

TRUE PIRATE STORIES.

HOW THREE OF THE CHESAPEAKE CAPTORS WERE CAUGHT.

Proceedings in the Only Case Which Arose Here Under the Ashburton Treaty—The Men Held by Magistrate Gilbert and set Free by Judge Ritchie.

General Sir Hastings Doyle, commander of the forces, was administrator of the government in Nova Scotia at the time of the Chesapeake affair, and was much annoyed at the scene which resulted in the escape of Wade from policeman Hutt.

There was intense interest in the affair taken by all classes of citizens. The old police court room, on Chipman's Hill, was crowded to excess each day during the proceedings, and the result of the examination was eagerly looked for not only in the provinces but throughout the United States.

The evidence of Capt. Willett, of Daniel Henderson, the second mate, and of James Johnston, chief engineer, detailed the capture of the steamer and the subsequent events on board, while Charles Waters, of Carleton, testified as to the meetings held in St. John and the plot to take the steamer.

John C. Braine was keeping an eye to his own safety after the recapture of the Chesapeake, and he had need to do so, so far as Halifax was concerned.

Two Carleton men, John King and James Treccartin, were among the witnesses for the defence. They had been present at some of the meetings held in St. John, and swore that "Captain Parker" produced as his authority a document with seals and what purported to be the signature of Jefferson Davis.

There were also some notable men from the south who gave evidence for the defence. First, there was the famous Dr. Luke P. Blackburn, who was afterwards charged with a plot to spread disease among the Northern soldiers by means of infected clothing, and who was banished to the Dry Tortugas by the United States government.

As before stated, Braine reached St. John on the 21st of December, but after remaining several days prudently made his way to parts unknown, as proceedings were about to be taken for the arrest of him and any of his party who might be found in the province.

James Quincy Howard was the U. S. consul at St. John, and on the 22nd of December he wrote to Hon. S. L. Tilley, provincial secretary, and to Hon. Arthur Hamilton Gordon, the last lieutenant-governor appointed by the Imperial authorities, transmitting the depositions of the captain and mate of the Chesapeake.

The various adjournments had taken from the 4th of January to the 15th of February. On the 24th of the latter month, Mr. Howard stated in his letter that, as an officer of the government of the United States, he was authorized by the executive to make the requisition. I have followed the phraseology of the letter, because one of the points afterwards raised was that no proper requisition had been made.

The names of George Wade, Isaac Treadwell, Robert Moore, Harris and others who were not known to the consul were not included on the list.

The treaty made between Great Britain and the United States in 1842, known as the Ashburton Treaty, provided for delivering up by the respective governments of persons "charged with" certain crimes, including piracy and murder, committed within the jurisdiction of the nation making the requisition.

No question as to the sufficiency of the requisition was raised by Governor Gordon or his advisers, and the warrant was issued on the 24th of December, 1863, directed to all justices of the peace and officers of justice in New Brunswick. Three of the Chesapeake men were speedily arrested.

McKinney (the name should have been spelled McKenna), and Collins were found at Loch Lomond, on the 26th, and Seely was taken in Carleton on the 31st of December, under a warrant issued by Humphrey T. Gilbert, police magistrate of St. John.

His honor held that the requisition was not good, that the depositions taken before Mr. Gilbert and forwarded to the governor were extra judicial, and that the depositions meant by the statute were those on which the original warrant was issued in the country where the crime was committed.

He did not consider, however, that the magistrate had exceeded his discretion in deciding piracy established by the evidence. He held that the magistrate should have taken no fresh complaint, but proceeded with the governor's warrant as his sole authority, and that the warrant of commitment was at variance with the statute and bad.

He therefore held that the warrant did not justify the detention of the prisoners, and ordered them to be set at liberty. This was done, and they lost no time in getting away from the city.

Some of them returned to St. John later. David Collins, the finest looking man of the lot, afterwards went to Maine, where he was arrested on a charge of attempting to break a bank, and I think he died in prison. Seely, as has been shown, met his death in a street brawl. Robert Cox died in Carleton a few years ago, and it is understood that Gilbert Cox is also dead.

George Wade is dead, the previous statement that he was still living being an error. Isaac Treadwell and Robert Moore, two men not named in the warrant, are now living at Loch Lomond.

Parr went to Yarmouth, N. S., and settled down as proprietor of a drug store. A few years ago he went to Boston, was arrested on the old Chesapeake affair, and got clear only after a good deal of trouble in the courts. He is now living in Boston.

I think that most of the others of the Chesapeake captors are dead. Of those who were prominent in the legal fight, Judge Tuck and Mr. Weldon are the only survivors.

A trifle sometimes leads to the detection of a fault or crime. A theatrical musician owned an ebony flute with silver keys. He valued it highly, but as one of the upper notes was defective, he seldom used it. A young man lodged with the musician and between the two a close friendship existed.

One night the ebony flute disappeared, having, no doubt, been stolen. Suspicion fell on several persons, but nothing could be proved against any of them. Not long afterward, the lodger went to live in a town a few miles off, but as the friendship between the two men still existed, they occasionally visited each other.

Nearly a year afterward, the musician paid his friend a visit, and was pleased to find him in possession of a beautiful bullfinch, which could distinctly whistle three tunes. The performance was perfect, with this exception, that whenever he came to a high note, he invariably skipped it, and went on to the next. A little reflection convinced the musician that the note in which the bullfinch was imperfect was the deficient one on his lost flute.

So convinced was he that he questioned his ex-lodger on the subject. He at once tremblingly confessed he had the bird, and that all the bird knew had been taught him on the stolen instrument.

A graphic description is given by the New York papers of an odd bull fight at Beaver Dam. Two farmers, living in that neighborhood, quarrelled over the merits of two animals in their possession. One owned a Jersey bull, the other a Durham bull. For some time past they had indulged in bantering each other as to who had the better animal.

They finally arranged to pit the bulls against each other in a ring on the main street of the town. The contest came on without any interference from the authorities, and after an hour and a half's fighting the Jersey bull came off victorious, having killed his opponent.

In Ireland only one shamrock is known. It is an indigenous species of clover, which trails along the ground among the grass in meadows. The trefoil leaves are not more than one-fourth the size of the smallest clover usually seen in America and are pure green in color, without any of the brown shading of white and pink clovers.

The creeping stem is hard and fibrous and difficult to dislodge from the earth.

On St. Patrick's day the true shamrock has to be searched out among the grass, for though comparatively plentiful at that season, it grows close to the ground. Later it bears a tiny "white crown" blossom. The information that "shamrakh" is Arabic for trefoil may be of service to those interested in the origin of the Irish race.

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