

One remark is obviously suggested upon this communication, taken as a whole—that the inquiry which you make, in behalf of your committee, from my colleague and myself, is far wide of the apparent object presented by the order under which you have proceeded, and instead of calling upon us to aid you in gaining a knowledge of our *own* “proceedings,” upon a very different matter,—“General Nathan Towson’s memorial to the United States Senate, when a nomination to fill the vacancy occasioned by the death of General Alexander Macomb was before that body,”—you apply yourselves *first* to us, for the reasons and the circumstances under which the claims of General Towson were overlooked by the Senate,” on the occasion of their confirmation of the nomination of General Wool. For the one purpose, entirely personal to themselves, the Senators of Maryland might, perhaps have had but little hesitation in yielding to any *joint* request of the two Legislative branches, which compose the General Assembly of Maryland, in cases wherein no constitutional obstacle interposed, as it regards their own rights and independence, or forbade them to reveal the proceedings of the Senate. But, for a disclosure of the reasons, opinions or arguments, urged by Senators, in secret session, they could find no warrant or excuse but in a previous resolution of their body for the publication of them, without which they would incur punishment and disgrace.

This serious difficulty could not surely have occurred to the Honorable House of Delegates, when passing the order under which you act, and must have been no less overlooked by the committee, when they instructed you to make the request, which we have had the honor to receive.

By the Constitution of the United States, each House of Congress is invested with a power to determine the rules of its proceedings; and, amongst the rules established by the Senate, and approved, is that which keeps secret its proceedings on Executive nominations to office, until the injunction be taken off by a formal vote, and any exposure of information or remarks touching the character or qualification of persons nominated is expressly forbidden.

Seeing me, therefore, under these prohibitions and restraints, the House of Delegates of Maryland will, I trust, excuse me from a compliance with their request, as transmitted by you, to inform them of the reasons which governed the Senate of the United States, or were urged by any members of it, when they confirmed the nomination of General Wool; and they will be disposed, I am sure, on mature reflection, to rid me, in their most generous thoughts, of all suspicion, which the object presented by their order seems necessarily to imply, of a desire to conceal any proceedings on the part of the Maryland Senators, “as regards the matter of General Towson’s memorial, of which you speak, when I assure that honorable body, that whatever may have occurred upon any such memorial before the Senate of the United States, or in any of its committees, yet remains confidential, under its