

agreement. As at present advised, it is impossible for me to believe, that McGreary was morally guilty of the crime of kidnaping, as (I am told) he acted under a power of attorney from the alleged owner of the girl, and was misled by the extraordinary resemblance between her and the real fugitive, which was so strong as to deceive not only the alleged owner, but several disinterested and highly respectable witnesses. If this statement be correct, then it is apparent, that there was no criminal intent on the part of McGreary.

However proper a civil suit for damages on account of false imprisonment, might have been regarded, had it been instituted, I cannot but think that a criminal prosecution upon the infamous charge of kidnaping is not warranted by the peculiar circumstances of this case; and that the penalty of confinement in the State prison, consequent upon a conviction for a technical kidnaping, if it be such, should not be visited upon the one, who is, in morals, innocent of the crime charged. If I am correctly informed upon the points above referred to, and if the agreement between the counsel has been accurately reported to me, I shall much regret that your Excellency has conceived it to be your duty to make the requisition. I am, however not prepared to say, even upon that statement of facts, what course I may feel it to be my duty to pursue.

I sincerely hope that the consequences of this case may in no manner impair the kind feelings which exist between the people of our respective states. Your Excellency may be assured, that there could be no difficulty whatever, if this was a case of intentional kidnaping; for that crime is held in abhorrence by the people of Maryland, and is severely punished by our laws. Should any excitement grow out of this matter, it will be caused solely by the belief of the moral innocence of McGreary.

I have marked this letter unofficial, though it is not intended to be absolutely private.

I am with great respect

Your obt. servt. & friend

E. Louis Lowe