Star & Republican Banner.

BY ROBERT WHITE MIDDLETON.

GETTYSBURGH, PENN.

TUESDAY, JANUARY 30, 1838.

Worthy of Attention.

☞According to the terms of our paper, those of our subscribers who neglect to pay off their subscriptions on the 1st of April last, are indebted for each year then due, $2 50. As we are greatly in need of money, and must have some immediately, we propose to pass receipts to those indebted as above at the rate of $2 per year, if the opportunity is afforded between this and the first of March next. After that time we shall be compelled to *stick to the terms*, and COLLECT also.

AN APPRENTICE

TO THE

PRINTING BUSINESS

☞Will be taken at this Office, if application is made immediately.

Trial of Thomas Snowden.

COMMONWEALTH vs. THOS. SNOWDEN, *Indicted for Murder, in killing* SOLOMON CLAWSON on the 5th of December, 1837.

1838, *January Term—Oyer and Terminer.*

The Indictment of the Grand Jury was read to the prisoner, and upon being asked by the Court how he plead, replied *Not Guilty.*

The cause having been called up on Friday morning, after several challenges and excuses the following gentlemen of the Jury were respectively sworn and affirmed:

William Wirt — *Philip Myers, Jr.*
John Garvin, — *James Barr,*
Hamilton Myers, — *Caleb Hildebrand,*
Thomas Hinnes, — *Samuel Hollinger,*
Joseph Hunter, — *Sam'l Deardorff, Jr.*
Isaac Arnold, — *Isaac Wierman,*

R. P. McCLANAHAN, Esq. on part of the Commonwealth, opened the cause, and stated to the Jury the evidence which would be adduced to fix the guilt of the prisoner at the bar.

Evidence for the Commonwealth.

JOHN CHAMBERS being sworn, saith—I was at Comfort's—got word on Wednesday morning of my father being lost and went over—we were hunting him, Snowden's boy was along. I found him in the peach orchard—he was lying on his side and had some weeds in his right hand—lying in the weeds, about 1 mile from the house—the axe was lying close by, near his feet. I was there until the Coroner came; the body was not moved until he came. Wounds were on the top of the head —coloured blood on the axe; also some hair on the pole of the axe. My father was about 73 years old—Solomon was his first name. My sister Kate lived in the house with father, there was no other person living with him. I am the youngest son.

Cross Examined—Father was not moved until the Inquest came—I did not go close to him. I called to Grass and Snowden—was lying 2 or 4 rods from the bars. The peach orchard lies south of the house. David Chambers lives on the other side nearly in a line with the orchard and house. In going from father's to David's, persons go about 30 perches more to the left. Don't generally go in at the bars —too much to the right. Did not examine axe particularly, did not touch it, was a red from the axe, never any nearer to it. On Tuesday, the day my father was murdered, I was cutting wood at Comfort's. Snowden came to the house to David's to help to butcher; don't know what went with the money in the house. I met William Snowden between Henry and father's. The body was found between 10 and 11 o'clock A. M. (*The axe above spoken of being produced, the witness said*)—This was my father's axe and is the one found lying near him. The weeds about the body were thick and high in the orchard, but tramped down—a good deal of blood. Weeds all around the orchard—orchard contains about six acres. I saw him first—about 2 rods off. Weeds were low and short at the bars high where the body was found—about a rod from the apple tree; weeds short until the middle of the orchard. Body was lying among the high weeds.

DR. ALEXANDER BENTLEY being sworn, said, On the 6th of December last I accompanied Dr. Horner to the Inquest. After the Jury was sworn the body was taken to the house. On examination we found three wounds on the top of the head, one about two or three inches apart, evidently made by a blunt instrument, the middle one diverged a little from the two others—one of them had opened the scalp; other wounds had a stellated appearance, the middle wound was severe and made a fracture nearly across the head—the bone of the right temple was also fractured. In covering the head, much blood issued from the middle wound. We thought the cause of death evidently proceeded from the wounds. Deceased could hardly have had courage to inflict these wounds on himself—the back one is impossible to have been made by himself.

Cross Examined—There were high weeds near the body, but very thin and rather bare; I saw the body 50 yards off. There was no evidence of concealment; the field in which the body lay was surrounded with woods. The weeds might have been trampled down by the people who had assembled at the inquest.

NICHOLAS NOEL being sworn, saith—Snowden said he would be revenged on old Chambers and his daughter for persuading his wife to run off. Snowden's wife was Solomon Clawson's daughter of Solomon Chambers. It will be two years next June since this took place.

Cross Examined—This was at Henry Hill's then his. Never observed any different parts of my body at Snowden's, nor was kicked out of his house for it. Never was drunk in his house. Never said I would bring him into trouble for it—There was whiskey at the house.

CATHARINE CHAMBERS being sworn, saith —I lived with my father, Solomon Chambers, on his own place, no person lived with us. Snowden was at our house on Monday previous to my father's death, and asked me three times whether I would go away next day? I told him I would, but would be back in the evening to milk the cows. I started from home next day (Tuesday) about 7½ o'clock. I left father alone in the house. I put his dinner by for him, set the coffee pot on the table and told him to put it on the stove, which was not done. I went on to David Chambers' to butcher. I told Snowden on Monday that I was going there. It was after sun-down when I returned. I came along the wagon road and I went into the house at the bars. The house was locked and the key taken out. I pushed open the window and crept in. I got a lamp and lit it, looked for the wounds and found them as I had left them. I looked in the rooms for my father, but could not find him. I then went out and put up the horses and milked the cows; went in and looked again, but could not find him. Then went out and looked through the barn; went from the meadow—he had told me he would be in the meadow. Leaw the body in the peach orchard the next day, at about 10 or 11 o'clock. He had worked in the meadow before the house—had taken the wheel-barrow with him, and had cut and put brushes on it. (*The axe was produced*)—this is his axe.

Cross Examined—I thought in the evening something was wrong. In the field, as I came a long the wagon road, I felt something twitch my shawl three times! This scared me! When I found the horses not put up, I thought something was wrong. The dog ran about me and appeared uneasy. I did not go to Grass's or Henry Chambers's that night. Mr. Grass lives nearest, brother Henry a little down, Jacob Beecher to the right, then widow Toland, then Andrew Carragen; the furthest is about ¼ mile off. Went down towards brother Henry's two or three times, but did not go in as there was no light. My father never staid away at night before nor he told me. Snowden knew I was going to David's. He inquired at Miller's and had no occasion to come there. It was very wrong for him to come there. At Miller's he said I should get out of David's wife where his wife was; he ent his dinner there on my invitation. I started at 7½ in the morning for David's. Can't mind that any of the goods were taken out of the house and laid in the bushes—now, not that the administrator came and found them. Don't concern this!

JOHN BLAIR being affirmed saith: Snowden was working in my woods on that day, as my son told me, which is a short ¼ of a mile from where the body was found, and a full quarter to house of deceased. It is ¾ mile from the place where body was found to the house.

Cross Examined—I never measured the distances spoken of above. From where Snowden was cutting wood to where the body was found, it might be 550 yards. Body was found in N. E. corner of field—the place where they worked is S.W. They enter the orchard from house ,near the body, in a direct line to David Chambers.

JUDE GALLAHER being sworn, saith: On the morning of the murder I saw the sons of Blair and Snowden in the woods cutting wood. It was about 10½ o'clock when I got to Chas. Smith's; no distance at all from the woods where Smith's can be more than 200 yards. I can walk it in 5 or 8 minutes. Did not see Snowden that day.

JEREMIAH BLAIR, JR. being sworn, saith. On the morning Chambers was killed, I was in Blair's woods cutting wood; my brother was with me, Snowden's boys were there too. We were working a little apart. Snowden was there that day; he came about 10 o'clock—might be more. better than an hour before the horn blew for dinner.

Cross Examined—In the morning I started to the woods at 8½. When Snowden came it was about 2 hours; might be more,after. I went home to dinner and after dinner went back to the woods; Snowden was still there. I remained there better than 2 and nearly 3 hours in the afternoon. Snowden went home when I did. It was 3 o'clock when I got home,so mother told me. It is about 100 yards in a direct line from our house to the woods.

SARAH BLAIR being affirmed,saith: On the day the murder was committed I blew the horn about 10 minutes after 12, or a little better.

Cross Examined—Deceased went out to the woods a little past 8. In the afternoon he came home at about 3 o'clock.

JOHN SHULTZ being sworn, saith: I was at Chambers's sometime last fall, so was Snowden. The old man said he would not give him any thing to be was an idle fellow. Snowden said, after we went out, he would fix him from making a will.

Cross Examined—I have helped to fee Counsel in this case, at the prosecution of this case. Snowden and I have had quarrels, but I have no spite against him. Never said I was afraid we could not convict Snowden, but we would try a hard case. Never said to Snowden I would defeat the will were threats. I am a son-in-law of old Chambers. I did not get witnesses in this trial—spoke to Stayner to assist the State's Attorney if the others wanted to get Stevens.

JOHN CHAMBERS again called—When I was working at Comfort's, I met Snowden, who said he wanted to ask me particularly whether he (my father) had made a will; and if not, we would try to do something to prevent him from making one. At another time he was helping to mow—he said father was right in his head. I told him father had not yet made a will; he said it is good he did not make one yet. Snowden said I should come to his house, he would tell me something particular. I said I would, but did not go. After Edwards we met at my father's house, after harvest; after dinner, when I started to go home, Snowden followed me and said, I want to ask you whether your father has made a will? I said no. He then said, We'll try and not let him make a will; he would make it all to Katy. This was last summer a year. On the night before was found, he asked me, I said no; he said it is good.

Cross Examined—Thomas was home last summer a year; right sore. He was working on the rail road below York, but came home.

CHRISTINA CHAMBERS, being sworn, saith: Snowden once said in our house that if the old man would make a will, he would give it all to Katy and the rest would get nothing.

SAMUEL HOFFMAN being affirmed, saith: On Thursday before the old man was killed,Snowden asked me how it would be if Chambers died during his wife's absence without making a will? I told him it would be bad. Don't recollect whether I told him he could or could not get any thing.

Cross Examined—I suppose it is ¾ of a mile from where Snowden was at work and the place where the body was found. This Draft (*one being produced by the prisoner's Counsel*) presents a fair representation of the country and location of the houses.

PHINEAS MARSDEN being sworn, saith—Snowden asked me last Sept. whether if his wife would leave him he would get any of his father-in-law's estate if he died without a will? I said I could not tell how it would be.

Cross Examined—His wife was living with him at the time, had frequently left him, but would return again.

CHRISTINA CHAMBERS re-called—Mrs. Snowden came to our house on Friday and left it on Sunday before the commission of the murder. She went to her home on the Monday or Tuesday of the murder. It was David Chambers's she left.

JOHN MILLER being sworn, saith: The ground on which the body was found is in Mountpleasant township, Adams county; I was foreman of the Inquest; Snowden was there; I walked up to him, a few words passed; he said he felt very cold. It was very cold.

Cross Examined—Moderately cold day; Snowden was in his shirt sleeves, and otherwise lightly clad.

POLLY GALLAUGHER being sworn, saith: Snowden was at my house in the evening on Wednesday. He asked me if I had heard the news; I said no. He said that Solomon Chambers had been murdered and wilfully murdered, had 3 holes cut in his head; he dared not touch him; he was a good deal scared and thought every body took notice of him.

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Cross Examined—Snowden had but very indifferent clothes. We were near neighbors. He was at my house on Monday before, and I asked him to stick a pig; which he did.

JOHN EWING being sworn, saith: On the evening the old man was buried,(Thursday evening) two men came to my house with a warrant to apprehend Snowden; I went to his house; knocked half an hour without any answer; went to Hoffman's, got a candle and returned; pushed open a boarded window, heard a person snoring, called Snowden; he asked who was there? I told him I had a warrant; he got up, but was slow putting on his clothes; we went to 'Squire Brinkerhoff's, and taken the warrant. He was examined to give an account of himself. He stated he had been at Bowman's, and the road he came back; he had blood on his clothes,on the bosom of his shirt, said he got it while butchering a hog for Polly Gallagher; I am not positive that it was blood.

Cross Examined—Prisoner was discharged after the examination and returned home. The breathing ceased when he was awakened and got up.

RALPH SAUNDERS being affirmed, saith: On the morning of the funeral, Snowden asked me whether he could get any of the legacy since his wife was absent. Also how far it was to Bedford.

Cross Examined—I had lately come from Bedford. Snowden knew I had; his father lives near Bedford. This Draft (*which was shown him*) I believe is as correct as man can make it.

HENRY BRINKERHOFF, Esq. being affirmed, saith: Snowden was brought before me on the 7th of December last, in the evening,on a warrant I issued on suspicion; two young men came & requested me to do so; he was bro't at 11 o'clock P. M. I said, Thomas, you are brought here for the highest crime one can commit. He replied, If I was as free from every thing else as that, I would be well off. He then stated that on the day of the murder he had been at Bowman's, stopped at the Lime Kiln, took Galbraith's path to Bowman's & on his return came near Charles Smith's house—from thence to Andrew Smith's. On being asked how he came to be so at the inquest, said he was cold; that the blood or stain on his shirt was either from carrying old wood or from butchering for Polly Gallagher. I then told him I had a warrant for his arrest and that I could not commit him. He was discharged and returned home.

CHRISTIAN HEMLER being sworn, saith: I was at Brinkhoff's, Snowden said he came up by two different routes from Bowman's; he said he had blood on his right shoulder, opened his coat and showed it. Can't say that it was blood; he said that it was and that he got it butchering.

WILLIAM GALLAUGHER being sworn, saith: I was present when Snowden killed the hog; he had on a torn, ragged blue coat; don't remember that he had blood on it; off, this was on Monday; I am not sure he had it on.

Cross Examined—Coat was very ragged; see the shirt in many places; shirt also ragged.

JOHN J. MILLER re-called—I saw a remarkable stain on the shirt near the shoulder; I also saw a stain on his pants, of a dark color; the pants were of dark mixing-home.

Cross Examined—Hemler went out to the woods a little past 8. In the afternoon he came home at about 3 o'clock