

allegiance, submission and obedience to the United States," and that "to banish beyond the lines of the army, or imprison during the war, persons who shall not have been duly tried and convicted of some offence, to which such punishment is affixed by law, and to carry into effect the said order, would be a palpable and despotic usurpation of power, would endanger the security of the life, liberty and property of our citizens to the certain injury of every material interest of the State thus threatened with all the horrors of anarchy.

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.

E. F. CHAMBERS,
SPRIGG HARWOOD,
THOMAS LANSDALE,
D. C. BLACKISTON,
JOHN LEE,
JOHN BROWN,
GEORGE S. HOLLYDAY,
GEORGE PETER,
E. P. DUVAL,
OLIVER MILLER,
R. H. EDELMAN,
JOHN W. MITCHELL,
P. DAVIS,
EDWARD W. BELT,
S. H. BERRY,
JAMES T. BRISCOE,
JOHN TURNER,

FENDALL MARBURY,
THOMAS J. DALL,
WM. B. BOND,
JOHN O. HORSEY,
ISAAC D. JONES,
DANIEL CLARKE,
E. J. HENKLE,
C. S. PARRAN,
ALWARD JOHNSON,
WASH. A. SMITH,
JAMES U. DENNIS,
A. J. CRAWFORD,
THOMAS J. HODSON,
PERRIE WILMER,
GEO. W. MORGAN,
JOHN F. DENT,
CHAP. BILLINGSLEY,

W. H. GALE.

Mr. CHAMBERS, after reading the foregoing, said:

I have nothing more to say, except to move that it be ordered that this protest be entered upon the journal.

Mr. SCHLEY. This paper is discourteous to this body. I therefore move to lay it upon the table, and be entered neither upon the journal, nor upon the debates.

Mr. CHAMBERS. Is that motion cognate to the one I have submitted? Must there not be a motion to amend, or to substitute, to supersede the vote upon the order I have submitted? I hope the house will vote upon the motion I have submitted.

Mr. CLARKE. I would raise this point, that the motion to lay upon the table of itself presupposes that the matter to be laid upon the table has been received by the convention. Now, is it competent for this house to receive this protest and make any disposition of it, without permitting it to go upon the journal?

The PRESIDENT. Being a part of the proceedings of the house, it would go upon the journal, as a matter of course, unless the house otherwise directs. In the present case the gentleman from Kent (Mr. Chambers)

presents a protest. The presentation and reception of that protest would carry it upon the journal, unless some other direction is made by the house. The gentleman from Frederick (Mr. Schley) moves to lay the protest upon the table. That being a privileged motion, the question will be first taken upon it.

Mr. PUGH. The motion of the gentleman from Kent, being in the nature of a request of the convention that this paper be entered upon the journal, if that motion be laid upon the table, is that not a practical denial of the request?

Mr. STIRLING. As I understand the proposition of the gentleman from Kent, it was simply submitting to the convention the question whether they would permit a certain protest to go upon their journal. And the question now is—shall this protest be entered upon the journal?

Mr. CHAMBERS. The gentleman is under a misapprehension. The chair announced that orders and resolutions were in order. I then distinctly moved that it be ordered that this paper be put upon the journal. I have no objection to having that order laid upon the table, for that of course accomplishes the only purpose I have in view.

The PRESIDENT. This chair so understood the gentleman.

Mr. SCHLEY. If that is the attitude of the subject before the house, then I will withdraw my motion to lay upon the table, with the understanding that the question is whether it shall be entered upon the journal or not.

The PRESIDENT. This is in the character of a privileged communication. Any member has an unquestioned right to have his views entered upon the journal, unless the house shall consider that what is contained in the paper is improper to go upon the journal. That is a matter for the house to determine. Of course the motion of the gentleman from Kent, that this paper be entered upon the journal, will bring up the question directly before the house.

Mr. SCHLEY. I will then withdraw my motion to lay on the table.

The PRESIDENT. I presume the gentleman in the opposition desire simply to place their views upon the journal?

Mr. CHAMBERS. That is all.

Mr. DANIEL. Would not those views go upon the journal as a matter of course, and would it not be necessary by a direct vote to exclude it from the journal, if it is desired to keep it from the journal?

Mr. RIDGELY. I look upon this question precisely in the respect in which the chair has stated it to the house. It is in its nature a question of privilege, which attaches to every member of a deliberative body. Each member has a right to ask that his views may be put upon the journal.