

same day, on the ground that no sufficient reason was given for its interposition. From this decision an appeal was at once taken to the Court of Appeals. Prior to this, the same petition had been presented to the Circuit Court of Anne Arundel county (Judge William H. Tuck), had been likewise dismissed and an appeal taken. Further, pending these proceedings still another petition, in behalf of E. F. Chambers and others, was presented to the Circuit Court of Baltimore County (Judge John H. Price) and also to the same Anne Arundel Court, praying for an injunction to restrain the Governor from counting the soldiers' vote. It was dismissed by both courts and likewise appealed.

This made four appeals, and hearing on them was begun in the Court of Appeals on October 27, 1864. After disposing of some technicalities as to the eligibility of certain Judges to sit in the trial of these cases on account of their owning slaves, the case was argued by I. Nevitt Steele, William Schley³⁰ and T. S. Alexander on behalf of the appellants, and by Henry Stockbridge and Henry Winter Davis for the other side. On October 29, 1864, the court, through Hon. Richard J. Bowie, the Chief Justice, gave its decision unanimously sustaining Judge Martin in his order dismissing the first case.³¹

While these proceedings were in progress, application was made to Governor Bradford for permission to canvass the returns of the soldiers' vote made to him, of which he was sole judge, and to show cause why certain of these votes should be rejected and not counted. The Governor consented, and the votes and returns were canvassed in detail, William Schley arguing the question against admitting them, and Archibald Stirling, Jr., and Alexander

³⁰ Not the member of the Convention. The latter was Frederick Schley, of Frederick county.

³¹ Deb., iii, 1915-9; 22 Md. Reports, 170, Miles vs. Bradford. Also see contemporary newspapers.