

State of Maryland  
Executive Department

Annapolis Nov. 10<sup>th</sup> 1864

Major Genl. Lew. Wallace  
Comdg. Middle Department  
General:

I have just read your General Order No. 112 published in this morning's papers in reference to protection to be furnished by the Military Authorities to Slaves recently emancipated under the provisions of the new Constitution of the State just adopted. — The general scope and object of your order as I understand it, is I think, if the order itself is discretely executed, calculated to be of much service in assisting a class generally very ignorant ~~and~~ <sup>now</sup> for the first time thrown upon their own resources — I fear however that without some explanation it may mislead some of the Civil officers of the State in connection with their duties as prescribed in our Legislative Code — I do not refer to any thing connected with the Slave Code of the State; that of course is entirely abrogated in effect by the adoption of the new Constitution, — but there are other provisions of our Code having exclusive reference to the free colored population of the State, now, more than ever requiring strict observance from the large and sudden increase made to that class of our population — I cannot suppose that you design any interference with that portion of our Statute Laws, as your order itself seems only to look to the interposition of a Military Authority or protection until the Legislature of the State may make such protection unnecessary —

Under these circumstances I have deemed it proper to call to your attention the 6<sup>th</sup> Article of our Code of Public General Laws relating to apprentices, whereby provision is made for binding out the minor children of free persons of color, who have not the means or are unwilling themselves to take care of their offspring. The law provides all proper precautions for notifying such parents of the proceedings, summoning them before our Orphans Courts and consulting the wishes of both parent and child on the subject, and you will find it laid down in the Article mentioned Sec. 31. et seq. — I have the less hesitation in relying upon it as embracing very salutary and necessary provisions particularly required by the new state of things introduced by the present Constitution, from the fact that I know that the Convention which adopted that Constitution had themselves at one time during their session introduced similar provisions to meet the obvious necessity of taking care of an infant class thus suddenly deprived of the support to which they had been accustomed, and only ultimately struck out that provision on the ground that this very enactment to which I have referred, met the requirements of the case. Without the exercise of some such power by the proper County Authorities, there would be great danger, especially during the inclement season now approaching, of large numbers of this infant population, thus suddenly thrown adrift in every County of the State, suffering very severely, and who