

State of Maryland
Executive Department
Annapolis February 18th 1862

H. D. H. Burgess Esq.
& others Committee do

Gentlemen:

I received yours of 7th Inst. in which after expressing your gratification at the promptness with which, you are pleased to say I had brought your complaints to the notice of Genl. Schenck, state that his action in reference thereto had nevertheless failed to relieve you of the annoyances caused by the conduct of Col. Swain, and you give the circumstances of the loss occasioned by another of his visitations — I assure you that I regret exceedingly to hear of such occurrences, and hope you properly appreciate the difficulty, in a practical point of view, of so dealing with them as to avoid in as great a degree as possible the losses which they occasion, and at the same time all unavailing conflict with the Military Authorities and Organizations. I have entire faith in the intelligence and conservative character of Genl. Schenck and can suggest no readier method of preventing the annoyances of which you complain than through his instrumentality; and although, assuming that Col. Swain had been disconnected with his command, according to the information previously received, it was doubtful whether the complaints growing out of his last visit were properly a subject for Genl. Schenck's consideration, I nevertheless on the receipt of your last letter addressed to him another communication in which I detailed the circumstances you related, and urged them as reasons against Col. Swain's future visits to your neighborhood, which were still more obviously unnecessary if he had been relieved from any command there —

I called his attention too to the imputed character of some of the companies composing that command, and although feeling necessarily some delicacy in advising as to the disposition of the forces in his Department, still ventured to suggest that if these companies were as represented, and especially if they had already been removed from another part of the state in consequence of complaints of the neighborhood, that he would take into consideration the propriety of substituting others for them, and expressed the hope that he would be able to order these arrangements of his forces that whilst they accomplished the objects of their Service, they might harmonize also as far as possible with the wishes of the citizens — I believe that Genl. Schenck, so far as it is practicable, will be governed by such considerations.

I have today received from him a Report made by Col. Swain to him, touching the matters charged against him in the affidavits you first left with me, a copy of which with two certificates accompanying it are herewith enclosed — You will perceive that he explicitly denies the acts and declarations ascribed to him in the affidavits of Dr. Mills and Mr. Nally, and although this denial supported though it is, by two of his subordinate officers, is not under the circumstances by any means conclusive in the matter at issue, yet I believe that the simple fact that he thinks it necessary thus