

NARRATIVE

OF THE

LIFE, TRIAL, CONFESSION, SENTENCE OF DEATH, AND EXECUTION,

OF

EBENEZER W. COX,

WHO WAS EXECUTED AT CHARLESTOWN, JEFFERSON COUNTY, VA.

August 27th, 1830.

FOR THE MURDER OF COL. TH: B. DUNN,

United States' superintendent at Harpers-Ferry,

January 29th, 1830.

TO WHICH IS NOW ADDED

THE APPEAL OF DANIEL STIPES,

ONE OF THE PARTIES ACCUSED.

LIKEWISE,

A Melancholy Account of the

MURDER OF THOS. GRIFFIN THORNTON,

Late sheriff of Caroline county, Va.

PERPETRATED BY

CHARLES YOUNG;

WITH THE ASTONISHING PROVIDENTIAL INCIDENCES WHICH LED TO THE CON-
VICTION OF THE ASSASSIN.

The whole interspersed with such

Moral and Religious Reflections

AS ARE CALCULATED, NOT TO FAMILIARIZE THE READER WITH SCENES OF BLOOD, BUT,
LIKE A FRIENDLY LANDSMAN IN VIEW OF A COASTING MARINER, TO
RAISE ABOVE THE ROCKS THE WARNING BEACON.

SELECTED AND COMPOSED

BY GABRIEL NOURSE.

WINCHESTER:

SAMUEL H. DAVIS, PRINTER.

1830.

NARRATIVE, &c.



WHEN we consider the ample provision made in the Gospel, for the restoration of man from the lapsed state into which he has fallen—the abundant means presented, and the many benevolent institutions established not only for the improvement of morals and the prevention of crimes; rescuing him from the commission and their consequences, by the penalty annexed to transgressions in this life, and the awful denunciations by Jehovah himself in the world to come; and still discover so many violations of the laws of God and man, we are constrained to adopt the energetic language of the prophet, and to exclaim in similar expressions, “Oh, that my head were waters, and mine eyes a fountain of tears, that I might weep day and night for the slain” of the sons of Columbia.

It may here be inquired, what are the causes which produce so much misery, premature decrepitude, deprivation of liberty, and ignominious death? I will endeavor to answer. They arise from omissions of suitable parental instruction and example, defects in the methods of education, intemperance and infidelity.

Were parents attentive, not only to the acquired abilities, but to the moral and religious character of teachers—did each christian congregation appoint from among themselves a certain number of school guardians, whose duty would be to provide able teachers—“such as fear God, men of truth, hating covetousness,” and place such over their precious offspring: and did both parents and teachers instil into the minds of tender youth the important part they have to act on the great theatre of life—that for the faithful discharge of moral duties they will be accountable to God, to their country, and their own consciences: did they inculcate into their opening minds this all important truth, long since affectionately imparted and impressed on our notice by the political father of our country, that “there is an inseparable connection between virtue and happiness, duty and interest:” did instructors of youth indelibly impress upon the minds of their pupils the great end of their existence, that the design of the Deity in their creation, is that they may glorify God and enjoy him forever; and that by a life of holiness and usefulness to their fellow-creatures, they will be qualified and prepared by grace for a glorious immortality: did parents and instructors exhibit to the young immortal souls committed to their charge, in all the magnificence of language and omnipotence of truth, the reserved happiness of those saints who shall be seated on dazzling thrones of Glory: did they, with all the pathos of dying Mentors, address their charge as on the very shores of eternity, when the shadows of time will be fitting away, and the glories of Immanuel’s kingdom bursting upon their open vision: did they unfurl as it were to their mental vision, the future bliss of the righteous; that there is an endless kingdom to be inhabited, everlasting life to be given, and crowns of glory to deck their heads

forever—that there shall be no more crying, nor sorrowing, but the owner of the place shall, with his own soft hand, wipe all tears from their eyes—that they shall have the society of seraphims, cherubims, creatures that will dazzle their vision to behold—that there they shall meet with thousands and tens of thousands that have gone before all loving and holy, every one walking in the sight of God and standing in his presence with acceptance forever—that they shall see elders with their golden crowns and virgins with their tuneful harps—men that by the wicked were cut in pieces, burned in flames, eaten of beasts, drowned in seas, for the love they had for the lord of this place, all well and clothed in immortality as with a garment. Were these instructions and representations given to youth and enforced with all that pathos eternal truths demand, as the certain rewards of virtue and holiness—and were they at the same time to draw, in all the energy of language, the awful contrast—were they to represent in figures too plain to be misunderstood, and resound in their ears the thunders of Sinai—were they to unfurl the vaults of hell and cause them to hear with all their imaginary powers, the yells of the damned, and the groans of the banished souls sounding through their doleful cells, as the awful effects of sin and transgression, and the doleful consequences of neglecting and misimproving our time and talents—and that those who continue to sow to the flesh and follow their own natural inclinations, must and shall reap corruption; but if they through the spirit do mortify the deeds of the body, they shall live—“that upon the wicked he shall rain snares, fire and brimstone, and an horrible tempest—that the Lord Jesus Christ shall be revealed from heaven in flaming fire taking vengeance on them that know not God? nor obey the Gospel—that he “shall come with ten thousand of his saints to execute judgment upon all, and to convince all, that are ungodly among them, of all their ungodly deeds, which they have ungodly committed and of all the hard speeches which ungodly sinners have spoken against him.” Corresponding with this is the declaration of the Apostle Paul; “We must all appear before the judgment seat of Christ, that every one may receive the things done in his body according to that he hath done, whether it be good or bad.” Again, “the son of man shall come in all his glory, and all the holy angels with him; then shall he sit upon the throne of his glory, and before him shall be gathered all nations, and he shall separate them one from another as a shepherd divideth his sheep from the goats, and he shall set the sheep on his right hand, but the goats on the left. Then shall the King say to them on his right hand; Come ye blessed of my father, inherit the kingdom prepared for you from the foundation of the world.” Then shall he say also unto them on his left hand, depart from me ye cursed into everlasting fire, prepared for the devil and his angels.” These are only a few quotations from numerous passages of Scripture, representing the awful decisions which will most assuredly take place in the great tribunal of heaven at the consummation of all things:

“When man rising from his sleep, shall sleep no more,
The day is broke which never more shall close.
Great day of dread decision, and despair!
At thought of thee each sublimary wish
Lets go its eager grasp, and drops the world,
And catches at each faint hope of bliss in heaven—
I see the judge enthroned! the flaming guard!
The volume opened! opened every heart!
And sunbeams pointing out each secret thought.”

Young.

I appeal to every candid inquirer, do you think if suitable pains were to

ken by parents and teachers in these important truths of the Gospel, finally, if youth on the threshold of life had presented to them the inseparable union of virtue and happiness—and the indissoluble conjunction of sin and torment here, connected with the eternal rewards of the one, and the never ending miseries of the other, is it possible so many awful transactions would take place in the human family? Let the young and those of riper years under the excitement of lust, and who may be seduced to enter the harlot's chamber screened by the shades of the evening, or in the midnight hour like the first born be tempted by some fiend of hell, to lift the ponderous club, or plunge the deadly weapon into the bowels of a fellow mortal, either to avenge some real or imaginary wrong, or obtain his paltry pelf, under a false impression that none will behold the lustful act or murderous deed—ponder well the words of the psalmist, "If I say surely the darkness shall cover me, even the night shall be light about me—yea the darkness hideth not from thee, but the night shineth as the day. The darkness and the light are both alike to thee."

A few moments' reflection upon our accountability as creatures, on the natural consequence of vice, and the unmingled joys of virtue, would check impurity, and the man of blood would revolt at the dreadful abyss into which he is about to plunge, and the lustful youth on the threshold of sin would leap from the snare as though an encircling viper lay hissing at his feet ready to inject the deadly poison through every lane of life—

Then let him who feels his angry passion rise,
Or eager grasp at pleasure, be assured
That true pleasure dwells not with vice and sin;
And he who still determines to revenge,
In his own breast creates the hottest hell.
True joys dwell not in sinful lust or crimes
But in God's image drawn upon the heart,
With holy love and joy within the soul,
"From purity of thought delights will spring,
And from an humble spirit all our peace."

But instead of this, our heart sickens at the moral waste; scarcely do we read a newspaper but our imagination is appalled with departed ghosts hurried to the tribunal of heaven by the hands of the assassin. Many efforts are now making to meliorate and improve society, which if brought to the climax of human perfection, would in this happy country make this world with all its woes a paradise regained; an outer court of heaven. But alas! alas! we have only entered the threshold of reformation, and society still presents a moral waste. See that young man who bade fair for wealth and happiness, instead of causing to rise from the altar of his heart, an early sacrifice of prayer and thanksgiving to God, has commenced his libations to Bacchus, and his constitution is sinking from intemperance. But do we behold a solitary martyr? No! society presents its thousands posting onward to the grave with staggering limbs, faltering tongues, and bodily frames like a shivered forest with all her foliage, by the impetuous whirlwind driven off—excite our sympathies, and we mourn the desolation.

The efforts of numerous benevolent institutions are directed to the humane attempt of plucking fellow mortals from the "flames of a liquid hell." But alas! after all we have only entered the threshold of reformation—we have but aroused the monster iniquity from his den, and made him give a more tremendous roar to lead on the sons of Belial to wickedness, and tempt the saints of the Most High to tremble for the ark of the Lord, the church of the first born whose names are written in Heaven. The adversary of

souls has only become enraged, and our best attempts to check his progress has but provoked his wrath and inflamed his malice, and by his stately struts, he bids defiance to the united efforts of the wise and good, the christian, moralist, and the minister of the sanctuary. But for the encouragement of every pious philanthropist, we may rest assured that in due time we shall reap if we faint not. And that this great enemy of man who hath either terrified or "gorged all the human race" shall at length be confined where the smoke of his torment shall ascend up for ever and ever: that he shall no more hurt nor destroy in all the holy mountain—that the "kingdom of the earth shall become the kingdom of the Lord and of Christ;" that "the tabernacle of the Lord shall be with men, and he shall dwell with them, and they shall be his people." And we may rest assured that the Lord's promises shall be performed, and his declarations accomplished—yes, the Redeemer's kingdom will be established; he who pervades immensity, "who rideth upon the wings of the wind, and maketh the clouds his chariots,"

Who all the stars, and worlds, and worlds can span,
 "Universal nature holds as in his hand,

will give his son the heathen for his inheritance, and the uttermost parts of the earth for his possession." The blissful period is rolling on, bibles are circulating, the gospel spreading, the late solitary wilderness rejoicing, springs of living waters flowing, the once thirsty desert refreshed with the dews of heaven, and the parched hills watered with streams from the sanctuary. Blessed be the man who gave an impulse to the first bible society; thanks to him who instituted Sunday schools; and the rejoicing of millions plucked from the flames of liquid hell, be over the heads of those who established temperance societies. The stepping of Immanuel has recently been seen in the north, winds have risen to refresh the panting flocks of the valley; but lest the cool breezes should chill the opening flowers, the balmy zephyrs from the south are fostering the tender plants, and gentle showers are distilling upon the parched fields of the gospel.

Let teachers and parents not only instruct the rising generation in the principles, but in the divinity of the gospel. Let them not only impress upon their minds, that it is a revelation from heaven, but let them be well versed in the evidences of its authenticity, that they may be convinced that they have no better grounds to doubt the scriptures to be a system of instruction for the benefit of mankind, revealed from heaven, and written by the immediate followers of Jesus Christ as they "were moved by the Holy Ghost," than they have their own existence. Let them be well assured that the truths of the gospel are daily manifested, and their prophecies yearly fulfilling—that, according to their predictions, the purposes of heaven are unfolding—that, concurrent with the prophecy of Daniel, the stone cut out without hands will prevail. Such is the purity and excellence of the gospel that it will gain ground notwithstanding the corruptions which have defiled the name of christianity—the licentiousness of many of its professors—the schisms and divisions which have so unhappily divided the church of Christ, which may be called mountainous hindrances to the spread of the gospel. But if the scriptures are true, (and that they are all things prove) these, and every other obstruction to the river of the water of life shall be swept away as with a besom of destruction. Further to illustrate the above observations, and conclude my introductory remarks as preparatory to the narrative and confession, one more quotation, with a short descant, will suffice. Therefore, before I close this part of my essay

to do good, permit me to introduce good old Zachariah, pre-figuring under the name of Zerubabel, not only the re-builder of the 2d temple of Jerusalem, but the great architect of the church—the Lord Jesus Christ.

“Who art thou, O great mountain? before Zerubabel thou shalt become a plain, and he shall bring forth the head stone thereof with shouting, crying grace, grace unto it.”* Agreeably to the above, we have the words of the Lord by Ezekiel: “I will overturn, overturn, overturn, until he come whose right it is.” Yes, he who created the arches of heaven, and can span the firmament with his hand, will establish his church on earth, and the gates of hell shall not prevail against it; for the Lord himself has declared it. But I stop this delightful theme, and hasten to the gloomy narrative of the young man who, a few days ago, suffered an ignominious death as an atonement to the violated laws of his country.

EBENEZER COX was a native of Harpers-Ferry, Jefferson county, Va., and from the best information the writer can obtain, was born in 1808. His parents, it is said, were rather respectable than otherwise; his father being a lock polisher, but was an invalid for several years preceding his death. The unhappy subject of this narrative was, at an early period, deprived of the care and instruction of his mother. The good instruction of a female parent has often been blessed, in instilling into a youthful mind those principles which seldom fail to preserve men from ignominy and disgrace, and a reproachful death. To do justice to the memory of his parents, it is thought, that had there been a preponderance in his mind to virtue, his earthly opportunities might have been sufficient, not only to have saved his life from an immolation at the altar of justice, but made him a good citizen and an useful member of society. But alas, deprived in early life (at an age when boys begin to think themselves men,) and when the passions require all the force of parental authority to check, of a father's instruction, and the tender exhortation of a mother; this ill-fated youth formed connections, which not only blasted the advantages of information, and the inculcation of moral principles, but opened a door to all the dangers and disadvantages of gambling and intemperance—for it is a truth which never should be forgotten, an aphorism that should be written on the tablet of every heart engraved as with an iron pen and laid up forever—that there is no crime so black, no deed so foul, but that the latter may lead to the perpetration of. To illustrate this truth, I beg leave to digress while I relate the following anecdote: A certain divine had the promise of the Devil of promotion in the church, provided he would commit either of three crimes, of which he had his choice. The first was to get drunk; the second, the commission of incest; and the third, to murder a female friend and relative. To perpetrate the last, every principle of humanity and consanguinity recoiled at the suggestion; to commit the 2d every tender emotion of moral refinement revolted,—he chose the first as being as he thought the least heinous in the sight of God and man, viz: to get drunk and thus obtain the proffered promotion. He became inebriated; this excited the passion of concupiscence, and led to the commission of incest, the divulging of which would be death, to avoid which he added the perpetration of murder to incest and drunkenness.

As but little can be written, calculated to be useful, which is the design of the publisher respecting the vicious career of this unhappy victim, or that of his unhappy associates, I shall pass over many events which might be recorded, calculated to please a licentious and depraved reader, and state

* Zerubabel was the son of Salathiel, and of the royal family of David, who laid the foundation of the second temple.

some, and probably every necessary circumstance which I have been informed led to the commission of an act which has not only hurried him into eternity in the very morning of life, and deprived the government of an useful and enterprising officer; but has also torn from a youthful wife, the companion of her bosom, and left her a widow, and her child an orphan—a bereavement which has not only caused her to mourn and agonize for months already past, but will probably embitter her days for years to come.

In consequence of intemperance and other loose practices, Col. Stubblefield, the predecessor of Col. Dunn, had in the summer of 1829, discharged Cox from public employment. After which, this unfortunate youth, instead of reforming and producing evidences favorable to a reinstatement, became more and more imprudent in his conduct, and less and less worthy of being replaced. Hurried on in his mad career, spending his time not in devising plans for future support and usefulness, but in associating with such characters who instead of advising him to soberness and chastity, inflamed his passions and excited in him all the angry feelings of our fallen nature. These inward flames of hatred and revenge kindling and flaming higher and still higher, the fumes of the liquid hell ascended, reached the seat of action, and drove him, maniac like, from one false step to another, till he at length perpetrated a tragedy of so heinous a nature that it requires the tongue of a Cicero, or the pen of a Demosthenes suitably to moralize. But, as the pen of the one has dropped, and the tongue of the other is silenced in the dust of the grave forever, permit me to raise him as an awful beacon; and with all the zeal and vehemence of my poor powers, exhort and beseech youth to beware of those vices which with his dying breath, poor Cox forwarned them. It appears from testimony which follows, as well as from his own confession, that having repeatedly solicited Col. D. for employment, and been as often repulsed in consequence of bad conduct, on the 18th of January last, under discordant passions, stimulated, probably, not only by bad advisers, but excited by an inhaling libation, about 2 o'clock in the afternoon, he entered again into the office of Col. Dunn, determined, either to obtain employment, or commit the atrocious act, for which his life has been forfeited. Upon entering he peremptorily with a menacing voice, and with a threatening aspect, asked Col. Dunn whether he meant to give him employment, when he answered in the negative—Cox then asked him his reason for refusing him. Col. D. replied you know them already. Upon which Cox discharged a musket, loaded with buck shot at Col. Dunn, and instantly left the room enveloped in smoke like an unsuspecting bird perched upon a spray; quick as lightning flew the leaden death, and he had only time to exclaim, O God! and closed his lips forever. The shrieks of Mrs. Dunn, who soon came to the knowledge of the awful catastrophe, was sufficient to awaken the tenderest sympathy in a savage breast, and soften the feelings of a philosopher of Zeno's sect. The corpse of Col. Dunn was accompanied by a masonic procession, and interred in the Lutheran burying ground, at Sharpsburg, Washington county, Md., where the remains of his mother had been deposited two years before, and there both are waiting with the slumbering dead, for the glorious morning of the resurrection; when the trumpet shall sound and the dead shall arise, and when this corruption shall put on incorruption, and this mortal put on immortality, and when there shall be brought to pass, the saying that is written, "O death where is thy sting! O grave where is thy victory," "thanks be to God who giveth us the victory through our Lord Jesus Christ." After the awful deed was committed, Cox retreated to a small house over a water wheel, where he was discovered by Reuben

Stripes, and seized by him and others. Whether Cox was in liquor or not at this time could not be ascertained from the witnesses; but his conduct at this period exhibited all the frantickness of an infuriated and intoxicated maniac; and his expressions were too blasphemous to comport with the design of the compiler to be introduced into this narrative. Cox was taken, tied on horseback, and escorted to the prison of the county jail in Charlestown: on the way he was asked if he did not feel miserable, and replied, "No, fond of fun," &c.

● ● ●

TRIAL AND CONFESSION.

The case of Ebenezer Cox, indicted for the murder of Col. Thomas B. Dunn, late superintendent of the United States' armory at Harpers-Ferry, in his office on the 29th January last, came up for trial on Tuesday 20th July, in the superior court of law for Jefferson county, before the Hon. Richard E. Parker. The prosecutor for the commonwealth, John E. Page, Esq. was assisted in the examination of the witnesses by Edmund I. Lee, jun. When the prisoner was brought to the bar, the court inquired if he had counsel? he replied that John R. Cooke, Esq. would appear for him. The prisoner was then arraigned, and notwithstanding his confession of the crime before many persons on several occasions, pleaded not guilty to the indictment.

The grand jury which found the bill, consisted of the following persons, viz: Edward Lucas, jr., foreman, Michael Hensell, John Motter, James McMurrin, Francis Gardiner, John James Frame, James Grantham, William C. Rurns, George Isler, Patrick Daugherty, Samuel Cameron, Thomas Tawlines, William T. Washington, William Clark, Leonard Sadler, Samuel W. Washington, and Thomas Campbell.

Considerable time was spent in obtaining a jury. After the venire was exhausted, the by-standers were summoned. In all sixty-one venire men were called, three of whom were challenged peremptorily by the prisoner, and forty-six were excused by the court, they having formed and expressed decided opinions upon the case from a previous hearing of the testimony. The following jury were eventually impaneled at about 6 o'clock, P. M.: Frederick Rosenberger, Jacob Pultze, Thomas Bell, Barton Campbell, Jas. Glenn, John Little, Bushrod McCormick, Abraham Meshett, Samuel A. Allemon, John Piles, Warner Peters and Henry Crow.

The trial then proceeded, and although the heat was excessive and almost overpowering, yet the court room was crowded throughout the whole examination. Great anxiety was evinced to witness the entry and deportment of the prisoner. When he appeared, every eye was upon him with a scrutinizing gaze, yet he appeared totally unembarrassed, and answered to the arraignment with an untrembling and audible voice.

James Stephenson testified, that on the day of the murder of Col. Dunn, which was on the 29th of January, 1850, he was in the clerk's office of the superintendent at Harpers-Ferry, being a room on the floor above the office of Col. D. Mr. Armistead Beckham, the master armorer, came in; they were conversing a few minutes, when they heard some one enter the lower office, whom they believed to be Col. Dunn, from the circumstance of hearing him stir the fire—a practice which Col. Dunn had, when first coming into the office. Shortly after, they heard a sudden and extraordinary noise. Witness did not at that time think it the report of a gun—it was a dull, heavy sound, as if the house were falling. Mr. Beckham exclaimed, "There's something wrong below!" and, being more active than wit-

thinks Henry Coons. Witness saw the body of colonel Dunn after his death; the wound was large; saw the doctor put his hand into it; the orifice was oblique towards the heart; did not see any shot or bullets.

John A. Schaeffer, on the day of the murder of colonel Dunn, was returning to the armory a little after bell-ring (2 o'clock); was probably 12 or 13 steps from the office; heard a loud report; saw Cox coming from the direction of the office, and spoke to him; he appeared much terrified; had his arms folded in his cloak. Witness saw Mr. Beckham approaching the office door, who asked what was the matter? threw open the door, and exclaimed "My God! Colonel Dunn is murdered! Ebenezer Cox has murdered him! Stop the murderer!" Witness went to the office door, and was among the first to enter it; the room was full of smoke; saw no person in the room except colonel Dunn, who was lying on his back on the floor, a gun near his left side, a large book near; saw the wound; it was very large, and the flesh much torn; the charge seemed to have entered obliquely. Col. Dunn was lying a yard or so from a chair, on which he seemed to have been previously sitting. Witness knew Cox well, but did not know how he spent his time when unemployed in the armory.

William Adams was returning to the armory, after dinner, on the day of the murder, in company with Mr. Smallwood; stopped to converse; saw Ebenezer Cox pass with a musket on his shoulder, exposed; soon heard a report, which he supposed to be that of a gun; turned his head towards the bridge, to ascertain whence it came; saw no one, but soon heard Mr. Beckham exclaim, "Stop Cox, he has murdered Col. Dunn!" Did not notice Cox pass back again; went to the office, and saw Col. D. lying dead. Witness noticed the white spot on the butt of the gun, saw the brass bands, &c. and recognized it to be the same which Cox had on his shoulder when he passed.

Singleton Chambers, on the day of the murder, was at work in the armory; heard Col. Dunn was murdered, went to the office and saw him lying dead; proceeded after Cox between the shops, found him in a water-wheel house, leaning against the wall, about three feet below the street; called for help and assisted to take him.

Reuben Stipes saw people running, and heard that Cox had shot Col. Dunn; went in pursuit, looked into closets, &c.; heard some one say, "here he is!" found several persons standing near a little house over a water-wheel, hesitating about going in. Witness went in, and found Cox lying with his cloak over his head; seized him, and said, "come out here, you rascal!" Cox said, "What have I done? what do you want?" Witness replied, "you know what you have done; come along." Prisoner then exclaimed, "Hurrah! I'm fond of fun!" As they passed the house, Mrs. Dunn was heard shrieking; prisoner cried out, "Hurrah for shavetail! fond of fun, by G—d!" &c. *Cross examined.*—In answer to question about prisoner being drunk, witness did not know that he was. Witness saw the wound in Col. D.'s breast, it was large, and entered obliquely. When witness tied the prisoner on the horse, to bring him to jail, he said to him, "do you not feel miserable?" He replied, "no—fond of fun," &c.

Henry Bidaman lives in Maryland with Mr. Hendschy. The day before the murder of Col. Dunn, Cox called upon him where he was at play, at school, and asked for the gun he had loaned to witness, as he (Cox) wished to go to his grand-mother's in Loudoun. Witness gave him the gun, which he loaded with a heavy charge of buck shot. While the gun was in possession of witness, it had letters upon the butt; when he saw the gun in court, the letters appeared to have been scratched off.

George B. Beale, after the body of Col. Dunn was removed, had the key of the superintendent's office handed to him; he saw the coat which Col. D. had worn that day, and observed, near the large opening which the charge appeared to have made, a shot-hole in the coat, about half an inch from the main wound, found a letter in the breast pocket, much broken and bloody, and a large part of one corner defaced and taken off.

Jonathan Irvin saw Cox in his blacksmith shop almost every day; when busy, paid but little attention to what any one said; did not hear Cox say any thing which attracted his notice.

Joseph Welsh was in Irvin's shop the day of the murder of Col. Dunn; did not hear particularly what Cox said; thinks he would have noticed any extraordinary expression; Garret was not in the shop then, but was afterwards in the yard.

Richard Williams, a magistrate of the county, was then called, to recite the substance of Cox's voluntary confession a short time after his imprisonment. Witness was called upon by Thomas Griggs, Esq., the commonwealth's attorney, to go to the prison and receive Cox's confession on oath; went with Mr. G. for that purpose. Mr. Griggs informed Cox that his confession must be entirely voluntary, and admonished him against indulging the vain hope of reaping any advantage on account of the disclosures he might make. Cox then made the following statement in substance: That he went to Mr. Dunn's office for the purpose of asking once more for work, determined, if his request should not be granted, to shoot Mr. D.; that on making the application, Mr. D. refused him; he then said to him, "So you are determined not to give me work?" "I cannot give you work," was the reply; whereupon, Cox says, he raised the gun and pointed it to Mr. D.'s head; Mr. D. jumped up, exclaiming, "My God!" he then discharged the gun at his breast, and left the room so full of smoke, that he could not see whether the shot took effect or not. [That part of his confession charging others as his accomplices, was omitted, as not necessary to the investigation of the case then pending.]

Robert T. Brown, clerk of the court, was called upon, and detailed a similar confession made to him by Cox previously to making that above stated before the justice and the commonwealth's attorney. The jailor had informed Mr. B. of Cox's wish to see him, stating that the latter was in a "bad way." Mr. B. therefore went to the jail at Cox's request, who told him he had some very bad feelings, and wished to make some disclosures. He stated to witness that he went to Mr. Dunn's office, and found him sitting by the fire; asked him if he meant to give him work; Mr. D. said "no, I cannot;" Cox asked his reasons; "You know them already." "You are then resolved to give me no work?" "I am." Cox then raised the gun, intending to shoot Mr. D. in the head; Mr. D. exclaimed, "My God!" and sprung up from his seat, as if to catch the gun, when Cox discharged it at his breast, and instantly left the office enveloped in smoke.

Mr. Brown was also present when Cox made the confession as above stated by Mr. Williams.

The jury then retired to their room, and in fifteen minutes, returned with a verdict of **GUILTY OF MURDER IN THE FIRST DEGREE.**

On Saturday the 24th July, Cox was again led to the bar; and it having been reported that he intended on this occasion to address the court, an immense crowd filled the room. When it was demanded of him, by the clerk, agreeably to the usual form, whether he had any thing to say why judgment should not be rendered against him, he replied, with a calm

and firm voice, that he had nothing to say. Judge Parker then pronounced, in a most solemn and impressive manner, the following

SENTENCE.

EBENEZER COX : I am about to perform a very painful duty, not rendered less so by the absolute certainty of your guilt. I commiserate the unhappy situation of one so young and in some respects so gifted, notwithstanding it is the proper, natural, inevitable consequence of your own conduct ; and if I advert to the circumstances of your case, in terms of severe reprehension, it is to vindicate the just sentence of the law, and from no feeling of resentment towards you. The generous sympathies of human nature, are rather apt to be excited in favor of, than against a fellow-being, who may be considered as already dead to the world ; and under such circumstances we are too much disposed to forget the atrocity of the offence, in anticipating the punishment of the offender. It requires some effort to overcome this feeling, and to pronounce without reluctance, the stern yet righteous judgment of the law.

An impartial jury of your country, have said, upon their oaths, that you are guilty of MURDER IN THE FIRST DEGREE. The evidence justifying their verdict, independent of your repeated, voluntary confessions, was sufficient for your conviction ; and when combined with them, was full, conclusive, and irresistible. It has exhibited an instance of crime, which, considering all its circumstances, and comparing the diabolical act with the alleged motives, is almost without a parallel. It seems that having been dismissed from employment in the armory at Harpers-Ferry, by the predecessor of the amiable and unfortunate Mr. Dunn, you applied to him to be reinstated ; an application which for sufficient reasons was refused—that for this provocation alone, you, in concert, as you allege, with others similarly situated, coolly determined to revenge yourself, by taking his life—that having failed in one attempt, you went to his office, in the open day, under the pretence of making a second application, armed with a musket, which you had previously loaded for the purpose—that, finding him alone, and closing the door after you, you repeated your application for work, and upon his telling you that he had none for you, you instantly and barbarously, and in the hearing and almost in the presence of his family, shot him through the body, before he had full time to rise from the chair in which he was seated, or opportunity to make even one appeal to Heaven for mercy. This is a summary of your own free, and I fear unconcerned disclosures, corroborated (except as to the alleged conspiracy) by the testimony of numerous witnesses ; and it proves that your crime had all the ingredients of *murder in the first degree*. It was wilful, deliberate, premeditated killing, under as slight a provocation as ever instigated a human being to a similar outrage ; and the act was as daring and desperate as it was malicious.

To such an act, so perpetrated, the law affixes the penalty of DEATH in its most ignominious form. "He who (maliciously) sheddeth man's blood, by man shall his blood be shed." This is the sentiment of all nations, civilized and savage—a sentiment produced by necessity, approved by reason, and sanctioned by the voice of Heaven itself.

Your days are therefore numbered, and you must prepare to die! Since the forms of the law have been scrupulously respected, and you have had upon your trial every advantage its humanity grants ; since your guilt has been rendered manifest by unexceptionable testimony, acknowledged by yourself, and declared by the unanimous voice of twelve jurors free from all objection ; you have nothing more to expect or to hope from MAN. If

pardon is to be obtained for such a crime as you have perpetrated, it is not from any earthly tribunal you must seek it. Whether by prayer and repentance, you may obtain it elsewhere, and thus avert the more damning consequences of guilt, is not given to us to know. Our dim views extend not beyond the grave, except that we are assured, the mercy of God is infinite. But in reference to that assurance, could I hope to make any impression upon one who has hitherto exhibited so little sensibility, I would advise, exhort, nay, entreat you, by every affecting consideration, to employ the few days which remain to you in this world, in making serious preparation for another. It is fearful to think, that you, who are now standing before me a living man, in the pride of youth, the glow of health, and enjoying the full consciousness of animated existence, must in so short and certain a period *cease to live*; but it is still more awful, to reflect upon your appearing in so impenitent a state before the judge of the quick and the dead. I beseech you, then, to ponder upon the folly and danger of persisting in such a course. It is not firmness—it is desperation, proceeding from the same principle of false pride, which, in addition to vicious company and the unrestrained indulgence of unruly passions, has conducted you through wicked courses to this BAR.

One other consideration I feel bound to urge. You have confessed yourself guilty of the murder of Mr. Dunn; and you have on oath, implicated several others in that horrible transaction. The bare suspicion which this accusation has excited against them, seriously affects their character and worldly prospects; and if persevered in to the last, may effectually destroy both. If, from any unknown and unaccountable motive, you have accused them falsely, commence the preparation I so earnestly recommend, by an act of justice. Do not add the guilt of perjury, unatoned for and unrepented-of, to your other crimes; nor die with a lie in your mouth. With this last solemn admonition, I proceed to order and adjudge,—

That you EBENEZER COX, shall be taken from the place where you now stand, to the common jail of the county, and be there kept in safe and strict custody, until Friday the twenty-seventh day of August next; on which day, between the hours of ten o'clock in the forenoon and six o'clock in the afternoon, you shall be conveyed to the place of execution, by the sheriff of this county, and then and there *hanged by the neck until you are dead*. And may God have mercy on your soul.

CONFESSIOŃ.

As there are some into whose hands this may fall, who may not have seen what is called Cox's criminatory confession, which was given in his own hand writing; and affirmed to be true on the drop, in the presence of the Rev. Mr. Gildea, and re-affirmed before the deputy sheriffs and in hearing of many others, at a time when it may reasonably be supposed he could have had no earthly motive to make a false declaration;—it may be conjectured that when the last sand is ebbing from the glass of life, and the fast shadow of time flitting away, and the eternal world unfolding with all its terrors to the unrepenting murderer, the liar and the adulterer,—that it will be an honest crisis, and, although an hour of darkness, a period in which we may expect a confession of truth in all its bearings. Although the above sentiments may appear evident to every dispassionate mind, yet it is possible that the contrary may occur, and I shall give you an instance which took place to my own knowledge, and in my presence, at an execu-

tion in the suburbs of Winchester, Frederick county, Va. about 40 years ago, as well as the writer recollects. The criminal's name was McCabe, who was executed for the murder of one Johnson, perpetrated in Berkeley, now Jefferson county, Va. Just before the cart was drove from under him, he not only acknowledged the justice of his punishment, but expressed a wish that he had nine lives to forfeit as a retribution of the violated laws of his country, when it was evident from circumstances he was unwilling to undergo the immolation of one, and actually died, as you will find by the sequel, with a lie in his mouth. It appears that much pains had been taken with him (as in the case of Cox), to bring him to a sense of his awful state, if he died without making his peace with God. His conduct previous to his execution was not marked with that wicked obduracy manifested in Cox: his after apparent contrition was probably equal. He was of the same profession, and probably had joined the same communion to which Cox was attached previous to his execution, and no doubt had given the priest of the sanctuary as favorable hopes of his having embraced the terms of the gospel. But alas! amidst all these effusions of seeming contrition, it was afterwards evident that to prolong his life on earth, at a time when his "days had dwindled to their shortest span," engaged more of his attention, and that of his associates (notwithstanding his after declaration), than his seeking the pardon and forgiveness of his sins, and the sanctifying influence of the Holy Spirit to be imparted to him. Notwithstanding all the apparent preparations that were making for his transition from the world of strife to that unseen shore "from whose bourn no traveller returns" to tell the fate of departed ghosts, plans were laying to prevent the sufficing rope from executing its office.

"Tis in that dread hour that the frantic soul
Roves round the walls of her clay tenement,
Runs to each avenue, and shrieks for help,
But shrieks in vain! How wishfully she looks
On all she's leaving, now no longer hers.
A little longer might she stay to wash
Away her crimes and fit her for her passage.
But yet the foe, like a stanch murderer,
Pursues her close though every lane of life,
Till forced at last to the tremendous gulf,
It's snatched away and wings the flight"
"Either to heaven with God to dwell
Or hear its doom and sink to hell."

Preceding the fatal hour, strong suspenders were prepared, with hooks under or near the collar of his shirt or shroud, so contrived as to prevent suffocation, provided the rope could be securely placed within the crooks; and no doubt this plan would have succeeded, and the culprit been preserved alive, had the rope been deliberately fixed. But owing, probably, either to want of time, or through perturbation of mind, something was omitted, and only one of the hooks caught the fatal cord which twisted his neck awry; and although it did not prevent his finally suffocating, he apparently died with all the agonies of a lingering and protracted death.

The above may be a solitary instance, and it may be observed, as it was in the case of the Levite's concubine, recorded in the 19th chapter of Judges, "that there never was such a deed done nor seen," since a white man first traversed the western forests, "unto this day."
I shall now proceed to give the substance of Cox's confession, with the appeal of Stipes; after which the reader will determine whether he can have any charitable hopes of the innocence of the party accused, or whether it was possible Cox may have died persisting in a falsehood.

Cox's confession commences with the following emphatic words: I de-

clare in the presence of God, that I never thought of murdering Col. Dunn, nor had I made any threats to take his life until it was proposed to me by Mills. And then goes on to state that Charles Mills met him on the canal bank, and informed him that he and some others intended to kill Col. Dunn, and asked him if he would not assist, when Cox expressed his reluctance, but upon being told if he did not, and they were discovered they would bring him in guilty with themselves, and at the same time reminded him of an injunction laid by Col. Dunn on his brother-in-law, not to suffer him to remain an inmate in his family. This so excited the angry feelings of Cox that he consented to become an accomplice, and inquired who the parties were? The reply was, never mind you will know,—to morrow night they will meet in Wager's garden about 11 o'clock; that about that hour Col. Dunn generally went into his room, and that they could kill him undiscovered, and upon Cox's inquiring how that could be effected was told he could be shot through the window. Mills informed him that their plan was, to be dressed in women's clothes; and wished to know if he could not procure, from some female acquaintance, a frock and bonnet. That evening Cox went, and under pretence of having a party diversion, obtained those articles, and hid them until the next night, when he went to his uncle Mallatt's, where he generally kept his gun, loaded it, and put it under the porch until night. At this time he was indecisive in his determination to join the conspiracy or not. Ah! had he at this momentous crisis, big with his own and the fate of others, only attended to that part of the sacred decalogue contained in the 20th chapter of Exodus, "Thou shalt not kill," he would have revolted at the dreadful abyss into which he was about to plunge himself, and prevented the heart-rending groans of a wife, who now sitteth in mournful solitude, shrouded in robes of widowhood, and preserved to a lovely orphan the attention and caresses of a fond father.— Ah! had he seen the awful consequences of the horrid plot, he would have fled from the snare as though a viper lay hissing at his feet, ready to inject the deadly poison through every lane of life. He would have felt as tho' he heard a voice from heaven, saying, Plunge not the deadly dagger: draw not the fatal trigger, "lest thou mourn at the last, when thy flesh and thy body shall be consumed, and thy immortal soul be forever lost." But instead of receiving the admonitions of heaven, he flies to the intoxicating glass, and freely partook of the inebriating draught to stifle his long abused conscience, and woo from the pits of darkness, some banished ghost of hell, to aid him in his heinous and diabolical design. After clothing himself in female attire, he took the gun from under the porch and proceeded to the garden where the conspirators were to meet according to their previous engagement. When he got to the fence he vaulted over. Mills and Thropp were conversing. The latter inquired why he did not come sooner; Cox replied that he thought he had come soon enough; said he had been here for some time, and expressed his surprise that the others had not come. Mills replied that it was time enough,—not half past eleven o'clock.—Thropp said Dunn was still sitting at his window, for he had passed by not more than fifteen minutes since. Cox then asked Mills and Thropp who the rest were, and just as he was asking them, he heard a noise, and they made him no answer. It was Daniel Stipes and Madison Riley getting over the fence. Stipes exclaimed, Boys are you all here?—Cox answered he did not know. Mills said no. Cox again asked who the rest were. Thropp told him who they were, and in about a minute or two John Donaldson and John Neer joined the party, and then Jacob Crowl came. All were dressed in women's clothes. Neer said, Well, boys, we are all here.

Neer asked Mills if he had the gun? Mills said no; Eb. Cox said, Crowl said, Eb. have they got you? Cox responded, Yes, by God, I am here. Crowl laughed, and said, By God there is a pretty good chance of us. Cox said, I knew none of you but Mills. Crowl said, I knew that before. Mills then said, Come, boys, it is time; and then they all started and went into the next garden, and got opposite the window where Ceb. Dunn was sitting, looking over some papers, with his left side towards the window, and they could discover his breast and head. One of the party asked who would shoot? Cox answered that he would, took aim, and his gun snapped, and did not go off. He then handed it to Mills, who could not get it off, and observed, What can be the matter with the gun? Thropp requested that it should be given him. Mills gave it to him, observing at the same time that the powder must be damp. Neer desired some fresh powder to be put in the pan. Cox informed him he had none, and could not procure any. Stipes then took the gun and swore he would get it off; then tried, but could not, and declared the powder was damp. Donaldson said, Well, we will all snap it; they did so, but it would not go off. Mills said, What will we do? After standing a few minutes Mills proposed to draw lots. Some one answered, It is too dark. Mills then said, We must meet some other evening, and the best place will be over the bridge, and then we will draw lots, and whose lot it falls to must perpetrate the murder; and all consented. Mills proposed the next evening. Thropp objected to the next, but proposed the second, to which all agreed. The next evening Cox went over the bridge according to promise, where he found Mills and Thropp, and inquired of them where the rest of the boys were, and was informed that they would be there presently, and in the course of 15 minutes they came. Mills then pulled some straws from his pocket, and said, Now whoever draws the shortest must kill Dunn; and all agreed to it.— Mills held the straws, and all drew; after which Cox was told that his was the shortest. He says he was too drunk to pay much attention to the manner in which they had drawn, but profanely replied he did not care a damn, and was told that he must kill Dunn the first opportunity, and then they would all get work; for as long as he was permitted to live, they would get no employment. Mills said he had asked him for work, but he had refused to give him any. Cox then said, If I should kill Dunn, and be found out, I will be hung. They all assured him that he would not: for if he was found out, they would clear him; or if he was put in jail, they would easily get him out; but added, that he could do it and not be found out; and urged him not to be afraid. Cox then said he was not afraid. Stipes said, the best way would be for them not to keep company with one another. To which Mills objected, and said the best way would be to speak to each other as they met; and this was the last conversation they had together.

From that time Cox became more and more intemperate; and about a week after, took the gun from under the porch, and went to the bridge across the canal, and stamped the butt on the bridge, cocked it and pulled the trigger, and it went off. After this it was loaned to a friend as he thought, and he borrowed a musket from Thropp to execute the hellish purpose the first opportunity; but none occurring, he returned the musket to Thropp, supposing there would be no chance to perpetrate the murder. The latter asked why he brought it back? Cox replied, never mind.

After this he declares he became more and more dissatisfied, and kept on drinking. He went to the ore bank to get work, and was directed to go to Brien's works. He did so, and inquired of Mr. Lyon if he could get work; was answered in the negative; but was told he might get wood cutting.

Cox replied he could not cut wood, and bid him good bye, and went on to Handschy's to see Henry Bidaman, the person he had loaned his gun to. Handschy asked him to take dinner. Cox at first refused; but after being pressed, did so. After dinner he inquired where Henry Bidaman was; and being told, went to him and asked him for the gun; and after receiving it, loaded it with large shot in his presence. Bidaman and Cox having taken a dram together, parted, and Cox returned to the ferry, and took his gun to Marlatt's where he had generally kept it. That night he went to Sprenger's porter cellar, and became very drunk, after which he went to John Cox's, and stayed the remainder of the night, and had two or three fits. The next morning he again went to drinking, and kept on till 1 o'clock, and then went to Marlatt's to dinner. After dinner he went up stairs and got his gun, and went on to the office to execute his hellish purpose; and just as he got to the door, cocked his gun, went in, and sat it by the door, which he shut. Upon his addressing Col. Dunn, he was asked to sit down. He did so. Col. Dunn was reading in a large book, and had it lying on his lap. Cox then inquired of Col. Dunn if he had any work for him. Col. Dunn replied he had not. Cox asked him what was his reason? and upon none being given, Cox observed that he thought it hard; that his father had served the public so many years, and that he himself had worked ever since he was able; and repeated he thought it hard, and again inquired the reason. Col. Dunn made no answer. Cox then said I suppose I won't get any work. Col. Dunn then answered in the negative, and still kept on reading. Cox got up from the chair on which he had sat, and laid hold of the gun to shoot him. He raised his eyes, and seeing his danger, sprung up and said, Oh my God! and made a catch at the gun, and knocked it to one side. Cox, notwithstanding, recovered it, and drew the fatal trigger, and Col. Dunn fell, exclaiming, Oh my God! Cox let the gun fall on the floor, ran out of the office, and pulling the door after him, made off. He says his feelings were indescribable. He went and secreted himself near a water wheel, where it was very dark, but was at length discovered by Reuben Stipes, who told him he must go with him; to which Cox signified his willingness. After which he was taken to the prison in Charlestown.

What follows are his own words without abbreviation:

This is the conclusion of the facts relating to the murder. What I have written is not written through malice or ill-will, but with the desire of doing justice. I owe it to my God, my country, and myself. I know I must appear before my God, to be judged, and I would besorry to have the blood of seven others upon me, by accusing them falsely. God knows what I have said is the truth, and nothing but the truth. I say it in his presence, knowing that I must soon appear before him. I forgive the world any injury it has done me. I ask pardon of God, my country, and the poor distressed family whom I have injured so much. I ask pardon a thousand and a thousand times. I willingly make the sacrifice my country requires of me. I throw myself into the hands of God as the worst of sinners, and hope he will have mercy on my poor soul. EBENEZER W. COX.

August 24th, 1830.



The reader is at length gratified with the full confession of Ebenezer W. Cox, relative to the murder perpetrated by him on the body of Col. DUNN, late superintendent at Harpers-Ferry. But alas! what will such relations

avail, unless a voice of admonition echoes from the ignominious drop, or there is heard from the tomb the doleful sound of

"Ye living men come view the ground
Where you must shortly lie!"

--Ye sensualists! ye intemperate tribe! ye monsters! ye assassins! ye murderers in your hearts, who are only waiting for the incribrating draught, the liquid flame, to transform you more and more into fiends of hell, that you may level the deadly blow, or plunge the fatal dagger into the hearts of those more righteous than yourselves!--What would the sight of ten thousand strangling culprits launching into eternity profit any of you, if ye lay not to heart this awful truth: "The wages of sin is death here, and, if repentance be not given, eternal death hereafter!"

Although we may, from certain favorable circumstances in the case of Cox, cast the mantle of charity over his past aberrations, and hope that the unhappy convict was renewed in the spirit of his mind, and that, like the thief on the cross, his soul has been winged to Paradise,—still, there have been so many fallacious instances of persons confessing their faults and vowing to reform their lives when they supposed themselves dying, who afterwards recovered, and returned, like the sow that was washed, to wallowing in sin and iniquity, that it is impossible a correct decision can be made. For alas! do we not find that all their promises of amendment were like the "morning cloud and the early dew," which pass quickly away?—So that we should, when we express an opinion respecting the death of one who has forfeited his life, join with St. Augustine, and express ourselves thus: "That such an one has gone to hell I will not say—that he has gone to heaven I dare not." We shall now state all the favorable appearances of a gracious change, drop a tear upon his tomb, and obliterate his name forever.

When Cox was first taken to prison he discovered no relentings; but wicked abduacy marked every trait of his conduct. By some means or other the Rev. Mr. Gildea became acquainted with the awful state of the prisoner's mind, and for months labored indefatigably to bring him to a sense of his danger of eternal death, if he did not fly for refuge to the Lord Jesus Christ; but for weeks and months he appeared as the adamant rock—his heart hard and impregnable. This, no doubt, excited the sympathy of the pious priest of the sanctuary, and he was resolved that if the poor criminal perished, his damnation should be accompanied with strong groans and tears for his pardon, and that he would wrestle like Jacob, if he did not prevail like Israel. But he knew that God had promised to hear the prayer of faith, offered up in the name of the Lord Jesus; therefore he could say, with the queen Esther, "So will I go in unto the king—and if I perish I perish." The resolution was a good one, and we hope that the sacrifice which arose from the altar of his heart ascended to the throne of God and the Lamb, and came down with a blessing upon the head of him who before was *lost*,—was lost to the world, lost to virtue, lost to himself and every "noble sally of the soul;" and that he was eventually brought to a sight of himself, and to exclaim with the jailor, "What shall I do to be saved?" Mr. Gildea's attention to this unhappy youth, for many days and nights, was incessant; "the heat of the day," and the stench of the prison by night, consumed him; yet did he not forsake him, but remained near him until the eternal world opened for his soul. As we intimated before, we will not be dogmatic either in our hopes or fears; but we may venture to express our belief in the sincerity of his repentance. Whether it was that godly sorrow which renews the soul and makes it alive unto God

we will not, and that it was not we dare not say. "The judge of all the earth will do right." But nothing is more certain than that a man may be truly sorry for his crime because of its consequences, and still be disposed, if he could escape punishment, to re-commit the same offence.

For an account of Cox's execution the reader is referred to the narrative published by GABRIEL NOURSE, author of the "Wages of Sin, or Strictures on the Life and Death of George Swearingen," late sheriff of Washington county, Md.

EXECUTION.

From the Charlestown Free Press, September 1st, 1839.

About noon on Thursday, crowds of strangers began to enter Charlestown; and the morning of Friday presented a continuation of the same busy scene—persons on horseback, in sulkies, gigs, barouches, wagons, carts, and carriages, and on foot—all hastening to the field of mortal agony. Nothing occupied the thoughts of the multitude, but anxiety as to the time, the place, and the manner, in which the man of blood was to make his exit from this world of strife. Age upon its crutch—youth in its buoyancy—and infancy in its helplessness—all hurrying to and fro, to gaze upon the harrowing spectacle—pity in the eyes of some, levity upon the features of others, and curiosity in the aspect of all.

The morning of the fatal day opened by the early hum of the half-refreshed sleepers, whose thoughts through the night had run

"In endless mazes, intricate, perplexed."

Soon followed the busy troops,—not with file, and drum, and bugle, "with triumphant banners, and prancing steeds," but with silent step and serious visage.

Arrived near the fatal place, the procession paused, in order to clear the spot of the crowd which had gathered, in their eagerness to see—many of them females—under *the drop of the scaffold!* This being done, the platform was approached, and mounted with as much facility as the situation of the prisoner, with his arms pinioned, would permit. Here, after the rope was tied, he knelt in prayer with his ministers. At this period,

"All sounds of all the multitude were hush'd,
And from the thousands and ten thousands here,
To watch the dreaded scene—not a whisper rose
To heaven, such awe and reverence master'd them—
Such expectation held them motionless."

Prayer being concluded, the prisoner re-affirmed to the Rev. Mr. Gildea, in the presence of Mr. James L. Ranson, the sheriff, the truth of his previous confession, in which he had implicated seven other persons as his instigators and accessaries. Water was several times given him, to slake the burning thirst which the excitement so naturally produced. The priests then embraced him affectionately, exhorted him to commit his soul to God, and left him upon the scaffold, while they knelt in prayer at its foot. He then dropped upon his knees, with the cap over his face, and spent several minutes in earnest and agonizing prayer—clasping his hands in agony, and shaking his head as if his soul was about to be released from its earthly mansion. Here again the sob of sympathy was loud and general. He wiped the tears from his eyes, attempted to throw back the cap from his face, (in which act he was assisted by the sheriff,) and asked for a prayer book. This being given him, he read the prayer for a dying person, with a voice perfectly firm and unflinching. Arising from his knees, he stood up,

unsupported, and addressed the crowd, in a clear tone, remarking that his fate ought to be an example to all young men against the evils of dissipation and gambling, disobedience of parents, and disregard of friendly advice. "Look at me," said he, "here under the gallows, brought to it by associating with reprobates. Instead of taking the advice of my parents and friends, I listened to persuasions of others. When you are tempted to sin, place your hands on your hearts, and think of God—let my fate be a warning to you all."

After this he paused, cast his eyes earnestly, for about two minutes, upon the spectators, turning round and viewing the whole mass, in search of those whom he had accused. Not seeing them, he remarked to the sheriff, that he could not find any of his "pretended friends."

Now came the crisis of his fate. The coffin was removed,—when he signified his readiness, shook hands with the sheriff, and the rope was placed upon the hook of the beam! This was at 25 minutes past 1 o'clock. He stood in fervent and unremitting prayer for five minutes. At this critical moment, many expected to see him faint; but he rallied himself, raised his arm as high as the cord with which he was pinioned would let him, and threw a white handkerchief, as the signal to let the drop fall. In an instant the rope was cut which held the platform, and he was launched into eternity! The only symptoms of bodily suffering which we noticed, were during the first five or six minutes, in which period he gave as many slightly convulsed shrugs of his shoulders, and once drew up his feet a little, but did not move a finger. His neck was not broken; and in about half an hour his body was taken down, and the burial service read. It was then conveyed about a mile out of town, and delivered to his friends for interment in Loudoun.



As the compiler of this pamphlet has circulated a large number of Cox's confession, he feels it a duty he owes to his fellow-men, to be so far impartial as to give all authenticated circumstances their full bearing, in order that those who are connected with the accused, either by the bonds of friendship or consanguinity, may be furnished with every favorable appendant to cheer the hope of his innocence; and as the public mind will be enveloped with clouds and darkness as to facts, Stipes and others will only be able to establish the omnipotence of truth by a subsequent department, for lying lips are but for a moment. Justice and truth plead not in vain forever.—Like the sun, they may be intercepted for a season; but conspicuously powerful, they will soon dispel the dark designs of man; break through the interposing vapor, and shine with more triumphant brightness.

In appeal of DANIEL STIPES to the community, from the charge of having abetted in the death of the late Colonel DUNN, alleged against him by the murderer COX.

In appearing before the public for the purpose of repelling the foul charge of being stained with the blood of the lamented Col. DUNN, alleged against myself and others by the unfortunate wretch whose confessed guilt, in perpetrating the deed, has lately been atoned for by a shameful death, I ask only what the commonest humanity demands—that I may not be presumed to be guilty of so horrid a crime, until something like consistent and credible testimony is adduced against me. Those acquainted with the nature

of evidence in general, will readily perceive how difficult it is to prove what is called a negative. Such, as will be seen from the facts I shall presently refer to, is most emphatically the case where the blighting calumnies of an artful fiend are concealed under the disguise of apparent simple-mindedness and penitence.

Though placed in a situation, and made the subject of charges, against which the most spotless citizen of the community is not safe, if credited, upon the testimony alone of a creature utterly lost to every moral restraint, — I yet do not appeal to your sympathies in behalf of injured innocence. I invoke only your unprejudiced and impartial judgment upon the following facts and suggestions:—

A small pamphlet, entitled "THE DYING CONFESSION OF EBENEZER W. Cox," has been published in Winchester—by whom, or under whose direction, I have not been able to learn. Unlike such publications generally, it does not trace the progressive steps of wickedness which have led its victim to the scaffold, nor seek to make a partial atonement for his crime by enforcing upon the reader the impressive moral lesson furnished by the occasion; but, on the contrary, contains little else than a new edition of the same malicious charge which had already been scouted from the court of justice as absurd, inconsistent and false. It purports to be "*given in his own handwriting*;" thus insinuating, though not openly asserting it, to be his own unaided composition. That such was not the case, I of course am not able to affirm positively. I am informed, however, by those better able to judge of these things, that several parts of the pamphlet plainly betray an affectation of what might be supposed the style of an uneducated individual, by one whose pen could surely have been better employed than in aiding the ruin of those from whom is knowingly and insidiously withheld the only means of a triumphant refutation. This last remark refers to the singular fact, that in this publication, as well as the former pretended disclosures of Cox, *every material date is carefully omitted.*

Some time previous to the death of colonel Dunn, says "*the confession*," a deliberate conspiracy was formed by eight individuals to murder him. At a late hour of the night they meet at an appointed place, opposite his window; one of the party asks who shall shoot first—pre-supposing, of course, that several shots would be required to commit the deed; and then each in turn snaps a musket well loaded, primed, and with a good flint in it. These last particulars, in reference to the quality of the flint and the priming in the gun, are artfully omitted in the printed confession, though stated distinctly and repeatedly, as is known to hundreds, in his former pretended disclosures. Failing in their purpose,—or in consequence of what would seem the strange perversity of the less bloody-minded musket,—they determine to forego the present very favorable opportunity, and agree to meet the second day after, at one of the most public places at Harpers-Ferry, for the purpose of drawing lots who should commit the act. In his several examinations before the justices and the court of examination, Cox was repeatedly apprised of the extreme importance of fixing dates, in order that the accused, if innocent, might avail themselves of this only possible chance of removing *all* suspicion, by shewing where they were, and how employed, at the particular periods. Now, should a possible confusion of memory, together with the unexpectedness of the inquiry, upon his first examination, be supposed to account sufficiently for his failure to fix dates at that time, how is it that the sober reflections of solitude, in addition to an unobstructed intercourse with his friends and ac-

quaintances, have not enabled him to trace back, from week to week, the places where he was, and the manner in which he was engaged, so as to ascertain the particular periods of these very important transactions? Although omitted in the *confession*, he did state, as is well known, in one or more of his varying and contradictory narratives, "that the 'plotting and snapping' took place *something like* a month before the murder, and that during the two periods he was absent on a visit to Fauquier some two or three weeks." Now, I appeal to any just-minded man, if it be possible that acts like these, certainly calculated to make a powerful impression even upon the most abandoned wretch, should, in the course of the short period involved, become so completely obliterated from the memory as to render it difficult, by comparison and association, to ascertain their dates? More especially, when every other little incident, including the very words used by the pretended conspirators, the order of the snapping, the manner of drawing lots, &c. &c., are all so particularly remembered and minutely narrated. In this alternative, I can only declare, as I here do in the presence of Almighty God, my firm belief, that had the unhappy victim of his own abandoned wickedness but dared to fix upon any one night within the month or six weeks previous to the murder, a host of witnesses would have risen up to vindicate my innocence, by proving me, at the very time, to have been bowing at the altar of God's house—seeking earnestly, although at that time unsuccessfully, the pardon of my *own* follies and offences, of themselves sufficiently numerous and aggravated.

After the manner of a text, the "confession is headed with the following solemn declaration in italics:

"I declare, in the presence of God, that I never thought of killing Mr. Dunn, nor made any threats to take his life, till it was proposed to me by Mills.

EBENEZER W. COX."

Immediately below he states, that the first mention of the contemplated murder was made to him by Mills the day previous to the night upon which the snapping in the garden is alleged to have taken place, which, as will be seen, he represented to have been something like a month before the murder. The murder was perpetrated on the 29th of January 1830. Col. Dunn's appointment as superintendent was known some few weeks previous to his entering upon the duties of the office, which was on the 1st of August, 1829. How, then, does this *solemn* declaration, (as it were the head of the corner of the whole fabrication,) consist with the following affidavit of a respectable and unimpeachable witness, unconnected with any of the accused, and in every other respect entirely disinterested?

"Jefferson county, to wit:—I, TIMOTHY STEDMAN, do solemnly swear, that to the best of my knowledge and belief, some time subsequently to its having been known that the late Mr. Dunn was appointed superintendent of the U. S. armory at Harpers-Ferry, and before he had entered upon the duties of the office, Ebenezer W. Cox, who lately suffered for the murder of Mr. Dunn, being entirely sober and rational, declared to me, that "if Mr. Dunn did not, when he became superintendent, give him work, he would kill him." I did not then believe he would execute the threat; yet was about to notify Mr. D. of it, when I was informed that two other persons had already communicated the fact to him.

"TIMOTHY STEDMAN."

"The above affidavit was made before me, a justice of the peace for said county, this 4th day of October, 1830.

F. BECKHAM."

The next prominent feature in the pretended conspiracy is no less absurd than false. The eight alleged assassins are represented as meeting

upon the abutment of the Potomac bridge, in the afternoon—a place, at that hour, resorted to as a favorite promenade of the citizens of Harpers-Ferry, and over which, at every hour of the day, there is an almost incessant passing and repassing. Here, before the public gaze, they are collected for the purpose of maturing a murderous plot! Mills holds the lots, who, according to the ordinary method of determining by lot, would have been entitled to the one remaining after the rest had drawn—yet *Cox's is the last!* Mills of course drew his own, and prudently did not choose the shortest. And here, suddenly and strangely, for the first time, the extreme imprudence of being seen together in so public a place, occurs to one of the party! Hence they leave the spot, one or two together, and agree to hold no conversation with each other until the deed is perpetrated! It is hoped the mere recital of this strangely absurd tale will expose its utter falsity.

Obvious motives of delicacy, have prevented my asking from the justices and other respectable gentlemen, who heard Cox's several statements, certificates of their inconsistency. To them, however, I may confidentially appeal, in confirmation of the fact, that repeatedly, in matters of importance, and in which, if true, he might easily have been accurate and consistent, he plainly and palpably contradicted his own previous declarations.

To one instance, I beg leave to refer more particularly—where, in answer to specific inquiries, he distinctly stated “that the snapping took place from Mrs. Wager's garden; that Col. Dunn sat in the lower room of the wing building of his dwelling house; and that they saw him through the window.” This happened to be impossible. Hence, in his subsequent editions of the tale, as well as in the confessions, the scene is laid in the garden of Mr. Thompson's hotel, separated by a plank fence from that first referred to.

What particular motive has induced Cox to implicate me in the horrid transaction, I frankly confess I am at some loss to conceive—unless his quarrels with, and known bitter hatred of my brothers, will sufficiently account for it. Their well-known friendship for Col. Dunn, would have at once frustrated an attempt to implicate them. Hence, he has sought to connect me with the murder of a man, against whom I never felt, nor had ever the slightest cause to feel, any hostility. I repeat, that I had received injury from Col. Dunn, in no manner or shape; and I believe it will be found, by reference to the books of the office, that at the very time Cox alleges the conspiracy to have been formed, I was at work in the armory, blowing and striking for Mr. Isaac Wood, and borne upon the armory pay rolls. It is true I wished a better job, and requested my brother, H. Stipes, to apply for one. His reply, however, “that there were other older workmen, with families, who had higher claims than mine, and that it was my duty to wait,” satisfied me. And neither myself, nor any other one for me, to my knowledge, ever did apply to Col. Dunn for work. Nor was there, from any other cause, or in any other manner, the slightest ground of provocation, on my part, against him.

I regret very much the necessity, from the painful circumstances under which I am placed, of bringing before the public the subject of the following certificates, referring to matters which, under ordinary circumstances, should be exclusively between myself and my own conscience. The uncandid manner, however, (to speak in the mildest terms of it,) in which the accusation has been preferred against me, especially the omission of every important date, by a knowledge of which, alone, all suspicion could at once be wiped away,—it is hoped will be received as a sufficient apology

for so doing. I am fully aware, that the foulest deeds have been perpetrated under the mask of religion. I feel confident, however, that no one acquainted with my character, in time past, can, for a moment, and for reasons other than those founded on the abominable depravity of the thing, believe me capable of hypocrisy, as profound and ingenious as it is hellish.

In the first place, I subjoin the following certificate from Mr. John A. Schaeffer, a gentleman whose high standing in society, as well as in the church of which he is a member, places him far above the suspicion of any improper motives in furnishing it.

“At the request of Mr. D. Stipes, I hereby respectfully certify, to the following statement of facts. A short time after the camp-meeting in August, 1829, a very extensive revival of religion occurred in the Methodist church at Harpers-Ferry; which continued down to the time of the murder of Col. Dunn. About two months before the murder, Mr. Stipes became a subject of religious convictions—and as was believed by the church, was sincerely and earnestly engaged in seeking a change of heart. There was a prayer meeting at the place, it is believed, almost every night during the time referred to: and it is not known that there was a single one at which Mr. Stipes was not present, and upon his knees, seeking the prayers of the brethren. Mr. Stipes has since been received into the Methodist church, and is believed by the society, ministers, and people, to be a worthy and exemplary member of it. If, under all the known circumstances of the case, I could believe, that during this time Mr. Stipes was acting the arch hypocrite, and plotting the death of a fellow-creature, who had not injured him, I must first believe the powers of human dissimulation, infinitely greater than is believed to be possible. Mr. S.’s change, so far as my observation extended, was marked by an unusual caution and diffidence. His former companions, conversation, and general deportment, were abandoned; and in fact, every external evidence of a genuine reformation was exhibited.—In justice, therefore—judging from the foregoing facts, together with many others which might be set forth—I cannot withhold the expression of my unqualified satisfaction, that Mr. Stipes is entirely innocent of the foul charges alleged against him.

JOHN A. SCHAEFFER.

Sept. 29th, 1830.”

A number of other certificates, to a similar effect, and from other equally respectable officers in the Methodist church, are in my possession. The great length, however, to which their insertion would extend this publication, is respectfully offered to those, who kindly furnished them, as an apology for publishing merely an abstract of each. They are as follows, viz.

Mr. John F. Price certifies that, in the fall of 1829, a revival of religion occurred at Harpers-Ferry, which continued down to the February following: that during the time, he attended the prayer meetings from two to 4 nights in the week: that he does not recollect any one at which D. Stipes was not present until a late hour, indicating every evidence of sincere and genuine penitence.

Messrs. Wm. Adams, Wm. McCoy, and Wm. Chambers, certify the same as above, in reference to the time of the revival; the frequency of the prayer meetings; the constancy of D.’s attendance as a sincere seeker of religion; and that he has since been received into the church.

Messrs. Zachariah Games, Meshach Kirby, and Wm. D. Phelan, certify to the same effect as to the period of the revival; also, that from six to eight weeks previous to the murder of Col. Dunn, D. S. was constant in his attendance at the meetings—that he generally continued on his knees

until a late hour of the night; their confidence in the sincerity and earnestness of his desire to obtain a change of heart; and that he has since been received into the church.

I feel, sensibly, the extreme difficulty to be encountered, in disproving the declarations of a dying man, whatever may be his character. Upon this subject, however, it is known, that for a long time before his perpetration of the crime, he had been, almost beyond example, regardless of both the laws of God and man; that he attempted to murder an individual at Newtown, in Loudoun county; that in a fit of desperate self-abandonment he attempted to commit suicide; and finally, whatever may have been his subsequent professions, it was proven, upon the trial of Mills, that he openly rejected the doctrine of a future state, believing that with human beings, as with the brute creation, death was the last of them. Yet this is the abandoned wretch, upon whose unsupported testimony I am now, in the beginning of life, to be blasted in the estimation of just and good men—to be made the loathed object of abhorrence and detestation—ruined so irretrievably, that even so poor and humble an individual as I am, can feel it to be worse than death itself.

In conclusion, I can only throw myself upon the enlightened humanity of my acquaintances and the community at large; entreating them to deal fairly and justly—rejecting the dictates of prejudice; and to weigh well, in the spirit of charity, all the circumstances of the case, before they doom an innocent fellow-being to the reprobation of a fendish murderer! If the character of my past life, and especially of the particular period, at which the alleged conspiracy is pretended to have been formed, be not sufficient in the minds of all, to repel the wretched contradictions of the malignant being, who has gone to try the truth of his own miserable opinions on the subject of a future state,—I can then only appeal to the evidence to be furnished by my after life and character: and thence, up to the tribunal of that Being, whose unerring justice will redress the wrongs of his most defenceless creatures; and upon whom, with profound reverence, I here solemnly call to attest my entire innocence of the horrid crime charged against me.

Respectfully,

DANIEL STIPES.

Harpers-Ferry, October 8, 1830.



CASE OF CHARLES YOUNG.



A narrative of the anterior circumstances relative to the awful murder perpetrated in June last, by Charles Young, on the body of Thomas Griffin Thornton, sheriff of Caroline county, Va.

It is impossible to read the following relation without its exciting all the finer feelings of our nature—all the tender sympathies of humanity. Mr. Thornton, as it is well known, stood high in the estimation of his fellow-citizens, and enjoyed in a high degree the felicity and comfort which flow from the consciousness of a well-earned reputation. He was also the father of a numerous offspring, some of whom had just passed from a helpless state of infancy into riper years; and others had just launched out on the wide theatre of sublunary concerns. We are all, in some measure, sensible of the worth of a kind and provident parent and useful citizen. Every community mourns when they are deprived of such a member even by a common disease or the resistless call of Providence. O then, how much higher must their sorrows rise when he falls a victim to the malice and revenge of a heartless, remorseless assassin! But oh! if such transcendent turpitude excites within his friends so much anguish, how inadequate is the power of any language to express the feelings of his family—that family who entwined about his heart and affections, his bosom companion, and the tender pledges of their mutual love. Alas! to her the loss is aggravated beyond measure by months and years of delightful society and exalted friendship. In her the lover weeps, the wife mourns, and all the mother yearns. Where can she now meet with such unsuspected fidelity, or repose such implicit confidence—where find so discreet a counsellor, so improving an example—where find a guardian so sedulously attentive to the interest of herself and children? See how she gazes with speechless ardour on the pale countenance; his meager features; his lacerated body! while all her soft passions throb, and her soul bleeds with the most heart-rending sighs. She remembers, perhaps, Young's menacing voice to her husband in the morning, and now, alas! she is awakened to a full reality of its truth by beholding his gorged and mangled body; his wounds bleed afresh, and although they are "poor, poor humble mouths," they cry aloud, like the blood of Abel, for the retribution of heaven, "He that sheddeth man's blood, by man shall his blood be required." Alas! little did she think, a few hours before, when the partner of her heart was bidding her adieu, that before the setting sun his lips would be sealed in silence, and his eye-lids closed forever. Good woman, we must leave thee, though steeped in sorrow and shrouded in habiliments of woe. Go, like Mary, to the grave, and weep there; but be reminded of your own mortality, and mourn not as those without hope. "For if we believe that Jesus Christ died and

rose again, even so them also, which sleep in Jesus, will God bring with him; wherefore be comforted with these words.

While our hearts throb for Mrs. Thornton, shall we not drop a sympathizing tear for the widow of the departed culprit? To the family of the Thorntons there is still left in their affliction some drops of consolation, mingled with their cup of woe. But in that of the bereaved Mrs. Young, and her domestic circle, there is not a globule of moisture: it is drained to the dregs. The last gleam of vivifying hope, like a candle, is sinking in its socket, and is almost expiring. Instead of a husband or a parent's good name for a bequest, they have shame for a legacy, and disgrace for an inheritance. But although there is nothing to be expected from this world, there are better scenes beyond this vale of tears. There is a name in reserve, I hope, which is far better than that of honor and fame, to yourself, to your sons and daughters: 'tis that of having your names written in the Lamb's Book of Life. 'Tis that of becoming mourners for sin, and that of having your hearts sanctified by the Holy Ghost, and being of that number who are the subjects of the promises of the gospel; such as the following: Unto you that fear my name, shall the sun of righteousness arise with healing in his wings: blessed are they that mourn, for they shall be comforted. Do you then mourn, not only for the loss of your husband, but for your sins and transgressions? Do you look with an eye of faith to the Lamb of God, that "taketh away the sins of the world?" are you willing to bear all and to part with all for Christ? are you willing to go through fire and water to have either fame or disgrace, poverty or riches, so that you may enjoy the uplifted countenance of the Lord Jesus Christ, and his pardoning, quickening and sanctifying influences applied to your souls? If you are in a state of reconciliation with him, exult in the belief that he is mighty to save. While on earth he never rejected a sincere penitent, and will not now. Although he is in the heaven of heavens, surrounded by saints and seraphs, still he is ever looking down, and with boundless love he searches out the objects of distress. Those souls that mourn in Zion he pronounces blessings upon them; he gives them this consolatory assurance, "they shall be comforted." If the Prince of Peace, the munificent son of heaven, chooses to bind up broken hearted sinners; if he promises that although his people may have to mourn for night, that joy cometh in the morning, then let a ray of hope cheer your souls: determine with the grace of God, to close in with the offers of salvation; and should the cup of your earthly affection be ever so full, Christ says, "In me is thy help." Comfort yourself with these words, and the Lord be with you.

Oh could these reflections, the production of my midnight hours, only prevent the repetition of one awful tragedy, and preserve to a dear companion, the fond embraces of an affectionate father and a tender parent, from falling by the hand of an assassin, I shall rejoice that my labor has not been in vain in the Lord. Oh could I touch one adamant heart, who is engendering the murder of a fellow-creature, I would traverse the desert, and extend my voice to every splendid mansion and humble cottage beyond the mountain. I would say, O think on the dreadful precipice from which you are about to leap, and the awful gulf into which you are about to plunge.

THE MURDER.

I shall now relate a circumstance, which, from the best information I can obtain, took place anterior to the murder of Mr. Thornton, that so provoked the spirit of revenge in Young, that nothing but blood could satiate it,—a poor remuneration for insults or even wrongs.

For he who still determines on revenge,
In his own breast creates the hottest hell.

But in the case before us it appears there was no provocation given, further than arose from Mr. Thornton's discharging an official duty as sheriff of the county. He informed Young that if a debt, for which judgment had been obtained against him, was not paid by July court, he would be under the painful necessity of executing his property; when Young was heard to say, in a menacing tone, "He never should." My informant thinks other alarming threats were at the same time made, but not distinctly heard. A few weeks afterwards two alarming reports of a gun were heard, and the dead body of Mr. Thornton found by Mr. Lawrence in the direction of the noise, and some distance from him his horse, which, after being shot in the hip, had died not far from the corpse. Mr. Thornton had been shot at different times, and wounded in several parts of his body; and my informant adds that it was the impression of persons in the neighborhood that other steps had been taken by the assassin to extinguish from its citadel the last spark of life, as there were strong appearances of Mr. T.'s cravat having been so tightly drawn around his neck and throat as to produce strangulation.

After the discovery of this awful murder, Mr. Lawrence went to Young's house, and informed him Mr. Thornton had been murdered, with the several circumstances attending it, and of his horse being killed, and requested him to go and remain by the body, while he gave the alarm through the neighborhood. To this reasonable request Young objected, probably lest he should betray, by some perturbation of mind, that he was the murderer. Very early next morning (Sunday) Young went to Fredericksburg. On his arrival, he was asked the usual question, What was the news in his neighborhood? to which he replied, Nothing; and upon the mail carrier immediately bringing the awful account of the murder of Thornton, the inquirer expressed his surprise at Young's ignorance of the tragical event. The compiler has not learned what was Young's reply; but it was indicative of his guilt; and something ominous hung upon his brow. On the same day several persons went to Young's house, and were informed that he had started early in the morning to Fredericksburg. The clothes he had on the day before were asked for. They had been hastily washed, stains of blood were still on them, and a piece of old cloth quilt was likewise found, corresponding with the wadding of the gun seen near the corpse. These strong circumstances, with perhaps others, led to his apprehension, condemnation, sentence of death, and finally to the last immolation of his life on the ignominious drop, as a retribution to the violated laws of his country.

SENTENCE.

An impartial jury of your country have declared, by their verdict, that you are guilty of the murder of your neighbor, Thomas Griffin Thornton. The evidence against you was distinct, clear and irresistible. No hu-

man eye saw the flash of your musket, when fired the first time; no human eye, save only that of the disabled, and, perhaps, imploring victim of your hostility, witnessed the second discharge of the fatal weapon. And though two of your neighbors, at the distance of a mile, heard the loud report of your gun, twice-told, and were startled at the unusual sounds, they could not and did not know, till afterwards, that they issued from a source so deadly. There was no positive evidence against you, yet you are convicted! convicted without hesitation! And I, in common with the jury, do now declare that I am as perfectly assured of your guilt, as if it had been proved to me by creditable witnesses, who had seen the deed. Little did you suppose that a rag of quilted cloth, less than two inches square, found in the road, within thirty yards of the body of the murdered man, would have furnished a clue to the discovery of his assassin! Little did you suppose that a fact so trivial would bring to light other numerous circumstances, tending irresistibly to a conviction of your guilt. But such are the mysterious workings of Providence. So difficult, so almost impossible, does it seem that the most secret crime can be committed without leaving some vestige by which detection will ensue.

The circumstances of this case prove, without a doubt, that you are the murderer of Thornton—that you waylaid him—that you placed yourself behind a covert, where you could see him riding up; yourself concealed from him; that after he had passed you, with your musket loaded with buck shot, you fired—that you killed the horse and disabled the rider, one of the fatal shot having struck his hip and another near his spine. Did not the groans and the agony of the dying animal disturb you? Did not the prostrate condition of the wounded man move you? Oh, no!—You deliberately re-loaded your musket, but with smaller shot. There he lay in your power. Did he not, in that situation, by his look or his words, implore you to save his life? Did he not entreat you to permit him once more to see his wife and children? You had no mercy. In a few minutes you again fired at him—the fatal shot entered his side and his forehead. He lay a corpse before you.

And what are the consequences of this dreadful tragedy? By one fatal deed you have deprived a wife of her husband, ten children of their father, your country of an excellent officer, society of an honest and valuable member. But cruel as has been your conduct to the family of the deceased, much more cruel have you been to yourself. To the family of Thornton, there is some consolation left; he has bequeathed to them a good name; to them is accorded the sympathy of every feeling heart.

What consolation is left to your wife and children? By them the cup of bitterness will be exhausted. The violated laws of your country, the sacred rights of humanity, the protection and safety of society, require that your life shall be the sacrifice for this deed of blood. When the judgment of the law shall have been carried into effect, you will have widowed your wife, brought the gray hairs of your aged mother to the grave, rendered your children fatherless, and given to them disgrace as an inheritance.

It is not my purpose, by stating to you the horror of the scene in which you were engaged, or the consequences of your act, to wound or insult your feelings—far from it. I wish you to turn your mind back on itself—to reflect on your conduct, and then to think of the future.

You have but a short time to live. From this world you have nothing to expect. Cherish not the vain hope that you can obtain forgiveness from men, or mercy from any earthly tribunal. The "stain of your brother's blood is on you, and every man's hand is against you."

From this time forward, endeavor to make your peace with God; look up to him as your only friend; repent, seriously repent, of this monstrous crime; importune him for pardon of your sins, and ask forgiveness for your iniquities.

And it now becomes my sad duty to pronounce the solemn sentence of the law. The judgment of the court is, that you be returned to the jail from whence you came; that you remain there till the day of execution—that on Friday the 26th day of November next, you be carried to the gallows and that between the hours of 9 o'clock in the morning and 3 in the afternoon of that day, you be *hung by the neck until you are DEAD!*—And may Almighty God have mercy on your soul, pardon and forgive you!

THE EXECUTION.

The following account of the execution is given in a letter to the editor of the *Fredricksburg Arena*, dated Bowling Green, Nov. 27, 1830.

Yesterday, the awful sentence of death was carried into effect on CHARLES YOUNG, convicted, at the October term of our superior court, of the murder of THOMAS G. TAORNTON, Esq. A large concourse of persons, from this and some of the adjoining counties, assembled to witness the dreadful scene. Some were here before day-break, and they were coming in from eight o'clock until twelve. The number, including black persons, was estimated at from 2000 to 3000. There having been a previous appointment for a sermon, on the occasion, by Doct. Dorsey, of your place, many ladies were drawn out to listen to his discourse—he having obtained celebrity in this county as a pulpit orator. Our court house was selected for him to preach in; it was very soon crowded to overflowing, and the yard filled, for some 20 or 30 steps around, with persons, manifesting eagerness to listen to the sermon. About a quarter before twelve, the prisoner, attended by a guard of eight or ten persons, was brought out of jail, and conducted into the prisoner's box in the court house, to listen to the sermon. As he walked from the jail to the court house, the press of the crowd was very great, each one manifesting considerable eagerness to get a look at him. His step was firm, and his countenance undaunted. There was nothing like contrition in his countenance, but the same composure which you witnessed during the whole progress of his trial. The crowd was so great, that I could not get near enough to hear the text, nor indeed, much of the sermon, except its conclusion. When the doctor addressed the prisoner, and alluded to his awful situation, standing on the narrow isthmus, which connects time with eternity; when he reminded him that, in one hour more, his eyes would be closed forever, upon this world, and that he would be consigned to endless happiness or misery—he drew, from the prisoner, many sighs and tears, and from several of the females, not only tears, but loud shrieks. Such was the effect produced by this scene, that I was very much afraid, an unmerited sympathy would be excited towards the convict. The preacher's voice was lost amid the cries and shrieks of the females, and in a very short time after he closed his remarks. He then announced to the sheriff, that he was ready to accompany the criminal to the gallows. There was then a general rush of the multitude, on foot, on horse-back, in gigs, carriages and wagons—seeming to vie with each other, who should first get to the place of execution, in order to secure the most favorable position for beholding the awful spectacle. The remarks, in your paper of Tuesday, upon the subject of public executions, had not circulated to a sufficient extent—for certainly, there were present many females, some of whom, I understand, were ladies. I walked leisurely with a friend to the ground. I arrived in time to hear the prayer delivered for the poor wretched being, whose heart then appeared to be moved at the awfulness of his situation. Before the clergyman concluded, he began to cry aloud and pray to God for mercy, and continued to do so for some time. After Dr. Dorsey closed his services, he became more composed—there was a solemn pause for some moments. Expectation was on tiptoe, to hear from him, a confession of the bloody tragedy! But no confession came! A gentleman stepped up and said to him, that the watch, which

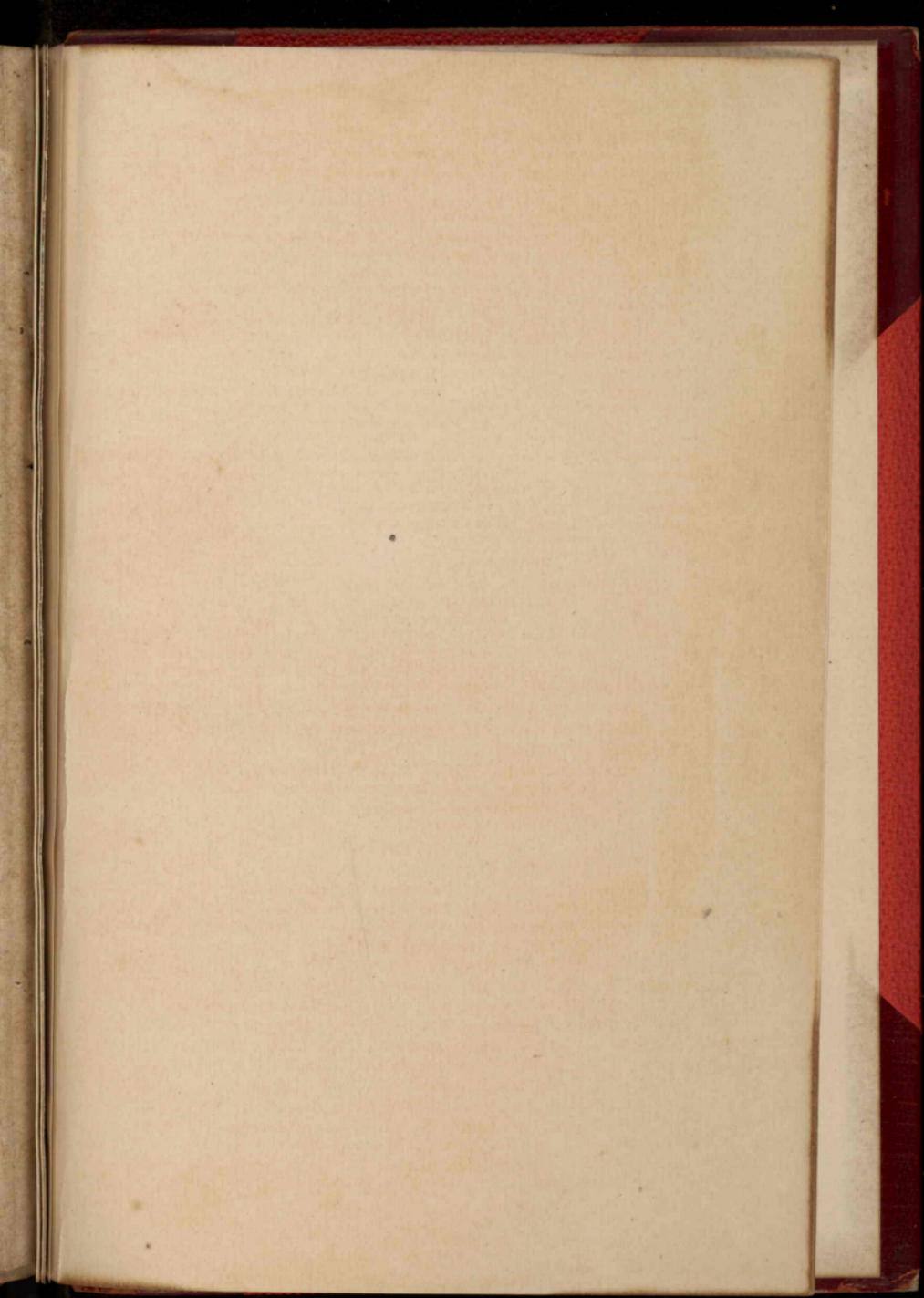
was taken from the pocket of the unfortunate Thornton, was a favorite time-piece, and that the family would be gratified by any information, which would lead to its recovery. He made no reply! About this time, I saw the sheriff preparing the *futo cord*. I immediately left the ground, but was informed that nothing more escaped from the ill-fated being, before he was executed—which took place about half past 1 o'clock, P. M. He has never made any direct confession of his guilt, nor has he ever denied it. He has made remarks to different persons, indirectly confessing his guilt, so as to have left no doubt upon their minds, that he committed the murder. I understand, that a paper was picked up in the jail, after he was brought out, upon which he had, no doubt, commenced writing a confession, but either had not courage to disclose the particulars of so barbarous a murder, or was so frequently interrupted, that he could not proceed with it. I understand, he wrote upon this piece of paper, as follows: "*I Charles Young, being about to be executed, do confess my sins, before God and man,*"—and here he stopped.

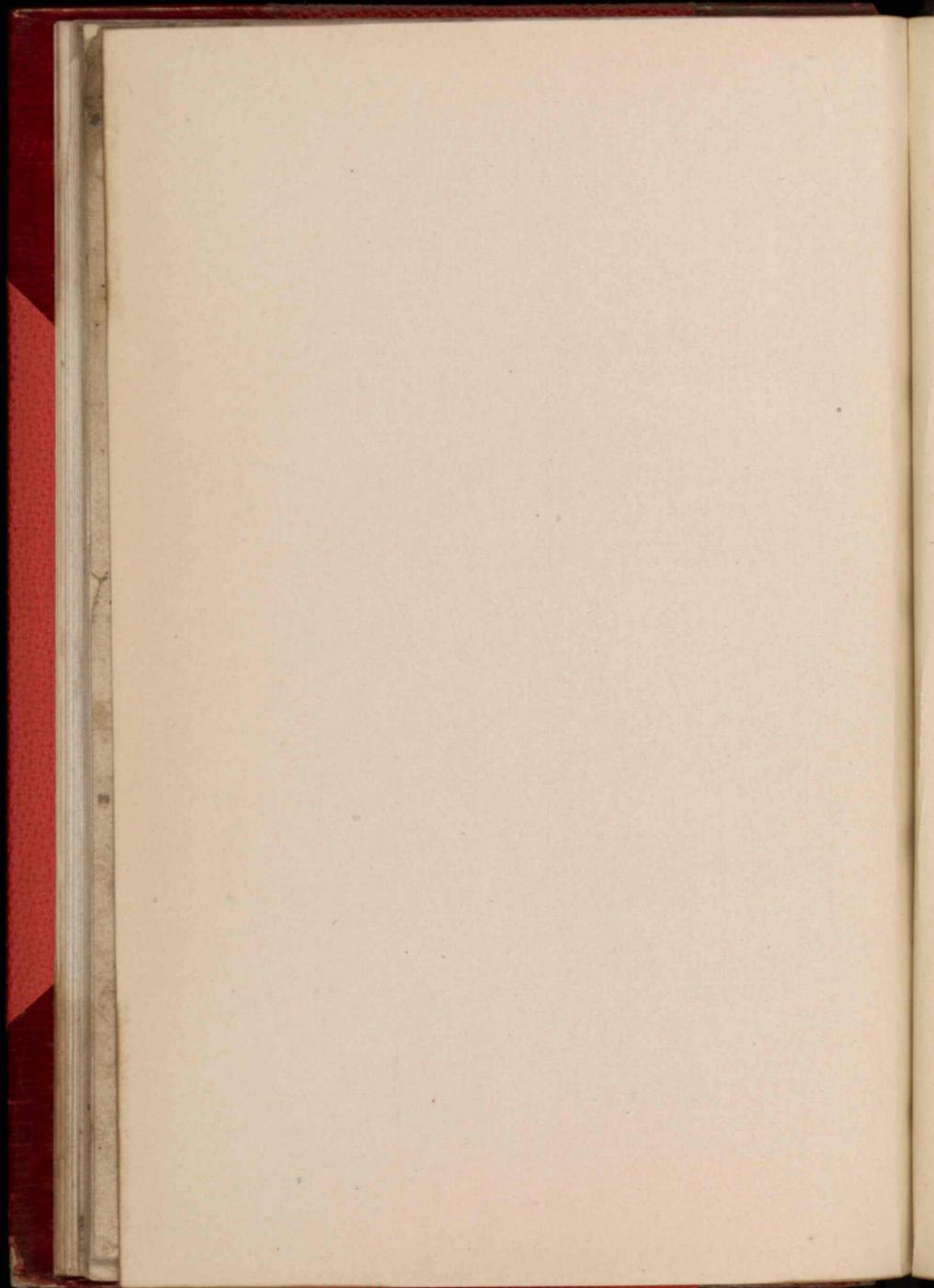
Both of the deputy sheriffs, who were qualified for the special purpose of summoning the venire to try the prisoner, refused peremptorily to execute the sentence, and it devolved, as a matter of course, upon the regular deputy officiating in the district in which Young resided. This gentleman was a near relative of Mr. Thornton. This, it was hoped, would have been avoided, as it was supposed it might not have so favorable an appearance or effect for a near relation to be compelled thus to act. And it is but an act of justice to that gentleman to state that his conduct, on this trying occasion, was firm, dignified, humane, and in every way worthy of the highest praise. His feelings, as a near relative of the murdered individual, seemed to have been sunk in his duties as an officer, and all his arrangements on the occasion seem to have given very general satisfaction.

The editor of the *Arena* adds:

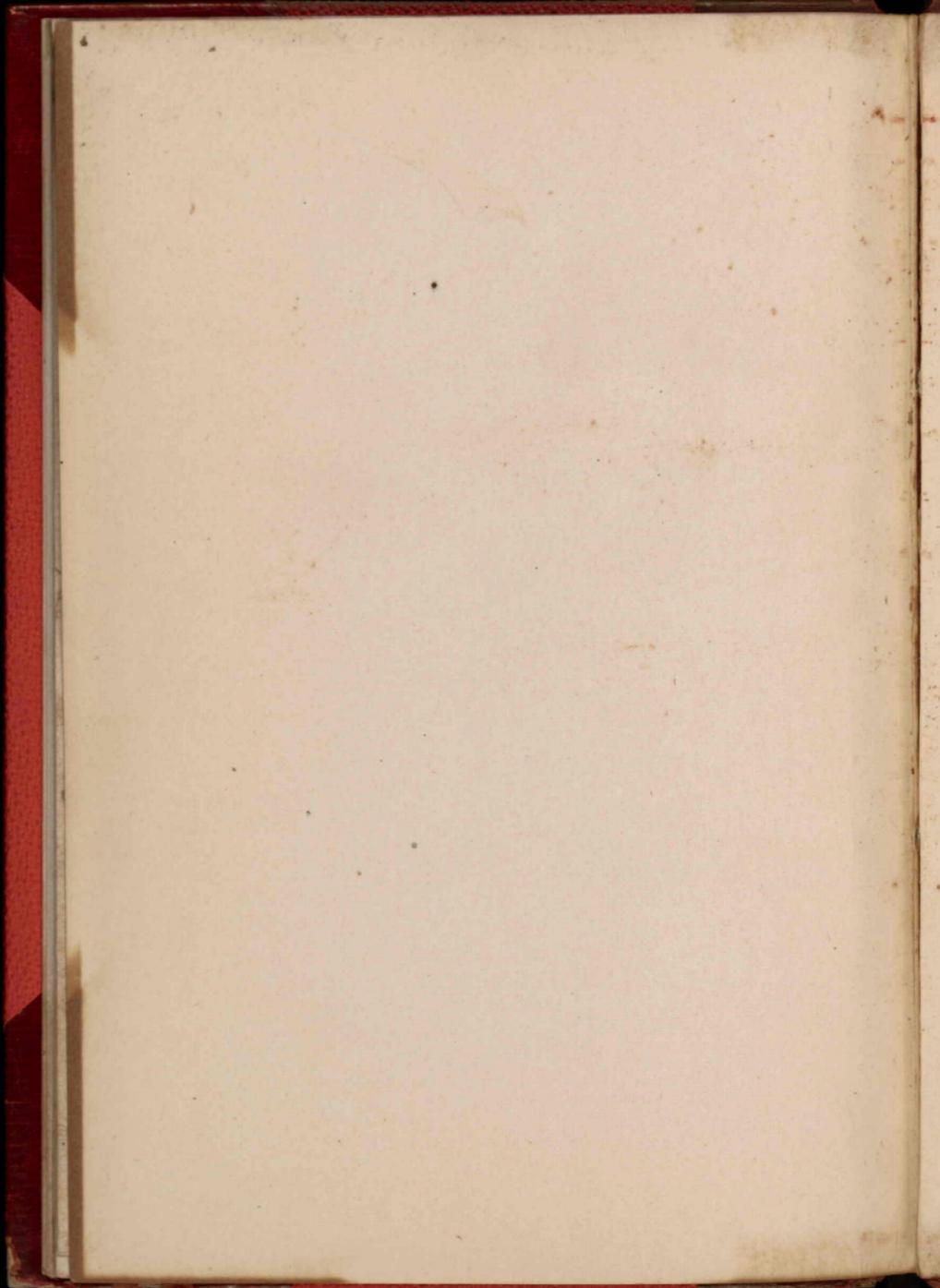
In addition to the above, we learn that the deportment of the immense crowd assembled on the occasion was highly commendable. No indecent exultation was manifested, and not a drunken man seen on the ground. The far greater part of the assemblage dispersed immediately after the execution. We record these facts, highly honorable to the county of Caroline, with great pleasure. The body, after hanging about 25 minutes, was cut down and delivered to his son, by whom it was conveyed for interment, to the late residence of the deceased.

Every dispensation should be improved to our moral advantage; and the foregoing narrative surely is calculated to humble both the compiler and the reader; and let us not only be humble but thankful to the Almighty, that some kind providence has preserved us from the commission of the like crime or some other offence equally heinous in the sight of God, if not in the opinion of man, as that perpetrated by the unhappy Young who has just forfeited his life to the violated laws of his country. "For who maketh us to differ?" We are all by nature the children of wrath even as others. There is the same predisposition in every man to transgress the mandates of heaven, and steep his soul in guilt and misery. The principle is within. The poisonous seed, though latent, lieth in the heart; and the evil root of pride, passion, covetousness and lasciviousness, will germinate, and if not mortified and subdued by the grace of God, will vegetate into noxious blossoms, and finally produce the fruits of sin and misery, death to the body and damnation to the soul. O, then, "let us not only watch but pray, that we be not led into temptation;" for the beginning of strife is as the rising of a mighty flood, the angry man is a temporary maniac. The best person living under a strong excitement, if his passion be not under the control of religion and the dictates of reason, may in an evil hour commit an act that will embitter his latest hour, and turn him, like king Saul, into another man; and if power accompanied spleen, he would tear down, like Sampson, the pillars of the earth, and sink the globe into chaos; or, like poor Tom, of Bedlam, threaten to blow out the sun, and pluck the stars from their spheres.









KF223

.C675 N68

1830

Copy 1

.Rare BK

G11

2001552337

