

from the same spirit which prompted the resolutions now under consideration; that of fear. I therefore vote "no."

Mr. SANDS. I wish briefly to explain my vote upon this amendment. I should have voted for it in 1861, because it was then the policy of the government. And I honestly and sincerely believe that if our friends, whose sympathies with the government are not so strong as they might be, had turned in and then adopted that policy in the border States, this war would have been over by this time. They did not do so; events have changed, and the policy of the government has changed accordingly. I shall stand by the government, and I vote "no."

Mr. DAVIS, of Charles, asked a separate vote upon the preamble and resolutions, which was ordered accordingly.

The question was upon the first resolution, which was read as follows:

*Resolved.* That this convention, on the part of the loyal people of Maryland, demands of the government of the United States, that all adult citizens of this State who shall refuse to register on oath their allegiance, submission, and obedience to the United States, and thus persist in the position of public enemies, and all persons who shall be proved to have taken part with or openly expressed their sympathy with the recent invasion of the State, shall be banished beyond the lines of the army or imprisoned during the war."

Upon this question Mr. JONES, of Somerset, called for the yeas and nays, which were ordered.

The question was then taken by yeas and nays, and resulted—yeas 41, nays 16—as follows:

*Yeas*—Messrs. Goldsborough, President; Abbott, Annun, Barron, Brooks, Carter, Cunningham, Oushing, Daniel, Davis, of Washington, Earle, Ecker, Galloway, Greene, Hatch, Hoffman, Hopkins, Hopper, Keefer, Kennard, King, Larsh, Markey, McComas, Mullikin, Murray, Negley, Nyman, Parker, Pugh, Russell, Sands, Schley, Smith, of Carroll, Sneary, Stirling, Stockbridge, Swope, Sykes, Wickard, Wooden—41.

*Nays*—Messrs. Belt, Chambers, Crawford, Dail, Davis, of Charles, Dent, Harwood, Henkle, Hollyday, Johnson, Jones, of Somerset, Lee, Mitchell, Miller, Morgan, Smith, of Dorchester—16.

The resolution was accordingly adopted.

The question recurred upon adopting the following resolution:

*Resolved.* That the President of this convention transmit certified copies of this preamble and resolutions to the President of the United States and to the commanders of the military departments in which Maryland is embraced."

The question being taken, the resolution was adopted.

The question recurred upon adopting the preamble.

Mr. BELT asked the question be taken upon each clause of the preamble separately.

The PRESIDENT directed the question to be taken accordingly.

Mr. STIRLING. I rise to a point of order. The division can only be made where, if one part is rejected, the other contains a distinct substantive proposition for the action of the convention. Now, if the first portion of this preamble is rejected, the sense of the whole is destroyed. The mere fact that the word "whereas" occurs once or twice, or more times, it does not make so many substantive propositions. The preamble is a substantive proposition by itself.

If the chair will examine the preamble, he will see that the entire preamble contains but one substantive proposition. Suppose the first part is rejected, how will the second apply to the resolutions that follow? "Whereas the experience of the past two weeks shows that the presence of such persons"—What persons? Why, the persons referred to in the first part of the preamble, which is rejected. It is a continuous sentence; not a breach in it, from beginning to end.

The PRESIDENT. If that is the true interpretation of the preamble, then it is not susceptible of division, under the fortieth rule, which reads as follows:

"Any member may call for the division of a question, which shall be divided, if it comprehend propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the convention."

Mr. BELT. Because the gentleman chooses, by not observing the proper method of drawing a preamble, to mix up half a dozen propositions in one sentence, I take if that should not deprive any member of this house of the right of having a separate vote on each proposition.

Mr. CUSHING. I would suggest that perhaps the house does not want the preamble divided. I am willing to leave it to the decision of the house.

Mr. STIRLING. It seems to me that if a preamble chooses to detail a series of facts in one connected sentence, the only way to get at it is to move to strike out a certain fact. That is an amendment, not a division.

Mr. BELT. But the opportunity to strike out is denied to us by the previous question.

Mr. MILLER. If this last clause of the preamble is stricken out, that leaves a substantive proposition. And that is all that the rule requires, according to my construction of it.

The PRESIDENT. The only question with the chair is whether it is for the chair to decide that question, or for the convention.

Mr. STOCKBRIDGE. How can it be brought