

him, he would feel bound to obey it; not being so notified, he must obey the instructions which he had received. Capt. Moore was then asked if he had received instructions how to execute that part of Gen'l Schenck's Order "to report at Headquarters the Judges of Election who might refuse to execute Order No. 53;" if so, how he proposed to execute such Order. He replied that his instructions were to arrest the Judges and take them to Baltimore.

The Judges of Election then proceeded to the Court Room, when some cavalrymen were observed putting up against the Court House door, a large printed handbill containing Order No. 53. Upon entering the Court House, one of the Judges of Election handed a copy of the Governor's Proclamation to Robert W. Dougherty, Esq., who said that he had not seen it, and proceeded to read the same aloud. When he had concluded the reading of it, the oath of office was administered by a Justice of the Peace to Mr. John V. Pinto, Wm. H. Fisher and James M. Dryden; as Judges of Election; and the Judges being qualified, called on the Sheriff to preserve order and protect the polls from interruption. The Sheriff inquired how he was to do so? Some one in the crowd said, "summon the by-standers to aid you;" some one else objected to this, and it was suggested that, as he had no armed posse comitatus at his command, he was powerless to resist the armed military force then present in the town. At this moment Capt. Moore, with several soldiers, entered the Court House, and proceeded to station his soldiers from the Court House door on each side of the pass way leading to the desk where the Judges sat. Whilst Capt. Moore was thus stationing his men, the Judges announced the opening of the election, and Wm. J. Brittingham, Esq., offered his vote. Just as it was received by the Judges, Capt. Moore stepped up hastily and called out "that he challenged that vote." Coming up to the desk, he required the Judges to administer the oath required in order No. 53 to Mr. Brittingham. Mr. Brittingham said, "I am ready to take it." One of the Judges inquired of Capt. Moore if he intended to disregard the Proclamation of Governor Bradford, and require them to ad-