

*Thomas Sparrow.* Was solicited by Randall to help guard the prisoners; Randall, Benson, Wells, and myself mounted guard that night; at 12 o'clock Lansdale came in with a deserter; next morning, Sunday, the two Hodges came with information of the threat, etc., and required that the men should be delivered up; went to consult General Bowie, who said it was very

hard; that the capture was legal, but he supposed we must submit; there were three prisoners and Tom Holden, the deserter.

*General Bowie* (recalled). Hodges never pressed the delivery of the deserter. Dr. Beanes is a man universally esteemed and respected—in whose situation every one would feel an interest; the other hostages also were very respectable men.

#### THE WITNESSES FOR THE PRISONER.

*Dr. Bradley Beanes.* Was at my brother's on Saturday when they took one of the men (Holden) whom they conducted to town, and gave in charge to Lansdale to be conveyed to Queen Anne. In the night a detachment of British cavalry, about fifty or sixty, came to my house; Major Evans searched the house for men or arms, but finding none went away; soon afterwards Captain Brookes came; he was very much agitated; said that they had carried off Dr. Beanes and the others, and spoke of the threat; wished me to go with him to the two Hodges and persuade them to go to Queen Anne and bring back some of the prisoners, and to Robert Bowie, who had another; the two Hodges immediately agreed to go.

Mr. Robert Bowie strenuously contended that they had no right to demand his prisoner, as he did not live in the town, and acted independently of the town. If he was a deserter it would be murder; he actually shed tears in speaking of the fate of the man; told him he need not be uneasy about the deserters, that that

thing could be managed; by which I thought Mr. Bowie might understand that an opportunity would be given to the deserters to make their escape.

*J. Donaldson.* Before day-break was aroused by Captain Brookes, who told me of the visit and threat of the British.

Beanes and I met Holden and hailed him; he at once said he was our prisoner; never considered him as a deserter and when Hodges went for the prisoners it was impossible that he should know anything of his character, as he had not returned from Queen Anne, when the man was taken.

When Dr. Beanes wanted me to go with him in pursuit of some English soldiers I declined, because the town had capitulated, and I thought the people should take no active steps of that description.

*Mr. Pinkney* read an address from the grand jury to the President of the United States, in which the jurors expressed their respect for the motives of the prisoner, and prayed for a *non prosequi*.

*Mr. Glenn* prayed the court to direct the jury that the mere act of delivering up prisoners or deserters is an overt act of high treason.