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THE SLAUGHTER

— OF THE —

Pfost-Greene Family

OF JACKSON COUNTY, W. VA.

A HISTORY OF THE TRAGEDY,

WITH A NOTICE OF THE EARLY
SETTLERS OF JACKSON COUNTY,

A SKETCH OF THE FAMILY

— AND —

JOHN F. MORGAN,

AND ALL CONNECTED.

*HIS TRIAL AND SENTENCE BY THE COURT ;
HIS CONFESSION ;
ESCAPE FROM JAIL AND RECAPTURE ;
HIS EXECUTION.*

By O. J. MORRISON.

PROFUSELY ILLUSTRATED.

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Full Details of the Awful Crime, from the Hour of its Conception to that of the Execution of the Fiend who wrought Ruin of the Family. Biographical Notices of the Officers of the Court, and Others connected with the Trial. With Details of Morgan's Escape, Flight and Recapture.

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1928784



O. J. MORRISON,

GENERAL MERCHANT,

RIPLEY, JACKSON COUNTY, W. VA.

Who wrote up the Pfof-Greene Tragedy.

\$5.00 Hayman Jun 4, 1977 7:00 P.M.

JACKSON COUNTY.

THE SCENE OF THE TRAGEDY.

SOME INTRODUCTORY HISTORY.

JACKSON COUNTY was created in 1831, from parts of Mason, Kanawha and Wood, in compliance with an act of the General Assembly of Virginia, passed March 1st of that year, and named in honor of the hero of New Orleans, who was at that time President of the United States. The present area of the county is 400 square miles.

Ripley, the seat of justice of the county, was laid out as a town by Jacob Starcher, Esq., who named it in honor of Harry Ripley, who was drowned in Big Mill Creek, near the present site of the town, which became the seat of justice two years after the formation of the county.

The first surveys of the county were made by George Washington and his assistant, Colonel William Crawford, in the summer of 1770, one of these, containing 1,450 acres, included the site of the present town of Ravenswood. Two of Washington's grand nieces, Henrietta S., wife of Henry Fitzhugh, and Lucy, afterward the wife of Arthur M. Payne, inherited this land, and between them it was divided in 1812, by Rudolph Roberts, of Alexandria, Virginia, the agent of the Washington heirs. They caused the town to be laid out in 1836, and named it Ravensworth, in honor of relatives of that name in England. But the engravers, who first marked it on the map of Virginia, spelled it Ravenswood, and the error was never corrected.

Before the coming of white men, bands of savages roamed over these hills and valleys, and Jackson County is not without

its part in the record of Indian atrocities, and one among the last of these perpetrated within the confines of what is now West Virginia, occurred on Big Mill Creek in 1793. In February of that year a party of four men left the garrison at Belleville for the purpose of obtaining a supply of meat. In a canoe they descended the Ohio River to the mouth of Big Mill Creek, up which stream they proceeded to a point near where Cottageville now stands. Here they engaged in hunting, and soon they had an abundance of that of which they came in search, but the creek had frozen and they were unable to get their canoe out to the Ohio. Leaving Malcolm Coleman and James Ryan in camp, Elijah Pixley and John Coleman went overland to the garrison. Some days later, those left behind were attacked and Coleman was killed and Ryan wounded, not so severely, however, but that he was able to make his escape and return to Belleville. A party at once set out for the camp. They found it plundered and the body of Coleman stripped of its clothing. The body was buried on the spot and the party returned to the garrison.

But soon the savage was to visit the southern bank of the Ohio no more. His warwhoop and stealthy tread were alike to cease on these beautiful hills and in these smiling valleys, which were soon to become the dwelling place of civilized man. In the month of May, 1796, William Hannamon, Benjamin Cox and James McDade reared their cabins within the present limits of Union District, and were thus the first to establish civilized homes in what is now Jackson County. The first two became actual settlers and began to fell the forest and cultivate the soil. McDade, who was a soldier in the service of Virginia, selected a site for his future home, but continued to discharge the duties assigned him—that of Indian scout—and many days and nights did he spend in the dreary wilderness between the mouths of the Great and Little Kanawha Rivers, watching to catch a glimpse of the savage foe on the shore of the Old Northwest Territory beyond the Ohio.

Capt. Wm. Parsons and Samuel Tanner were the first settlers in Warth's Bottom, they settled there in 1797. John Parsons, son of Wm. Parsons, was born in a hollow sycamore tree the same year that his father came to Warth's Bottom. Captain Wm. Parsons was the first settler at Ripley and his first wife was the first person buried in the old cemetery at Ripley.

Other bold pioneers came to find homes within the present bounds of the county. In the year 1800, Joseph Parsons, Cornelius King and John Douglas arrived; David Sayre and Alexander Warth came in the first year of the century, and Reuben Smith came in 1802; Thomas and John Hughes came in 1804; Joseph Hall, Isaac Hide, Isaac Statts and Thomas Flowers, in 1806. In the year 1807, John DeWitt built the first cabin in Muse's Bottom, and a few months later cabins were reared near him by John Boso, Thomas DeWitt, John Powers, Thomas Coleman and Ellis Nesselroad; in 1808, John Nesselroad settled at the mouth of Sand Creek and the same year Lawrence Lane erected the first cabin on the site of Ravenswood, where he and William Bailey, who joined him two years later, cleared forty acres of land. Then came George Swope, Noah Robinson, Franklin Wise, Daniel Beaty, William Anderson, Eli Grandy, James Dougherty, James Stanley and many others, so that by the year 1830, the population had increased to such numbers that the following year the new county was checkered on the map of Virginia. In 1840, nearly sixty years ago, there were 4,890 people in the county, which now has an enumeration of 20,000.

The first settlers of Jackson County were as hardy pioneers as ever braved the perils of the wilderness. They were sires of noble sons, and the present homelike, and culture and refinement of the county show that the men who have developed it were sons of noble sires. They have established courts, secured justice, evolved a high moral code, erected churches, built school houses—in short, they have developed a civilization as cultured, as re-

fined, as ennobling as that of other lands. Among the most active and potent factors none have been more active and potent than

THE PFOST FAMILY,

which for nearly a hundred years has made its impress upon all that has been best in the region in which it has resided, and its representatives to-day are among the honored of an honorable people.

The family is of German extraction. The founder of the family in Jackson County was Isaac Pfof, who early in this century removed from a pioneer home in the valley of the West Fork of the Monongahela and reared a cabin on lands now the property of Sheriff J. O. Shinn on Grass Lick Creek, a tributary of Big Mill Creek, in what is now Jackson County. Here he became the possessor of a thousand acres of land. He was one of the wealthiest men in the County at the time of its formation, and served, in 1831, as a member of the first grand jury that sat for the body of the county. He reared a family of seven children, five sons — Abraham, Aaron, Isaac, Jr., Jacob and Jonathan, and two daughters — Christena and Della.

Abraham Pfof was the first born of Isaac Pfof, the founder. He married early in life, and reared a family of nine children on the farm on which the triple murder was committed. These were George W., Allen, Isaac, Francis Marion, Lafayette, Adam, Elmira, Elizabeth and Nancy. After the death of Abraham Pfof, his widow married, secondly, Rev. William Harrison, a prominent member of the Parkersburg Conference (now the West Virginia Conference) of the United Brethren Church. The issue of this marriage was Dr. B. E. Harrison, at present a practicing and eminent physician residing at Cottageville, Jackson County.

The fourth of the children of Abraham Pfof was Francis Marion, who was born on the farm where the tragedy occurred, on the 11th day of January, 1835, and on the 13th day of April,



FRANCIS MARION PFOF.
Mrs. Chloe Greene's first Husband.



MRS. CHLOE PFOF-GREENE.
The Murdered Lady.

1854 — when in his twentieth year — he was united in marriage with Miss Chloe Kountz. She was the daughter of Henry Kountz, Esq., who removed from the valley of the Buckhannon River, about the year 1822, and established a home on the waters of Pocotalico river within the territory afterwards included in Jackson County. He reared a family of eight children — four boys and four girls. Chloe, born April 1, 1836, was the eldest of the daughters, and the only surviving one at the time of her tragic death. Three of her brothers, E. G., residing in Jackson County, and G. W., and J. W. Kountz, still survive. The two latter are prominent farmers of Missouri.

The issue of the marriage of Francis Marion Pfof and Chloe Kountz, were :

(a). Lelia Jane, born January 21, 1855.



G. W. Pfof's Family and Residence at Fair Plain, W. Va.

(*b*). George W., born January 8, 1857. He was married at the age of eighteen, and for sixteen years has been engaged in the mercantile business at Fair Plain, Jackson County, West Virginia, four miles northwest of the Pfost farm on which he was born and reared. He has been successful and is now one of the prominent business men of the County.

(*c*). Dr. John M. Pfost, born February 1, 1860. He was reared in Jackson County, and attended the Public Schools of his neighborhood, and afterwards taught in these schools for four years. In 1879, he began the study of medicine, and in 1881, was graduated from the College of Physicians and Surgeons at Baltimore, Maryland, with high honors. In March, 1885, he began the practice of medicine in Ripley, the seat of justice of Jackson County. In 1886, he removed to Grass Lick, his old home, where he remained for three years, establishing an extensive practice. In October, 1889, he located in the town of Spencer, the seat of justice of Roane County, where, in addition to the practice of his profession, he engaged in the business of pharmacy. He is to-day one of the leading physicians of that county. On the 22d of March, 1891, he was married to Miss Stella, daughter of S. S. Lockney, and sister of State Senator, Hon. H. C. Lockney. Two children bless their home. Success in business is a characteristic of the family. Dr. Pfost has exemplified this.

(*d*). Hon. H. F. Pfost, born December 21, 1861. He lived on the Pfost farm until 1879, when by the consent of his mother (his father having died in the year 1873), he went to Ripley, Jackson County, West Virginia, with but a few dollars, where he secured a position in a drug store, as a clerk at very small wages. Having a mind that reached out for better things, he soon bought his employer out, on time, and commenced an active business of his own which he still pursues.

On August 10, 1891, when the first Bank was established in Ripley, then and now known as "The Bank of Ripley," Mr Pfost



HON. H. F. PFOST.

was chosen its Cashier and also its Director, which positions he held until the 10th day of August, 1897, when he was unanimously elected President of said Bank.

In 1893, The State Board of Public Works appointed him a member of the State Board of Pharmacy. At its first meeting held at Huntington, West Virginia, Mr. Pfoft was elected Secretary of said Board and also its Treasurer, which positions he now holds.

On the 17th day of April, 1895, he was united in marriage with Miss Flora L. Crow, daughter of William Crow, Esq., one of Jackson County's most accomplished young ladies.

Notwithstanding the fact that Mr. Pfoft began business without means some eighteen years ago, he is rated as one among the wealthiest men of the County. While his business has been of such a nature as to prevent him from taking many vacations, yet nothing was ever allowed to prevent his frequent visits to the "old homestead," which he always loved so well. It has been



MRS. FLORA L. PFOST AND SON, Wife of Hon. H. F. Pfost.

his custom ever since he lived at Ripley, to spend a week, twice a year with his mother and sisters, although they lived only about ten miles from him.

(*e*). Sarah, born February 26, 1864; died September 9, 1892.

(*f*). Susannah, born January 20, 1866.

(*g*). Nancy Alice, born January 26, 1869. Though seriously wounded, she escaped with her life on the morning of the tragedy.

(*h*). Matilda M., born May 27, 1871. She was one of the victims of the tragedy.

A SECOND MARRIAGE.

Francis Marion Pfost, the father of these children, died January 18, 1873, and three years later—September, 1876—his widow, Mrs. Chloe Pfost, was united in marriage with Edward Greene, Esq., a representative of a family long prominent in Virginia.



EDWARD GREENE, Second Husband of Mrs. Chloe Greene, and Father of James Greene, one of Morgan's Victims.

A TERRIBLE CALAMITY.

He and his father were connected with one of the saddest events that ever occurred in the settlement of West Virginia. The latter, John Greene, left his home in Botetourt County, Virginia, about the beginning of the century and settled on Allen's Fork of Pocatalico River, now in Jackson County, where he reared a family of seven children of which Edward was the youngest and an only son. About the time that John Greene came westward, Reuben Harrison settled on Mud Lick Fork of Thirteen mile Creek now in Mason County. He had several sons, among whom were Alexander, Josiah, and Zebulon, the youngest, who was, at the time of which we write, twelve years of age. These men were all hunters and together engaged in the chase; for this purpose they often visited each other. It was in the spring of 1817 that John Greene came to the Harrisons on

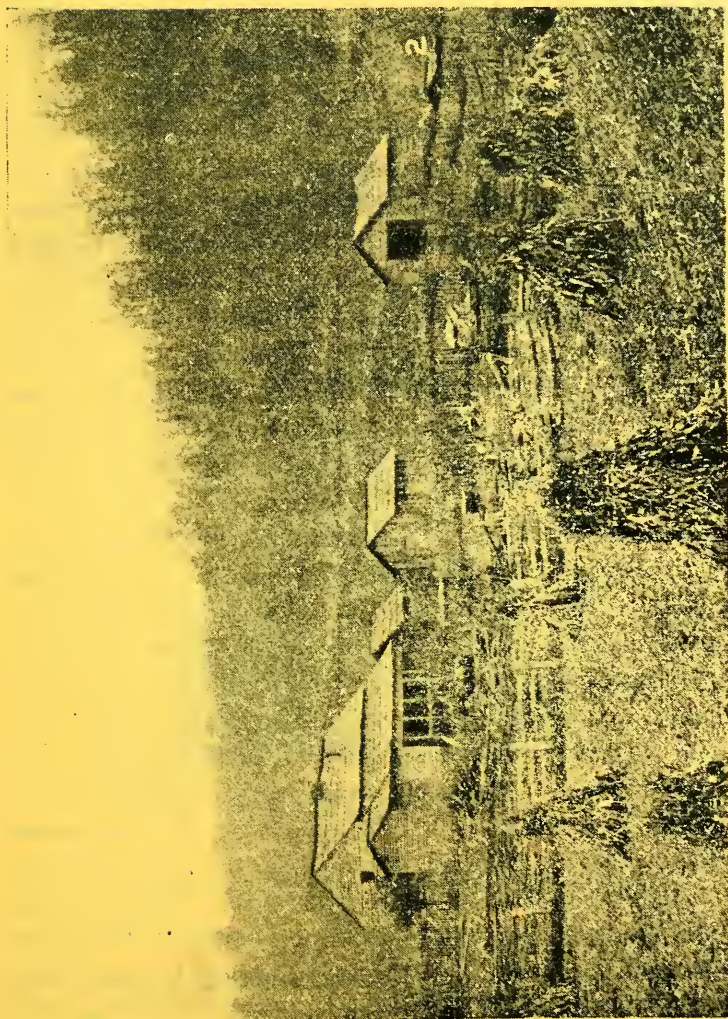
one of these visits, bringing with him his little son Edward, aged eleven years.

One day during their stay, Alexander Harrison and Mr. Greene were hunting alone on 18-Mile Creek, and after having killed a deer, found, about noon, a tree, which, from the scratches, they supposed to contain a bear. Leaving their venison, they hastened to the residence of Mr. Harrison—distant seven miles—for the purpose of securing axes to fell the tree. When they started to return the two boys—Edward Greene and Zebulon Harrison—begged that they might be taken along to see the tree felled. Their request was granted and the four arrived at the tree late in the evening, and upon felling it found no bear. It was quite common at that day for hunters to remain out all night, and they being weary, concluded not to return home till the next day; they then cast about for a suitable place in which to lodge; a cave under a shelving rock was soon found, and here they built a fire and lay down to rest, the men on one side of the fire, the boys on the other, neither dreaming of the awful fate in store for them. During the night the rock overhead, from the combined effect of the frost going out and the fire beneath, burst, and a huge mass fell upon them. Both men were crushed from the hips down to the feet; the boys, though badly bruised were able to crawl out, owing to the fact that the rock on their side of the fire was partially supported by wood which they had carried in for the fire. Morning dawned upon the awful scene, the men crushed beneath the weight, from which the boys could not extricate them. They cried for water, and the boys poured the powder from the horns and brought it. They were bewildered and knew not the way home—the only place from which relief could come. The day passed away and night came, and no relief; another day and night of the most intense suffering, to which any human being was ever subjected, passed away. Their friends at home, alarmed at their long absence; were searching for them, and late in the evening of the fourth day, Josiah Harrison, a

brother of one of the unfortunate men, found them. What a horrid sight met his gaze! Death had already relieved his brother from his suffering, and Greene was speechless, while the boys were famishing from hunger and ready to die of wounds. He put them upon the horse he was riding, and hastened home for assistance. As he left, Greene turned his head and cast a longing look of despair after him. He conducted the boys home, and collecting assistance, hastened back to the terrible spot, but when they arrived Green's spirit had taken its flight, and he, too, was no more. Only two masses, crushed almost beyond recognition, remained. The rock was removed, and the bodies taken out. No useless coffins enclosed them, logs were cut, from which wide slabs were split, then narrow graves were dug, a slab put in the bottom and two others placed upon edge, the bodies placed within, then another slab covered them, and then all that was mortal of John Greene and Alexander Harrison was buried at the entrance to that cave, and here they now repose. Both the boys recovered and grew to be men. Zebulon Harrison died several years since. Edward Greene, in 1828, wedded Sarah Parsons, and established a home on Grass Lick Creek two years before Jackson County was formed. He reared a family of seven children, three of whom—John, Smith, and S. T. Greene—still survive, and are prominent citizens of the county. The mother died in April, 1874, and Edward Greene, as before stated, wedded, secondly, Mrs. Chloe Pfost. One son—James Frederick—was the issue of this marriage. He was born July 6, 1879, his father, Edward Greene dying December 18, 1895. This son—James Frederick—was one of the victims of the tragedy.

THE PFOST-GREENE HOME.

Grass Lick Creek is the name of a settlement in Jackson County, West Virginia. It is about ten miles south from Ripley, the county seat, and is a thrifty and populous neighborhood. Shocks of fodder yet unhusked stand thick on the fertile bottoms,



THE PFOST HOME, scene of the Tragedy.

1—Where Mrs. Chloë Greene was found.

2—Where James Greene was found.

and on the ridges sheep and cattle graze, the calves literally in cloyer here and there in the aftermath. Grass Lick is an old community, its people in good circumstances, sheltered by comfortable homes, practicing the cardinal virtues, fearing God, giving of their tithes to the church, at peace with each other and with the world. It is ten miles from the disturbing influences of a railroad, inhabited by a homogeneous people descended from the pioneers who crossed the Alleghany Mountains three or four generations ago from the eastward, and has always been one of those delightful country places so numerous throughout the land, any one of which may be taken as a representative of the foundation of our American greatness—a typical rural community. The landscape is in keeping with the neighborhood. The place seems to be an ideal spot, an Acadia in its rural simplicity and innocent happiness. But the events of recent days have made Grass Lick a reproach in Jackson County, and the talk of the country.

The Pfof homestead was a model old-time country home, and a happier one was nowhere to be found. It was a Sabbath day resort for both young and old of all the surrounding country. It was the home of song, of happiness and good cheer. Francis Marion Pfof and Edward Greene, husbands of the aged mother, had passed from among the living; a daughter, Sarah, had died early in life. Some of the surviving children had gone from beneath the parental roof to find homes for themselves and theirs, so that the only inmates of the old home were the aged mother and Nancy, Alice and Matidla M., daughters of the first marriage, and James Frederick Greene, the child of the second marriage. But the other children—the absent ones—were often there, and that mother, who had made all their young lives so happy, never ceased to watch and wait for their coming. Often there were home gatherings and greetings, because of the honorable and successful lives of those to whom she had given birth. Here, too, was the abode of charity; no stranger went from the door

hungry, nor did the needy go away unsupplied, if their wants were made known. To help others was a source of happiness to the indwellers here. Such was the Pfost home as years came and went, and such it was through the summer of 1897. But the destroyer was near; the Angel of Death hovered over that hearth-stone; the light which had radiated from it so long, was to go out in darkness. The news that went out from this home on the morning of the 3d of November shocked the entire community and made sad many hearts.



JOHN F. MORGAN, the Murderer.

JOHN F. MORGAN—THE AWFUL DEED.

John F. Morgan, who wrought the ruin at the Pfost home, is about twenty-two years old; while he is known by the name of Morgan, his true name is Raines. C. T. Morgan and A. M. Raines (the real father of John F. Morgan) lived in Jackson County, near Gay Post Office, West Virginia, a quarter of a century ago. Morgan and his wife were divorced; Raines, by ar-

rangement with Morgan, moved in with him to keep house for him. After a time Raines became jealous of Morgan and his wife, and shot at Morgan, but Morgan escaped unhurt. Raines left the neighborhood for a time, and then returned and deliberately shot Morgan while he (Morgan) was cutting briars in a field; during this time Mrs. Raines had continued to live with Morgan, and at the time Raines shot Morgan, John F. Morgan (Raines) was but two days old.



Rev. J. W. Greene's House, where Morgan Lived.

Raines then fled to Nicholas County, in this State, where he was at large for about two years, and was then shot and killed while resisting arrest.

Mrs. Raines a few years later married again and lived on the waters of Grass Lick, two and one-half miles from where the Greene family were murdered. This boy, John F. Morgan, (Raines) continued to reside with his mother until her death, which occurred when he was about nine or ten years old; he then

wandered about from place to place, staying from three to twelve months at a place, until about the year 1891, when he went to make his home with the family the remaining portion of which he afterwards deliberately murdered. At the time he went to live with them, the Greene family was composed of Edward Greene, the husband, Mrs. Chloe E. Greene, his wife, Jimmey F. Greene, the Misses Matilda Pfost and Alice Pfost. Edward Greene, the husband, died in 1895, while Morgan lived with the Greene family, he was treated and cared for, as if he were a son and brother. He was with the family for more than five years, remaining until the month of February, 1896, when he married Miss Rebecca C. Hall, a respectable lady of a good family; and in the following March he moved to a farm owned by J. W. Greene, one and three-fourth miles northwest of where the Greene family lived. Here he resided at the time he committed the awful butchery.

After his marriage, Mrs. Greene often helped him by giving him work to do, and grain for bread for himself and his devoted wife, when he had not the money with which to buy it.

Mrs. Greene had given him a horse; this he traded in the Spring of 1897, for two younger ones and executed a lien upon them to secure a difference of \$35.00, which sum was about due at the time he murdered the Greene family.

On Friday evening before the murder, Morgan went to young Ed. Southall, who lives with his brother near where the Greene family resided and is known to keep money about him, and insisted that Ed. should come to his (Morgan's) house the next day and go squirrel hunting with him, and upon the refusal of Southall to go, Morgan went away, and at one o'clock that night appeared at the home of Mrs. Chloe E. Greene and called for Jimmey Greene, who, when he arose and went out, was told by Morgan to get his gun and go with him; that he (Morgan) had two racoons up a tree and that they would go and shoot them; Jimmey dressed, and taking his gun, went with Morgan, who, when they had gotten about two hundred yards from the house,

asked Jimmey if they had received the money yet for a horse that they had sold. Jimmey told him that they had not as yet, but would get it the next day. They walked on a few steps and then Morgan said, "We will go no further as it is too dark to see to shoot the raccoons," and calling a boy by name that lived with him, said, "he will watch the raccoons till daylight." He then went to the house and stayed the rest of the night with Jimmey, leaving early the next morning without saying more about the raccoons. Jimmey told the family the next morning of the strange actions of Morgan, and they expressed the fear that Morgan might try to get the money, but did not seem to be in the least alarmed about the safety of the family or any one of them.



JAMES GREENE, the Murdered Boy.

(Taken from a Tintype, when 14 years of age.)

They told a neighbor, Mr. John Chancey, of Morgan's strange actions, and he requested them to let him know if anything happened. At six o'clock on the following Tuesday evening, which was after dark, Morgan came to Mrs. Greene's house, and talked as usual to all the family. Before bed time he asked Matilda Pfost to cut his hair. She declined to do so, and he then asked her if she would cut it if he would remain over night, and she replied that she presumed that she could do so. Morgan then retired with Jimmey Greene and slept with him all night. On

the next morning, he and Jimmey arose about five o'clock, the usual time for the family to arise. Jimmey Greene went out to feed the hogs, and Morgan followed him out to the hog-pen, and there, with an old mattock, killed him, and then crushed his head with a stone. At the same time the aged lady, all unconscious of the awful tragedy being enacted without, was telling the two daughters to "treat John the best they could; that she did not believe he would hurt them."



MISS MATILDA PFOST, one of Morgan's Victims.
(Sketched from a poorly made tintype, taken six years ago.)

In a few moments, Morgan came into the house, and when asked where Jimmey was, replied that he had gone to his traps. Matilda said that he had brought in his traps the evening before. Then Morgan went out on the porch and whistled in an inaudible manner, and then came back into the house, saying that he heard Jimmey whistling down in the field. At this time the two daughters went out into the kitchen to prepare breakfast, and the mother went into a room to make up a bed. Morgan went into the kitchen, and then the two former took a lamp and went out to the milk-house to get milk for use at breakfast; on returning, one of them remarked that "it is strange that Jimmey has not returned." Morgan then went out on the porch, came back in,

and said that he heard Jimmey coming; then he tried to change the subject by saying that he "had slept in that room many a night." He then struck Matilda on the head with a hatchet, twice, after which he turned and struck Alice on the top of the head with the same instrument, thus inflicting a frightful wound, which caused her to fall, a blade of the weapon having penetrated the brain. Matilda had by this time gotten up and was going out at the door, when Morgan pursued her. Alice then got up and ran out of the kitchen through a closet into the sitting room and out to the porch. As she went through the sitting room, she looked back and saw Morgan coming through the passage-way by the chimney into the sitting room. Matilda had made her way to this room, for it was here that she was found dead. Mrs. Greene was still in the bed room, with the door closed. Morgan battered down the door, splitting it in several pieces, and attacked Mrs. Greene with the hatchet, following her in her efforts to escape through the sitting room to the porch; when he left her with her feet lying on the edge of the porch, and her body on the ground, with four frightful wounds on the head, and there she struggled, dying in her own blood. Alice had taken refuge behind a pile of boards for a time, afterward in the corner of a hen-house, then concluded that she had better go for help. Bleeding, she made her way through the corn-field, and at last, almost exhausted from loss of blood and from fright, reached Mr. John Chancey's, a distance of four hundred yards. Her screams brought Mr. Chancey out, and she told him that John F. Morgan was killing her mother and sister. As she ran she heard her mother and sister screaming for help, and the latter calling for her to come back and get the gun and help them. But Alice did not return, and it was well that she did not; for, most assuredly, she also would have been killed outright, for it must have been the intention of Morgan to kill the entire family, and thus, if possible to hide himself from suspicion. But Alice was spared to make known to the world who had committed the awful crime.

Not over 10 or 15 minutes had elapsed until Mr. John Chancey, his son William, and Mr. Edward Southall, were on the grounds.

In a few moments a number of people were at the scene, and found Mrs. Greene still alive but unconscious. Matilda was found in a similar condition, lying on the floor of the sitting room in a pool of blood. Jimmy was found dead at the hog-pen and the bloody mattock leaning against the fence near at hand. The deadly hatchet, with which the women had been killed, was found some little distance from the house in the garden toward Mr. Chancey's, near where Alice first hid, covered with blood and to which gray hairs were clinging. Morgan had, no doubt, started to follow Alice as she went to Mr. Chancey's, but was detained too long in the butchery of the other members of the family, and here, abandoning the pursuit, threw down the cruel hatchet and endeavored to make his escape. He went home from the Greene residence, getting there about daylight. Rushing through his house excited, he says to his wife, "all of them are killed down to Cloies"—(this was the name he always used when referring to Mrs. Greene.) His wife saying, "law, who done it?" Morgan making the reply, "you will hear who." He was next seen by Mr. G. W. Shamblen going through his field, at a distance of about four miles from Morgan's home. Mr. Shamblen got his horse and a shot gun and went in pursuit of Morgan, overtaking him in a short distance. After being compelled to surrender, Morgan said, "Don't kill me, I'll give up." Other persons soon arrived upon the spot, and Morgan was soon tied with straps and hand-cuffed and taken to the scene of the tragedy. This was about 8 o'clock A. M., the same morning on which the awful work was performed.

The news reached Ripley, the county seat, about 8 o'clock on the morning of the tragedy; the Circuit Court of the county was then in session, and the business of the court was almost suspended. The high Sheriff, J. O. Shinn, State's Attorney J. A. Seaman, Coroner D. A. Brown and other officials started at once

to the scene of the murder; the people went as fast as they could get conveyances, and by 10 o'clock in the morning fully six hundred people were at the Pfost homestead.

Sheriff Shinn and his guard, J. W. Shamblen, on arriving, took the prisoner in charge and proceeded with him to the scene of the murder. The prisoner was trying to play the insane act, but upon arriving at the place of the murder he broke down and at his own request made the following sworn statement:

"I, John Morgan, being duly sworn by D. A. Brown, Coroner of Jackson County, West Virginia, I am sworn at my own request and make this statement under oath free and voluntary, and I further say that the same is not extorted from me, nor made by me through any promise in the future. I killed Jimmy Greene, Mrs. Greene and Matilda Pfost on the morning of Wednesday, the 3d day of November, 1897. It was between 4 o'clock and daylight of said morning. I killed Matilda first, the old lady second and Jimmy at the hog-pen. I killed them in self defense. I done the crime in defending myself.

Signed, J. F. MORGAN."

"Taken, sworn to and subscribed before me this November 3d, 1897.

Signed D. A. BROWN,
Coroner of Jackson County, W. Va."

Within a little time thereafter, the sheriff and his deputies conveyed the prisoner to the town of Ripley and lodged him in jail.

A LETTER WRITTEN BY THE PRISONER THE DAY AFTER HIS INCARCERATION.

The following is a true copy of a letter written by Morgan while in jail, the next day after he committed the triple murder. This letter was taken from him by Deputy Sheriff R. P. Shinn at Morgan's cell:

"November the 4 1897.

"Dear brother and sister i want you to state that you both heard them threatening my life during the time that i staid with them that florence heard them make these these there before you

and here was marion and you herd them afterwards the time that W litten levied on your stuff and you come to me for the money and the said that they would put you out of the way if you dont quit askin me for money ever few days remember this

“From your brother

“ (Signed) J. F. MORGAN.”

“ Well Enoch will you make up a squad of ten and come and take me out of here i herd miss mrs Wriley say that she will give up the Kees up come to night and bring a wrope and pretend that you are going to hang me.”



MRS. ANNA H. MCVAY, Stenographer of the Circuit Court of Jackson Co. Who has taken the proceedings of the Court. Mrs. McVay has the distinction of being the first lady stenographer that ever practiced in the Courts of the State of West Virginia. She has done a great deal of such work in different Counties.

THE TRIAL OF JOHN F. MORGAN.

The Circuit Court was in session at the time of the awful act, and on the morning of Thursday, November 4, 1897, the following witnesses were sent before the Grand Jury, which was still in session, for the purpose of giving information before that body concerning what was possibly the most terrible crime ever

committed in the State: D. A. Brown, John W. Shamblen and J. O. Shinn, and in a very short while the Grand Jury returned into open court the following three Indictments against the prisoner, John F. Morgan, viz.:

“State of West Virginia vs. John F. Morgan. No. 1.— Indictment for murder. A True Bill. J. B. Morgan, Foreman.”

“State of West Virginia vs. John F. Morgan. No. 2.— Indictment for Murder. J. B. Morgan, Foreman.”

“State of West Virginia vs. John F. Morgan. No. 3.— Indictment for Murder. J. B. Morgan, Foreman.”

The Grand Jury that so promptly discharged their duty in finding those Indictments, was composed of the following gentlemen: J. B. Morgan, Foreman, Samuel Dudgeon, W. R. Ferguson, C. A. Jewel, E. J. Robinson, A. C. Robinson, J. M. Chevuront, E. L. Nusem, M. S. Scarbrough, D. L. Floyd, James McDermit, Monroe Miller, Kinsey Rand, J. H. Harpold, W. M. Pruden, and D. W. Winter.

The Court at once ordered the Sheriff to bring the prisoner into Court room, and in a few moments Sheriff J. O. Shinn, assisted by Deputy R. P. Shinn and Jailor B. F. Riley, appeared in Court with the prisoner, who appeared as cool as if nothing had ever happened in which he was concerned; and when asked by the Court if he had an Attorney, replied that he had one; and when asked who was his attorney, replied that it was Mr. D. A. Brown; whereupon Mr. Brown stated to the Court that the prisoner had nothing with which to pay an attorney to defend him; and after some inquiry by the Court as to what property the prisoner had, the Court appointed Mr. D. A. Brown to defend the prisoner on his trial for the murder of Mrs. Chloe Greene, Indictment No. 1.

Thereupon, Attorney Brown, appeared to the case and demurred to the Indictment and entered the plea of “Not Guilty” and asked that the wife of the prisoner and the sister, Mrs. Enoch Casto and her husband be summoned as witnesses for the prisoner, an officer was at once dispatched for the witnesses and

the Court proceeded to impanel a jury to try the prisoner for the murder of Mrs. Chloe Greene; and after several of the panel of twenty had been discharged because having made up or expressed an opinion as to the guilt or innocence of the prisoner, a proper panel of twelve was obtained, composed of the following named gentlemen: J. D. Bradley, George Gatchell, A. D. Arnold, J. N. Province, J. W. Lambert, W. L. Safereed, M. A. Pinnell, G. W. Franklin, A. L. Arnold, John Alexander, S. D. Carter and J. B. Casto.

The witnesses for the prisoner not having arrived, the Jury was charged and placed in the custody of two Deputy Sheriffs and the prisoner taken back to Jail. And after transacting some other business, the Court adjourned until Friday morning, November 5th, at 8 o'clock, A. M.

When Court convened on Friday morning, the Jury filed into the Court room and the prisoner was brought in by the Sheriff and guard, and as the prisoner walked up the isle of the court room supported by each arm by the Sheriff and guard, the immense crowd present, which had packed the court room almost to suffocation, looked upon him with intense interest, the prisoner appeared very much excited, and when reaching the Bar of the Court asked, "where is my wife?" And when informed by the Sheriff that his wife would be in in a few moments, took his seat between the Sheriff and the guard, and in about five minutes the wife of the prisoner appeared supported by a Deputy, bearing in her arms her infant child, aged nine months, on that day.

The Court than asked Attorney Brown what he had to say, in reply the Attorney said, "if the witnesses are all here I am ready," and the Sheriff stated that the witnesses were all present, and the Court then asked Mr. Brown if he was ready, to which the Attorney replied, "I think we are."

The Court then said, "I will again ask the Jury as an extra precaution, if they have maintained their competency as Jurors," and asked Mr. Brown if he desired to be present at such inquiry,

to which Mr. Brown replied "I do not." The Court then said, "Gentlemen of the Jury, the Court will now inquire of you all of the original questions propounded when you were first impannelled, and will incidentally asked you some different ones, as to those questions asked you yesterday and passed upon by the Court unless you have some different view of it this morning, you will please make no reply about those matters.

First Question.—Are you and each of you residents of the of State of West Virginia?

To which all answer with a nod.

2d Q.—Are you and each of you residents of Jackson County?

To which question they all answer with nod.

3d Q.—Are you or either of you related to by blood or marriage to John Morgan?

To which Mr. J. B. Casto says: If he was born in our neighborhood, I might possibly be some relation to him but no blood relation.

4th Q.—Have you any knowledge of it, if you are related to the prisoner?

4th A.—I would be about third cousin to his mother, if his mother was a Rollins; I would be his mother's third cousin.

5th Q.—Propounded to the prisoner: "Where were you born?"

5th A.—I was born up there some where about Gay; I was small when my mother left me. The Court calls for private consultation, Mr. Brown and Seaman.

6th Q.—Propounded to the defendant: Mr. Morgan, the Court desires to inquire of you in person whether or not, if it should be so that Mr. Casto, a member of the jury, will sit on your case, is a relative of yours, whether or not it is an objection on your part to him serving as such juror?

6th A.—No, sir, I have no objection.

7th Q.—Mr. Casto, you will be retained. If you are a rela-

tive the Court has no knowledge of it, and if it should be that you believe that you are a relative of the prisoner, would it affect your judgment either as to his guilt or innocence in passing upon this alleged offense?

7th A.—Not at all, sir.

8th Q.—Are either of the others related to John Morgan by blood or marriage?

9th Q.—Are either of you related by blood or connected by marriage with Chloe E. Greene, known as Chloe E. Pfof before her marriage to Greene, and after as Chloe E. Greene?

10th Q.—Have you or either of you made up or expressed an opinion regarding the guilt or innocence of the prisoner on the charge of murdering Chloe E. Greene?

10th A.—No, sir.

11th Q.—Are you or either of you sensible of any bias or prejudice for or against the prisoner?

11th A.—No sir.

12th Q.—Have you or either of you any conscientious scruples against inflicting the death penalty if warranted by the law and the evidence?

13th Q.—Gentlemen, do either of you know of any other matter since yesterday or any reason as to why you should not act as jurors in this case?

14th Q.—Since your impannelling on yesterday have either of you talked about this matter among yourselves?

15th Q.—Has any person talked about it or in your presence of it?

16th Q.—Have you been kept constantly together since you have been impannelled?

17th Q.—Propounded to the defendant: The Court will ask you in person whether you desire to enter the plea of “not guilty” in this case?

17th A.—Yes, sir. The Court directs the Clerk to enter a plea of “not guilty” in this case.

Also directs the Prosecuting Attorney to have witnesses for the State called, which he does. Dr. Bechtel and Miss Alice Pfost not answering, the Court instructs the Sheriff to take a rule and attachment for Dr. Bechtel, and also to take with him Dr. O. J. Casto, to ascertain if the Miss Alice Pfost is able to be brought to Court. To which Mr. Shinn, Sheriff, replies that "I am informed by Mr. Casto's son that Dr. Bechtel, with Miss Pfost, is coming near town." Court says "You had better get your cab and go and meet them." To which remark the Sheriff replies, "It is reliable information." The Court orders that the Sheriff will go to meet them and take a cab, the most easy one that can be found "for Miss Alice Pfost, and take Dr. Casto with him to ascertain her condition; if they should meet Dr. Bechtel on the road without Miss Pfost, that he is to return to where she is to help report her condition. And further says to the Sheriff, when the lady witness does come, you need not bring her into the court room, but leave her with some of her friends in some convenient proximity. Sheriff asks, "Did the Court say to take Dr. Casto?" Ans. "Yes, or any other reputable physician convenient; you may go and get ready, Mr. Sheriff, the Court will send the rule to wherever your team is. The Sheriff calls for O. J. Casto, M. D.; he is not to be found within the court room, and some one says that he is in his office across the street; and the Court says, "If you don't find him, Mr. Sheriff, take some other reputable physician." Dr. O. J. Casto is called from the front door of the court-house. The Clerk gives the rule and attachment to Henry Mahan to deliver to the Sheriff.

At this point a letter is handed to the Court for one of the jurymen (Mr. Franklin), the Court hands him letter to see if he recognizes handwriting, which he says he does, as it is from home, and that the Court may open and read it. This is done and the Court reports that it contains name of a witness to go before the Grand Jury and some instructions as to making some purchases of dry goods.

Dr. Bechtel appears in a short time, all the witnesses being present or in close proximity; everything seems to be in readiness but the presence of the Prosecuting Attorney, and whom the Court instructs shall be called for at the front door of the court-house. The wife of the prisoner is carried out by Dr. Bechtel and Mrs. Hunt (nee Bradley) who says she has known her for a long time. The court-house at this time is crowded to its fullest extent, with spectators crowding into the bar and almost to suffocation, Mr. Seaman not appearing. It is 11 o'clock and the Court ordered that the prisoner be remanded to jail before any of the crowd leaves; announces that court will be adjourned until 12:45 p. m. Directs that the crowd at the front part of the court-house shall pass out and so on, until the court-house is cleared.

STATE OF WEST VIRGINIA, }
 vs. } For Murder.
 JOHN MORGAN. }

Court convenes at 1 o'clock p. m. on Friday. The counsel for the State and defendant announce that they are ready for trial. Court directs that the Clerk should read the indictment to the jury, which indictment is as follows:

INDICTMENT AGAINST JOHN F. MORGAN.

STATE OF WEST VIRGINIA, COUNTY OF JACKSON, TO-WIT:

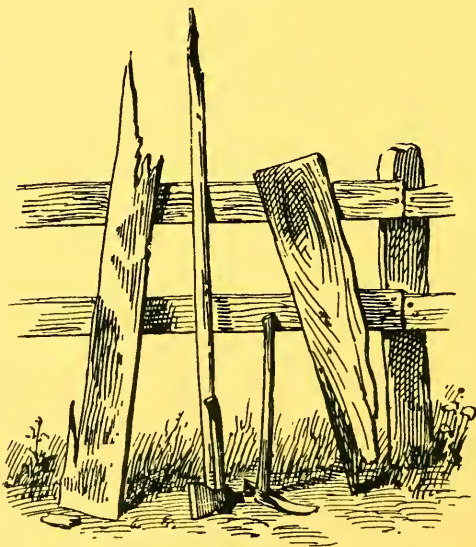
In the Circuit Court of said County:

The Grand Jurors of the State of West Virginia in and for the body of the County of Jackson, and now attending the said court, upon their oaths present, that John F. Morgan, on the — day of November, one thousand eight hundred and ninety-seven, in said county, wilfully, maliciously, deliberately, unlawfully and feloniously did slay, kill and murder one Chloë E. Greene, against the peace and dignity of the State.

Upon the information of D. A. Brown, John W. Shamblen and J. O. Shinn, sworn in open court and sent to the Grand Jury to give evidence on this indictment.

J. A. SEAMAN,
 Prosecuting Attorney.

The State requests that the stenographer be sworn. Court directs the Clerk to swear in Mrs. Annie H. McVay as stenographer for the case. The Clerk being engaged, stenographer is sworn by Court. The Court instructs the jury that the defendant enters a plea of not guilty to the indictment, and it devolves upon the State to prove each and every allegation in the indictment. Clerk calls for the State's witnesses to come and be sworn, in this open space around here in front.



Pieces of door chopped down by Morgan to reach the aged lady, and also implements used by him in the murder of his victims.

TESTIMONY OF DR. JOHN M. BECHTEL.

Doctor J. M. Bechtel, first witness for the State, being duly sworn, says :

1st Q.—Where do you live?

1st A.—At Fair Plain.

2d Q.—If a physician, how long have you been practicing?

2d A.—About 36 years.

3d Q.—Were you acquainted with the deceased Mrs. Chloe E. Greene in her life time?

3d A.—Yes, I have known her for about 34 or 35 years.

4th Q.—What was her age?

4th A.—Well, she was over 60 years of age, I am satisfied that she was over that; I have a memorandum of their ages that was called from the bible, called to me from the record; I forgot her exact age, I have a memoranda of it in my pocket.

5th Q.—State what was her physical condition, give her size?

5th A.—She was a fairly well-preserved woman for her age, but she had deficiency in her sight; at one time she had been nearly blind; I should judge the woman would weigh between 150 and 160 pounds; was five feet tall, for I measured her.

6th Q.—If you were present at the time of her death, or while she was lingering, and until after her death, and made an examination, tell the court and jury what you discovered; give a history as nearly as you can of what you discovered?

6th A.—I did not arrive at the scene of the tragedy until she was murdered, until after she was dead; she had been dead a short time; her body was yet warm; muscular rigidity had not appeared.

7th Q.—What wounds, if any, did you find; give their location and the character?

7th A.—By Your Honor's permission, I will introduce a skull to more thoroughly delineate to the jury the way the wounds were inflicted—

8th Q.—Propounded by the Court: "Does the State desire to introduce that skull?"

8th A.—By Prosecuting Attorney Seaman: "Yes, sir."

7th A.—Continued: If Your Honor please, I will present this skull. This wound was located on the right-hand side of the skull, was one and one-half inches long; there was a decided depression of the skull, traversing in this direction, that part was depressed inward upon the brain, you all see it, do you? This

wound was about one inch and one-fourth; we allowed it was about one inch at the base; the wound on the integument was longer than the skull; I mean by the integument the covering of the skull; that wound was near the occiput suture; that wound making that depressed fracture, inflicting that kind of a wound pressing in that way would necessarily affect one of the main circular.....tions in the head, one of the main vessels carrying the blood; it is what is called the posterior of the longitudinal sinus; from that wound proceeded, in my estimation, the most of the blood the woman lost, which was quite a quantity; where she was lying, the grass and yard was covered and saturated; her feet were laying on the porch and her head laying out on the rocks; it was part of the step-way to the porch. That wound was evidently inflicted with the same instrument as the wounds I shall describe hereafter. Had she have fallen she could not have hurt herself; if she had fallen back over the steps I don't think she would have received the wound; that wound alone would have produced death in my estimation. (Counsel for defendant objects to the witness speaking as an expert. Court directs the witness that from the examination he has made, that he can give the consequence of the wound.)

Witness:—I will say positively that I know no one could survive such a wound. Extravasation of blood at the base of the brain is a wound of the most fatal occurrence in connection with the wound on the head. The next wound, gentlemen of the jury, that I shall proceed to describe was inflicted as near as I can locate it, upon the head as this line is drawn upon this skull; that wound was four inches long, evidently inflicted with a fairly sharp instrument. Upon probing it, I had a very light probe, much lighter than this, I just let it drop down this way two inches and a half, showing that cerubum substance had been divided, these edges did not give so far in as the middle of the fracture, the suture gave away where these bones are reunited, that the doctors call suture, this edge become depressed under the

frontal bone; that, without doubt, would have caused death to the person. It affected the sensory and motor nerves to the extent of producing immediate paralysis. Here was another wound one and one-half inch long; this wound or cut would be in a very fatal position too, you know; it is in the vicinity of the temporal region, and so, gentlemen of the jury, you see how most of these licks were made. The probabilities are that the corner of the hatchet penetrated down here; this superior orbital blood possibly through to the coalroid, and to that wound would be attributed the discoloration or darkening of the face. I would not say that this wound would necessarily prove fatal. In examining these wounds, after making the desired examination in regard to this wound, and arriving at sufficient evidence to convince us, there were two wounds, the nature of which would be fatal, we thought it unnecessary to make any further disfigurement of the subject, so that they might be presentable to their friends—for in order to make a thorough investigation, it is a great disfigurement of the countenance. You see this puncture of the skull; there was evidently a corner of some sharp instrument which went right down here; the bone was separated undoubtedly there; from this wound here I believe exuded as much as two ounces of brains; I removed two ounces of brains that had exuded and lay on the floor, and the rest of the brains that lay on the floor, I put back in and sewed it up. I did not see her until after she was dead and carried into the house; that was where this exudation of the brain was, after she was taken in the house. It would not have been possible for these wounds to have been made by a blunt instrument, as cleanly cut as those wounds were, and as the scalp seemed to be, the instrument could not have been very dull; it could have been dull if it had been struck with great force; it could not have been a blunt instrument. Two of these wounds would have been necessarily fatal; I am positive about that wound. The other wound, with the

hemorrhage that occurred at the base of the brain, death would have occurred any time within one-half to six or eight hours.

(The witness was not cross-examined.)



Scene in the Court room while Morgan was being sentenced.

TESTIMONY OF DR. O. J. CASTO.

Dr. O. J. Casto, second witness for the State, being duly sworn, says :

1st Q.—Were you present at the examination of the deceased after they had been wounded; if so, if you got there before her death or afterwards; state what you found upon the examination?

1st A.—I arrived at the scene after the old lady had died, was present at the autopsy and we found the wounds as described by Dr. Bechtel, these different wounds upon her head; the one wound in posterior portion of the brain was inflicted by a sharp instrument, four inches in length, entering the brain, and the brain was exuding at the time of the examination, that is, a portion of it.

2d Q.—Was there anything about the wound or inclination of the wound by which you could tell whether the victim had

been struck from behind, or had been struck by some one before?

2d A.—The wound over the eyebrow was possibly struck by some one standing in front, this wound on the back portion of the head was struck from behind.

3d Q.—State to the jury—I will ask you if you are a practicing physician?

3d A.—I am.

4th Q.—What was the necessary effect of these wounds?

4th A.—Two of these wounds would have been necessarily fatal.

5th Q.—The two mentioned by Dr. Bechtel?

5th A.—Yes, sir. This one in the back part of the head and one on the top part.

6th Q.—Were you acquainted with the deceased during her lifetime?

6th A.—No, sir. I was not.

(The witness was not cross-examined).

TESTIMONY OF JOHN CHANCEY.

John Chancey, third witness for the State, being duly sworn, says:

1st Q.—How far do you live from the home where the deceased lived during her lifetime?

1st A.—Well, it is about 400 yards.

2d Q.—State if you were present at the place of this occurrence on the morning thereof, if so, about what time?

2d A.—Yes, sir. I was there, it was between—it must have been 5 o'clock in the morning.

3d Q.—Did you see the deceased, Mrs. Chloe Greene, on that occasion; if so, where and under what circumstances?

3d A.—When I got there in front of the house Mrs. Chloe Greene was laying on her back with her head out off the porch and her feet up against the porch, struggling in her blood.



COURT HOUSE OF JACKSON COUNTY, in which the trial took place

4th Q.—Who was present there, if any person, at the time you got there?

4th A.—Nobody but the two boys that went with me.

5th Q.—If you saw a mattock there at that time—look at this mattock—and see if you saw it? (Witness is here handed over the mattock by the Prosecuting Attorney to identify).

5th A.—Yes, sir. I saw that mattock setting around the corner of the palings of the house.

6th Q.—If you saw this hatchet there on that occasion, state where it was? (Witness is handed hatchet to identify).

6th A.—I saw that hatchet over in the garden back of the house.

7th Q.—In the garden did you say?

7th A.—Yes, sir.

8th Q.—What was the condition of the hatchet at that time?

8th A.—It was in the condition that it is now, only a little more bloody, and hair on it.

9th Q.—What kind of hair was on it?

9th A.—It looked like woman's hair.

10th Q.—Were the hairs black or otherwise?

10th A.—They were dark looking.

11th Q.—How came you to go there?

11th A.—Alice Pfoست came after me to my house.

12th Q.—And you went in response to her invitation?

12th A.—Yes, sir.

13th Q.—In what county did you find Mrs. Greene when you went there and found her in that condition?

13th A.—Jackson County.

14th Q.—Were you present at the time of her death?

14th A.—Yes, sir.

15th Q.—State if she was conscious at any time after you found her up to the time of her death?

15th A.—She was not conscious of anything.

CROSS-EXAMINATION.

16th Q.—About how far from the house did you find this mattock?

16th A.—Probably it would be fifty feet from the house.

17th Q.—In what direction?

17th A.—Rather in northwest direction.

18th Q.—You say it was laying by the palings?

18th A.—Yes, sir.

RE-DIRECT EXAMINATION.

19th Q.—You say you found the mattock in the northwest direction?

19th A.—Yes, sir.

20th Q.—From where it lay, was it in the direction of the hog-pen?

20th A.—Yes, sir.

21st Q.—Do you know where the body of Jas. F. Greene was found, near the hog-pen?

21st A.—Yes, sir. (objection by counsel of defendant.)

22d Q.—Is that the Hog-pen that you spoke of?

22d A.—Yes, sir. (Court over-ruled the objection.)

TESTIMONY OF JOHN W. SHAMBLEN.

John W. Shamblen, fourth witness for the State, being duly sworn, says:

1st Q.—Are you acquainted with defendant, here at the bar, John Morgan?

1st A.—Yes, sir, I am acquainted with him, I have often seen him in the last four or five years, off and on.

2d Q. Did you have a conversation with him in reference to the death of Mrs. Chloe Greene?

2d A.—Yes, sir.

3d Q.—If he told you who killed her and with what she was killed, tell it to the Court and jury?

(Objection by counsel for defendant, saying that it is proper in a case of this kind if you are attempting to prove a confession or declaration to show that it was freely made and without hope of reward. Court:—"I understood that to be the case, when it is objected to, the Court would not interfere in any matter that is reasonable without that matter is objected to.")

Prosecuting Attorney, Mr. Seaman asks, "Mr. Brown, Counsel for defendant: If you have a statement that this man has sworn to, I wish you would let me have it."

Mr. Brown in reply, says:—"I have not, I turned it over to the Grand Jury."

4th Q.—Were you an officer of the Court at the time you had this conversation with this man?

4th A.—Mr. Shinn told me he would deputize me to help take charge of him.

5th Q.—Did you hold out any inducements or hope of reward to him to get him to make this confession or use any influence on him to get him to make a confession?

5th A.—I did not offer him any reward or use any influence to get him to make a statement, he just acted to me as if he did not know me from anybody else, and I said to him—

(The Court instructs the jury that this evidence is for the Court alone to consider, that they will not consider it at all.)

I said to him—Mr. Morgan, if I were you, I would straighten up and not act this way; that the people know you are sane; it would be better for you to straighten up and tell a straight story, if you know anything about this matter.”

Counsel for defense makes motion that the evidence concerning the confession may be stricken out. Court rules that the confession may be stricken out unless something had intervened, that it is improper.

Prosecuting Attorney asks the Court to swear Mr. D. A. Brown.

TESTIMONY OF DAVID A. BROWN.

1st Q.—Mr. Brown, is that your signature?

1st A.—Yes, sir.

2d Q.—You can just tell the jury what you know about that?

2d A.—Well, all I know about this paper is, that after I had returned from Mr. Chancey's, above where this occurrence had taken place, I met Mr. Shinn, the Sheriff, and he told me the defendant was down with Mr. Shamblen in the field there, as well as I remember, I don't say that I will use his word exactly, there was something said that he wanted to make a confession or statement, or something to that effect; I went down with Mr. Shinn to where he, the defendant was, and he and Mr. Shamblen were sitting on a log, and this statement was made by him.

3d Q.—Did you hold out any inducements to him or make him any promises of protection?

3d A.—No, sir.

4th Q.—Did you then and there notify him there was none to be held out, and that he had to make the statement freely and of his will, if he wanted to make it to you?

5th Q.—Propounded by the Court: You may state what was said?

5th A.—It seems as if he had had a conversation with Mr. Shinn, the Sheriff, and that it was understood that such a confession or statement was to be made, I don't know whether it was understood or not, that it was to be taken under oath, however, I warned him against it, I told him the consequences of it.

6th Q.—What did you tell him?

6th A.—As near as I could tell him that I wanted him to understand, if he made a statement to me, it was made without any promises of protection or offer of reward, and that he was not compelled to make it, just about the language used in the affidavit.

(Your Honor, my objection to this affidavit is that the prisoner was in the custody of two officers, and I don't think, under the law, that this affidavit ought to be allowed to go to the jury, unless it is shown it is by his own free will and a voluntary statement without any promise of protection. I don't think it is a proper document to go to the jury).

(By the Court: "That is the law unquestionably, where there is any promise or hope of reward or any inducement in any way, it is improper for the confession to go before the jury as evidence; it must be freely and voluntarily made in the strictest sense before it is taken as testimony, and where a statement has been made, it must be an act free and voluntary, and after hope and fear has subsided, the facts would have to appear to the Court showing that before it could go in as testimony. The Court will further inquire of you, Mr. Shamblen, how long was it after the prisoner talked first to you about the matter, until this affidavit or statement in writing was given?)"

6th A.—I suppose about ten or fifteen minutes; I would not be just certain about the time, it was not very long.

7th Q.—Were you present when this conversation occurred between Mr. Brown and the prisoner?

7th A.—Yes, sir.

8th Q.—You may state to the Court the entire conversation that took place between the prisoner and Mr. Brown and others or yourself, before this written statement was made?

8th A.—When Mr. Brown said that, he stood up and looked me in the eyes, he says, ‘gentlemen, I am going to quit acting a fool, I want to make a true statement of this affair, he says, I killed these people.’

9th Q.—I want you to tell the conversation that occurred between Mr. Brown and the prisoner? At that time?

9th A.—I think Mr. Brown, as near I can remember, says to Mr. Morgan, I don’t just remember, but I think he says, ‘I understand that you want to confess or make a statement,’ I won’t be certain which word he used in this matter, and Morgan says ‘yes, I do,’ and Mr. Brown says ‘has anybody threatened you, or tried to induce you in any way to make this statement or do you make it of your own free will, and if you do make it, that is the way you must make it, of your own free will,’ and Mr. Morgan remarked, that ‘I make it of my own free will,’ that is about the language as near as I can tell it.

10th Q.—By the Court: Before the prisoner was brought into the presence of Mr. Brown, was there any further or additional statement offered by you to the prisoner to make the confession, or was there anything more said whether it would be better or worse for him before you brought him in the presence of Mr. Brown?

10th A.—I do not think there was anything further than what I have stated to you, nothing further than when he straightened up and said he was going to tell all about it; he says I want you to keep everybody away, I don’t want anybody here but Mr.

Brown and Mr. Shinn; he said that when I told him it would be better to straighten up and tell all he knew about the affair, that no one believed but what he was sane.

11th Q.—Had Mr. Shinn come to you before Mr. Brown?

11th A.—I called Mr. Shinn.

12th Q.—Had Mr. Shinn offered any inducement stating that it would be better for him to make a statement, and tell all about the affair?

12th A.—I don't think he did. I think I called him and told him Mr. Morgan wanted to make a statement of it, and I think that Mr. Shinn called to Perry Greene, as well as I remember, told Perry Greene that he was going to make a confession if he wanted to hear it, and I think he told Mr. Morgan that Perry Greene would be present.

13th Q.—Was this conversation you had with the prisoner, had in relation to the matter regarding his insanity or regarding his confession that he was going to give? You say you told him it would be better for him to straighten up. Did that apply to some question of his insanity, or did it apply to the facts he was going to state?

13th A.—When I first was talking to him, I told him it would be better for him not to go on that way, that it was the opinion of everybody that he was just putting it on.

14th Q.—Was that in regard to straightening up or the confession that he was going to make?

14th A.—That was in regard to straightening up, the confession came afterward. I think I told Mr. Morgan afterwards if there was any one else interested in the crime that it would be better and right for him to tell all he knew about it.

15th Q.—Did you tell him it would be better for him to make a confession?

15th A.—No, sir.

16th Q.—Does the Court understand from you that you told him it would be better for him to straighten up and not feign insanity?

16th A.—I told him I thought it would be better to straighten up and tell all he knew about the matter.

(The Court rules that the conversations had between the witness and the defendant will be excluded from the jury, but the statement made there before Mr. Brown is regarded as proper to go before the jury. To all of which the counsel for defendant objects. The Court requests that he be handed the paper to read.)



MISS ALICE PFOST, Sister of Matilda, who escaped.
(Taken from a portrait shortly after she was wounded.)

TESTIMONY OF B. L. RUDMAN.

B. L. Rudman, fifth witness adduced by the State, being duly sworn, says:

1st Q.—Does that look like your handwriting?

1st A.—Yes, sir.

2d Q.—State under what circumstances you wrote it?

2d A.—I was acting as secretary for the Coroner, Mr. D. A. Brown, upon this case. I wrote this statement as it appears.

3d Q.—By the Court: Under what circumstances?

3d A.—When Mr. Brown related to him, before this was taken, that he would not take his statement under any promise of protection. I believe he used about the same language as is embodied in the statement, word for word.

4th Q.—Who signed the defendant's name to this paper?

4th A.—J. F. Morgan, the defendant.

Paper in question is read to the Court and jury.

“I, John Morgan, being sworn by D. A. Brown, Coroner of Jackson County, W. Va., says: I am sworn at my own request and make this statement under oath free and voluntary, and I further say that the same is not extorted from me, nor made by me through any promise in the future. I killed Jimmie Greene, Mrs. Greene and Matilda Pfof, on the morning of Wednesday, the 3d day of November, 1897. It was between 4 o'clock and daylight of said morning. I killed Matilda first, the old lady second and Jimmie at the hog-pen. I killed them in self defense. I done the crime in defending myself.

“Signed, J. F. MORGAN.”

“Taken, sworn to and subscribed before me this November 3d, 1897.

Signed, D. A. BROWN,
Coroner of Jackson County, West Virginia.”

(Exceptions to the rulings of the Court and to the reading of the affidavit.)

5th Q.—Were you acquainted with these people in their life time?

5th A.—No, sir.

6th Q.—This statement was made where?

6th A.—Just back at the side of the barn near where the tragedy occurred.

CROSS EXAMINATION.

7th Q.—Were you present when I came up to the defendant there where this paper was made?

7th A.—Yes, I was standing right with you.

8th Q.—Did you hear the statement that Mr. Shamblen made as to what was said when I came up there?

8th A.—No, sir, I don't just remember what Mr. Shamblen said, you and Mr. Shamblen was a little away from me, and I did not hear it.

9th Q.—You heard the conversation that I directed to the defendant?

9th A.—Yes, sir.

10th Q.—State to the Court whether I said to him on that occasion, that if any one had made him any promises of any kind or offered him any inducement or held out any threats that I would not take the statement?

10th A.—I understood you to say that you would not take the statement under any promise of protection.

11th Q.—Did I make the statement that I would not take the statement if any promises had been held out to him?

11th A.—No, sir.

TESTIMONY OF J. O. SHINN.

J. O. Shinn, Sheriff, being duly sworn, says:

1st Q.—Are you the present High Sheriff of this county?

1st A.—Yes, sir.

2d Q.—Did you have control of Mr. Morgan on the day following this tragedy on the ground there?

2d A.—I did.

3d Q.—What was his course of conduct when you got him into your possession?

3d A.—When he was brought down to the wagon, I went up to the road and took charge of him; he was laying on the bed of

the wagon on some hay, with his feet strapped and his hands tied with hand-cuffs; we took him, and I deputized an officer; he and myself helped him over the fence and lifted him along, until we got down to the fence next to the house; his actions were very strange; he was making a noise, hissing, tearing his clothes; occasionally he would halloo; he would spit at one, and different things like, and kind of grinning and hissing all the time; that lasted until we got him down to the fence near the garden, and the crowd gathered around us so extensively, I thought the best thing to do was to disperse the crowd, so I got the fellows we had there to take him around by the creek and around towards the barn past the bars, and then I went to get the crowd to stand back; I told him and Mr. Shamblen to sit down there and wait until I came back.

4th Q.—State, if you at any time during the time he was in your custody, or in the custody of any other person, if you heard any promises of protection or by any other inducement made to him to make any statement in this matter?

4th A.—When I left him on this log, to make that plain, I left Mr. Shamblen, there with him, while I went to disperse and keep the crowd back; I was gone perhaps ten or fifteen minutes, Mr. Shamblen called me to him, and when I come back, Mr. Shamblen told me that John wanted to make a confession, and tell just what had happened there; that is the first I knew what had happened there; that is the first I had heard of it; I says, I will step down here and call Mr. Perry Greene, which I did, and stationed some other parties to keep back the crowd, and then sat down by him; he says, I want the crowd kept away; he says, I am ready to pay the debt, but I want to be protected; I says, “I will protect you at all risks;” that I would protect him best I could there, as far as I could, that is all the inducement, if that is an inducement, that I offered him.

CROSS EXAMINATION.

5th Q.—What was said by Mr. Shamblen to him, if anything, about this crime, before you got to where you set him down?

5th A.—There was not anything.

6th Q.—What was said after you got him down there in your presence, if anything?

6th A.—When I left him and Mr. Shamblen there, he was not talking; he would not talk.

7th Q.—What was said when you went back to him?

7th A.—It was just as I have stated; Mr. Shamblen called me and said Mr. Morgan wanted to make a statement, and I just stepped back and asked Mr. Morgan if he would have any objection to some persons being present; he said he would have no objection to Perry Greene being present, but to keep the rest of the folks back.

8th Q.—Did you reply to him, when he said that he wanted to make a statement?

8th A.—I won't say positively; but I might have said that it was the right thing for him to do or something like that; I might have said, I won't be positive about that.

9th Q.—How long after you might have said it was the right thing to do, was this statement made?

9th A.—It was probably not more than a minute after Mr. Greene stepped over the bars, until he commenced.

10th Q.—You were called first by Mr. Shamblen, and he related to you that Mr. Morgan wanted to make a statement?

10th A.—Yes, sir.

11th Q.—And possibly you said it was the right thing to do?

11th A.—Yes, sir, I think I said something like that.

RE-DIRECT EXAMINATION.

12th Q.—When Mr. Shamblen said that Morgan wanted to make a statement, he did not say what he intended to state, did he?

12th A.—He simply said he was going to make a statement.

(Objection by counsel for defendant to that affidavit or paper with alleged statement, the Court holds that the statement made to Mr. Brown shall go to the jury, but, that the statement made to Mr. Shamblen may be excluded from the jury.)

At this point the Prosecuting Attorney asks that the hatchet, mattock and missiles be offered in evidence. Objection by counsel for defendant. Court asks if they were found close to the scene of the murder; is answered in the affirmative by Prosecuting Attorney. Court over-rules the objection made by counsel for defendant.

Mr. E. L. Rudman recalled by the State, says :

1st Q.—If you have refreshed your mind in reference to any other conversation, had when you and Mr. Brown went there in relation to the statement before it was, or that the defendant said, that you have not stated before?

1st A.—As I sat down on the log probably two and one-half or three feet from Morgan, and was opening up the valise I had to get some paper, there was some six or eight men came up to the bars, then commenced talking in a low tone of voice, and I motioned behind me for them to keep still and keep back; Mr. Shinn and Shamblen went to make them keep back, and Mr. Morgan says: "I want to make a full statement of this affair, I want to tell all about it." I kept my eyes on him, for I was a little afraid he might draw back and hit me with his hand-cuffs. Mr. Shinn and Shamblen were not present at that time.

6th Q.—By the Court: State if Mr. Shinn or Shamblen were present while this statement in writing, as detailed, was made?

6th A.—Yes, part of the time one or the other was present, either of them was present all the time, but part of the time one or the other was present.

TESTIMONY OF MISS ALICE PFOST.

Miss Alice Pfost, being duly sworn in behalf of the State, says:

1st Q.—As distinctly as you can, give your name?

1st A.—Alice Pfost.

2d Q.—Where have you resided?

2d A.—On Grass Lick.

3d Q.—With whom?

3d A.—My mother, sister and half brother.

4th Q.—Will you please give the name of your mother?

4th A.—Chloe Greene.

5th Q.—Grass Lick is in this County?

5th A.—Yes, sir.

6th Q.—Are you and have you been for some time acquainted with John Morgan?

6th A.—Yes, sir, for about five years and over, he stayed with us for over five years.

7th Q.—When did you last see John Morgan?

7th A.—Wednesday morning, of course.

8th Q.—He stayed at your house on Tuesday night?

8th A.—Yes, sir.

9th Q.—Could you state to the jury in your own, as short a way as you desire, what took place there on Wednesday morning? Take your time and nerve yourself and say to the jury just what took place?

9th A.—On Wednesday morning, we got up a little before 5 o'clock; my brother and John Morgan got up a while after we all got up, and he followed my poor little brother out to the hopen to feed the hogs and murdered him, I know he did, for he never came back, and John Morgan came back, went in, and talked to mother and us awhile, and when my sister and me went to get breakfast he followed us out into the kitchen and stood around out there, and as my sister was making bread for breakfast he struck

her, and as I looked around, he tried to murder me, and he run after my sister and struck her again, and I had strength enough to get up and run to Mr. Chancey's for help.

10th Q.—Where was your mother?

10th A.—She was back 'n the bed-room when I left, making up her bed.

11th Q.—He had not reached her then?

11th A.—No, sir, but I looked back and saw him going to the bed-room door to where she was.

12th Q.—Could you see whether he had anything in his hands when he come in there?

12th A.—I could not say, it was just after I was struck.

13th Q.—What did he have in his hands in the kitchen when he struck your sister and you?

13th A.—I did not see that he had anything in his hands, I just thought that he struck her with his hand.

14th Q.—Did you say he did not strike her but once until he hit you?

14th A.—He was standing at my back and rushed to my side when he struck my sister, then I turned my head and screamed and started to run, then he struck me.

15th Q.—Did you say you went to John Chancey's?

15th A.—Yes, sir.

16th Q.—And informed him of what had happened?

16th A.—Yes, sir.

17th Q.—A few minutes before you went for Mr. Chancey, your mother was at home and in the room alive and well, in this County?

17th A.—Yes, sir.

18th Q.—After you left the house and before you reached Mr. Chancey's, did you hear your mother's voice in any outcry?

18th A.—Yes, sir, I heard them both screaming, my sister called for me, and says: "Alice do come back, and try to get

the gun and help us." I knew where the gun was and that I could not reach her, and I did not go back.

19th Q.—Had there been any trouble between your mother and him, or your folks and him that morning?

19th A.—No, sir, he never spoke a cross word to any of us, nor said a word when he was trying to kill us.

20th Q.—Had there been any trouble or cross words on the evening before?

20th A.—No, sir.

21st Q.—How did he come to stay at your house that night; he lives a short distance from there, does he not?

21st A.—He lives hardly two miles; he came down there in the evening and asked mother for a coat pattern for a child of Mrs. Parsons; she told him she had none, and he sat around and talked and then he finally asked my sister if she would shingle his hair that night, and she told him no, sir, she would not, and then he asked her if he staid all night would she cut it in the morning, she told him she reckoned she could, and he talked on friendly and finally went to sleep in the same room with my brother.

22d Q.—Have you been to your home since this occurred?

22d A.—No, sir.

23d Q.—When you started out of the house that morning was there any person there but Morgan, your sister and Mother?

23d A.—No, sir, no one at all.

24th Q.—What did you hear before you got to the house of John Chancey; any noise of any kind in the house?

24th A.—Nothing but the screams of my mother and sister.

25th Q.—Did any one else stay there that night except Morgan and your family?

25th A.—No, sir.

26th Q.—Did you see any one else except Morgan and your family after you got up that morning?

26th A.—No, sir, I did not see any one else.

State here rests its case.

WITNESSES FOR DEFENDANT.**TESTIMONY OF MRS. JOHN F. MORGAN.**

At the same time and place, witnesses for the defendant being called and duly sworn, Mrs. John Morgan being called first, says:

1st Q.—What is your name?

1st A.—Rebecca C. Morgan.

2d Q.—Where do you live?

2d A.—That is no fair question; I am so tore up I don't know where I live; lived on Grass Lick.

3d Q.—Are you the wife of John Morgan?

3d A.—Yes, sir; I am.

4th Q.—How long have you been married?

4th A.—Two years the 27th of last February.

5th Q.—Were you at home on the night of the morning of November 3d, this year?

5th A.—Yes, sir; I was at home.

6th Q.—Was your husband at home that night?

6th A.—No; he was not at home.

7th Q.—If he returned next morning, state at what time?

7th A.—He came just about the break of day.

8th Q.—Had you got up then?

8th A.—Yes; I was up when he came.

9th Q.—Tell the Court what he did after he came home?

9th A.—Well; he came home and wandered around through the house and never noticed me nor the baby, walked in the room where his gun was, took his gun down and went out of the house; started up the road towards Mr. Fisher's, I followed him and called him and still he made no answer, I still followed him on up there and called for some of the men folks to assist me to do something with him, for there was something wrong. I did

not know what it was, there was none of them there; by that time he came to the corn shock, out in the garden, he threwed his gun down on the ground, began tearing the corn shock to pieces, jerked some corn off and started with it in his hand and said Mr. Fisher had told him to feed his hogs that morning, that he was going to do it; I took my baby to the house and gave it to Mrs. Fisher to keep it from getting cold; she told me to try to get his gun away from him. I went to him and asked for the gun, and he struck at me three times with the gun, and then I give back and he throwed the gun, I don't know if he intended to hit me with it or not, but it fell and lay right at my feet; from that he went on with the corn he had in his hand, towards Mr. Fisher's hog-pen up the road; I don't know whether he went to the hog-pen or not, but he went off up through the field against the hill where there was a plank fence across the field; he went to that fence and began tearing off the plank, and throwed them on the ground; he left there and went across to another fence, went a few steps to the fence and turned and came back down to Mr. Fisher's; I do not know what he done then after that.

10th Q.—Had you before that observed anything peculiar about his disposition; please relate it to the Court and jury?

10th A.—Well, I suppose all the people remembers the reunion on Bare Fork, he and I went to that, we went up to his brother-in-law's to stay all night, and in the night he wakened me, when the baby commenced to fuss and I commenced to try to do something, he commenced to try to get up in his sleep and I commenced to try to waken him; I called to his sister and she tried to waken him up, and we could not get him awake and he finally jumped up and run out of doors, running up against a hillside and acted very strange; his brother-in-law went out to bring him back; he could not get him back, and by that time I went to him the fourth time; I don't just remember how many times he pushed me away from him; we took hold of him and shook him, talked to him, he did not push me away from him no more, when

we started back to the house we thought we had got him awake until we were standing by the fire talking, we thought he was awake when, all at once he whirled around and went and got in bed, and never said nothing more to us, I knew then he was still wrong some way. I supposed he was still asleep, I called to him and worked with him until I got him awakened up and he said he did not know anything about what he had done, that he had been dreaming of running a foot race with a man I don't suppose ever lived; I think he said the man's name was Lathey, that is all I know: that was on the night of the last day of the reunion of Bare Fork, this fall.

11th Q.—Was it the last night of September or October?

11th A.—I really can't say; I am so mixed up.

12th Q.—Before the 3d of November, and since the reunion, have you noticed anything peculiar about him either in the night-time or day?

12th A.—He had strange flighty spells in his sleep from then on, he had had them before; that was not the first time he got up in his sleep, he had strange spells in the day time, that he would seem unconcerned about everything about home, then sometimes he would appear as lively and natural as he ever did.

13th Q.—Was there any time, except at your brother-in-law's, that he got up and went out at night?

13th A.—Yes, sir; he got up and went out at home twice, and he went out one night when he went to set up with a sick child of Mr. Wash. Garnes. He said, when he lay down, it was about 11 o'clock, if we needed him, he could be called; that he wanted to get some rest, he was working in the harvest field and needed some rest; little after 11 o'clock he got up and called his horse; he got out of bed and spoke to it, just as if he had caught him. He got up, too, and went out in the yard there at Mr. Garnes'; he stumbled over something in the yard; it was raining very hard too, and falling down and rain together, awakened him and he came back into the house. He told me of

another time that he was not at home. I don't just remember where I was; that he got up in his sleep, got his gun and went out on the porch and shot it off, and that the noise wakened him up and went back in the house.

14th Q.—Was there any difference in his disposition when he would be about the house after—within the last six months has disposition changed?

14th A.—He has changed a great deal within the last six months

15th Q.—How long since you observed this peculiarity about him, if any?

15th A.—I noticed something wrong with him this spring, late in the spring; along about the middle of the summer he just become unconcerned about home; by spells he seemed to be concerned about the place, and other times his mind was away on something else; sometimes he would appear as lively and jovial as ever; other times he was unconcerned, paid no attention much to anything. I had mentioned it at different times to some of my neighbors, and I wondered what was wrong, and I asked some of them what they thought was wrong with him. They told me they thought there must be something wrong, and that I ought to have something done for him, I tried to get him to see a physician, but he would not do so. I have persuaded him at different times to have something done.

16th Q.—I believe you stated that he returned home before daylight?

16th A.—Yes, sir.

17th Q.—How long did he remain there?

17th A.—That is something I could not tell you, but only a few minutes.

18th Q.—Did I understand you to say that he tore down a shock of corn down in the field?

18th A.—Yes, sir.

19th Q.—During this time you were with him, was he doing much talking?

19th A.—He never spoke to me.

20th Q.—How far did you follow until he spoke the first time, if he did speak?

20th A.—At the corn shock, he said he was going to feed Henry Fisher's hogs.

21st Q.—How close was you to him then?

21st Q.—Some four or five steps.

22d Q.—Was this before he threw his gun at you or afterwards?

22d A.—It was before. I had taken my baby to the house of Mrs. Fisher, and she told me to follow him and get the gun away from him; he struck at me with the gun three times; it was after this that he tore the fence down.

23d Q.—How long was it until he left that place and went to where he tore the fence down?

23d A.—I don't know the time; it was about forty steps or more; it was partly level and partly up hill.

24th Q.—How far were you from him when he tore the fence down?

24th A.—I was at Mrs. Fisher's house, it was quite a little distance. He made some kind of a noise, I don't know how he made.

25th Q.—On the night at your brothers-in-law, after he got out of the house, did he make any noise?

25th A.—Yes, sir, he screamed just wild and wicked; he hallooed several times, then he started and commenced singing or humming to himself low, then he next whistled.

26th Q.—Did he tell you on the evening of the 2d where he was going?

26th A.—He told me that he was going over to Doug. Shinn's on business; he told me he would be back by 9 o'clock; he said he would not be gone over three hours, or about 9 o'clock.

27th Q.—Did you say anything to him that morning after he returned home and before he left?

27th A.—Yes, sir, I could not say how many times. I got no response whatever from him.

CROSS EXAMINATION.

28th Q.—What time did he leave that evening?

28th A.—I don't know just the time that he did leave, but I don't think it was quite dusk, he just got up from his supper and started; he had been husking corn that day, and eat his supper at home. I did not notice which way he started when he went out: I had my baby to feed and was not through my supper yet. I wanted him to go on horseback as it was late, but he said he could walk across the hill by Henry Winters'. Henry Winters lives between where Mrs. Greene and us lived; when he went to Henry Winters' he was going in the direction of Mrs. Greene's part of the way; then he would turn off to the right and go across a hill to Doug. Shinn's.

29th Q.—That would have been before he got to Henry Winters', would it not?

29th A.—Yes, sir.

30th Q.—Did he inform you on what business he was going to Shinn's on?

30th A.—No, sir, he did not mention any business he was going to see Mr. Shinn about.

31st Q.—By the way of refreshing your recollection, did he say anything about going to borrow some money of Shinn?

31st A.—I don't remember that he did.

32d Q.—During these times you speak about his absent-mindedness, was he frequently away from home?

32d A.—Sometimes he was away from home, I don't know that he was ever absent only when he was on business, or attending to business; he attended to whatever business he had and returned.

33d Q.—Was he frequently away at night?

33d A.—Not very much at night, only when he was away and could not get home. He worked in the day time and rested at night.

34th Q.—Did he frequently work away from home?

34th A.—Yes, sir. He has worked away from home since last March.

35th Q.—When he went away from home where he had business, he would transact his business and come back home again?

35th A.—I suppose that was the way it was, I sometimes did not know what business he had at all.

36th Q.—He never told you his business?

36th A.—No, sir, he seemed to want to be rambling all the time, and, at that time, his mind seemed to be unsettled.

37th Q.—Tell us what he did when you got him awake that night that you had such a hard time wakening him?

37th A.—I never got him wakened up at all; he come in the house, went to the fire-place, and set there and talked several words and we had concluded he was awake, and the first thing I knew he whirred around and went and laid down on the bed again, I knew then he was not at himself, I went to him and never left him until I wakened him up.

38th Q.—Was that the occasion that he spoke to you about dreaming of running the foot race?

38th A.—Yes, sir.

RE-DIRECT EXAMINATION.

39th Q.—For the last two or three months past he has been working away from home pretty much all the time?

39th A.—Yes, sir.

40th Q.—Since that time that he went to the Reunion has he staid away from home several nights?

40th A.—No, sir, I could not say as to that.

TESTIMONY OF MR. CASTO.

Mr. Casto, second witness for the defendant, being duly sworn, says:

1st Q.—If you are any relation to the defendant, please relate to the Court what it is?

1st A.—He is a brother-in-law.

2d Q.—Where do you live?

2d A.—Jackson County on the Bare Fork.

3d Q.—Do you remember the occasion spoken of by the defendant's wife of him being at your house on the last night of the Reunion?

3d A.—Yes, sir.

4th Q.—When was that?

4th A.—About the 30th of September.

5th Q.—If there was any peculiar action out of the defendant during the night they were there, I wish you would tell the Court and jury about it.

5th A.—Well, the first I knew about anything being wrong, he was gone over the foot of the bed; he lit out and run out doors and was gone, he hollered very viciously, and when I got out he was standing by the house some ten feet away. I followed right along and got hold of his left arm, then he turned and struck at me three licks, and then I went back to the house and dressed; I was in my night clothes; then Mrs. Morgan and I both went after him; he was in the brush; he seemed to object to her taking hold of him, but we got him back to the house and we went to the fire and stood there and talked a few words, and he whirred around and got right into bed; she went to him and talked to him and shook him until she got him awake and he got up and come to the fire again.

6th Q.—Is that all that you know of any peculiar action?

6th A.—That is all I seen out of him.

7th Q.—Have you ever seen him since the Reunion?

7th A.—Never seen since until I saw him here.

CROSS EXAMINATION.

8th Q.—How long did they visit at your house, Mr. Casto?

8th A.—They came in the evening about 12 o'clock and staid until the next evening.

9th Q.—Did you notice anything unusual all the time he was there?

9th A.—No, sir. He was just as natural in his conversation as ever, I just supposed he had been asleep and was dreaming that night, he told me he had been dreaming of running a foot race.

Defendant here rests.



J. D. BRADLEY, Foreman of the Jury that convicted Morgan.

ARGUMENT OF COUNSEL.

The Prosecuting Attorney made the opening statement to the jury, which was of fifteen minutes duration, followed by Mr. D. A. Brown in a speech of thirty minutes in length, finishing up by the Prosecuting Attorney, in a neat little sixteen minute speech. Closing at 4:23 P. M.

INSTRUCTIONS BY THE COURT TO THE JURY.

"If the jury, in passing upon this offense, find that the defendant is guilty of either one of these two offenses, they will say the defendant is guilty of murder in the first degree or murder in the second degree. Murder in the first degree is punishable by death or punishable by confinement in the penitentiary for life, and you will find whether he shall be confined in the penitentiary for life, and if you so find, you will so state in your verdict."

The jury was then taken to their room, and in one hour returned the following verdict:

"We, the jury, find the defendant guilty of murder in the first degree, as charged in the within indictment."

Signed, J. D. Bradley, Foreman.

The jury was then discharged and court adjourned until Saturday Morning, November 6, 1897.

Saturday A. M., November 6, 1897, the prisoner, J. F. Morgan, is brought into the court room, and the court asks him: "Mr. Morgan have you anything further to say why sentence of death shall not be passed upon you?" To which the prisoner replied in a nervous manner: "Why, I have lots I would like to have stated." To which the court says: "That the court will hear any statement that you may desire to make." The prisoner proceeding, said:

STATEMENT OF THE PRISONER.

"I am not the man that did the crime; I know this about it that death will be my portion, I suppose, but I hain't the man that done the murder; just give me a little time, and I will tell you all about it. Some of the people tells me I signed a paper; I might have done it, although I might have done it, I don't dispute that, but if I did, I have no recollection of it.

Where is that man Floyd Pfost at—you know when he was out at home on a visit, very likely some of you know when he and his wife were out there on a visit, there was a man living there on their place got into a little dispute about the crop; he thought that he did not get such ground as he ought to have; he had taken a lease; he did not get to sow wheat on the corn ground as he wanted to; he said he did not expect it to do another man any good, if he could not get it to use. He come to me four times to get me to help destroy this family; I told him I would not do it; I would just as soon think of destroying my mother, if she were living, and my own sisters as to molest that family of people; I told him that I would not do it; he come to me the evening that Mr. Pfost made his return back to Ripley, and he says, "now is the chance to make the drive," and he says, "now is the time to do the work;" I says, "I am not going to do any such a thing;" nor I did not; and he says, "we can work on

them so nice, they have got a gun down there; we can get them out by saying we will go to shoot squirrels; get Floyd and Jim out," and I told him I would not do it, and he stayed and still kept begging me; and I told him "I would not hurt that old lady to the very last, and I did not."

I seen a man a minute ago that lives right close there; right below Mrs. Greene's, it was John Chancey, [calls to John Chancey to step forward] "Tell the Court? did not Ben Anderson go there on that day with a gun, that I was fixing the fence"—[Court instructs the prisoner to make his statement to the Court.] "Well, any way, Floyd Pfost and his wife returned back home and he said to me that day at the fence: "why, pshaw, I did not think they would make their return until tomorrow;" he stood there kind of dejected and started off talking and said: "Be'ans Floyd has gone I will go back home;" he picked up his gun and started up through the field. I was there at work for Mrs. Greene that day that he come down there with his gun. I was there fixing the yard fence for her and he made his return back home and he come to me once after. He wanted to know of me, if I would not go with him and help do the work, and I held out and told him that I would not, and I did not. I say it was an evident fact that I was there that night, but I did not kill no one. What I done, gentlemen, I am not ashamed of. What I done, I done to get out, and I did not hurt no one, the only one that was hurt the worst by me, was the one that is living to-day; the one they called Alice. She was the only one I hurt, and I did not do that intentionally, and did not do it with any intent whatever of destroying or killing the family. What I did, I did to get out of the way; we had all been in a friendly good humor, and had treated each other right. I had staid there with them some five years, five months to fifteen days, and many a thing was done for me in the way of life's comfort and many's the thing I have done for them. Gentlemen, I am not guilty of this crime; the people suspisioned something in some way, that I

was connected in this thing. It is a true and evident fact that Jimmy and me got up that morning between 4 o'clock and daylight: we were sitting around there talking some, and after while they got up and lighted a fire and Jimmy and I started out to the stable; when we got nearly out to the bars we heard a strange noise, still we never thought anything about it; it might have been a dog jumped over the bars, and he went on to the stable and I made my return to the house, and the girls got up and I washed my face and hands. When I left there, there was five months and fifteen days' of my time that I never received a cent for but a pair of breeches and pair of boots for, and I went in, was talking to them about it. I asked them if they did not really think that they ought to allow me something more than that for my work; that is all I said to them; they did not seem to like it very well, but everything went along all right. I had dropped a pencil out of my pocket in the kitchen and I went in there to see if I could find it. I could not find it and I picked up the lamp to see if I could find it off the table. I did not find my pencil, and I said it was only a piece of a pencil, let it go, it did not amount to much, and I seen things were not working right. I did not know hardly what to think of it; seen the girls had peculiar actions. I did not know what to think of it; one of them started into the house and she threw the hatchet at me as I went through into the house and it struck some place about the door facing. I went into the room there; was standing by the door; the door was right over this way and the gun set in the corner this way, that I aimed to get into. I got into the room and could not get out.

The old lady come at me with a club and another girl with the gun and I says to them: "Do not hurt no one, and no one is going to hurt you;" the girl that got the gun, could not get it to work, so she just struck at me with it, and I throwed up my hand that way, to dodge the lick and kind of glanced it off, and I had the hatchet in my hand that fell over on her head as I

knocked the lick off. Mrs. Greene was standing in the door with a club; that old lady—that mother that had protected me in many a thing—she struck at me with a club. I did not hit that poor old woman with a purpose of destroying her, but just hit enough merely to get out of the way. I don't know which one it was that struck at me with the gun, I just aimed to make my escape and get out of the way. As I went out of there, here is this man that I was telling you about coming, the man that I know, I seen this man strike this poor old woman, as he struck her again and she begin staggering. There was a big light in the house; I could see this man very plainly; he stood with his axe raised and I seen him hit this poor old woman, knock her down, and hit her after she was down. It is an evident fact, of course, that the people will, of course, destroy my life. I am satisfied of it; but yet, reflect for a moment over the thing, and think that I have to give up my life for something I did not do myself. I did not kill no one, yet I have to die for it. The man that committed the crime, done the murdering, is allowed to be free among the people. This is right. That is all I have to say to these people here; it is all I am going to say. What I have told the people here is the truth. God being my helper. I prayed to God this morning, and all night, that he might give me strength and quiet my nerves that I might be able to come up here and tell the truth about this matter, and that I did not do this crime."

MORGAN SENTENCED.

The Court desires to say to you that you may make any further statement, or if you desire to restate what you have already stated, you will have time to do so hereafter. There is nothing that lasts, nothing that is enduring and permanent except truth; there is nothing that will live after you, or live after all of us, except the truth; it is impossible for a falsehood to live long. And the Court desires to impress upon you the necessity of telling only the truth in view of certain and almost immediate

death, and your welfare hereafter. It would be as much as you can do to atone for the wrong which the Court is satisfied you have committed. You may give an entire statement of the facts, but nothing which you can say will extenuate your guilt or release you from the sentence that is to be passed upon you. Between you and your God, however, there is a statement you can make, the truth, the whole truth and nothing but the truth. The jury in this case, Mr. Morgan, has performed its duty: it is done within the bounds of the law, and now it becomes, under the law, the duty of this Court to pass the sentence of death upon you. The Court approaches this task as reverentially to God, in a different spirit from which you passed the sentence of death upon those helpless victims, for whose murder you are now convicted. The Court approaches it with all pity, with all possible mercy. The Court has no eyes to see, no tongue to speak, no heart to feel, but that is given him by the law and is reverential to God in this very trying ordeal; that it is so, you have had a fair, full and impartial trial, the counsel of your own selection has been assigned you by the Court, who has discharged his duty to the last degree, so far as your interests are concerned, in the best manner possible. The public will not, and certainly do not, look upon the counsel which the Court assigned, and who only acted because the Court asked him to do so, with no disrespect.

It is right under the law for all persons to have a full, fair and impartial trial, assisted by counsel. It was, indeed, a courageous act on the part of counsel. The Court assumes that the counsel acted courteously and done the best that could be done for you.

In this moment you should be very grateful to that wife, who has clung to you, stayed by you through this trying ordeal; it would not have required more courage for that woman to have faced a lion's den than to have faced the public feeling caused in this matter; she has honorably done so, and it is one more monument to the character of noble womanhood; granted that

this woman has done so, it only renews in the bosom of this Court the feeling that if the mother of our Saviour had not been a woman, his blood, perhaps, would not have been sufficient to extenuate the sins of the world. The Court cannot pardon you any more than under the law; if he could, he doubts whether it would be to your advantage to be acquitted of a crime of this kind; it certainly would be doing the public a great wrong to turn you loose upon this community with all the savagery you have shown yourself to be possessed of. Other crimes would be committed; it would again follow that others would share the same fate as these helpless victims. The Court does not desire to talk longer upon this subject. The sentence of this Court is: "That you shall be confined in the county jail of this county until the 16th day of the coming December, 1897, and on that day and on that date that you be taken from the county' jail of this county by the Sheriff of this county, and hanged by the neck until you are dead, dead, dead; and may God have mercy upon your soul." "Return the prisoner to the jail."

ON THE MORNING OF THE DEED.

The surviving member of the family, Miss Alice Pfost, made the following sworn statement in writing before Coroner D. A. Brown, which best tells of the dreadful affair :

" I am Alice Pfost, the daughter of Mrs. Chloe Greene, who, as I am informed, lies a corpse at her residence. One John Morgan came to our house about 6 o'clock last evening. He came in and talked as usual. He had lived at our house for over five years. He claimed to mother that he came after a coat pattern for Ofa Parsons, who was living at his (Morgan's) house. He talked on awhile and requested my sister Matilda to shingle his hair. My sister refused to cut his hair after night. He (Morgan) then wanted to know that if he stayed all night whether she would cut his hair the next morning. She told him she reckoned she could. We all went to bed quietly. He (Morgan) and my brother Jimmy Greene got up as usual. He (Morgan) talked just as friendly and sensible as he ever was. My brother went to feed the hogs and Morgan with him. Then Morgan came back in the house and Jimmy was not with him. Then ma remarked, " It is curious that Jimmy has not returned to the house." Tillie and I talked about my brother not coming to the house. Tillie and I went into the kitchen to get breakfast, and Morgan was out in the other room with ma. Then Morgan walked out of the house three times and back. Morgan came back the last time and said to my sister that he heard Jimmy whistling down in the field. I went out and listened, but I could not hear him. Then Morgan came in the kitchen where Tillie and I were getting breakfast. He stood around in there, which was unusual for him.

My sister and I took the lamp out to the milk house to get milk to make bread with. Morgan remained in the kitchen and was there when we returned. I went to mixing the bread on my return and Morgan went to the porch and whistled once. My sister was at the stove in the kitchen. As she turned to pass

between me and Morgan, Morgan struck her and she staggered back and said, "Oh, John, don't kill me. She staggered back and caught the table, then Morgan struck her again. Before Morgan struck my sister the first blow he was standing by the wood box, and there was a hatchet in the box.

After the second blow my sister ran out on the porch. Then Morgan struck me on the head. I fell back by the table. At this time my sister on the porch was screaming for help. Then Morgan jumped to the door to either lock the door or to keep my sister from coming back in. I rose up and ran out through the closet into the sitting room and out at that door. As I passed through the sitting room door I saw Morgan coming through the closet. My mother was back in the bed room. I went out. I was afraid that some one else might come, for the reason that Morgan went out on the porch before that and whistled. Then I sat down behind a pile of boards out of sight of Morgan. Then I was so afraid that I went into one corner of the chicken house. While I was in there the thought came to me that I had better go for help.

We had suspicioned Morgan before. He came to our house on last Friday morning about 1 o'clock and awoke my brother Jimmy and said to him that he had two coons treed and wanted my brother to go with his gun and shoot them. He got my brother up and he went out with Morgan. He asked my brother as they passed the stable whether my ma had received fifty dollars that she was to get for a colt. Jimmy told him she had not. Then Morgan asked him if he knew when the note was due. Morgan and my brother only went as far as the hay stacks and Morgan said they would go no further. This was told me by my brother Jimmy, who they say now lies dead at the hog-pen. I left the house and came to Mr. John Chancey's. When I got to the bars I heard my sister scream for me to come back and get the gun. After I got on further I heard my mother and sister both scream. I came right on to Mr. Chancey's.

ALICE FFOST.



HON. REESE BLIZZARD, Judge of the Circuit Court.

Hon. Reese Blizzard, Judge of the Sixth Judicial Circuit of West Virginia, who presided at the trial of John F. Morgan, is a gentleman of fine legal and literary attainments. Born in Nicholas County, West Virginia, thirty-three years ago, he attended the public schools and then entered the State Normal School, in which institution he made a high and honorable record. After graduation, he engaged in the study of law and was admitted to the bar at Glenville, Gilmer County, West Virginia, in 1886. Later he located at Grantsville in the adjoining county of Calhoun, where he speedily took front rank in his profession. His ability as a practitioner and his profound knowledge of the law brought him into prominence, and having received the nomination of his party for the office of Judge of the Circuit Court, he was elected to that position on the 3d day of November, 1897, carrying his own county by seven hundred and forty-two votes, in the face of the fact that in the said county there

was a majority of nearly one thousand votes against the ticket on which he was a candidate.

In pronouncing the death sentence upon John F. Morgan, Judge Blizzard for the first time discharged this painful task; but he approached it with determination to do, faithfully, his whole duty. His statement to the prisoner will be found elsewhere in the proceedings of the Court.

Judge Blizzard is the youngest Circuit Judge in the State. He has already shown that ability is not conditional upon age alone; he has entered upon a career which is not yet completed—a career which in the end will prove alike honorable to himself and the State.



HON. JAMES A. SEAMAN, Prosecuting Attorney of Jackson County.

Hon. James A. Seaman, who as Prosecuting Attorney for Jackson County, represented the State at the trial of John F. Morgan, and thus was instrumental in securing the conviction of him whose butchery of the Pfost family stands without a parallel in the criminal history of the State, was born in July, 1844, at West Columbia, Mason County, Virginia—now West Virginia—where his parents were prominent factors in developing the social life of that county. Mr. Seaman has been a student all his life, and in addition to being remarkably well read is schooled in a knowledge of men—the highest type of education. Ready debating, logical speaking and clear thinking, are among the ele-

ments which have enabled him to rise to a most honorable position in his profession--that of law, in the practice of which he engaged in 1876, he having been admitted to the bar at Ripley in that year.

He is an earnest, diligent lawyer, is able at the bar and stands very high in his profession. He was elected Prosecuting Attorney of Jackson County in 1888, defeating for that office one of the most popular lawyers of the State by a large majority. In 1896, his party again nominated him for the same office without opposition, in the election which followed, he defeated his opponent who was running for re-election, and was thus chosen to fill the office he now holds. In every walk in life he has made an honorable record, and thus enjoys the confidence and approbation of the people among whom he lives.



HON. DAVID A. BROWN, Counsel for the Defendant.

Hon. David A. Brown, whom the Court appointed to defend John F. Morgan, is one of the prominent members of the Jackson County bar. Born on the 24th day of July, 1854, his life has been an exemplification of what an American boy of pluck can do, when he so wills. Mr. Brown was married on the 15th day of April, 1877, and alone, and unaided, he purchased a farm of fifty-four acres, which he began to improve, and at the same time he engaged in the study of law at his country home. His progress was rapid. Removed to Spencer, the seat of justice of Roane County, where in March, 1879, he was admitted to the bar, and in October, 1880, was elected Prosecuting Attorney for

the county. In this capacity, he served the full term of four years, acquitting himself most honorably in the discharge of his duties. From Spencer, he removed to Ripley, in February, 1891, and in November, 1892, he was elected Prosecuting Attorney of Jackson County, where his official duties were discharged as faithfully as they had been in Roane County, and this means that they were performed in a manner entirely satisfactory to the people. In addition to other duties, Mr. Brown has filled the position of United States Commissioner for five years, and that he still continues to discharge the duties of this position, may be taken as evidence that the government is satisfied with the manner in which he does this.



MR. J. O. SHINN, High Sheriff of Jackson County.

Mr. J. O. Shinn, the High Sheriff of Jackson County, who has had charge of John F. Morgan, ever since the hour of his arrest, is a gentleman of excellent business qualifications and sterling character. He is a representative of one of the oldest and most influential families of the State. His remote ancestors were settlers in the valley of the South Branch of the Potomac,

before the Revolutionary War, and as early as 1785 some of the families found homes on the West Fork of the Monongahela River, where the town of Shinnston, Harrison County, now stands. From here and the South Branch River came the representatives of the family who found homes in Jackson and adjoining counties.

His father, Hon. George W. Shinn, now deceased, served the people as a public officer for a period of sixteen years. J. O. Shinn was first spoken of for Sheriff in 1892, but was defeated for the nomination by a very small majority, he having carried his own and other districts almost to a man. In 1896, the tide had grown so strong in his favor for that office, that no one would oppose him for the nomination by his party, although many others were very anxious to fill this most important office. He has discharged his duties to the entire satisfaction of the people whom he serves. Mr. Shinn was born in 1859, and is, therefore, now thirty-seven years of age.



MR. JOHN M. BAKER, Assistant Prosecuting Attorney of Jackson County.

Mr. John M. Baker, who as Assistant Prosecuting Attorney of Jackson County, drew up the indictment upon which John F. Morgan was arraigned and convicted, is a representative of that large class of young men in West Virginia, to-day, who, before beginning the work of life, make the necessary preparation to enable them to accomplish it successfully. Mr. Baker was born near Ripley, Jackson County, in 1872, and is therefore twenty-five years of age. He made the necessary preparation in the Public Schools and then entered the State Normal School at Fairmount, and thereafter became a student in the West Virginia University, from the Law Department of which he was graduated in 1896, and in August of the same year was admitted to the bar.

MORGAN'S CONFESSION.

On the second day of December, Morgan completed a confession, for which Okey J. Morrison agreed to pay to his wife, the sum of twenty-five dollars. This consisted of a recital of the brutal story, all the particulars of which had been previously brought out in the trial, as exhibited in its record in this work. In this confession he shows that his object in committing the awful crime, was to obtain money, of which he represents himself as having been greatly in need. He also establishes the fact, as had been shown in the evidence, that James Greene was his first victim; and further admits, that on the night that he called James Greene out to go and shoot the raccoons, he had planned to commit the crime that night.

Still further, he asserts, that it was all the work of his own hands—that is, that no one assisted him to commit the awful act.

Morgan closed his statement in the following words:

“I had a good wife; she was always good and kind to me; she had talked to me time and time again about my soul's salvation. If I had only listened to her I might not have been in such a condition to-day; this is an awful trying thing, knowing that I will have to die and leave my darling wife and child.

“I hope that God will reward her for the kindness she has shown me through this trouble.

“I ask God to forgive me for the way I have done. I ask in the name of God, for the people never to throw this awful crime up to my lovely child or dear wife. My desire is to go from this world to a better one. This for a warning to all who reads it. May God forbid that no one ever harbors an evil thought of this kind in their hearts. I am thankful to the ministers who have called on me since my confinement, and praying with me and instructing in the way of a better life. I thank the jailer and family for the kindness they have shown me since I have been here.

“I am also thankful to my guards for the way they have treated me. I am thankful to the sheriff of Jackson County, the way he has treated me up to the present time

“This brings this all to a close, and I bid you all farewell, and pray to God that he may take care of my dear wife and child.”

JOHN F. MORGAN.

MORGAN'S ESCAPE FROM JAIL, HIS RECAPTURE.

On the evening of December 2, Morgan expressed a desire to retire early. He had been engaged the greater part of the day in dictating his confession. About 3 p. m. he was let out the cage into the corridor, when he suggested to Jailer Riley and Charles Jewell, one of the guards, to get the checker board and play a game of checkers, which they did. Morgan witnessed the game, not knowing anything, however, about playing, but pretending to be greatly interested, telling the players the game was very close and exciting. When they had finished one game he requested them to play another, and while this was going on Morgan went into his cage, pretending to go to bed, asking the Jailer and guards not to arouse him for supper, as he had been losing a great deal of sleep and did not wish to be disturbed; but to let him know in the morning how they "came out in their game of checkers."

While he was talking he was arranging the bed clothes in the shape of a paddy apparently, placing a newspaper over his face, a custom which he had been following for two weeks past, claiming the light hurt his eyes.

Morgan then slipped out of the cage and around to the other side and climbed on top of it. Jailer Riley and Guard Jewell finished their game of checkers. Riley then arose and locked the cage door, at the same time asking Morgan how he felt, Morgan answering from on top of the cage directly over his bed, "very well."

Guard Jewell at this time retired; returning about 9 o'clock, going to bed in a cage adjoining that of Morgan's.

Jailer Riley remained on duty until 11 o'clock p. m., and

was then relieved by Guard M. F. Riley. At 11:30 Guard M. F. Riley went into the part of the jail occupied by the Jailer, two doors west of Morgan's cell, to eat a lunch, leaving the cell door open. This was the opportunity Morgan had been waiting for, and climbing down from the top of the cage, he walked out into the hall and opening the hall door, which was unlocked, made his escape.

Guard Riley returned and remained on duty until 3 o'clock a. m., which time he was to be relieved by Guard Jewell. That gentleman went around to the back side of the cage near Morgan's bed and listened attentatively for Morgan's breathing, but could not hear him. He then remarked to Guard Riley that something was wrong, and taking an iron poker raised up the paper, but found nothing but the pillow and a bundle of bed clothes. He at once raised the alarm, awakening Deputy Sheriff R. P. Shinn, who had remained in town. Mr. Shinn immediately dispatched Guard Jewell for his brother, Sheriff J. O. Shinn, who was at his home, ten miles south of Ripley. Jewell reached the Sheriff's residence about daylight, and by 9 o'clock a. m. at least two hundred and fifty deputized men had gone in different directions looking for the fugitive. All were directed by the Sheriff to take him alive. The Sheriff proceeded to the residence of Morgan's father-in-law, where he found the wife of Morgan. In answer to inquiries as to whether her husband had been there, she said, "Sheriff, I have sworn no lies in this matter, and request you to ask me no questions."

When Morgan escaped he went in the direction of his former home, two miles south of Ripley; he took a horse belonging to A. S. Casto, from a stable near the highway; he rode directly to his father's-in-law, about ten miles from Ripley, reaching there about 1:30 a. m. December 3, remaining there until about 4 o'clock a. m., securing while there a valise and one additional coat and vest, a cap, some apples and a supply of tobacco. He then remounted the horse he had taken and started in the

direction of his brother's-in-law, Enoch Casto, who lives about nine miles southeast from where his father-in-law resides.

After leaving his father-in-law he rode about three miles, or to near where G. W. Shamblen lives, the place where he was first arrested after committing his crime. Turning the horse loose, at this point, he took to the fields and woods and crossing the ridge to main Grass Lick Creek he passed through the Pfost farm where he had committed his terrible crimes. He continued his journey through the woods to near where his brother-in-law lives, where he concealed himself behind some rocks until near dark. He then went to his brother-in-law's house and got his supper and a box of matches, requesting them not to tell of his presence there or he would come back and kill them and, if they did tell it, he would haunt them after he was dead, and then continued his journey.

As soon as he departed from his brother's-in-law his sister informed her neighbors that he had been at their place. After leaving his sister's, he traveled through the woods, some four or five miles, which brought him into Roane County and a strange region to him. There, he says, he stole another horse and after riding hard all night he found himself at the place where he had taken the horse; he then built a fire in the woods where he remained until noon. He then called at Armsted Harper's, who lives on Flat Fork, Roane County, and asked for dinner. After dinner he employed Mr. Harper to take his horses and convey him to Walton, in said county, about eight miles distant.

Morgan informed Harper that his name was Hickman, that he had just passed through Jackson County and that John Morgan, the noted murderer, had escaped from jail and there was great excitement among the people, and that he was last heard of near the Great Kanawha River, and that a posse of men was in hot pursuit. During the journey to Walton, Harper and Morgan fell in with W. B. Parsons, a minister, who resides near where Morgan committed his crimes and who is well acquainted with

Morgan. They rode together for about two miles but Parsons did not recognize Morgan. When, within a few miles of Walton, Morgan met J. W. Fisher a half brother to Mrs. Chloe Greene, and Morgan's nearest neighbor before the crimes were committed and Wm. Chauncey, one of the first that was on the ground after the crime was committed, but, not knowing of his escape, neither of these recognized him.

This is the narrative chiefly Morgan gives of his journey and circumstances seems to bear him out in his statement. As the first horse he took was tracked in the direction of his father-in-law, and was also seen where Morgan says he first turned it loose, and while his father-in-law would not admit him, being there, he had secured some of his old clothes which he could have gotten no place else. It was also evident that he had been behind the rocks, as he had described, and also at his brother-in-law's. A. W. Slaughter, who lives near Morgan's brother-in-law, and who was deputized by Sheriff Shinn, heard of Morgan being in that vicinity. Early Saturday morning, December 4th, Mr. Slaughter, with a posse of men, followed Morgan's tracks at his brother-in-law's and pursued it over hills and hollows until after noon, when he came to the place where Morgan had employed Harper to take him to Walton and he (Slaughter) hurried on to that point, his other men being unable to keep up with him, reaching there twenty-five minutes behind Morgan. But, before he reached there, however, W. B. Parsons, who had fallen in with Morgan and Harper near Walton, concluded that the man was really John Morgan and swore out a warrant and he was arrested by Constable Camp before Mr. Slaughter arrived. Mr. Slaughter demanded the prisoner, but Constable Camp refused to turn him over to his custody, and immediately started to the Spencer jail, fifteen miles distant. Mr. Slaughter started back to notify Sheriff Shinn, and, when about five miles from Walton, he met that official and Deputy R. P. Shinn, who had heard of Morgan's whereabouts and was in hot pursuit. They then started for

Spencer, the county seat of justice of Roane County, reaching there about 10 P. M., the officers having arrived with Morgan about an hour before and had him securely locked in jail. Sheriff Shinn demanded the prisoner, but the authorities refused to deliver him over; then hot words ensued, and serious trouble seemed imminent, but before any violence was resorted to, the authorities receded from their position and turned the prisoner over to the custody of Mr. Shinn who secured a conveyance and started for the Ripley jail, a distance of about thirty miles, reaching there at 10 A. M., Sunday, December 5th—fifty-nine hours after his escape. These were fifty-nine hours of wakefulness for Sheriff Shinn and his deputies, not offering to take a minute's sleep during the whole time.

Morgan returned in apparently as good spirits as he went away, laughing and joking, telling how neatly he worked the guards, and relating several laughable incidents connected with his escape.

Many wonder why Morgan did not make better time while out. Everything seemed to be against him. The nights were dark; a cold, sleety rain was falling almost the entire time he was out; the water courses were all up; he knew nothing of the lay of the country, only in the immediate neighborhood where he lived. No doubt, leaving a warm cell thinly clad, that his suffering from cold and exposure would be immense, and his second night's ride bringing him back to where he started almost frozen to death. No doubt he had given up all hopes of escape.



B. F. RILEY, the Jailer, who had Morgan in his care.

NOTES.

What were the motives which prompted John F. Morgan to commit the awful deed? This is a question which has been frequently asked, and all answers are that his primary object was money. This is shown by the fact that as quickly as he had beaten his victims into insensibility, he began a search for money. But a few minutes elapsed before John Chancey, his son and Edward Southall, reached the scene. As they approached it, the former called to his companions to hasten forward. This, doubtless, alarmed Morgan, and he hurried away to his own home. But before doing this he had searched various pockets in the clothing hanging around the walls, and from the pocket of his aged victim he is supposed to have taken the keys which enabled him to open the drawers in a bureau. These he is supposed to have been rumaging when frightened by the call of Mr. Chancey.

Mrs. Greene also had a pocket-book containing some gold pieces of rare date, which she always carried in her pocket; this was gone. It is the opinion of many that the coat that Morgan

wore at the time he committed the crime, and which he concealed and refused to tell where, if it is ever found, this money and pocket-book will be found with it.

About two weeks before the murder, Morgan inquired of one of Mr. Amos Gordon's sons, who lives near and works some for Mr. Samuel Simmons, who was owing this note to the Greene family for the horse, if he knew whether or not it had been paid.

Since the commission of the crime it has developed that Mr. J. D. Skidmore, who resides at Skidmore Post Office in Jackson County, visited the Greene family a few days before the murder to purchase a horse, which was the property of Miss Alice Pfof. That lady was absent from home, but Mr. Skidmore looked at the horse, ascertained the price asked for it and left, saying that he thought he would return to make the purchase. John Morgan appears to have learned this, for he went to the residence of Mr. Skidmore and asked that gentleman if he liked the horse, and received for a reply from him that he was very well pleased with it. Morgan then inquired if he (Skidmore) would pay cash for the horse, and was informed that a check, the equivalent of cash, would be given. To this Morgan replied, that he need not offer a check, for the lady would take nothing but the money. Mr. Skidmore then said it did not matter as he had another horse in view, and he did not go back to purchase the horse at the Greene home. What was Morgan's object in all this? Was it not to obtain such information as would enable him to strike the blow at such time as he could secure the money? The check would be worse than useless; hence his efforts to have Mr. Skidmore pay the cash.

Since Morgan's incarceration it has developed that shortly before the butchery of the family, he took a horse belonging to Prof. J. W. Greene, in whose house Morgan lived, and made an effort to sell it, riding over portions of Jackson and Roane Counties to do this, offering to take twenty-five dollars as a consideration, saying in explanation that he wished to obtain money

to make a payment on a tract of land which he had purchased. Whether this story be true or otherwise, his object was to obtain money.

Since the arrest of Morgan, it has been learned that on the 27th day of October, 1897, he had forged an order, and Mrs. Chloe Greene's name thereto, for the sum of five dollars, to Mr. G. W. Pfof, a merchant at Fair Plain, and a son of the murdered lady, Mrs. Greene, which order is in the words and figures following:

"OCTOBER 27, 1897.

Mr. G. W. Pfof please pay to John Morgan the amount of five dollars (\$5.00). I will settle the same with you.

Your mother,

CHLOE GREENE."

Mr. G. W. Pfof, knowing that Morgan had stayed with his mother for a long time, and supposing that she wanted to give him something, honored the order, letting Morgan have goods to that amount.

May there not be a secondary motive here which prompted him to commit the awful crime? This forgery was a felony, and would, when discovered, if he were convicted of it, send him to the State prison. But the only one who could testify as to this, the only one on whose evidence he could be convicted, was Mrs. Chloe Greene, whose name it was that he had forged, and if she were out of the way he would be safe. Who shall say that this was not a consideration with him as a secondary motive?

STATE OF WEST VIRGINIA,

EXECUTIVE CHAMBER.

CHARLESTON, December 6, 1897.

O. J. MORRISON, ESQ.,

Care Stag Hotel, near Arcade,

Cincinnati, Ohio.

DEAR SIR:—I enclose herewith, at the request of Attorney D. A. Brown, of Ripley, copy of the petition presented by John F.

Morgan, sentenced by the Jackson County Circuit Court, to be hung on December 16, 1897, for the murder of the Greene family.

Very respectfully,

ROBERT A. COLEMAN,
Assistant Secretary.

THE PETITION TO THE GOVERNOR.

On November 18, 1897, the following petition was made to the Governor by John F. Morgan, through his Counsel, D. A. Brown, and taken to the Governor by Mr. Brown in person :

TO HIS EXCELLENCY, GEORGE W. ATKINSON,

Governor of West Virginia.

Your petitioner, John F. Morgan, would respectfully and humbly represent unto Your Excellency that heretofore, on the 4th day of November, 1897, your petitioner was by the Grand Jury of Jackson County, West Virginia, indicted for the murder of one Mrs. Chloe Greene, on the — day of November, 1897; all which will more fully and at large appear by reference to a certified copy of said indictment, herewith filed, and asked to be read as part hereof :

Petitioner would further show unto your excellency that on the next day, to-wit. : On the 5th day of November, 1897, in the county aforesaid, at the court-house thereof, a jury was impannelled by the Circuit Court of said County, to try your petitioner upon the said indictment, and your petitioner says, that a trial of said indictment against your petitioner was had, and that a verdict was returned by the jury impannelled as aforesaid, as follows :

“ We, the Jury, find the defendant guilty of murder in the first degree, as charged in the within indictment. J. D. Bradley, Foreman.”

See the certified copy of the order impannelling said Jury and recording said verdict, filed herewith and asked to be read as part hereof :

Petitioner would further show unto Your Excellency that on the next day, to-wit: On the 6th day of November, 1897, at the court-house, and in the county aforesaid, your petitioner was again sent to the Bar of the said Circuit Court in custody of the Sheriff of said county, and was by said Circuit Court, on the day and year last aforesaid, sentenced to be hanged by the neck, by the Sheriff of said county, until he, this petitioner, be dead, and that said court fixed upon the 16th day of December, 1897, as the date upon which your petitioner is to be hanged:

Petitioner says that the Court, in passing sentence upon this petitioner did not fix the time of his, this petitioner's execution, between the hours of 10 o'clock in the forenoon and 2 o'clock in the afternoon of said 16th day of December, 1897, but that the hours aforesaid, of 10 o'clock and 2 o'clock, were fixed by said Circuit Court after this petitioner had been remanded to jail, and in this petitioner's absence. See certified copy of the order purporting to be the sentence and judgment of the Court, herewith filed as part hereof.

Petitioner would further show unto Your Excellency that all of the evidence adduced by the State against this petitioner, as well as all of the evidence that could be procured upon such short notice, and in so short a period of time by your petitioner in his, your petitioner's own behalf, is herewith filed as part of this petition:

Petitioner says that the same is not certified to by Mrs. Anna McVey, who was employed by the Court as short-hand reporter in the case of the State against your petitioner, upon the trial of the indictment, for the reason that your petitioner has no means with which to pay for a certified copy of the said evidence, and your petitioner therefore humbly asks that a copy of evidence here tendered, be read as part hereof, without being certified by the said short-hand reporter.

Petitioner says that there was great haste on the part of the Court in all of the proceedings before it, during said trial, and

petitioner says that great excitement prevailed during the time of the trial of this petitioner as aforesaid; that the court room in which said trial was had, was crowded with people to its utmost capacity; that by-standers were continuously around and near the jury, during the time of the trial as aforesaid; that threats of mob violence were made, during said trial, and that the Court remarked once or twice during the trial of this petitioner that speedy justice would be done; and that it, the Court, hoped that the people would let the law take its course; and the Court also remarked during said trial, and in the presence of the jury, that the trial of the case would be proceeded with as speedily as possible; and petitioner says that the Court refused to give him longer time to make defense to said indictment, and that this petitioner was rushed and hastened into trial, and by reason of this extreme and unusual haste in the trial of said indictment, as aforesaid, great injustice resulted and was done to this petitioner.

Petitioner further says that if the Court would have granted this petitioner more time in which to make proper defense to said indictment, that an entirely different verdict would have been returned by the jury in said case, and petitioner says that said trial was rushed along on account of the prejudice of the public against this petitioner, and for the apparent reason of avoiding mob violence, which was talked of or threatened by excitable persons, during the trial of the petitioner as aforesaid.

Petitioner further says that he is informed and believes, and so charges, that the Constitution of this State guarantees to every citizen a reasonable time to prepare for his defense, when charged with crime, but petitioner says that he, this petitioner, was not granted a reasonable time to prepare his defense to the aforesaid indictment, but that the same was denied him by the Court.

Petitioner, for the reasons apparent upon the face of the record filed with this petition, and for the reasons set forth in the foregoing petition, humbly prays Your Excellency to commute

the sentence awarded by the Circuit Court of Jackson County, West Virginia, on the 6th day of November, 1897, against this petitioner, upon condition that this petitioner be confined in the penitentiary of this State for such period of time as Your Excellency may deem proper; and petitioner here asserts to any order Your Excellency may make, in commutation of the sentence awarded by the Circuit Court of Jackson County, West Virginia, as aforesaid. And, further, petitioner most humbly prays that Your Excellency shall, and will, exercise the power conferred on Your Excellency as Governor of this State, by the Constitution of this State, to commute capital punishment in this petitioner's behalf, and that Your Excellency, as Governor, make and cause to be executed all orders and warrants necessary to carry such commutation into effect, and as, in duty bound, your petitioner will ever pray.

JOHN F. MORGAN,

By Counsel.

STATE OF WEST VIRGINIA, JACKSON COUNTY, TO-WIT:

John F. Morgan, the petitioner named in the foregoing petition, being duly sworn, says that the facts and allegations therein contained are true, except so far as they are herein stated to be on information; and that so far as they are herein stated to be upon information, he believes them to be true.

JOHN F. MORGAN.

Taken, sworn to and subscribed before me, this 17th day of November, 1897.

W. H. O'BRIEN,

Notary Public.

Upon this, Governor Atkinson was asked to commute the death sentence to imprisonment. That official directed Drs. T. B. Camden and L. V. Guthrie, the former for eight years the superintendent of the hospital for the insane at Weston, and the latter, the present superintendent of the hospital for the insane at Spencer, and both experienced in the treatment of the insane to

make inquiry into Morgan's mental condition. This they did by visiting him at his cell, November 23d, and upon their reports the Governor refused to interfere in the course of the law. And on November 30th, J. A. Seaman, Prosecuting Attorney of Jackson County, before hearing any official report from the Governor, went in person to the Governor's office, with the following sworn statements :

STATE OF WEST VIRGINIA, JACKSON COUNTY, TO-WIT :

Personally appeared before me the undersigned authority, Dr. L. F. Campbell, who being duly sworn, says, I am a physician and surgeon, and have been in the active practice of my profession for over twenty-eight years ; the night before and on the morning of the trial of John F. Morgan, charged with murder of the Greene family, on motion of his (Morgan's) counsel, I, together with D. D. Casto, another physician, was, by the Court, sent to the jail where Morgan was confined, to ascertain the mental condition of the said Morgan ; that after making such examination, I was then and am still of the opinion, that he (Morgan) was not insane, and that his was a case of extreme depravity.

L. F. CAMPBELL, M. D.

Subscribed and sworn to before me in my said county, this the 29th day of November, 1897.

J. A. SEAMAN,

Notary Public.

STATE OF WEST VIRGINIA, JACKSON COUNTY, TO-WIT :

Personally appeared before me the undersigned authority, Dr. D. D. Casto, who being by me duly sworn, says, I am a physician and surgeon ; that the night before and on the morning of the trial of John F. Morgan, charged with the murder of the Greene family, on the motion of his (Morgan's) counsel, I, together with L. F. Campbell, another physician was, by the Court, sent to the jail where Morgan was confined to ascertain the mental condition of the said Morgan ; that after making such exami-

nation, I was then and am still of the opinion, that he (Morgan) was perfectly sane. I have frequently observed him since his conviction and am of the opinion that he is still sane.

DENNIS D. CASTO, M. D.

Subscribed and sworn to before me in my said county, this the 29th day of November, 1897.

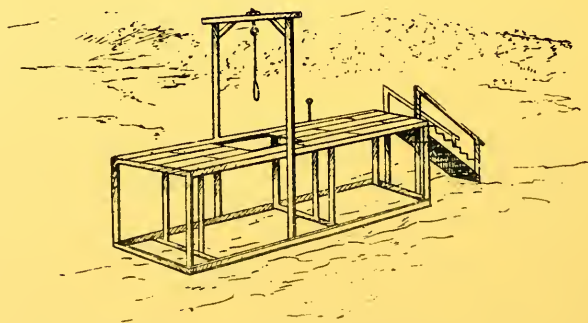
JOHN M. BAKER,

Notary Public.

As the place of execution, Sheriff Shinn selected a beautiful spot on the Ripley and Charleston Pike, one-half mile south of Ripley, and there Major C. H. Progler, an expert mechanic, erected the scaffold. Major Progler married the daughter of Nehemiah Smith who, as high sheriff of Jackson County, hung Charles Green, the only legal execution that has heretofore occurred in the county.

Morgan stretched the same hemp that put out of existence Joe Brown, Amos Slaughter, Will Lewis and Albert Voirs.

Morgan was pronounced dead by Dr. D. D. Casto and Dr. Earley Harrison.



Scaffold on which Morgan paid his debt.

APPENDIX.

EXECUTION OF CHARLES GREEN.

THE ONLY LEGAL EXECUTION THAT EVER OCCURED IN JACKSON COUNTY PREVIOUS TO THAT OF JOHN F. MORGAN.

The only public execution that has ever taken place in Jackson County—previous to that of Morgan—was that of Charles Green, who expiated his crime on the scaffold, Friday, July 12, 1850, for the murder of Timothy Fox, on the 24th day of July of the preceding year, in Park's Lane, about one mile above the town of Ravenswood, on the Ohio River. Both men had disembarked from a steamboat that had been compelled to lay up at Buffington's Island on account of low water. Neither the murderer nor his victim was a resident of Jackson County. It was one of the most unprovoked murders, an account of which is recorded in the criminal annals of Virginia.

Green was arrested a few days after the murder and placed in the County jail to await trial. An indictment for murder was returned against him on the 26th of March, 1850. On the same day he was arraigned before the bar to answer to the charge. His counsel demurred to the indictment, but the demurrer was overruled, and a jury composed of the following named gentlemen was empannelled: Leonard R. King, Thomas Paxton, Henry Lane, John Lee, Abraham Pfost, Jacob B. Hyre, William Harpold, John H. Chase, George W. Fields, Elisha Stewart, Spencer Adams, and Wilson Kountz. The jury was placed in charge of Nehemiah Smith, High Sheriff, and Mathias B. Armstrong, his deputy, and the prisoner was remanded to jail until the next day. At 9 a. m. the next day the jury and the prisoner were brought into court, and Charles Green was placed on trial for his life. Throughout the day the trial was continued; evening came, the prisoner was removed to be returned on the third

day, when it was continued. Late in the evening the argument for both State and prisoner ceased, and the jury retired. In a short time it returned and rendered a verdict of "Murder in the first degree in the manner and form as the indictment against him alleges."

The prisoner was returned to jail to await sentence. On the 1st day of April, he was again brought into court, and when asked if he had anything to say, why judgment should not be rendered against him, he replied, "nothing, but what I have already said." Judge David McComas then sentenced him to be taken by the Sheriff of Jackson County, from the jail, on the 10th day of May ensuing, to a scaffold to be erected in or near the town of Ripley, and there hanged until dead. Later he was reprieved until July 12th. During the period of his incarceration, pending his execution, he made a full confession of his crime, which, when published, covered nearly forty pages of a large pamphlet.

At length the fatal day arrived; the scaffold had been erected in a ravine, ever since known as Green's Hollow, about one-half mile northeast of the court house. It was a sultry July morning, and the sun had risen above the eastern hills; hundreds had arrived upon the scene, and by the hour of 11 o'clock, fully three thousand persons from Jackson and adjoining counties were swarming upon the streets of Ripley. One hundred state militia formed a hollow square about the jail. At 1 P. M., a wagon containing a coffin was driven within the square, and the doomed man walked forth, and mounted upon his own casket, was driven to the fatal spot. Arrived there, he dismounted, and with his spiritual adviser, ascended the scaffold, where he delivered a short address to the multitude. The black cap was then drawn down, the rope adjusted, the signal given, and Charles Green swung into eternity. Twenty minutes later, Drs. W. B. McMahon, F. A. Holt, and A. Regnaud, pronounced life extinct. The body was then cut down and interred about thirty yards from the scaffold. Thus terminated the first execution in Jackson County, and the only one previous to that of John F. Morgan.

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