

Council had officially determined not to sign a recommendation in
 any case - I could not therefore in this case nor can I for the future
 in any case from the City Court apply the rule which I had established
 for my government in such cases - The recommendation for the pardon
 in this case was signed amongst others by the Mayor of the City
 of Baltimore & I confess that his recommendation had great
 weight with me as the offence charged was the setting on
 fire a house in the City over which he presided - Besides
 this I had the recommendation of the Attorney General sent
 me through Mr. Pitts in behalf of Ender. The recommenda-
 tion was also signed by all of the Jurors who convicted him.

I was also informed that the Father was a highly respectable
 man & a modern Democrat - I could not nor can I see in what
 way an improper motive can be attributed to me for the
 exercise of the pardoning power in this case - I granted the
 pardon most reluctantly but I thought under all the circum-
 stances undue harshness would be attributed to me if I
 refused to grant the pardon - The punishment under the 5th
 section of the act of 1809 is death or confinement in the penit-
 entary for not less than 5 nor more than 20 years - I cannot
 agree with you that the respectability of the Parents and the
 extreme youth of the Convict furnish no ground for a pardon.

I do not say that they would of themselves furnish sufficient
 ground, but when there is added the recommendation of the
 Mayor of the City where the offence is committed, of the
 Attorney General who represents the State in all criminal
 cases, and of the entire Jury before whom he was tried
 I think a strong case was furnished for the exercise of this
 power - In truth the Judges of the City Court owe it to the
 public interest to retract their determination on this
 subject - The ground upon which I learn they justify their
 course is that in one case where they recommended a
 pardon I refused to grant it - Now no one I suppose could
 have understood the rule as laid down by me, to oblige
 me to grant a pardon whenever it is ~~granted~~ recommended
 by the Court - If I am misrepresented or misunderstood
 upon this case I will thank you to leave this letter
 or any portion of it - published in your papers.

Yours Truly

Thos. G. Bratt