

## An Early Criminal Case---Samuel Fields

BY JAMES M. MILLER

[In the article immediately preceding reference is made to "Fields, an old Revolutionary soldier," who was condemned to death for murder but was pardoned on the gallows by Governor James B. Ray. The case was once a well-known one in south-eastern Indiana. The following account of it, and the graphic description of the scene at the gallows was written, at our instance, by James M. Miller of Brookville (see introductory note to "The Richmond and Brookville Canal.") It affords glimpses of early-day customs and of local personages. The crime, trial and pardon on the gallows occurred between November of 1824 and May of 1825—*Ed.*]

IN November of 1824, an affidavit was filed against one Samuel Fields, an old Revolutionary soldier residing in Bath township, charging him with assault, and the warrant was placed in the hands of a young constable named Robert Murphy. When Murphy went to serve the warrant Fields refused to accompany him, but said he would appear the next morning, and on returning home without making the arrest Robert was criticised by his father, 'Squire Samuel Murphy, who urged that this was his first official act, and the failure to do his duty would at once lay him open to the charge of cowardice and inefficiency. Influenced by this argument Robert returned to Field's home, accompanied by several neighbors. Meanwhile Fields, apparently expecting that he would return, whetted a large butcherknife and stuck it in a crack of the log wall just inside the door. When he saw Murphy and his companions coming, he appeared at the door, warning them to keep away. The constable, however, continued to advance, talking persuasively to the old man, who still warned him off. Just as he set his foot on the puncheon, which formed the doorstep, Fields snatched the knife from the logs where it was sticking and plunged it into Murphy's left side, after which he slammed the door to. Murphy fell, mortally hurt. Ten days later he died, to the universal sorrow of his neighbors, who esteemed him highly.

The Grand Jury, consisting of James Osborn, David Watson, Joseph Schoonover, Henry Fay, Andrew Jackson, James Jones, Nathan Springer, Henry Slater, John Blue, Matthew Karr, Allen Simpson, John Ewing, John Halberstadt, Charles Collett and Thomas Herndon met and found the following indictment:

"We find that the said Samuel Fields, not having the fear of God before his eyes, but being moved and seduced by the instigations of the devil, did then and there, on the third day of November, eighteen hundred and twenty-four, with a butcher-knife, worth the sum of twenty-five cents, in his own right hand, thrust, stab, etc., the said Robert Murphy, causing the death of same."

Field's trial came off in March of 1825, in the Franklin County Circuit Court, of the judicial district, Judge Miles C. Eggleston presiding, with John Hanna and David Mount as associate judges. Oliver H. Smith was prosecutor, and William T. Morris and John T. McKinney attorneys for the defense. The jury consisted of Thomas G. Noble, Abraham Hollingsworth, John Caldwell, Elijah Carben, Bradberry Cottrell, (?) David Moore, Solomon Allen, Enoch Abraham, John Davis, Lemuel Snow, Matthew Gray and Henry Berry—some of the best men in the county. The most damaging testimony against the defendant was by his own daughter, a Mrs. Thompson, who testified with tears running down her cheeks. The verdict brought in was "Murder in the first degree," and Judge Eggleston sentenced Fields to be hanged, appointing Friday, May 27, as the date. There was a remarkable division of sentiment about Fields. No one denied his criminality, and the community where Murphy had lived, made up of settlers from New Jersey, who were bound closely together in their sympathies, were very bitter toward the murderer; but the fact that he was a soldier of the Revolution made a strong feeling in his favor, and many wished for his pardon by the Governor.

On the day of the hanging Brookville was full of people to witness the execution. My mother, then thirteen years old, was in this crowd, and she has described to me the incidents of the day. The gallows was a large sycamore tree, that stood on the river bank at the foot of Main street, and from which all obstructing branches had been lopped away, leaving one large horizontal limb for the rope. One other feature was the running-gears of a wagon, mounted with a kind of platform. This was to be drawn from under the prisoner at the proper time. The grave was dug a short distance from this tree. Robert John, father of the well-known Dr. J. P. D. John, was the sheriff. With twenty-five

deputies armed with flint-lock muskets, and with bands of red flannel on their right arms as insignia of authority, he marched to the old log jail that stood east of the town hall, brought out Fields, placed him on a chair on the platform of the wagon, with his coffin beside him, and so conducted him to the place of execution, the deputies forming a guard around the wagon. As they took their place beneath the tree the crowd closed in, and my mother, who was in the heart of it, was forced up against the hind wheel of the wagon, and, though she turned deathly sick at the thought of what she was about witness, she could not stir from the spot.

The minister, John Boffman,\* preached the funeral sermon, and one of the hymns sung was "Show Pity, Lord! Oh, Forgive!". Then the sheriff pinioned the arms of the prisoner, placed the noose around his neck and the black cap on, ready to be drawn down, and, with tears running down his cheeks, ascended a ladder to the limb above and fastened the rope. When he came down he took his station beside Fields, with his watch in his hand, and solemnly proclaimed that the condemned man had twenty-three minutes to live. A man named Walter Rolf had charge of the horses that were hitched to the wagon. At the expiration of the time he arose, drew the lines and cracked his whip, and the horses surged forward, causing the wagon to move a little, which tightened the rope, drawing the prisoner up until he sat erect.

Just then there was a shout that a man was coming down the hill, and all attention was drawn in that direction. It proved to be Governor Ray who, dressed in the uniform of a general of the Indiana militia, had ridden on horseback all the way from Indianapolis. Making his way through the crowd he ascended the platform and placed a roll of paper in Fields' hand, saying: "Here, I give you your life."

Amid shouts of approval from some and execrations from others Fields descended from the wagon and was taken in charge by his friends. He left the county, going first to a place near Hamilton, O., and finally to Crawfordsville, Ind., where he died a few years later.

\*John M. Johnson, on p. 197, says Augustus Jocelyn preached this sermon. Elsewhere, we believe, Mr. Miller speaks more circumstantially of Boffman as the preacher.