

may throw us out of Court. If so the rights of Maryland will not have been injured by the attempt. The objects sought by us to be obtained, were deemed of sufficient importance to hazard the trial.

There is no conflict of interest between the State of Maryland and the City of Baltimore. — If the legacy to the City be valid, the State has no interest ^{whatsoever} in the matter.

If on the other hand the legacy to the City be invalid, then the legal heirs will certainly get the property if the State of Maryland does not claim it. As to the mere order in which these questions are to be tested, it cannot materially affect the final result.

The Attorneys for the City of New Orleans, congratulated the City upon the fact that the State of Louisiana had brought suit. We imagine that the Attorneys for the City of Baltimore will have the same reasons for congratulation.

The case of the State of Louisiana, is fixed for Monday the 10th of February inst. In view of the shortness of time for preparation, the importance of the case, and the number and weight of Council opposed to us, we have availed ourselves of the assistance of Isaac Johnson Esq, the late Governor and present Attorney General of Louisiana, and Alfred Henne Esq, one of the most experienced and learned members of our bar. It is understood between us that their Compensation is to be contingent. We expect to pay them out of the Contingent Compensation which may be allowed.

Very respectfully Yours &c &c
Elmore H King
Attys: at Law.

State Department, Annapolis Feby 1st 1857

Hon J. S. Thomas,

My dear Sir,

From the Gov^r to Hon J. S. Thomas concerning

Some days ago, I was applied to by the Sheriff of Talbot County, Mr Lowe, for a commutation of the sentence of death, passed upon Thomas Grinnum, and for whose execution you issued the Warrant on the 17th December last. Mr Lowe stated that application had been made to you, but that there was not sufficient time for the friends of the Convict to procure the necessary recommendations &c &c of course, in a case, upon which you have already acted finally, I would not even entertain an application without first asking you to do me the favor to furnish me with the facts which governed your judgment. Lowe says that the sentiment of Talbot & Dorchester (the case having been removed from the latter to the former County for trial) is very general in favor of commutation to imprisonment for life, upon the ground that the Murder was not the result of deliberate malice.

Under any circumstances, if compelled even by a sense of duty and with your approbation, I were to feel constrained to grant the petition, it would be exceedingly unpleasant, inasmuch as the censorious World, ^{would} regard it, and our enemies would take pleasure in representing it as a direct overruling by me of one your most solemn and painful official acts.

I therefore felt it due to us both, that I should consult you before