

Sharon Rock, N.H.
Sunday May 31, 1857

My dear Sir,

I have been putting off as long as I possibly could, a most painful task. A fortnight ago today, happening to pass through Oyster, (twenty miles below this place) I heard that Judge Kings was on board the Steamer Truckee, which was aground in the neighborhood. I had learned a day or two before that he had not visited Van Buren, O. On Friday the 22nd inst. I went up to Fort Smith on my way to S. B. and there met Col. Robinson, who told me that Judge Kings had arrived, and that your sons had been tried the day before. Col. R. had gone over himself expressly to see what could be done for them, and it seems that he himself had not actually heard of the Judge's arrival until after the trial was over. The result, as every body anticipates, was a conviction. Immediately on learning the fact from Col. R. I hastened to Van Buren to see if any thing could be done. Mr. Council & Messrs. Walker and Green, had already filed a motion for a new trial. This was on Friday Evening. O. R.

Saturday I went to see the Judge, and explained to him exactly how I was situated in the matter - told him what I had said to you - that I had promised you to be on hand at the trial, and to ^{do} call in my power to aid your sons - that I had not even heard of his arrival until after the trial was over and that altho' it would not be becoming or proper in me, out of Court, to say any thing about the motion for a new trial, I should feel ~~relieved~~ ^{relieved} from considerable embarrassment if one could be granted. He talked very kindly - seemed to appreciate fully my motion, but did not intimate what he would do. After a full consultation with the Counsel, and with our friends generally, it was determined that while the motion was pending, the boys had better be bailed. But the next trouble was to procure the required security. Before the trial, the amount required was only \$1,500. and there was no difficulty in obtaining responsible names. But after the trial, the Judge said he would require good security for at least \$5,000, and perhaps more. Every one that I spoke to said that in the United States Court, if a recognizance was forfeited, the penalty was sure to be rigidly enforced, and that too without any delay. The boys counted on Billy McKean, who had

been then surely before - and I told them that if Billy
would join me I would unite with him. But Billy
refused. He said that he knew that if he himself
was backed under similar circumstances, he would go
off and never return - That if he became bound
for \$5,000, or even the half of it, and his property was seized
to make up the amount, it would hopelessly ruin him.
All he could do was this - He would redouble his
days and get Lemmy Harris to hasten back to V. B.
fully prepared to indemnify whosoever might become
bound for them. This seemed the best that could be done.
Accordingly he left on Sunday last, nothing more
was done until Thursday morning, when the Judge
announced his decision upon the motion by refusing to
grant it. He then proceeded to pronounce the sentence,
which was three years imprisonment in the Penitentiary.
The execution of the sentence however was postponed by
the Judge at the request of the Counsel to enable them
to forward a statement of the facts to the President as
the basis of an application for a pardon - The applica-
tion will be forwarded in a few days directly to yourself.
You will then be able to shape your course properly. I
prepared an abstract of the testimony for the Judge to sign
and certify, but left it ^{at} Newburn. I am going up there
in a few days expressly to aid in preparing a proper state

= went in order to satisfy the Attorney General - to whom
all such applications are referred - that a new trial
ought to have been granted.

The boys acted with becoming dignity
when they were sentenced - altho Leonidas was
evidently affected - still there was nothing unmanly
about his deportment. My cousin did not hear
any execution until just before we parted at the Jail.
They both requested me to write to their wives - which
I did on the same day. Up to the time I left on
Thursday Evening nothing had been heard from
W Harris.

I hasten to close this to send by a
person who goes up to town this morning. I
shall go up myself on Wednesday, and will
then write you again

Yours truly
J. P. Sullivan

Col. P. P. Pitchlynn.