

and told him the Bark ought to be inspected before being exported from the Port of Baltimore - When Mr Smith received a good deal of visitation, and remarked that he did not care as it was no loss of his, he having a letter from Mr Kops the owner of the Bark enquiring him to have it shipped without inspection and that he would indemnify Mr Smith from any loss that might be thereby sustained. This exhibition having excited the suspicion of Mr Cwick that all was not right he then declared to Mr Smith that he conceived it to be impudently his duty to have the bark seized for a direct & open violation of the laws, and the bark was accordingly seized.

After the seizure Mr Smith tendered to Mr Cwick the amount of the costs of inspection, but Mr Cwick declined receiving it, he stating to Mr Smith that the Bark was actually forfeited under the law, and that he had no right to compromise the matter in any way. Mr Smith admitted the tenor of the amount of the inspection fees, but stated it was offered for the purpose of preventing delay which might prove highly injurious to the owner of the Bark who was bound by contract for its delivery.

The case had not been appealed by the informer on the part of the State, but remains in the possession it was on the day the judgments were rendered.

Hoping the above may be satisfactory

I remain

His Excellency
 William Gordon
 Governor of Maryland.

With sentiments of
 great respect
 Your Obedt Servt
 William Eichelberger of C.

Belle Air Hopewell County Md.
 26 July 1837.

Sir

In pursuance of the Commission of His Excellency The Governor of the State of Maryland appointing me the Agent of this State to receive from His Excellency the Governor of the State of Pennsylvania a certain negro slave commonly a Fugitive from Justice of this State I proceeded to the City of Harrisburg and had an interview with His Excellency David R. Porter who at once and without hesitation complied with the requisition of the State of Maryland by directing that said Fugitive should be delivered to the Agent of this State - Thus affording the desire in all respects to fulfill the duties of his high Station and preserving unimpaired the relations of a sister and

a friendly State. Having received from his Excellency the necessary papers I went to the City of York in York County and presented the orders of his Excellency Governor Porter to the Honorable S. Justice President Judge of the 19th Judicial District of Pennsylvania and received in pursuance thereof a warrant directed to Isaac Kleinmatter Esq. Sheriff of York County commanding him to deliver the said Fugitive to me - He being then in Prison the warrant was fully complied with on the part of the Sheriff - But I had then hoped that all difficulties was at an end, but I am sorry to say that as soon as the Fugitive was placed in my custody and I was prepared to leave the place - I was arrested on Notice of a warrant issued on the 20th of July 1837 by John A. Wilson a Justice of the Peace for York County. Charged on the oath of the said Fugitive as a kidnapper and contrary to the rights of the laws of the Commonwealth. And held to bail in the sum of Five hundred dollars personally for my appearance before said Justice and also gave security in the same amount I was then provisionally discharged by the said Justice upon my complying with the requisition of appearance on the morning of the 21st of July he refusing to proceed in a hearing of my defence until the next day (that day being Sunday) when I was discharged upon the statement and request of Mr. A. Harts Esq. Sep. Atty Gen^l informing the said Justice of the fact that there was not a shadow of evidence against me -

I am happy however in being able to state that with some exceptions the Community of York considered the whole proceeding as unjustifiable and insulting, the outrage being investigated and carried out by the Justice and one or two others of that place as I think is likely could be shown in accordance with their views of the Abolition of Slavery and a desire to withstand & hinder the laws of their Country.

For such men there can be no excuse and such conduct should meet with exemplary punishment. And having been done by an officer of a State makes the outrage & insult both to the spirit of the laws and the rights and feelings of the Citizens more glaring and heinous. Such conduct calls for the highest and most shocked denunciation and occurs in the light of an insult to this State and an infringement of the Liberty of its officers or Citizens.

It appears to me that it behoves the Government of our State to take notice of this case so that in future a Citizen of Maryland may feel the high and proud reputation,

that though he shall be beyond the limits of her territory yet his rights and his liberty will be most zealously guarded and preserved.

In making the within statement I am not influenced by any feeling of a private nature and perhaps to not feel or express the warm and deep feeling of disgust and angry love of honor that is felt among the Citizens of this place and all who have become acquainted with the circumstances connected with this case.

In order that you may more fully understand the nature of the case and take such measures as you may deem right & necessary I send you enclosed the copy of the Proceedings had before the Justices of the Peace and the statement made by my counsel and subscribed to by the Deputy Attorney General for York County.

I am Sir
Yours Respectfully
James Keen
Sheriff of York County

The Honorable Francis McLean
Secretary of State.
York County to wit,
Isaac Cummins being sworn according to law before me a Justice of the Peace in & for the said County says that John Ayres is now attempting to take out every way his Separah he being a Mulatto from this Commonwealth to the State of Maryland with all design & intention of selling & disposing of or of causing to be sold & disposed of or of keeping and detaining this defendant as a slave for life & that J. Keenan is aiding & abetting the said John Ayres in the act above alleged.
Done to & subscribed
July 20th 1839. before
John A. Wilson

York County to wit,
The Commonwealth of Pennsylvania to the Sheriff of York County Greeting: Whereas it appears by the information of Isaac Cummins made on oath before John A. Wilson one of our Justices of the Peace in & for the said County that John Ayres is now attempting by fraud to take and carry away Isaac Cummins a Mulatto as is alleged above and that J. Keenan is aiding & abetting him therein. (You are therefore hereby commanded to take the said John Ayres & J. Keenan & bring them before our said Justice or some other Justice of the Peace in &

for the said County to be dealt with according to law. Witness our said Justice at York in the said County the 20th day of July A.D. 1839.
John A. Wilson Seal

Cook County Ill.
The County of Penn^a
John Ayres &
James Keen
Charged on oath of Isaac Cummins with attempting by fraud or aiding & abetting in the taking away of Isaac Cummins a Mulatto from this Commonwealth to the State of Maryland with the design & intention of selling or disposing of or of causing to be sold & disposed of the said Isaac Cummins or of keeping & detaining this defendant as a slave for life.

Warrant issued to the Sheriff of York County July 20th 1839. July 21st 1839 Defendant J. Keen brought and J. G. Campbell Esq appeared for J. Keen & defendant gave bail so for his appearance for a hearing tomorrow morning at 9 o'clock A.M. - James Keen in \$500.00 John G. Campbell Esq as surety in \$500.00. conditioned for his personal appearance at the office of John A. Wilson on tomorrow morning at 9 o'clock A.M. to answer in the premises & not depart so without leave. Cognitum Coram me. July 21st 1839.

John A. Wilson
The following Paper was handed to me by the Counsel for Defendant, with a request to file it so to wit -
before J. A. Wilson Esq
Isaac Cummins }
John Ayres } Esq. having been brought before the Justice asks to have a hearing and examination before said Justice as to the Probable Cause to be made with him.
I consent to the hearing,
W. S. Party
Sep. Mag. Cor.

July 22nd 1839 9 o'clock A.M.
Defendant James Keen appeared & W. S. Party Esq as prosecuting attorney for the Commonwealth asked in writing to have James Keen discharged "on the ground that there is not a shadow of evidence against him" to wit -
In this case James Keen, the Sheriff of York County Maryland being charged with aiding & abetting fraudulently to take away one Isaac

James Keen } Commissioned Mulatto, to the State of Maryland with
 the design of disposing, or selling, said Commission
 into slavery. There not being a shadow of evidence against said
 Keen, I hereby request Justice Wilson before whom the accusation
 was made that he forthwith discharge him. H. S. Murty
 July 22^d 1839. Dep. Atty. Gen.

"Under the requisition of the Governor of Maryland on the Governor
 of Pennsylvania and the proceedings had thereon."
 July 22^d 1839. After whereupon defendant James Keen is discharged.

York County W.
 Certify that the foregoing is a correct copy of
 the Proceedings in this case as appears by the books & the
 several Papers referred to. In testimony of which I have hereunto
 set my hand and seal at York in the said County the 22^d
 day of July A.D. 1839.

John A. Wilson (Seal)

York, Pa. 22^d July 1839.

I was of counsel for James Keen Esq. Sheriff for Bedford
 County Md. in a prosecution instituted against him, before
 John A. Wilson, Esq. a Justice of the Peace on the information of
 Isaac Cummins, under the Seal of Assembly, of the 27th of March
 1830 to prevent kidnapping.

Cummins was in the County prison being
 arrested as a fugitive slave, when Mr. Keen arrived here as the
 Agent of the State of Maryland with a warrant from Gov. Ritchie directed
 to Judge Surber, or any Justice of the Peace of the County, to have
 said Cummins arrested and delivered to Mr. Keen to take to Mary-
 land for trial on a charge of larceny. After Judge Surber had
 directed the Sheriff of this County to deliver Cummins to Mr.
 Keen, he (Cummins) made the information above alluded to, on
 which Mr. Keen was arrested.

The prosecution was considered by this com-
 munity so far as I have ascertained their opinion, as from
 long conversations and discussions; and Mr. Keen at the written re-
 quest of the Deputy Attorney General for this County, was dischar-
 ged, because there was not a shadow of evidence against him.

Mr. Keen though arrested on a most unfounded charge
 of a felony which is severely punished by our laws, and under
 circumstances peculiarly trying to the feelings submitted himself

in perfect obedience to our laws, and comforted himself with a digni-
 -fied and propriety which gained him the good opinion of all
 who became acquainted with his case.

J. G. Campbell

I most cordially concur in the above statement of Mr. Camp-
 -bell, vouching for its truth and correctness in every particu-
 -lar. W. S. Murray
 Dep. Atty. Gen.

Belle Air 15th of Aug^r 1839.

Dear Sir,

I received your letter of the 9th inst. relative to my
 arrest in York. And to know from me whether or not the Jus-
 -tice of the Peace was apprised of the authority under which I
 acted. The Sheriff thinking I told me he acquainted him of the
 circumstance when he was about to take his (the fugitive) of-
 -fendant after I had been arrested & brought before him for trial
 I then & there presented the papers under which I acted which
 he treated with perfect indifference.

Your Honor is aware that the mode
 in Pennsylvania is different from ours the Governor issues
 his mandate to the Judge & the Judge to the Sheriff.

His Excellency
 William Carson

I remain yr
 Obedt Servant
 James Keen

Gov. of M.D.

Annapolis Maryland August 17th 1839.

Sir,

My attention has been called to an outrage com-
 -mitted by John A. Wilson, Justice of the Peace in York County
 Pennsylvania, upon James Keen Sheriff of Bedford County Md.
 in the act of conveying to this State (over Isaac Cummins a
 fugitive from justice.

Cummins had fled to York County and had
 there been arrested and imprisoned for a felony committed in
 this State. On the 28th of June a requisition was made upon
 your Excellency for his delivery to James Keen who was in-
 -vested with the necessary authority to bring him within the
 jurisdiction of Maryland. Mr. Keen received the prisoner from
 the Sheriff of York on the 26th of July, in pursuance of the orders
 of your Excellency and the warrant of Judge Surber, and

was about to return with him to this State when he was arrested by order of John B. Hildon, and required to give bail for his appearance in the sum of five hundred dollars. He was arrested for the crime of kidnaping, without the least evidence against him besides the oath of Isaac Burn-
-sides, whose escape depended upon this continuance of justice Hildon, and whose safety was to be secured by the imprisonment of a public agent. Mr. Hildon, however, was fortunately able to give bail for his appearance, and was afterwards discharged at the instance of Mr. Hunt, the Deputy Attorney General, upon the ground that there was not a shadow of evidence against him.

You will perceive from the foregoing statement and the proofs herewith communicated, that John B. Hildon in his capacity of justice of the peace, has attempted to arrest a criminal from the custody of the law; has arrested a citizen of this State without cause, and interrupted him in the discharge of his public duty; and that he has committed these offences, in contempt of your authority as Governor of Pennsylvania, and in violation of the Constitution and laws of the United States.

From the disposition manifested by yourself, on different occasions, to comply with the just demands of this State and to respect the rights of her citizens, I entertain not the least doubt, that you will exert the full extent of your authority, to punish the offending Magistrate and prevent the repetition of proceedings, so likely to disturb the friendly relations that exist between the different States of the Union.

With the highest Respect
I remain
Your obedient Servant
Wm. Gadsden
Governor of Maryland

Annapolis Aug 26th 1837.

Sir,

By resolution No 56 of the last Legislature the Governor was required to have collected and returned to the Secretary at Frederick, all arms in possession of persons in Washington County not members of an organized militia company. Your aid therefore is requested in collecting such arms as you may know or discover

to be within the range of your command and not in the possession of organized Companies.

You will therefore be pleased after collecting said arms to hold them subject to the future orders of the Governor and to report to him on or before the first day of October next and as soon as may be convenient the result of your inquiries and such other information as may seem to you material for carrying into full effect the resolution referred to and collecting all arms not in useful service or required by the condition of the county to preserve the public peace in those sections to which arms have heretofore been sent for that purpose
I have &c.

By order of the Governor
Geo. Williams
Secy of State

Sir,

I enclose letters to the Colonels within your County respecting resolution No 56 of the last session of the Legislature and direct them to you because I have no means of ascertaining their respective Post Offices. Will you have the goodness to forward them to the persons for whom they are intended and furnish such aid in accomplishing the of the resolution as may be within your power.

I have &c.
By order of the Governor
Geo. Williams
Secy of State

Annapolis Aug 26th 1837.

Sir,

The attention of the Governor has been directed to the empty condition of the Armory at this place occasioned by the simultaneous demands upon the last three or four years and he is anxious to see efforts unemployed to recover those arms belonging to the State which may not be in actual use.

He has had reason to believe that there are more arms in the City of Baltimore in the possession of Uniform Companies than there are men in actual service arising from the habit of hoarding for more than necessary at the time in the expectation of an increase of the number of the Company and also from the circumstance of many having abandoned the parade.
You will therefore be pleased to