

found in the fact, that the first administration daring to depart from this fundamental and consecrated principle, has rushed, in the short space of sixty days, into the assertion of absolute control over the whole military resources of the country, in open and reckless defiance of every legal and constitutional restraint. The Committee hazard nothing in saying, that there is not a citizen of Maryland, whatever be his political opinions, who must not shudder at the palpable and ominous presence of this usurpation, and who does not recognize, for the first time, in his own experience or the history of Maryland, that he is living and moving and holding his civil and political rights at the pleasure of an unrestricted military power, and subject to the arbitrary and anti-republican caprices of what is entitled "military necessity." For any man to be able to persuade himself, under such circumstances, that the policy of the administration ever meant peace and not war—the "enforcement of the laws,"—the "defence of the capital"—and not subjugation—requires a peculiarity of mental construction with which reason is at a loss how to deal. To suppose that a blockade of the whole sea coast, from the capes of the Chesapeake to the extreme borders of Texas, with a land army extraordinary of one hundred and fifty thousand men, and a naval increase of eighteen thousand, can be intended only in aid of "the ordinary course of judicial proceedings, or the powers vested in the Marshals," and is therefore within the scope of the President's civil functions, and not of the war-making power, which only Congress can exercise, implies a facility of conviction, to which nothing can be regarded as impossible.

The Committee are of course not unacquainted with the familiar doctrine laid down by the Supreme Court of the United States in the case of *Martin vs. Mott*, (12 Wheaton, 19,) and so often cited by those who maintained the absolute authority of the President over the whole question of calling out the militia. The Committee might readily dispose of it if they were willing to stand upon the same grounds with the Administration, by applying to it the doctrine of the inaugural of Mr. Lincoln, and might insist upon confining the ruling of the Court to the particular case and the individual parties concerned, repudiating its controlling authority, upon the one side or the other, on a question of administrative government. Believing, however, that the true and only "loyalty" of a free people consists in their reverence for the laws and constitution, and their obedience to the tribunals by which these are expounded, the Committee assume that the people of Maryland will cheerfully bow to whatever the Supreme Court has determined, upon the question under discussion, or any other. The case of *Martin vs. Mott* was a controversy between a private of militia and one of the United States Marshals, who had seized his goods, in enforcement of a fine imposed by court-martial, for failure to enter the service upon requisition, according to law, during the war of 1812. The jurisdiction of