

appreciate the motives actuating you when you ask that if I have the legal authority I will order the release of these parties.

Although I may not be able to perceive any thing peculiar or unusual in the imprisonment they are undergoing, I shall, if for no other purpose than to avoid any possible collision between the Civil Authorities and the Military Powers of the Government, do whatever I can feel authorized to do, to promote the object you have in view. It may be inferred from some of the remarks in the papers referred to, that these parties are retained in custody without any proper commitment or authority for that purpose, and that unnecessary severity has been practised in the mode of their confinement. The latter cause of complaint however I have reason to think from what I learned from you heretofore in conversation has been removed. But I have written to the States Attorney of Charles County calling attention to these circumstances, and advising him not only to have all unnecessary rigor in the confinement of these prisoners at once removed, but if he finds that they are held in prison without the sufficient and usual commitment from officers having the undoubted authority, and specifying precisely the offence with which they are charged, to anticipate what would certainly be the action of the Judicial Authorities, or an application for a Habeas Corpus, by ordering their discharge at once.

But it may be, and probably will, turn out, that these parties are only confined in the usual manner and on competent authority, for acts which as I have already said, according to their own showing, they seem to have committed, and which though ignorantly committed, undoubtedly constitute a criminal offence under the laws of our State — the assisting slaves to run away. In that case I would suggest as the readiest method of effecting their immediate release, and doing so without any violation of law, that some one on behalf these parties become their bail — I have written too to the States Attorney on this point, advising that they be allowed to give a moderate bail, and if you can advise them or their friends to offer some one as such bail that will I think end the matter. Looking to the present certainty of an immediate emancipation in Maryland, I think the wisest course to be observed both by the Government and the State is to avoid as far as possible all unnecessary excitement connected with that question, by seeking through any extraordinary means either to set free or to detain parties connected with such charges as those for which these prisoners are now in custody.

I have given my views to the States Attorney to that effect — and I doubt very much whether if bail is now so given, there will be any Indictment hereafter — but if there should be and the parties be convicted, any circumstances in mitigation of their punishment growing out of their ignorance or other matters may be then considered as presenting them and at the proper time a case for Executive