

State of Maryland

Executive Department

Annapolis June 4. 1862.

Frederick Bernal Esq.

British Consul for Maryland

Sir:

I have just received yours of 31st ult. enclosing a statement of Mr. James Knox who claims to be a British subject, setting forth the particulars of an assault said to have been committed upon him on Sunday the 24th ult. in the streets in the City of Baltimore, his subsequent arrest upon the charge of rioting, and his examination before Charles D. Rice a Justice of the Peace for that City, and his discharge upon a recognizance to keep the peace. Mr. Knox complains that he was assaulted by a mob and severely beaten without provocation, and that he was unlawfully arrested and held to bail, having himself committed no breach of the peace. If this statement be correct, he would seem to have a good right to complain, and no one regrets such an occurrence more than I do.

It will be borne in mind however that on the day referred to, as I learn through the Public press the whole Community of the City of Baltimore was in a condition of intense excitement and agitation growing out of the intelligence just received of a Regiment recruited chiefly in that City having been cut to pieces, with the loss of its Commander and other well known citizens in a recent engagement between them and the Rebels now in arms against this Government. I mention this not by any means as a justification for any riot or breach of the peace, but as calculated to explain the assault of which Mr. Knox complains, and which if we can credit the statements current on this occasion, he with several others suffered, in consequence of some expressions of gratification at a disaster which at that moment had so intensely excited the sensibilities of the public. I repeat that whilst these circumstances by no means justify the violence complained of, which all good Citizens must regret, they will serve in some measure to palliate it, or at all events to shew that the fact of Mr. Knox being a British subject had nothing to do, as his statement might seem to imply with the season of the assault.

I understand from the purport of your letter that its chief object is to allow to Mr. Knox the opportunity of establishing to my satisfaction the truth of the facts which he details, particularly in reference to the alleged misconduct of the Justice before whom he was examined on the charge of rioting, and with the view of some action on my part against said Justice, if these allegations are sustained.

In reference to this I would say that a Justice of the Peace under our Constitution and laws is not one of the class of officers whom the Executive of the State can remove from office even in the case of official misbehaviour.