

tion of the Mayor or the Chief Judge of the City or County Court respectively; and, after so doing, are required to act on their own authority only, until the orders of the Commander-in-Chief (the Governor) shall be known."

We cannot understand how it can be a matter of doubt, in the face of these provisions, that the Governor is the ultimate authority, by whose orders the action of the military officers shall be directed, in case of their being ordered out; nor can we perceive upon what principle it can be supposed that the chief civil and military officer of the State is meant to be restricted and confined, in his constitutional action, to cases of "actual violation" of the laws, when subordinate officers, municipal, judicial and military, are clothed with the absolute power to order out the military for the "preventing of opposition."

As to the regularity and legality of the enrollment of the militia, by the orders and under the direction of the commanding officers of the divisions, we presume that a reference to the act of 1846, chapter 314, section 4, must remove all doubt or difficulty, if any such be supposed to exist.

That act provides in terms:

"That if from any cause, an enrollment of the whole or any part of said division (which embraces the militia of the City of Baltimore) shall fail to be ordered, or not be made at the time prescribed by the act to which this is an additional supplement, (the act of 1823, ch. 188) the commanding officer of said division may have the omission corrected by ordering an enrollment to be made, and prescribing the time for the same.

REVERDY JOHNSON.

JOHN NELSON.

R. N. MARTIN.

JOHN V. L. McMAHON.

CHARLES F. MAYER.

I. NEVETT STEELE.

GEO. WM. BROWN.

F. W. BRUNE, JR.

J. MASON CAMPBELL.

S. TEACKLE WALLIS.

BARNUM'S HOTEL,

Baltimore, Oct. 28, 1857.

HON. THOMAS SWANN,

*Mayor of Baltimore.*

SIR:—I have just received your reply to my letter of yesterday, and beg to say that your views of our respective powers and duties do not accord with my own.