

THE KELSEY OUTR.

A FULL, IMPARTIAL, AND INTERESTING ACCOUNT

OF

THIS MOST CRUEL AND REMARKABLE CRIME

THE TAR AND FEATHERING;

TOGETHER WITH THE ALLEGED MURDER

OF

CHARLES G. KELSEY.

EVIDENCE IN FULL!

THE ACCUSED MURDERERS!

DOINGS OF THE "TAR PARTY."

A GREAT MANY FINE ILLUSTRATIONS.

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TAR AND FEATHERING R.

OF

IT

MD

CHAS. G. KELSEY.



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THE
KELSEY TARRING & FEATHERING OUTRAGE
IN
HUNTINGTON, LONG ISLAND.

IT is believed the particulars herein narrated of the fate that befel Charles G. Kelsey stand without a parallel in the list of cruelties inflicted upon humanity by men living within the pale of civilization, and the revelation, as might be expected, has excited a wonderful and intense interest in the public mind everywhere.

The village of Huntington, which has acquired such an unenviable fame in consequence of this event, is said to be the finest as regards natural beauties on the whole of Long Island. It is situated about thirty-eight miles from New York, on the Sound side, and lies snugly embosomed in a lovely valley, surrounded by a succession of hills and broad rolling plateaus. On every hand are indications of thrift and prosperity. Many families from New York spend the summer in the village, living in their own cottages—comfortable dwellings that greet the eye whichever way one may turn, and which at once stamp their owners as being the possessors of wealth and a high degree of refinement. Before the occurrence of the disgraceful act that rests upon it like a pall of gloom, and which has crept like an insidious monster into hitherto peaceful households, rending asunder family connections, and placing a barrier upon the intimacy that formerly existed, no more social community could be found.

The individuals who have figured in this lamentable affair belong to the oldest and most aristocratic families, and are of the highest class of respectability. The three prominent ones are Dr. Banks, Claudius B. Prime, and Royal Sammis. The former is a physician of excellent reputation and large practice, and before the linking of his name with an act that must forever blight his future career, was held in great esteem by every one as a high toned and Christian gentleman—a man who would naturally invite rather than repel friendship, and one whom a student of physiognomy would certainly not consider capable of assisting in the perpetration of so horrible a crime. Prime and Sammis are both well known residents of the place, and the latter is believed to be the leading spirit in the tarring and feathering operation.

one whose ancestry, for many generations back, was identified with the growth and progress of the town. His childhood and early youth were spent in its quiet precincts, and within the walls of the village school-house, that possesses in the range of its acquirements almost the advantages of a seminary, he experienced the first gradual awakening of a slumbering genius. His family and friends watched with a sense of pleasure the development of young Kelsey's love of knowledge, and prophesied for the boy a future fraught with high and noble honors in the broad field of poetry and literature. Whether these lofty aspirations were ever realized on his part it is difficult to say, although it must be conceded that he possessed some literary ability, as a few of his published productions will show.

Several years ago Kelsey became highly enamored of one Julia Smith, then a mere schoolgirl, and paid her particular attention. He sought her society, intruding himself upon her notice whenever an occasion offered, and endeavored by all the arts he possessed to arouse in the maiden's heart a return of his tender passion.

Miss Smith, though not remarkable for her beauty, was considered handsome, and possessed many winning ways that gained for her the respect and admiration of the sterner sex. An air of becoming grace marked her every movement, and the expression of sweetness that shone from her lustrous eyes betokened a rare degree of amiability and a refined and cultivated intellect.

It would appear that Kelsey, being of an amorous turn, placed his entire affections upon Julia. He determined to link his destiny with hers when she should be of the proper age to marry. He made her the idol of his mental worship. Her face was the barometer of his happiness. He became a monomaniac in his love for Julia, who was yet too young to fully analyze her feelings, or to comprehend the depth and power of the mystic passion.

Oh, woman! what an influence thou dost wield upon the fate of man! Thy bright smiles attract, thy heavenly form inspires sentiments of admiration, until down in the depths of the heart, a hidden flame burns with ever increasing glow, and pervades the entire being with emotions of a new-born rapture!

And so it was with Charles Kelsey. He was brought under the spell of Julia's personal charms, and he lavished upon her all the love of his ideal nature. That the affection he at first manifested for her was actuated by fair and honorable motives, perhaps no one will question; but his subsequent conduct would put to the blush any lover of virtue, and certainly surpasses in conception and detail the most sensational work of fiction.

Miss Julia was an orphan, and the protégée of her aged grandmother Mrs. Oakley. These two lived by themselves in a handsome villa, adjoining the

factor as the champion of the lonely girl, who unfortunately had no male protector in the little family of which she was an important member.

The years came and went, but the passing time brought with it no abatement of the passion that dwelt like a consuming fire in the breast of the infuriated man.

Miss Smith, now grown to young womanhood, was the sole object of his persecutions, which were of so persistent a nature as to be in the highest degree annoying to her.

It is stated that the young lady never, in word or action, gave the least encouragement to her devoted admirer; and she emphatically declares this to be true, and that she repelled his protestations of love, and in every way tried to avoid him.

It is certainly a novel idea for a man to persist so strenuously in monopolizing the society of a young lady, and claiming her as his especial property, without her consent; and this view of the case has been vigorously combated, and many cling to the belief that Kelsey's devotion was reciprocated, until the appearance on the scene of Royal Sammis, as an aspirant for her hand, when at once a fierce rivalry sprung up between the two, that found its culmination in the awful deed that has darkened the fair fame of the once proud and happy village.

Mr. Sammis found favor in the sight of Miss Smith, and as a result of the acquaintance, became the affianced of the lady, who thus hoped to be rid of Kelsey's persecutions.

Previous to this turn of affairs, and dating back to Miss Julia's school days, these persecutions had been simply intolerable. Letters were continually sent claiming her love and attention, and when this species of correspondence failed of its object, another was substituted, of a character to awaken prurient desires on the part of the recipient.

Let it be borne in mind that during all this time Charles G. Kelsey was a member of the First Presbyterian church, in the village, as was also Miss Julia Smith. That he was in good standing among the brethren, a worker in the Sunday school, and one whose voice was often heard in prayer and exhortation to the Throne of Grace.

How this apparent devotion to piety can be reconciled with the nature of his conduct towards Miss Smith, it is beyond the ken of the writer to determine.

While the breath of aspersion need not be raised against one who has reached the confines of the grave, candor compels a recognition of the facts as they existed, according to the statements of those who at least ought to know.

Kelsey's mania for poetry had indeed developed itself. He wrote her verses without end of meaningless nonsense, which she consigned to the flames. He held imaginary interviews with her, which his facile pen describes, as a romance, in voluminous letters, one of which is here appended:

TARRING AND FEATHERING OUTRAGE.

Good morning, Julia!" said Orlos; "I am so glad to see you. It seems ages since I met you. I know you are not to blame, dear Julia. Although I have had some misgivings, and they have been painful to me."

"Can I yet hope?" said he with deep earnestness. Julia did not answer, but asked Orlos to give her the book he held in his hand. She opened it and wrote, with a lead pencil, something upon the leaves, and then handed it back to him.

Orlos," said Julia, "if I seemed to have shunned you for some time past, it was not because my regard for you was less, but for fear something might be divulged that would be prejudicial to us both. You know how very much my opposed grandmother is to your attentions. She can scarcely bear the thoughts of it. Grandmother is so kind and good to me, it is painful to do anything against her will."

"You need not do anything against her will," said Orlos; "if you do compromise matters with her she will not be any the wiser for all that may transpire, especially if you seem to fall in with her views or give your assent to minor particulars, and thus lull her suspicions."

"I don't like to play the hypocrite and deceive grandmother, either," said Julia; "but I don't see any other way of getting over it at present."

"There are a great many things," said Orlos, "allowed in love and war, which would be reprehensible in time of peace."

Julia smiled; she saw the force of the analogy. A pause ensued. Julia stood gazing into the waters which went murmuring beneath their feet. Every feature was motionless. She seemed like some valley nymph of olden story subdued by an irresistible power—a power which she did not in heart wish to resist.

After a few moments Julia suddenly turned to Orlos to bid him goodbye. Orlos extended his hand, and as he held her hand he felt reassured; and in those deep loveliest eyes, where he gazed, he clearly saw the destiny that awaited him—the doubts roll away and reveal the serenity of abiding affection.

It was now nearly school time. The first bell had rung long ago. Julia bade Orlos a smiling adieu, and, tripping off the bridge, was soon lost to sight.

Orlos here expresses the ecstatic delight into which he is plunged by the unexpected interview, and then resumes as follows:

While indulging in these vagrant fancies he bethought himself of the remarkable message that Julia had left him in the album leaves of his Plato. He quickly turned to it, and what was his surprise in finding a pretty little note, in most beautiful chirography, reading thus:

MY DEAR ORLOS:

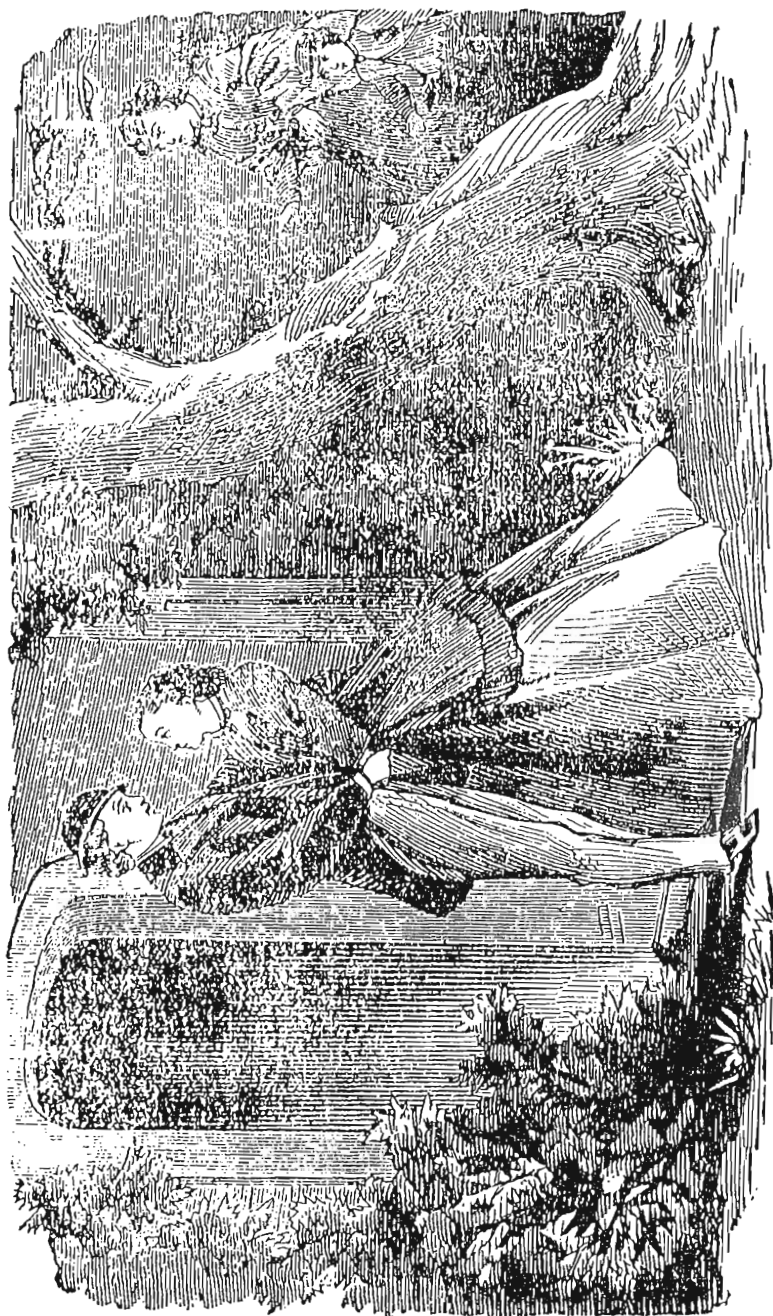
"Meet me at the bridge to-night, at eight o'clock.

Your affectionate J.

"Be sure to come."

Orlos could scarcely believe his senses for very joy. It came to him as an oracle, opening to him the future in long bright vistas, where all the joys that earth could give awaited him.

He stood midway between the bright dreams of other days—dreams which he scarcely had dared hope to see fulfilled—and their final and perfect . . .



L. J. COLLING JULIA IN HIS YOUNGER DAYS. WHAT SOME ONE OVERHEARD.
Julia macht Julia den Hof in seinen jüngeren Jahren, wobei ihr Jemand belauscht.

It is well to remark that whenever his letters had the unmistakable stamp of indecency about them he used the signature of "Carthalo!" while those that might be considered above censure bore his rightful name. Of course the former are unfit for publication.

When the character of the correspondence which Kelsey was in the habit of sending to Miss Julia became known to her grandmother, it excited unbounded surprise. The handwriting was easily recognized, the author was known. "Carthalo" could not imitate a chirography foreign to his style. But the letters themselves were obscene in the broad sense of the term. Pleasant epistles, truly, for a "lover" to send to her whom he would make his wife!

Occasionally letters were received, containing within them *carte* photographs, lewd in character and design, picturing the worst thoughts of a depraved imagination.

Steps were at once taken by the venerable grandparent, whose wrinkled brow was silvered with the frost of seventy winters, to prevent their reception in the house.

Instructions were given not to take any letters or correspondence whatsoever, in Kelsey's handwriting, from the post office.

Finding this out, after the lapse of a little time, the determined suitor changed his plan of action. He had his letters addressed and mailed in New York, and elsewhere. He dogged her steps more closely than before. His habits became like those of the midnight prowler. He would steal into the yard of the Oakley premises, and endeavor to gain access to the young lady's bedchamber. On one occasion he succeeded in entering her room, by means, it is supposed, of a rope ladder. Fortunately it was not occupied by her on that night.

The following is the account of it, as told by Mrs. Oakley:—"There was a visitor at our house, a married lady, occupying my granddaughter's bed that night. She woke about midnight on feeling a hand across her breast, and on reaching down she met another hand. She suddenly seized both hands; and started bolt upright on the edge of the bed. She held the man fast and called out loud, 'Who are you?' She repeated the question twice in a still louder and more commanding tone of voice, and then the answer came, 'If you won't say anything I'll tell you.' She promised not to say a word, and then he whispered in her ear, 'Kelsey.' She immediately jumped out of bed, reached her hand up for his hair, but finding none on the top, she slipped over his ear and caught him by his long curls behind. With the other hand she held on to his whiskers. She dragged him over to the door, but he braced himself so tight against the wall she was unable to get him out, so she quickly let him go and turned the key of the door on him from the outside. She thought she had him a prisoner sure. She came down stairs, waked me and the girls up and said there was a man in her bedroom named Kelsey. We all laughed at the idea, and said she must be dreaming. None of us thought for a moment that she was serious. Finally

went upstairs, opened the door and found nobody in the room. Then felt satisfied she must have been dreaming, but she got provoked and said, 'Now, Mrs. Oakley, sit down there for a moment and I'll tell you the whole affair.' She told all that occurred just as I have told it to you, and when we went to examine the window we found the green blinds had been pulled open. The window itself was up, as it was summer time, but the outside blinds were always kept closed. Next morning early I went out and examined the ground under the bedroom window and found marks of a ladder in the soil. The second time he came my granddaughter Abby was in the bed, she woke up hearing the blinds opened and saw a man pulling his ladder back and disappearing down a ladder. This was Kelsey too."

It is but fair to state that the friends of Kelsey do not believe half the faults that have been brought to his charge, and in the criminations and recriminations that have been bandied about the utmost chaos prevails. They declare that he was never guilty of writing obscene literature to Miss. Smith, and can almost prove it was the work of some infamous scoundrel, who desired to bring ruin upon him and injure his chances with her, and who counterfeited his (Kelsey's) handwriting in the letters for that purpose. Some of his communications to her were innocent enough, samples of which are here given. Singular as it may appear, the title "Carthalo" is appended to each, but as he was in the habit of writing over this signature whenever the sagacity inspired him, the use of it in these instances may not appear so inexplicable.

These verses and the accompanying prose contain nothing that would shock the purest nature, and are innocent enough for a lady's album;

TO LILLY.

Thou, amid beauty's light art going.
Hast ever form thy kindling eye?
Its bright, celestial beams are flowing
Like star light from the sky.

Like an angel fair thou art gliding
Amid dewdrops and rainbow hues,
As rosy-fingered morn is guiding
Day to shades that twilight strews.

Fresher than morning's pearly dew
May thy beauty ever be—
Not fading as the flowers that strew
With petals a path for thee.

Shining like the stars above thee
With beauty's sacred glow,
With a constant heart to love thee,
Mayest thou onward go.

CARTHALO.

Julia, dear, you are a beautiful girl and I wish the whole world should know it. Cling to me, my love, and your name and memory will yet be admired. Don't fear to act, darling. You will triumph at last if you do not lose heart. Be a heroine, Julia, and confide in me and all will be well. Good-by, darling!

CARTHALO.

The following letter bears the impress of sincerity and deep earnestness, and a perusal of it will carry the conviction that at times Kelsey's intentions were not altogether dishonorable:

DEAR JULIA:—Don't let any one see this letter, will you, darling? Julia, my dear girl, if you are willing to be my wife, it does not matter how it is brought about now, as long as the world knows not of it. You will find in the capacity of wife the sweetest of existence. The joy and delight of realized love will repay you for all you have endured to gain them. If you will consent to be married I will do all I promised you. The volume of poetry will be published for you. You will have a nice house built for you. We will take a trip to Europe and visit England and France. You will then, deary, be the first ~~young lady~~ in Huntington who has gone to Europe and won through her love and heroism a volume of poems which may yet give her a title to remembrance. But if you wish to win all this, you must be bold and fearless, throwing aside all fear and shame, and resolutely facing the issue, determined that you will succeed. This is the only way, the only hope of gaining the ends I trust you are seeking. If you are willing to look me in the face with your sweet, loving eyes, you ought not to be ashamed to come to my arms when a good opportunity presents itself. You will never regret it.

Don't you think you had better let me see you on some Sunday evening after your company has gone? I will meet you in the basement of your house. No one need know anything about it. I shall never say a word of it. You will be safe, deary. There is no cause for either fear or shame. You are doing perfectly right in encouraging one who has done so much for you, and see that your folks do not defeat you and spoil your plans. Should I not see you I will write as usual, and you can keep company the same as ever.

You must be shrewd and cover your purposes well if you wish to succeed. Let us see if we cannot get along without any more trouble. I wish to make everything as pleasant to you as I possibly can. I earnestly hope, darling, your dreams of life may be fully realized. I think, my dear, if trust and confidence are placed in me your dream will be realized.

CARTHALO.

When it was found that the poor deluded Kelsey would not cease his unmanly persecutions of his own free will, it was suggested by friends of the family that Miss Julia should invoke the aid of the law in her behalf; but when she was told that if legal proceedings were instituted she would have to appear as a witness in the case, her natural modesty rebelled at the thought of appearing in public and relating the disgraceful story of her wrongs, and the project was at once abandoned.

At this juncture Dr. Banks, with others, figures in the scene in the capacity of a mediator, to put a stop to the disgusting annoyances to which Miss Smith was subjected.

Kelsey was warned in a friendly way to desist, but he did not heed the warning. Even Mrs. Oakley attempted to remonstrate with him, and pointed out the folly of his course.

One evening, according to the statement of a neighbor, when he had failed to press his claims for an audience with Miss Julia, she met him at her door. She told him he would not trouble her in that way if her husband was alive; and he, with an insinuating sneer, said, "Maybe I wouldn't." "You know," continued Mrs. Oakley, "if Miss Smith had a mother or father you would not torment her thus." His reply was simply defiant.

It is necessary to insert the following letter, written nearly four years ago, to show how persistently Kelsey labored to secure a return of his affections. The name of the writer is omitted. In it the author intercedes, in spirit of friendliness, for the unhappy girl. It reads as follows:

R. CHARLES KELSEY.

Dear Sir:—It is rather a delicate duty I have been called upon to do; it is in reference to your persistent endeavors to make Miss Julia Smith receive your attentions. I have been called upon as a friend and neighbor to put a stop to your continued insults to this young lady, without a father or brother to protect her. You have been told by herself that she did not wish your society in any way. Her grandmother has also spoken to you and asked you to stop. This has all been done hoping you would take consideration and put an end to dogging a young and unguarded lady, wherever she should go in the evening. Your letters to her also are an outrage to civilization; even by these you have made yourself amenable to the laws of your town. I have been grieved for a long time to see the happiness of a neighbor in being compelled to stay at home for fear of meeting a young man brought up in her own community. It is a shame and disgrace. I hope you will take this warning from a friend and desist from interference with this young lady. We do not wish to bring it before the public, but if not stopped immediately we will be compelled to do so. Some of your letters are at hand, and others have been read by some of the neighbors, that are ready to come forward with what you have written. As a friend, desire your good as well as others, and hope there will be nothing further, but will drop right here. You certainly know that you cannot compel a young lady to accept your society.

Yours, respectfully,

December 20th, 1869.

J———

To this a remarkable answer was at once returned, which is given below, *batim et literatim*.

HUNTINGTON, December 20th, 1869.

Sir:—The most that I have to say in answer to your insulting note of the 20th is that, if I ever receive another such an one from you, I shall receive immediate summons for you to appear before a Court of Justice. You evidently know nothing of what you are doing, and it is this fact alone that shields you from the utmost rigor of the law. If you suppose I have ability to effect what persons of greater means and stronger heads

than yourself have failed to do, you are a sillier man than I supposed you were.

As to the affair of which you have made yourself the oracle I will say that there are *two* sides to this, as there are to most other questions; but what has been done upon the young lady's side I shall not stoop so low as to inform such an intermeddler as you are. But I will say, for your special benefit, that you had better be a little careful, as you are intruding yourself upon matters, the result of which, in reference to yourself, may cost you more than all you possess. It is only your presumed ignorance of the true state of things that prevents me from making you immediately such an example as would effectually deter all others from following in your footsteps.

The young lady has friends *powerful* enough to put a stop to all this if *she* wishes it without their calling upon you; they are only making a *tool* of you, and I am sorry to say, sir, that you have not sense enough to know it.

CHARLES G. KELSEY.

P. S.—You need not fear, sir, that I care for publicity in this matter. I only wish you to take the first steps and I would sweep your fortune away with a stroke. Now, sir, if you desire to come in conflict with me, enter the arena and our swords will clash, and, if I am not mistaken, you will find yourself to have undertaken something you have not brains enough to accomplish.

C——.

Dr. Banks and Royal Sammis, Kelsey's successful rival, determined to end the clandestine demonstrations of the latter beneath Miss Julia's window, and for that purpose maintained a vigilant watch of the premises. It was decided by a few who were in the disagreeable secret, that the man should be punished in some way or other for his audacity, and that the vile persecutions should entirely cease.

With this object in view they took turns in guarding the house at night, in the hope of catching the intruder. But Kelsey was cunning as well as shrewd, and was not to be caught so easily. On one occasion Dr. Banks nearly succeeded in placing his hands upon him, but the man's superior fleetness of limb and the darkness aided him in effecting his escape.

The crisis at length arrived. It was determined to seize him whenever the opportunity offered, and administer a coating of tar and feathers. The night of the 4th of November, 1872, was chosen for the work. That evening the village was overflowing with people. The spacious brick hall on the main street was brilliantly lighted, and crowded with listeners. A Democratic meeting was in progress; and the following day the sun would dawn upon excited hosts of men arrayed in a peaceful battle for the Presidency. At the close of the demonstration the hotels were filled with men refreshing themselves at the bar, and engaged, meanwhile, in earnest conversation.

While these scenes were transpiring in the village proper, a very different one was in preparation on the premises of Mrs. Oakley. A band of masked men had assembled in the rear of the widow's house to abuse and maltreat a fellow being. The law that would have thrown its protecting arms

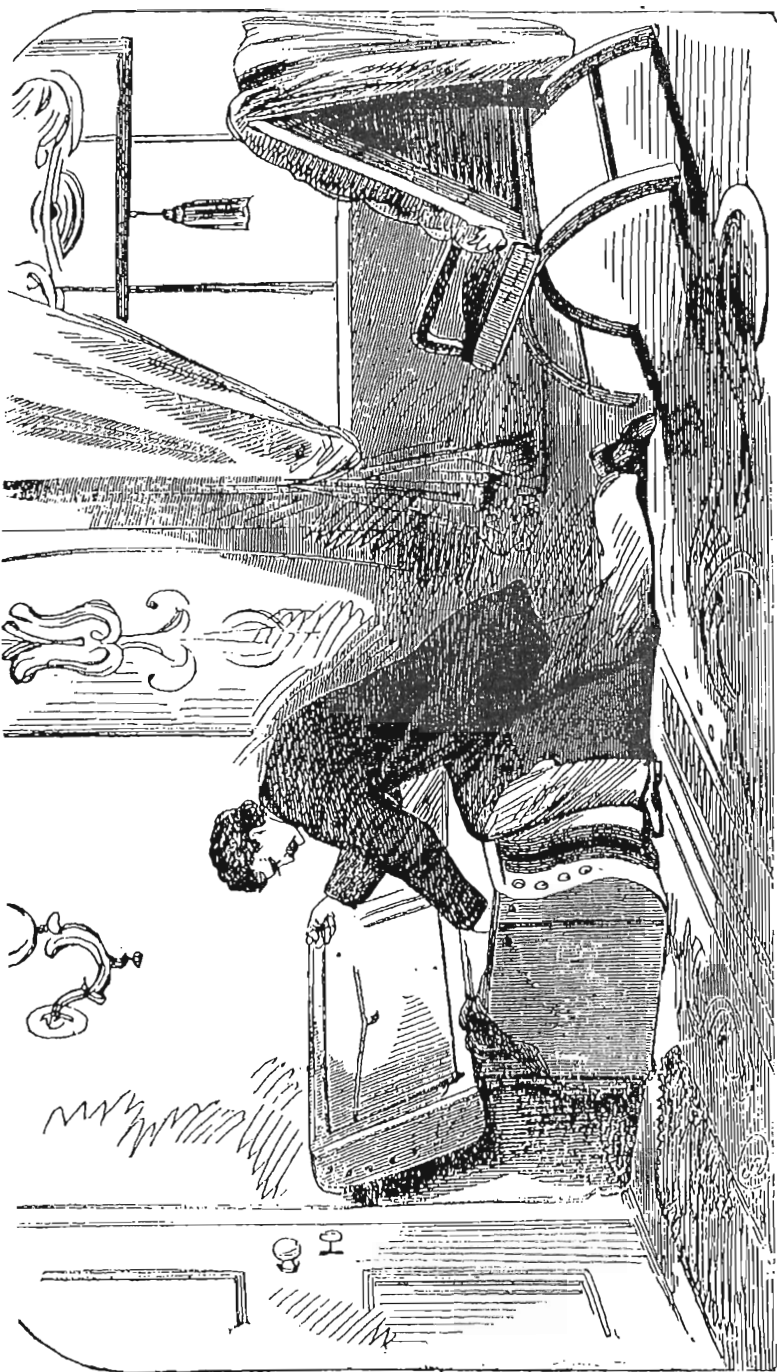
around the sacred purity of womanhood, was set aside to make room for the application of the most shameful indignities.

The night was intensely dark, and a chill like the breath of winter was in the air, that pierced through thick garments to the very bone. A slight wind rustled the low-hanging branches of the willow trees, that reared their tall heads far above the murky shadows, and the vibration produced a musical sound that was almost weird-like in its sadness. A spell seemed to rest upon the face of nature, as if conscious of the tragedy about to be enacted. The cold, glimmering stars shone faintly down through the gloom, and twinkled over the spot which was to witness an act of cruelty that the wild, untamed savage of the plains would scorn to inflict.

In silence the disguised men awaited their victim's return from the political meeting in the direction of his home.

Unconscious of his impending doom he hastens on, the chilliness of the atmosphere lending speed to his steps. The darkness is all about him, but in his soul there is a light and warmth that proclaim him an immortal being, and that whatever sin and folly he may have been guilty of, he is still an object of merciful compassion in the eyes of Him who taketh cognizance of all His creatures. Life is sweet to him as to another, and no apprehensions of approaching danger rest upon his mind. He passes the ambush, and is seized by strong and resolute hands that quickly convey him, weak and trembling with the agony of his newly-awakened fear, to a spot a few yards distant from the south corner of Mrs. Oakley's house. Here the helpless man is laid upon the ground, while his captors deliberately proceed to cut off his hair and whiskers. The former is very long, and falls in curling masses around his neck. This being completed, Kelsey was stripped to the skin, and while quaking in the keen chill of the November night, was treated to an application of tar and feathers. A public exhibition of him was then made for the benefit of the females who were assembled at the house. While they stood on the back piazza, enjoying the unusual spectacle, Dr. Banks entered the yard from his house, adjoining, carrying a lantern in his hand. He held it up before Kelsey to show the ladies what it was. The victim, stung to desperation by his treatment, flung a box which hit the glass and smashed it. Then the doctor swung the disabled lantern around, and, whether by accident or design, it struck Kelsey on the head. They then gave the shivering creature his clothes, and amid the hoots and jeers of his tormentors he was allowed to depart.

Here an important link in the chain of facts is wanting, and from the time that Kelsey left the yard of the Oakley residence, the mystery has continued to deepen. A murder was committed on that night, Kelsey being the victim. Added to murder, and probably the cause which produced his death, was a horrible and nameless mutilation. The next morning marks of a severe struggle were discovered in the yard of the Kelsey residence, and a fresh wagon track was traced to an unfrequented spot on Lloyd's Beach. A boat was also seen in the early hours of that morning to put off from the



QUERY.—IS THIS THE MAN WHO WAS SEEN IN MISS JULIA SMITH'S BED-CHAMBER?
Frage:—Ist dies der Mann, der in Miss Julia Smith's Schlafzimmer gesehen wurde?

shore, with two men in it, and it was observed to contain a heavy burden, which was not in it when the boat returned. Shortly after some articles, consisting of a shirt, a boot and a necktie, were found on the beach. The lower front of the shirt was blood-stained.

These evidences, together with the sudden disappearance of Kelsey, tended still more to the belief that a crime had been committed.

On an affidavit made by the brothers of the missing man, setting forth their belief in his death, and that he was the victim of foul and unlawful treatment, an inquiry was opened in the village, before Justice Monfort, and the result was, that after a considerable delay, Dr. Banks, Claudius B. Prime and Royal Sammis were jointly accused of riotous conduct, and the grave charges were sustained by the Grand Jury in a subsequent indictment.

The investigation caused a genuine commotion at the time, in consequence of some judicial acts which were considered by the accused as irregular, and which involved several arrests for contempt.

In the meantime the particulars (as far as known) of the outrage furnished a topic for discussion by people far and wide. A wordy contest was commenced in the local papers, of which there were three published in the village at the time. The division of sentiment produced in this way extended through the whole town, and threatened to create two bitter and opposing factions. The tar party, in point of numbers, was numerically small, but wealthy and influential; while the party that opposed the outrage, and held to the principles of law and order, composed by far the larger portion of the inhabitants. In all public affairs this difference of feeling was manifest. Politics was tainted with it, and it was made an issue in the local elections, which was respectively represented by the "tar" and "anti-tar" adherents. Even the cause of religion felt the influence of the disturbing element, and for a time it was feared that the doctrine of salvation, which the Divine Master came to teach, would suffer a serious drawback by the "apple of discord" which was introduced into the churches. Those who felt the disgrace of the cruel outrage that had been perpetrated in their midst, could not bring themselves to believe that anything more was intended on the part of Banks, Sammis, Prime and company than a slight punishment of Kelsey for his offences. It was impossible to associate the thought of murder with men who had always borne so good a name in the community, and from the mass of opinions it is theory was adduced, that those engaged in the affair were obliged to sacrifice him for their own preservation. Although masked, and aided by the darkness, as they thought, beyond the power of recognition, it transpires that Kelsey—his senses rendered preternaturally sharp by the horrors of his condition—did recognize at least two of his assailants, and threatened them for the outrage. And that they, fearing the results to them of their night's work, in the event of Kelsey's putting his threat in force, determined to finish the matter and forever silence the tongue that might compromise their individual safety. "Dead men tell no tales" might have been their motto, and, acting up to

s, they followed him to his home, and while he was in the yard, endeavoring to wash off the marks of his disgrace, they could have seized him and taken him to death; and then, with a desire to conceal all traces of their crime, could have conveyed his body to the deepest spot in Lloyd's Harbor, and fasten heavy weights to it that it might sink everlastingly from sight.

The watch which he was accustomed to wear was found in his bedroom, with the chain detached, which would imply that Kelsey must have entered the house before proceeding to cleanse himself.

On the other hand, those persons who are classed as "tarites," and who have feigned uncommon sympathy for the men concerned in the outrage, declare that Kelsey deserved all the punishment he received; that he was not murdered, and that somewhere in the United States he was in hiding, waiting to consummate a terrible revenge upon his enemies. It was even said that he had been seen and recognized on several occasions by persons familiar with him, in public conveyances, travelling through the country. These, however, were idle rumors, or else cases of mistaken identity.

It was resolved by those who were anxious to clear up the mystery, and bring the guilty ones to punishment, which could not be done without the discovery of more positive proof, that the authorities should move vigorously in the matter.

To this end the supervisor of the town offered a reward of \$750 for the production of the body of Charles G. Kelsey, dead or alive, which was increased by the further sum of \$500 promised by his relatives.

But the offer of a reward brought no tidings of his fate!

The ice which sealed up the waters of the harbor prevented any search for the remains, and with the reflection that time, perhaps, would unravel the tangled and mysterious affair, the people rested from their excitement, and the popular interest decidedly abated.

Meanwhile Miss Julia Smith, the young lady who had been the cause of all the trouble, was allied in marriage to Royal Sammis, and the tragical end of poor Kelsey was somewhat forgotten.

The time rolled on until nearly ten months had passed away. The dark and dreadful secret still lay hidden deep down in the hearts of the perpetrators of the deed, where it must have gnawed like a canker-worm, filling them with all the tormenting horrors of a bitter remorse.

The waves that dashed their foaming sides against the lonely beach, or lapped along the shore, seemed to utter in monotonous pleadings, "Where is Kelsey!" The very trees that spread out their thick, interlacing branches to catch the pure sun-light of heaven, and rustled their myriad leaves in the gently passing breeze, caught up the sad refrain and joined to the echo, "Who were his murderers?"

But an unexpected retribution was at hand!

On the 29th day of August, 1873, two fishermen, John A. Franklin and

singular object floating on the water. A close inspection proved it to be the nether portion of a human body. When this discovery was made, a suspicion at once flashed across their minds that it was the remains of the missing Kelsey. They fastened a line to it and towed it ashore, and immediately notified the Coroner.

At once the important news spread with the speed of lightning to the adjoining villages, and aroused the inhabitants to a wonderful pitch of excitement. The all-absorbing story was on every tongue, and the agitation was tenfold increased when the character of the mutilations, which the remains showed indubitable evidence of, became known.

In the midst of the prevailing tumult, there were found many who seriously questioned the identity of the remains with Kelsey, and treated the whole matter with apparent contempt. These none-believers were principally of the tar party, including that class of doubters who view every thing with distrust that does not agree with their mode of reasoning.

The portion of the body found was encased in a pair of black pants. A gold watch chain, discolored by long remaining in the water, was hanging to the inside of them, and in one of the pockets a small piece of a rubber comb.

At the opening of the inquest, which drew a very large crowd of spectators from the surrounding country, the first witness called was John A. Franklin, one of the finders of the body. He testified substantially as follows:

"While out in a small boat, midway between Plumb Point and More's Point, over what we call 'The Appletrees,' I saw a black object on the surface of the water, and as such sights were customary I did not pay any particular attention to it; I was about to draw a dredge, when my companion, William B. Ludlam, said, 'John, here is a body!' I pulled up my dredge and deposited it in the boat, and went towards Ludlam's; when I got close enough to see the object plainly, I said, 'It is nothing but a pair of pants!' Believing what I said to be true, I took hold of the pants and then discovered it was part of a carcass. 'Great God! John,' said I, 'it is a body, with nothing but the hip bones left!' I told Ludlam to tie a piece of string that was in the bow of my boat to the band of the pants, and secure it to the boat; he then said he would toss up with me to see who would tow it to More's Point; I said I would not, and told him to tow the body, and I would row ahead and go for the Coroner. . . . When the body was found it was covered with sea spiders."

William B. Ludlam corroborated the statement of the previous witness, as regards the finding of the body, in all its details.

Mr. William S. Kelsey, the youngest brother of the deceased, was next called. His testimony is important concerning the question of identity. It is as follows:

"I have viewed the remains found in the bay, and have recognized them as those of my brother; this recognition was caused by the tar and feathers

and the watch chain, which has been in the family for twenty years; the comb is also the one carried by him; the pants I cannot recognize positively, for the reason that they are worse for being in the water, but it is my belief that the pants found are those of my brother, for they were black cloth and cut tight, and fitted very well; on the 4th of November last, at noon, I saw my brother for the last time; on that night (Monday) he went to the town to attend a democratic meeting, and was tarred and feathered; I never saw him after that day, and none of the family have since heard of him; this chain (chain handed to witness) is my brother's; he had worn it for years; it was a small chain, and he often remarked that it was too small; I have seen him tie it together."

Mrs. Sarah Willetts, a sister of Kelsey, also fully identified the chain, and was very much affected at sight of it.

The following medical testimony of Dr. M. Cory will explain the condition in which the remains were found:

"Am a graduate of the College of Physicians and Surgeons; was called by Coroner Baylis on Friday, about ten o'clock in the morning, to view the remains found in the bay; I found that the parts were much decomposed; the bones of the pelvis on the inner side were devoid of flesh, but on the thighs there was a considerable amount which, although decomposed, was intact; the lower extremities were entirely denuded of flesh; on closer examination I found that the parts of the anatomy between the pelvis and knees were missing; I examined it rather closely, and found that the inner surface of the scrotum was there; the fact of this being the case I am inclined to the belief, or, I should say, it leaves a doubt in my mind, as to whether it was done by violence; I have seen corpses in the Morgue of New York where these parts were missing, but they as a general thing were found in a nude state, and it was impossible to determine whether they were drowned with or without clothes; I am of the opinion that it was the work of violence, and from the part that remains, think that the operation, if such it was, was performed in a great hurry, thus leaving the part of which I spoke; the flesh from the lower extremities was, in my opinion, eaten by fish, for it presented a very jagged appearance, very unlike that of a body or part worn away or decomposed by the action of water; the remains of the missing part were not at all jagged, they being smooth and regular; the surface of the legs where there was most far seemed to be better preserved than the other part not so well covered; I took two very large bundles of feathers from the part I spoke of, but they did not seem to adhere; I just lifted them off; I have not the means of knowing whether the black substance that I saw on the body was tar or not; in my opinion it was tar, but it is not professional, and consequently unreliable; if the body had been in the water without weights it would have come to the surface in about a month or less, that being about the time that the gases take to generate; if the man committed suicide he would have come up at the time I speak of; if the body has been floating since December, I don't see why the other part is not

The family of the unfortunate man, whose tragic end was thus made apparent by the casting up of the waters, accepted the remains for burial with full faith in their identity, and preparations were at once made for the funeral. They deeply felt the affliction that had come upon them in the loss of a brother, and the horrible nature of his sufferings, ere he succumbed to his cruel fate, opened afresh the bitter fountain of their anguish, and their grief was poignant and unrestrained.

As if to mock at the awful gravity which shrouded the case, and perhaps to avert the terrible wave of indignation that was fast setting in against the perpetrators of the unnatural crime, some unprincipled persons posted, under cover of darkness, the following offensive lines on a tree in a conspicuous part of the village. The handwriting was evidently disguised :

NOTICE.

THE funeral services of "Legs" will be conducted on Wednesday afternoon, at two o'clock, by the Rev. W. W. Knox, in the Presbyterian church of this village. The services are expected to be deeply interesting, so much of "Legs'" past and present history being known. A choir will be furnished for the occasion, composed of some of our greatest citizens, namely :

CHARLES DURYEA, alias Cyclops,
OLD GENERAL,
BIG BILL SAMMIS,
CHARLES STREET,
PETE TRAINER,

Who will sing selections from the "Old Burying Ground," and "The Vale of Huntoria," etc.

CHARLES G. KELSEY may be present to entertain the assembly with some of his latest travels.

SQUIRE MONFORT will also address the meeting.

D. W. CONKLIN,
JOE HENDRICKSON,
THOMAS ATKINS,
JIM SMITH,
ANSEL GILDERSLEEVE.

This piece of diabolism met with the denunciation it justly deserved on the part of the people, some of whom tore it down and indignantly destroyed it. The names appended to it are those of prominent residents of the town belonging to the anti-tar faction, and their use, of course, was wholly unauthorized. Never before in her history has Huntington witnessed a funeral of such large dimensions. The day of its appointment dawned bright and fair, and crowds of people from the country for miles around assembled to do honor to the fragmentary remains of Charles G. Kelsey, and to manifest by their presence the great sympathy they felt for the bereaved family. No morbid curiosity inspired them, but it was the great out-pouring of the popular verdict of condemnation, expressed in a silent and unobtrusive manner.

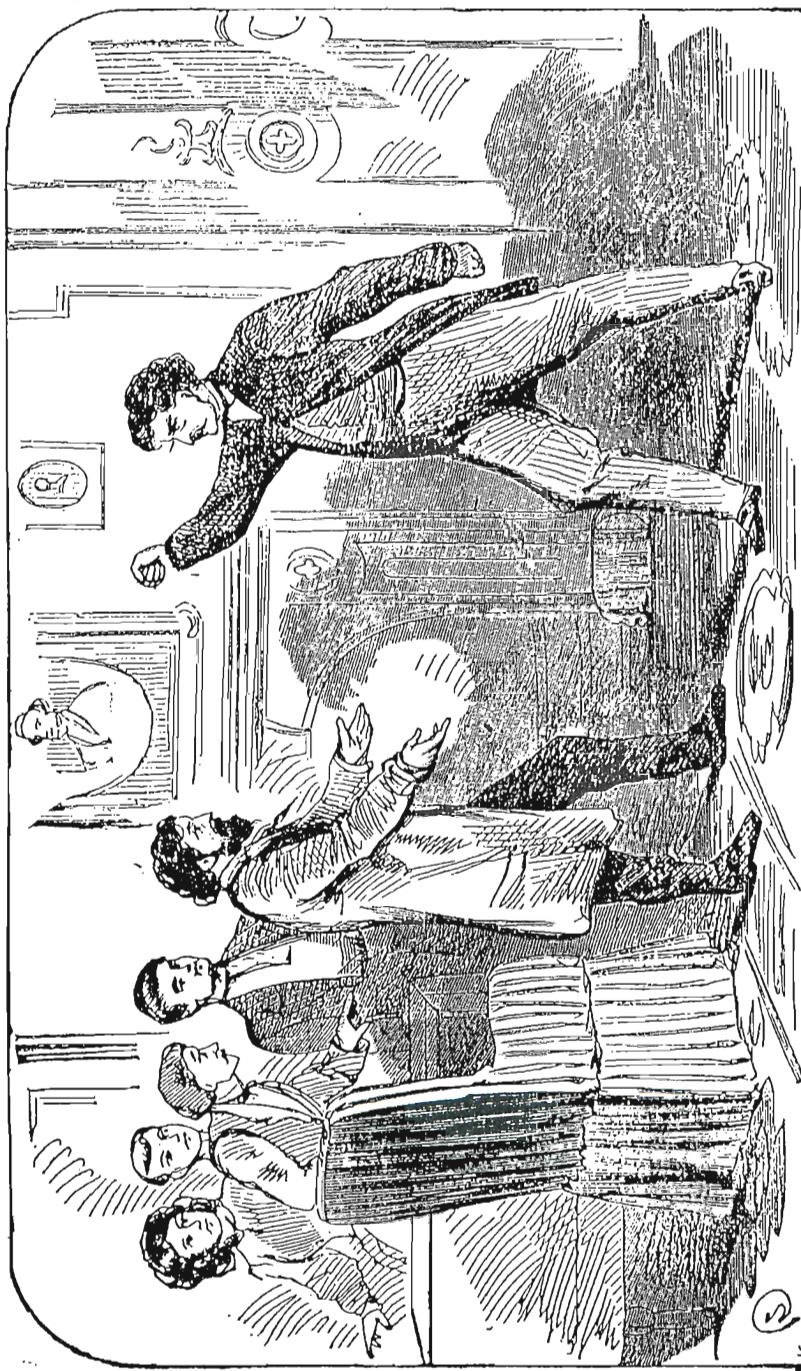
The Second Presbyterian Church, where the services were held, was filled

to overmowing. Many ladies in the congregation wore the emblem of sorrow, black being the predominating color. Previous to the opening of the services, and just before the Kelsey family entered the building, the organ pealed forth the slow and solemn measures of a dirge. The impressive strains trembled over the heads of the audience, and floated out upon the still air, whence it was borne upward to the blue vault of heaven! Within the edifice every form was bowed, until the soft music that thrilled the soul with its gentle cadence had ceased. Shortly after the mourners entered. Not a sound broke the stillness of the room but the subdued tones of weeping, as the afflicted relatives took their places. Then a wail of heartrending anguish caused the tears to fall from many an eye. A gentleman was seen to rise up from his seat, and tenderly support the stricken form of a lady down the centre aisle. Her face presented all the appearance of overwhelming sorrow. Convulsive sobs filled her bosom and escaped from her parted lips. This was Miss Charlotte Kelsey, a sister of the dead man. The gentleman upon whom she leaned was her brother, and he was removing her to the open air, where she might recover her self-possession. Just before reaching the door her emotions overpowered her and she burst into a violent fit of weeping. The incident created a profound impression upon the audience. At the close of the services, which were listened to with rapt attention, the funeral cortège took up its line of march to the "Old Burying Hill." In this consecrated inclosure, hallowed as the resting place of the Huntington dead for over a century and a half, and in the midst of the graves of his departed ancestors, were deposited all that was left of the mortal remains of the man whose sad and untimely fate had stirred the hearts of the people of the entire country.

At the resumption of the inquest, which was continued after adjournment from day to day, testimony of a very important nature was elicited from the various witnesses that were called upon the stand.

The following evidence of Mr. Arthur T. Hurd, a gentleman who saw the affair from a cluster of bushes, will be found highly interesting:

"Was in Huntington on the night of November 4th, 1872; at about nine o'clock I passed the neighborhood of Mrs. Oakley's; I was attracted by a man coming out of the front door with a lantern; he came out in an excited manner; knowing the trouble the family had, I crossed over and entered the gate and passed on the west side of the house to a clump of bushes; in the rear of the house I found a number of men; I don't know who the men were; they were masked; one of them came towards me, looked at me, but said nothing; I then got close to them, and saw them surrounding a man whom they were raising from the ground; as near as I could see he was sitting down; after they lifted him they began to take off all his clothes; I was about fifteen feet from them when this was being done; I saw them trip him; when this was done one man came up with a small tin pail; now it was tin by light shining on it; the man who had the pail then took up what looked like a brush and painted him on the back, breast, and arms;



THE "TAR PARTY" LAYING THEIR PLANS. DR. FANKS AND ROYAL SAMMIS. "WE MUST DO IT TO-NIGHT," SAID ROYAL.
 Die „Ebeer-Partei“ ihre Pläne machend. Dr. Fanks und Royal Sammis. „Wir müssen es diese Nacht thun.“ sagte Royal.

it seemed to me that they did it in stripes ; another came with a basket and emptied the feathers contained in the basket over his head ; then covered him with a sack or jacket, from his waist downward ; they tied a string around his waist to hold whatever they had around him ; they then tied him to a tree with his hands behind him ; they then went away and left him a few minutes, then came back and untied him ; then I heard a noise of hooting ; it indeed was done thirty feet south of the house, and on the west side of the lot when the noise was made some parties came out of the house and stood on the back stoop ; the noise was evidently a signal for the people to come out and see the man ; some people came from the east side of the house ; I recognized Mr. Wood on the stoop, for I knew him well ; the ladies I did not know or recognize ; when the men came back to loosen Kelsey, one of them came near to me, and I said to the masked man, ' Let him off ; ' he paid no attention, and walked off ; after this I noticed some of the people going, so I started to go, too ; I was at times closer to Mr. Kelsey than fifteen feet ; I put up my hands several times to save Kelsey from falling on me ; I suppose it was from weakness."

Frederick Titus, a negro, who was in the employ of Mr. John Sammis, the father of Royal, down to the time he was subpoenaed as a witness by the Town Constable, came on the stand, and though seemingly very unwilling to testify, was unable to withstand the severity of the questions put to him, and much valuable evidence, having a direct bearing on the case, was elicited :

" I recollect the night of November 4th, when the tarring and feathering took place ; on Sunday, the day previous, I saw Royal fixing a little cudgel putting a string in it ; it was a little thicker than a hoe-handle and about two feet long ; it was an oak cudgel, I think ; he bored a hole through it with a gimlet, and put a piece of tarred string through it ; he and I were both in the barn at the time ; a boy named Bill Leonard, who lives in the third house from Mr. Sammis', was in the barn also ; Leonard is about 14 years old ; this was about eleven o'clock in the morning. Royal didn't say anything then, 'cause, I s'pose, he didn't want the boy to hear ; the boy went out the front door, and I went out into the cowyard ; Royal put the club in a wagon ; it was a large wagon, with one seat ; he went into the village that night with that wagon ; on that same Sunday night Royal told me to come to Mrs. Oakley's after him, and I went after him with that wagon ; Royal went up to the village in the afternoon with Rudolph (Royal Sammis' brother.) I went for Royal about nine o'clock on Sunday night, and the club was in the wagon then ; I did not bring Royal home at once from Oakley's ; I drove the wagon under Pop Powell's hotel shed ; Royal came to me under the shed about twelve o'clock at night ; there were three or four people with him ; they backed out the wagon, and after they got into the wagon they said they didn't catch Kelsey that night ; they were all talking about not catching Kelsey ; there was Royal Sammis, Rudolph Sammis and James Conklin, the one that has sold out and gone away to Canada since : they then said Kelsey should be caught and should not

m; they rode in the wagon with me all the way down home and were talking; they drove Conklin home first; I don't remember a word they said." Q. Did they say they had seen Kelsey? A. (smiling) I think they said they did see him; they said he jumped over the fence and came into Mrs. Oakley's yard; the club was taken out of the wagon by Royal, who put it in his arm and went away; he left his coat, hat, cuffs, necktie and collar in the wagon under the shed; he put on a kind of a long coat or gown; he put on a black thing over his face; I suppose he tied it on; I didn't see it plain; when I drove down to Powell's first, I went under the shed; then I waited there an hour, and then went down to Mrs. Oakley's; then I took Royal out of the wagon, and drove back with him under Powell's shed; it was then that Royal put these things on; there was no one under the shed but Royal and myself then; when he left the shed he went toward Mrs. Oakley's; he didn't tell me where he was going, but told me to wait till he came back; it was about one o'clock when he went away; he had a different hat and left his best hat in the wagon; he took a sort of old slouch hat; he didn't say anything about Kelsey till he came back; I think it was about half-past one when he came back under the shed; I think it was two o'clock when we got home; he didn't tell me that night what he was going to do, but he told me the next day morning what he was going to do; he said he was going to tar and feather Mr. Kelsey (sensation in the room); that was before the boys went into the barn; he was alone with me; when Rudolph and Conklin came back with Royal under the shed they had on plain citizen's clothes; they had no canes or clubs; I don't know whether there were any visitors at the house on Monday, for I was off in the lot; I saw a wagon drive up to the house on Sunday, and I think there was one young man in it; I peeped through a crack in the barn and saw the wagon come up; I don't know what wagon that was; it stopped there about half an hour; I was at dinner at noon, Monday, and at supper at sundown, but saw no visitors at the house either time; Royal started with his brother Rudolph to the village about dusk on Monday, after I got back from the lot; I saw a red velvet coat in their wagon; I didn't hear Royal say anything about this affair on Monday; Rudolph and Royal got home about eight or nine o'clock that night; I was in bed; they opened the door of the house and came in, and I heard them tell their father they had tarred and feathered Kelsey; I have heard that Kelsey was tarred and feathered that night; I don't know (here witness gets terribly confused and prevaricates shockingly) at what time it was done; I don't know at what time they came home; I only guess at it; I was in bed; I generally went to bed along ten, eleven or twelve o'clock; the only mask I saw was the one Royal put on; when Royal came under the shed he took the things off and put them in the wagon; I suppose he put them in the wagon and took them home; I didn't see him take them out of the wagon when we got home; I suppose they were in the wagon on Monday morning.

Why didn't you tell this when you were on the stand before?

A. Mr. John Sammis (Royal's father) requested me not to say anything about it, as he said if I did they'd keep me on the stand all winter. (Considerable laughter.) Royal Sammis also told me not to say anything about it; they didn't say they would discharge me; I was subpoenaed this morning; I heard Royal say the other day that this body was not Kelsey's; I have not talked with Mr. Sammis about it to-day at all; I jumped in the wagon and came right over; the folks at Mr. Sammis' said I could come over with them. (Laughter.) On that Sunday night I didn't see anybody else at Mrs. Oakley's; I did hear something; I heard a man lying under a bush in front of Mrs. Oakley's house say "Ahem!" It was a close black looking bush; I thought it was strange; Royal came out of the front door of the house; I didn't say anything to him about it; he didn't say anything to me when he got into the wagon; he took the lines and drove under Powell's shed; the clothes he put on were brought from the house; I saw Royal put something in the wagon before I left the house; he came out of Mrs. Oakley's as soon as I drove up; the red blanket in the wagon was a striped red horse-blanket; it is at the house now.

Q. You told Frank Sammis you saw a striped suit? A. I don't think exactly that it was a striped suit; it was the suit I saw Royal have under the shed; I suppose it was fixed up for that night (rather uneasily); I don't know nothing about that (laughter); the coat was a long one, I don't know if it was a coat or a gown; I saw him putting a black thing over his face; I think he fastened it with a string; it was on Tuesday morning Mrs. Sammis cried about this thing; I was in the kitchen when they were talking about it, eating my breakfast; Royal laughed and his mother cried; Royal said they had tarred and feathered Kelsey, and he never saw such a sight in his life; on Tuesday night I heard them talk about it, and Royal said he didn't touch Kelsey; Royal said he was very sorry for Kelsey (laughter); Royal was not in the habit of staying up here on week-days from his business in the city, except on his June vacation; I didn't see or smell any tar; we had the bay mare on Monday night; I cleaned the mare off next morning; there was no sign of sweat about her; the back of the wagon does not let down; I went to bed between eight and nine o'clock Monday night, November 4th; Royal and Rudolph came home about twenty minutes after I went to bed; they said Kelsey had been tarred and feathered; I didn't hear the clock strike; the clock is a dumb clock. (Repressed laughter.)

To District Attorney Tuthill.—I sometimes wake up in the night; I woke up along two or three o'clock that night; I don't know what woke me up; when I wake up in the night I generally go to sleep again (more laughter); next day Mrs. Sammis said she felt very sorry about Kelsey; that was when she cried; it was before breakfast.

The next witness called was Peter Fagan, a native of Ireland. His evidence bore directly on the tragedy, as will be seen by the following:

"I live at the point lot, near Lloyd's Beach, on West Neck, Suffolk county; my house is 60 or 70 rods right from the beach; I turned out of bed between

three and four o'clock on the morning of November 5th, and went for a couple of buckets of water; I heard a kind of a rattling noise toward the beach, as of a wagon or a boat, and I heard a cry of a voice as if in distress; the noise was like the rattling of tramping on loose boards; the voice sounded like this, 'Oh! Oh!' (imitating the sound of the voice); then in a minute or so the noise and the voice were both still; I thought some one might be getting up sail on a boat or a sloop and got hurt; I could not tell whether the noise was of a wagon or a boat; the noise lasted, perhaps, seven or eight minutes; the next time I heard the voice it was low and weak and seemed further off; I heard no noise of water except the watery splash of the waves on the beach; there was hardly a breath of air stirring, and it was very dark; I thought at first it was a struggle, or that some one aboard of a vessel had got caught with a block or something; I was about ten or fifteen rods from the spring; the noise came from the direction of the beach, west of where I was; the voice I heard was a human voice; I never heard such a noise as that was before nor since; I heard the noise of the waves coming from the same direction as the voice; the middle of the channel of Lloyd's Harbor is not more than twenty-five rods from my house; the noise I heard came from Cold Spring Bay direction; whenever the steamboats pass you can hear the splash of the waves at my house; I never noticed when they were not passing; the noise I heard was like the stamping of feet in the bottom of a boat or a wagon; I heard the splashing of the waves during the whole time the noise lasted, and when the noise ceased everything was still; I asked Captain Howard next morning if there was any vessel anchored off there that night, and he said there was none; I don't know whether there was wind enough to make a 'swash' on the beach; the rattling noise sounded as if the wagon or boat was still; I heard no sound of rowing a boat that night; I have never heard a boat rowed with muffled oars; I didn't hear any wagon that night; the voice I heard was like a cry of a man in pain."

A well-known citizen and hardware merchant of Huntington, Mr. John McKay, was next sworn. He testified:

"I live on the main street of Huntington, ten or fifteen rods from Mrs. Oakley's house; I was on Mrs. Oakley's premises on the evening of November 4th; I was on my way home past her house and saw the gate open and a man standing inside; I saw the man, and knowing there was no man living there, and, as the family had requested me to have a look-out, I then went over to see who it was; it was Dr. Banks, and he said there was a crowd of men in the back yard, and that they had Kelsey there; he asked me and my wife to come over, and said he was going to William J. Wood's; I don't remember anything I said to him in reply; I then left and went across the street to go home; I don't know which way Dr. Banks went; he said he was going to ask Mr. and Mrs. Wood to come over; I went and spoke to my wife, and then we went over to Mrs. Oakley's; we went in at the front door; I saw Mr. and Mrs. Wood, Dr. Banks and Mrs. Oakley;

there appeared to be some other persons there; I could not remember for the life of me what they were talking about; they were talking about Kelsey and about the crowd in the yard; all seemed to start out at one time; there was some one said something about a racket in the yard; I saw a man a few feet from the house gathering up some clothes among a few trees and shrubbery; the clothes looked like a shirt and socks; there was something peculiar in his appearance; he appeared to be a sort of tan color; he was about twelve feet from me; I went down the path and followed him along; some ladies (?) who were there, my wife, and some others, followed behind us; he was naked all about his body and legs; he held some clothes about him."

Q. Was he tarred and feathered? A. I don't know; there were some few feathers on him.

Q. Did you smell tar? A. Yes, I smelled some tar about there; Dr. Banks had a lantern; I took a small lamp with me, also, as I went out; Dr. Banks was ahead of me and stepped on a grass plat and held up the lantern and asked, "Who is it?" that was after he had told me he supposed it was Kelsey; Kelsey came towards Banks, and struck the lantern with his boot and then hit Dr. Banks on the shoulder with the boot; as he hit him, Dr. Banks' lantern flew up and hit Kelsey on the shoulder; Kelsey went on down the path; I saw some disguised people there; some of them detained him; Mrs. Oakley said that was the man that came into her house; Miss Smith said she wanted the neighbors to understand that she had never encouraged him in coming there; she said something about his coming there one Sunday.

Q. Have you ever heard about Miss Smith placing a light in the basement window and walking back and forth to decoy him into the premises so that he might be caught? A. I don't know that I have; I may have heard something of that kind in conversation, but I don't know of it; I understand that sometimes when a young man she was keeping company with left her evenings, she would take the lamp to go down into the basement to get something to eat (laughter); I did not recognize any of the disguised persons; some of them made grunting noises; they kept back in the bushes; some of the disguised men had their hats pulled over their eyes and their collars turned up; I saw Kelsey three rods from the gate after he left the yard, going out; I did not see any gag in his mouth; his hair appeared to be cut off.

Q. Don't you know his hair was cut off—not that it appeared to be cut off? A. Yes, it was cut off.

Q. And his moustache was cut off? A. Yes, sir, all his hair was cut off; I saw a place on his shoulder that looked like a big mole, that may have been a cut; it looked red, something like as though it might have been blood; the tar on him was a thin coat; it looked like a light brown; it couldn't have been thick, to make that color; there were very few feathers on him; I could see nearly his whole body; in addition to the persons I

ve named there was a Miss Charlotte Merritt there; I saw Royal Sammis the house with Miss Julia Smith afterward; Kelsey was not tied to a e while I was there; I was on the premises on the Sunday night before; . Banks was there that night, and Mr. Hurd, and, I think, Dr. Burgess o; I went there because Mrs. Oakley and Miss Smith had asked me to ep a watch, as they were annoyed; it was near ten o'clock when I went the yard that Sunday night, and I left about half-past eleven; I didn't ar a wagon drive up that night that I know of; I heard some one go out the front door; I don't now remember hearing a wagon drive away just erward; I was near the gate leading from Dr. Banks' yard into Mrs. akley's yard; I had been on the look-out other nights before that; I was reely acquainted with Royal Sammis, and never spoke to him about eping watch; I saw no masked persons about the premises on that Sun- y night; I did not see my brother George at Mrs. Oakley's on the night November 4th; did not see my brother Duncan there; did not see Mr. urd there; I saw Royal Sammis in the yard when Kelsey was there; did t hear him say anything to William J. Wood; on the Sunday night urd and my brother (George) had handkerchiefs tied over the lower part their faces, they were sitting in Mrs. Oakley's house, with the light rned down; I have never asked any one who the disguised persons were o were in the yard that night of November 4th; I didn't have time to ink about it.

Q. Did Kelsey appear to be in distress? A. No, sir; not at all.

Q. He appeared quite comfortable, did he? (Laughter.) A. No; he dn't appear distressed nor comfortable.

Q. Didn't it freeze that night? A. Yes, it made ice near morning; I ard Dr. Banks express regrets about Kelsey; he said it was a shame to at him that way; that they ought to have put Kelsey under the law; : expressed regrets generally.

Q. Did he express any regrets when he struck Kelsey on the shoulders ith his lantern? A. I don't know as he did.

Q. Did he go to his assistance, or help him in any way? A. No, sir; ily he expressed his regrets.

Q. Dr. Banks didn't do anything for Kelsey except to hit him with the ntern? A. No, sir.

Q. Did any one about the house seem at all surprised at the presence of en on the premises in disguise? A. No, sir.

Q. Have you any opinion or surmises as to who those disguised per- ns were? A. No; I have my business to attend to, and had no time to lk to anybody about it.

To a Juror.—How came you to go there that night of the tarring and athering? A. I went there on invitation of Dr. Banks.

Juror.—Didn't you know what was going on? A. No, sir.

Juror.—Didn't you go there either to arrest or to protect Kelsey? A.



THE TARRING AND FEATHERING OF POOR KELSEY.

...r tearing the clothing from his body, and hair from his head, they cut off his whiskers.

Dieben und Fiedern des armen Kelsen. Nachdem sie ihm das Zeug vom Leibe gerissen und das Haar vom Kopfe geschert hatten, schnitten sie ihm auch den Bart ab

Juror.—How often were you in the habit of going to Mrs. Oakley's?
A. Very often.

Juror.—How many times—twice? A. Oh, yes; five or six times.

Juror.—Have you ever been there since? A. No, sir; I don't know that I have.

Juror.—I thought not; you have had no call there since; there was nothing else to be done there. A. My purpose was to detain him if he attempted to get into the house.

By Mr. Young, of Counsel for Prosecution.—Have you ever stated to any person that Kelsey had been well tarred and feathered and covered from head to foot? A. I don't understand what you mean by well tarred and feathered; I stated it in the village next day just as I saw it; I may have said so; I should not like to be served that way—as he was served; I think he was pretty well tarred and feathered.

By a Juror.—Do you believe that Kelsey is dead? A. I have no reason to believe he is; I understand a man in the village saw a part of the chain hanging to the watch; now the chain found on the remains appears to be all complete.

To Mr. Platt, of Prosecution.—Mr. John M. Drake, the milkman, told me that Mullin, the blacksmith, saw a part of the chain hanging to the watch. I am going home to-night, and will give Mullin the subpoena to attend here, if you give me the subpoena.

Coroner.—You say Mr. Banks invited you over to Mrs. Oakley's. Didn't he tell you what he wanted you to come over for? A. No; only as a neighborly visit.

Q. Was he in the habit of inviting you to Mrs. Oakley's house? A. I don't know as he was.

Q. Yet you went over. It is the custom generally of people to give neighborly invitations to their own homes? A. Yes; I went over with my wife.

By District Attorney Tuthill.—As Kelsey went out of the yard you saw him go away, and some person followed him a short distance and then returned? A. Yes, sir; I closed the gate after him; the gate he went out at; I saw Henry R. Prime standing near; he didn't go into the house; there was no anxiety expressed by anybody as to whether any bodily harm had been done to Kelsey.

Q. Did Dr. Banks apologize to you for inviting you over there, after expressing his regret? A. No, sir.

Q. Did any one express any regret at having gone out, or at having gone over to see such a thing? A. No, sir.

Samuel H. Burgess, the village dentist, was then sworn, and testified:

"I live in the first house west of Mrs. Oakley's, on the same side of the street; I knew C. G. Kelsey; I was at home on the evening of November 4th last at about half-past eight o'clock; there are a piazza and windows on the east side of my house, looking into Mrs. Oakley's yard; I heard no

usual noises about there that evening; I went into my yard about half an hour after I went home; I saw a light and some indistinct objects that looked as though there might have been half a dozen men in Mrs. Oakley's yard; I did not go over to see what was the matter; I remained looking at them perhaps a minute, not longer, and then went into the house; later on in the evening I smelt tar; I had no definite impression of what was going on; I had a general indefinite idea; it was so indefinite that I could not well explain it (subdued laughter); I had seen Dr. Banks before that; he called and told me they had caught Kelsey; he came to my door with a lantern in his hand; that was perhaps fifteen minutes before I saw the light in Mrs. Oakley's yard; he told me some of the neighbors were coming over to see Kelsey, and asked me to go over; after that conversation I had an idea that Kelsey was in the yard; Dr. Banks said he wanted the neighbors to assemble and confront Kelsey, to show him what the neighbors felt toward him; I did not go over; I went to Mrs. Oakley's premises to watch for Kelsey, on Sunday night, November 3d; I saw two or three persons here, but they were disguised; the disguise was a mask or something thrown across their faces; there was no disguise in their dress that I remember; I remember one who, under his disguise, I took to be Claudius B. Prime; I judged it to be him by his beard; I talked with him afterwards and took him to be Mr. Prime; we were in the lot and talked in a whisper; speaking generally I should say that I then had no doubt that it was Claudius B. Prime; he was disguised when I first saw him in Dr. Banks' house; I supposed the three of them got their disguises in Dr. Banks' house; Dr. Banks and his father-in-law, Mr. McDougall, passed through the room; I saw the Doctor about eleven o'clock, and he said he thought there was no use in looking for Kelsey any longer that night, and we all went home; I had talked over the matter previously with Dr. Banks and Mr. McKay; I had also told Mrs. Oakley that I would willingly lend any assistance that I could; I was disguised on that Sabbath evening; we had no sign by which the disguised persons might know each other; I heard no disturbance about my premises on the night of the 4th; I don't know where I got that mask; I don't know but that it was put over my face just after I went into Dr. Banks' house by one of the men who were there already disguised; I think Dr. Banks took the mask after I was through with it; the mask was a sort of pasteboard mask; I don't know what color mine was; but as near as I can remember one of the men had on a black mask, and another had a red one; my impression is that some of them had their coat collars turned up; I think it was the man I took to be Claudius Prime who fastened my mask on; we handed our masks back to the Doctor when he came around and said he thought it was no use watching longer."

Q. Couldn't you tell who these men were after they had given their masks back to the Doctor? A. I don't think I saw them long enough afterwards to identify them.

Q. Why did you wear those masks? A. Because if we caught Kelsey we didn't desire that he should know who we were.

Q. And so if you should kill him by accident, no one should know who it was? A. (smilingly) Well, that is the inference, certainly.

The testimony of some of the witnesses was often quite contradictory, and it was evidently their intention to evade answering, directly, the questions put to them. A fear of personal injury in case they implicated suspected parties too deeply, seemed to possess them, and their conduct throughout was marked by a considerable degree of embarrassment and uneasiness. This was particularly the case with the negro, Frederick Titus, whose apprehensions of bodily harm, openly expressed, prevented his returning to his old employer's, and after his attendance at the inquest he at once hired out to a farmer living at East Neck, for whom he had formerly worked.

A son of Claudius B. Prime, who was called to the stand as a witness, and who was on the preliminary investigation before Justice Monfort, at Huntington, confessed that he swore falsely at that inquiry, and was arrested on a charge of perjury, and placed under heavy bail. He is a young man, and the owner of a fine business, and his prospects in life were highly promising. It has been rumored that at the conclusion of the inquest charges of a similar nature will be preferred against others of the witnesses who have been identified with the case.

The following is the testimony of Miss Charlotte J. Kelsey, sister of the missing man:

"I live with my brother William; Charles lived with us until the night of November 4th last, which was the last time I ever saw him; he left the house about half-past six o'clock; he said he was going to the village, and I asked him to get me some lemons; when Charley was out we generally left the doors open; next morning before I was up brother William came to me and said, 'Oh, brother Charley hasn't got home;' he said, 'He hasn't come home, and there is the light burning down on the kitchen table;' his watch lay in Charley's room on the table, with tar on it, but there was no chain on it; his cuffs were there too on some books, and so was his worsted jacket, with tar and feathers on it; his shirt was on the bed and was torn open in the back, where they had pulled it off him; there was blood, hair, and tar on his white collar; that had a good deal of tar on it and was right down by the bed; there was tar on the shirt also; the bed had not been disturbed at all; my brothers went out to look for Charley; I went to Royal Sammis' house the next night; it was about ten o'clock when I got there; there was a good deal of whispering inside their door, and I thought they would not open it; I told them they must open the door, and they wouldn't, but kept on whispering, and I told them I'd stay till morning if they didn't open the door; I told them what I wanted, but not at first, and after a while, with more whispering, Royal's father opened the door, and seemed afraid, and then he told me they didn't

know anything about Charles; that they hadn't done anything; then they sent up stairs for Royal, and when he came down the first I said to him was, 'Royal, you ought to be hung;' he braced up awfully and put out his arms, and looked so ugly I was afraid of him, and didn't know what to do; after awhile he began to talk, and said, 'Charley looked an awful sight;' Charley had often told us that Royal would murder him only for the law, and he said he would never harm Royal; Royal said he thought they could make away with Charley if it wasn't for his friends; Royal said he had lots of letters and had burned about forty; Royal's father kept on repeating, 'We don't know anything about it, and hadn't had anything to do with it;' the next day I went to Mrs. Oakley's, in the afternoon; Mrs. Oakley opened the door, and I said to her, 'Mrs. Oakley, do you know anything about my brother Charles?' and she said, 'I don't know anything about it at all;' I said to her, 'How could you give your consent to do such a thing to my brother?' and she said, 'I don't know anything at all about it;' in a few minutes she contradicted herself, and said she had talked with them about it on the day before they done it;' she was awfully excited about it; I went to her again about it and told her, 'I want to know what the last words my brother said were;' and she said, 'I didn't hear him say anything;' the first day I had a talk with Julia Smith, and I told her she was deceiving my brother by putting the light at the window so that Dr. Banks could catch him; she said, 'My friends made me do it;' I had heard my brother say Julia wanted him to come home and would leave the light for him."

Warren Howard, who lives in the vicinity of Lloyd's Beach, was next called, and gave very important testimony:

"I live about a quarter of a mile from Lloyd's Beach; I was on the beach at the dock, near the bridge, about eight o'clock on the morning of the 5th of November; I found a boot and a shirt about ten rods beyond the bridge, and some lemons and perhaps a quarter of a pound of mixed candies scattered along the road; the shirt was white and the whole lower part of it was bloody; the lemons had been squeezed till they burst open; on the burst of one of them was a clot of blood, about as big as a kernel of corn; a man who was cutting salt grass there made the remark that he thought there had been a murder there; that some man had been shot or stabbed in the belly; I did not handle the shirt at all; I heard a wagon pass my house during the night, either the night of the 4th of November or the night of the 3d or 5th; the first time I heard it I didn't notice the time, but I think it was about half an hour afterward that I heard it again; I then got up and looked at the clock, and it was a quarter to four; it was being driven at a good, rapid gait; it is somewhat unusual to hear a wagon pass my house at that hour of the morning; I looked out of the window a second time, and the wagon was then going up the hill, back from the dock towards Huntington village; I noticed marks in the sand along the shore by the beach, perhaps a quarter of a mile south of the dock; they

were beyond where the caudies were; the marks looked as though a person had been dragged out of the road from between the wagon tracks into the thatch grass about six or seven feet clear of the track."

Peter Trainer, Town Con-table of Huntington, testified as follows:

"I had a conversation with Dr. Banks, I think about two or three weeks before the 1st of November; he wanted me to assist in catching Kelsey. I told him if he would get the proper documents I would help him to secure Kelsey if he was committing any depredations on Mrs. Oakley's property; he did not give me at any time a warrant for Kelsey's arrest, nor did any one else; that conversation took place in front of Charles T. Durjoy's hotel; he said he would drop a note and let me know how things went on; he told me, as near as I remember, that he would sign the note 'V. C.;' I afterwards received a letter from Dr. Banks through the Post office (letter shown); this looks like the letter; I received it, I think, on the morning of the 4th, the day it was post-marked and the day Kelsey was tarred and feathered; this letter was put in evidence before Justice Monfort; Dr. Banks at that time swore this letter was in his handwriting."

Lawyer Platt read the letter as follows:

PETER:—Last night being stormy, only a partial watch was set. He came on the ground, but not near enough to be taken. You will hear more as things take shape; must be caught somewhere. His eye is used to the dark, and may have suspected a watch and run. No stir was made so that he didn't get only a suspicion, if that.

V. C.

Witness resumed:

"After the night of the 4th of November I went to look for Kelsey about Mrs. Oakley's premises; I came up the back street, past her back yard with William Kelsey; I found near the premises of Mrs. Oakley several articles; I was looking for a boot which I heard was about there; I saw a track of a foot, like a sort of sandal, with the shape of a foot, consisting of a mat of tar and feathers; it was as thick as the sole of my shoe; it was on the grass, about six feet from the fence; it was a complete mass of tar and feathers; I made the remark that they must have 'slathered' it on him pretty thick; I saw a keg hoop near her gate, under the fence, and some keg staves; the staves were smeared inside with what looked like tar, smelt like tar, and felt like tar (laughter); the staves looked about seven or eight inches long, and the keg would, perhaps, hold two or three quarters; the feathers in the lump of tar and feathers looked like turkey feathers; some of them were white and gray; I saw the body here at Oyster Bay and pulled some of the feathers off; they were about the same size as those I had seen in the tar lump; the white ones did not look as clear; when I searched for Kelsey, I think on Friday, the 8th of November, I had perhaps twenty-five or thirty men with me; I went all over that part of the country; I went up to William Kelsey's house with Alonzo Dodge and John Dillon; I went through the house from top to bottom; then we took

to the woods and went through them for a mile around in swaths so as to find him; we looked into cisterns; I think there would be a pint of tar in the lump I have spoken of if it were melted; there was considerable tar on the grass about there, where Kelsey had walked out."

The last important testimony taken before the Coroner was that of Mrs. Royal Sammis, *née* Julia Smith. She gave her evidence in a clear, straightforward manner, and did not appear to suffer any serious degree of embarrassment on account of the numerous eyes that were intently watching her.

On being sworn, she testified as follows:

"I reside in Huntington; I was at home on the night of November 4th, 1872; as nearly as I remember there were present my grandmother, Mrs. Oakley, my sister Abby, Miss Lottie Merritt, and Royal Sammis; William J. Wood and wife came in in the latter part of the evening; Mr. and Mrs. John McKay came in also; Mr. Hurd did not come that I remember; I don't remember whether I heard a noise or disturbance that evening; I think there was no noise; I think it was about nine o'clock when I heard that Kelsey had been caught; I don't remember who told me; I don't remember anything about it at all; I was in the parlor at the time; Mr. Sammis was with me; I don't remember whether my sister was there or not; I don't remember how I first ascertained there were men in the yard; I noticed an odor like tar in the house; I think it was very soon after that that I went out into the yard; I saw some persons out there; I don't know how many—probably from five to ten; I did not notice that they were doing anything; I saw a queer looking object in the yard, at the rear; I did not know who it was, but I supposed it was Charles Kelsey; it was dark and I could see very indistinctly; he was walking toward the back part of the yard; I did not see any crowd."

Q. You said last winter in your testimony "there were thirty or forty persons there?" A. I don't remember saying that.

Q. Did you speak to Kelsey? A. I did; I did not hear him answer; I had heard before that people were watching Mr. Kelsey; I had heard that Dr. Banks was watching for him; I did not know that John McKay, or Mr. Hurd or Claudius Prime was watching him; I saw persons who were disguised there; they had something over their faces; I could not tell whether the masks were light or dark; two disguised men stepped into the hall; in the yard I saw my sister, Mr. and Mrs. Wood, my grandmother, Mrs. McKay, and Mr. Sammis; I don't recollect whether there was a light when I first went out; I don't know whether any one took out the light or not; I guess it was a little before ten o'clock when Royal Sammis went home; I cannot tell whether the disguised men were large or small; no one, to my knowledge, ordered the masked men away or expressed surprise at their presence; Royal Sammis went out during the evening, and returned after an absence of five minutes; I don't know who went out first when we went into the yard; I don't remember hearing any noise before I went out.



KELLY'S SISTER ACCUSING ROYAL SAMMIS OF MURDERING HER BROTHER.
Sally's Schwester beschuldigt Royal Sammis des Mordes ihres Bruders.

Q. What did you say to Kelsey? A. I told him, as I had told him before, that he was very annoying to me, and that I did not wish to receive his attentions.

Q. Have you any idea or impression, or had you any idea or impression at that time, who these persons in disguise were? A. I had not; I have heard reports, but I do not care to testify as to mere reports; I have heard many reports.

Q. Who have you heard express an opinion as to who they were? A. I can't remember any one just now; I have heard that my husband was disguised, but I know he was not. (This with tremulousness.)

To the Coroner.—When I told Kelsey he annoyed me he was about the width of this room from me; I intended that he should hear me; I could not tell whether there were feathers on him then or not.

Q. Madam, with all due respect, did Royal Sammis before your marriage to him ever tell you who these masked people were? A. No, sir, neither before nor after our marriage; I am willing to answer any questions as to the case either occurring prior to or after our marriage.

At this stage of the proceedings it was deemed advisable, in order to further the ends of justice, that a portion of the subsequent testimony should be taken in private. It seemed impossible to draw any evidence out of the witnesses for the defence, such as would lift the veil of secrecy from the crime, or throw any light upon the darkness that enshrouded it. The band of conspirators who had planned and executed the terrible deed were well fortified in their determination not to reveal anything that could affect their personal safety; and those witnesses who were in sympathy with them appeared to follow a corresponding line of action, for their testimony was nearly all corroborative, and never seemed to conflict.

And this phase of the examination was a puzzle to every one. In an affair where so many persons took part—the sworn evidence of Julia Smith, taken at the preliminary investigation in Huntington before Justice Monfort, in December, 1872, placing the number seen in the Widow Oakley's yard at about forty—it seemed impossible that the foul secret could be kept inviolate before the severe cross-questioning of the lawyers and the jury, and in spite of the firm, uncompromising tone of public opinion. It was thought that the witnesses would be unable to pass through the ordeal of a rigid inquiry without criminating the guilty parties, but such was not the case, and the inquest was prolonged from day to day, and from week to week, without eliciting any very important facts. Then it was that the coroner determined to examine the witnesses in secret session, and also because of some expected testimony that was believed to be of too disgusting a nature for the public ear. This latter was supposed to relate to the mutilation of Kelsey. Accordingly, after the opening of the court, the room was cleared of all except those who were to conduct the proceedings, and the private investigation commenced.

From the testimony that was taken the following has been gleaned:

James McKay, a brother of John McKay, whose evidence appears on a former page, testified that he wrote to a person named Charles Baldwin, living in the city, asking him to come to Huntington to watch for and catch Kelsey. Witness stated to Baldwin that he knew Kelsey ought to be punished. He had told a number of persons that Kelsey would break into Mrs. Oakley's house again after Royal Sammis went to the city, and that there ought to be persons in the neighborhood to watch for and arrest him so as to identify him. He wrote to Baldwin asking him to come up and assist him in the work. The object was to establish the fact of identity.

Q. Had not Kelsey already been identified as endeavoring to get into the house, or as lingering about the premises at night? A. He had.

Q. Then were you advised that it was necessary to have him identified more than once to punish him by legal means? A. No, I was not.

Q. Did you ever see him enter or leave the house? A. No; but I have heard of it; I was not there at the time.

Q. Then all you know about it is from what others told you? A. No, it is not; I accused him of it face to face.

By a juror—Accusation, face to face even, does not prove a man guilty, so far as I know.

Witness.—I accused him of it at the time I was up at Kelsey's house with Royal; Kelsey hung his head and said nothing.

Q. Are you certain that he made no reply of any sort to your remarks? A. He said something to the effect that "She has always had the means, or the power of stopping this thing;" after a while he said, "Then I won't annoy her any more."

Q. How often have you talked with Kelsey? A. Never but once in my life; I invited Royal Sammis to go with me to see Kelsey; I conferred with Royal on Sunday night, November 3d, at the First Presbyterian Church, before service, about watching and trying to catch Kelsey that night; we agreed, and it was understood that as watch was to be kept that night, Royal should come back after he had left Mrs. Oakley's house (Julia Smith's residence) and help; I never heard anything about tar and feathers to be used before the 5th of November; Royal said nothing about disguises to be worn; I never watched for Kelsey; I proposed to Dr. Banks that Kelsey should be watched and caught, and I asked the Doctor to allow them to come to his house and watch, as it was so near to Mrs. Oakley's, and he consented to the arrangement.

Q. Do you know whether Dr. Banks took any part in the tarring and feathering of Kelsey? A. I know he did not.

Q. Were you with him from nine o'clock to twelve that night? A. I was not.

Q. Then you don't know of your own knowledge where he was between those hours? A. No, not of my own knowledge; Dr. Banks made a proposition to me to employ Constable Trainer to watch with the rest, but I dissuaded him from doing so; my reason for so influencing him was that I

thought it would be time enough to call the officer when Kelsey was caught, and that it might leak out that persons were watching for him.

Q. Did Mrs. Oakley request you to watch or to get other persons to watch for Kelsey? A. I don't remember; I don't think she asked me directly; I can't say positively that she did.

Witness then made the following astounding and desperate acknowledgment: "I have purposely refrained from attempting to find out who committed this act on Kelsey; I have a feeling that I never want the persons who did it to be found out; if I knew any of the parties who did this deed I would not tell of it."

Charles A. Mullings, another witness, was then called to prove or disprove certain statements which had been circulated to the effect that the watch found at Kelsey's home had a piece of the chain attached to it, and that the complete chain found on the remains was placed there for the purpose of palming off some other body for that of Kelsey's, which statements had inclined many persons to the opinion that it was wholly a put-up job. The evidence of this witness was awaited with considerable interest, as it would establish a very important fact in the cumulative testimony; but a few minutes' examination sufficed to show that the man really knew nothing about the matter, and had never seen any chain on the watch. His evidence, which was contradictory in all its parts, is as follows:

"I lived in Huntington last fall; I went, at the request of William J. Wood, to search for Kelsey, about his house and lands, after his disappearance; I went, with others, to Henry Kelsey's house; Henry was crying; he said all he missed of his brother's clothing was an old suit he used to tend mason in; he said he was afraid Charles had committed suicide; he said his brother had come home that night, he supposed; a light, he said, had been left burning for him on the kitchen table, and when they got up next morning it was there and still burning; Henry Kelsey told me that William Kelsey, his brother, had told him that Charley's watch was at home, with a piece of the chain attached; I saw the watch; it was lying on the table in one room and I was in another; I paid no particular attention to it; when I saw the watch and chain Miss Kelsey was in the room: Nat. Brush, George Martlin, Constable Trainer, and others, went to the house with me; I saw a knit jacket there which Henry said belonged to Charles; the watch I saw, with a piece of chain attached, was at William Kelsey's house; I can't tell how long the piece of chain was; William never told me anything about the chain; I think the watch and chain were on the table; I cannot tell where the table stood in the room; it was in the sitting-room and I was in the kitchen when I saw it; I don't know and no one told me whose watch it was that was lying on the table; Miss Kelsey was crying at the time, but said nothing; I had merely a casual glance at the watch, and couldn't tell whether there was a whole chain on it; it might have been a whole chain; I might have gone into the room if I had wanted to; I do not know at what time we were there."

Q. Do you know whether the watch you saw on the table was a gold or a silver watch? A. I do not.

Q. Might it not have been the glittering edge of the watch where it is chased that you saw? A. It might have been; I cannot describe the chain; I do not know in reality whether there was any chain on the watch; I was under the impression and belief that I saw it, but I am not positive.

Claudius B. Prime, supposed to be one of the principals in the outrage, testified:

"I went to Mrs. Oakley's about half-past eight or nine o'clock on Sunday night, November 3d, after leaving the First Presbyterian Church; I wore a mask at Mrs. Oakley's which I got at Dr. Panks' house; I saw others whom I did not recognize, wearing masks; I remember one whom I afterwards found to be Dr. S. H. Burgess (village dentist). I was in the room with them two or three minutes, but had no conversation with them; did not hear any one speak; there was a light in the room; I said nothing to any of them about what was going on or to be done; I did not see my son Arthur there, but he may have been there masked; after we went out I whispered with Dr. Burgess; I was invited to go there by James McKay through Arthur; Arthur didn't tell me who else was going to be there; I knew they had been watching for some time previously, we watched till after Royal left that night; after Royal had left Kelsey came on the premises and passed near enough to me for me to touch him; I identified him; I could have got hold of him and held him; I left about eleven o'clock with Dr. Burgess; I went home with my mask in my pocket and then burned it up; the mask was made of pasteboard; after Kelsey left I saw several parties back of the house; I can't tell why I wore a mask."

Q. Would you mask your face to catch a man breaking into a house? A. I don't think I should, ordinarily; I suppose I went there because I was asked to; I knew previously of Kelsey's annoyance of Mrs. Oakley's folks; I knew Kelsey by sight, but never spoke to him; the man I took to be Kelsey was not disguised.

Q. What did you see him do? A. I saw him look in at the west side parlor window.

A juror.—Do you call that breaking into the house? The witness, with some perplexity, continued:—There was a light in that window.

Another juror.—Who put that light there? Without replying to the question witness resumed:—When Kelsey left, he left voluntarily—passing close by me.

Q. Did he break into the house or do anything wrong? A. Not that I saw; he had no ladder with him; I was not on the premises next evening when Kelsey was tarred and feathered; I went home that night about eight or half-past eight; I saw no disguised persons that evening; my son Arthur arrived about nine o'clock at my house and stayed till nearly eleven; I was accused last fall before Justice Monfort; I have never stated to anybody that we had better come out and tell about the affair; I told Arthur

to go away last fall so as to avoid the service of a subpoena, and he remained away till the investigation closed.

Q. Did you know where he was? A. I did not, and didn't want to know; I didn't ask him where he was going, and didn't care where he went; there was far heated in my barn in the first part of November to fumigate my house; there was about two quarts of it; I did say last winter to some parties that the parties who had tarred and feathered Kelsey had better tell all they knew about it.

During the session some witnesses from New York, who had been subpoenaed to attend, were examined. They were friends of Royal Sammis, and the presence of one of their number, James Ives, in Huntington on the 4th of November, was proved by several persons who had seen and talked with him as he alighted from the train at the depot, and in the main street of the village. The theory was advanced that outside parties had been summoned to perform the outrage, and it was shown by the evidence that invitations were given for that purpose; but the testimony of Ives was so at variance with that of the parties whose declarations had been given, that but few new facts could be elicited. Indeed, the last named witness swore that he was not in Huntington on the 4th of November, against the evidence of acquaintances who had readily recognized him, and the truth of whose statements no one could doubt. Strong hints of another arrest for perjury were thrown out, and it became plainly apparent that the case had other ramifications than what had been attributed to the village alone. Exactly what these invited persons had to do with the affair, or what portion of the job was assigned to them, is not clearly known; but their presence in the place at the time of the tarring and feathering operation is certainly too suspicious a fact to be overlooked.

The testimony that was supposed to relate to the finding of a mutilated portion of the body, and which the coroner said would undoubtedly be of too shocking and indecent a nature for publication in the papers, was not given during the secret session. In truth the court was not in possession of any evidence at the time tending to throw light upon this part of the mysterious affair. And so the private investigation failed of accomplishing the object for which it was intended, and really amounted to nothing. It was attempted too late. The parties connected with the disgrace had arranged to conceal the details of the plot long before, and by a systematic concurrence in the line of testimony not a single one of the individuals concerned would reveal anything damaging to his neighbor.

This condition of things was supposed to have been brought about by threats and bribes, for the coroner stated at the time the private examination was decided upon that such a course was necessary in order to protect innocent persons from physical violence, as he understood that threats had been made against the property and even the lives of those who might betray the principals in the crime, and thus reveal the hideous secret.

Had this precaution been taken in time—had the authorities conducted

avoided any publicity of the proceedings, much more might have been accomplished, as the defence would not have had the opportunity, so favorably presented, of preparing their line of action. It was manifest all through that a settled determination existed to cover up the worst features of the crime, and to spare, at all hazards, the guilty parties; and from the evasiveness of some of the witnesses, and the contradictory character of the testimony of others, it is morally certain that if this course had been adopted at the commencement a great deal of valuable evidence might have been adduced.

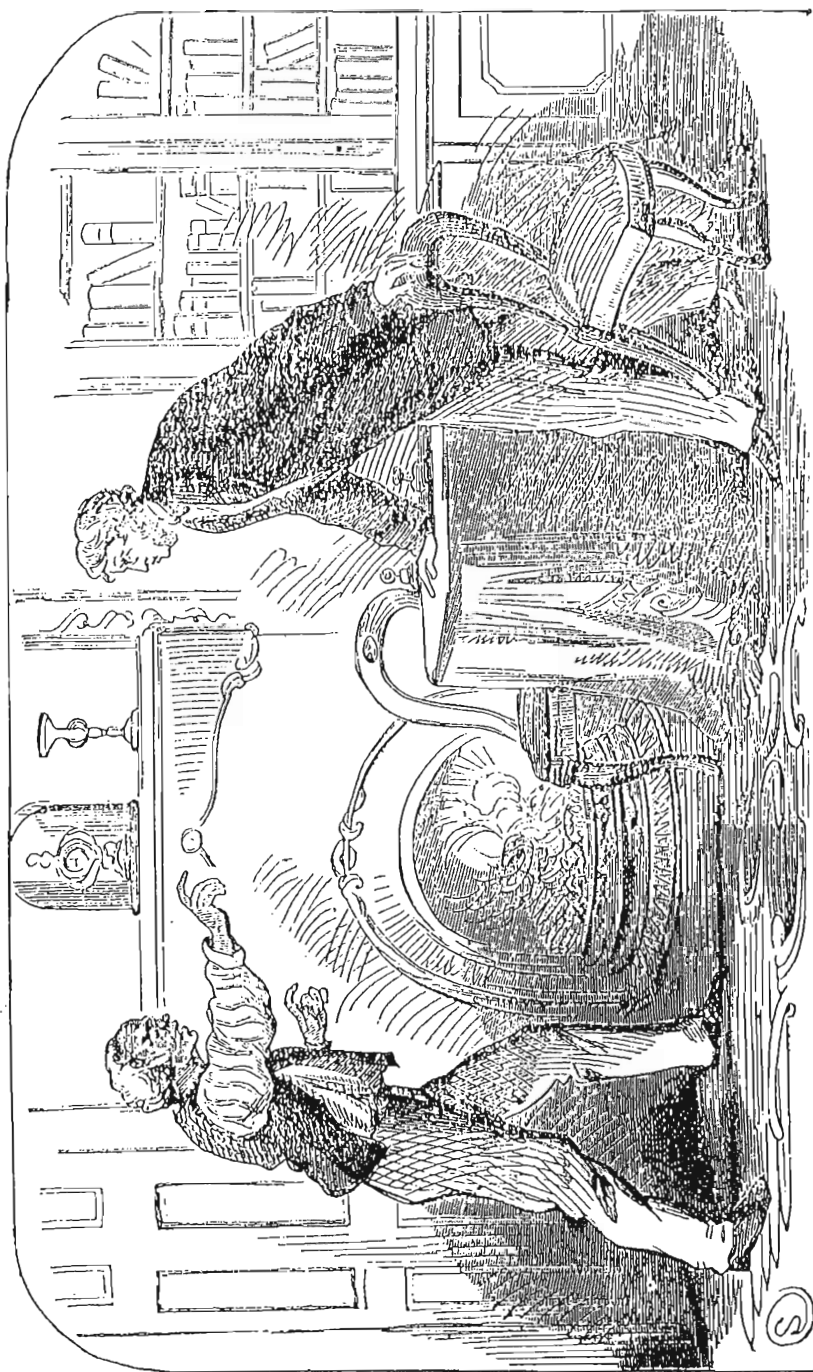
After the lapse of a week, the inquest—which was still dragging its weary length along, to the intense disgust of thousands who were anxious to see the finale of the case—again resumed its session, and this time openly. The room was well filled, for it had been bruited about that three very important witnesses would be called on the stand, Dr. Banks, the Widow Oakley, and Rudolph Sammis.

Mrs. Charlotte B. Oakley, grandmother of Mrs. Royal Sammis, *née* Julia Smith, was the first to testify.

She said that “Royal Sammis came in at seven o’clock, P. M., of the evening of November 4th; Mr. and Mrs. Wood and Mr. and Mrs. John McKay came along quite late in the evening; I had not invited any of them, and did not ask how it happened that they had called together; I had never heard Dr. Banks speak of inviting some of the neighbors to come in that evening; it was quite late in the evening when I heard they had caught Kelsey; I didn’t know where they caught him or where they had taken him to, and did not ask anybody; there was something said, in an informal way, in the parlor, about going out, and all those present got up together and went out; Julia and her sister Abbie did not go out with the party, as they were not present just at that time; when they went out the party walked down the yard; there were several persons in the yard; I saw the person who was supposed to be Kelsey, and the party appeared to be leaving the yard; Julia joined me in the yard; I did not see Royal, nor Abbie, nor Charlotte Merritt in the yard; when we had spoken to Kelsey we went back into the house, and he made no reply; I had had no conversation about tarring and feathering Kelsey; did not know he was to be caught that night, or that he was to be tarred and feathered; did not know who tarred and feathered him or who procured it to be done; I never inquired about any part of the transaction; there was no tar heated in my house that night—it could not be done without my knowledge; I consulted Dr. Banks about the annoyance Kelsey was giving me, and we concluded the only way was to watch for him and entrap him; I also asked Dr. Burgess to come to my assistance if he heard my bell ring.”

Q. Had you any fear that Kelsey would return to your house that night after you saw him in your yard? A. I had not.

Q. Why not? A. Well, because his appearance was such as—



"TAINT NO USE 'TALKIN' TO ME, NASSA; IEE GIVINE TO TELL ALL ABOUT DAT KELSEY BUSINESS."

"Es ist nutzlos, zu mir zu sprechen, Nassah, ich sage euch alles über die Kelsey Angelegenheit."

District Attorney Tuthill.—Oh, yes. His appearance was such that you thought he would not be apt to come back. Is that it? A. Well, I have told you all I know; I had no idea that he would return; I thought he had been punished, and I knew he deserved it; Dr. Banks came in before Mr. Wood left, and after we had been in the yard; I remember asking James McKay to help watch for Kelsey; I wanted Kelsey punished by law.

Q. Did you see Kelsey get into your house? A. No, sir; my granddaughter did; he had a lantern on his arm at the time.

Q. Did you make any attempt to bring the law to bear on Kelsey? A. I went to—

At this juncture, Mrs. Stuart, the step-daughter of the witness, and her companion in court, interrupted the proceedings by addressing the coroner. She said: "I must speak right here; District Attorney Tuthill himself told Mrs. Oakley that Kelsey had done nothing illegal."

The District Attorney rose and stated as follows:

"Upon examination of the matter I recommended them to make a complaint, and have him arrested for burglary if his intent appeared criminal, otherwise for trespass. At the same time I assured Mr. McKay, the emissary on behalf of Mrs. Oakley, that there was not proof enough to justify a grand jury in finding a true bill, as there did not appear sufficient evidence to make it conclusive that it actually was Kelsey."

Witness closed the import of her evidence by stating that the object of watching for Kelsey, as she understood it, was to entrap him and have him punished for trespass, as suggested by Mr. Tuthill.

Rudolph Sammis, brother of Royal, was next called, and testified:

"I was at home part of the time on the night of November 4th; I went up to the village, and carried my brother Royal at about dusk; I then went back home, and went up again for Royal about ten o'clock and drove him home—took him right home; the night before that (Sunday night) I was at Mrs. Oakley's watching for Charles G. Kelsey; I was asked on Sunday by James McKay, at the First Presbyterian Church, to go and help watch for Kelsey, to capture him breaking into the house, and hand him over to Constable Trainer; this conversation took place at the church shed, and there was nothing else said; I told him I would go; I had heard before that Kelsey had got into the house, and we wanted to catch him breaking in; I had no mask on."

Mr. Platt.—Well, go on and tell us all about it. A. There was only two of us, myself and Royal; there were four going back, we two and our man (Fred Titus) and John Conklin; James was standing in front of the drug store, and as he said he had come to the village on foot, I asked him to ride up home; my brother and I were on foot—this was the Sunday night—Royal was ahead of us; I do not think he had any disguise on; Royal left Mrs. Oakley's house before I did, and I told him to wait for me under the shed; after he left Mrs. Oakley's house I sat on the stoop, and a man with an old slouch hat on came in at the front gate, went around the

house, and that was the last I saw of him; I don't know that it was Kelsey.

Q. Don't you know it was Royal who came again into the yard? A. I don't.

Q. You don't know whether it was Kelsey or some one else? A. No, sir.

Q. Then, as you don't know who it was, it might have been your brother Royal? A. No, I don't think it was; I stayed on Mrs. Oakley's premises until about twelve o'clock; my brother left about half-past eleven; I got there about half-past nine o'clock.

Q. Did you see any person on Mrs. Oakley's premises that night? A. I might have, but I didn't know them; I had heard them in there many a night before that, under the bushes; I had heard them rustling and changing their places; it rained quite heavily that Sunday night, and I went on the stoop to get out of the rain; the man who went round the house had some kind of a tippet on; if it was a handkerchief it was a funny colored one; it was a kind of red, or red and white; I expected Kelsey would come on the premises after Royal left; when I left I left of my own accord; when I told Royal I was going to watch, he told me I had better not go; he went to meet me, I suppose; I never heard Royal say they were going to tar and feather Kelsey; I saw no disguise in the wagon, except an overcoat of Royal's; on the night of the tarring and feathering I brought my brother to the village in a wagon about dusk; I left him at the Post office, then hitched my horse under Powell's shed, went to Eaton's and John Fleet's stores, and then drove home; then, at about half-past nine, I left home again and went up for him to Mrs. Oakley's; I went straight to her house; I heard nothing about tar and feathers until I got my brother in the wagon, and then he said somebody had been tarred and feathered, or Kelsey was tarred and feathered, or he was told it was Kelsey, or Kelsey had had something done to him; when I rang the door bell at Oakley's my brother opened the door; when my brother told me about what had been done I told him I didn't want to hear anything about it; I never saw a club about the premises, at home, about two feet long, but Royal told me recently he had made a club of that kind; he told me he threw it away on that Sunday night, after he left the shed at the hotel to go to Mrs. Oakley's; I didn't ask him why he had it, or why he threw it away.

Q. When he told you that he threw it away, didn't you think it was a strange thing to do, after making it and carrying it so far?

The witness betrayed a good deal of uneasiness at this question and stammered out, "I suppose he wanted to stop Kelsey if he caught him in the yard."

Mr. Platt.—With the club? A. Yes.

Q. Have you ever heard Royal say where Kelsey was caught on that Monday night? A. No, sir; he always told me he didn't know anything about it. I never heard any one else say where Kelsey was caught; never.

heard that he was caught by the fence in front of Mrs. Stuart's; I think I was husking corn all day on that Monday—but I am not positive; I was in New York and Brooklyn four or five weeks last fall while the examination before Justice Monfort was in progress; I came home after it was over; I did not know there was a subpoena out for me.

There was a confused murmur of voices in the room as Dr. George P. Banks, the next witness, appeared on the stand. He was a pitiable sight to behold—a mere wreck of his former self. His hair, a mass of silvery gray, falling carelessly over a brow furrowed and wrinkled, bespoke the withering sorrow that pierced his soul, and which had blighted, in its course, all the joy springs of existence. One short year, and oh, what a change! Pride and happiness had alike vanished. His manner was anxious and constrained, his voice was sad and melancholy, and the picture of a terrible fear mirrored itself upon his once placid face. Many of his friends who had not seen him since the first examination in Huntington were amazed at his appearance, and would never have recognized him. With considerable embarrassment he testified as follows:

"I am Mrs. Oakley's nearest neighbor; I remember a number of persons being at my house on Sunday night, November 3d, last; Dr. S. H. Burgess' Claudius B. Prime, Arthur T. Hurd, John McKay; I don't recollect seeing any one else; none of them were disguised that I saw."

Q. Did they get any masks while in your house? A. Not that I know of; I don't know whether they got any when they went out; I think I went out with McKay and Burgess; I didn't see any mask on Dr. Burgess; they might have put on their masks in my house and I might not have seen them; I can't say whether they were all in the room or not; after they left my house they went on to Mrs. Oakley's premises; I saw John McKay there on her premises; I saw two or three of them again after they had given up watching; it was about half-past nine when I saw McKay, there, and I stayed on her premises then until twelve o'clock; McKay was nearest to me; I don't recollect seeing Rudolph Sammis there; I don't recollect having any conversation with Burgess or Prime when we gave up the watching; I have no recollection of any masks being given up to me by any of them when the watch was over; I don't know where Mr. Hurd was stationed; I know no other parties who were watching than those I have named; Burgess and Prime were west of the house; I did not see Kelsey that night—I heard footsteps though; Prime and Burgess told me that some one, whom they supposed to be Kelsey, passed them; no attempt was made to stop him; McKay was standing near me; I saw no weapon.

Mr. Platt.—On the next night, November 4th, were you in Mrs. Oakley's house? A. Yes; I saw there Mrs. Oakley, her two grand-daughters and Royal Sammis; I think Sammis was in the hall and the others in the sitting-room; I think I had a lantern which I left on the stoop; it was about nine o'clock; I told them that I supposed Kelsey had been caught, from the noise I heard from the rear of my house; I cannot repeat what was said

by them; I suggested that I should go and tell Dr. Burgess and Mr. Wood; they agreed to the suggestion.

Q. What did they say? A. I don't remember; I only supposed they had caught Kelsey from the subdued noise I heard in Mrs. Oakley's yard from my back stoop.

Q. Could you see those persons? A. I could not; I thought it must be Kelsey because people had been watching for him; I went to Mr. Wood's and said I supposed some one had caught Kelsey, and I asked him to come over and he said he would; I then went to Dr. Burgess' and told him the same, and he said he would come; I then went back to Mrs. Oakley's and saw the same persons there; Royal was then in the sitting room; I told them I had summoned Burgess and Wood; I then went home and was at home about ten minutes; I went into my stable, and while there heard a sort of hurrah or shout.

Q. Where did you go then? A. I went to Mrs. Oakley's yard.

Q. Haven't you forgotten a second visit you made to Mr. Wood? A. (hesitatingly). I think I did go there a second time; I went there the last time to hurry him up; I saw Kelsey there; he was on the west side of the yard, about half way down toward the gate; the ladies walked down the yard to about where he was; I saw about four or five persons there; I saw Mrs. Oakley, Miss Smith and the others I have described; I saw no one there in disguise; I saw no one around Kelsey; I went within two or three feet of him when I first saw him; I saw his face, head and shoulders; I didn't see him only while my light lasted.

Mr. Platt.—Your light did not last long when you got near him? A. No.

Q. Well, "while your lamp held out to burn" what did you see? (Laughter.) A. I saw Kelsey; I knew it was him; his neck and shoulders were covered with feathers; I did not notice his moustacho; he had his clothes in his hands; I couldn't see any of his clothing on him; I noticed no blood on him anywhere; he was a broad-shouldered and round-shouldered man; I didn't look at his feet and legs; I was up on the edge of the terrace or bank and he was a little higher up on the same bank.

Q. When you got close to him what did you do? A. I held the lantern up so that I could see his face; I held the lantern up to his shoulder, about; asked him if this was Kelsey, and he made no reply; he struck me on my shoulder with a boot he had in his hand.

Q. He didn't speak—was he gagged at all? A. I couldn't see that he was gagged.

Mr. Platt.—Yet he didn't utter a word all that evening! What else? A. He struck at me again as I turned to leave and broke my lantern; may have struck him as I turned to leave, but I don't remember it; after my lantern went out Kelsey went toward the rear of the yard and went out; didn't see any one near him then; after he left I went back to Mrs. Oakley's; I saw the family and the other persons already named in the house;

they talked about the matter; I don't recollect what was said; some one said, "It was a sickening sight;" I thought so myself.

Q. What looked sickening? A. His face.

Q. How did that look sickening? A. He had his hair cut off.

Q. Is it very sickening to see a person with short hair? A. It is to me sometimes; I don't remember who made any special remark; I went home about five minutes later.

Q. Have you ever said Kelsey put on his pantaloons or drawers under Mr. Wood's shed? A. No, sir; the noise I heard was a kind of shout or hurrah; I don't know whether the persons I saw in the yard had made that shout; I heard it very distinctly; I supposed it was tar Kelsey had on him, but I saw mostly feathers.

Q. Kelsey never spoke a word while he was there, according to all the testimony. How do you account for that? A. I have no explanation.

Mr. Young.—Doctor, why did you invite all the neighbors to this spectacle? A. So that they might remonstrate with him for his annoyance.

Mr. Young here produced Dr. Banks' mysterious letter to Constable Trainer, signed "V. C.," and asked why, if he considered this movement to arrest Kelsey a laudable one, he did not sign it with his own name.

The Doctor replied: "I have no explanation of it to make."

Mr. Young.—It is very unfortunate for you, then.

Dr. Banks.—Those initials occurred to me during the conversation with the constable, and I told him I would sign that way.

Mr. Young.—When you found Kelsey had been caught, did you, as you have stated was your intention, make any effort to have him brought before a justice? A. I did not.

A juror.—You say you went over with your friends to see that no harm was done to Kelsey after he was caught. Did you think Claudius Prime, or John McKay, or Dr. Burgess would do violence to him? A. No, sir.

Juror.—Then you must have had a suspicion that the men who did actually have him in charge were men of violent resorts and might injure him. Who did you suppose they were? A. I had no right to suspect anybody.

It is noticeable that whenever the Doctor was interrogated on prominent points in the affair, he had "no explanation to make!" He formed one of the party that committed the deed—that sent, without the least warning, a fellow-creature into the presence of his Maker—and yet he professes entire ignorance of the murder, and declares he "had no right to suspect anybody!" He made himself conspicuous in calling together the neighbors to witness the foul proceedings, so as to impress the victim with a full sense of their importance! He approached, with his lantern, the shivering man, and held it up so that its glare might rest upon the nude form, and the company that followed closely at his heels stood by to mock at the vile degradation! He testifies, under a solemn oath, that Kelsey stood before them naked, and that he tried to shield his person from the rude gaze of his

persecutors, by holding the garments he had worn around his trembling form.

"No explanation to make!"

Was the man gagged that he did not reply to the Doctor's peremptory demand, "Is this Kelsey?" That he did not reproach them for their brutality? No one can read the evidence, and not arrive at this conclusion. If his mouth had not been stopped beyond the power of utterance, he could easily have raised an alarm that would have brought a score of sturdy arms to the rescue. It was not one of those nights when the rural population retire early, and the streets of country villages are unbroken by the sound of a single footfall. Not sixty rods away, in the Suffolk Hotel bar-room, a large number of hard-fisted toilers were assembled, discussing the political question, and as the night advanced the noise of their shouts and revelry could be distinctly heard some distance away. The main street was not silent and still, but resounded with the roll of passing vehicles and the tramp of pedestrians. The least suspicion of what was being done on the Oakley premises—a single cry of distress—would have been the signal for a rush of the crowd to the scene, *en masse*.

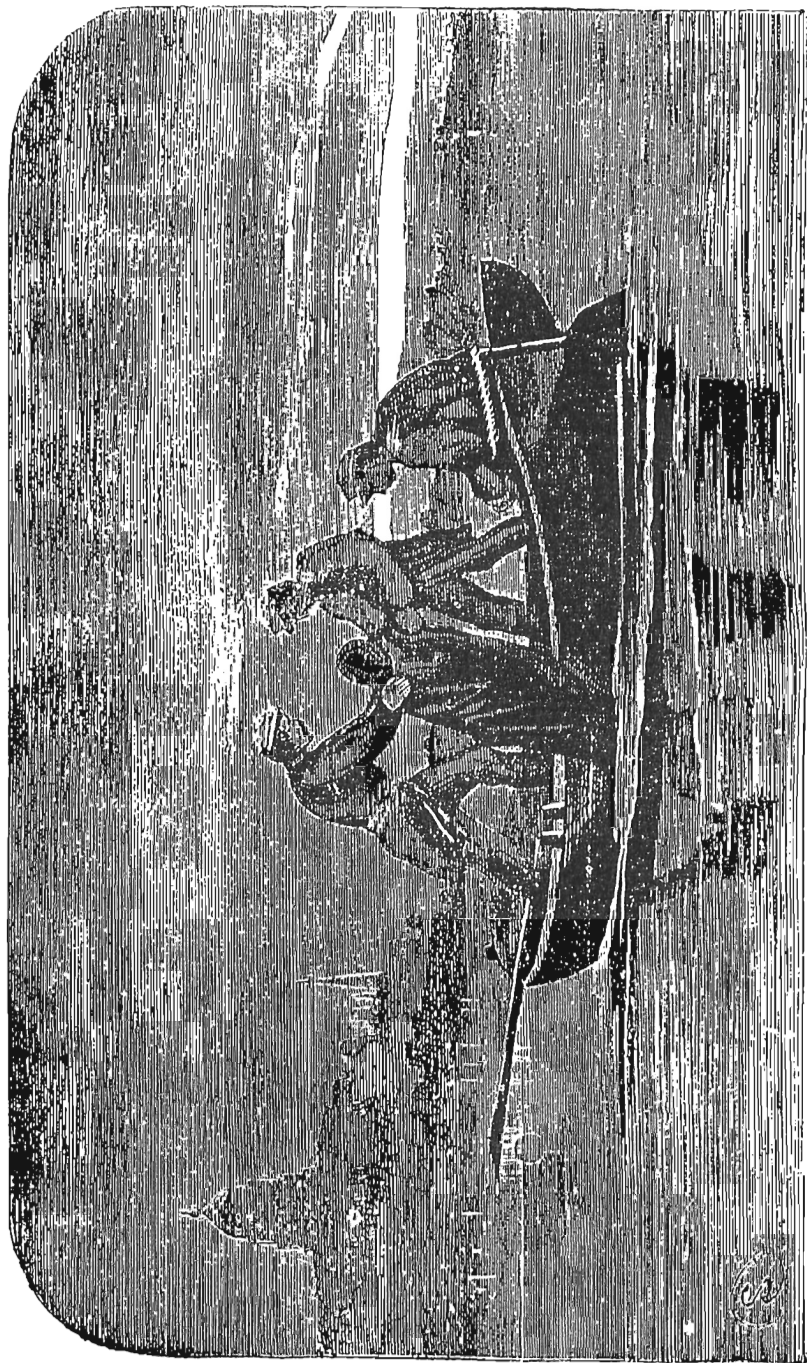
Yes, he was gagged, and the notes of terror and alarm he strove to utter died hollowly away in his throat!

"No explanation to make!"

Ah! but an explanation will be made, and if it comes not from you, Dr. Banks, it will come from some one!

It has been said that this crime would continue to remain a profound mystery until the persons engaged in it were brought to face the "King of Terrors," in the solemn hour of death! Then, if not before, will the "explanation" be made. Not one of the parties who is in possession of the secret can calmly cross the dark river with that weight upon his conscience! Not one of them is so hardened as to resist the pleadings of the "still, small voice," in a time when the soul trembles on the awful abyss of Eternity! The thoughts engendered by that fatal night will flash athwart the brain and oppose tranquillity, and the grim spectre of the tortured Kelsey will rise to cloud the spiritual vision, and fill the mind with unrest. Then, at last, the explanation will be made plain! But we have full faith it will be made before. Ere the concluding pages of this book are reached we hope to solve the mystery, and tell who are the alleged murderers. At least we shall expose those upon whom the brand of Cain so severely rests.

At the conclusion of Dr. Banks' testimony, the coroner announced another adjournment for two weeks. This action filled everybody with astonishment, as there seemed to be no good reason why the inquisition should not be closed up and the case given to the jury at once. More than six weeks had passed away since the remains were found floating in the waters of Oyster Bay. A large number of witnesses had been examined on both sides, and already enough circumstantial evidence had been adduced to



SINKING THE MUTILATED BODY OF KELSEY IN OYSTER BAY.
Den verkwamensten Leichnam Kelsey's in der Oyster Bay verontfend.

all was not right. Public opinion is a difficult thing to control, and when once aroused it takes rapid strides, and jumps at conclusions with little or no deliberation. In this case there appeared to be a necessity for it. What was the reason for the delay, if it was not to gain time? And the time thus gained might be injurious to the prosecution and the cause of justice. It was manifestly the aim of certain parties to prolong the investigation until it would be too late for the approaching session of the Circuit Court, and thus carry the trial over to another term, in the hope that in the long interval the affair might be partially forgotten.

Meanwhile the far party was not idle. They made frantic attempts to escape the retribution that awaited them, and to save themselves from public odium. They laughed to scorn the idea of Kelsey being dead, and stoutly asseverated their belief in his continued existence. As a last resort they circulated the report that the missing man would be produced by them inside of three or four weeks. Charles G. Kelsey, they declared, was alive, and living in California. It transpires that nearly twenty-five years ago, George Kelsey, the oldest of the Kelsey brothers, went to California and never returned. It was supposed by his family and friends that he was dead, as the correspondence that was regularly received from him long since ceased. Now it was asserted that Charley was in that far off State, personating his absent brother. To this item of intelligence it was added that a detective had been dispatched there, to return him to Huntington, and to his mourning kindred.

Such vain and futile attempts to support a hopeless cause met with no encouragement from the public at large. The ruse was altogether too transparent. Kelsey alive! The victim of such vile and diabolical treatment—torture never before heard of in a civilized community—still in the land of the living! As well might the argument be put forth that the man possessed more than human attributes, and was incapable of being killed! This, in the face of the most convincing proof that a brutal tragedy had been enacted in their midst, was a direct insult to the law-abiding people of Huntington, and was still more aggravating, coming, as it did, upon the heels of the announcement that letters of administration had been issued on the estate of the deceased, and of the offer of an additional reward of \$1000, by the Supervisors of Suffolk county, for evidence leading to the conviction of his murderers.

Now really what were Kelsey's offences that his life should pay the forfeit? What had he done to deserve death at the hands of a reckless and violent mob? These are pertinent questions, and to answer them the reader must be carried back to the early pages of this book, and pass slowly in review through all the faults that are laid to the unfortunate man's charge. In the first place, he was guilty of falling in love with a young girl, a mishap which has attended the generations of men since the time the unsophisticated Adam discovered in the fair and blooming Eve, and the whole sisterhood of her descendants, certain innate qualities that called forth his un-

bounded admiration and respect. This attachment Kelsey persisted in, notwithstanding the opposition of the young lady's relatives, who had other plans for her matrimonial welfare. It is useless to put forward the excuse that Miss Smith gave no encouragement to her admirer, as she stoutly asserts. Love begets love; and the very fact of her being waited upon by him combats that theory, and establishes beyond a doubt that she reciprocated his ardent passion, and would, if unmolested and uninfluenced, have yielded her entire devotion into his keeping. Nothing seems more natural than that this should be the case. At least it so appears to every observing person who has followed the disclosures that have been made from time to time. Is it such a grievous sin for a man to love a woman? What could be more natural? The world has given many examples of what men have endured to gain the object of their affections. Those who have been deemed stoics on every point have fallen before the power of "love's bright dream," and acknowledged themselves conquered. Many have filled a suicide's grave through excess of blinded zeal, but there seems to be no case on record where a man was subjected to the most cruel torture, and finally death, simply because of his love and heart devotion to a maiden. The trouble with poor Kelsey was that he "loved not wisely, but too well!" His nature would brook no interference in the affair on the part of the family of his idol. When she was ready to dismiss him from her side it would be time enough to sacrifice his passion on the altar of unrequited love! Then, and not before! But an unexpected obstacle crossed his path, and threatened to chase away all the bright hopes he had formed for the future. It came in the person of Royal Sammis.

Julia's grandmother, not liking Kelsey, determined that she should bestow her hand upon Royal. Kelsey, with equal firmness, would not yield to the latter's claim, and decided that he would win her if possible. At least he would continue his wooing! He had the priority of affection to outweigh any efforts his rival might make. Julia's position was an awkward one now! She stood between two fires! She was so unfortunate to be loved by two gentlemen at one and the same time! On one side she was menaced with the severest displeasure of her aged relative if she permitted Kelsey's continued attentions, and on the other the no less bitter reproaches of her persevering suitor! What could she do? The laws of the country prohibited the possession of both in the marriage relation, even if he had desired it, and she must quickly decide between them! Which would she take? The counsel of older heads at last prevailed, and she induced to sever her connection with Kelsey, and turn the current of love in the direction of Sammis. The transfer was duly made! What matter to the scheming family if one heart was sadly crushed in the romance? Simply nothing! The question of outraged feelings was taken into account. Interest and expediency carried the day against entreaty and argument. Kelsey was left out in the cold to ponder on the instability of the sex.

We come now to the letters about which so much has been said, and which were attributed to his hand. Did they really emanate from him? Were they the productions of his pen? We answer in the light of human reason, No! They were not natural to him! No person of sound mind could indite such missives to the being upon whom he lavishes his affections, and afterwards appear in her presence without experiencing a sense of self-condemnation that would wither him at a single glance! He could never meet the fire that would flash from her eyes as she fixed them upon him, and stand undismayed before the scornful gaze of insulted purity! No! If he was their author—if his hand traced the obnoxious lines, then his intellect was crazed, and that hand was impelled by the throes of insanity! In that case he should have been an object of pity rather than malice, and sympathy for his misfortune should have taken the place of heartless brutality. But the man was not suffering from incipient insanity. He was in his right mind, and betrayed no such symptoms. If the truth was known, those letters could be traced to other sources! And they were sent for a purpose! This may seem like a thrice told tale, but natural conclusions forbid the thought that Charles G. Kelsey was the writer of them. Was it found necessary to produce false evidence of the worthlessness of his character before Miss Smith would tear his image from her heart? How easily such evidence might have been manufactured, and its authorship traced to Charles!

Further. It has been stated that he was caught entering her bed-chamber in the night, and that by a fortunate circumstance the room was occupied by a lady friend of the family, and not by Miss Julia herself, at the time of the nocturnal visit. The season was summer, and the window was left open to admit a cooling breeze. The lady was awakened from her slumbers by the touch of a hand upon her face and down her breast. She starts up, and confronts a man! No particular alarm is felt at the sudden awaking, the strangeness of the hour, or the intruder's presence! Very catholically she raises herself to a sitting posture, and endeavors to solve the man's identity! Terror did not cause her to scream and startle the neighborhood with her frightened cries! She appeared quite self-possessed, and sought to eject the visitor by her own feeble strength! What woman could pass through such an ordeal so calmly? The very fact of being suddenly aroused from sleep in the dead hour of night, and finding outlined against the dim shadows the form of a man standing at the bedside, would inspire sufficient fear to cause a rending shriek to issue from the throat that would startle the echoes around, and speedily bring the other inmates to the rescue! The quick transition from undisturbed tranquillity to sudden and overpowering dread would oppose serenity, and call into action all the forces of natural fright! No! the story is too incredible!

Besides, if Kelsey was the lecherous wretch he has been painted, and did really violate the sanctity of that chamber, why did not the family, on learning the circumstances, bring the law to bear upon him for the act?

Why did they not blazon forth the man's villainy, that every one might know there existed in the neighborhood a living embodiment of all that was gross and vile? Then, instead of the cold, dark waters for a winding-sheet, he would have been immured within prison walls, and the locality of Huntington would have been rid of his contaminating presence.

Were his offences capital crimes that could only be wiped out with his life? Did Miss Smith desire a blood-atonement to appease her wounded sensibilities? Forbid the thought! And yet she abetted the deed. She bore witness to at least a portion of the punishment. It has been proved in evidence that she accompanied her grandmother to the spot where Kelsey stood in his degradation. Her betrothed husband, too, composed one of the group that surrounded the helpless man. We leave it to the reader to guess what were the emotions that thrilled the hearts of these two—so soon to enter on life's journey together—as their mutual glances rested upon the brutal spectacle!

In the interval to the re-opening of the inquest, which was postponed beyond the appointed time by Coroner Baylis, Colonel Sidney de Kay, Aide-de-camp to Governor Dix, arrived at Huntington to make an official inquiry into the facts and circumstances connected with the outrage and mysterious murder. This action on the part of the State was rendered necessary by the manifest inability of the town authorities to clear up the case and bring to punishment the real culprits, and those who were accessories to the appalling crime.

The colonel held personal interviews with several parties in the village who might be able to impart information that would aid him in the preparation of his report to the Governor of the State. Among those whom he called upon in pursuing his investigations was the Rev. Dr. Carter, pastor of the First Presbyterian Church, of which Dr. Banks, William J. Wood, John McKay, Claudius B. Prime, James McKay, Julia Smith, Ammis, and Charles G. Kelsey, as well as other persons involved in the crime, are, or were at that time, members. The arrival of this gentleman at so opportune a period, with extraordinary powers to unravel the various entanglements of the singular plot, created considerable excitement in the place, and set agoing all the gossiping proclivities of the people. All the latest developments in the affair were carefully noted, and Coroner Baylis, of Queen's county, who conducted the inquest, was called upon to furnish facts bearing on the tragedy. The purpose of the Governor evidently was to acquaint himself with all the details of the shocking crime, through the medium of his private secretary, and then to offer a reward on the part of the State for the apprehension of the most guilty parties.

The little village of Huntington became still more prominent as a center of news, and people everywhere felt an intense interest in the revelations that had been and were still being made in the remarkable murder. The great New York dailies furnished a corps of regular reporters to chronicle the very latest intelligence from the scene, and the telegraph wires

found new and profitable employment. Everywhere the mystery that for nearly a year had baffled all the skill of local enterprise was talked about. The "Huntington sensation" was in every mouth. It was the sole topic of conversation in city and town. Nor was public interest in the heartless killing confined to any section or locality. From the far off hills of Colorado came a published longing that the cloud might be lifted, and the dead Kelsey be avenged in the legal punishment of his murderers. Even across the broad Atlantic, on the shores of the Old World, people had taken up the subject, and an article in the London *Pall Mall Gazette* dwelt with considerable length upon the awful deed, and stigmatized the authors of the outrage in no measured terms. Surely, "Man's inhumanity to man makes countless thousands mourn!"

And the truth of the poet's maxim was certainly verified in the general interest that had centred around the terrible event. Men felt in their own hearts the barbaric enormity of the act, and deep sympathy for the tortured victim caused a shuddering thrill of horror to course through the frame, that sent the warm blood surging along the veins with more rapid force, as the mind took up the thought of the hideous mutilation, and laid bare the awful agony the bleeding Kelsey endured. And this portion of the affair was what called for the loudest censure and severest punishment on the part of the people. From all quarters of the habitable globe the newspapers are daily furnishing the details of murders and all the other desperate acts in the catalogue of blood, and the public have become satiated with the record, and turn away from the sickening narratives with feelings of the most intense disgust. But the history of this brutality is too shocking to be passed by indifferently. It is entirely outside of the list of cruelties which the public have been accustomed to read. It is not only a murder, but the utmost limit to which human suffering can go ere the spirit breaks loose from the quivering flesh. Hence the deep interest that is felt on all sides in the unnatural crime.

On Friday, the twenty-fourth day of October, the inquest was finally resumed. The large room attached to the Pavilion Hotel was filled before the proceedings commenced, and every countenance was animated with the hope that the day's session would terminate the long investigation and determine who were to be held for complicity in the affair. The levity on the part of some of the witnesses, which characterized the evidence, would not be allowable in a city court room, and was a disgrace to the judicial assemblage. Colonel De Kay was present during the day, and occupied a seat near the Coroner, where he was busily engaged in observing the progress of the examination. It was stated that immediately upon its conclusion he would start for Albany, to lay the details of the case before the Governor and the Attorney General.

The first witness sworn was William J. Young, Assistant District Attorney of Queen's County. He testified:

"I knew Charles G. Kelsey by sight and have spoken to him, but had

o intimate acquaintance with him; first learned of Kelsey's being tarred and feathered by being told of it about nine o'clock on the morning of election day; it is my impression that Thomas Aitkins first told me in his store; I had not previously been told that it was the intention to catch Kelsey; I had heard that he had got into Mrs. Oakley's window; I have an indistinct impression that Julia Smith herself told me at her house; I spoke to some one and asked if this Kelsey trouble still continued, and was answered that it was a great deal worse. I asked in what way, and some one, I think Julia, said, 'He has come in at the window;' I had conversations with Royal Summis about the watching for Kelsey on several occasions, as well as in reference to these proceedings; I don't remember the conversations; don't remember half of them."

Mr. Young.—Well, give us that half. A. I do not remember any of it; I remember saying to him it was a farce; I remember saying to him that I did not think he need fear being hanged for it; I can't say whether I know the people who tarred and feathered Kelsey, but if you will tell me who did it, I will tell you whether I know them or not. (Indications of disgust by spectators and jurors.) I said to Elwood Crossman last fall that it was a pity that that girl should be pestered by that fellow, and that somebody ought to catch him and punish him, or see that he was punished; I may have said he should be tarred and feathered.

By a juror.—Do you know that Kelsey is not dead? A. No. I only think so.

Another juror.—Do you think that a man would leave his home and friends as he did and roam the world an outcast? A. I think he would; I would if I was tarred and feathered.

William Streeter, a printer by occupation, residing in Glen Cove, Long Island, was next called on the stand. His testimony relates to a conversation which he overheard between two men on a railroad train while going to New York. His evidence is as follows:

"I went to New York on the cars two weeks ago last Sunday; I heard in the cars at that time a conversation between two men; I can only remember the leading points of it now; the conversation took place while the train was travelling between Hyde Park and Hunter's point; my attention was attracted by hearing two persons on the seat behind me conversing quite loudly on this Kelsey affair; the first remarks I heard were 'I tell you he was taken right opposite my place of business;' one of them was a short, thick-set man; the other was taller, and had short black side whiskers; the latter is the one who made the remark I have given; he went on to say he saw one of the party take Kelsey; that there were eight of them, and that one of them struck him with a hickory club, and that he tore the masks off one or two of them, which so enraged them that one of them, with an iron spike in his hand, was going to drive it into his head, but was prevented from doing so by some of the others who were present; the man said he recognized the men who had their masks torn off; the man who was telling



GREAT EXCITEMENT! THE PIOT. "TAR PARTY" AND "ANTI-TAR PARTY."
Der Aufbruch. „Scheer-Partei“ und „Anti-Scheer-Partei.“

this, I have since learned is Whelen, and the other man is named, I think, McEvoy; Whelen said he could recognize them all, and put his hand on the shoulder of every one of them; Whelen said he followed them when they took Kelsey away to where they tarred and feathered him; saw Dr. Banks hold the lantern while the tar was applied; saw a servant girl go into the house and throw from an upper window a bag, from which the feathers sprinkled on Kelsey were taken, and, I think, he said Miss Smith was standing on the stoop all the time; he then said there were four who tarred and feathered him, and the other four killed him; he then mentioned the names of all the eight parties, but I only remember three names—those of Dr. Banks, one called Ives, and another named Hurd; I can't remember the other names positively; Whelen then went on to say that he had been talking to the parties before it occurred, and that they said they intended to mutilate him; Whelen then said that he believed they had done so after they had killed him; he also said that one of the parties called at his place of business after the affair, and that the party told him not to mention it; McEvoy asked Whelen why he did not testify to this, and Whelen answered that he had no one to support his testimony and it would be no good; Whelen then said that a party had come to him and asked him which side he took, and said that, in a nutshell, it was 'gin against respectability'; Whelen said he asked the party which side represented the respectability, and the party replied, 'The side Dr. Banks is on; ' Whelen says he then remarked that if that was the case he wanted to be on the side of the gin party; that the man then remarked to Whelen that he (Whelen) had a good many friends on the other side, and that Whelen said, 'Well, if there are, I want to see them punished; ' a Mr. Baker, employed with me, was on the seat beside me; Whelen appeared to speak as though he meant it seriously; I have an indistinct impression that he used the names of Royal Sammis, Prime, McKay and Baldwin, as being in the party of eight; I am pretty certain as to the use of the name of Prime; I learned that the men were Whelen and McEvoy by name, on Wednesday last, when I went over to Huntington with the Coroner to see if I could identify the men; the only thing further that I heard said in reference to the mutilation was that some doctor had told them that it wouldn't hurt him anyhow."

The witness was then requested to rise and look around and see if he could identify the two men. He did so, and pointed out Mr. Whelen and Mr. McEvoy among the spectators.

To Mr. Tuthill.—I spoke to McEvoy in Huntington, on Wednesday, so as to get him to speak, and as soon as I heard him speak I recognized him.

To a juror.—I was under the impression that he was the man as soon as I saw him, but when he spoke I recognized him instantly.

To another juror.—I was sitting in front of them, and turned in the seat so as to hear more accurately; at times, when a big point came out, I nudged Baker, or winked to him, and he did the same to me; I said it was a pity there wasn't a reporter there.

I have not read the reports of this case since the first accounts were published at the time the outrage took place; I have seen them occasionally since, and noticed that the case was continually adjourned from time to time.

Stephen Baker next testified. His evidence corroborated, to some extent, that of the previous witness:

"I reside in Glen Cove, and am employed in the starch factory; I was in the cars with Mr. Streeter on the occasion referred to and heard the conversation he has described; one of the men said he made the boots for Kelsey; the other said that a man came to his place and told him that they had caught Kelsey, and that he didn't want this man to say anything; I don't remember hearing them say who the parties were; I didn't hear him say that he could put his hand on them; they might have said it."

To the Foreman.—I didn't pay much attention to what was said, but there was considerable talk.

To Mr. Young.—I did not endeavor to hear their conversation; I think I heard something said about a spike.

To the Coroner.—I think I heard Dr. Banks' name mentioned.

To Mr. Young.—The tarring and feathering were spoken of; one of the parties said he didn't think the parties who tarred and feathered him were the parties who killed him.

To Mr. Tuthill.—I don't think I had any conversation with Streeter at the time; I hit him on the elbow, or he nudged me, I don't remember which.

By the Coroner.—To draw his attention to the conversation? A. Yes.

To Mr. Young.—After we left the cars Streeter said something to the effect that it was a pity there wasn't a reporter there.

To Mr. Tuthill.—Streeter had a newspaper, which he appeared to make believe he was reading.

To a juror.—They appeared to have a loud voice, but I don't think they were talking above the tone of ordinary conversation.

After a short recess, the following named witness, Martin Whelen, was called to the stand and the oath administered. He testified:

"I went home from the shop about six o'clock on the evening of November 4th; returned to the village about seven o'clock, and attended a political meeting; went home with my brother about ten o'clock; saw no person seized that night and nothing unusual; first heard of the outrage on Kelsey next day from Edward Seaman, a workman in my employ; Seaman asked me if I heard about 'the Kelsey bird' last night, and I told him I didn't understand what he meant; he said Kelsey had been tarred and feathered; a couple of days later he told me that he had been told of it by Mr. Hurd's hostler, Michael Moran; he told me that Moran said they had caught Kelsey in front of my place; Seaman did not tell me whether Moran stated these things of his own knowledge; there was nothing further told me beyond some jokes about it."

Q. Did any one else ever talk to you about it? A. Yes, sir; when I went to Riverhead on a horse trial; James Conkling told me that some men were watching for Kelsey, and that they were going to catch him and punish him; he didn't say how they were going to punish him; he didn't say anything about tar and feathers; I didn't think from the way he spoke that he was watching; I understood that he had heard it through the church folks (laughter); I have heard Joseph K. Conkling of Huntington say that the Saturday evening preceding November 4th he and John McKay were coming down the street past Mrs. Oakley's house and saw a man standing in front of her house; that John McKay dropped a parcel or bundle and ran across the street, and Conkling says he himself went home; the next time Conkling met McKay he asked McKay what they proposed to do with Kelsey, and McKay told him what they were going to do, and Conkling said he told McKay there would be trouble if it were done; I do not remember whether Conkling told me what McKay said was to be done, but if he did tell me I have forgotten what it was; Moran, when I have talked with him about it, always told me he knew nothing about it; I do not now know any of the parties who committed the outrage on Kelsey; I wish I did know; I know of nothing whatever further that I remember, though there may be incidents which may recur to me.

Q. Did you go to New York one Sunday about two weeks ago with McEvoy? A. I did; there were two men sitting in front of us; I was talking with McEvoy about the outrage, and said what a terrible affair it was for the community; that I would like to know who did it, for I would like to see them go to State Prison.

A juror.—That you would like to see one of them go to State Prison did you say? A. No, sir; but all who were connected with it.

To Mr. Young.—McEvoy said he had heard some one say that Moran knew all about it, and McEvoy said if Moran did know it he should tell it, but that Moran really knew nothing concerning it; I heard nothing said about McEvoy making Kelsey's boots that I can remember; I never knew that McEvoy made them until this morning; I used Dr. Banks' name and said I thought he was blamed for more than he should be blamed for; I can't remember one-sixteenth of the story told by Mr. Streeter to-day, but I suppose I talked pretty loudly against these tar people and said they should be hanged or imprisoned; I did mention something about feathers being thrown from the window by a servant girl in the house; I had only heard of that in ordinary village talk.

To a juror.—I did not know the tarring and feathering was to be done; I wish I had, and I should have tried to protect the man.

To the Coroner.—I have talked with McEvoy about our conversation this morning, just to refresh my memory.

A juror.—Did you refresh it? A. Not much; he says he didn't say anything. (Considerable laughter.)

Edward Seaman, the next witness, seemed to know nothing at all about

the case. When asked, "What do you know about this matter, Mr. Seaman?" he answered, "Nothing at all."

Q. Where were you on the night of November 4th? A. At home by eight o'clock, in bed and asleep.

Q. Have you ever talked with anybody about it? A. No, sir.

Q. Did you hear Mr. Whelen's testimony—didn't you tell him something about it?

A. Not that I remember; I may have said something about it when Moran and me were both pretty well drunk. (Loud and prolonged laughter.)

Edward McEvoy testified that he could not remember definitely what was said between himself and Whelen, but they talked about the whole Kelsey case; witness remembered hearing something said by Whelen to the effect that somebody had a spike and that Moran should tell all he knew; witness said he should tell it if he knew anything; witness heard John Betts say, that he could identify three of them or five of them; he knew no parties who took part in the tarring and feathering.

The evidence of the next witness, John Betts, was a laughable farce. He testified:

Q. What is your occupation? A. Tailor, sir; the best tailor on Long Island (great laughter); I live in Huntington; I did not say I could identify three or five of those men; I said I was satisfied who five of 'em were, but I couldn't swear to 'em; I saw 'em cutting up their shins, though; they were acting like mountebanks, and watching three roads; the three roads are the roads opposite Mr. Hurd's; I think they had masks on them; if I told you who they were you would know; I did not see them well enough to know who they were; they were all grown men; I am certain there were five; they were running into each other and acting like disorderly boys; I did not hear them speak; they were standing there; I passed on; I am satisfied in my own mind who they are, but I can't swear to them; my own impression wont do; I wont do it, sir; I can't do it; I wouldn't do it; I wouldn't do it for a million of money; you can't get anything out of me, sir; I don't know who the men were.

To a juror.—These men were dressed in drab clothes, all of about the one color; the masks were not very dark; I think they were about the same color as the coats.

To another juror.—My impression was at the time by their gait and shape and everything; they acted like drunken men, but I thought them sober; I am sure Royal Sammis was not one of the five; I don't think Ives was among them.

By a juror.—Was Arthur M. Prime among them? A. Don't ask me any such questions.

By Mr. Young.—Was C. B. Prime one of them? A. Don't ask me any such questions; I see what you are getting at. (Laughter.)

By a juror.—You are not willing to answer as to Arthur Prime?
A. That's all right, sir.

By Mr. Young.—Was James Conkling one of them? A. Don't ask me any questions.

Q. Was Rudolph Sammis one of them? A. I don't think he was.

Q. Was Dr. S. H. Burgess one of them? A. Don't ask me no questions.

Q. Do you think you recognized Arthur M. Prime? A. Don't ask me no questions.

Q. Was Michael Moran one of them? A. Don't ask me that question; I mean to all these questions when I say 'Don't ask me,' that I'd rather be excused from answering.

Q. Was Scudder M. Prime one of them? A. I don't think he was.

By a juror.—Do you think if you answered these questions you might be tarred and feathered? A. I think they are damned cowards enough. (Indications of disgust on the part of the audience.)

Mr. Young.—Now, there are four here concerning whom you would rather not answer. Now, who is the fifth? A. I think you ought to be able to get at that. (Laughter.)

To the Coroner.—I think I knowed them all pretty well; I don't think John McKay was one of them.

A juror.—Did you tell who you thought they were to your wife or family? A. No, sir; I don't tell my wife anything I want to keep, or it would be known all over the neighborhood soon. (Great laughter.)

By Mr. Young.—Have you ever accused any of those men that you think you saw there with being masked, or in that party? A. I did call one of those fellows, one of the Primes, a murderin' devil one night when I was a little tight, and got into a fuss with him.

Q. Which one was that? A. Arthur M. Prime; I never saw such a gang before in Huntington as they were; some of 'em come for me, as I thought, but they stopped when they see'd John Betts.

Nathaniel Smith was the last witness sworn. His testimony is as follows:

"I tended bar last fall at Powell's Hotel, Huntington; I noticed nothing that I remember on the night of the 3d or 4th of November; I think I was away on the night of the 3d; one or two nights after the thing happened I heard Mr. Hurd talking to a gentleman, a friend of his, in the bar-room; he said, 'Oh, by the way, we caught Kelsey the other night, and tarred and feathered him good; I don't think he will trouble Miss Smith any more, or be in Huntington any more.' Before that he had been telling his friend all about the affair—how Kelsey had been annoying Miss Smith, and all that; after that they moved away to another part of the bar-room; that was before there was any investigation about it; I had never seen the stranger before; and have not seen him since."

To a juror.—I can swear that Mr. Hurd said, "We tarred and feathered Kelsey," as though he was one of the party.

This ended the taking of the testimony before the coroner. The latter evidence was of little importance as bearing directly upon the crime, or in aiding the jury to arrive at a satisfactory verdict. There was nothing in the conduct of the last day's session to give it the stamp of authority, or to lead an attentive observer to suppose that the proceedings were held in the interest of justice, to determine who were participants in the awful murder. It ended in a ridiculous farce. John Betts, the chubby old man who gave himself the reputation of being "the best tailor on Long Island," should have been arrested for contempt on the spot; and his was not the only behavior which called for stern repression on the part of the court. There were several instances of a similar kind, though perhaps not so openly contemptuous, that disgraced the solemn character of the inquest.

After a short discussion of no general interest, the coroner arose and addressed the jury in the following laconic manner:

"Gentlemen, inasmuch as I cannot very well charge you without charging you directly in favor of one side or the other, I shall not charge you at all. You have heard the evidence. You may retire and deliberate upon your verdict."

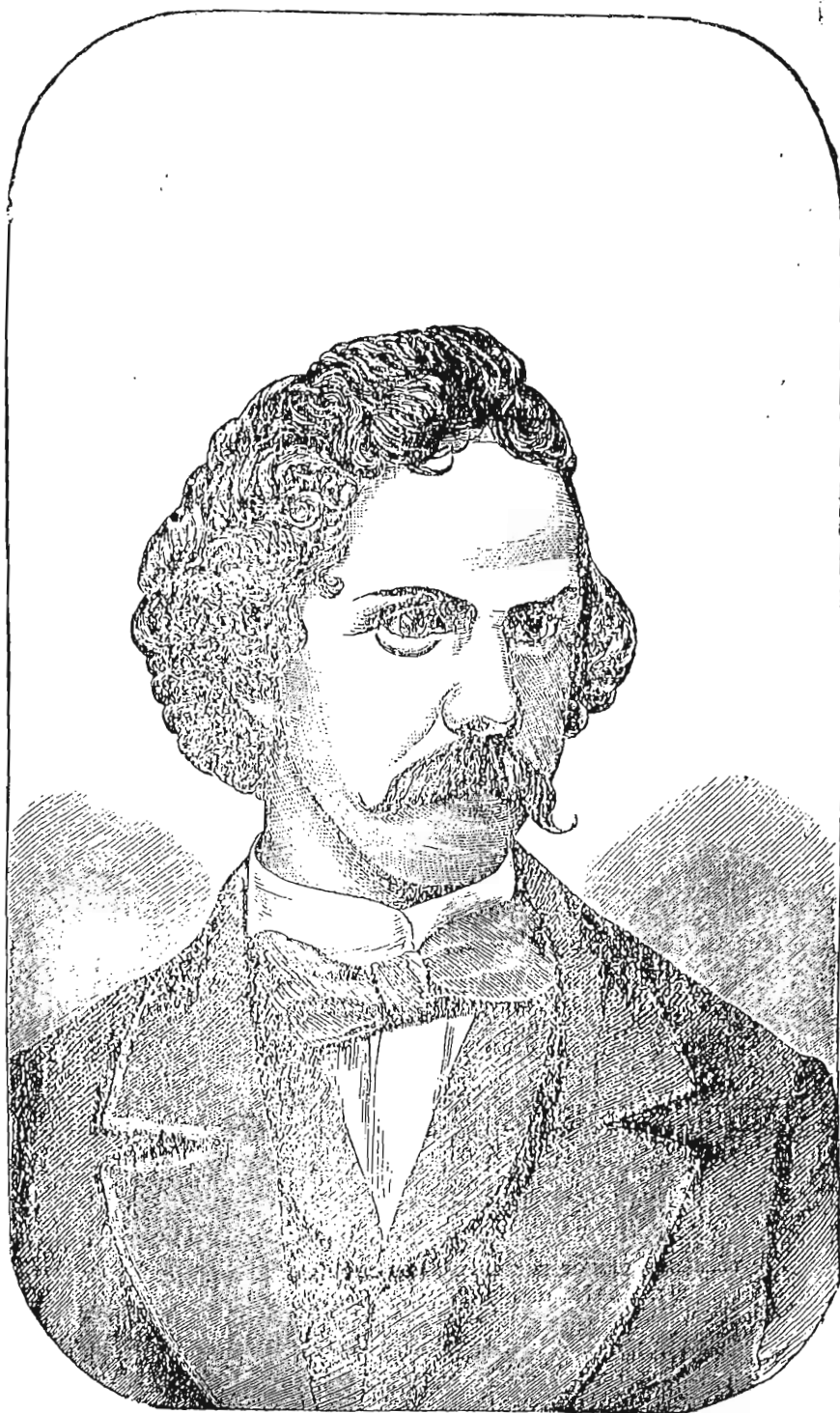
At seven o'clock in the evening the jurymen repaired to an upper room in the building, and commenced their deliberations.

Meanwhile, an anxious crowd filled the hotel and penetrated to the room where the investigation was held. The assemblage was largely increased by wagon loads of men who came in from the surrounding country. Public expectation was on the tiptoe of excitement. The bar-room was thronged with people. Some endeavored to wile away the time in playing cards, and others entertained groups of interested listeners with narratives of surprising events that had happened to them, with an occasional variation of the subject by a general invitation to the bar. The hours dragged slowly along. Many a curious gaze was directed to the room where the "twelve good men and true" were in deliberative session, the light which gleamed from the windows revealing to the earnest crowd below that the end would soon be reached.

Waiting for the verdict! What strangely solemn thoughts it inspires as the mind contemplates the awful gravity of the situation! What fears hang upon its words! The questions of guilt or innocence, of hope or despair, of life or death!

Midnight arrived, and still no tidings from that upper room! But the crowd lingered on, in expectation of a speedy result. Two o'clock came, and then the announcement was made that as there was no probability of their arriving at a unanimous verdict the jury would be dismissed for the night. At last the waiting crowd dispersed, vexed and disappointed.

Early that morning the jury were again convened, and after comparing notes and pondering on the subject for three hours and a half, they agreed upon a verdict, the text of which is as follows:



CHARLES O. KELSEY.

Charles O. Kelsey.



DR. BANKS, ONE OF THE LEADERS OF THE "TAR PARTY."
Dr. Banks, einer der Leiter der „Theer-Partei.“

An inquisition taken before Valentine Baylis, one of the Coroners Queen's county, State of New York, and a jury of twelve men, duly summoned and sworn, held at the house of A. A. Reed, in the village of Oyster Bay, on the remains found floating in the harbor of Oyster Bay, Queen county, State of New York, on the 29th day of August, 1873, do say upon their oaths that the said remains are those of Charles G. Kelsey, a resident of the town of Huntington, Suffolk county, State of New York, who disappeared from that place on the night of November 4th, 1872. And the jury further find that the said Charles G. Kelsey came to his death by reason of brutal treatment received at the hands of certain persons to the jury unknown, in said town of Huntington, on the night of November 4, 1872; and the jury also find that Royal Sammis, George B. Banks, Arthur T. Hard, William J. Wood, John McKay and Henry R. Prime aided, abetted and countenanced by their presence the committal of the gross outrage and inhuman violence upon the person of the said Charles G. Kelsey which led to his death on the night of November 4th, 1872; and that Arthur M. Prime, Claudius B. Prime, S. H. Burgess, Rudolph Samm and James McKay were accessories before the fact!

VALENTINE BAYLIS, Coroner.

JAMES M. BURTIS, *Foreman*.
JOHN WILSON SMITH.
JAMES STARKINS.
JOHN H. VAIL.
EDWARD LONG.
DANIEL N. CASHOW.

SAMUEL S. SUMMERS.
ALEXANDER FLEMING.
JAMES SATTERLEE CLARK.
JOSEPH B. WRIGHT.
JOSEPH LUDLAM.
JOHN WOOD.

It was hardly expected, from the testimony elicited during the investigation, that the jury could establish the exact degree of guilt of any of the parties whom they have arraigned. The positive evidence was too meagre for that. But it was anticipated that the crime would be called by its rightful name of murder. "Brutal treatment" is too trifling an accusation to apply to the perpetrators of a deed from which all the natural instincts of man turn away with disgusting abhorrence. However, with the sweeping character of the verdict, the public cannot fail to be satisfied. It included the names of all those who are known to have lent their assistance, either directly or indirectly, to the horrid work. Six for aiding and abetting, and by their presence countenancing the committal of the outrage, and five accessories before the fact. Eleven in all. Such is the record, as established by an intelligent jury of their peers, and on it they must stand before the enlightened opinion of the world.

The Supreme Court has already taken preliminary action in the case. At the opening of the session in Riverhead, Long Island, the Hon. Joseph Barnard, Presiding Judge, charged the Grand Jury, and among other things he alluded feelingly to the murder of Charles G. Kelsey as an infamous outrage upon the good name of the county of Suffolk, and a crime which called for speedy investigation by the Grand Jury. He denominated it an almost nameless crime, and charged them, as matter of law, that if the perpetrators intended to kill Kelsey when they mutilated him it was murder and if they mutilated him without intending to kill him, and he died in consequence thereof, they could find a bill either for manslaughter or maybe

It is hoped that the District Attorney will be able to procure the attendance of the necessary witnesses before this Grand Jury, and that the trial of the case will proceed at once. Meantime, the implicated parties

Huntington will be arrested and held to await its action. A delay, however, would probably bring out other parties as accomplices in the killing, whom the Coroner's jury at Oyster Bay say in their verdict are now unknown. And thus this remarkable affair for the present ends.

What punishment is in store in the future for the evildoers remains to be seen. Kelsey, who yielded up his life to their brutal atrocities, long since passed to that "bourne from which no traveller e'er returns!" After a long suffeting of the angry waves—the prey of the numerous fishes that infest the deep—a portion of his remains have at last found a resting-place among the tombs of his fathers! A sense of solemn quiet will ever pervade the spot where he lies in a dreamless repose—unbroken by the busy scenes around him, and undisturbed by the noisy strife of contending factions! Will he be forgotten outside of that lone circle who yet shed tears of bitter anguish over his loss? Will the world have no kindly tear to drop upon his grave? In his own language:

"Oh, must oblivion rest on that name
Which to the world no marbles kindly tell,
Or love-words gave a shadowy fame?
Must that heart slumber on with no farewell
Breathed o'er it, recompensing what befall
Its morning, which low'ring shadows darkened o'er,
Breaking the bright dream of life's huring spell?"

No! In many a heart the recollection of his cruel fate will linger, and long years will not efface the awful deed that was perpetrated in the obscure village of Huntington, by men who have been termed its "best citizens," on that dark and cheerless night of November 4th, 1872. And to those who stand under the ban of the law in connection with the foul crime we say there is a Higher Court before which they must appear ere the stain is wiped from off their souls, and though justice is slow and may be withheld on earth, it is certain to overtake them at the Bar of Eternal Truth!

PROCLAMATION.

STATE OF NEW YORK EXECUTIVE CHAMBER,
ALBANY, October 29th, 1873.

WHEREAS, on the 4th day of November last, Charles G. Kelsey was the subject of a gross personal outrage at Huntington, in Suffolk county, and has not since been seen in that neighborhood; and whereas, there are strong reasons for believing that his life was taken on the night of the same day by persons unknown; now, therefore, I do hereby offer a reward of \$3000 or information which may lead to the conviction of any person or persons who may have caused the death of the said Kelsey.

Done at the Capitol, in the city of Albany, this 29th day of October, 1873.

By the Governor:

JOHN W. DIX, *Executive Secretary*.

JOHN A. DIX.

To conclude, Charles G. Kelsey was the possessor of a good education and considerable literary taste and ability. He was master of several tongues, among which was the language of Greece, and he was also a profound thinker. To what extent his ambition would have carried him in the acquisition of knowledge, had he lived, it is impossible to say, but his cruel and unwarrantable death, in the prime of manhood, calls for the most severe punishment the law can inflict upon the persons of his murderers.

The accompanying verses are selections from a small volume of poetry, entitled "The Huntington Burying Hill," written by the deceased in the year, 1870. The book is respectfully dedicated, by the author, "To all the surviving friends of those who slumber upon the Old Burying Hill!"

On that selfsame hill may be seen a grassy mound and a marble shaft—

THE HUNTINGTON BURYING HILL.

BY CHARLES G. KELSEY.

Η Όσα Ήσχηται.

WITH low-branched trees o'ergrown and waving grass;
The rising hill—the city of the dead—
O'erlooks the vale, and the road where thousands pass;
There, crowned with shrub and tree, it lifts its head,
On whose green, sloping sides are thickly spread
Mossy memorials—brown stone or slate—
Upright or fall'n, brok'n o'er the sleeper's bed;
Or marble, dingy or pure, of newer date,
All seeking Affection's dead to commemorate.

This grass-grown mound, and many an ancient grave,
Which distant years in sorrow made here,
Bear the sacrilegious marks a rude hand gave
In the days of war's tumultuous career—
Marks which in broken tombs and a fort appear.
Tho', like a scroll, that dark war-cloud has pass'd,
And the sunlight of Peace has dawned with cheer
'Pon this mound's haggard brow, ever will last
The odium which that deal 'pon Ramford's name has cast.

We stood 'pon its eminence where the throne
Invisible, of Death, its form upli'd,
And heard the breeze go by with many a moan
As each dead leaf it found and chid'd.
While far o'erhead, all scattered and rift'd,
The sun-tinged cloud float'd far like a dream,
Or spirit, with mystic motion gifted,
Gazing down serene upon forms that seem,
Tho', in motion, noiseless as a soft gliding stream.

Far beyond meadows green a narrow band
Of water stretches, unruffled and blue,
Bearing on its bosom, from foreign land,
Barks, driven by sail or steam, with gallant crew
Far from shores hailing, whom this favor'd land drew,
Seeking requited toil—a land where all
The millions that hither come seem but few;
Coming still in endless bands at the call
Of hope and of freedom from tyranny's dread thrall.

The locomotive sounds its warning notes
O'er distant hills where silence unbroken reigned;
Its iron tramp upon the south wind floats,
Telling the wak'ning town what it has gained—
Wealth and rank, and loss, simplicity unfeigned.
To yon great city sets the restless tide
Of travel, which time 'll not its flow see waned—
Years will see come, to every shady hill-side
From cities' smoke and dust, the man of rank and pride.

But we are wandering: back to this spot
Where we are standing let our thoughts return,
And call up the sad shades of those forgot,
And weep o'er the ashes sprinkling their urn;
Rejoicing o'er memories that still burn
With undimmed rays in the bosom of friends.
Here, by their graves, let us linger and learn
The lesson shunned, then here unfound, that lends
Import to life in all its purposes and ends.

On this island of Death's dreamless repose,
In the billowed ocean of life around,
What mystic thought from its silence grows;
What suggestive relics here are found,
Drifted upon this consecrated ground,
From every quarter by strange gales borne
In barks which instinctively seek this mound,
With rudder gone and sail and tackle torn,
Seeking a harbor of rest—storm and tempest worn!

Here beneath our feet, dreamless, silent, still,
Repose forms once active—now returning
To dust—the law of nature to fulfil;
Once living, lit with the spirit's burning,
Now changed, deceived, and without life's yearning.
The dead of other days have surrendered here
All the earth claims, while the spirit, spurning
The dross, has gone forth, in woe or cheer,
Amid darkness or light, to finish its career.

Some who sank, perhaps, 'neath the weight of woe,
Are here, who with joy saw brake the coil
Of life that would loose them from the morrow—
Weary of to-day—its ne'er ending toil,
Its luring hopes which endless causes foil—
Shut out from the world and denied its smile,
They had no joy or peace that death could spoil;
For they lived beneath a dripping cloud, while
Before them shadows saw, which 'lone sad tears beguile.

But what ingredients of joy or woe
Were commingled through all the varied life
These sleepers lived we find not; but we know
They rose awhile and mingled in the strife
Where sorrows are many and heart-aches rise,
Then bowed to the stroke of all conqu'ring death—
Loved ones all, children, parents, husband, wife;
Now of their first and their last fleeting breath,
That they lived, that they died, is all their headstones saith.

Flushed with high hope in life's young morning,
These, the tenants of the tomb, sped'd their way,
Ever thinking the beams that were dawning
Were the torch-fires of a jubilant day;
Till life's sad lesson taught the young and the gay
That shadows are *here*—that sorrow's dark cloud
 Oft intercepts youth's most promising ray;
That time advancing is but weaving the shroud,
And guiding to the grave Death's shadowy crowd.

Here they find a long, long rest; the wild storm
And snow-drift sweep harmless o'er their breast.
The lost world's forgotten, deluging cares form
No barrier to repose; its tempest
Is as unheeded as the urn that has pressed
Long 'pon the earth-mantle that wraps their clay.
Here from all toil and all hazard they rest,
Spending Death's dark night—waiting for the day
Of life that's coming, though it be ages away.

'Neath the earth-shroud that nature weaves for man—
'Neath the green mound that rises like a wave
Rolling foamless, petrified there, to span
And beautify, else repulsive, the grave—
What hideous sights appear, unredeemed save
By the thought that ev'r plumes its deathless wing,
From the wrecks of dissolution that death gave
To life a sequel, to which dread horrors cling
The thought that the soul's not a fleeting, passing thing.

Who, of all this village, has not a friend
 Shrouded and waiting in the silent hall
 Death here has built, waiting dreamless the end
 Of time, when the trumpet's peal shall call
 Them from their durance forth to rise, or fall,
 Into deeper death? To this sacred spot,
 Year by year, friend has followed friend, till all
 Of a once long lineage have had their lot
 Here sealed forev'r, and in the passing years forgot.

O'er their graves the rude tramp of time is heard,
 And at each step dimmer grows the mem'ry
 Of the dead slumbering here; not a word
 Will be whispered when centuries shall be
 Chronicled o'er their dust, and none shall see
 Their captured names, or, seeing, shall inquire
 Who they were, who, 'mid the ghastly comp'ny
 Of the dead, now tune in vain their viewless lyre,
 Whose notes swell not on the world, but, unformed, expire.

Who, of all that survive, wish not to know
 The state of those who have passed the River,
 Cold, of Death, whose dark waters sluggish flow
 Through the drear, chill vale that sends a shiver
 O'er the parting soul, which to the Giver
 Thus renders back itself with its merit.
 Who? Ah! who would not from doubt deliver
 His thoughts as to what *they* inherit,
 Who have passed to that world where they move a spirit?

Naught, to us, do these silent graves disclose
 Of the durance of being, or the past,
 Or the future of those who now repose
 In Death's grasp, of the endless state and last—
 The state beyond the grave, where sorrows cast
 Their shadow, or where light uncreated
 Dawns, rolling from fount invisible, fast
 By the throne of God. Two conditions fated
 Where mankind, to life or death, are reinstated.

Doth *one* that slumbers *here* walk 'mid the gloom
 Pestilential ever hovering o'er,
 And vaulting the sad, dreary vale of doom?
 Who, of these, weeping, tread the sable shore
 Of woe, or on their dungeon's burning floor
 Expiate their sins, where, of vengeance due,
 The scourge eternal reigns, and where no door
 Of escape lures, in hope, the hopeless crew?
 Who? Lo! these ashes are silent—the spirit, too!

Some whose names are grav'n here, by wails of woe
 Are measuring out eternity, clad
 In whirlwinds of fire, and, borne to and fro,
 Make gestures wild—expressions woful, sad,
 Without one ray of hope to make them glad,
 Or tell them of the ending of their pain,
 Or loosing from the grasp of demons mad,
 Tortured by the thought of what they ne'er can gain,
 As swift they move 'mid storms of sulphurous rain.

But far other scenes to our eyes unveil
 Beyond the circuit wide of rolling spheres,
 Where saints winged from this mound their flight, to hail
 Bright regions afar all devoid of tears.
 Tho', on this ancient hill, many long years
 Have changed their bodies into shapeless earth;
 Still they, in brightness arrayed, without fears
 Of change remain, rising from a second birth,
 Into being immortal and celestial worth.

They there, with light wings, o'er the sea of glass,
Move to the sound of harp's trembling strings;
Or, on the banks of life's stream musing pass
Their time unwearied, unnoted, which brings,
Perhaps, recollections of earthly things;
Or thoughts of that city with golden streets,
Which in the distance looms and loudly rings
With choral symphony, which, coming, greets
Their ear, and its sound, in echoes, afar repeats.

Do these shades, freed from earth's cloy, to this mound
Wing, from their far abodes, their viewless flight,
And walk, with step unseen, o'er the ground
Where their bodies repose shrouded in a night
Of gloom? Perhaps, they, in the moon's pale light
Wander unseen, viewing the world, which now,
To their changed faculties and their sight,
May a phantasy or moving shadow
Appear—scenes which, with earthly vision saw, now doubting know.

Perhaps, regardless of their dust which lies
Secure in nature's keeping, from their home—
Flying radiant from the vaulted skies—
On some glad mission or errand they come;
Kindling thoughts, tho' their lips are sealed and dumb,
Mysteriously in the souls of those
They love; rousing from slumber lethargic, some
By their sweet influence which, unseen, flows
From a fount invisible from whence it rose.

Thus, when life's conflict is o'er and vict'ry
Or defeat marks its weary campaign,
Death gives to its combatants fruits to see
In Perdition's woful dale, or the fane
Refulgent, gleaming in the skies where reign
Joys eternal. 'Tis, now, with bright abodes—
Or regions dolorous all with pain—
Stands linked, tho' obedient to nature's codes,
This mound, whence take the dead, afar, their chosen roads.

THE END.