

Conscientious objectors: Madison pardons Quakers, 1816

Introduction

In 1816, seven Quakers in Baltimore, Maryland, petitioned President James Madison for pardons after refusing to serve in the militia or pay the exemption fee. Secretary of State James Monroe requested additional information on the men from the Marshal of the District of Maryland, Thomas Rutter, to determine whether the case merited the President's attention:

You are requested to give such Information as you may be able, on the subject of the cases which it involves, – so far as to shew whether the time or the suffering of the Confinement of the Petitioners may bring them within the President's pardoning Power.

We do not have Rutter's response, but one week after Monroe requested the information, he forwarded a blank pardon form signed by President Madison, telling Rutter to extend the pardon to "such Persons, of the Society of Friends or others . . . who have incurred militia fines, as you may be of opinion, under all the Circumstances of the Case, are entitled to that Indulgence."

This series of documents includes the request from Secretary of State James Monroe for more information; Monroe's letter transmitting the President's pardon to the Marshal of the District of Maryland, Thomas Rutter; and a copy of the pardon left blank so that Rutter could write in the names of the Quakers being pardoned.

Questions for Discussion

Read the introduction, view the images, and study the transcripts. Then apply your knowledge of American history to answer the following questions:

1. For what reasons were the seven members of the Society of Friends convicted of a crime?
2. Explain the differences between a "pardon," a "commutation," and a "reduction" of a judicial sentence.
3. Why did the request for a pardon of the seven Quakers come to the attention of President Madison?
4. How did Secretary of State James Monroe explain his understanding of the petitioners' request for a pardon?

For additional credit: Identify a twentieth-century case of an American individual or group claiming conscientious-objector status and seeking exemption from military service. How was the case resolved?

Conscientious objectors: Pardoning Quakers for refusing to bear arms, 1816

Transcripts

James Monroe to Thomas Rutter, November 13, 1816 (GLC00043.06)

Department of State, Nov 13, 1816.

Sir,

A Petition for Relief having just been preferred to the President by the Persons whose names are subjoined, who are represented to be of the Society of Friends, you are requested to give such Information as you may be able, on the subject of the cases which it involves, – so far as to shew whether the time or the suffering of the Confinement of the Petitioners may bring them within the President's pardoning Power; the Prayer of the Petition, in its present shape, appearing to be founded on his possessing a dispensing power.

It is stated by the Petitioners that they have lately been arrested by you under the militia law of the United States, and that being conscientiously scrupulous against bearing arms, some of them are confined in the Prison of Baltimore County, and that the others are at large, by your Indulgence. I am, respectfully, sir, your obed serv^t.

Ja^s. Monroe

Thomas Rutter Esq^r.

Marshal of the Dist of Maryland.

Names of the Petitioners referred to,

Joseph Hollingsworth

Levi Hartley

W^m. Ellicott jun^r

Samuel Hartley jun^r

W^m. Ellicott

Seneca Parry

Thomas Hartley

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James Monroe to Thomas Rutter, Transmittal letter for blank pardon form, November 20, 1816 (GLC00043.07)

Washington, Dept of State, Nov 20. 1816.

Sir

The President's pardon is herewith forwarded to you in Blank, to be filled up with the names of such Persons, of the Society of Friends or others, referred to in my letter to you of the 13th, and in yours of the 15th to this Department, who have incurred militia fines, as you may be of opinion, under all the Circumstances of the Case, are entitled to that Indulgence. You will please, after filling the Blanks, to transmit a memorandum to this Department, of the names and date used on the occasion.

I am, respectfully, sir, yours obed: serv^t.

Jas Monroe

Thomas Rutter Esq^r.
Marshal of the Dist
of Maryland, Baltimore.

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James Madison, Presidential pardon, November 20, 1816 (GLC00043.02)

James Madison, President of the United States,

To all who shall see these Presents, Greeting:

Whereas it has been represented to me that

of the District of Maryland, have been adjudged guilty of violating the Militia Laws of the United States, whereupon they were sentenced to pay pecuniary fines to the United States, by Reason whereof they are now in the Custody of the Marshal for the said District, having failed to satisfy the said fines or any part thereof. Now therefore be it known that I, James Madison, President of the United States, in consideration of the premises, and for divers good causes me thereunto moving, have remitted, and I do hereby remit, the fines aforesaid, and every part thereof, willing and requiring that the Marshal aforesaid discharge from his immediate Custody, or release from Prison, the Individuals, all and each of them, aforesaid.

In Testimony whereof, I James Madison, President of the United States, have caused the seal of the United States to be hereunto affixed, and have signed the same with my Hand.

Done at the City of Washington this day of in
the year of our Lord one thousand, eight hundred & sixteen,
and of the Independence of the United States the forty first.

James Madison

By the President,

Jas Monroe Sec^y of State.

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Images

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Thomas Rutter Esq.
 Marshal of the Dist of Maryland.

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James Monroe to Thomas Rutter, November 13, 1816 (Gilder Lehrman Institute, GLC00043.06)

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Washington, Dept of State, Nov 20. 1816.

Mr

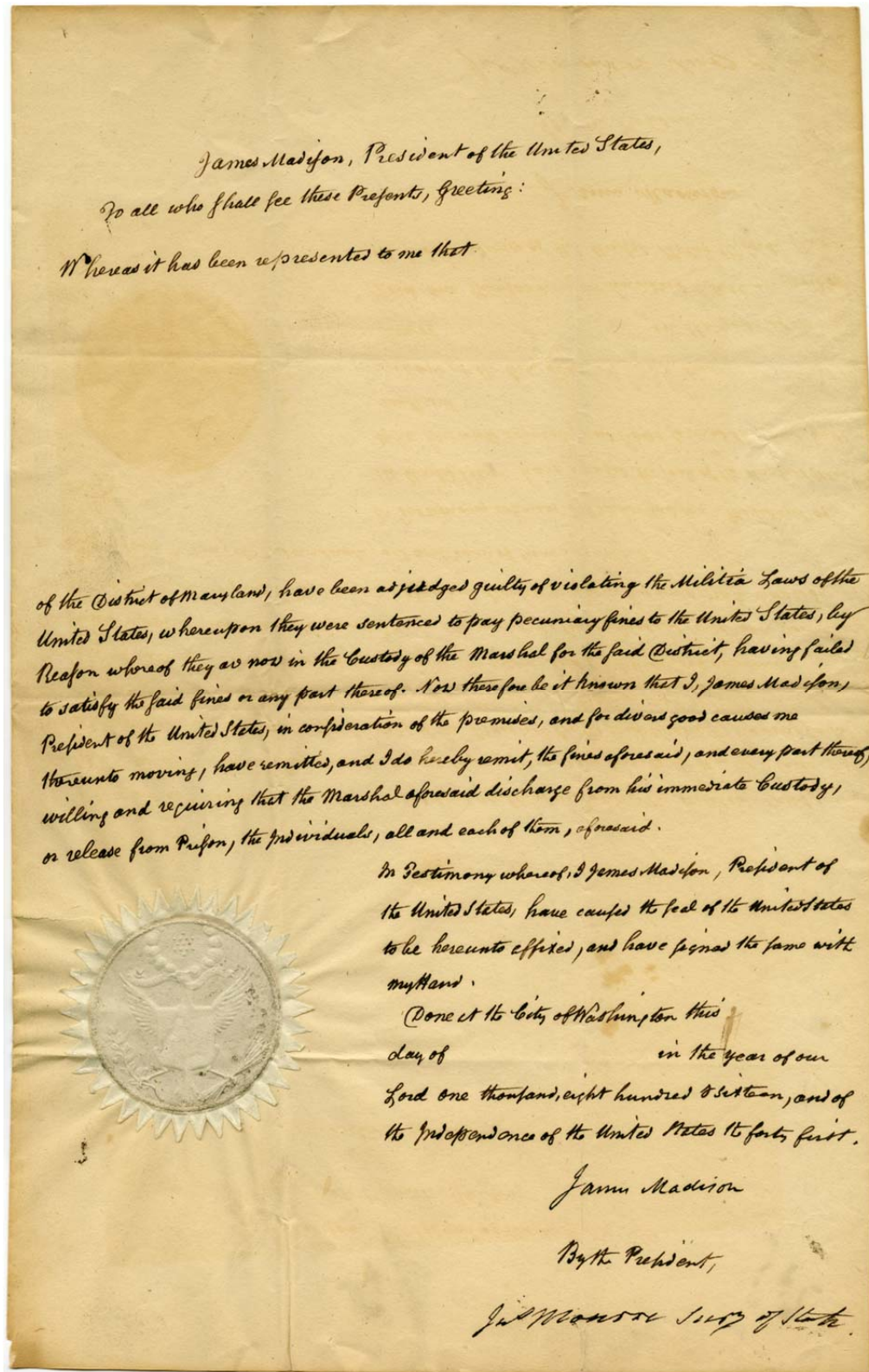
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Jas Monroe

Thomas Rutter esq^r
Marshal of the Dist
of Maryland, Baltimore.

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James Madison, Presidential pardon, November 20, 1816 (Gilder Lehrman Institute, GLC00043.02)