

P. S. If you should want the Evidence upon which these people were committed to enable you to judge of the Nature of their offence and of course what Court has Cognizance of it you will please to direct the Express to go on to Mr. Craik at George Town for that purpose. - The Express has a Letter to Mr. Craik requesting a Copy of the Evidence - and has orders to return to you with it as soon as it shall be obtained. - If you should not want the Evidence. the Express will return immediately

In Council October 5th 1794

Sir

In Consequence of the late Disturbances in Washington. several of the principal offenders were upon proper Examination committed to the Gaol of that County by Mr. Craik the Chief Justice of that District or by the County Magistrates. - apprehensions are entertained that these Prisoners are not secure in Hager Town and that attempts may be made for their liberation by Force. - and, of consequence, Prudence and the public Justice require that, if legally practicable, they should be removed to a place of greater safety. -

It would be desirable that they should be committed to the Gaol of Frederick where there would be little Hazard of Violence in their Behalf. but Difficulties have occurred as to the Mode in which this can be effected consistently with the Law of the Land. - It has been suggested that it may be done by the Chief Justice of the District or a Judge of the General Court on a Habeas Corpus issued by either for that purpose. -

Additional Difficulties are created by the Nature of the offence. whether it is proper for the Cognizance of the State Courts or those of the General Government. and whether, if exclusively for the Cognizance of the latter, the Magistracy of the State can do any act for their safe custody are Questions that contribute to embarrass the Views above stated. -

The Insurgents did undoubtedly set themselves in opposition to the Militia act as well as the Civic Law. and have unquestionably violated the Peace and Laws of this State. as well as a particular Law of the Continent.

The Witnesses have been recognized to the County Court of Washington. but certainly it would be more proper in every respect that the Offences should be tried in the General Court if it is not forbidden by Law. -

Under these Circumstances we take the Liberty of requesting Information from you as to the practicability and the Mode of removing them to Frederick County Gaol. in order that they may be detained with Certainty until they can