

Sec Nav to Barney - Confidential
June 14th 1814

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Joshua Barney
Captain Commanding
U. S. Flotilla
St. Leonards Creek

Navy Department
June 14, 1814 1 pm. 3

Sir,

I received your Letter of yesterday at 5 Clock this morning and should have dispatched the response with an answer immediately, but that the arrest and detention of Mr. Parran involving a question of some delicacy, I deemed it proper to see the Attorney General and take his opinion upon the facts stated in your Letter. This I have done and enclose copy thereof for your information.

Upon military principles and precautions, I think you had a right to prevent his return to the to the enemy, from whom he had come as it appears, charged with a special message to the Insurrectionists, calculated to seduce them from their duty as Citizens, in aiding the public force to repel the invaders and withheld from them all succor. No Citizen under any pretext whatever can lawfully hold intercourse with the enemy without the special authority of the Executive of the United States, and any Citizen attempting to hold such unlawful intercourse may be arrested by any military or Naval Officer, and delivered over to the proper civil authority for examination and lawful process.

The mere declaration of Mr. Parran that he was taken together with his brother by the enemy, and that he had promised the Commodore to return on board after delivering the unlawful message to the Insurrectionists, does not justify him. It is not stated that he considered himself as a Prisoner or Parole, and if he did, still some written evidence is requisite to substantiate the facts, otherwise any unfaithful Citizen may become the