

constitution thus adopted, and what excitement and bitterness of feeling will not be engendered?

I desire no office, and try to look exclusively at this subject through the medium of right, justice and patriotism. I cast aside all parties and party affinities, when an appeal is made to my sense of justice, to my integrity and honor. I do hope, for the reasons stated in my last, and for those now respectfully offered, that you will reconsider this subject, and if you should even have a shadow of doubt about the exercise of the power you are called upon to exert, let the consideration that it is best to be on the side of the constitution, the laws, the people, of justice and of right, determine the preponderance, and lead you to prompt and efficient action. I have written hastily and cursorily, because of want of time, but I hope considerably and after due reflection. I must beg you to excuse my imperfections of language, as well as my prolixity, and believe that in anything I may have written, nothing has been intended inconsistent with the high regard I entertain for one who has shown me so many signal manifestations of his partiality and favor.

With my best wishes for your health and prosperity, I am as ever, yours,

GEORGE VICKERS.

P. S. Since writing, a gentleman, (a judge of the election by appointment in our county,) called upon me and said, substantially: "What are we to do about administering the oath laid down in the proposed constitution? I consider it unconstitutional and improper; I shall be sworn to discharge my duty according to law—how can I administer an oath I deem contrary to law, and not found in any law? It is a subject that causes unpleasant reflections." He then asked what would be the consequences if he refused to administer it. I told him you had the power in that paper to reject votes, unless certified that the oath had been administered. He inquired if you would reject legal votes on that ground? I replied that I would write to know whether you would count votes not certified to be voted by those who took the new oath. He exacted a promise of me to advise him of your determination. Yours, G. V.

RESPONSE OF GOVERNOR BRADFORD.

STATE OF MARYLAND,
EXECUTIVE DEPARTMENT, ANNAPOLIS, }
October 3, 1864. }

George Vickers, Esq., Chestertown, Md.;

Sir—Your letter of the 27th ultimo, received on Saturday, is before me, and whilst I have certainly no inclination whatever for controversy, and but little time for argument, such as the subject of these letters requires, I cannot forbear from again briefly advertent to it, and some of the considerations by which

I feel constrained to take the course I have already indicated.

I am fully aware that in coming to a different conclusion you are influenced by no personal motives, and that you can take the oath prescribed by the convention as conscientiously as myself; such a conviction, however, only the more inclines me to make manifest, if I can, the reasons that compel me to differ with you.

In advertent to that clause of the act of assembly which authorizes the convention to submit the constitution to the people, *subject to such rules and regulations* as it might prescribe, and to which I had previously called your attention, you seem to think that the legislature in the use of these terms only meant to confer upon the convention "minor and inferior powers," such as "the fixing of the time for holding the election," and also "of the manner, &c.," and that it was never thereby intended to give to the convention the power it has assumed; but the more I reflect upon the purport of these terms the more I am inclined to think that in the use of them the general assembly meant to confer some such power. If this was not their meaning, and they really intended, as you assume, only to allow the convention to provide for the *time and manner* of the election, why was not the clause concluded with the "minor powers" thus conferred? Already, in express terms, the convention had been authorized to submit their work to the people, "at such time and in such manner," &c. What, then, was meant by the further provision, that they should submit it, "*subject to such rules and regulations*" as they might prescribe? A well known rule of construction requires us to give effect to every member of a sentence if it be possible, and if it was not intended that these rules and regulations to be prescribed by the convention were to embrace the subject of the voter's qualification, to what other subject could the legislature have possibly meant them to apply.

But again, you argue that this construction is inconsistent with the terms used in the latter clause of the same section, requiring the constitution to be submitted "to the legal and qualified voters of the State," and from which you infer that no other qualification could have been contemplated but that provided in the existing constitution. But with great deference I submit that this is by no means a logical inference.

If the legislature referred at all to the *persons* by whom the constitution was to be ratified, it could only have referred to them as *voters*—of course, as *legal and qualified voters*; to have said that it should be submitted to the *people*, or the *citizens*, or the *inhabitants*, would have been to make it subject to the ratification of people of all ages and both sexes. In designating, therefore, the class of persons who were to ratify the constitu-