that the delegates to the Convention "were elected under a law of the state, to form a new constitution of civil government to be submitted to the people, and not to invite the inauguration of an unlimited military despotism in the state." The resolutions were condemned as being in direct conflict with many provisions of the Declaration of Rights as lately adopted. The protest closed by saying: "In behalf of the people we represent, and of all the peace-loving and law-abiding people of Maryland, and in behalf of all the fundamental principles of civil liberty and constitutional government, we enter this, our formal protest, against the said action of the said delegates to this Convention."³⁶

The majority stigmatized this protest as discourteous to the Convention, and it was refused a place upon the journal by a vote of 42 to 26, although several of the Union members opposed this latter action, and five of them voted with the Democrats.³⁷ This closed the incident.

³⁴ Proc., 273-5.

³⁵ Deb., ii, 826. For debate on the various resolutions, see Deb., ii, 800-1, 820-31.

³⁶ Deb., ii, 1128.

³⁷ Proc., 397; Deb., ii, 1126-38.