

Annapolis November 21st 1858

To His Excellency

Augustus W. Bradford

Governor of Maryland:

We the undersigned,

Citizens of Anne Arundel County and State of Maryland, beg leave respectfully to inform your Excellency, that we have this day been required by the Military Authorities in this City to report to Genl. Schenck in Baltimore, on or before 10 o'clock on Tuesday next; and to avoid present military arrest and confinement we have been required to give, and have given, our, words of honor to report in person accordingly. We beg leave further to

inform your Excellency, that the reason assigned for this arrest is, that at the Election held on the 4th Inst. we offered to vote and refused to take the oath tendered to us by the Judges of Election, they acting in this regard under the direction of the Military Authorities in Maryland, and we are also informed by the same Authorities who have thus arrested us, that all persons who are similarly situated are to be likewise arrested.

Your Excellency is aware that the oath referred to was promulgated by Military Authority alone, and is not prescribed by the Constitution and Laws of Maryland as a qualification for the exercise of the elective franchise; that by the Bill of Rights of this State it is most emphatically declared "That the right of the people to participate in the Legislature is the best security of liberty and the foundation of all free government; for this purpose Elections ought to be free and frequent, and every free white ^{male citizen} having the qualifications prescribed by the Constitution ought to have the right of suffrage." This provision of the Bill of Rights forms a part of the Constitution of our State, which most of us, in common with your Excellency, have sworn to support. It was in the exercise of the right thus secured to us that we attempted to vote at the late Election. We declined to take the oath tendered to us because we had, without it, the qualifications prescribed by the Constitution and laws of our State entitling us to vote. We are and always have been, Citizens of the United States.

We are free white male persons over the age of twenty one years, and have for many years preceding the late election been residents of the State of Maryland, and of Anne Arundel County where we offered to vote.

We were aware that shortly prior to the election a Military order had been issued by General Schenck requiring among other things the tender of an oath to all persons whose votes might be challenged at the polls. This order was promptly met by a Proclamation from your Excellency directed to the Citizens of the State and more especially the Judges of Election, in which after urging other reasons against the necessity and especially the legality of such an order, you reminded the Judges of Election of their sworn duty to permit all persons to vote "who in their judgement shall according to the directions contained in the Constitution and laws be entitled to poll at the said election".

And in further enforcing upon them their duty your Excellency told them and the Citizens of the State, that "it is the judgement of the Judges of Election alone formed upon the provisions of the Constitution and laws of the State, that must determine the right to vote of any person offering himself for that purpose"