THE GALLOWS IN MARYLAND.

THREE EXECUTIONS IN ONE DAY

A WOMAN ON THE SCAFFOLD.

Hanging of John Howard, the Murderer.

A FIENDISH CRIME EXPIATED.

EXECUTION OF MARY WALLIS.

The Child Poisoner's Life—A Slave Girl's Envy—Her Father a Condemned Murderer—The Condemned Viewing Her Own Grave—Crowds of Marylanders to Witness Her Dying Agonies.

WASHINGTON, Feb. 10, 1871.

Mary Wallis, a colored servant girl, was hung to-day at Upper Marlboro, Prince George's, Md. Her crime was poisoning an infant nine months old belonging to the family of Albert M. Read, a clerk in the Treasury Department. Last summer Mr. Read removed his family from Washington to the residence of Mr. B. D. Fabian, near Beltville, Md. On Saturday, July 2, Mary Wallis, employed as a domestic in the house of Mr. Fabian, was detected in the act of appropriating to her own use some clothing belonging to Mrs. Read's child's nurse, and being charged with the theft became very sullen and threatening in her manner. Mrs. Fabian was informed of the facts, and told Mary that she would have to leave the house on the following day. For the remainder of the day and evening she continued sullen and abstracted, and the nurse seemed to be the particular object of her hatred. She had, it seemed, taken a strong dislike to the nurse from the time she came into the house, and being detected in the attempt to steal her clothes intensified this dislike. In the evening she was directed to boil some milk with which to feed the child, if necessary, during the night, and a small boy who was employed about the place saw her take some powder from a bottle and place it in the milk.

THIS POWDER WAS STRYCHNINE.

The theory developed at the trial was that she placed it in the milk, expecting that the nurse would taste it first, and, if that failed, and the poison injured or killed the child, the nurse would be charged with the deed; so that in either case she would have her revenge. As usual, on the family retiring the milk was set in a convenient place.

About one o'clock Sunday morning the child's crying awakened Mrs. Read, and Mr. Read gave the little one some of the milk, of which it took but little. Mr. Read found that the milk was bitter, and calling the attention of Mrs. Fabian to it, she tasted it, as did Mr. Read, and suspected that something unusual had been mixed with it. Their suspicions were soon confirmed, for the child, after

WRITHING IN AGONY

about half an hour, died. The lady was also taken with violent pains. Dr. Bell was summoned at once and tried to save the life of the child, but could not, and on examining the milk he at once detected strychnine in it. Inquiries were immediately made as to who could have put the poison in the milk, and it was ascertained that a small quantity of strychnine had been brought to the house for the purpose of killing rats, and the boy employed in the house said that he had seen the girl Mary take some of it from the bottle. She was therefore detained in the house until the matter could be investigated. An inquest was held, when a verdict in accordance with the facts was rendered. The accused was present at the inquest and strenuously denied having any hand in the business, notwithstanding she was closely questioned; but subsequently she admitted that she did put the poison in the milk, so that the nurse might be charged with the murder of the child. The corpse of the little one was brought to Washington on the following day, and the funeral took place from the residence of its grandfather, Mr. W. E. Moran, No. 941 Massachusetts avenue. The accused was taken to Marlboro' on the Monday following the murder.

HER TRIAL

took place on the 24th and 25th of August last. She was assigned Judge Samuel H. Berry as her counsel by the court; Judges Brentford and McGruder on the bench, and Mr. George C. Merrick, States Attorney was the prosecutor. The small boy alluded to was the principal witness, and he testified positively to having seen her take some of the poison from the bottle. Mr. Read testified that the milk prepared by the accused was given to the infant and convulsions followed. He described the symptoms, and Doctors Antisel and Hartigan testified that they were those of poison. Dr. Antisel said he had made a chemical analysis of a portion of the milk administered and detected a quantity of strychnine in the proportion of half a grain to the ounce. He believed the child died from the effects of strychnine, and this theory was corroborated by Dr. Hartigan. A verdict of guilty was found, and the girl was sentenced to be executed. In December Governor Bowie signed the death warrant, designating this as the day of execution. Mary Wallis was

FORMERLY A SLAVE,

belonging to the late Richard D. Hall, on whose place, near Good Luck, about five miles east of Beltville, she was raised, and her life was spent in the country, most of it in the neighborhood where she committed the crime for which she has paid the penalty of death. After the war she was employed as a house servant at various residences in the neighborhood of Beltville. After her incarceration she did not exhibit much concern as to her fate. It is supposed that she had, up to a few days past, a firm conviction that the Governor would commute her sentence, and therefore did not exhibit so much concern as she otherwise would have done. As a child she was

GIVEN TO FITS OF SULLENNESS

When she grew up they were not so frequent, but were more threatening in their character. Her trifling conduct in the court room and seeming indifference to her fate led to the belief that she was either an imbecile or was insane, and hence a recommendation for mercy which was presented by the jury. After the trial she was remanded to jail, and still continued to wear the same unconcerned appearance and the

BELIEF IN HER INSANITY

gained ground so rapidly that a petition was drawn up, circulated and signed by numbers of the best citizens of the county, and presented to Governor Bowie last week, for commutation of her sentence to imprisonment in the penitentiary for life, upon the ground that the jury which convicted her believed her not thoroughly sane, and recommended her to mercy, in the belief that imprisonment and not hanging would therefore be the punishment inflicted. The Governor informed Mr. Brent, the State Attorney, on Wednesday last, by letter, that he had weighed this petition with the counter petition of respectable citizens, setting forth that she is just the reverse of insane, being bright and intelligent, but maliciously wicked, and he was therefore satisfied that the ends of justice demanded the enforcement of the sentence. He therefore declined to accede to the request. Sheriff Frazier, about one o'clock of the same day on which this communication was received by Mr. Brent, proceeded to her cell and notified her of the Governor's refusal to interfere, and she seemed at once to realize the true state of the case and sobbed violently. Her attendant spiritual ministers, as well as the guards at the jail, seemed to incline strongly to the opinion that the prisoner was not of sound mind; hence the appeals to the Governor for mercy in her behalf. On the other hand, Dr. J. H. Mundell, physician to the jail, says that she exhibited during her imprisonment more than ordinary intelligence in conversation, and that in his opinion she was as sane as anybody. She once remarked to him that before anybody could bring her out on the scaffold and put a rope around her neck she

WOULD KILL HERSELF.

But she subsequently modified that remark by saying she did not mean to take her own life. Her spiritual needs have been attended to by Rev. Fathers Dwyer and McDonald, of the Catholic church, in charge of that circuit, who have frequently visited her since sentence was passed. She, however, paid but little attention to them, at first interrupting their exhortations by laughing and singing, but recently she seemed to gain a realizing sense of her terrible position, and was quiet and attentive.

THE DOOMED WOMAN

yesterday refused all food brought to her, and ate nothing at all during the day. Fathers McDonald and Dwyer, of the Carmelite order, were with her the entire day, administering spiritual consolation. They are about the only visitors she had during her incarceration, as none of her relatives or friends have called on her. Last night she slept very well, having retired early, and arose this morning about six o'clock and ate a hearty breakfast. Very soon thereafter Father McDonald called and remained with her until the fatal moment. Since her arrest her father has been arrested at Beltsville, and is now in the Baltimore jail under sentence of death for a murder committed in that city. She occupied the same cell from which Richards emerged to the scaffold, and from the grated windows could look down on the graves of the five Lyle murderers, adjoining the last one of which, Richards, her own grave was opened to await the execution of the sentence of the law. The gallows is the same on which Nimrod Richards, the leader of the gang of five negroes who murdered Colonel W. Lyles, of Auburn, was executed on the 12th of August last. The rope is the same one used on the occasion of Richard's execution, and was made at Baltimore for the execution of Collins, in that city, but a commutation of sentence prevented its use on that occasion.

THE EXECUTION

took place in the jail yard, enclosed by a board fence about twelve feet high. The jail, situated in the upper end of the town, is a new brick building, substantially built, two stories high, with an entrance and passage in the centre and cells or rooms on either side. At precisely ten minutes past twelve o'clock Father McDonald came out of the front door of the jail with a crucifix in his hand, followed by the doomed woman, who was dressed in a gown of white cambric and black cap. Her arms were pinioned, but she walked up the steps of the scaffold firmly, although she was assisted by Sheriff Frazer and Deputy Sheriff Cator, as also Father Dwyer.

ON THE SCAFFOLD.

She was seated in a chair opposite the fatal noose, and as the priests read the departing prayers she gazed with a vacant stare on the crowds of men and boys who were collected on the fence and the wagons and carts outside. As soon as the priests had finished the service Father McDonald turned to the crowd of spectators and said:—"This girl has nothing to say now, only she asks your prayers for a happy death." The sheriff then called on her to advance to the drop, which she did promptly; and as he was adjusting the noose around her neck and lowering the black cap her feet were bound by Deputy Sheriff Cator, both of whom immediately left the platform and entered the jail.

THE FALL INTO ETERNITY.

At twenty minutes past twelve o'clock the rope supporting the prop which held the trap was cut and she fell with a thug, the attendant priests being the only ones on the platform and engaged in earnest prayer. She twitched her arms a little and there was a slight shrug of the shoulders, but beyond that there was no visible struggle. A few gasps for breath and all was over. The body was allowed to remain twenty minutes and was then lowered and placed in a respectable pine coffin, lined with white cambric, and immediately buried in the grave already dug, adjoining that of Nimrod Richards. This is the second execution of a woman in Marlboro, the first instance being that of a servant woman of the late Dr. John H. Bayne, about twenty-five years ago, for precisely the same offence as that for which Mary Wallis was hung to-day.

EXECUTION OF JOHN MARTIN.

A Negro Fiend—Terrible Outrage Upon an Octogenarian—Particulars of the Horrid Crime—A Repentant Criminal—The Deed Confessed—Justice Vindicated.

FREDERICK, Md., Feb. 10, 1871.

Since the day of Barbara Fritchie's flag taunting in the face of rampant rebellion, and the time when war's rude alarms resounded through the streets of this quiet place, there has been no occurrence that has occasioned half so much excitement as the execution to-day of the colored man, John Martin. The crime of which he was convicted was so

HORRIBLY APPALLING

in its nature and so disgusting in its details that it ought to find record alone in the sealed pages of past barbaric ages. The frequency of its commission, however, made it the duty of the authorities to furnish an example and push the punishment to the utmost extent of the law. His victim was an aged white woman, Mrs. Margaret Butcher, who lived with her paralyzed husband in a little hut in the Mount Pleasant district of this county, about five miles from this city. She had lived there and in the adjoining village of Smoketown upwards of fifty years, and had reached the

ADVANCED AGE OF EIGHTY-THREE

when the outrage was committed. John was born in that neighborhood and knew the old lady as well as a dog of his character could. He was well known as a hardened wretch, and had served two terms in the penitentiary in expiation of minor crimes. The Butcher family were exceedingly poor and relied mainly for their support on the generosity of a married daughter in Baltimore. Mr. Butcher was almost

ONE HUNDRED AND THREE YEARS OLD

and for years had been paralyzed to such an extent that he could not move his limbs, could not speak audibly, and, in short, was perfectly helpless. On the morning of the 6th of April, 1870, while the old couple were asleep, John Martin entered their house and made his way to their bedroom. Mrs. Butcher was awakened by the noise of his entrance and attempted to rise, but John sprang forward, caught her by the throat, threw her back on the bed, and telling her to lie still or he would kill her, committed one of those terrible outrages on her aged person which horrify civilized men, and which shocked the helpless old man lying by her side so that he died a short time afterwards. The shock was so great to him that he partially recovered the use of his arms and threw them over towards John and his wife, mumbling at the same time as well as he could an appeal for mercy; but the fiend paid no heed to his supplications, and, choking the old lady into submission, again repeated the terrible act. It was dark; so dark that Mrs. Butcher, whose eyesight at any rate was not perfect, could not distinguish the features of the brute. Although her hearing was slightly impaired by age his threats of murder were toned so high that she had no difficulty in recognizing his voice. He remained over her prostrate form for fifteen minutes, and then, his hellish passion sated, he left her. The old woman arose, and through the weary hours which followed until daylight cowered trembling in the corner of her room, fearing the return of the beast and listening with wringing heart to the meaningless mumblings of her husband, who, thoroughly frightened, had relapsed into the childlike helplessness of his paralyzed condition. All the ensuing day she sat fearing to open the doors or windows of her gloomy hut and too much exhausted even to attempt to prepare food. The only visitor during the day was an old colored woman, to whom Mrs. Butcher related the tale of her suffering, and who at once suggested that a complaint against the perpetrator of the outrage ought to be made. So simple-minded and decrepit was Mrs. Butcher that the idea of appealing to the authorities had not occurred to her, and probably would not if some one else had not suggested it. The next day, April 8, a magistrate was called, who issued a warrant for John's arrest. These are, in brief, the facts of the case as elicited by the evidence in the trial, which followed at the September term of the Criminal Court in this city. The law of the State provides as a punishment for crimes of this class eighteen years' imprisonment or the death penalty. The Court, having discretionary power, decided to inflict the latter, and pronounced sentence upon Martin in November last. Applications were immediately made to Governor Bowie for a commutation of the sentence and for a pardon, on the ground of insufficiency of the evidence; but they proved unavailing, and on the 10th of January

THE DEATH WARRANT WAS READ TO HIM

in his cell in the county jail here, and the execution was appointed for to-day. It is charged by Martin's friends that his color had much to do with his conviction; but I find that there were four radicals on the jury before which he was tried and that the sentiment of the better classes of both races is that he deserved hanging. The condemned man's conduct in prison has been influenced to a great extent by the hopes of a pardon, and up to a few weeks since he acted with reckless indifference about either his spiritual or bodily welfare. The Rev. Mr. Smiley, however, succeeded in impressing on his sluggish mind the impending danger of his situation, and last week he made a full profession of religion. Since then he has been exceedingly docile, has spent much of his time in praying, singing hymns and preparing to meet his fate. Yesterday a young colored girl, to whom he was engaged to be married, visited him, and later in the day, when he heard the sounds of the workmen's saws and hammers preparing his scaffold, he requested to be allowed to look at them. In compliance with this request he was conducted to an adjoining cell, from the window of which he got a full view of the jail yard, including the scaffold. He did not evince the slightest trepidation, but, after scanning it thoroughly, turned to his fellow prisoners and admonished them to pay heed to his example—take it home to themselves, profit by it and become better men. In plain and simple words he said that every hall driven into his scaffold "would be one into their hearts unless they became converted, as he believed he had been." He

PRAYED AND SANG

with them for a few moments and then returned to his cell. His appearance in prison was that of a sluggish, stolid man and indicated a life devoted to the gratification of beastly passions. He was not very dark, but his thick lips and heavy eyebrows denoted pure African blood. He was only twenty years old, but looked to be at least thirty. In conversation with those who approached him after his conversion he was exceedingly respectful and very polite, but betrayed the ignorance of a "corn field darky" in his manner of speech. Up to a late hour this morning he refused to allow a confession of his guilt to be made public, although he had privately confided it to the keeping of the Rev. Mr. Smiley, under an injunction of inviolable secrecy, which could only be removed with his mother's death. That

PRIVATE CONFESSION

was as follows:—

I was born in Frederick county, Md., Feb. 14, 1850. I was raised with all the attention my grandmother, in whose care I was placed, could give me until I was about nineteen years old. She taught me to fear God and try to do good. Up to this time I did only one act for which I was punished by the law. This is known to most of the people of this county. It was that I took a pair of pants belonging to a man in this county. The reason why I did it, he owes me and would not pay me. I was pardoned out of the penitentiary, not long after which I was arrested for stealing corn, and I have no reason to offer for it. I own to taking the corn. I was confined in this jail for ten days, after which I was released.

I AM GUILTY OF THE CRIME

which I am confined for. I am sorry I did it and it brought me to what it has. I believe that God has and mercy upon me and pardoned me for it. I hope others will not do as I have done.

In conversation with Mr. Bachus, one of his spiritual advisers, who wrote at his dictation the foregoing confession, he gave the following account of the commission of the crime:—

The evening of the crime I left home about seven o'clock. Was at Mr. John Deer's house that night. Afterwards I went to Mrs. Butcher's. I got into the house by climbing up the wall to the window. My mother and all were at home when I left, so far as I know. My mother thought I was gone to bed. I was there when she got up next morning, and she usually went to bed without any light, and often when I was in bed would retire without saying anything to me. When I left home I had no particular place to go to.

Another confession, prepared by Martin's counsel, also at his dictation, about four weeks ago, has been made public, in which he denies the accomplishment but not the attempt of the crime. The foregoing statements, however, were made after his conversion and when he had become convinced that a pardon or commutation of his sentence was impossible, and they are undoubtedly correct, as they corroborate Mrs. Butcher's testimony. He made, through Mr. Bachus, all the necessary arrangements for the interment of his body and wrote frequent letters to his friends, selecting from among them his pall-bearers and expressing a wish that the eighty-eighth Psalm might be read at his grave this morning. At the request of the Rev. Dr. Hammer he prepared a statement to be read by that gentleman on the gallows, in which he made a full confession and relieved Dr. Smiley from further secrecy regarding his previous statements.

PREPARING FOR HIS DOOM.

He spent the hours between daylight and the execution in praying and singing, and his voice was notably strong and clear. When the turnkey brought him his breakfast, of which he partook sparingly, he said to him:—"Your head is blossoming for the grave. Time has furrowed your cheeks. Meet me in heaven." Subsequently Dr. Hammer impressed upon him the fact that an acknowledgement of the justice of his sentence was equivalent to an admission in detail of Mrs. Butcher's testimony. He replied that he knew it and that it was all right, but asked that he should be allowed from that time forward to spend his time in prayer. At precisely one o'clock Sheriff Bartgis appeared at the cell door with the

DREAD SUMMONS OF DEATH.

John arose from his knees and allowed his arms to be pinioned and the rope adjusted about his neck without a murmur. When this had been completed he started for the door, and with a firm step passed through the gloomy corridors, out of the jail into the yard, and up the steps to the gallows.

ON THE GALLOWS.

The platform was twenty feet high, the drop rope four and a half long. After a prayer by Dr. Hammer and the singing of a psalm, in which latter John did not join, he stepped forward and in a tremulous voice said:—

LAST WORDS OF JOHN MARTIN.

My friends, all of you are gathered to see the last of me, I suppose. I see the trees and house-tops filled with people looking at me. I hope you all will take warning from this my execution and take warning by me, and don't walk on this gallows like I have done. I have a home in heaven where congregations never break up and Sabbaths have no end. Friends in the sound of my voice, take warning and meet me in heaven.

During the prayer he kneeled, with his head resting on the railing of the scaffold, and for the first time exhibited a nervous trepidation. His fists were clutched convulsively at times, and then relaxed suddenly. He was finally assisted to his feet and placed over the drop. The knot was adjusted under his chin so that when he fell it jerked around to the side of his neck under his ear. The clergymen left him with their benedictions. The sheriff started down stairs and kicked the block from under the drop, and John Martin

SWUNG OFF INTO ETERNITY.

His neck was broken by the fall, and he struggled for a few moments only, but was evidently senseless from the instant the rope jerked the knot against his ear. The body remained suspended for twenty minutes, when life was pronounced extinct. It was then cut down and delivered to his friends. The turnkey, whose head is blossoming for the grave, and who is a man of experience in such matters, remarked that it was "the prettiest execution he ever had seen."

EXECUTION OF JOHN HOWARD.

The Murderer of Captain Henry Miller Pays the Penalty of His Crime—Confession of the Culprit.

CUMBERLAND, Md., Feb. 10, 1871.

Shortly after noon to-day John Howard, alias John Evans, alias "Shorty" Evans, alias John Lewis, suffered the extreme penalty of the law at the Almshouse grounds, near this place, for the murder of Captain Henry Miller, of the canal boat H. Falles, on the morning of the 17th of August last. The crime was committed on board of Captain Miller's boat, then lying near Old Town, Md., about eleven miles below Cumberland, and occasioned the wildest excitement in the community, and especially among the thousands of canal boatmen congregated in this vicinity during the busy month of August. Rough and hardened as these boatmen usually are by their manner of life and surroundings, and accustomed as they were to the scenes of riot and bloodshed frequent among men of this class in every section of the country, yet the crime of murder is of comparatively rare occurrence, and the guilty parties meet with the most bitter denunciation from their comrades. The murder of Captain Miller has been regarded here as a cold-blooded and dastardly outrage. The information of the circumstances of the affair was obtained only from the murderer himself and a colored man named Johnson, they being the only witnesses of the bloody deed.

THE MURDER.

Howard's first connection with the boat was in the capacity of bowsman. Miller is represented to have been very boisterous and abusive toward both Howard and the colored man Johnson. Howard, who was a man of very strong passions, was not disposed to submit to the continued abuse of his employer, and frequently retaliated in kind, resulting in a bitter enmity between the two men. On the night prior to the murder high words had passed, and an hour or more before the fatal deed was committed another quarrel occurred, in which it is alleged the Captain was extremely abusive, although no blows were given. After the altercation Howard went into the hay house, near the bow of the boat, where he met the colored man and declared his determination to no longer submit to the abuse of his superior; and, further, endeavored to persuade Johnson to join him in his plan to murder the Captain. The dreadful details of the conversation of these men, sitting there in the dense darkness, both realizing in all its bitterness the continual ill-treatment to which they were subjected and cherishing that strong spirit of resentment which forms a part of the nature of us all, will never be known in full. It is only known that Howard represented to the negro that they could easily secure their revenge, as the Captain was without assistance, and could then effect their escape. However, it appears that the courage of the negro was unequal to the occasion, and in a few minutes the plotting was disturbed by the appearance of the Captain, who ordered the negro to attend to the mules. Returning, shortly afterward, the Captain approached Howard, and observing that he was preparing to go to sleep, called him a s—n of a b—h, and told him he employed him, not to sleep, but to attend to his work. Howard replied in angry terms that he would leave in the morning. After some further harsh language Miller turned and walked toward the stern of the boat. Hesitating a moment, probably to summon all his courage for the occasion rather than to meditate upon the fearful crime he was about to commit, Howard's revengeful eyes followed the Captain's form through the darkness. Then, stooping, he grasped a piece of oak wood about two feet in length, with an iron ferule and ring at each end (technically known as a "spreader"), and stealthily followed Miller. Overtaking him within a few feet of the stern he raised his weapon and, with a remark to the effect that he would break his skull, struck him

A FEARFUL BLOW

upon the head. Miller at once sank to his knees, and Howard, suspecting that he was endeavoring to secure possession of a hatchet lying near, as a weapon of defence, repeated the blow, with increased force. The wounded man fell over upon the deck and feebly called,

"HELP! HELP!"

and then became unconscious. The negro was standing within a few feet of the parties at the time, but was too horror-stricken to attempt to interfere. When Miller sank to the deck after the last blows, and the blood commenced to flow from the deep gashes in his head, crimsoning the boards and stealing along in a little rivulet, to the very feet of the murderer, Howard seems for the first time to have comprehended the enormity of his act. Gazing for a moment upon the distorted face of his victim he dropped his weapon upon the deck and attempted to jump from the boat to the bank of the canal. He missed his footing, however, and fell into the water, but finally struggled to the bank, and from thence fled to the fields. Returning a few moments later to the towpath he heard some one approaching, and hailing the person discovered that it was the negro, who, in answer to his inquires, stated that he dared not stay on the boat, fearing that he would be charged with the crime. Howard led him to believe that this would be the case, and convinced him that the better course would be for both of them to stay together and deny all knowledge of the crime. After wandering for a while in the woods in the surrounding country they ventured into Cumberland, but upon hearing that they were suspected, left and went into the adjoining county. A pursuit was organized and both were captured near Clear Spring and taken to the Washington County Jail. Subsequently they were removed to the jail at Cumberland, and were both indicted and their trial set for the October term of the court. Upon the promise that a *nolleprosq.* would be entered in his case, Johnson turned United States evidence. Persons in the neighborhood of the scene of the murder discovered Miller about eight A. M., and he was immediately conveyed to a house near by and medical assistance summoned. Miller was semi-unconscious at the time and spoke but once or twice, in one instance fully implicating Howard and exonerating the negro from any complicity in the affair. He survived until nine A. M. Thursday, and was buried on the afternoon of the following day.

THE TRIAL

which was quite brief, developed no facts of importance other than those given above. The testimony of the physicians who made the post-mortem examination showed that the deceased had received wounds on the right side of the head, fracturing the skull. Upon opening the head it was found that it was riven asunder, there being two distinct cracks and the temple bone being shattered. Much congealed blood was noticed, and the opinion was pronounced that death was caused by the blows. The counsel for the accused endeavored to prove by the testimony of the physicians that Miller was not in a condition to speak understandingly when he made the statement implicating Howard, but without avail. They also attempted to throw discredit on the statements of the negro Johnson, but his testimony was so clear and positive that they met with little or no success. After deliberating but a short time the jury returned a verdict of guilty of murder in the first degree, and Howard was sentenced to be hanged at such time as the Governor of Maryland might designate. The death warrant, bearing the signature of the Governor and the broad seal of the State of Maryland, was received here two or three weeks since. It designated the 10th inst. as the date of the execution, and the authorities early commenced making the necessary preparations.

SKETCH OF THE MURDERER.

John Howard was born in Georgia in 1842, and while yet a youth his parents removed to New York, in early life he enjoyed few advantages for acquiring an education, mastering only the first elements of reading and writing. Upon the breaking out of the war he joined a New York regiment and went to the field; but subsequently deserted and enlisted in the navy, where he remained until mustered out in 1865. Returning to New York city, he fell into the company of thieves and roughs of the most degraded classes, who led him into the commitment of various crimes. He was detected in an attempt at burglary, arrested, tried and convicted, and was sent to Sing Sing, where he served his full term. While in prison it is understood that he manifested a strong desire to reform his character and lead a better life, and even professed religion and became a member of the prison church. After the expiration of his term of imprisonment he continued for some time to bear an excellent character and endeavored to obtain a living by honest labor; but finally he commenced drinking to excess, his good resolutions were forgotten, associations with his old comrades were re-established, and from that time his course was downward. Becoming implicated in some violation of the laws in New York, he started off through the country, working here and there, until he finally reached Cumberland, where he shipped on board Captain Miller's boat.

During his trial and since his conviction Howard generally maintained a stoical demeanor. He expressed his deep regret that he had committed the deed, but claims that it was done while he was in a state of rage amounting almost to frenzy, produced by the continued brutality and ill-treatment of his victim. Within the past week he has eaten his meals and has slept regularly. He has had the almost daily attendance of clergymen of the churches of this town, and these gentlemen report that he has frequently stated that he has prayed for the mercy of God, and that he has generally manifested a sincere spirit of repentance.

HOWARD'S DYING CONFESSION.

The following is the confession of Howard referred to above. It will be observed that his statements in reference to the murder vary somewhat from the facts adduced during the trial:—

I was born in Augusta, Ga., on the 11th of May, 1842. My father owned a large saw mill and other property; in fact, was well off. When I was a boy I spent most my time around my father's sawmill playing with boys of my own size. When I had reached the age of seventeen years I went to work for my father in the mill. I worked thus some seven years. * *

HIS FIRST CRIME.

When I reached the age of eighteen or nineteen I had a quarrel with a young fellow of about my own size. The difficulty between us was trifling, and he began to abuse me. He drew a knife, and also struck me. I had a knife in my pocket—what is termed a tobacco knife—so I pulled it out and cut him through the muscles of the arm. I then ran off to the woods with some companions, who helped me up a large tree, where I remained the rest of the day and the whole of the night. My father then discovered where I was, and came after me and made me return home. My father compromised the matter for me at the time. Some days after the occurrence first narrated I was out gunning alone, when I met the father of the person whom I had cut. He compelled me to go home with him, and fastened me up in a room and threatened to hang me. I was greatly frightened, but my father came over and I was released. The whole thing was done merely to scare me. When the war broke out my father's sympathies were with the people of the North. The troops of the confederacy burned down his house and afterwards his mill. The family gathered up what we had left and went to New York city. I left the South to avoid being drafted into the Southern army. After we reached New York my father opened a store, but not succeeding very well in that he bought out an establishment for the sale of furniture, I acting in the capacity of salesman. After living in New York some time I got into a rather rough crowd of men, drank considerably, gambled and contracted bad habits generally.

CAREER AS A BURGLAR.

One day I was drinking in a saloon, when a "crackman, Charles ——, by name, came to me and told me that he had a job put up and wanted me to help him through with it. I was considerably under the influence of liquor at the time and assented. He then explained to me what he wanted done. He told me that he knew of a house on Third avenue where we could "make a raise." A young man living there was to be married in a few days and had new clothes, &c., in his trunk, and also several hundred dollars in money. We got into a street car and went up to have a look at the house. The "crackman" proposed that we should enter the house that night. After inspecting the premises and surroundings we left and returned about two o'clock in the morning. I was furnished with a pair of "nipps" and went up to the front door of the house. I found the key in the lock and easily turned it with the aid of the "nipps." Charlie —— had given me a description of the inside arrangements of the house. I opened the front door, went up the stairs and opened the door at the head of the steps. I uncovered a dark lantern that I had provided myself with and looked around. There was a bed in the room, occupied by two young men. A pair of pantaloon was hanging on a chair. I "secured" the pantaloon, got twenty dollars in money and a gold watch. I then looked around for the trunk which Charlie —— had spoken of. I saw it in the corner of the room. I went up to it and found it locked. I started to haul it across the floor, when the noise partially awakened one of the occupants of the bed. I drew a billy that I had with me, so that if I was discovered I could silence him. He merely turned over and continued his sleep. I then shouldered the trunk and carried it to the front door to my pal, who had been on the lookout for the "cops." Charlie and myself carried the trunk to a vacant lot that was near and I broke it open with the aid of a stone. We found in the trunk two suits of clothing, a pair of patent leather boots, &c., and $250 in money. We divided the money and put the clothes on over our others. I then determined to go back to the house, though my companion tried to dissuade me from doing so. He, however, agreed to accompany me and we went back. I entered the house for the second time. This time I went into the room occupied by the mother of the young man who had been robbed. I got her pocketbook, containing sixteen dollars, and a gold watch. These two articles I took out of her dress pocket. I looked in the bureau and saw a dressing case. It was not locked and from it I got another gold watch. I then started down alone and was just leaving the hall when I met a colored girl. It was then just about daylight, and she came to the house to wash, as I afterward learned. She said "Good morning" and I returned her salutation and passed out of the door. I rejoined Charlie and we went over on the Bowery and took the cars for up town. The watches and clothing we took to the pawnbroker's and "shoved" them up.

Some three months after the robbery above mentioned was committed I was drinking in the same saloon where Charlie had told me of the job he had put up. There were some fifteen of us assembled at the place to witness a dog fight. I had fifty dollars staked on the fight. The dog that I had put my money on got the other dog by the fore leg, when the parties who had bet on the other dog wished to stop the fight. I jumped inside the ring, when a man knocked me outside the railing (quite) I got up and he drew his revolver and I also drew. We both fired. He missed me, but the ball from my pistol took effect in his thigh. My friends paid the doctor who attended the wounded man, and the matter was hushed up. I staid about the saloon all that day and about dusk I was surprised to see the colored girl whom I had met coming out of the house that I had robbed, with a friend in her company. She came after me for ten dollars, which I refused to give her. She went out and returned in a short time accompanied by a policeman, and the owner of the stolen trunk. The "cop" attempted to arrest me. I knocked him down with a billy and jumped out of the window, carrying the whole sash with me. I was badly cut about the face and hands. I ran on, however, but was soon caught and carried to the station house. They also arrested the whole party in the saloon, and we were soon together in the station house. Some of the prisoners attempted to "cobb" me. My friends interfered and we had a general row. I was not hurt. My bail was fixed at $2,000, which I did not give. My trial soon came off. Charlie —— stuck to me and swore to an alibi, but it was no use; the jury found me guilty. When the Judge had me brought up for sentence several girls in the court room said it was a pity that such a nice, innocent-looking young man should be sent to prison. I thought myself that they were rather "soft" to take me for an "innocent." The Judge then told me to stand up, and said, "I sentence you to two years and ——"; he then stopped for a moment—"and six months." I said, "I am much obliged to you, Judge." I left the room laughing; I thought he would give me five years sure.

THE FINALE.

The drop fell at half-past twelve o'clock P. M. His neck was broken, and he died with but a slight struggle. The execution took place one mile from the city, whither he was escorted by a detachment of State militia and followed by several thousand persons. On the scaffold he made a rambling speech, accusing one of the witnesses against him with perjury. He then bade adieu to his spiritual adviser, the Sheriff and others, and said he was a Christian and ready to die. It is stated that Howard was intoxicated when he made his speech, liquor having been administered to enable him to keep up. The crowd was orderly.

THE GREENE STREET SUICIDE.

The case of the unfortunate young man, George W. Wittenberg, who upon last Tuesday night committed suicide at the house of ill repute No. 105 Greene street, was investigated yesterday by Coroner Young at the City Hall. From the evidence of the father of the deceased and Kate Reynolds, the degraded girl, in the presence of whom he had destroyed his life, it was elicited that he had left his home, No. 150 York street, Jersey City, with the stated purpose of attending a ball in New York, and that instead of doing so had gone to the house wherein he shot himself. Here, after remaining for some time, he taxed Kate with "going back on him," and became so angry as to cause her to leave the room. After quitting the room he called out that if she did not return he would shoot himself. She had just placed her foot upon the doorsill in returning when deceased shot himself in the right temple. After the reading of the medical testimony as to the cause of death the case was referred to the jury, who rendered a verdict in accordance with the evidence.

James Callagher, an Irish laborer, forty-five years of age, died in Bellevue Hospital on Thursday night. On Tuesday last an officer of the Thirty-first precinct found deceased on the Boulevard, Central Park, in an insensible condition, suffering from fracture of the skull or other injuries received in some manner unknown. Coroner Young is now searching for evidence in the case, and as soon as it is obtained he will endeavor to clear up the mystery. The residence of deceased did not appear.

DIVORCE SUIT EXTRAORDINARY.

An Impecunious Female Music Teacher on the Matrimonial War Path.

Bold and Dashing Counter Charge by a Young Memphian Millionnaire—Strategic Struggle for the Sinews of War on One Side and Equally Earnest Combat for a Peaceful Armistice on the Other—Interesting Proceedings Before Judge Barnard in the Supreme Court, Chambers.

Strangely curious as often are the peculiar phases of life developed in divorce suits, it very rarely happens that one presenting more strangely curious features comes before our courts than one coming yesterday before Judge Barnard, of the Supreme Court. It took all day to get through the voluminous mass of affidavits and other papers introduced on both sides, and listening to the arguments of opposing counsel. More like the strange phantasies of a dream, more like the wild imaginings of an overwrought brain, more like the creations of fancy in its most erratic mood of flight, seems the confusing web of counter allegations interwoven in the mass of material thus presented than a plain recital of actual events. Stripped of its legal verbosities and the bewildering redundancy of its long drawn out affidavits, the whole story is very easily and quickly told. The first step to make the matter clear is to describe the parties to the suit.

MISS LIZZIE CHARLES.

In 1861 there was in the town of Iuka, Miss., a young lady of great personal beauty and accomplishments known as Miss Lizzie Charles. She was engaged as teacher in a female seminary. Her superior intelligence and pleasing manners made her a general favorite. Her mother had died several years before. Her father was an officer in the Confederate service. He had been a large planter and wealthy, but the vicissitudes of the war had speedily bereft him of his property. His daughter Lizzie, who had received a fair education, resorted to teaching as a means of support. The summer of 1864 finds her in this city employed as music teacher and copyist. Here she became acquainted with

HUGH LAWSON BRINKLEY.

Mr. Brinkley, who is now only twenty-eight years of age, belongs to one of the oldest and wealthiest families in Tennessee. His father is Robert C. Brinkley, President of the Memphis and Little Rock Railroad, and lives in Memphis. Young Brinkley has always lived upon his father, and his allowance has been exceedingly liberal. Upon his father's death, however, through provisions of the will of a relative, he comes in possession of an estate worth a million and a half of dollars. To good looks he adds refined culture and the manners of a well-bred gentleman. Passing over much that is immaterial, we come to the alleged

MARRIAGE OF THE TWO.

The papers on the plaintiff's side—Mrs. Hugh Lawson Brinkley, as she insists on the right to call herself—were first read. First in order was her petition, upon which the hearing yesterday was based. This petition asks for a limited divorce from her husband and maintenance, and is based upon the allegation of alleged desertion. She says they were married on June 14, 1864, at the house of a Mrs. Beanis, in Twenty-third street, in this city. There was no marriage ceremony performed. It was simply a contract between the two to become man and wife and live together as such. Her husband insisted on no ceremony, as he wished to keep the marriage a secret from his father, who was anxious he should marry a rich young lady in Alabama, and he was afraid if the marriage came to his father's knowledge that he would cut him off from his allowances. He said he would take her to be his wife and she said she would take him to be her husband. After this ceremony, if such it may be called, she said to him, "Now, Hugh, I want you to take a solemn oath that you understand you are married," and he answered, "As I hope to meet my mother in Heaven I regard this agreement as a marriage." The next day he purchased a plain gold ring and put it on her finger. This matter of the so-called marriage explained, she goes on with

HER STORY OF THEIR MARRIED LIFE.

After staying a couple of days at the private house in Twenty-third street, they took up their quarters at the St. James Hotel where they remained some time, and then went to Mrs. Lawrence's fashionable boarding house, in Fifteenth street, and subsequently to the equally fashionable boarding house kept then by Mrs. Blanchard, in Union square. At all these places they went by the names of Mr. and Mrs. Lawson, the object being to keep the marriage from the knowledge of her husband's father. Back to the St. James, then a boarding house kept by Mrs. Lewis in Thirtieth street. A year passed, and in June, 1865, they started on a travelling trip, going first to Niagara Falls and thence to St. Louis and Vicksburg, and winding up the trip at Memphis. While at Memphis the elder Mr. Brinkley heard of their marriage, she going there by her husband's name, and at her husband's earnest request she left him and came on to New York. The separation was only brief, as her husband soon followed after her, and on his arrival here they took rooms at the Albemarle. At this last hotel Mr. Brinkley went by his own name and she as Mrs. Lawson, but their rooms were contiguous. Getting tired of this nomadic and boarding house life, they were about negotiating for the purchase of a dwelling, with view of going to housekeeping, when the old man came on from Memphis and did his utmost to get her to leave her husband, offering her $1,000 in gold, cash down, and an annuity if she would go to Europe and stay there. She refused all such negotiations, and her husband went home with his father and she went to New Orleans. She had not been long in the latter city before her husband telegraph