

Dear Sir,

Council Chamber
Annapolis June 3rd 1831.

I have received yours of yesterday, enclosing an application for a demand upon the Governor of Ohio for a fugitive from Justice. I have just enclosed the paper to His Excellency Governor Martin, for his consideration.

From a hasty reading of the affidavit enclosed, I am inclined to doubt its sufficiency to found a demand upon. It appears upon the face of it that the statement of the deponent, implicating the supposed fugitive was made not from his personal knowledge, but from information derived from others. This sort of testimony, you know would not be admitted, in a criminal prosecution. - even a presentment could not be found on such testimony, and it seems to me that to support a demand requires, at least such evidence as would authorize a presentment.

Richard Bellaguarder Esq
Baltimore.

Very respectfully
Yours &c.

H. G. Gilbreth

Dear Sir,

Council Chamber
Annapolis June 10th 1831.

I have just received a letter from His Excellency the Governor in which he says, "I do not think the affidavit of Mr. Foster sufficient to found a demand upon. The Law of Congress, certainly requires that there should be an indictment found, or such evidence against the person demanded, as would justify a presentment, and be admissible before a Court and Jury. As Mr. Foster has obtained a single statement which goes to implicate the fugitive, but what he derived from others (and which would not be received as evidence in a Court of Law) I have determined not to demand him, until I am furnished with further and better evidence of his guilt. I will thank you to write to Mr. Maguire against upholding a bill, and put him in possession of my views, and inform him that if he will procure such evidence as a Grand Jury would find a presentment upon I will immediately make the demand."

His Excellency has so clearly and fully given his views of the testimony necessary to support a demand for a fugitive from Justice, that it would be superfluous for me, in making them known to you, in compliance with his request, to add anything on the subject.

Richard Bellaguarder Esq
Baltimore.

Remain very respectfully

Yours &c.
H. G. Gilbreth