

State of Maryland
Executive Department
Annapolis May 6th 1865

Hon. J. W. Grisfield

Dear Sir:

I have just received yours of the 30th Uto. upon the subject of the appointment of Officers of Registration, and whilst I concur generally in the views you have therein expressed, I should not, even did I differ with you, think it necessary to discuss these differences, because I submit with great deference, that the arguments suggested would seem in the main to be more proper for the consideration of those who have framed the Constitution or passed the laws to carry it into effect, than for one whose simple duty is to execute their requirements — Thus, as it seems to me, whether or not a man should be disfranchised who has in good faith obeyed the law as he understood it, and committed no act of open hostility against the Government, but who as you say, may have been guilty of an intemperate or passionate use of the tongue, are questions which I think belong strictly neither to the Officers of Registration nor myself, but would with great propriety have challenged the consideration of our Conventional and Legislative Assemblies —

The Constitution has declared that "no person who has given any aid, encouragement, countenance or support to those engaged in armed hostility to the United States" in the several modes pointed out — "who has advised any person to enter the service of the said enemies, or aided any person so to enter", "who has by open deed or word declared his adhesion to the Cause of the enemies of the United States", or his desire for the triumph of said enemies over the arms of the United States" — unless he be hereafter restored to rights of citizenship by Act of Assembly passed by a vote of two thirds &c, shall ever be entitled to vote at any election" &c, and it expressly makes it the duty of all Officers of Registration "carefully to exclude from voting or being registered all persons so as above disqualified."

Now whatever may be your notions or mine of the policy of perpetuating these prohibitions, how could either of us, acting as such officers — sworn to support this Constitution, refuse to carry it into effect? I may agree with you in opinion that there is no longer probably the same necessity for the strict exclusion from the rights of citizenship of those who a short time since were reckoned a dangerous element in our midst — that the War is practically over, and that Secession orators are no longer dangerous, but will be overruled or neutralized by their more loyal neighbors, but still though I hope and indeed believe that such will be the case, the utmost which such a conviction, even though fully confirmed by the subsequent conduct of such persons, could rightfully authorize them to expect, would be a modification at the hands of some future Legislature of these Constitutional disqualifications, as the Constitution itself provides.

I am extremely anxious, as you may rest