

reach precisely the same end." The only action of yours in reference to the Missouri case, of which I have expressed approval, or of which I have any knowledge, is, as mentioned in my letter to you, that disclosed in your letter of instructions to Genl. Schofield, bearing date the 14 of October last; and whether the instructions contained in that letter and Genl. Schenck's order "reach the same end," as you suppose, or not, they certainly propose to reach it by very different means.

To estimate correctly this difference, we must compare the course respectively taken by the department commanders in the two States.

Genl. Schofield, in his order of the 28th of September 1863, and to which I understand you to refer, when in your letter to him above mentioned, you commence by saying, "under your recent order, which I have approved," &c, lays down the following as the military law for Missouri on the subject of elections:

"The right," says he, "of the people peaceably to assemble for all lawful purposes, and the right freely to express their will at the polls according to law, are essential to civil liberty. No interference with these rights, either by violence, threats, intimidation, or otherwise, will be tolerated."

Again, in the same order he says:

"Any officer, soldier, or civilian, who shall attempt to intimidate any qualified voter in the exercise of his right to vote, or who shall attempt to prevent any qualified voter from going to the polls or voting, shall be punished by imprisonment or otherwise," &c

If these provisions are compared with the first and third sections of Genl. Schenck's order, the contrast, rather than the similarity, will, I think be striking.

In your same letter to Genl. Schofield you further say: "At elections, see that those and only those are allowed to vote who are entitled to do so by the laws of Missouri." Not only thus conceding to the State law the right to prescribe the qualifications of the voter, but enjoining upon the military commander to see that he be allowed to enjoy that right.

Though your Excellency refers to the difference in the qualification required of voters in the two States, I can hardly suppose, especially in view of the unqualified and emphatic terms in which you recognise the control of the State laws, that you mean to place that recognition upon the ground that you approve the laws of one State and not of the other; and besides, I think, we might be allowed some benefit of the consideration that in Missouri they have recently held a Constitutional Convention, which enabled them to remodel their laws on the subject of the elective franchise - an opportunity we have not yet enjoyed, and which is necessary for the purpose of such modification, though such necessity might possibly be dispensed with hereafter, in view of the new power which military commanders claim to exercise in the premises.

The conclusion of your Excellency's letter makes an allusion to past precedents in Maryland, and is evidently designed to make the point that I should be the last to complain of such an order, as it is, as you say, "precisely what Genl. Dix did" when I was elected Governor. If such was the case the proceeding at least does not seem to have been very effective in reducing the vote of the State.