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DEUT AMOR PATRIE PROBESSE CIVITIS—“THE LOVE OF MY COUNTRY LEADS ME TO BE OF ADVANTAGE TO MY FELLOW-CITIZENS.”

WEDNESDAY, MARCH 28, 1831.

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THE MASONIC TRIALS.

SPECIAL CIRCUIT.—Judge NELSON presiding.

LOCKPORT, February 24, 1831.

The People vs. Elisha Adams.

After the Jury were sworn, the counsel for the people commenced the examination in the same manner as on former trials, by proving Morgan in jail at Canandaigua, etc. after which Loton Dawson was called.

Loton Dawson, examined, on part of the People, by Special Counsel.—In September, 1826, he resided at Canandaigua; was acquainted with William Morgan; saw him in jail at Canandaigua, in fore part of Sept. after Haywood had committed him; saw him in the evening about sun down or dark; applied to Mrs. Hall to get him discharged; she refused to let Morgan out; said witness must see Mr. Hall; witness applied but twice; he got Mrs. Hall to consent to discharge; it was Morgan's request witness paid the debt, and got him discharged; does not recollect Morgan wished to wait till morning; Morgan came out with witness; the room where he was confined was on the west side of the jail; witness did not stop to the door and whistle; Morgan took hold of witness arm; witness did not take hold of his; there was a whistle, or sign given; knows not by whom; no one came near them till they got into the street; they got about the centre of the road and turned to go east before any one came up; a person then came up and took hold of Morgan who did not struggle at first; Morgan tried to get a way, but did not; another man came up and spoke to him, and he then quit struggling and went along; there were at this time four in number; the last person said, what do you mean by making this noise; Morgan said, is it you, the man said, yes it is, then, said Morgan, I have no more to say; he then went quietly along; went east 15 or 20 rods; a carriage came, turned round and they got into it; witness did not know the carriage; by testimony since given it was Hubbard's carriage; four got in; the carriage drove out on Main-street; witness left it near the Academy; saw carriage again before he got to Victor; he walked and overtook the carriage; it stopped, say a mile from Canandaigua, north; two persons were with him; one with witness got in; witness continued to Rochester, and Hanford's, or near there, when he left and went into the woods, and did not see that carriage again; witness stopped at Hanford's, took another carriage and overtook the party, it was a two horse carriage; the party was on the Ridge Road; does not know where say half a mile west of Hanford's; the party was travelling when he first saw them there; they got in; he, witness, did not drive; Morgan was there and got in; witness came to Gaines; there he left the carriage; it was about noon, or after; witness got dinner there; the carriage did not stop; witness rode on lock; has not seen that carriage since; came on to Lockport that night in a silky; part of the curtains were up some of the way; the horses were exchanged once; does not know where; the curtains were then down; in the street, at Canandaigua, Morgan cried murder; he made no noise at any other time; witness arrived at Lockport about 10 or 11 o'clock in the evening; he did not see Wright; he went to Lewiston installation; left Lewiston again that evening in Steam Boat for Rochester; stopped at Youngstown; the boat left that place again at 9 or 10 o'clock; he did not go to the Fort the day of the installation, never was there in his life.

Cross examined by Defendant's Counsel.—Witness did not see Morgan on first going to the jail; spoke thro' the door and asked what he was doing there; Morgan said he was confined on execution; asked if he should pay the execution and take him out; Morgan said he wished he would do so; Mrs. Hall heard all that was said; nothing was said when Morgan came out, except witness asked him if he was ready; Morgan said he would be in a minute; nothing was said till they got in the street; and nothing then between witness and Morgan; then a man came up and told Morgan he was his prisoner; does not know that Morgan knew a carriage was coming; Morgan never quit his hold of witness; nothing was put in his mouth to witness knowledge; they walked off at a good smart walk; Morgan got into carriage by help of one on each side; pit one hand out and helped himself; witness helped another in; Morgan did not say any thing till witness joined after leaving Canandaigua; no one told Hubbard drive fast; witness did not know who drove; witness talked with Morgan after getting in second time; one man asked him what made him make a noise; Morgan said he thought they were going to take him off; the man said he (Morgan) knew no one intended to injure him; the object was to get him away from Miller, and, you know you consented to go; Morgan said he had done wrong and was sorry he had made a fuss; this man, who was coming with Morgan, did not ask witness to go and pay the debt; Morgan went freely and voluntarily; no compulsion; he was not tied, or bound; Morgan often conversed sociably on different subjects; he was not prohibited from talking while witness was with him; Morgan was not compelled to talk; the witness understood that all the secrecy observed was to prevent Miller knowing where Morgan was; also, to prevent people from seeing Morgan; witness had not seen Morgan on the 11th before he saw him in jail; Morgan was not intoxicated; he drank some three glasses; he drank at Parom; when witness overtook the party on Ridge Road no one had hold of Morgan; there were two or three with him; no liquor was carried along; does not know whether Morgan got out at Bruce's; when he, witness, got out at the Academy two were left with Morgan besides Morgan; Morgan said he would go any where they would carry him; did not hear any thing said after scuffle, before getting into carriage; witness never heard any threats in the course of the whole ride; it was a fine day—when they passed along the Ridge Road; they met many carriages; three besides driver went from Hanford's to Gaines.

FRIDAY, FEBRUARY 25, 1831.

Cross examination of Dawson, continued.

Morgan said, he wanted to clear up the charge of stealing the shirt and cravat, and was willing to pay the debt; got the impression that Morgan was willing to be separated from Miller; cannot tell what was said; Morgan was sober and capable of doing business, the idea he had, was that Morgan was willing to give up the project of publishing the book; witness went to

Rochester partly on that business; does not wish to be understood that he went to Rochester to make arrangements; he saw but one person in Rochester on that subject, told that man that witness understood that Morgan was willing to be separated from Miller; that man came to Canandaigua, it was not John Whitney; never had a knowledge of any intention, of any persons, to remove Morgan against his will; does not know what time the man from Rochester got Canandaigua; witness got there in the afternoon; first saw the man from Rochester, at Aekley's, in Canandaigua, about 5 o'clock p. m.; witness thinks he suggested the idea to Morgan, that it would be well for him to separate from Miller; cannot recollect the conversation, no assurances were given to Morgan; Morgan said Miller had not furnished money as he had agreed; stated that Miller was to pay him \$500,000; and that he had not furnished money to pay for publication; witness did not get out at Rochester; carriage stopped there, and horses were watered; the man from Rochester rode in the carriage with Morgan, east and west of Rochester; Morgan said Miller had not done as he agreed, and was willing to be separated from him; witness would not have injured Morgan, or a hair of his head, his object was to separate him from Miller.

Eli Bruce, sworn for the People. Resided at Lockport in 1826; was not acquainted with William Morgan; witness was at the installation at Lewiston; knows that a 2 horse carriage was driven from Wright's to Lewiston; a person was in it supposed to be Morgan; left Wright's some time in the evening; two persons besides witness and Morgan (driver included) went to Lewiston; at Lewiston he was put into another carriage; drove towards the fort; drove pretty near the fort; stopped a moment; one person then joined—all got out of the carriage, near the fort, and the driver dismissed; went to the river side; crossed over to the Canada shore; and returned again after an hour or so; expected when he crossed, to leave Morgan in Cananda; was something disappointed in not leaving him—Morgan was put in the building (Magazine) he supposed; witness did not go in, witness was apprized that Morgan was on the Ridge-road, about two hours before he started from Wright's; thinks he was requested to go to Wright's; does not recollect where he first got into the carriage, it was near Wright's; did not then see Morgan, it was then dark; Morgan did not get out before he got to Lewiston, arrived at the fort after midnight; left there near day light; Morgan was not bound, neither feet nor arms; saw something over his face, west of Molyneux's, it was removed; that was the first he saw of his face; it was there to prevent (as said) his recognizing any one in case of difficulty—Morgan knew where he was; he did not know witness; no names were called in hearing of witness; does not know whether Morgan got out of the boat, he left Morgan at the boat and more than one was left with him; does not know that Morgan was landed; no sign was agreed upon by witness with others; 5 or six crossed in the boat; can not be certain of the number; only one went up to town with witness; expected Morgan was to be received there; witness knew nothing about arrangements; he had received none; supposed others knew more about it than he did; does not recollect that Morgan before going into the magazine; the man was then up, Morgan did not walk with witness; does not know whether he was blinded; did not hear any explanation given to Morgan about returning (from Canada) Morgan did not remonstrate, to witness knowledge against going into the magazine; Morgan did not know those who joined to cross, (the river) no names were called; witness did not see fire arms with any of the company that night; when going west it was said Morgan was going to Canada to be located at some convenient place, so as to keep him away from some person at Batavia, the conversation was between Morgan and another; witness rode out side; all the talk the witness had with him was, he asked Morgan if he knew where he was going; he said he was passing from Rochester to Niagara; none but the driver went from Wright's to Lewiston; who had come from Rochester, he was not a stage driver, does not know where he came from; witness attended the installation at Lewiston, next day; information was communicated to witness that day, that the person who rode in the carriage with him, was Morgan; does not know as any person went down (to the fort) that day to quiet Morgan; witness had been informed some days before, that Morgan might be brought from Batavia on his way west; he had care of this building (Court house and gaol) did not suppose Morgan's transportation was to be public, how private he could not say; it was supposed he might want to stay over night; witness removed some articles out of a cell; one which does not communicate with other cells; it was said Morgan was anxious to get away from Miller; does not know that such information was sent to the fort; was not at the fort for six months afterwards; did not go to Youngstown in the same length of time; witness is acquainted with Elisha Adams; has not had any conversation with him since Morgan was confined at the fort.

Cross examined.—Saw persons, when the carriage left Wright's, does not know how many; Morgan did not express a desire to get away; he was not threatened while witness was with him; Adams has been an old soldier; does not know where he lived; is lame; Morgan was not intoxicated; no force was used in changing (from one carriage to the other) at Lewiston; does not know that the handkerchief was put on.

Direct examination resumed.—Witness returned to Lockport the evening of the 14th, came up to Lewiston (from the fort.) that morning after breakfast, went on board of the boat in which he came up; after leaving the fort, he staid a while at a little house and then went on board of the boat, (at Youngstown,) does not know whether the magazine was fastened or not; left some persons there.

John Jackson sworn.—Stated as heretofore very much.

Isaac Farwell.—Lived in New-Fane, in 1826, near Wright's tavern, remembers the time of the installation, (at Lewiston) was at Wright's the night before about sun down, saw a carriage, a hack, there; carriage was drove under the shed when it first came up; does not know how long it remained there; saw it in

the barn next; doors of the barn were closed; did not see it put; presumes it the same one; same appearance of the one that drove up; witness was absent after he first saw it, and before he saw it in the barn; went to the barn, while the carriage was there, at the request of Wright; witness went in alone; there were others in the barn when he went in; there were three besides the witness; witness went to the carriage and got into it; one other got in also; could not see any other, but heard some one in it before he and the other got in; it was dark; had no conversation with the one in the carriage; after the witness got in something was said by one in the barn; that person closed the door of the carriage, and said now you damned old hagg if you make any noise while I am gone, when I return I will smash you; this man was out of the carriage when witness went into the barn; the person was absent 20 or 30 minutes from the barn; the person in the carriage said nothing; no conversation; witness had conversation with the man who went into the carriage with him before going in; and that evening, about the one in the carriage; he told witness that it was Morgan, who was brought by persons unknown to the relator; he said they had Morgan there; witness asked who Morgan was; he replied he was one who had been publishing a certain book; the object of witness in going into the carriage, was to stay till the other man went to supper, a man returned; does not know it was the same who left it; no victuals brought; a person helped out one called Morgan, there was no light in the barn in a lantern; Morgan had a handkerchief over his face so he could not see him, (his face) covered his whole face; came round his head and down to his breast; did not hear him speak; does not think he was tied or gagged; did not appear to be disabled; a person led him; did not see him walk alone; the object of his getting out was a call of nature; was helped back into the carriage again; there was one person present besides the witness, when Morgan got out; in conversation with the man before referred to, witness enquired how they got Morgan, he replied that he was taken at Batavia for stealing a shirt and cravat; was taken to Canandaigua, and put in goal, did not say where; witness inquired what was to be done with him; he said he did not know, he presumed he was to be taken to Canada; does not recollect any thing about shipping him; he might have stated about putting him on board of a man of war; witness asked the man who helped Morgan out, if he was at Canandaigua when they took Morgan; the reply was, it would not do to criminate himself; thinks Morgan had on a frock coat; had on a hat; in walking he stepped high, on account of his not seeing; did not hear a word said by them, while Morgan was out; does wish to be understood that he heard them call him "Morgan," he alludes to the person he had been told was Morgan; carriage left Wright's about 10 o'clock; can not say which way it drove; it came from the direction of Rochester; before Morgan got out, something was said, low, by the man with him, who put his head in the carriage, witness did not hear what it was; witness a mason, and the person requesting him to go in, was one also.

Cross examined.—Witness has been before Grand Juries, first at Albion, Orleans county, at Lockport, and at Canandaigua, and has always told the same story as near as he can recollect, and thinks he stated that he got into a carriage, at least he stated so at Albion; thinks he related what the man said, who shut the door; thinks he related what the man said to him about Morgan; thinks he has never said he knew nothing about the affair, nor does he recollect that he told Dr. Brown so; does not recollect threatening the man who asked him into the barn; the man who told him about Morgan, was not one who came with the coach; the man who requested witness to get in, was a stranger to witness, and one of the party who came with the coach; thinks the one who told him about Morgan, did not assist in getting him there; the handkerchief was a flag; witness did not go out of the barn when Morgan got out while witness was there; Morgan was led into the stable by one man; there being no door to get into the stable, they stepped over a board a foot high, on the south side of the barn at the west corner; does not think that Morgan was intoxicated, at least there was no appearance of it; it was a two horse hack; witness sat forward; thinks there were three seats in it, but could not tell exactly; got in at the side door; after he got out, a conversation took place, but nothing was said while he was in; he was requested to get out by those who came with the light; it was a stranger who brought the lantern to the barn; the one who requested witness to go in, was in the barn himself when the carriage was there; did not understand from the conversation, whether Morgan was going peaceably or forcibly; does not recollect the color of the hack; he did not see any effort to restrain the man, or any to get away; did not hear him speak in the barn; about the time the carriage arrived a man called witness, they were talking when the carriage hove in sight, which was about sunset; first saw it about 40 or 50 rods distant; stayed no time after the carriage came to the shed and went home; was gone 1/2 or 3/4 of an hour; something was said about a farm in Canada; does not recollect what was said; does not recollect any thing that was said at that time; he is not positive, but it runs in his mind that something was said that evening; often heard it stated since; nothing was said about Miller; witness never made any threats against any person in this affair, to his knowledge; does not recollect any other carriage passing that day, except the stage; has not had any difficulty with the man who requested him to go into the barn; not a hard word; witness has always felt friendly towards him; does not know what there is on his part; (By the Court,) the carriage stood in the road when the witness left it.

The Special Counsel now called EDWARD GIDDINS. The Defendants Counsel read Giddins letter to Morrison, and called seven masons to establish his infidelity. Among other things, it was proved that Giddins did not keep a Bible in his house, or allow his family to read one.

The Special Counsel then called witnesses to rebut the testimony of the Defendant. Among them was a

sister of Mrs. Giddins, and two interesting Daughters of Giddins. They testified that a Bible was always kept by, and read in the family. The Girls said their father told them to learn prayers. Mrs. Giddins' sister said Giddins told his children to read the Bible.

The Court allowed all witnesses to be questioned about Giddins character, for truth and veracity, which none of them attempted to impeach.

After the testimony on both sides closed, the Court, without argument, allowed Giddins to be sworn.

EDWARD GIDDINS, sworn.—Resided near Fort Niagara (a few rods) in 1826, kept a ferry; installation at Lewiston 14th; recollects being called up about midnight 13th and 14th himself crossed, a person in the boat he understood to be Morgan; first saw Morgan sitting upon a stick of timber, two or three rods from witness' house, one person on each side, one house about half way between; about three or four rods of boat—house about half way between; took hold of his arms and led him to the boat; they helped him into the boat; he stepped in and sat on forward seat. When they got to Canada shore, two the two who went up, said they were going up to get some other to take care of him, and when they returned they would give a signal; a whistle, if any should approach without a signal, they were to shove off from the shore. The two were gone about two hours; they returned with two others, all four came within a few feet of boat; there was considerable conversation; he understood they were not ready to receive him on that side of the river; does not recollect any reasons why; afterwards, about one who came down from town, who had not crossed; looked at Morgan closely, to see if he knew him, as he supposed; when he first saw Morgan he was blinded; after crossing to Canada shore, witness discovered his arms above his elbows were tied behind him; set close to left side of Morgan, who tried to get his hand into his vest pocket, but could not; requested witness to get some tobacco out of his pocket, which he did, and gave it to him; he could reach his mouth—he was taken back to American shore, and helped out of the boat again by the same two men who helped him in; taken up into the Fort and put into the Magazine; magazine was fastened; the door inside was fastened by a board, one end stood upon the floor, the other end was against the door, under cleat already there; the inside door opened into a porch about six feet square; the inside door locked as usual; no other person left in there with Morgan; magazine very thick wall, intended to be bomb proof, arch over head, eight or ten feet thick; no other door than the one described; two small windows; one in each end, nearly at the top of the arch, perhaps eight or ten feet from the floor; windows fastened by shutters, sheet iron out side; fastened with padlock; no sash; came a little larger than six lights of eight by ten glass; thinks both windows were shut and padlocks on; positive both were locked; did not go in when Morgan was put in; he was behind, and they had put him in and were fastening the door when he came up; went to the building next morning, say 8 or 10 o'clock; a noise when he approached; witness opened the door that opened into the porch; witness spoke to a man with him, and Morgan heard them; does not know which spoke first, but thinks Morgan did first, and said they had better not come in, he was prepared to defend himself; they told Morgan they did not come there to hurt him, but to see what he wanted; that if he made any resistance or noise, it would be worse for him; witness so far held conversation with Morgan; Morgan cried murder and made a good deal of noise; cried murder a good many times loud; they took up a pistol with them; the one with witness, to intimidate him, said aloud, here give me that pistol, is it primed and in good order; hand it to me, I will shoot theascal; Morgan still hallooed. Morgan had before said, he was determined to remain there and starve, rather than be led to death by that Doctor; did not call names; did not recognise those out to be the Doctor; concluded not to open the door—had victuals; sent to Lewiston by a man that was with him—he was going up that way, not his whole business; the man went up accordingly; a man came down very soon and went into the porch; inner door not open; witness was in the porch with him; heard a conversation; the man told Morgan to be silent, and made some threats; Morgan as soon as he heard his voice said, I am determined to stay here and starve before I will be led to death by you Doctor; was not acquainted with this man, but learned his name; he was not a doctor; were there but a few minutes; man concluded not to go in, thought he could not still him; Morgan made so much noise and threatened to defend himself; he concluded to go up to Lewiston and send down more than one; he went; two other men came down soon after; they went up; one went into magazine; witness went up to the fort; witness did not go in; one was with witness near the door; heard a little of the conversation. When he went in, he said, here Morgan, where are you, do you know me, give me your hand; does not recollect any thing more at that time; the man said in magazine; said he would stay till night, and take care of Morgan; thinks he gave the man the key; witness and the other went away; the man stayed at magazine, say two hours, and then came to witness' house; thinks he returned the key to witness; must have done it, because witness had it; man stayed till night; he went back and first evening, about sunset, about thirty persons were at his house; they came down from installation; did not stay all night; man remained till 9 o'clock and took supper; all left but six men; these six men went with witness up to magazine; it was sitting up in some straw put there for his use; had got his rope and bandage off his eyes; had a lantern; the rope was immediately put on again, the bandage also; good deal of conversation there about an hour at least; does not recollect all that was said; when they left, they went near to the grave-yard on the plain; part of the time near the river; conversation held as to what should be done with him; many ways were proposed sink him with a stone; another said, let us draw lots for three to do it; observed by others, that he had forfeited his life for disclosing; others seemed to assent to that; great deal more said; it was finally proposed by one that they should all go and do their duty by sinking him in the river; they did start for that purpose; a few steps, one did not go so fast as the rest; he was called, and objected; he came up and said, I know I am bound to go with you as a mason—I can't approve of the deed; it is getting late, I wish to be excused, or something like it; another made a similar objection, and it was not done; it was proposed to go and see Morgan, and tell him that they would send to the east to get directions how to dispose of him; all he thinks went; all went subsequently to see him, found he had got his bandage off again and cord, the cord was put on; began to put on bandage, but did not; he was left so he could see; talked with him a good while; was told if he would be still he should not be harmed; should be supported in Canada; was told also he had but a short time to live, he must prepare himself for death, inquired what death he would prefer, he said, the death of a soldier, shoot me; much said to him about masonry, as to his objects in disclosing, and was asked particularly where the Royal Arch obligation was; those he had written; he answered the questions, he was asked why he made so much noise during the day; don't recollect all his answer; he said he had climbed up to a window and saw a black woman, he thought by hallowing he could make her hear; he told where the upper degrees were to be found, and where the Royal Arch obligation was; was acquainted with Defendant, he was not one of number; broke up assembling near day light; morning of installation; witness went to bed afterwards and slept; thinks part came down in a boat; the six went away on foot; no talk about a bible then; during 15th a man came down from Lewiston, inquired how the prisoner was; witness spoke about releasing Morgan, which the man was in favor of; early in the evening two others came, one lived near Youngstown; the other lived near Lewiston; witness went to Magazine, but did not go in, the two went in; did not hear much that was said, heard Morgan say that by climbing upon a frame in the middle of the building, he thought he could see to read, and prayed for a bible, they promised he should have one; that

[Continued on last page.]