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CONCISE STATEMENT
OF THE
TRIAL & CONFESSION

OF
William Clutter,
WHO WAS EXECUTED
ON FRIDAY THE 8TH JUNE, 1810,
AT BOONE COURT-HOUSE, KENTUCKY,
FOR THE
MURDER OF JOHN FARMER.

TO WHICH IS PREFIXED
A SHORT SKETCH OF HIS LIFE.

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"The wages of sin is death."—PAUL

—
CINCINNATI,
FROM THE PRESS OF JOHN W. BROWNE & COMPANY
1810.

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THERE has not taken place on these western waters, for several years past, an event which has so much raised the sensibility of every description of citizens, as that which we are now handing to the public. As crimes of such magnitude seldom escape the vengeance of the law, so we cannot but adore the providence of that God, who brings about the discovery of the perpetrators, by the most simple means. When the conscience is truly awakened with a sense of guilt, it can only be eased by a candid and open confession.

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Univ. Chic. Photo Serv.

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SKETCH OF HIS LIFE.

WILLIAM CLUTTER, the unhappy subject of these memoirs, was a native of the state of Jersey. When an infant, he lost his mother, and in a few months was committed to the care and direction of a cruel, barbarous and most unprincipled step-mother (a circumstance to which he attributes all his misfortunes.) Every step of his life, from about eight years of age, has been marked with a series of petty thefts, frauds and felonies. His father's family removed to Pennsylvania in his infancy. — He left his father's house when he was about 16 years of age, in a canoe which he had stolen, and descended the Monongahela river. His father pursued and overtook him, and having made satisfaction for the theft, it blew over. He again started, and in that rout stole several articles from different persons; was once apprehended, but suffered to escape. He married a young woman of good reputation, but was obliged to leave her to escape the grasp of the law; and on his return, about eighteen months afterwards, found she had just married another person. He afterwards married another woman, but was obliged on the same account, to leave her also. He formed an idea of going down the river to be out of the reach of justice, and find some peace of mind, which the impressions of guilt and apprehension of punishment were continually harrassing. This led him to the Ohio river; but instead of finding his ideas realized, instead of peace and safety, he became the prey of new temptations, which terminated in bloodshed and murder.

After the horrid transaction, he passed on down the river to the Red-banks, in Henderson county, Kentucky, where he proceeded to dispose of the cargo at such low prices as created suspicion. He was shortly afterwards arrested and indicted for fraud and theft, being found in possession of Farmer's goods, and property of Dr. L. C. Morris in care of the deceased and disposing of them, and for stealing Farmer's mare, but evidence of his guilt becoming stronger, a *nolle*

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prosequi was entered by the attorney for the commonwealth, and he was removed to Boone county, to take his trial for the murder.

THE TRIAL.

On his trial, it appeared in evidence, that at Pittsburgh he was hired by John Farmer, to assist him in navigating his boat, which was laden with merchandize, from that place to the mouth of Kentucky river.—That they were the only persons on board the boat ;—that the night they passed Cincinnati, Farmer was murdered : but Clutter had always persisted in saying he was murdered when asleep, by the owner of another boat, which lashed to them that night. It was also proved and admitted, that he was found in possession of the said boat and goods at the Red banks on the Ohio—that he called himself John Farmer—that he was making sale of the goods at reduced prices ;—which gave rise to those suspicions which led to his arrest. A body, supposed to be Farmer's, was positively proven to have been found dead, by one witness, bearing the most evident marks of violence. But the identity thereof was rendered extremely doubtful, from two circumstances :—the linen in which the body was found, was marked with the letters G. K. and the letter K was also on a small knife, found in his pocket. There was, however, some strong corroborating testimony : It appeared from several respectable witnesses, that the size, the age, the color of the hair and form of the mouth and teeth, of this dead body, corresponded with those of John Farmer.

From this evidence, the attorney *for the commonwealth*, urged to the court and jury, with his usual ability, but with candor and humanity, that though he had not been able to produce a single witness who saw the fact ; yet that *that* circumstantial proof which he had adduced, amounted to a violent and irresistible presumption, and from which no other reasonable conclusion could be drawn, than that the *prisoner* at the bar was the murderer of John Farmer, and consequently guilty of all the material averments in the indictment.

On the contrary, it was insisted, *for the prisoner*, that the body of Farmer was not proven to have been found dead—that the only marks by which it could have been identified in that mutilated state, proved it to be the body of a very

different person. That laying this part of the evidence out of the question, the only proof which remained, respecting the death of Farmer, was the confessions of the prisoner, which, when taken together, *purged him of the fact*. It was also urged, that notwithstanding his conduct had been fraudulent and highly reprehensible, in assuming the name of Farmer, and in taking possession of the boat and goods, still it was not a crime punishable with death; nor did it prove him a *murderer*.—It might consign him to everlasting infamy, and for a time, to the penitentiary house: but that he must be convicted on an indictment charging him with that offence. That under all the circumstances, taken in a legal, if not moral point of view, doubts did exist, and that it was one of those extraordinary cases, in which the jury were bound by *law* to acquit, though strongly impressed with the guilt of the prisoner.

During this trial, which lasted several days, a greater concourse of spectators than usual attended, all of whom appeared to be transported with indignation against the prisoner; so much so that there was every reason to expect, a fair and impartial trial could hardly be expected. I would not be understood as intending to censure the court and jury who sat on this particular trial. The jury was composed of men of the first respectability in the county, and as evidence of their humanity and impartiality, they appeared much affected with the circumstance of their being compelled, from the evidence, to pronounce a verdict of *Guilt*. The two assistant judges who presided, discharged their duty with impartiality, dignity and ability. It was, however, matter of regret, that they were deprived of the services of the circuit judge, who for practical experience and soundness of judgment, is not surpassed.

THE MURDER.

The particular circumstances of committing the murder, as related by himself, are these:—After passing Limestone, on the way to Cincinnati, his mind was constantly harrassed with the temptation to murder Mr. Farmer, and take possession of his property. An opportunity offered by Farmer's lying on his back asleep in the boat, and no boat or human being near at the time—that after combating with the temptation a long while, he at last lifted an ax. and held it

for the space of a minute over his head, and at length struck the *fatal blow* between his eyebrow and hair—when the poor creature opened his eyes, and looking wishfully at him, cried out “*Lord! Lord! see Lord!*” and immediately expired. He wrapped the body in a blanket, tied it round the neck and feet, and threw it overboard. He passed the night in cleaning the boat, and afterwards assumed the name of Farmer, and disposed of the property principally at the Red-banks, Henderson county, Kentucky.

CONFESSION.

The following is a literal copy of the confession of the prisoner, in court, which was written by one of his counsel, and read at his special request, when asked if he had any thing to say why judgment should not be pronounced against him.

“ I am called upon to say, why sentence of death should not be pronounced on me according to law. I have been indulged with a fair and impartial trial: a jury of my country, of my own choice and selection, after most patiently hearing the evidence, the law and the arguments, have with candor and with great justice, pronounced me guilty of being the murderer of John Farmer. The justness of the charge, the correctness of the verdict, and the consciousness of guilt, render it impossible that I should say ought against the court pronouncing that judgment. The near approach of death, that enemy and terror of man, and the great uncertainty of what is beyond the grave, have at length awakened me to a due sense of feeling. But however galled with the chains, and worn out with a long and tedious imprisonment—however fatiated in viewing the walls of a cold, a dark and loathsome prison—however like a torrent new dangers and difficulties have rushed upon me—however borne down with grief and alarmed with my situation—however many my crimes—however dark and unnatural their nature, and crimson their color—there is a circumstance which gives me more pain than all: I now behold, dressed in weeds of mourning, *her*, whom with one fatal stroke, I made a widow, her whose children I orphanized, and whose property I converted to the most wicked and fraudulent purposes. Candor now compels me to acknowledge, that in me she beholds the murderer of her husband, he who was the companion of her bosom, the father of her children; their best and dearest

friend. And however to be regretted the circumstance—however irreparable the loss, that which is passed is not to be recalled. And inasmuch as I am in a few hours to atone for the offence with my blood, I trust and hope that she and her connections will grant me their forgiveness; a circumstance which will afford me the greatest earthly happiness—will be a sweet and satisfactory consolation in the trying hour of death! that cannot but appal the stoutest heart, though clothed with innocence, and surrounded with friends and connections. What then shall be my feelings—where is that tongue or where that pen which could describe them—with what degree of fortitude shall I meet that grim messenger, with my hands stained with the blood of a friend, who had never done me the slightest earthly injury!

“I now take this opportunity, in the presence of my God, and in the face of the world, thus publicly to implore the forgiveness of mankind in general, and to declare that I bear nought of prejudice or malice against any. I most sincerely forgive the court, the jury, the prosecutor, and the witnesses who appeared against me; from a full conviction, that each treated me with all that candor and humanity, which, under the circumstances, I had a right to expect. Should I be so fortunate as to obtain the forgiveness of those whom I have most injured, my next object shall be that of endeavoring to make my peace with God; so as to meet death with Christian fortitude.—And to obtain this, I have a hope superior to any other earthly consideration. On the following declarations of my Saviour, I shall not only repose in confidence, but with rapture:—“Ask and ye shall receive, seek and ye shall find, knock and it shall be opened unto you.” I trust and pray that though my sins be as scarlet, he will make them white as snow—though they be red like crimson, they shall be like wool. In short, I will spend the remainder of my days in penitence and devotion, so that I may die the death of a christian.”

EXECUTION.

On the morning of the 8th of June, the day appointed for the execution, at an early hour, the people began to collect; and between 12 and 1 o'clock the concourse was very great. About one o'clock, two rifle companies, which had been ordered out upon the occasion, were marched to the jail; when, after some preparatory regulations were made,

the prisoner was brought forth, attended by the sheriff and two clergymen of the Baptist association, surrounded by the rifle companies, and conducted to the gallows; where he mounted a waggon drawn up for the purpose. The sheriff and clergymen also mounted with him. Each of the clergymen spoke a few minutes, in the most pathetic and impressive language, and went to prayer with him. The prisoner was then asked whether he had any thing further to communicate. He answered in the negative, bowed to the people, and at half past one o'clock, was launched into an awful eternity.

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