

And that by such fraudulent pretences as should be practised and succeeded, arrest the said Myers upon and under the said warrant.

The trick resorted to, consisted of the act of driving the stage past Myers house, standing upon the Mail road, and within a few yards of the boundary line; and when it had passed into Pennsylvania, calling for Myers to come (over) and receive a letter which was held up in the hand of the driver, and which had been prepared and contrived by the Sheriff of Cumberland County who with his confederates occupied the interior of the stage and who, with them, immediately upon the arrival of Myers to receive the letter, assaulted Myers, thus decaying across the line; brutally treated him in the presence of his family, who witnessed the scene from their dwelling - bound him and carried him to jail at Carlisle. Myers was detained upon this warrant until he gave bail to appear at the August Court, or Sessions; at which time he was indicted by the Grand Jury of Cumberland County for Kidnapping; and his trial postponed until the present day.

The circumstances of this very unjustifiable proceeding on the part of the Sheriff of Cumberland County was sufficient to warrant my demanding the extradition of Myers, which under the decision of Pennsylvania Courts, could not have been refused. I may in this connection refer your Excellency to the case of Dow, reported in the sixth Volume of Harris' (Penn<sup>a</sup>) Reports at the thirty seventh page.

But I considered that such a surrender, which I could not doubt your Excellency would make, could only delay the trial of Myers and his acquittal. I therefore decided to allow the matter thus to stand, affording him at such trial the assistance of Counsel to represent the interests of this State in that proceeding.

Late events however, which have inflamed the public mind and led to a state of feeling, which will in my opinion, render it dangerous for a citizen of this State placed in Myers position to proceed to trial upon such a charge, under such circumstances at this time, have determined me to respectfully ask of your Excellency the entering of a Nolle Prosequit in that case. The circumstances of the arrest of Myers cannot, in all probability be shown in evidence upon his trial. and I respectfully submit to