

State of Maryland
 Executive Department
 Annapolis Sept. 21. 1864

Francis M. Darby Esq.
 States Atty for Washington County
 Sir:

My attention has been called by the Secretary of War to the case of Charles Stewart now confined as it is said, in the jail of Washington County on the charge of Murder, and the Secretary requests that said Stewart being in the Military service of the United States, may be handed over to the Military Authorities for trial, in pursuance of the provisions of the Act of Congress on that subject.

The Act of Congress of March 3^d 1863 Chapter 75 provides in its 30th section, "that in time of War, "insurrection or rebellion, Murder, assault and battery with "intent to kill, manslaughter, mayhem, wounding by "shooting or stabbing with an intent to commit murder, robbery, arson, burglary, rape, assault and battery with an "intent to commit rape, and larceny, shall be punished "by a General Court Martial or Military Commission, when "committed by persons who are in the Military service of the "United States and subject to the Articles of War; "and the punishment for such offences shall never be less "than those inflicted by the laws of the State, Territory "or District in which they may have been committed."

You will please investigate the facts and circumstances connected with this Prisoner, and the charge on which he has been committed, and if the offence is any one of those above enumerated, and the Prisoner was at the time when he is charged with having committed said offence, in the Military service of the United States, you will in compliance with the Act of Congress aforesaid, cause him to be delivered to the Military Authorities for trial — Before doing so however, you should be satisfied that the persons to whom you deliver him are the proper persons for that purpose; and if you have any doubts on that point, you had better communicate directly with the Secretary of War or Adjutant General of the United States, and have the parties to whom said delivery is to be made properly designated.

Yours Respectfully
 A. W. Bradford