

The wrongs disclosed by the Memorials under consideration are of two classes: the one affecting individual citizens—the other assailing the dignity and rights of the State of Maryland herself; as a member of the Federal Union. The principles of constitutional law, which apply to the latter class, have never been formally questioned, although in recent executive documents of the Federal Government a disposition has been manifested to ignore or invade them, and practically, as in the instances before us, they have more than once been set at naught. No statesman or jurist, who respects his reputation, can be found definitively to deny that in the sphere of the powers not delegated by the Constitution to the Government of the United States, the States of the Union have exclusive legislation and supreme jurisdiction within their territorial limits. The Federal Government has no more right to interfere with the State Governments, in their sphere, than the latter to invade the limits assigned to Federal authority. Among the powers not communicated by the Constitution to the General Government are those of internal government and police in the States. Upon so plain a point, judicial interpretations are superfluous. Repeated adjudications of the Supreme Court of the United States have nevertheless recognized the powers in question as belonging to the States exclusively and fundamentally, and have determined that any invasion of them by the Federal Government is fatally repugnant to the Constitution. If it were otherwise, State Governments would not exist. They would be without power and without object. Their control over their own internal polity is, in fact, their very essence as governments, and the only qualification attached to it is, that they shall legislate in conformity with the few limitations of the Federal Constitution applicable to the matter. That done, their sovereignty in the premises is indisputable—a sovereignty not above the Constitution nor against it, but guaranteed by it, and within it, and part of it.

As has already been stated, the Police law of Maryland, after passing the ordeal of the courts, was found to be in strict accordance with the Federal and the State Constitutions, and the officers appointed under it were therefore constitutionally appointed, and held their offices as constitutionally as the President held his. Mr. Lincoln consequently had no more right to remove the Police Board or Marshal, or to cause Gen. Banks to remove them, than they had to remove Mr. Lincoln or Gen. Banks. Congress has no more constitutional right to appoint or pay Police officers in their stead, than the General Assembly of Maryland would possess, to appoint and pay officers for the