

separable to some extent from popular elections, under ordinary circumstances, and the lawlessness, outrages, and crushing violence of a powerful, reckless, and irresponsible organization; and then to act. This I have done, and I willingly assume that responsibility.

In authorising the use of the military, the Executive necessarily acts as Commander-in-chief, but under the Constitution, he cannot, of his motion, forego in the minutest degree, his civil capacity. In ordering out the military and directing the enrolment of militia he is only acting as a civil officer. The direct military command of the forces must be in the officers commissioned by him. And the extreme resort to be determined upon in the actual emergency, is left entirely to the judgment and discretion of these officers. Thus it will be seen that "in all cases and at all times," the military is, literally and virtually, in "strict subordination to, and control of, the civil power."

Before leaving this unwelcome theme, allow me to declare frankly by what motives I have been impelled thus to discuss it at some length. I might very justly have employed this occasion for the vindication of my personal honor. I have been wantonly traduced; and no terms seem to have been too vile, for a portion of the public press, in characterizing the arrogance, ambition, wickedness and folly ascribed to me. But in the present state of society, these things are too common to excite resentment, and generally too groundless to command credence. I do not presume to enlist your attention to any mere personal considerations; a proper sense of the dignity of the Executive office itself, has alone induced me to examine and refute the errors, which have been assiduously diffused in reference to my official acts. I was determined that it should not be truly said of the Governor of Maryland, during my administration, that he had transcended his authority; "declared martial law," made the civil subject to the military power; invaded the rights of a chartered city; or done any one of the illegal acts attributed to him. I leave these fabrications with those who originated them; to reconcile their ignorance or mendacity, if they can—with the simple but incontrovertible truths which I have felt it my duty thus to spread before you.

I have thus employed this occasion for a personal as well as an official exposition of popular error, because it is the proper and only channel through which the Executive of the State can consistently communicate with the people. He controls no organ; has no relations with the press; and should desire neither. It is his province to wait his opportunity, and in communication with the representatives of the people, command the ear, and solicit the reason of the people themselves.

MILITIA—THE PUBLIC ARMS.

I herewith submit a communication from the Adjutant General of the State, to the Executive, in reference to the present condition