

**New England-
ial Evidence.**

It has been recently so atrocious crimes, andstantial evidence so ve been made to the ad in Vermont some ordinary case, with-riprudence, was not s of the newspapers would take an in- case, from one who and made himself history. is family in question ating is farm in the of Bennington. The gent charges, were his two sons Stephen had working, penu- sances. There was viously married a vin, a thrifless, un- rapid increase of his to provide for them; if support was mainly would frequently go s, sometimes months, n all helpless and de- ing between Russell, their wife and con- out the neighborhood. an unusual period, his intention of going sed, and some of the y but it subsided. Yet occasionally something hat the Bourne knew s surmises were renew- ity, for several years, action. At length in y twelve years had rance, some circum- sible form to these ere set on foot in y eight years of age at n up, and related that ather, he was at work esse, digging potatoes; that his uncle Ste- his hoe-handle, and hat he was frightened, cle Jesse pursued and im; if he ever told of ould kill him: When told of this before, he is uncles that he dared n of the potato field, been used for storing life, which was recog- ing to her husband and im. Under the roots down in an adjoining bones, which were de- body, with a thumb or ircuitances, so fully hat Benjamin Bourne, sted and committed to phen had removed to River country, in this uester were dispatched They proceeded, and e depths of the forest, e o'clock at night, called em, he evinced great their already strong them remarked to him, warrant." His reply ns; it was, "have you He was brought back to prison, denying all his innocence to the ay of circumstances was almost universal con- able conviction. Some ie prisoners, and averse hem to make confession nishment commuted to a resolute in asserting nothing of the alleged s nothing. The father affair, and no circum- o implicate him in the believed to know more a disclose. Jesse, after

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long asserting his innocence, as the time of trial ap-
proached, wavered, and at length declared he would
make a full confession. He declared that the quarrel,
as related by the son of Russel, in the potato field, ac-
tually happened; that Stephen knocked him down
with the hoe handle; that they both beat and killed
him; that they dragged the body to the potato field,
and threw it in; that at night they went and took up
the body, and took it to an old barn, which stood in an
adjoining field; took up the floor of the barn, dug a
hole there, and put it in; that a year or two afterwards
the barn was struck by lightning and burnt; they then
gathered up the bones, and sunk them in a deep hole
in the creek, not far distant; that afterwards, when the
rain had washed the foundation of the barn, they found
some pieces of bone remaining, which they gathered
and buried under the roots of the old tree.
The Grand Jury found a bill of indictment against
all three for murder, and the trial came on before the
Supreme Court, at September term, 1819; before the
Hon. Dudley Chase, Chief Justice. After a careful in-
vestigation of nearly a week, in which an abundance of
circumstantial evidence agreeing with and in all es-
sential points confirming the confession of Jesse, was
adduced, the jury acquitted the father, and returned a
verdict of guilty against both the sons. They were
both sentenced to die; but the Judge, rather from the
extraordinary nature of the case, than any doubts of
the correctness of the verdict fixed the time of their
execution in the evening of February 24th. If anything
could be found in their favor, it might be made avail-
able at the January term of the Court. Though the
public belief of their guilt was almost universal, there
were a few persons who get doubted, and there were
others who denied the propriety of taking life on cir-
cumstantial evidence. A petition was presented to
the Legislature in October, praying a commutation of
their sentence to imprisonment for life. It was referred
to an able special committee, who summoned before
them Judge Chase, with his notes of testimony, and
after a full and careful investigation, they reported, re-
commending that Jesse's punishment be commuted to
imprisonment in the State prison for life, and that
Stephen be left to suffer under his sentence.
After the trial, some persons who doubted their guilt,
advertised a description of Russel Colvin, and suggest-
ing a probability of his still being alive. This adver-
tisement chanced to be seen by a gentleman of Shrews-
bury, (N. J.) who at once recognised the description
as agreeing with a harmless crazy man, who had lived
many years with a substantial farmer in that town.
This man had made his appearance there soon
after the time of Colvin's disappearance from Ver-
mont, went to this farmer's house, who was absent,
and asked for food. His wife set him to work,
and he continued to work faithfully until the master's
return. By this time, however, a new fancy had entire
possession of his feeble mental powers. He considered
himself the master. The wife and children were his—
the farm was his—but especially the cattle, which were
his chief delight—all were his. It was seen that he was
harmless, very faithful and useful, and a bargain was
concluded. The wife and children he would give up;
they were more trouble than they were worth; the farm
he would not insist upon; but the cattle he would keep
at all hazards; and he had continued ever since faith-
fully laboring in the same place, and particularly care-
ful of the cattle as his own.
He answered the description of the advertisement so
fully that he was at once brought to this city, to Jona-
E. Robinson, Esq., formerly of Bennington, then a mer-
chant in Coenties slip. Mr. Robinson recognised him
at once, and provided means to send him to Vermont.
He did not like to go—could not leave his cattle so long;
but when told that Stephen and Jesse Bourne would be
hung if he did not go, he consented.
The news soon reached Vermont, and was received
with almost universal incredulity. The chief interest
seemed to be to see how good a *fac simile* of Russel
Colvin might be produced. The writer was much in
company with the judges, at the December term in
Addison and Rutland counties, and the curious dis-
plays of ingenuity they were prepared to expect, at
Bennington, in January, was a subject of almost daily
conversation. The judges arrived at Bennington with
a feeling that it was almost an impossibility that this
man should be other than a counterfeit; it might be a
very good counterfeit, but nothing more. They had
not been in town half an hour when every doubt was
removed. A man might, perhaps, be found whose per-
sonal appearance bore so close a resemblance as to de-
ceive and be mistaken in this lapse of years; but could
he himself know precisely the same things? be familiar
with the same limited train of ideas, he had possessed
so many years before?

owed to make a personal explanation. He
by saying that the Methodist Episcopal
devolved on him certain duties, and that
addressed congregations from the pulpit,
to be driven from this position. His rela-
tions had constrained him in his inter-
all men, to be courteous and respectful—
the gentleman from North Carolina (Mr.
chosen to censure him. He spoke of his
or the North, and the principles which ani-
and everywhere bore the ensign of the
he was triumphantly elected; he had come
anding in this hall, had thought proper to
good faith the interests of the people he
The difference between the gentleman
was this:—He (Hilliard) put his life in peri-
s of his people; Stanley put his life in peri-
North, and selects him for an adversary.
It was not his object, yesterday, to in-
moment with that gentleman; but two
made by him—first, that he (Mr. Hill-
illustrated the Scriptures with a view of
people of the United States to shed blood;
er, that he favored disunion. To the first
rge, he would say it was gratuitous. He
remember, on any occasion, of having
the sacred Scriptures a single word
of such a proposition. On the con-
his speech, he had distinctly said he
the rights of his constituents, as to
neral grounds, because that would admit
ion of the forum. But Mr. Stanley charg-
decreated the Scriptures. Let his speech
d, and that would show whether he did so.
in the heat of the occasion, had not only
barrier, but had leaped over it. He chal-
gentleman to produce a single passage from
a favor of dissolution. He had, it is true,
d to declare that if certain acts were con-
gress, it would lead Southern people to
the rights which they have never surren-
the canvass last summer, he was assailed
the Union too much, and forgetting what
to his own constituents. Mr. Hilliard
the North when they are generous, and
strong; he might eulogise the North and
when they are not arrayed against his
he would not under present circumstances,
r from North Carolina went over the whole
controversy in searching whether he could
first aggression on the part of the North.
er—Is it in order for gentlemen to review
people?
Mr.—Let him go on.
BLAND, (dem.) of Conn., in explanation—
ur rule apply?
Mr.—I wish to inquire whether other gentle-
have an opportunity?
BLAND resumed: In the whole progress of
ent, Mr. Stanley was unable to discover a