

APPENDIX C

The following letter from William Wilkins Glenn to an undesignated correspondent apparently was never sent. It provides some additional insight into the arrest of Judge Richard Carmichael and others, who were seized at Easton, Maryland, on May 27, 1862. Judge Carmichael was confined in Forts McHenry, Lafayette, and Delaware until December 4, 1862. This letter is part of the Glenn Papers, MS 1017, in the Maryland Historical Society, as is the "Statement of Judge Carmichael from himself" that follows it.

Baltimore May 31" 1862

My Dear Sir

I am at last enabled to write you some details about the Carmicheal [*sic*] affair. Immediately on receipt of the news of the Judge's arrest, with no other information than that gathered from the American, I determined to see the leading members of the bar and some of the Judges and see if they were or were not willing to express their sentiments in regard to the outrage. I wrote you about my visit to Mr. Meredith. That was on Wednesday. McLane would cooperate, he was inclined to do something. Judge Crain spoke in a manly way. Frick thought something should be done. Dobbin would cooperate and Mr. Fred Brune was ready to meet these Gentlemen; so was Steele. Besides these I found none of the older members of the bar who would think about it. They could only say that all remonstrance was useless and could have no good effect. Friday, after much running around, I saw all the parties myself and arranged a meeting at two. Before this I saw Mr. Meredith again, who was confirmed in his opinion that Judge C. had acted disloyally and that his arrest was quite as justifiable as any one else's. Judge Crain, who

had at first consented to see Judge Martin with me, thought on reflection that he would rather some one else would do it. Two o'clock came. Mr. Dobbin had not understood the message properly and had gone to the country. Crain was missing. Steele had gone up the street. McLane insisted on my going up the street as there would be no meeting and declared he would not do anything anyhow until he saw Mr. Pearce, who was to come up that evening. Their [sic] was nothing left but to give it up & I accordingly went in and told Mr. Brune that my two days labor running after and dogging men was a hopeless, fruitless, thankless effort and that I should now leave people to look after themselves. While I was at dinner Frick came to the door & told me that he wanted me to call again at St. Paul St. at Six o'clock and meet Judge Chambers, Judge Bartol & Mr. Pearce. I saw at once that this was merely an attempt to procure Judge C's release but I determined not to lose the occasion. I went for Mr. McLane & we went. Judges C & B had been to the Fort & had an interview with Judge Carmicheal from whom they gathered the following facts: McPhail & his crew came to Easton on several days before the arrest & the Judge expecting it, instead of leaving Easton as usual, after Court hours, staid there saturday, came in town again Sunday & Staid again monday afternoon. Nothing however was done by McPhail. Tuesday, while the Judge was on the bench, engaged in the discussion of a Law point, the Jury in the box, McPhail appeared and walked to the side of the bench on the left hand of the Judge, stretched out his hand & said "Good morning Judge," His head was covered. The Judge thinking he was going to make some application, took his hand saying at the same time—"Take off your hat Sir". McPhail obeyed. "I arrest you Sir," said McPhail. "By whose order." "By order of the Marshal of Baltimore." (McPhail says he said Provost Marshall) "I recognize no such authority," at this moment Bishop the Know-Nothing-Swann rowdy walked up to the table struck upon it and said "the Court is adjourned; shall I assist you to arrest him" cried he to McPhail & immediately pushed for the opposite side of the Bench drawing out his pistol—the Judge called out to the Sheriff to preserve order—but the Sheriff had disappeared. Bishop jumped up & knocked the Judge twice on the back of the head with his pistol, the cock of it coming in contact with his skull & hurting him severely. Two men then rushed upon him one on each side & seized the Judge's Arms; Bishop then drew off to strike him in the face & while thus held fast, the Judge raised his feet to Bishop's breast to repel him. The next blow knocked him senseless & he was dragged along from the Court—on his first return to consciousness caused by the motion & air, shortly afterwards, he found himself in a helpless condition—his eyes suffused with blood from his head. At this moment he heard Cassell one of the police, say "don't strike him any more, their [sic] is no call for such treatment". And he thinks to this man he owes his life. Sam Hambleton & Martin had disappeared together with the Jurymen & the rest of the crowd. They dragged the Judge into the Registers Room & the only man who seemed to take any interest in his condition was

an oysterman, who ran across the Street & returned with a bucket of water for him to wash the blood from his face. I think it was Nabb who heard the noise & ran across to the Court. He was arrested as he entered the Court House—having been heard to say two days before, that they should not arrest the Judge. Their were eight men with McPhail. The troops were three miles off & on landing captured every body so as to prevent the news of their arrival from reaching the town. If their had been any resistance to the arrest they promised themselves doubtless a gory time. To return, after relating this, Judge Chambers read a letter from Pearce who was ill on his back it was sensible & manly & more than I expected. But he is too sick to do anything & will hardly be able to be again in his seat in the Senate soon. Besides, I have no confidence in him, that he will do more than write private letters. They discussed about one hour about the prospects of a release before I got them to the point, assuring them that they could rest satisfied that Judge C. would be able to get no release on terms that he would subscribe. After this the discussion was short. Brune desires to act prudently. McLane who always talks all round a subject and who has really amused me lately while he annoyed and almost provoked me, preferred to rely upon the superior wisdom of Judge Chambers. Judge Bartol spoke properly but wished to take no action that was decidedly unwise. My proposition to call the facts of the outrage—the time place & manner of it without any discussion as to its legality at all—to the attention of the Governor giving him the opinions of the respectable portion of the bench & the bar was not listened to—a protest was dangerous—a remonstrance was unwise—the only thing was a proper memorial to be presented by Pearce—and finally it was actually considered *advisable* that this memorial should come from Judge Carmicheal himself. Not, mind you, from friends whose countenance and support would be a solace & comfort to him in his prison—but from himself, to be signed afterward by his friends, and the upshot of the whole matter, depend upon it is that Mr. Pearces hands are not even to be fortified with a memorial of respectable names, but he is to be left to do his best, if he happen to get well. As for me—as you know—I am nobody here. Nobody minds me or even listens to what I have to say. The community is going to the devil or rather gone there—and I am its slave—when I thought you were too hard upon them, I did not think they are what they now show themselves to be. Frick has manifested more interest than any one else—other gentlemen actually laugh & say it is all coming right & more than one do not hesitate to say they are glad of it—as if they had not had enough of it already to arouse any spark of manhood that still slumbered xxxxxxxxxxxxxxx etc.

Yrs Sincerely
[s] W. W. G.

P.S.

Hadcastle the foreman of the Grand Jury was arrested here but released upon an interview with Genl. Dix.

P.S. June 3d. The end of all this was that today Judge Chambers wrote up that after a consultation with Judge Carmichaels friends,

among whom was Pearce, it was deemed *advisable* to do nothing for the present.

Statement of Judge Carmichael from himself.

On the 27 May 1862, whilst sitting as Judge of the Circuit Court for Talbot Country, during the trial of a cause, the jury in the box, and a witness on the stand, a stranger approached the Judge & saluted him quietly saying "Good Morning Judge" & extending his hand. The Judge took his hand and looked at him, waiting for him to speak. "I arrest you" said he. "By what authority" asked the Judge. "I am Mr. McPhail, the Provost Marshal," replied he. "I do not recognize your authority" said the Judge, whereupon he called for the Sheriff. The Sheriff did not answer. McPhail then said "I have the force". "You shall see" replied the Judge, at the same time ordering the Crier of the Court to call the Sheriff. At this juncture the Judge discovered a stranger addressing some words to Mr. Powell, one of the Attornies engaged in trying the cause. This fellow proved to be Bishop a detective and notorious bully. The crier repeated that "the Sheriff did not answer". He was ordered to make another call upon the Sheriff. One of the Jury now rose & addressing McPhail, said "Is the Jury discharged." The Judge ordered him to sit down telling him that he could not speak to any one without the permission of the Court. McPhail then put on his hat. The Judge said "Take your hat off sir". McPhail obeyed instantly. Bishop then turning to McPhail said "Don't take off your hat," and added "Shall I take that man from off the bench. McPhail assented. At this moment the crier was making the second call for the Sheriff, when Bishop rushed across the room, seized the crier, forced him violently into a chair and addressed to him words which the Court did not hear. He then came up and seized the Judge by the throat. The latter instantly rose saying "Unhand me Sir". The demand not being heeded, he pushed Bishop from him. Simultaneously he received a blow upon the head from what proved to be the handle of a heavy pistol. The blow was rapidly repeated bringing blood which flowed in streams down his face. Force was now used to push him from the bench. Bishop was still before him. As the Judge was urged forward he pressed Bishop before him and forced him off the platform. He then attempted to make a stand by holding with one hand to the desk and placing the other against the wall. His head was borne down and forwards by these efforts of his own & by the force of those pushing and beating him from behind. At this moment the Judge perceived Bishop with his arm drawn back in the act of striking him with his fist in the face. The Judge spurned him from him with two sound kicks, thus breaking the force of the blow. As he dealt Bishop the last blow he was pushed from the platform of the bench. Bishop now joined the others in the rear. A great force and weight was borne upon the shoulders of the Judge, depressing his head and a blow was dealt him which laid him for a moment unconscious. He was then held by force and another severe blow dealt him on the head.

The Judge has a confused recollection of attempting to call for help at this period and of a blow which crushed the voice in his throat. When he became somewhat restored to consciousness, he heard a person rebuking an attempt at further violence. His name was Cassell. He was one of the participators in the outrage. The Judge is not certain that Cassell struck him. Bishop was the only one who seized him by the throat or dealt him blows, that he can say he saw. All the others were behind his back.

"Everything" says the Judge "I have related occurs to my memory with entire certainty, though my recollection was not quite clear until after I had slept upon my wounds. Many things may have occurred which I did not see nor hear". The Insolence and vanity of the Man Bishop after the troops were brought to sustain the outrages done on this occasion were offensive beyond expression.