

In the case of Mr. John Merryman, a respected fellow-citizen of the Governor and of ourselves, an open conflict of authority has taken place between the highest judicial functionary of the Republic, upon the one hand,—asserting and maintaining, as became him, the freedom of the citizen and the supremacy of the laws and Constitution—and the Federal Executive, upon the other hand, assuming a sovereign discretion and prerogative to over-ride the Constitution and tread the laws beneath his feet. No case of such absorbing interest has excited the public mind, since the Union was established—none is likely to occupy so prominent a place in the judicial annals of the country, as a monument of public liberty assaulted, and manfully, though unsuccessfully, defended. Mr. Merryman still lies a prisoner at Fort McHenry, the victim of military lawlessness and arbitrary power—the great remedial writ of *habeas corpus*, and all the guarantees of freedom which it embodies, having been stricken down, at one blow, for his oppression. Of facts so startling and so universally known—perhaps the most conspicuous of that series of extraordinary events which have crowded into a few short-weeks, more than the history of half an ordinary century—your committee cannot sufficiently express their astonishment that the Governor of the State in the midst of which they have occurred, should require “official information,” to suggest the discharge of his imperative official duties in the premises. Of such facts the simple occurrence is notice to all the world—notice, which amounts to knowledge, where men honestly desire to know—notice which at all events makes enquiry an official obligation, wherever a proper sense of such obligation exists. The members of the House cannot forget—for it is matter, not only of public notoriety, but of official record—how diligently, a little while ago, his Excellency gave ear to every whispered rumor of conspiracies, and plots, and plans, to seize upon the National Capitol and lay violent hands upon high functionaries of the Government. How little he was then disposed to stickle for “official” or any other sort of legitimate “information,” his own recorded testimony before the Congressional Committee of Enquiry will sufficiently certify. How zealously and with what solicitude he dedicated his talents and valuable time to the accumulation and encouragement of the empty gossip referred to, and how much undeserved reproach he brought upon the State and her commercial metropolis, by the importance which his official endorsement conferred on it, are matters too recent to have escaped any one’s memory. So far as this committee are aware, there was then no “official complaint or demand for” his Excellency’s “interference,” from any