

today. A jury was duly impanelled, and a plea of *not guilty* made.

Elias Glenn,⁴ District Attorney, for the Government.

William Pinkney,⁵ *Thomas Jenyns*,⁶ *Upton S. Heath*⁷ and *John E. Hall*,⁸ for the Prisoner.

Mr. Glenn, District Attorney, opened the case by stating that treason was a crime of the deepest dye, which all nations had punished with exemplary severity. In the United States, he said, it had been limited to two species, viz: levying war, and adhering to the enemy, giving him aid and comfort.—Laws U. S., April, 1790, Sec. 1.

It was the second species of treason of which the prisoner stood accused; and it had been committed under the following circumstances:

While the British army was on the retreat from the city of Washington last summer, as they passed through Prince

County, Md. Clerk Colonial Legislature; Member of Congress, 1794; Presidential Elector, 1796-1800; Judge Maryland Supreme Court, 1796; Controllor U. S. Treasury, 1802-1811; Associate Justice Supreme Court of the United States, 1811-1835.

² *HOUSTON, JAMES.* (1767-1819.) Born Chestertown, Md.; Admitted to Bar, 1806; United States District Judge, District of Maryland, 1806-1819.

⁴ *GLENN, ELIAS.* (1770-1846.) Born Elkton, Md.; United States District Attorney, 1812-1820; United States District Judge, District of Maryland, 1824-1836; Died in Baltimore.

⁵ *PINKNEY, WILLIAM.* (1764-1822.) Born Annapolis, Md.; Member Convention which ratified the Constitution; Envoy Extraordinary (1806) and Minister Plenipotentiary (1808) to England; Settled in Baltimore, 1811; State Senator, 1812; Attorney General, 1812-1814; Member of Congress, 1791-1793, 1815-1817; Minister to Russia and Envoy to Naples; United States Senator, 1819-1822; Died in Washington.

⁶ Probably *THOMAS JENNINGS*, though the name is spelt *Jenyns* in the original report. In the Baltimore directory (1814-15) the only man of this name is a "Thomas Jennings, att'y at law." Up to 1833 the name continues to appear in the Baltimore directories. *Scharf's Chronicles of Baltimore* (1874), p. 163, mentions a "Thomas Jennings," who in 1778 declined an appointment as Attorney General. *Hall's Baltimore, Its History and Its People* (Vol. 1, p. 622) mentions among the men prominent in the pre-revolutionary times a "Thomas Jennings."

⁷ *HEATH, UPTON S.* (1785-1852.) Born Maryland. A leader of the Maryland Bar and though never married, was the head and sup-