

custody ; that one at least of the persons so arrested and detained—Mr. Grason acting for the captors—was released, “upon the condition that he would go home and have nothing further to do with the army to which he belonged,” the army of the United States ; that besides pistols and sabres, the said Horse Guards were armed with, or had in their possession, rifles with ammunition, received from Baltimore, which arms were retained by the members of the company, and subsequently gathered in by a detachment of the United States troops, which came at night from the Northern Central Railway for that purpose, and among others obtained one of those rifles from the house of Mr. Grason.

It was also shown that the members of the company on Sunday, ground their swords for actual service, denouncing the United States government, and avowing their intention to stop the progress of the United States troops ; that they wore badges bearing the Maryland coat of arms, and although the company carried no flag, yet the State flag was flying over Ady's Hotel, the headquarters of the company, where it had been placed by Harry Gilmor (since infamous as a guerilla and robber, at that time a corporal in the horse guards) and other members of the company.

It was also shown, that during all this time, and till the disbanding of the company, Mr. Grason was with it, or some detachment of it, or at its headquarters, active and counseling or directing its movements. As one of the witnesses expressed it, “he had the brains of the company—was the only man who seemed smart enough to do the business.”

With some conflict of evidence, and much that was merely collateral or irrelevant, and with some subsequent occurrences which it is not necessary now to notice, though clearly proved, the foregoing facts were established beyond question or doubt.

Mr. Grason, for a week more or less, with his company the Horse Guards, was in arms, and on a war footing. Of this there can be no doubt, and your committee did not understand that Mr. Grason, or his counsel, really denied it. But the real question disputed is, “Against what power or authority were they in armed hostility.”

Your committee have not been able to satisfy themselves, either from their own vivid recollection of the occurrences, from any evidence that was brought before them, or from the records of those eventful days now passed into history, that there were more than two parties in Baltimore city or county at that time in actual or threatened collision. Of these, the one was the United States government, or its lawful authorities. These authorities were neither making, nor meditating