

or using any force, as proved on the trial by a witness; and though I cheerfully acquit the Marshal of all privity with their escape, yet the fact remains, that there was treachery on the part of some officer within the walls of the prison. Another remarkable fact was the corruption of a Government witness, by the name of Harvey Scott, a free negro, who had thrice testified—once at Christiana, once at Lancaster, and once at Philadelphia, to the fact of being an eye-witness of the murder of Mr. Gorsuch; and now, on this trial, influenced by bribes or some other corrupt consideration, when placed on the stand by the United States, openly confessed that he had thrice committed perjury, and then swore on this trial that he was not present and knew nothing about the affair, which perjury was received with open applause in the Court room. Again: the counsel for the defence applied to the Court for an order to bring out some twenty-four of the negroes in prison, to see which of them could be identified as participants in the treason, by Henry H. Kline, a material witness for the prosecution. At the opening of the Court on the next day, these negroes were seen sitting in a row, supported on each side by white females, who, to the disgust of all respectable citizens, gave them open sympathy and countenance; each of the negroes appeared with new comforts around their necks—their hair carefully parted, and their clothing in every respect alike; so as to present one uniform appearance to the eye, as far as possible—all done, doubtless, for the double purpose of giving “aid and comfort” to the accused murderers of a white man, and of confusing and perplexing so important a witness as Kline, in respect to their identity. And this was manifestly done with the privity, suffering and consent of the officers having charge of the prisoners, and passed unrebuked.

I have thus hastily referred to these collateral matters, because they shew the nature of the obstructions and the daring sympathies interposed against the course of public justice, by the machinations of a crew of miserable fanatics, countenanced and assisted by public officers, who seem to have had no decent respect for themselves or for a Court of Justice.

In spite of all these things and many others that I could enumerate, I believe that we succeeded in getting a Jury empanelled, a majority of whom were unexceptionable and unbiassed, but that was the result of great tact and management on the part of those, counsel for the United States, who, by arrangement took charge of that portion of the proceedings; and, I feel bound to acknowledge in this particular, the eminent services of Mr. Ludlow, Mr. George Ashmead and Col. Robt. M. Lee, of Philadelphia, who took every possible precaution to obtain a good and impartial Jury.

Before proceeding to announce to your Excellency the result of these prosecutions, and the grounds on which they were dismiss-