

REPORT OF THE ATTORNEY GENERAL.

ANNAPOLIS, August 1st, 1866.

His Excellency THOMAS SWANN, *Governor of Maryland*:

DEAR SIR—I received this day from Mr. Leary the enclosed papers, which I have carefully read: after which I had an interview with Justice W. R. Thompson and Owen M. Taylor, and with the Constable, Edward Baldwin.

The Justices both assure me of their disposition and determination to execute the Act of Congress entitled, "An Act to protect all persons in their civil rights," etc., in taking the oaths of negroes as competent testimony on their complaints against white men.

Justice Taylor denies that he did refuse to hear the case of negro Frederick Sharpe against James White, but on the contrary that Constable Baldwin brought James White before him under the warrant issued by Justice Thompson on the complaint of Sharpe, and he was ready and willing to try the cause, but was prevented doing so by the absence of Sharpe; that thereupon he took bail of White to appear and answer to this charge, and that the case is yet pending before him.

Constable Baldwin states that he did not refuse to serve these warrants issued by Justice Thompson against White and B. Watkins, but did receive them in order to serve them—that the one against White he did actually serve, arrested White and took him before Justice Taylor, as White desired, and as Baldwin understood he had a right to select before what justice he would be taken, when Frederick Sharpe not appearing before the justice against White, the case was continued, and White discharged after giving bail to appear to answer for the charge. Baldwin further stated that after taking the writ against B. Watkins, he went in pursuit of him but did not find him, and had not since seen him—that he declined to take warrants against persons living out of town, from Justice Thompson, because after consulting counsel, he believed it was not his duty to serve such warrants; that he so stated to the justice, and that he would be compelled to resign his office rather than serve such warrants in the county, as the cost he would have to incur in serving them was twice as much as his fee for such service, and suggested that the justice should give them to the Sheriff.

These facts I have obtained from the parties themselves, and my own knowledge of our people generally, and of their sentiments on this subject especially, not only satisfy me that no such interference of the military of the United States, as is suggested in these papers is necessary to aid in the execution of this law, or to secure protection to the Freedmen or to aid