

script a copy of Capt. Parker's order to Braine, (which Captain Willett had published in the N. Y. *Herold* and other papers), and asked the Captain if the copy was correct. The witness said it was nearly correct. The name of the Sailing Master in the copy handed him by Braine was George Robinson, not Tom Sayers; the name of the Engineer was not given in it, and the number of the men stated was 11, not 22. In other respects Mr. Gray's copy was correct.*

The Confederates kept of my private property, one double barrelled gun, one single barrelled, 5 five barrelled revolvers, and 1 six barrelled revolver, (I did not come out of my room "in what they call my shirt tail.") They kept me aft and plundered my room. They took 3 coats. I missed them when I commenced to pack up. I brought ashore my clock, 3 charts, sextant, 3 books. The passengers also brought ashore their own things. I did not see Braine give the passengers money to take them back to New York. The crew brought part of their things ashore. They put us into the Pilot Boat six or seven miles this side of Dipper Harbor. I did not see and do not know that the Confederate flag was raised over the vessel. They fired two shots at me, and I don't know how many more. The first two shots were fired at twelve feet. They must have been bad shots. The *Chesapeake* had two six-pounders forward, and of ammunition half a keg of powder. No cutlasses. The Confederates who cut out the "Caleb Cushing" at Portland were sent to Fort Warren; I have heard so. The *Chesapeake* was engaged in retaking the "Caleb Cushing." I saw the Confederates who were then taken: they were sent to Fort Preble. I do not know that those Confederates were ever tried as pirates or in any other way. Only Lieut. Parr told us that their party was acting for the Confederate States. They all seemed to be working together, and were working under Parr and Braine. I was not at Sambro, and did not see the steamer after I got into the Pilot Boat. None of my crew to my knowledge were kept in irons the next day—the day after the capture. I never saw or heard of Braine or Parr before.

Re-examined by Mr. Wetmore:—I have heard the Confederates called rebels in the Northern States generally. The "Caleb Cushing" was lying at a wharf in Portland Harbor when captured. Braine was called Colonel; the parties all seemed to be working together. I cannot tell whether Braine paid the passage of these three men, the prisoners.

JANUARY 6, 1864.

EVIDENCE OF DANIEL HENDERSON.

Daniel Henderson, sworn—I belong to Portland, Me., I am second mate of the *Chesapeake* in the beginning of December. Five or six years ago I was employed on board her, and had been for two or three years. She was called the *Chesapeake* then, and traded from New York to Savannah, Charleston and Baltimore, and sometimes to Portland. She had previously been called the *Totton*, but when she was rebuilt her name was changed. She was owned in New York by H. B. Cromwell. She was latterly employed in the trade between New York and Portland. She lay in North River, New York, at Pier 9, on Dec. 4th and 5th, and took in considerable cargo. She had a great deal of wine and cotton, and was nearly full. She left on Saturday 5th, about 4 in the afternoon. She had 22 Passengers. This was not an unusually large number. She sometimes had 50, or 60, or 70. The crew numbered all told—including the stewardess—18. I paid no particular attention to the passengers, and the only one I knew was Braine, who had been a passenger from New York to Portland about a fortnight before, and then had a wife and child with him. He then said he had just come from England. The voyage usually occupied 36 to 37 hours.

On Sunday night at twelve o'clock my "watch" was over and I went to bed. My room was on deck immediately adjoining the pilot house. I had not been in bed more than an hour and a half when four men came to my door, broke the lower panel, and then opened the door. This awoke me. The four men then

*The order put in by Mr. Gray, will be found in Appendix H.