

THE LIFE, CONFESSION, AND
ATROCIOUS CRIMES OF

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ANTOINE PROBST,

THE CRUEL MURDERER OF THE DEERING FAMILY.

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PUBLISHED BY BARCLAY & CO., 602 ARCH ST PHILADELPHIA.







THE LIFE OF MISS  
CRIMES

THE SCENE OF THE  
MURDER

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MURDER

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MURDER



THE SCENE OF THE MURDER



# FARM SCENE OF THE MURDER.



Haystack, where body of the  
boy Cornetius was found.

Dwelling House.

Barn where Mr. Deering and  
Miss Dolan were found.

Corn-crib, rear of barn, where  
mother and children were found.



THE LIFE, CONFESSION,

PREFACE  
AND

ATROCIOUS CRIMES

OF

ANTOINE PROBST,

THE MURDERER OF THE DEERING FAMILY.

TO WHICH IS ADDED

A GRAPHIC ACCOUNT OF MANY OF THE MOST HORRIBLE  
AND MYSTERIOUS MURDERS COMMITTED IN  
THIS AND OTHER COUNTRIES.

PRICE 25 CENTS.

PHILADELPHIA:  
PUBLISHED BY BARCLAY & CO.,  
602 ARCH STREET.



# PREFACE.

THE facts in connection with the brief biographical sketch of Probst, which we have annexed to this pamphlet, have been furnished by a former companion and fellow countryman of the criminal, but who does not now wish to be at all identified with the proceedings.

The public may with certainty rely upon the truth of the statements we have given. It is an old proverb, and a very true one, that when a man or woman becomes famous, either for good or ill, that every action of their past life is duly dragged before the public and submitted to their inspection. Probst, who until recently, was only known to a few, is now one of the celebrities of the town, and his name is in every ones mouth, and the smallest fact connected with him is now of the greatest interest. No one for the time being engrosses a larger share of public attention, hence these details will be eagerly read, and it is the duty of the compilers to make them as accurate as possible.

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## LIFE OF ANTOINE PROBST.

EIGHT o'clock had just rung out from the town clock of Threnngen, a small village in the Grand Duchy of Baden, situated near the upper Rhine. It was a beautiful night, and the mild rays of the moon bathed the church and the surrounding buildings in a flood of silvery light, "and all the air a solemn stillness held." This silence was soon broken by a hurried step, and a young man emerging from a clump of trees paced the small green in front of the village chapel in an agitated manner. He was apparently waiting for some one, and all his senses were sharpened to the utmost. He glanced nervously around, and at last exclaimed: "will she never be here? This is my last chance for happiness. If she cast me off I shall leave Germany and go elsewhere. Why don't she come?"

A light footstep was distinctly heard, and the speaker rushed forward, an expression of relief stole over his countenance, and extending his hand to a young girl who met him half way, he said:

"Marie, I am glad that you have come."

"I am always punctual to my appointment; but this is the last time that we shall ever meet."

"Never meet again, Marie! You are surely jesting?"

"No, Antoine Probst, I am in earnest. And before God and his holy angels I tell you that we shall never meet again. You shall know the reason."

"The reason! What have I done?" Antoine Probst affected a jocular air and manner; but a cold sweat moistened his forehead, his countenance was deadly pale, his knees almost refused to support him, and his whole frame quivered from head to foot. This agitation was momentary, and he speedily resumed his composure.

"I will tell you. Do you remember the fair about three weeks ago?"

"Yes."

"You were there?"

"I will not deny the fact. But you were not."



"No, I was not; but I will speedily go on with what I have to say. Do you know Bertha Goldenstein?"

"Yes;" again Probst was agitated, and was compelled to stagger to a tree for support. His companion resumed:

"You paid her some attention?"

"Why, Marie, you are not jealous? If I am betrothed to you can I not speak to or look at some other girl?"

"I am not so unreasonable as that, but you well know what you said to Bertha."

"Curses on her," muttered Probst between his teeth; "the accursed jade has betrayed me! Well, what did I say to Bertha?"

"You separated her from the crowd, and then attempted sundry liberties with her. What they were, I shall not soil my mouth with repeating; but the man who could speak thus to a woman can never clasp my hand before the altar. Farewell forever, Antoine! I wish you all the happiness that this earth can give, but I will never be your wife. Once more, farewell!"

Antoine advanced and extended his hand, as if to grasp the maiden's arm. But Marie was too quick; she drew aside, and quietly said: "Antoine, do not touch me; the time for endearment between us has passed forever, and you are now, and from henceforth forever, a stranger to me. Here is your plight ring. And now, again, I bid you farewell."

"Stay, stay, Marie—for one moment. Do not cast me off forever. Do not, I beseech you, abandon me to the power of the evil one forever."

"Every man can, if he chooses, fight the enemy of all mankind and keep him off—at least so says our good pastor. But let me tell you one thing: Stop short in your career of vice and wickedness. Yes, Antoine, you have been guilty of some bad actions."

"Who told you that?"

"It is of no consequence for you to know; but I am determined to break off the connection with you. As a friend, I earnestly advise you to adopt another course. I have told you so once before, and I tell you so again—farewell!"

And Marie tripping away, Antoine Probst was left alone. For about ten minutes he remained silent, as if stunned, and seemed as if he could not realize his position.

"Cut off! rejected! what is to become of me? The only woman that I ever loved—and all for a few foolish words to that confounded Bertha! Women are fickle, but that little blue-eyed thing is the worst of all. Well, the matter is done."

"Antoine! Antoine!" exclaimed a voice.

"Why, Fred, is that you?"

Fred was by no means prepossessing in his personal appearance. A



coat which had been once either blue, black, or green, but was now a foxy gray, soiled plaid pantaloons, and a shabby cavalry cap, completed his attire. He apparently seemed to have a hatred of linen, as he wore no shirt. A pair of much-worn cavalry boots protected his feet from the ground. The face was extremely sensual; he had dull blue eyes and light hair. His countenance expressed but two passions—avarice and gluttony. This individual would have been an apt tool for any sharper intellect. His name was Frederick Lavenburg, and he had been in the Prussian cavalry service, but was dismissed for peculation. He was a wood carver of some talent, but was too lazy to work. He bore a bad name in the village, though nothing positive could be laid to his charge.

The other man was Antoine Probst, the son of a respectable carpenter in the village, and himself rather a good workman; but, like his companion, indolent to the last degree, and sensual beyond imagination. He had paid some attention to Marie Hildesheim, the beauty of the village, and who possessed, moreover, a snug fortune of about six hundred crowns; but to do Antoine justice, though the dowry was not without its attractions, he loved Marie as sincerely as his nature would permit, and exerted himself to the utmost to win her favor. He was industrious for awhile, eschewed all evil associations, and seemed actually on the brink of reformation; but the force of habit was too strong, and though he had not entirely relapsed into his former vices, still he was not so steady. He visited a fair and attempted some audacious liberties with a young girl, was seen two or three times with Frederick Lavenburg, and Marie, after some reflection and a considerable heart struggle, resolved to break her trothplight, and return him the ring. She was afraid to trust him with her happiness, the reader knows the sequel.

“Well, Fred,” said Antoine, “what is on hand now.”

“Do you know that the old Baroness Neusenstein is now at the castle, and that she has brought a quantity of silver with her?”

“How do you know that?”

“The other day I was lurking around the castle and saw a heavily loaded wagon come up, and the man gazed around as if he expected some one, but no one was there; at last he said to me, ‘where is the housekeeper?’ I told him I did not know, that she was somewhere about. As he would not leave his horses I went round to see about it, and found the old woman in the garden. She opened the door and I helped him in with the furniture; he told Trudchen that the Baroness would soon be here and that she would bring plenty of silver with her.”

“Has she come?”

“Yes, she arrived the day before yesterday. I thought that I would tell you; but I did not like to come to the shop, as the old man is so sharp and looks at a fellow so hard.”







‘ Well, what you do mean to do ?’

“ What do you think ?”

“ I suppose you mean that we shall find out where the silver is kept, or better yet, where the Baroness hides her jewels. They would be a rare booty.”

“ I’ll join you; but Fred, remember, not one word to any one else, or I’ll have nothing to do with it. I don’t care two kreutzers what happens to me now.”

“ Has Marie thrown you off ?”

“ Yes, confound her. I suppose that the whole village will ring with it, and I don’t care who knows it, or how soon she and I are strangers.”

“ Don’t be down-hearted, Antoine; think of the fun that we shall have out of the plate, and then the rings. I can tell you what, my dear fellow, there is a lot of enjoyment in one of those sparklers.”

“ Yes, if we are not caught.”

“ Caught! how you talk! If you keep the secret; how can we be caught if you hold your tongue? But talking of that I suppose that you can find the tools ?”

“ Have you got arms ?”

“ I have a pair of pistols and a sword.”

“ Well, bring them here to-morrow night at about twelve o’clock, and do not come to the shop or near the house—you know that my father don’t like you—and above all keep your tongue, and let no one in the plot, and then all will be well. Good-night.”

The confederates then parted, and Frederick, lounging about, looked for a place to sleep; perhaps some open door would grant him the friendly shelter he so much desired, and then there would be a chance to appropriate some stray articles—perhaps a jacket would be left, and there might be some trifling cash in the pocket. Fortune did not favor him, and he was compelled to stretch his weary limbs in the market-place. Antoine soon reached his father’s vine covered cottage, every thing was quiet, and the little domain, with its flower borders and small plots of vegetables, seemed the abode of contentment and modest rural competence. Antoine tried the door, but it was fastened; he then climbed up by a lattice, and opening a window reached his chamber; it boasted but few articles of furniture, a rough lithograph of Luther hung against the wall, and the stern features of the intrepid reformer seemed to frown on Probst; he gave the matter but small reflection, and throwing himself, dressed as he was, on a bed, was soon buried in a profound slumber.

The next day he went to his work as usual, but was silent and indisposed for conversation; he wrought diligently, and when evening cast her shades over the land he retired to his chamber, and said, I shall not go out to-night. But such was not his intention—when the household was



quiet he stole out, and was at the rendezvous. Lavenburg was there before him.

"Fred, have you got the pistols? I want to look at them."

"Here they are!"

The moon shone brilliantly, and afforded ample light for the examination; the weapons were of the most exquisite manufacture, richly mounted in silver, and engraved with a coronet; they had evidently belonged to some officer, but Probst made no remark. The sword was next handled, and then Lavenburg said, "Come on; it must be one o'clock." Probst made no answer, and followed his companion in silence.

The chateau stood at the extremity of an immense park, thickly planted with old trees, large iron gates closed the entrance to a flower-garden, and the whole was surrounded with a light wire fence, which the two robbers leaped, and were soon beneath the windows. Antoine silently handed the necessary implements to his accomplice, who made a hole in the shutter, and entered the apartment. Antoine prepared to follow, and stood for a moment in the shadow afforded by a large tree, when a small lapdog, whose quick ear had caught the sound of strange feet, ran rapidly down-stairs, and with his sharp bark alarmed the house; two or three male servants entered the room, and seized Lavenburg in the act of attempting his escape through the window. Probst did not hesitate as to the course he should pursue, he walked cautiously away, and once out of the park, reached home, entered his chamber, and striking a match, opened an old chest, and made up a bundle of clothes; he next went to his father's door, paused a moment, and said, "Farewell, father! farewell, mother!" returned to his chamber, and letting himself down by the window, soon gained the highway, but reflection taught him that perhaps it would be as well to journey by a more circuitous route, and choosing a by-road, sat down to examine his resources; he had twenty crowns in his pocket, he wore a suit of tolerably fair clothing, and had another in his bundle; he was not dismayed; the want of a passport, about which the small German States are so jealous, somewhat annoyed him, but he contrived to elude the vigilance of the authorities, and about five days after he left home found himself in Strasbourg, with fifteen crowns.

Strasbourg was, however, too narrow a sphere for Probst—work was not abundant, and the compensation too small—he soon quitted that capital, and visited Paris. For a time the gay centre of Christendom attracted Probst's attention, and he was tolerably satisfied with his condition; but he speedily ascertained that, though Paris offered a multitude of pleasures, still gold, the lever that has moved society in all ages, was necessary for their enjoyment—the struggling artisan was like Tantalus, surrounded by luxuries beyond his grasp. America was an El Dorado, and thither Probst bent his way, and landed on the American shores from a Havre



packet; about two years before the war broke out. The habits of dissipation he had acquired in Paris stuck to him, and he was unwilling to work long at his trade; want came upon him, and he was induced to enlist in the Fifth Pennsylvania Cavalry, but found the service exceedingly uncongenial to his tastes and habits; he was noted for his laziness and personal carelessness; is reported to have shot off his thumb to save himself from picket duty. He was "the black sheep" of his company; and, as a general rule, none of the other men would have any thing to do with him. When the company was mustered out of service Probst was discharged, and sought employment where he could. He went to Jersey and elsewhere, but was unsuccessful. He offered his services to Christopher Deering, an agent of Mr. Mitchell, who occupied a farm whose locality we shall afterward describe more minutely. Mr. Deering agreed to employ Probst, and he remained with him some time, but was discharged, owing to Mrs. Deering's dislike, as he asserts. He visited Jersey again, but fruitlessly, and returning to Philadelphia, called on Mr. Deering about five weeks since, and asked if he could be permitted to work for his board; a bargain was made that he should receive ten dollars a month and his living, and if business improved, or his labor were worth more, he was to have additional compensation; and this bargain continued until Mr. Deering's death, and under that roof the most diabolical act was perpetrated that ever occurred in the city of Philadelphia from the times of the earliest settlement. "Murder most foul, as in the best it is but this most foul, strange, and unnatural."

On Friday afternoon, as we in company with the reporters and artists of the day, were driving rapidly to the farm to make a more thorough examination of the premises, and to sketch for our exertions, we were first to see the vast numbers of people on foot walking and running, all on a race of life and death. There were men, who would not have the least chance of finding their graves, and hundreds of young men, who were giving a hollow exhibition of the learned diploma. A minister of the gospel, on horse back passed us, trotting rapidly along. A cripple on crutches, swung his distorted legs over the dusty road, making no slow progress. But the women outnumbered the men of all ages, and in all degrees, from the fashionably-dressed lady in her paragon to the poor seamstress on foot. They passed along the Post Road, and strained with increased pace into

the street of the discovery upon the community was tremendous; and though we remember the universal mourning of the year and indignation that followed the murder of Mrs. Deering by her husband, in 1818, and the diabolical deed of Arthur Smith in 1853, we recall nothing that equalled the storm of rage, the numberless speculations that followed the heinous deed of Antoine Probst, as thunder follows the lightning. We who have reluctantly forced ourselves to study the disgusting details, who have examined every foot of the house where the Deering family lived; who have stood in the murderer's room, and followed his steps to the barn where the corpse of father, mother, and babe were found; who have seen the blood dashed upon the boards; and the axe, hammer, knife, and pitchfork, relics of the ghastly scene; who have seen the Master himself, clinging in terror to the officers of justice, and bearing them to protect him from the just fury of the mob, who followed him with execrations to the prison—we confess that we have shared



# THE MURDER OF THE DEERING FAMILY.

## DETAILED ACCOUNT OF THE WHOLE TRAGEDY.

On Saturday, April 7th, 1866, the Deering family—father, mother, and four children, a young female cousin of Mr. Deering's, and a boy of seventeen employed as a laborer—were murdered. On Wednesday their bodies were found, already decomposing. On Wednesday night the news was whispered from one end of the town to the other. On Thursday morning the whole city of Philadelphia was electrified by the announcement of the horrible discovery. On Friday morning, even before the tumult had reached its height, extra newspapers carried to all parts of the community the tidings that the murderer had been arrested, and confessed the crime!

Thus, in six days, the first act of this tragedy was completed—a murder unequalled in horror, surpassing in brutality any crime known in our local history, and, indeed, even in the annals of Newgate or the Bastile.

The effect of the discovery upon the community was tremendous; and though we remember the universal trembling of terror and indignation that followed the murder of Mrs. Rademacher by Langfeldt, in 1848, and the diabolical deeds of Arthur Spring, in 1853, we recall nothing that equalled the storm of rage, the unutterable shuddering that followed the hellish deeds of Antoine Probst, as thunder follows the lightning. We, who have reluctantly forced ourselves to study the disgusting details; who have examined every foot of the house where the Deering family lived; who have stood in the Murderer's room, and followed his steps to the barn, where the corpses of father, mother, and babes were found; who have seen the blood dashed upon its boards; and the axe, hammer, knife, and pitchfork, relics of the ghastly scene; who have seen the Monster himself, clinging in terror to the officers of justice, and begging them to protect him from the just fury of the mob, who followed him with execrations to the prison—we confess that we have shared

fully in this profound and general excitement, even though condemning much that was felt and said.

An insatiable curiosity invariably follows the knowledge of such a crime, as thirst follows fever. The full reports in the papers, issued three or four times daily, could not satisfy the people. The countless rumors, originating no one knew how, and travelling from lip to lip everywhere, only added to the craving. Though the scene of the murder lay in the extreme lower end of the city, and more than a mile from the termination of the city railways, thousands of persons journeyed from the upper part of Philadelphia to gratify their morbid curiosity by a visit to the home of the Deerings. On each of our visits to the place we found the Point House road thronged with people—some in carriages, wagons, or carts—some walking—but all hastening to the farm with eager looks, or returning, more slowly, with earnest gesticulations and emphatic words, discussing the various theories of the murder.

On Friday afternoon, as we, in company with the reporters and artists of the *Sunday Dispatch*, were driving rapidly to the farm to make a more thorough examination of the premises, and additional sketches for our engravings, we were surprised to see the vast numbers of persons on foot, walking and running, as if on a race of life and death. There were old men, who would not have to travel far themselves to find their graves; and hundreds of young men, who were making a holiday excursion of the fearful pilgrimage. A minister of the gospel, on horseback, passed us, trotting rapidly along. A cripple, on crutches, swung his distorted legs over the dusty road, making no slow progress. But the women outnumbered the men, of all ages, and in all attires, from the fashionably-dressed lady in her barouche, to the poor seamstress on foot. They passed along the Point House road, and streamed with increased pace into



Jones's Lane. There stood the cottage of the Deerings, there the barn and out-houses, that have so suddenly become famous, and will remain so while the history of murder retains its terrible fascinations. From half a mile away we could see the gaily-dressed throng crowding around the house or roaming over the adjacent fields. The scene reminded us of the pictures of Derby Day—it was like a fair or a carnival. But those who looked closely into the faces of many of these pilgrims could not have mistaken them for pleasure-seekers. There was much levity in the motley crowd, but beneath it was a dark and gloomy sense of pervading horror.

After several delays, caused by the great number of wagons and carriages that blocked up the narrow lane, we reached the house of the Deerings. After struggling through the crowd around it, we found the door guarded by two policemen, who firmly refused the constant appeals, and even bribes, that were openly and secretly offered by those who wanted to gain admittance. Stating our business, we were referred to Sergeant Walsh, who was then in care of the whole premises, and under his charge were permitted to make a long and minute examination.

The house of Mr. Deering is a few yards to the south of Jones's lane, about a quarter of a mile from the Point House road. It is an ordinary frame building, two stories in height, painted white, and in the shape of an L. In the front there are four rooms, two on each story—and two rooms, one above the other, in the back—in all, six rooms, three on each story. The front door opens directly into Mr. Deering's office, furnished with a desk, on which his papers were scattered in confusion. A door from this office opened into the sitting room, and back of it was the kitchen. A flight of stairs led from the sitting room to the second story. The front room over the office was used by the murderer and the boy Cornelius Carey as a sleeping apartment. The other front chamber was the room of Miss Elizabeth Dolan; and some of the children slept with her. The back room was that of Mr. and Mrs. Deering. The furniture of each apartment was in extreme confusion, partly the work of Antoine Probst in searching for plunder, and partially of the officers, who had been busily employed in looking for traces of his fearful work.

The sight of the house had first roused a sense of disgust, but gentler feelings were excited by the pitiful spectacle of the sitting room. Here was the little spot wherein centred the domestic happiness of

the Deerings, and everywhere objects suggested a mother's tender care, the pleasures or the wants of the innocent little children. There was the cradle in which the baby Emma had been rocked, and on the table lay unfinished articles of dress which the mother had been making for her children. A Catholic prayer-book was on the table, and near it a paper of candies, which Mr. Deering had probably bought on Saturday for his little ones. In the rocking chair by the front window, Mrs. Deering had no doubt sat on the gloomy afternoon of Saturday, sewing on the new clothes for the little boy, and around her the children had been playing; there she sat, with no fear, thinking perhaps of the return of her husband, and ignorant that even then the German, with one murder on his soul—the murder of the boy Cornelius—was hastening across the field to seal her doom and that of the infants who played before her. It was from this quiet sitting room that she must have been summoned—on what pretext only the murderer can tell—to the barn, there suddenly to see for one brief moment the axe swung in the air, the murderer's face convulsed with suspense and ferocity, the next to feel the crashing of the brain; and then—the darkness of death. Elsewhere was the terror and the loathsomeness, but here was the sorrow of the tragedy. In the barn we thought of the parents and children as the victims, as corpses found decomposed and horrible; but here were traces of the family joys and labors. We thought of them, not as they were then, mutilated, offensive masses of human flesh, exposed to the scrutiny of surgeons and jurymen, but as a peaceful family, not faultless, nor without their trials, but living in the sanctity of HOME—a home, in which, humble as it was, they found their little world. We did not wonder that one of our companions, a man not easily moved, felt a sickness of the soul as the sergeant, in subdued tones, pointed out the unfinished dresses as they dropped from the mother's hand, the empty cradle; and, half fainting, gasped for air. No one cared to linger in the room; it told too pitiful a story.

Even in the kitchen we trod in the footsteps of the assassin. There was the closet, where Mr. Deering's wallet had been found rifled, and on the mantel-piece stood two little tin money boxes in which the children had kept their trifling savings. *Even these the German had broken up and robbed in his devilish desire for plunder.* Under the table something moved; a dog slowly turned himself round, feebly wagged his tail, uttered a low whining moan, and then laid down again, while his sad eyes watched



us. The grief of this brute—for it *was* grief—was not the least touching incident of the visit. “You cannot induce that dog to leave the room,” said the Sergeant; “we found him under the table when we first entered the house, and there he will stay. If he could speak, what a story of agony he might tell!”

Ascending the stairs, the first room we entered was that in which Probst slept with Cornelius. It was poorly furnished, without carpet, and not more than twelve or fourteen feet square. By the window, in the northeast corner, was the bed, where, concealed between the mattress and the sacking-bottom, were found the blood-stained trowsers of the murderer. Opposite this was a larger bed, which Cornelius had occupied, and a bedstead stood in another corner. A large barrel filled with salt pork stood near the door. A few horse-collars, and other pieces of harness, were hung upon the walls and lying on the floor. The bedclothes were in confusion, the room having been thoroughly searched by the officers, but it must have been at the best a dirty place, without any trace of neatness or refinement.

The other front room, and Mr. Deering's sleeping apartment, at the back, were without carpets, but appeared to have been kept with more neatness. The furniture in these was much disarranged. In Miss Elizabeth Dolan's room, her clothes were hanging on the walls.

Throughout the house there was an appearance of desertion, an air of unnatural quiet, and everywhere the murder was made more vivid by traces of commonplace life and domestic occupations. After descending to the lower story, we passed into the office and examined it more closely. There were filthy and disgusting traces of the murderer, and he had evidently rifled the desk of Mr. Deering. A razor and a large knife were lying on the mantel-piece, but they were probably not used in the commission of the crime.

With a sense of relief we passed out of this darkened and desolate abode once more into the bright daylight; and as we emerged the crowd of men, women and children, around the door, struggled to get a peep into the interior. The door was shut behind us, and we turned to go to the barn. “Not that way,” whispered the Sergeant; “if they know we are going, the whole crowd will follow us.” So we prudently walked in another direction; but when we reached the barn it was filled with many people.

The barn is a large building, with a large wagon door in the side next the house, and a smaller door leading into an

ordinary apartment, where cattle could be driven and milked. It was here that the bodies of Mr. Deering and Miss Elizabeth Dolan were found, half concealed by hay, thrust up against the side of a board partition, about forty feet from the small door.

Near the door, lying in a wooden trough that ran along the floor, the Sergeant, on Friday morning, had found a hammer with which the German had probably struck Mr. Deering as he entered. Against a post, half way between the door and the place where the bodies were found, great splashes of blood were still to be seen, and the hay around was reddened. A few boys were turning over the hay with sticks, “Stop that, boys,” said the officer; “this is disgusting enough already.”

An oblong hole, about three feet by two, has been cut in the side of the barn, and opening into a small covered crib attached to the rear of the building.

Into a small space, about six feet long and three wide, Probst had flung the corpse of Mrs. Deering and the mutilated bodies of her four children. Here they were found in a heap, covered slightly with hay. The crib could be secured on the outside by a door, and as we have already said, opens into the barn by a small oblong aperture.

Back of the house is an open shed, and on a bench within it the bloody axe was found. In the open space between the house and the barn was a large pile of wood, much of it no doubt chopped by the German; a wagon house; a threshing house, or granary; scales for weighing hay; and other objects of no particular interest or significance. Behind the house, to the south, stretch wide fields of rather marshy ground, drained and divided by wide ditches. One of these ditches runs behind the outbuildings, and is crossed by a narrow board. About two hundred yards further is another ditch, with a bridge for cattle, and to the south of it is the large haystack, in which the corpse of the bound boy, Cornelius Carey, was found. Every day this haystack is surrounded by a crowd, and on Friday a score of young men and boys were sitting in its shadow—one man with a peculiar taste, which we cannot understand, having snugly ensconced himself in the hay, *in the very place from which the corpse was dragged.*

The crowd around the house might have furnished a varied and interesting subject to the student of human nature. As usual, the women were wild with excitement, and foremost in the endeavor to gratify their curiosity. Up to the very doors of the house they crowded, jostling with the men,



and for the time forgetful of the usual proprieties of their sex. Women, with babies in their arms, stood in the barn, looking at the blood-stained joists; and others led little children by the hand, pointing out to them the dreadful traces of the crime. Ladies, in fine dresses, daintily picked their way through the manure in the barnyard and peered into the crib, as if they half expected to see the bodies still hidden in the hay. (We are told that in the French Revolution the women in the Parisian mob were more ferocious than the men, and it is no doubt true.) They were loud in their denunciations of the murderer; hanging was too good for him; the wretch shou'd be burnt alive! They wanted to see him roasted in a fire! He ought to be skinned alive, and then cut to pieces, inch by inch! This furious rage was, as usual, accompanied by much real heartlessness, and often a tirade of indignation would be ended by a jarring laugh. On crossing the board which bridged the ditch behind the house a little girl slipped and fell in the water, and many of the ladies laughed uproariously at the petty trifle. It is true that the women who hasten to such a scene as this are generally poor representatives of the refinement of their sex. There were some whose conduct was very different—who stood apart from the jostling crowd, and seemed to feel deeply the dreadful event. The men were generally less given to extravagant condemnation of the assassin, and stood in groups, discussing the probable method of the murder and its object. The sentiment of an American usually ends in argument. Many children roamed about the grounds, and the boys played in the barn, with the usual heedlessness of children. There was no disorder in the throng, and Sergeant Walsh firmly but gently arrested any tendency to excess.

As we turned from the spot where Cornelius Carey was found, we looked over the meadows stretching peacefully in the bright sunshine. Far away they lay, covered with the faint, fresh green of April, and tinged with the golden light. The heavens were blue and calm, and a few fleecy white clouds floated in the soft, warm air; the declining sun shone brightly on the house and barn, and on the distant river the white sails moved slowly past. Upon a little tree, just budding into leaf, the birds twittered and chirped. It was hard to realize that this beautiful and quiet landscape, this picturesque cottage, could have been the scene of the most diabolical murder of the age.

From Saturday afternoon, when the murders were committed, they remained un-

known till Wednesday at noon, when the bodies were discovered by a man who worked on the neighboring farm of Mr. Ware. The attention of this man was directed to the fact that the horses and cattle of Mr. Deering had not been seen out of the barn for several days. He went to the barn, fearing that something was wrong, but little suspecting the truth. Silence reigned everywhere; the house was closed, and no sign of human life appeared. The barn was deserted, except by the poor animals tied in their stalls, nearly dead from thirst and hunger. To his horror the neighbor saw in a dark corner a human foot protruding from a heap of hay. He looked no further, but fled from the spot, rushed to give the alarm, and in half an hour had returned with others, and dragged from beneath the hay the mangled, decomposing bodies of Christopher Deering and his niece, Elizabeth. The bodies lay as the murderer had no doubt arranged them, side by side, with their feet toward the door of the barn, and their heads not far from the aperture leading into the crib. The skulls of the victims were crushed in, evidently by heavy blows with an axe, and their throats were cut and mangled most horribly. The neighborhood was aroused, and the barn was guarded until the proper authorities, who were instantly summoned, could arrive. Early in the afternoon Chief Detective Franklin, Police Lieutenant Hampton, Detective John Lamon, and other officers, were on the spot, and at once began a careful search for the other members of the Deering family. It was, perhaps, half an hour before the bodies of Mrs. Deering and her four little ones were found heaped together in the crib, a decomposing mass, covered with dirt and hay. They were not three feet distant from the place where Mr. Deering and Elizabeth were discovered.

A more piteous and horrible spectacle could scarcely be imagined. Strong men turned away from it shuddering with mingled pity, indignation, and disgust. There was the body of the mother, with the frontal skull literally mashed to pieces, and the neck gashed with repeated blows of the axe. Upon her breast and around her lay the poor little children. The head of the eldest boy *had been severed from the body*, hanging only by a shred of skin at the back of the neck. The head was pounded to a jelly, and across the face was a fearful wound made by the sharp end of an axe. Near him, with wide-open eyes, lay his little sister Anna, only four years old. The poor child had raised her hand in feeble attempt to ward off the frightful blows,







Barbarous murder of the infant.





of the axe, and her fingers were chopped and broken. The body was hacked, the skull crushed, and the neck cut open. Pleading for her life, this little one had died. Thomas, but five years old, like his elder brother, had his head nearly cut from his body; his brain was also beaten in, his throat cut, and his jaw broken. And there—most appalling sight of all, a spectacle to draw tears from the stern eyes of men, or curses from the pure lips of women—lay the innocent Emma, the baby, upon whom the murderer had set his awful seal. Oh! hell-kite—he could not spare *one!* The other children he might have slain to conceal his crime; but how could this infant, but fourteen months old, reveal his secret? This deed was doubly damned. The speechless lips of the baby—lips that could form no word—should have been eloquent with mute supplication and tender pleadings that not even a fiend could resist. Perhaps the little Emma smiled and laughed when the murderer seized her with his hardened hands, threw her upon the ground, and struck her little forehead with the axe, still reeking with the blood of her mother. The front of her skull was driven into the back, her head was nearly severed from the body, and, with a superfluous rage, the devil Antoine had struck the sharp axe into her shoulder. Thus, within a space of ten feet, lay father, mother, and babes, heaped together, as if the murderer had taken the children by the feet and flung them desperately away.

Search was made on Thursday for the body of the missing boy, Cornelius Carey; the ditches and the deep well in the barn were examined; and finally, about ten o'clock in the morning, the corpse was found, hidden under the hay-rick, in the field south of the barn. A blow on the back of the head had clotted his hat, which was found close by, with gore; and his frontal skull was driven in; his throat was cut like those of the others.

The murderer had set one seal upon all!

"My victims," he had said, "shall not be mistaken for the victims of another. My handiwork shall be recognized." *And every one of the eight was horribly stamped, with the skull dashed to pieces, and the throat gaping with a ghastly wound.*

We have now brought the account down to the point at which the evidence of the discoverers of the bodies and the general knowledge of the history of the family is closed. We have now to take up the second stage of the bloody drama, when the murderer is revealed.

The moment the deed was discovered the authorities put all the police machinery at work to detect the murderer. On

Wednesday the Mayor promptly issued the following

### PROCLAMATION.

ONE THOUSAND DOLLARS REWARD!

Whereas, the family of Christopher Deering, consisting of himself, wife, cousin and four children, have been murdered under circumstances of frightful atrocity, in the First ward of this city, I do hereby offer a reward of one thousand dollars for such information as shall lead to the detection and conviction of the perpetrator or perpetrators of this most horrible deed.

MORTON McMICHAEL, Mayor.

On Thursday Councils authorized the Mayor to offer any additional reward he might think proper.

Suspicion was speedily directed to Antoine, whose disappearance was significant. It was difficult to obtain an exact description of his person; and this is not strange. Scores of people who have seen Antoine can swear to his identity now that he is captured, and can recognize him without the possibility of mistake. But let any of our readers select an absent acquaintance, and see if they can, in his absence, detail his eyes, mouth, hair, height, walk, and dress, so closely that a stranger to him might distinguish him from other men by the description merely. A very meagre description of Antoine was furnished the entire police force, but the only information of value given was the fact that he had lost the thumb of his right hand. His arrest was, indeed, chiefly owing to his own recklessness, and secondly to an accident and the praiseworthy zeal of a police officer, who made it a point to examine every unknown person who looked in any respect suspicious.

On Thursday evening, as Antoine Probst was entering the city by the Market street bridge, officer Dorsey, in company with officers Weldon and Atkinson, had his attention attracted by the long strides of the stranger. He stopped him, and accosted him familiarly: "You are a German?" "I am not," replied Antoine, "I am a Frenchman." Officer Dorsey said, "Let us have a look at you anyhow," and threw up the prisoner's hat. Antoine involuntarily raised his hand, and the quick eye of the policeman saw that *the thumb was missing*. He was arrested and taken to the Ninth ward station-house, where he was detained until Friday morning, when he was conveyed to the central station, and examined by Chief Detective Franklin. Mrs. Dolan, the mother of Elizabeth, was present, and recognized him as the man employed by Mr. Deering. *He confessed*



then that he had killed the boy Cornelius, and avowed that he had an accomplice who had murdered the others.

The credit of the arrest is due officer Dorsey, the first to notice Probst, to detain him, and seize him. The thanks of the Mayor have been given to the three officers present, in the following order: "Weldon, Dorsey and Atkinson;" but, unless we are much mistaken, this order of compliment is unjust. Whether the reward of \$1000 will be divided between the three, we do not know.

The prisoner was brought before the Mayor, at a quarter before 11 on Friday morning, and underwent the following examination:

Question (by the Mayor). How was it that the lady (meaning Mrs. Deering) was murdered? Answer (by the prisoner). He could not get any work, and asked her to go out to the barn to find work for him.

Q. He induced her to go to the barn? A. Yes.

Q. (Addressed to Mr. George Mock, Mayor's messenger, who put the question to the prisoner in German.) Ask him if he said the man killed her in the barn? A. Yes; in the stable—in the barn.

Q. How did he get the children there? A. One after the other from the house.

Q. He took them out, one after the other, and killed them after he got them out? A. Yes.

Q. Mr. Deering came home about dinner time, did he not? A. Yes, sir.

Q. Did he come alone, or bring a lady with him? A. Yes.

Q. You mean there was a lady with him when he came? A. Yes.

Q. Where were you then? A. In the house.

Q. You and your companion? A. Yes.

Q. How did you manage to kill Mr. Deering? A. I put the horse out, and he stayed there; when he stepped out of the carriage, he knocked him right down with the axe.

Q. As soon as he stepped out, this man knocked him down? A. Yes.

Q. Where was the woman that was with him? Had she got out of the carriage? A. He killed her, also, right there.

Q. Then you and he together carried the bodies into the barn? A. Yes.

Q. Was that all done before dark? A. Yes.

Q. Then you went into the house, and what did you get? A. I cannot tell what we got; he gave me three dollars; that was all.

Q. He kept the rest—all there was? A. Yes; he gave me money on Monday; I saw him then, about three o'clock, at New

Market and Callowhill; he walked by there on the street.

Q. How much more money did he then say he would give you? A. Two hundred dollars.

Q. How much did he say he got? A. About three hundred and fifty dollars, he said.

Q. In the house? A. Yes.

Q. You did not see any part of that money? You only saw three dollars? A. He gave me three dollars; that was all.

Q. When did you leave the house? A. About seven o'clock on Saturday night.

Q. Where did you go then? A. I came right in town, here.

Q. Whereabouts? You and he came to town to-day, did you? A. I came by that way (making a motion with his head), and he went the other way.

Q. Before you parted, you agreed to meet again; did you not? A. Yes.

Q. Did you meet? A. No. He told me that I could find him in Front street; but he never was there; I never saw him; he told me he would come back to Front street.

Q. How old is he? A. About thirty years old.

Q. Is he bigger than you? A. He is stouter like.

Q. How long have you known him? A. About two years.

Q. Is he from the same part of Germany that you are from? A. He came from Switzerland.

Q. What part of Germany are you from? A. Strasburg.

Q. Where did you sleep on Saturday night? A. I slept in Front street.

Q. That is where you were all day Sunday? A. Yes.

Q. And Monday? A. No; on Monday I was out in the country.

Q. Whereabouts? A. Around about here.

Q. Not down where Mr. Deering lived? A. No.

Q. Out at any friend's? A. No.

Q. Just walking around? A. Yes, I walked around. Yesterday awhile I was in Jersey, over there.

Q. In Camden, do you mean? (The prisoner nodded assent).

Q. On Thursday you were over in Camden? A. Yes.

Q. Had you intended to get away from the city? A. No.

Q. You meant to stay about? A. Yes.

Q. Where was this man to sleep last night? A. I don't know. He said he was going to Kensington. He says to me, I can find him any day in Front street.



Q. Did you not think somebody would be after you for doing these things? Did not he and you think you would be likely to be followed by somebody? (The prisoner was understood to mutter, "I didn't care. I guessed it would be all right when you'd catch me.")

Q. You did not care to get away? A. No.

Q. Were you ever in prison in your own country? A. I never was.

Q. You never before was charged with any crime? A. No.

Q. You never thought of killing these people until this man suggested it to you, did you? A. No.

Q. Mr. Deering always treated you very kindly? You had no quarrel with him? A. No.

Q. Is this man (the accomplice) a married or single man? A. A single man.

Q. What business was he following? A. I do not know; he never did any work of any kind.

Q. Did he get drunk? A. Oh, yes.

Q. Had you any liquor on Friday? A. Oh, yes; he brings five bottles there; he made me drunk.

Q. That was on Friday? A. Yes.

Q. You were not drunk on Saturday, in the morning, when Mr. Deering went away? You were sober then? A. I was drunk on Saturday.

Q. You drank then, did you, on Saturday, early in the morning? A. Yes.

Q. He killed the woman, you say? A. Yes.

Q. And the children? A. Yes.

Q. Who took off Mr. Deering's boots? A. He got the boots.

Q. Who got the clothes? A. He put on Mr. Deering's black coat.

Q. You did not make up a bundle of things to be carried away? A. He got the carpet bag, and put what he could in it.

Q. Who got the pair of big horseman's boots? Do you know any thing about them? A. No. (The prisoner here pulled up one pantaloons above the top of his boot, to indicate the size of the boots referred to).

Q. He had a pair of boots about that length? A. Yes; they're in the house now.

Q. No; they are missing. A. I don't know about them.

Q. He did not take them with him, nor you either? A. No.

Q. Then all this was done in daylight? A. Yes.

Q. Did you leave the house before night? A. About six or seven o'clock.

Q. Did you eat any thing in the house

after you committed the murder? A. Yes something.

Q. There was a ham cut—who cut that? A. The woman.

Q. She cleaned off the breakfast things before she was killed? A. Yes.

Q. What was that ham cut for? A. For dinner time.

Q. What did you and this other man eat? A. Bread and butter.

Q. Which came out of the house last, you or he? (This question was repeated before an answer was given). A. He went away first. He told me to go and he would go too.

Q. You have no relatives in this country, have you? A. No.

Q. Have you any at home—a father or mother living? A. Yes, I have a father and a mother at home.

Q. Did you ever hear from them? A. Yes.

Q. How long since? A. About two months.

Q. Are they old people? A. No.

Q. This man, you say, killed all but the boy? A. Yes.

Q. You killed the boy, and he killed all the rest? A. Yes.

Q. He killed Mrs. Deering and the four children, and then Mr. Deering, when he came home, and the woman with him? A. Yes.

(As this answer was given, an apparently involuntary sigh escaped the prisoner).

Q. Did you help him kill any of them? A. No.

Q. You will tell every thing you know, of course, Antoine? A. Yes, I tell every thing.

(The prisoner added something about making it all right, which was inaudible even to our reporter, who bent over him.)

Q. You had two axes? A. Yes.

Q. After their heads were broken, who chopped their throats? A. He cut them all down; he knocked them all down.

Q. (By Chief Ruggles.) Did you not cut the throat of the boy you killed with the hatchet? A. Yes.

Q. (By the Mayor). You both agreed beforehand that you were to kill them by hitting them on the skull, and cut their throats afterward? A. Yes.

Q. That was the plan you agreed upon? (No answer was given to this question, other than a slight inclination of the head.)

Q. Have you any brothers or sisters? A. Yes; I have three brothers in Germany.

Q. Are you the youngest of the family? A. Yes; I am the youngest.

Q. What is your father's occupation?



(Question repeated.) A. He is a carpenter.

Q. The same as your own? A. Yes.

Q. You learned your trade with your father? A. Yes.

Q. Where did you lose your thumb? A. In the army.

Q. Were you regularly discharged? Did you serve your time out? A. Yes; I stayed there until the war was over.

Q. You stayed your time out, you say, Antoine, and then you were mustered out with the rest of your company? A. Yes; I served with my company.

Q. Did you get into any trouble when in the army? A. No.

Q. You never were under arrest for any thing? A. No.

Q. (By Chief Ruggles.) Who took that little baby out of the cradle? A. He did. They were all killed when I came in the house—the children and the woman.

Q. (By the Mayor.) Some of the people down there said you always kept your cap on your head when you sat down at your meals. Is that true? A. No. I every time took it off.

Q. You would have no reason for keeping it on? A. No.

(His Honor here stated that his reason for putting this question was on account of the supposition that the prisoner wore a wig while he was in the employ of Mr. Deering. He seemed, however, to have a good head of hair.)

Q. Did you ever know a man by the name of Timothy to work for Mr. Deering? A. No.

Q. He had no other laboring man about the place while you were there? A. Yes, he got one when I came there; he was there for eight days.

Q. What was his name? do you know? A. I do not know the name; this was a young man.

Q. When was that man there? He left before you came there? A. No; I was one day there before he came.

Q. He stayed eight days? A. Yes.

(The object of the question was to find something to correspond with the date of a receipt already published.)

Q. How far were you out in the country on Monday? A. I walked a little round there.

Q. You did not stop at a tavern to stay where they refused to take you in, did you? A. No.

Q. Were you not many miles out? A. About two miles out?

Q. You did not then go away about nine or ten miles? A. No.

Q. What sort of a bag was it that this man took; an oil-cloth bag? A. No; it

was about that long (indicating a length of about two feet) and that wide; he got it from the woman when she had come.

Q. Was it oil-cloth? A. Yes; a black bag.

Q. Was it new? A. No; it was not new.

Q. This other man has a moustache? A. Yes.

Q. A black moustache? A. Yes.

Q. Whiskers and moustache too? A. No; only around here.

Q. And the travelling bag he had was black one? A. Yes.

Q. He has dark hair, has he? A. Yes.

Extra editions of the various daily journals announced early on Friday the capture of the assassin, and immense editions of all the papers were scattered over the city. But still earlier the arrest was known to thousands, for such a secret could not be kept. When the prisoner was taken from the Ninth ward station-house, a mob of several hundred persons, with wild yells, made a rush to seize him, and but for the desperate exertions of the officers, Antoine Probst would have been torn to pieces. A cousin of Christopher Deering attempted to kill him. The prisoner was rapidly driven to the Central Station, pursued by the furious crowd.

After his examination, Antoine was taken to the photographic gallery of Mr. Cohill, Fifth and Chestnut, where his portrait was taken. A line of police officers, nearly two squares long, was formed in the meanwhile, and the prison van brought up to the rear of the gallery. A mob of two thousand persons was gathered in Chestnut and Fifth streets, and when Antoine, strongly guarded, was brought to the prison van, another rush of those thirsting for his blood, and those merely eager to get a sight of the monster, was made, but was baffled. About twelve o'clock he was put in the van, and while the officers, with their maces drawn, kept back the tremendous mob, yelling and hooting, the prisoner was driven at full speed down Fifth street, and safely lodged in Moyamensing Prison.

After he had reached the prison this fear entirely disappeared, and he resumed his stolid and apathetic demeanor. He ate heartily at dinner, and afterward told one of the Prison Inspectors, who conversed with him in German, the same story he had told the Mayor, describing his accomplice as a stout man, about thirty-eight years of age, with big shoulders, a large white face, and dark brown hair. He contradicted himself by saying that he came from Baden, where his father, mother, brothers, and sisters reside. At this point



of the conversation, when asked what they would think when they heard of his crime, he showed some emotion and shed a few tears. To the Prison Inspector he gave the following account of the manner in which Mr. Deering and his cousin were killed, which differs from the statement made before the Mayor :

Q. What were you doing when Gaunter killed Deering? (Gaunter is now known to be the name of the man whom Probst declared to be his accomplice.) A. I was holding the horse. Gaunter knocked Deering down with the axe as soon as he got from the carriage, and his cousin started to run, when he caught up to her and striking her alongside of the head with the axe knocked her down. He then cut the throats of both.

Q. How did the woman's bonnet get in the house? A. I took it off her head and carried it in.

The bonnet was examined, an old-fashioned one, which came well over the face, and no marks of blood could be found upon it or any indication that it had been on the ground.

On Thursday morning, Coroner Taylor, in the discharge of his official duty, subpoenaed the following named gentlemen as the Jury to investigate the cause of the deaths:—Morton Everly, Francis A. Wolbert, Joseph Spencer, George E. Chambers, Robert T. Gill, and A. N. Hoskins. At eleven o'clock they proceeded to the establishment of Cyrus Horne, undertaker, in the rear of Eleventh street, below Filbert, where the bodies had been sent the evening previous. In the vicinity of this place a large number of persons had congregated, anxious, if possible, to obtain a glance at the murdered victims. A sufficient force of policemen were stationed on the premises to prevent intrusion. The bodies had been previously cleaned, each one placed in a neat box, and plenty of ice covered over them. A separate room from that in which they lay was selected for the purpose of making the post-mortem examinations. The latter duty was performed by Dr. Shapleigh, the coroner's surgeon. The bodies were brought into the room one by one, and thus examined. We give the following results of the examinations, and in the order in which they were made :

The body of Miss Elizabeth Keating, aged twenty-five years, the first cousin of Mr. Deering, was very much decomposed—as, in fact, were all the rest. Upon the left side of her neck was a horrible gash, three and a half inches long and two and a half inches deep, passing through the vertebra. Above this wound, and un-

der the jaw, on the same side of the neck, was another wound, two inches long and a half inch deep, showing that she had received two separate gashes with the death-dealing instrument. There was a heavy contusion over the left eye. It appeared as if nearly an inch of flesh had been cut from the forehead by this blow. Strange to say, this person, out of all that were murdered, did not have her skull fractured. From the appearance of the bruise on the forehead, it is quite evident that she must have received a very heavy blow, but it failed to fracture the skull.

At the conclusion of this examination Coroner Taylor administered the usual oath to his jurymen, after which he endeavored to impress upon them the importance of giving the awful affair a thorough investigation. The examination of the bodies was then proceeded with.

The body of the infant Emma, aged but fourteen months, was brought in. The little one's head was found to be mashed in from one side to the other—done, no doubt, by some blunt instrument. There was also a horrid gash in the neck, which had almost severed the head from the body. A deep wound was found on the left shoulder.

An examination of the body of Mrs. Julia Deering, aged forty-five years, was next made. The frontal bone was found to be greatly fractured. This was done by at least two blows, either one of which would have caused death. There were two gashes in the neck. The largest passed directly through the third vertebra, more to the right than the left of the neck. The other gash was about a half inch below this, on the same side, supposed to be done by the corner of an axe. This wound passed through the vertebra also. The peculiarity connected with the wounds on the neck of this person, is, that they are on the right side, while in all the other cases they are on the left side.

The body of John Deering, aged eight years, was next examined. This was undoubtedly the worst case of all. The neck had been gashed to such an extent that not more than an inch of skin on the back part was left whereby the head was connected with the body. The weight of the head would be sufficient to break this connection. The front part of the head was completely mashed to a jelly. This was accomplished by several blows. A good-sized piece of the skull on the right side was broken in, which exposed a portion of the brain to view. There was also a deep gash just above the bridge of the nose, apparently made by the corner of the blunt end of the axe. Several of those



present could not look a second time upon the body of this boy—the sight was too sickening.

The body of Anna Deering, aged four years, was next examined. A finger on her right hand was cut off, and another one broken, from which it is inferred that the little one raised her hand as if to ward off the blow. There was a two inch wound directly through the head near the right shoulder. The body had several other cuts upon it. The frontal bone was fractured, evidently by more than one blow. Like the others, she had a deep gash in her neck. It extended through the vertebra. The eyes of the child were partially open, and from the expression of the face it would seem as if she had known what was about to come, and was pleading for her life when the heartless wretch struck her down.

The body of Thomas Deering, aged six years, was next examined. There was a wound on the top of the head, about two inches in length, which it is supposed was done with a sharp instrument. Another cut, about two and a half inches long, was visible on the head behind the ear. The skull was very much fractured. The gash in this boy's neck passed through the body of the vertebra. The wound in his neck was almost as large as that of his older brother, as it had almost severed his head from his body. This lad's jaw was also broken.

The last body examined was that of the father, Christopher Deering, aged thirty-eight years. He wore whiskers under his chin, and from the appearance of his body must have been a strong, athletic man. Mr. Deering's right parietal bone had been mashed by the flat of the axe. There was a horrible wound on his neck, under the left jaw, which was caused by three different cuts. The vertebra was found to be severed in two places. There was another gash in the neck about a half inch below the one just alluded to.

This closed the examination of the bodies. They were returned to the boxes, and ice placed upon them as before.

At the conclusion of the examination, the Coroner with his jury, Dr. Shapleigh, Chief Engineer Lyle, and others, entered the ambulance of the Philadelphia Hose Company, in which they at once proceeded to the scene of the horrible massacre. They arrived on the ground shortly after one o'clock. The first place the jury proceeded to was the barn where lay the body of the lad Cornelius, which had been removed there in the morning from the haystack in which it had been found. The oath was again administered to the jury

by Coroner Taylor. A post-mortem examination of the body was then made by Dr. Shapleigh. The occipital bone was found to be fractured on the left side, and the frontal bone on the same side. The last blow knocked his skull in. There was also a wound over the right clavicle. A deep gash had been cut in this boy's neck, on the same side and in a similar way to the others. It is supposed that the boy was running away from his murderer when he received the blow on the occipital bone. The deceased had his working clothes on.

After an examination of witnesses, the Jury rendered the following verdict, on Monday, April 16th.

The prisoner, Antoine Probst, was present during the entire investigation, and did not manifest the slightest feeling from first to last. Not even when the bloody instruments with which the horrible murders were committed were exhibited, and the terrible wounds inflicted were described, did he move a muscle. For four hours he sat with his hands together on his lap, and kept his eyes constantly on the witnesses, yet he never uttered a word, except when Chief Franklin held a gold-plated watch before him, and asked him if that was the property of the Deerings, and he replied that it was. Up to yesterday he had declared that this watch had been taken by his companion in crime, yet it was distinctly proved that he, Probst, had sold it, the jeweller who bought it clearly identifying him. The investigation yesterday, drew a large number of persons to the prison, and a general desire was manifested to get a sight of the confessed murderer. Mrs. Dolan, the mother of Elizabeth, and Wm. Duffy, the father of Mrs. Deering, were present; also, the only surviving member of the Deering family, the son William, ten years old.

Elizabeth Dolan was first examined, and testified under a state of feeling which at times overcame her. She said that she had lived much of the time at the house of Christopher Deering. The prisoner was there last fall, and came there again about six weeks ago. When asked if she knew Probst, she looked toward him and said, "Oh! yes; he is the murderer of my daughter." She stated that she left Deering's house on Wednesday last, in company with her daughter, to go to Burlington; her daughter left to return to Mr. Deering's on Saturday morning at seven o'clock, and that was the last she saw of her alive; the next she saw of her was in the ice box. She then identified her daughter's effects, some of which were found in or traced to the possession of the prisoner. These were a black cloth cloak,





The Murderer Concealing his Bloody Work.



black velvet bonnet and furs; she knew that her daughter had \$120 in notes when she left her home in Burlington; the money was in a small pocket-book (book identified). A necktie which was shown her she said she made for Mr. Deering. That the prisoner wore when arrested. The black travelling bag which her daughter had when she left Burlington she identified; also a razor belonging to Mr. Deering, and a powder flask, pistol, etc. She also identified an axe which was found in the ditch on Sunday. The witness had desired Mr. Deering to discharge Probst, as she was fearful he would do some harm to the family. When he left last fall he was discharged for refusing to cut wood. Mr. Deering desired him to cut the wood, and he refused, and Mr. Deering then told him to go: when he left, he made a motion which satisfied the witness that he intended to do Mr. Deering harm, if he met him. The remark she made to herself was that, if Probst met him in a lonely place he (Deering) would be a gone sucker. She had often seen Mr. Deering count large sums of money at night, and the prisoner had often seen him do the same thing.

Abraham Everett, sworn.—I knew Mr. Deering; I lived a quarter of a mile from the farm; I was on my sister's farm, close by, on Tuesday, and she said Mr. Deering had not been there for the papers; I said it was strange, and if nothing was seen of the family on the following day, I would go over and see about it; the next day I went over, and found the horses and cattle suffering for the want of water; I got a bucket and gave the horses water; I think I dipped up ten buckets of water, which one of the horses drank; the other horse drank nearly fifteen minutes; I gave hay to the horses, and then walked through the barn where Mr. Deering and cousin were afterward found; only one door and window were open; that on the north side of the barn. Mr. Everett stated that he next fed the pig and the chickens, and afterward went into the house, in company with his brother-in-law; got in at the north window, and found the things in confusion about the house; both the wagons were in the wagon house; the yard did not look as if a struggle had taken place.

James Greenwell sworn.—I knew Mr. Deering; my business is butchering; I sold Mr. Deering a piece of meat on Saturday morning at nine o'clock; he took out his watch and showed it to me; when he left me he said he was going to Mr. Mitchell's, and from there to meet his cousin at the steamboat wharf.

John Gould.—I live in Jones's lane;

knew Deering; knew Probst well; saw Deering alive on Friday last, crossing the meadows; the hired man also. The witness visited the place on Wednesday, and examined the house and barn, but did not see any thing until he had looked a second time into the barn, when he discovered the stocken foot of Mr. Deering protruding from under the hay, and after the hay was removed, the bodies of Mr. Deering and his cousin were discovered. The prisoner's clothes were identified by the witness they were found at the house.

Margaret Wilson sworn.—I knew Mr. Deering; saw him at nine and a half o'clock, on Saturday morning last, opposite to Mifflin street, on Second street; he told me he had been up to meet Miss Dolan, and had missed her; while we were talking Miss Dolan came up, and she got into the wagon; she had a black travelling bag with her, like one shown witness; after Mr. Deering drove off witness did not see him again; while he was with the witness, he said: "I've got to go back to Mr. Mitchell's; also to the blacksmith shop.

[Mr. Mitchell here said that that remark looked as if Mr. Deering had made other collections, and was about to return to pay it over.]

Robert Neil corroborated the testimony of Mr. Everett in respect to the finding of the bodies.

Officer Mitchell testified to finding the body of the boy, Cornelius Carey, under the haystack; also to finding an axe in the ditch—the axe which was found on Sunday after the prisoner had made known to Chief Franklin where he had thrown it.

John Pross testified that he knew Probst; was in the same regiment with him; saw him in the Almshouse last winter, and had not seen him since then.

Chief Franklin here stated that he had found by the record of the Almshouse that the witness was discharged from that place on Wednesday last.

Charles Rous, employed at Leckfeldt's, testified to seeing two watches and two pistols in Probst's possession; the gold-plated watch was identified; the heavy chain also. Witness had not seen any man with Probst while he was at the house.

Policeman Green testified to the recovery of the traveling bag, at the house of Mr. Leckfeldt.

Officer James Dorsey testified to the arrest of Probst, and detailed the occurrence as already given.

Lavinia Whiteman sworn.—I rent a room at No. 716 North Front street; saw prisoner last Saturday week; he came to the house alone; I saw him in the bar-



room; I drank one time with him; it was twelve o'clock when he went to bed; he left the house on the next morning; he had a gold watch and a silver watch; that is the watch [watch of Mr. Deering shown]; he had pistols with him [pistols identified]; he had about seven drinks at the bar.

Charles Allgier sworn.—I saw prisoner last Wednesday about ten o'clock; he came to me and offered a watch for sale; said he was hard up and wanted to sell the watch [Mr. Deering's watch shown and identified]; I asked him how much he wanted for it; said five dollars for it; I offered four dollars; he said he had paid fifteen dollars for it; he offered to sell it for four and a half; I gave him four dollars for it; he said he had lost his thumb in front of Richmond.

[At this point in the examination William Deering, the only surviving member of the family, was brought in. He identified his father's watch, and several other things traced to the prisoner.]

Susan Smith testified to seeing the prisoner in Leckfeldt's public house, on Sunday evening; subsequently she saw him in possession of a silver watch, and a pistol. The witness saw him several times, and at no time had he any one with him.

Theodore Mitchell, sworn.—I rented the place on Jones's lane to Christopher Deering for half price, the contract being, that he should carry on the business of droving, I to furnish the capital, and the net profits to be divided between us. On Saturday morning he called at my house, between eight and nine o'clock, and reported a sale of two cattle at \$95; he paid me \$86, which left a balance of \$9, due me; he then said he wanted some money, and I asked him how much; he said \$10 would be enough, and I told him to take it out of the pile on the table, which he did; he left the house, saying that he had to be at the steamboat landing by nine o'clock, to meet his cousin, who was coming from Burlington. Have seen a man at the place who looked like the prisoner, but could not say if that is the man.

Mrs. Dolan, recalled.—That chain (attached to a gold-plated watch) looks very like Mr. Deering's; the watch I should think was his also; it is like one he carried.

William Leckfeldt testified that he keeps a boarding-house in New Market street; knows the defendant; first saw him on Sunday after dinner; was alone; went away and returned on Monday morning; no one was with him then; saw him have a silver watch; did not stay long, but came back on Monday night and stayed till Tuesday at dinner time; went away and came back

next day; said he did not feel well, had been on a spree; on Wednesday evening had a man with him; they went away together, and I saw him on Thursday; then three policemen and two detectives were there while he was in the bar-room, but no one knew him then; on Sunday afternoon he had a travelling bag full of clothes. [This was identified as Miss Dolan's.] Saw a big chain to his watch; at the time he was at my house he had *no one with him*; one day a little fellow came and inquired for him. [This man was identified as John Probst.] One time Probst asked for the travelling bag, and it was handed to him.

Henry Baer, sworn.—I know the prisoner; he belonged to the same regiment I did; Antoine was at Leckfeldt's on Wednesday inquiring for me, and I saw him in the evening at seven o'clock; he said we'll drink a couple of glasses of beer; saw a watch with him, a pistol also; asked witness to buy it; but he declined to do so. Witness asked Antoine to lend him fifty cents, but he said he had no money to spare, as he was a-going to Germany on the following morning.

Lieut. Patton testified to searching the prisoner at the Filbert Street station, and to finding on him articles which were afterward identified as belonging to some of the victims.

Officers Weldon and Atkinson gave their version of the arrest, denying that officer Dorsey was entitled to the credit for it.

Chief Franklin detailed very fully the part himself and officers of the force had taken to capture the prisoner; and referred to the numerous interviews he had had with Probst. The story he first told in respect to killing of the boy by himself, and of the others by an accomplice, he adhered to to the last, yet the witness had ascertained that many of the stories told by him were wholly false; at places where he had said his accomplice had been with him, the inmates of the houses denied it; and there had not been any thing found to corroborate him. He had all along said that the gold-plated watch of Mr. Deering had been taken by the accomplice, yet the man who bought it testified that Probst had sold it to him. The Chief repeated the story of the slaughter as he had heard it from the prisoner. It began, as he said, about ten o'clock in the morning, he killing the boy first when near the haystack, under which he concealed the body. His confederate then, he said, killed the mother and the children, he helping to carry them to their place of concealment, Mr. Deering and his cousin reached the farm about one o'clock on Saturday, and he (Probst,



held the horse while Mr. D. got out of the wagon, his companion then being concealed behind a corner of the house. As soon as Mr. Deering alighted, he was killed; his cousin then jumped from the wagon, and attempted to run, but was caught and despatched also. Those bodies Probst said he helped to carry to the barn, where they were concealed under the hay. He and his companion remained about the house till about seven o'clock, when they left, taking different roads to the city; the last Probst saw of his confederate, he says, was about seven o'clock on the evening of his arrest.

Dr. Shapleigh then testified as follows: Examination of the bodies of the Deering family, at Cyrus Horne's, Eleventh and Hunter streets.

Christopher Deering, aged thirty-eight.—A very muscular man, dark, curly hair, and thick, bushy whiskers. There was a contused wound, from a blunt instrument, behind and above the right ear; the frontal and left parietal bones were extensively fractured by several blows from a blunt instrument. There was a wound extending from the angle of the left jaw, diagonally across the throat, to the prominent muscle on the right side, four or five inches long; the wound presented a chopped appearance, made by at least three cuts, and was three inches deep. The windpipe, jugular vein, carotid artery, œsophagus, and the bodies of the second and third vertebra had been divided. Half an inch below this there was another wound two inches long.

Julia Deering, aged forty-five (appeared younger).—Frontal bone fractured, from at least two blows from a blunt instrument; the fractures extended into the parietal bones. There were two wounds of the neck; the larger was a little to the right, almost directly across the throat, three and a half inches long; the bloodvessels, windpipe, œsophagus, and the body of the third vertebra were divided. Half an inch below this there was another wound similar, but smaller.

Elizabeth Dolan, aged twenty-eight, (seemed older).—There was a severe contused wound, from a blunt instrument, one and a half inches above the left ear; two inches above the left eye there was a contused wound also, from a blunt instrument; a square inch of the integuments had been cut away by a glancing blow from a blunt instrument; there was no fracture of the skull; a different implement might have been used in this case; the wounds of the neck seemed to have been cut by the same instrument used upon the other bodies; one wound was from three and a half to

four inches long, and two deep, dividing the bloodvessels, windpipe, etc., and the articulation of the third and fourth vertebra; above this wound was another, two inches long and a half an inch deep.

Cornelius Carey, aged seventeen, examined in barn on the farm.—The left side of occipital bone was fractured by a blow two inches behind left ear; frontal bone comminuted by blows over the left eye; there was a small wound over right clavicle; there was a deep wound on the neck, extending through the sterno-clido-mastoid muscle on the left to corresponding muscle on the right; the bloodvessels, windpipe, gullet, and fourth vertebra were divided.

John Deering, aged eight years.—More violence had been done to this child's head than to any of the others. The front and top parts of the head were literally mashed. The frontal and both parietal bones were comminuted by severe blows. The brain was exuding. The head had been nearly severed from the body, apparently by the same instrument used in the other cases. Only an inch of the skin on the back part of the neck alone remaining uncut.

Thomas Deering, aged six years.—There was a wound on top of the head two inches long; another, two and a half inches long, behind the right ear, caused by a sharp cutting instrument. The skull was fractured beneath these wounds. The frontal bone was also extensively fractured. There was a wound of the neck extending from the angle of the jaw, on the left side, nearly across the neck. The jaw was fractured by the same blow that made the cut. The head was nearly severed from the body, the skin on side and back of the neck alone remaining uncut.

Annie Deering, aged four years.—The forefinger of the right hand was cut off and missing; the middle finger was cut at the second joint and hanging by a small piece of skin; there was a wound two inches long in right shoulder; the bone had been cut through near its head; there were several bruises and cuts about the body; the wound of the throat extended through the fourth vertebra; the frontal bone was fractured by more than one blow.

Emily Deering, aged two years.—The bones of the front and top parts of the head actually comminuted by several blows (over the left eye the worst) from a blunt instrument; there was a wound on the left shoulder from a cutting instrument; the head was almost severed by a wound directly across the neck; bloodvessels, windpipe, œsophagus and vertebra divided.

The jury rendered the following verdict: "That Christopher, Julia, John, Thomas,



Anna, and Emily Deering, and Elizabeth Dolan and Cornelius Carey, came to their deaths from the effects of blows inflicted by Antoine Probst, at the house of Christopher Deering, Jones's lane, in the First ward, April 7th, 1866."

We publish some particulars of the phrenological development of this extraordinary criminal—combativeness, destructiveness, and amativeness, which men share in common with the lower order of creation, very large; the reflective and perceptive organs small; the cheek bones are high; his nose small and upturned; his mouth large and gross; his eyes are of a light gray color, small, deep-set, furtive, and downcast; his complexion is florid, and his hair a dirty light brown; his forehead is low and unintellectual. When we heard him speak, his voice was low, and seemed to be deep, and without modulation. He was dressed in a gray suit, with a large gray slouched hat, which he wore drawn over his eyes. Altogether, he appeared to be brutal, ignorant, depraved, and stupid—an animal, possessed of ordinary secretiveness, able to form a cunning plan, and capable of executing the most terrible deeds without pity or remorse. How much of this impression, made upon us, was caused by our previous knowledge of the brutal murder he has confessed, it is impossible to determine; but no one could mistake the general outline we have given of his character. At no time since his arrest has he shown much remorse for the crime he committed; but when the mob gathered around him, with their execrations, clenched fists, and faces breathing fury, he uttered a scream of terror that could be heard two squares away.

We reject as improbable the assertion of Antoine Probst that he had an accomplice, and in our opinion we are sustained by that of the authorities. When the murder was first announced, many persons refused to believe that one man could have the hardihood or the ability to kill eight persons; but this objection is counterbalanced by the greater improbability that two men would be likely to meet who would be equally destitute of pity or remorse.

When we first visited the scene of the murder, we had formed no theory of the manner in which the deed had been done, or by whom, or by what number of persons. We then made a careful survey of the premises, the condition of the bodies, and all the circumstances attendant, and were then convinced that all the probabilities were in favor of the theory that Antoine Probst murdered with his own hands every member of the Deering family. It may be, however, that he had an accom-

plice; but, up to the time we write, no trace of any complicity has been found, and the supposition rests entirely upon the vague and contradictory assertions of the criminal. His motive, supposing the assertion to be false, is easily understood. It is his interest to represent himself as the tool of a greater monster; and, by dividing the responsibility, to seek to lessen the diabolism of his deed.

Antoine was one of those degraded foreigners—possibly an expatriated convict—who, by the force of circumstances, were drawn into the war, enlisting either in the rebel or in the Union armies, as chance determined. There he became familiarized with the idea of death, and his brutal mind made no distinction between killing in war and murdering in peace. When discharged from military service, he sought work; but was unsatisfied to labor hard for a living, after having been so long used to the indolence of a soldier in camp, only broken up by occasional hard marches and fierce battles. He discovered that Mr. Deering had money, and he wanted money himself. Probably to this motive for the crime was added a secret animosity against the Deerings, who disliked and had discharged him. When he returned to the Deering farm, in March, it might not have been with the clearly defined intention of murder and robbery; but, no doubt, in that solitary place, he soon convinced himself that the double atrocity might safely and easily be committed. The farm was in the suburbs of the city, more than a mile away from any thickly settled section. The Deerings had little communication with their few neighbors, and days would often pass without the approach of a visitor. In this isolated house he thought that, without danger of interruption, he might go through with his bloody work, waiting only for the favorable opportunity. *That was the absence of Christopher Deering.* The master of the family away, who was to oppose him? Mrs. Deering was but a woman; *her* he could not fear; a stratagem might prevent any resistance; and even if resistance was made, he felt that it would easily be overcome. Of the children there were five, the eldest the only one who had any chance of escape by flight; he was but twelve years of age, and on the fatal Saturday had left the house upon a visit of several days. From the four younger ones he had no resistance to fear. There remained then on the farm, on Saturday, April 7th, but one person who had the physical power to thwart the murderous plan. *That was* CORNELIUS CAREY, a stout, athletic lad, seventeen years of age.

We suppose, then, that Antoine Probst,



early on Saturday morning, went about his work as usual, received his directions for the day, and saw Christopher Deering get into his carriage and drive off. Probably he knew that Mr. Deering intended to meet Elizabeth Dolan in the city, and would not start thence to return home till the cars from Trenton had arrived at the depot. It was with a feeling of security, then, that he saw the carriage disappear, and felt that he had the day before him for the bloody work on which he had resolved.

At what hours the different murders were committed, we cannot form any certain opinion. Probst said that he killed Cornelius about ten o'clock in the morning; that his accomplice then killed the mother and children; and that Mr. Deering and Elizabeth returned about two o'clock in the afternoon, and were murdered as they dismounted from the carriage. But no dependence can yet be placed upon any of his statements. We endeavored, when examining the house, to form some idea of the probable time when the murders were committed; but there was no indication of any unfinished work by which it could be judged. In the kitchen, a pan of bread, set to rise, was found, but that was little guide. There was no sign of preparation of any of the meals. But it is probable that at breakfast, on Saturday, Mrs. Deering, her children, and Cornelius, had tasted their last morsel of food. In the morning, as soon as he felt safe from intrusion, Probst set about the execution of his plan.

He himself declares that the boy Cornelius was the first to die, and we have shown that he would in all likelihood be the first removed, as the only remaining member of the family capable of making dangerous resistance.

And here is found the first probability that Probst had no accomplice. Had there been two murderers, Cornelius and the mother might have been dealt with simultaneously; but with only one hand to slay eight persons, some separation of the victims was indispensable, lest while one was being murdered, some of the others might escape. Besides, there might have been danger that the combined strength of Mrs. Deering and Cornelius might have been too much for one man to contend with, if by any accident they had suspected his attempt at murder. Supposing, then, that one man only was concerned, he would naturally endeavor to get rid of Cornelius without the knowledge of the rest.

And where was the body of Cornelius found?

*Concealed in the hayrick, over two hundred yards from the house; and not only*

was the murder committed at that distance, *but it was done apparently behind the hayrick, shut out effectually from any chance observation from the house.* Probst, then, in all probability, either watched Cornelius go to the hayrick, or enticed him there, on some pretence connected with the ordinary labor of the farm. There he struck him down, cut his throat, pushed him under the hay, and, still carrying the axe, returned to the house.

It was now his business to kill the mother first. He admits, also, that she was the next victim. By what pretext he induced her to go to the barn it is impossible to guess, or whether she entered it, or passed behind it to the barn yard. But to the barn she doubtless went, and with her the murderer; and again the axe suddenly flashed in the air, descended with stunning force, and the body was hacked till no spark of life remained, and was thrown hastily into the crib. If the deed was done in the barn the body was pushed through the small aperture in the wall; but we incline to the opinion that Mrs. Deering was killed in the yard, and her corpse thrown through the door of the crib.

And now for all those who had been left in the house that morning, Murder is ended. What remains is *not* Murder. It is Butchery! It is the Massacre of the Innocents.

Now Probst! look around you in triumph! Swing your bloody axe in the air! Cornelius lies weltering in the meadow, and "the woman," as you call her, is a mutilated corpse at your feet. Only the children remain, the innocent little children, who play around the door, or on the floor of the sitting room, waiting for the return of their mother. Go then to them, for *she* will never go again.

To them he *did* go. But what passed between the murderer and these little ones no one can know; and let no one imagine. Over this horror of horrors let the veil be drawn, or, at least, if it cannot be concealed, let us not add dreadful conjectures to the too awful reality. Whether he struck their little heads and throats with his heavy axe at the house, or whether he dragged them one by one to the barn, is a secret likely to be kept till that day when all secrets are revealed. But, whatever he did, was safely done. What resistance could they make? How weak would be their little struggles! Their feeble screams no one could hear, and where could they fly? If the little girls attempted to run, swift and sure as fate would be the stride of the destroyer, and relentless his grasp of their puny limbs. Child after child he seized, dashed their brains out with his



axe, and then threw them, with a ghastly propriety, into the arms of their mother. Now, only remained the tiny Emma in her cradle. Will Probst spare her? No, no.

"He is in blood  
Stept in so far, that should he wade no more,  
Returning were as tedious as go o'er."

He crowned the slaughter with the sacrifice of her pure and helpless life.

Now the murderer has two hours before him to wait for Christopher Deering. He employed it, probably, in searching the house for plunder.

At last Mr. Deering, accompanied by his cousin, returned. Probst says they were killed as they got out of the carriage. We do not think it likely. He chose a safer plan.

Mr. Deering and Elizabeth, after giving the care of the horse to Probst would naturally enter the house. There they would find no one, and after the first surprise at the unexpected emptiness, would feel some slight apprehension, and would in all likelihood call for Mrs. Deering. In vain they call; she will never answer again. Then they would turn their steps to the barn, and as they entered the fatal door Death entered with them. Concealed behind it lurked the murderer.

The circumstantial evidence points directly to the commission of these murders in the barn. In a wooden trough near the small door, Sergeant Walsh, on Thursday morning, found a large hammer, with blood upon it. With this instrument Christopher Deering was probably struck from behind as he entered, and felled. We observed that the space behind the door was narrow, and would not allow an axe to be swung with ease. Probst had likely stationed himself there with the axe, but before his victims entered might have seen the hammer, and taken it as a better weapon.

Then, perhaps, the whole atrocity flashed across the imagination of Elizabeth. She saw the man spring toward her, wielding either the axe or the hammer, and instinctively turned to escape. But where should she turn? The murderer stood between her and the door, and her only means of escape was by the opening in the shed. She ran before him, but he caught her in the middle of the barn, and she fell. This would account for the blood found splashed over the joists in the centre of the barn.

But, of these latter details concerning the deaths of Mr. Deering and Elizabeth we are not as sure as we are of the truth of the general theory we have advanced. The blood on the joists may have been

that of the children, or of Mr. Deering, who possibly had a struggle with the assassin. We found our suppositions upon these facts.

1st. The bloody hammer found near the door seems to indicate that one of the family was killed on the spot.

2d. It is most probable that Mr. Deering was the victim, for Probst could not have selected a more advantageous position to attack a man nearly his equal in size and strength.

3d. A little further on is the blood, just about the spot which Elizabeth could have had time to reach.

4th. Not ten feet from this spot the bodies of Mr. Deering and Elizabeth were found. It would not be likely that the murderer could drag them far.

Thus it will be seen that every thing confirms the theory that one man murdered these eight persons. The distance of Cornelius's body from the house; the absence of any signs of a struggle in the house; the evident employment of strategy in enticing Mrs. Deering to the barn; the probability that Mr. Deering was killed by a blow behind as he entered—none of these facts and inferences coincide with the supposition that two men were in league. Other confirmation is supplied by the statements of Probst himself. He asserts that the accomplice took all the money but three dollars, and told him that he would meet him any day on Front street. Stupid as Probst may be considered, he would hardly have been satisfied with so vague an appointment. Again, he says that the accomplice took the valise, containing Mr. Deering's black coat; it is proved that *Probst* left these articles at the lager beer saloon of Leckfeldt. He says that he had but three dollars; he is known to have spent considerable money between the time of the murder and his arrest. He cannot give any definite account of this accomplice, while his statement involves other contradictions; nor has any one yet appeared who has ever seen Probst in conversation or in company with any suspicious character. He appears to have been a solitary, morose man, without acquaintances or friends. It may be that he *had* a partner in this horrible crime; but thus far there is not the slightest evidence of it, in all the facts hastily collected in the confusion and excitement of the past few days. Thorough and constant search has been made for the accomplice, and it is the opinion of the best detectives that the search is for a phantasmal scapegoat of Antoine's own invention.

On the evening of Saturday, according



to his own asseveration and the probabilities, Probst, with his dearly purchased plunder, left the house and took his way to the city. A flight we have called it, but it was rather a march of triumph, for he at once went to spend his gains in the worst haunts of dissipation. Saturday night he spent in a brothel, near Front and Moore streets. Sunday he passed in Eckfeldt's lager beer saloon, in New Market street, near Willow. In the evening he left his valise in the charge of the landlord, and stayed all night at a house near Front and Brown streets.

On Monday he again went to Leckfeldt's, and remained there till Tuesday. In the morning he left without paying for his lodging and meals, and Mrs. Leckfeldt took possession of the valise, intending to keep it as a security for the payment of the bill. Tuesday night he again spent with a prostitute. From Wednesday till Thursday he passed at Front and Brown, and in the morning returned to the lager beer saloon. There, as he sat at a table, a man began to read to the others, who were drinking beer, an account of the discovery of the murder, published in a German paper. Probst listened without betraying any emotion, nor did he blench when he heard the expressions of horror and rage around him. He was even appealed to by one of the company, who said: "What do *you* think? Isn't it a d—d shame, that a German should have done this and disgraced his countrymen?" Probst made no reply, and pretended to be asleep, with his hat drawn over his eyes. But immediately afterward a German who knew him entered, and proposed a game of cards. Probst consented at once, and in the intervals of shuffling and dealing had the hardihood to *read the account of his own crime*, no doubt criticising the errors made in the general ignorance of the facts. He played cards for an hour, and then remained sullenly in his chair, while the very officers of justice entered the room and spoke to him about the murder! After he had supper, at seven o'clock, he rose and left the saloon. A short time afterward he was arrested near Twenty-third and Market streets.

The total absence of any desire to escape from the city, is one of the strangest features of the conduct of the murderer. He was content to roam about the city, spending his money in beer saloons, and in the indulgence of his gross sensual appetites. No feelings of horror seem to have visited him. His torpid conscience was neither aroused by the memory of this unparalleled deed of horror, nor by the universal rage it excited. He knew all, he heard all, yet spent his nights in

the arms of painted harlots, and his days in drinking and card-playing. Such a nature is an anomaly. Antoine Probst is one of those monsters who show to what depths of evil humanity can descend, and that, if its higher forms are but a little lower than the angels, it is also allied, by secret and dark relationship, to all that we imagine of the fiends.

Strange, indeed, must be the nature of the man who could meditate and execute this crime.

Premeditated it certainly was, for though in drunkenness rash and bloody deeds may be done, from which in soberness the doers would shrink, no drunken man could suddenly have planned so shrewdly the destruction of an entire family. With a horrible foresight the wretch had, doubtless, long looked forward to the time when chance should place his victims fully in his power, and had waited and watched for his opportunity. For weeks the unsuspecting Deerings had been the companions of a relentless foe, whose lynx eyes, unknown to them, followed every movement; whose terrible purpose, like the tiger, lay couched in darkness for the leap. Brooding over his plan, Antoine Probst worked day after day on the farm, and seemed no more than a morose and gloomy man, whose silence was accounted for by his alien birth. But to him the thought of the deed to be done was ever present; and many a time, no doubt, when angered by the harsh words of Mr. Deering, he would look after his employer, and feel with a savage exultation that a complete and overwhelming revenge was in his power. Many a time, no doubt, his brute nature longed for the time when his hatred should be slaked with blood—when he should be free—rich—his own master—to leave that farm, that hard work day by day, to revel in the riotous and evil pleasures of the brothel and the tavern. To his poverty a few hundred dollars—the utmost sum he could have hoped to gain—were a fortune, a mine of wealth and enjoyment, for which body and soul were willingly perilled. His low and degraded mind was dazzled by the picture of the sensual Paradise whose gates this money would open, and, excepting such animosity as he might have felt for the elder members of the family, he could only have looked upon the Deerings as obstacles. To him they were things that stood in his path, that it was necessary to get rid of, and he struck them down with the axe, as he would have felled trees. More than once, perhaps, he thought, "Now is my time!" and then, retreating, "No, no yet. There is danger."

Thus, for months, the Deerings lived in





Bodies of Mrs. Deering and her children as they were found in the corn-crib.





THE ARREST OF PROBST.

*Officer Dorsey* —I took his hat off, and said: "You are a Dutchman!"  
*Probst.*—"No; me are a Frenchman!"



close communion with their deadliest foe. He sat with them at meals, and shared their food; at night he laid down beneath their roof, and pondered, while they slept, the method and period of their deaths. Insecurity of human life! Who can tell in what part of the citadel hides the traitor? In what family now lurks the coming murderer? Who is destined to be the next victim? There is all that is appalling in the utter unconsciousness of the Deering family, their complete ignorance of the gigantic danger, that, like a mountain threatening to fall, hung constantly above their heads. Blindly, and in the sense of perfect safety, their thoughts were busy with the household and the farm, with the pleasures of children and the cares of parents, till all at once came that hour of carnage—blow upon blow—and for them the world was ended. Often in the winter, exposed in those bleak and open fields to the winds that shook the house, and the snows that blocked up the roads, Mrs. Deering had said: "I shall be so glad when the spring is here." Spring came, with its soft warm breezes and beautiful, clear skies, the song of early birds and the buds of April, and with it came Antoine Probst, who to her and hers was the forerunner of the King of Terrors, the shadow that rides upon the pale horse whose hoofs have trampled upon the hearts of mothers from the making of the world, and shall until its end. This false security, that remained unbroken up to the afternoon of Saturday, doubtless to the very moment preceding each murder, has a tragic meaning when it is contrasted with the premeditated purpose of the assassin, running parallel with it for days and weeks. The destined victim seldom suspects his executioner; the intended murder is at best revealed to him only in the brief struggle there is frequently time to make; but generally the blow is given and the man falls, ignorant of the hand that slew him. Thus the victims of Martha Grider took from her hand as medicine the poison she had mixed, and thanked her before they died. Thus the Deerings took Antoine Probst into their home and their confidence, dreaming no more that he would become the murderer of all, than we who write these words imagine that we shall perish by the next passer-by in the street.

The Deering family was composed of Christopher Deering, an Irishman, thirty-eight years of age; his wife, Julia Deering, aged forty-five years; their children, John Deering, aged eight years; Thomas Deering, aged six years; Anna Deering, aged four years; and Emily Deering, a baby of fourteen months; Elizabeth Dolan, a

cousin of Mr. Deering, aged twenty-five years; and Cornelius Carey, a boy aged seventeen years, who had been taken from the Almshouse, and who was in the employ of Mr. Deering for seven or eight years. These were all the members of the family who were in the house on Saturday, April 7th, and not one of them escaped. Mr. Deering had another son, William, who owes his life to a visit to his grandfather in West Philadelphia. He is the sole survivor of a household of nine persons.

Christopher Deering came to America from Dublin, in 1849. Shortly after his arrival he entered the service of Commodore Engel, and remained in it several years. After leaving the employment of the Commodore he went to Maryland, and was there for a time. Upon his return he went into the milk business, and from that took to droving. In 1855 he married Julia Duffy, his first cousin, who was a few years older than himself. Miss Dolan, his cousin, had been but about six months in this country. Her mother paid a visit to Ireland last year and brought her over. Her age, as fixed by members of the family, was twenty-five years. On the day she reached this city, the last seen of her alive, she had just left the home of her uncle in Burlington, and the compound interest notes she had with her were to purchase Government bonds with. Mrs. Deering has a brother living in New York, who reached this city on Thursday.

Considerable confusion has been created by the names Elizabeth Dolan and Elizabeth Keating, and the latter name occurs in the account we publish of the Coroner's inquest. It should be distinctly understood that the names apply to one person, and that she was the *cousin*, and not the niece of Mr. Deering.

Mr. Gartland, of Thirteenth street, near Chestnut, officiated as undertaker, and the bodies awaited burial at his office. At a very early hour on Saturday, April 14th, 1866, the street was crowded, and the bells of St. John's pealed mournfully, and at two in the afternoon, the last sad offices of sepulture were performed in token of respect to the remains of the victims of the late fearful butchery.

Among the multitude assembled were many who gave full expression to their views in reference to the murder, and the universal feeling among all present was that the crime thus committed should be speedily atoned for by the guilty parties. Various modes of punishment were suggested, according to the view taken of the sad event by the parties in question. The crowd becoming much augmented, pushed



their way up the steps leading to the house in question, and, in earnest tones, many plead for admission. In order to prevent access to the house by unauthorized persons, a posse of police was stationed on the steps, and all who claimed the right of admission were required to present a ticket showing their claim to be genuine.

The remains were placed in the main apartments of Mr. Gartland's establishment, on the right of the entrance. The bodies were shrouded in white, and all that art could do to soften the ghastly appearance of the fatal wounds had been done. The coffins were neat walnut, and on the lids were the inscriptions, which were as follows :

|                          |    |        |
|--------------------------|----|--------|
| Christopher Deering..... | 38 | years. |
| Julia Deering.....       | 45 | "      |
| Elizabeth Dolan.....     | 25 | "      |
| John Deering.....        | 8  | "      |
| Thomas Deering.....      | 6  | "      |
| Anna Deering.....        | 4  | "      |
| Cornelius Cary.....      | 17 | "      |

At the hour of ten o'clock, the gate leading to Mr. Gartland's house was thrown open, and all having tickets of admission were permitted to enter, for the purpose of viewing the bodies as they lay in their coffins. The scene was most solemn and affecting. Old and young, as they witnessed the mutilated remains, gave vent to their feelings of sympathy by suppressed sobs, which at times became almost audible, in spite of their endeavors to suppress them. As the crowd passed in front of the different bodies, they were required to leave the premises by the front door, in order to make room for those who followed them. At the head of the coffins were a number of candles burning, according to the usage of the Catholic Church. A large chandelier was also lit in order to allow all present to have a fair view of the bodies. At the hour appointed for the solemn procession to move, the vehicles containing the corpses, pall bearers, and a number of policemen were arranged in front of the building in the following order :

Ambulance containing the Police, belonging to the Good Will Fire Company.

Pall-bearers in an ambulance.

Remains of Cornelius Carey in a hearse.

Remains of Miss Dolan in a hearse.

Remains of three children in the ambulance of the Philadelphia Engine Company.

Remains of Mrs. Deering and babe in a hearse.

Remains of Christopher Deering in a hearse.

The babe was laid upon its mother's breast and in the same coffin.

The carriages, in which the family of the deceased were seated, together with the relatives and some of the immediate friends, then followed.

In proceeding to the final resting-place of the dead, the funeral cortege passed over the following route: Down Thirteenth street to Chestnut, down Chestnut street to Twelfth, up Twelfth street to Arch, down Arch street to Tenth, down Tenth street to Passyunk road, down Passyunk road to St. Mary's Cemetery. All along the route, as the solemn procession moved slowly along, the streets were lined with spectators, who appeared, as a general thing, to be impressed with the solemnities of the occasion.

On the arrival at the ground, a large concourse of persons was found assembled, all of whom, with but few exceptions, observed the most solemn and respectful deportment.

The coffins were then removed from the vehicles and taken to the enclosure, where the last solemn tribute was paid to the memory of the deceased by the officiating clergyman, who was accompanied by his clerics, and who, according to the custom of the Church of which the departed were members, sprinkled the coffins with holy water, reciting the anthem, "If Thou wilt observe iniquity, O Lord, Lord, who shall sustain it?" in connection with the *De Profundis*, "From the depths I have cried," etc., at the end of which he said, "Eternal rest give to them, O Lord, and let perpetual light shine upon them."

The anthem, "If thou wilt observe iniquity," was then repeated.

The following prayers were recited :

Enter not into judgment with Thy servants, O Lord, for no one shall be justified in thy sight, except Thou vouchsafe to grant them the remission of all their sins. Let not, therefore, we beseech Thee, the sentence of Thy judgment fall upon them, whom the true supplication of Christian faith recommendeth to Thee; but by the assistance of Thy grace, let them escape the judgment of Thy vengeance, who, whilst they were living, were marked with the sign of the Holy Trinity, who livest and reignest forever and ever. Amen.

Deliver me, O Lord, from eternal death, at that dreadful day when the heavens and earth shall be moved, when thou shalt come to judge the world by fire. V.—I am struck with trembling, and I fear, against the day of account and of the wrath to come; when the heavens and earth shall be moved. V.—That day, a day of wrath, of calamity, and misery; a great and most bitter day, when thou shalt come to judge the world by fire. V.—Eter-



nal rest give to him, O Lord, and let perpetual light shine upon him. Deliver me, O Lord, etc.

Lord have mercy on us. Christ have mercy on us. Lord have mercy on us, etc. Our Father, etc. V.—Lead us not into temptation. R.—Deliver us from evil, V.—From the gate of hell. R.—Deliver their souls, O Lord. V.—Let them rest in peace. R.—Amen. V.—O Lord, hear my prayer. R.—O let my cry come to thee. V.—The Lord be with you. R.—And with thy spirit.

O God, to whom it belongs to show mercy, and to spare, we humbly beseech thee, for the soul of thy servants, which thou hast commanded to depart out of the world, that thou wouldst not deliver them up into the hands of the enemy, nor put it out of thy memory forever, but that thou wouldst order them to be received by the holy angels, and conducted to Paradise, their true country; that since they have believed and hoped in thee, they may not suffer the pains of hell, but take possession of everlasting joys, through Christ our Lord. Amen.

The fact was marked by all the spectators, that the largest portion of the crowd along the line was composed of females, many of whom were accompanied by children. The excitement was intense, although entire quiet was maintained by judicious police arrangements.

#### A PROPER REWARD OF MERIT.

The following order was issued, the propriety of which will be clear:

APRIL 14, 1866.—The Mayor directs that at roll-call this evening, in each of the station-houses, the Lieutenants shall announce to the whole of the force assembled, that the thanks of the Mayor are thus publicly tendered to officers Thomas O. Weldon, James Dorsey, and James Atkinson, of the Sixth Police District, for the sagacity, promptitude, and diligence displayed by them in detecting and arresting Antoine Probst, the murderer of the Deering family.

The Mayor further directs, that this order shall be entered on the docket at each station-house, as an enduring testimonial of the praiseworthy conduct of the officers above named.

By order of the Mayor.

SAMUEL G. RUGGLES,  
Chief of Police.

Our special reporter called on Mr. Duffy,

the father of Mrs. Deering, who resides in West Philadelphia, in Pratt street near Wyoming, and gathered the following information, after the sketch and evidence adduced before the Mayor and Coroner were published.

Mr. Duffy, the father of Mrs. Deering, is far advanced in life, but is yet hale and hearty; he is a native of county Dublin, and came to the United States in 1822; on his first arrival in Philadelphia, he resided in Shippen street, moved thence to the Bull Farm, on the estate of Judge Peter's; next resided near the scene of the tragedy, and finally in West Philadelphia. The reporter, in the discharge of his duty, had some conversation with one of the members of the Deering family, who acquainted him with some particulars, which, as yet, have not appeared in the public journals.

From the moment that Mrs. Deering beheld Probst she felt an insuperable aversion to him; Mrs. Dolan (the mother of Elizabeth Dolan, one of Probst's victims) cherished the same feeling; the German hated both, and frequently asked what business Mrs. Dolan had to meddle in the house. When first discharged Mrs. Dolan saw him turn to the house, and make a fiendish gesture. Probst was remarkably unsocial, he rarely spoke except when directly addressed, seldom left the premises, and *never had* any visitors; when conversing, he averted his eyes from his interlocutor. When he left Mr. Deering's employ, he said that he expected to go to Europe, but really spent the winter at the Almshouse; since the murder was committed, a person answering to his description, has been repeatedly seen lurking in the neighborhood, and endeavoring to lay hands on William Deering, who resides with his grandparents, for the sake of attending school. Probst did not kill Mrs. Dolan, because he was under the impression, that she was not in the country, as she had expressed an intention of visiting Europe, but had he encountered her, she would in all probability have fallen a sacrifice to his jealous fury. It was a great mistake to imagine that Deering was in the habit of keeping much cash in the house, he occasionally counted money, but it was never in the house more than a few hours at a time.

The portraits published in this book are alone authentic, the publisher has spared neither pains nor expense to procure correct likenesses.



# THE TRIAL.

ON Wednesday, April 19th, Antoine Probst was brought into court and arraigned on the presentment of the Coroner's inquest, the Grand Jury having already acted upon it.

Punctual to the moment the prison van arrived, and the criminal was hurriedly placed in Court to avoid a popular excitement.

Probst was dressed in the convict shirt and pants he had worn at Coroner Taylor's inquest, having on besides a dark cloth coat. He sat in the prisoner's dock, stolid, morose, sullen. Throughout the whole time his eyes were staringly fixed a few paces beyond, as though he were sightless. Remorse or terror had ploughed a deep furrow on each of the outer wings of the nose down to the mouth, and his countenance was haggard and anxious looking.

District Attorney William B. Mann arose and said:—May it please the Court, the Grand Inquest, inquiring for the city and county of Philadelphia, have presented eight bills of indictment, charging Antoine Probst with the murder of Christopher Deering, Julia Deering, John Deering, Thomas Deering, Anna Deering, Emily Deering, Elizabeth Dolan, and Cornelius Carey: and I now ask that the prisoner be arraigned on these bills of indictment.

President Judge Allison inquired of the prisoner, through the interpreter, Theo. Eben, whether he had counsel?

Probst answered, "I have not."

*Judge Allison.*—Do you wish the Court to assign you counsel?

*Probst.*—I do not. I do not wish to have any defence at all!

*Judge Allison.*—It is not right that the prisoner should go to trial without counsel, and I therefore assign him Messrs. John P. O'Neill and John A. Wolbert.

Probst was ordered by the Clerk to stand up and hold up his right hand. He complied, his eyes staring vacantly before him, though a murmur ran through the room as the fact of an absent thumb was noticed.

The Clerk then read the bills of indictment, at the conclusion of which he asked:

"What say you, prisoner, guilty or not guilty?"

By direction of his counsel he declined to plead. District Attorney Mann moved the court to fix Monday, April 23d. for proceeding with the case. Judge Allison decided the motion by fixing Wednesday, the 25th of April.

It was understood that Probst expressed a willingness to plead guilty to the bill charging him with the murder of Cornelius Carey. The District Attorney determined, however, to try him upon the bill charging him with the murder of Mr. Deering.

Preparations were then made for the safe return of the prisoner to Moyamensing prison. Through the exertions of a force of reserve police, under Chief Ruggles, the Court House, corridor, and pavement were cleared and guarded to the prison van. Antoine Probst was then hurried to the wagon and barred in. The horses were whipped into full speed, pursued fruitlessly by a large number of excited men, and thus the murderer was taken back to his prison cell.

## EMPANELLING THE JURY.

Wednesday morning came, and at an early hour thousands of persons assembled on Walnut street, and in Sixth street, to catch a glimpse of the monster as he was led through the square to the Court room.

In the prisoner's dock Antoine Probst was, as are all murderers when brought under the majesty of the law, cowed and very undemonstrative. His eye often roamed about the room restlessly, and then would fall upon the floor; but his face was immovable. His face was much thinner than when arrested, and the color on his cheeks had quite faded. When called upon to plead, he stood up firmly, and without a quiver of the lips, without withdrawing his eyes from the clerk during the reading of the indictment, he unfalteringly said, with



his German accent, "Not guilty." Yet he had no firmness of mien or countenance. His features expressed weakness to an extreme degree, for a man of his large build, and his tall body was bent over stoopingly, so that he was quite round-shouldered.

He was narrowly watched by the court and prison officials. They shrewdly suspected him of an intent to kill himself, and were careful that nothing that could aid his purpose should come into his hands.

At half-past ten o'clock District Attorney Mann said:—

*May it please the Court.*—On the 18th day of this month, the Grand Inquest, inquiring for the city and county of Philadelphia, brought into this Court eight bills of indictment. In each bill, Antoine Probst, the prisoner at the bar, is charged with murder. On the same day he was arraigned upon all these bills of indictment, and he declined to plead upon such arraignment. He asked time in order to consider his plea. The Court then, upon motion of his counsel, fixed this day, allowing him until to-day in order to prepare his plea, and I now call upon him to say whether he is ready to plead.

*Mr. O'Neill.*—May it please the Court—My colleague and myself having conferred with the prisoner upon these eight separate charges contained in the bills of indictment, we are now prepared to say that he is ready to plead to each of the bills.

*District Attorney Mann.*—I will, therefore, ask you to direct the Clerk to read to him again the bill No. 380, in which Antoine Probst is charged with the murder of Christopher Deering, and ask him to make his plea.

The bill of indictment for the murder of Christopher Deering was then read to the prisoner, Antoine Probst, who stood, as directed, with the right arm lifted, and to the question, "What say you, guilty or not guilty?" answered unfalteringly, "Not guilty."

In the old time custom, the Clerk asked, "How will you be tried?" By direction of the interpreter he answered, "By God and my country," and the Clerk responded "May God send you a safe deliverance."

*District Attorney Mann replied.*—I desire now that the Court consider this replication:—

And now, April 25, 1866, the prisoner at the bar having pleaded "Not Guilty," and for trial having put himself on the country, the District Attorney, for the Commonwealth of Pennsylvania, replies that he is guilty, and for the trial of said issue doth the like.

*Mr. O'Neill.*—I ask that the prisoner's pleas upon the bills be taken. This was

the time appointed for his pleas, and we would ask, before going to trial, to have his pleas entered.

*Mr. Mann.*—I ask the Court to decide the motion I have made. That has precedence of all others.

Judge Allison said that the issue now formed should first be disposed of.

### PROBST OFFERS TO PLEAD GUILTY TO MURDER.

*Mr. O'Neill declared.*—I do not wish to embarrass these proceedings, but as I have a duty to discharge, I wish, as far as I am able, to say what this prisoner's intentions are. He is willing to enter a plea of guilty of murder upon the bill charging him with the murder of Cornelius Carey.

Judge Allison said that the Court could not interfere with the District Attorney in the exercise of his discretion in calling these bills for trial.

The Clerk then informed the prisoner a jury would be empanelled for his trial, and that he had the right to challenge peremptorily twenty of them, and as many as he pleased for cause.

The remainder of the day was taken up in empanelling the jury, of which but ten members were obtained when the Crier, Mr. Dare, announced that the panel of jurors was exhausted.

District Attorney Mann stated to the Court the fact, and moved that the Sheriff be summoned to draw two hundred names from which to select and summon forty names of persons to appear as special jurors.

About one o'clock, Sheriff Howell appeared in court with his fateful brass wheel, and for over an hour the tedious process of drawing the names from the wheel, to be singly announced and recorded, was enacted.

On motion of Sheriff Howell, the Court allowed until Thursday morning, at ten o'clock, for the return of the new panel.

On Thursday morning the Court opened at ten o'clock, and shortly afterward the remaining two jurors were selected, and the jury was completed—the names of the members being as follows:

### LIST OF THE SELECTED JURORS.

THOMAS BRINGHURST, SAMUEL T. MILLER, THOMAS STANLEY, CHRISTIAN PALMER, WM. K. ELDRIDGE, ADAM WARTHMAN, HENRY C. GREEN, ALFRED CRAWFORD, GEORGE MAURER, SAMUEL SPRINGTHORPE, MICHAEL C. BRIGHT, JAMES BATES.

The jurors were then severally sworn, as follows:

You do swear, that you will well and truly try, and a true deliverance make between the Commonwealth of Pennsylvania



and Antoine Probst, the prisoner at the bar, whom you shall have in charge, and a true verdict render, according to the evidence. So help you God.

After the jurors were sworn, they were requested to rise. Probst was directed to stand up and look upon the jury. While thus standing, the bill of indictment was read to the jury, and the jurors were instructed that the prisoner had pleaded not guilty to this bill of indictment, and for trial had put himself upon his country; "which country you are," said Mr. Moore.

#### OPENING ADDRESS OF CHARLES N. MANN, ESQ.

Charles N. Mann opened the case of the Commonwealth, as follows:

*May it please your Honors—Gentlemen of the Jury:*—An imperative sense of duty has led the Commonwealth's officer to call this case for trial at this early day. It has been heretofore somewhat of a reproach to our criminal justice, as contrasted with that of other countries, that it is attended by unnecessary delays. We have determined that no such reproach shall attach to this case.

On Saturday, the seventh day of April, less than three weeks ago, this fiendish murder was perpetrated; and we are now called upon to try one of the bills of indictment, in which Antoine Probst, the prisoner, is charged with the murder of Christopher Deering, the father of a family of seven persons, of whom only one is now left alive. The rest, together with Cornelius Carey and Elizabeth Dolan, are now sleeping in untimely graves, all hurried into eternity on the same day, by the same means, and evidently by the same bloody hand.

Scarcely had the public mind recovered from the shock occasioned by the brutal murder in Germantown; scarcely had the affright produced by that dark deed of blood subsided; when some most cruel and inhuman wretch, some monster of iniquity, entered the threshold of an humble dwelling, in a secluded neighborhood, and, with one fell purpose, murdered a whole family, and with it the entire household of that family—a father and a mother, their four children, a poor boy who had worked in their fields, and the family guest, including the very infant in the cradle, all perished beneath the brutal blows of a monster. The only one of that family now surviving is the little boy Willie, who will be produced before you as a witness, and who was absent from home on that fatal Saturday.

The spirit of bloody mischief is again

abroad. It must be sternly met, and severely rebuked. As ministers of the law, we must look such appalling danger in the face, and earnestly and sternly perform our duty. Would it not be reprehensible, if, under any circumstances such as I have detailed—and possibly with other villains in the midst of us ready for rapine and murder—we had omitted to call this case up for speedy trial? The Commonwealth's officers were determined not to render themselves censurable in this respect.

It is my duty, in the opening of this case, to state the facts on which the Commonwealth relies as proofs of the guilt of this prisoner, and the law as applicable to these facts.

Murder, in 1794, was by the Legislature of Pennsylvania divided into two degrees, murder of the *first* and murder of the *second* degree. The circumstances under which this offence was perpetrated, exhibits such a deliberate, wanton, and cruel disregard of human life, that you are relieved from all consideration of the different grades of homicide, except murder of the *first* degree, which is thus described by Act of Assembly:

"All kinds of murder perpetrated by means of poison, or lying in wait, or by any other kind of wilful, deliberate, and premeditated killing, or which shall be committed in the perpetration or attempt to perpetrate any arson, rape, or robbery, or burglary, shall be murder of the *first* degree; and all other kinds of murder shall be murder of the *second* degree."

We charge, and shall prove to you, that this prisoner is guilty of murder of the *first* degree; and I will proceed to narrate to you the facts that will show beyond all doubt the prisoner to be guilty of that crime.

The house where this brutal and fiendish murder took place, is situated on Jones's lane, about a quarter of a mile from the Point House road. It is in a lonely and obscure section of the First Ward of the city. There is no other dwelling house probably nearer than one hundred and fifty or two hundred yards. In this humble house Christopher Deering resided, with his family, at peace with all the world. His household consisted, at the time of this occurrence, of eight persons—his wife Julia Deering, John and Thomas his two sons, eight and six years of age, his daughter Anna, about four years old, and an infant, Emily Deering, about fourteen months old, the occupant of a little cradle in a warm and cozy kitchen, where she was rocked at intervals by a loving mother, and hushed by her song into her cradled slumber.







One other person completes this household, the only living one, the prisoner in the dock. He had been taken into it a stranger, at his own solicitation, in a shelterless condition, pleading want and poverty, and his need of work to supply his necessities. He had been, previously to this occasion, residing with the family for a short time, and had been dismissed from it because of something in his manner and conduct at which the female branch of it shuddered. The master of the house, Christopher Deering, more from charity than any need of his services, took him back again, dealt liberally with him, provided for him bountifully, and gave him his confidence—a confidence which the suppliant had sought apparently for no other purpose than to repay by a blow so sudden, so deadly, that we are compelled to pause and ask ourselves whether there can live in the bosom of the man that inflicted it one single human sensibility?

Miss Elizabeth Dolan was not properly a member of the Deering family. She was a visitor occasionally, and, unfortunately for her, she selected this particular Saturday for one of her visits.

She left her home in Burlington, New Jersey, by the seven o'clock boat for Philadelphia. She had upon her person a gold chain, and with her a black travelling bag, having in it a pocket-book which contained two fifty dollar and one twenty dollar compound interest notes.

Mr. Deering was a dealer in cattle, engaged in that business for Mr. Mitchell, who furnished the capital. Deering attended to the business, and the profits were divided equally between them.

On the morning of Saturday, the seventh of April, he was in the neighborhood of Thirteenth and South streets, providing for the wants of his family. Shortly after this, between eight and nine o'clock, he called on Mr. Mitchell, No. 1629 Arch street, transacted some business with him, and received the loan of ten dollars. He went to the wharf to get Miss Dolan, but he seems to have missed her. He then drove on toward his home, and at Second and Mifflin streets was seen to take Miss Dolan into his carriage and to drive down with her in the direction of his farm. After that, neither he nor Miss Dolan were seen alive.

From that Saturday until the following Wednesday none of the family were seen by any one, not even by the neighbors. But as they had but few visitors, and kept to themselves, their absence attracted little or no attention. A neighbor, to whose house Deering had been in the habit of sending for the papers, was led, in conse-

quence of the failure of any member of the family to call for them, to go over to the premises. He went to the house, and found no one there. He went into the stables. He found the horses in a state of starvation, and nearly dead from thirst; the pig in the pen so weak from hunger that it was unable to rise. He administered to the wants of the animals, and then went back to the house—looked into the window, and saw things in great disorder scattered around the floor.

He then sent for a relative—who went into the barn near by, near the end of it, and saw something jutting out from under a heap of hay which he at first thought was a stocking. On examining it more closely, he found to his amazement and horror that it was a human foot. He looked no farther, but rushed to the door by which he had entered, and called Mr. Wiles, who was working nearly opposite. They immediately summoned aid; and uncovering the bodies, saw a horrible and sickening sight. There lay a man who was recognized as Mr. Deering. He was extended on the floor crossways with the length of the barn. He was dressed in a suit of dark grey clothes, the same in which he had been seen and known on the last day of his life. His skull was crushed in by repeated blows, and his throat was cut from side to side.

Beside him was a young woman, unknown to these neighbors, whose appearance showed that she had met her fate in the same way. Her head and throat revealed the same wounds as were seen on the man by whose side she was lying. At that time they made no further search. One of them came into the city immediately and informed the authorities of what he had seen. These officers, as early as they could, went to Mr. Deering's premises and began a careful search for the rest of the missing family. But a few feet from the place which I have just described, and at the extreme western end of the barn, there was a little crib or cuddy about eight feet by four.

This narrow space was half filled with hay. On removing it, they found that for which they were looking, the mother and the four little ones, heaped together, each of them with the same fearful wounds in the head, and the same fatal gashes in the throat. It would be in vain for me to attempt to give you any idea of the horror which filled the spectators as they gazed on this piteous sight. There was the mother with her skull completely crushed; around her and upon her were her four little ones. The little babe in death lay upon the mother's breast, as it had done



In life so often, a sight to make strong men weep.

Indeed, gentlemen, no one incident of these atrocities has envenomed the popular fury against this ruffian so much as the useless butchery of this infant. Was there no pity in the heart of this wretch, no shuddering there, as he deliberately took that pure, innocent babe from its cradle and brained it whilst smiling in his face?

The two boys and their sister Annie were beside their mother, and were not separated from her even in their death. The murderer had done his work completely. He had put his mark upon them all, and by his work and mark he shall be known. Father and mother, children and friend, from the oldest to the youngest, died from the same wounds. The same instrument was used in beating in their skulls, and the same instrument severed their throats.

We shall prove to you, gentlemen, that all the wounds were made by the same weapons, that an axe, or some deadly instrument like an axe, grasped in the hands of the same person, brought blows and cuts to all this entire household. But, gentlemen, this was not all. At a distance of about three hundred yards from the house to the southward, and in the direction of the river, stands one of those large hayricks which are common objects upon every farm in our vicinity. This is about forty feet long and twenty feet high, and bears at such an angle from Mr. Deering's house and Mr. Wiles', the one next east to it, as to conceal effectually any thing that might take place on the side toward the river. There, in an unsuspecting moment, the same hand that wrought death at the barn struck down Cornelius Carey, too. Like all the others, his head was broken into fragments, and his throat was cut from ear to ear.

Into a hollow of the rick, at the bottom, made by the cattle when they fed there, the mangled body was thrust and covered over with hay which the murderer pulled down from above. So well did he do his work of concealment, that some time elapsed after the family had been discovered before any thing was known of his fate. An officer who had been searching up and down in every quarter, to find, if might be, what had become of the poor boy, learned by chance that some one had seen pieces of a man's under clothing near the stack. He went to it, and after diligent search, found the body in the condition which I have described. From there it was removed and laid along with the bodies of the family.

We shall show you, gentlemen, a ham-

mer found in the entry of the barn, a few feet from the door by which you enter from the house; a new axe, with blood upon the blade, which was found in the wood shed, and which we shall prove had been but a little while in Mr. Deering's possession; and a smaller weapon—half axe and half hatchet—which had come to be the property of the little boy, Willie, perhaps on the day when the new axe was brought home. This weapon was found in the ditch that runs between the house and the hayrick, and nearly under the narrow bridge which you cross as you go from one to the other; and we shall further show you that the officers of the law were guided in their successful search by the prisoner at the bar.

If now we turn to the house itself, we find abundant explanations of this awful tragedy. When it was first entered by Mr. Everett, he found every thing in confusion in the different rooms, as he went through them. A stricter survey and examination made it evident that there was scarcely any thing of value that could be taken away which had been left behind. And the same thing was made plain when it became more fully known to the authorities what had been in the possession of the Deerings and Miss Dolan on the day when they were last seen alive. We shall show you that a watch which Mr. Deering wore, and a large leather pocket-book, which he had with him in the city on Saturday morning, could not be found about his person when his body was discovered.

We shall show you, also, that no traces were apparent of a heavy watch chain which it is known Miss Dolan was wearing when she came down from Burlington. We shall show you that her portemonnaie, containing the compound interest notes already referred to, was missing. We shall show you that Mr. Deering's large wallet was found in his house empty. We shall show you that some hand had gathered up another watch belonging to him, two revolvers with their flasks, his snuff-box, some of his personal clothing, and his razors. We shall detail to you that some one had ferreted into every nook and corner, had opened bureaus, had cut into beds, had cut apart the leaves of books, in short, had left no quarter unsearched for plunder, and left no plunder remaining when the search was done.

Perhaps no family of the same means and substance as Mr. Deering's was ever more completely stripped of its valuables than his. His wife's trinkets and jewelry were carried off, and the same disposition was made of similar articles which Miss Dolan had owned. The little savings banks



wit. which the thrifty father had encouraged his little children to economy were broken and rifled of their scanty deposits.

And worse than all, the wretched murderer stripped off his own bloody garments, left them behind in an upper room, and dressed himself in the clothes of the man whom he had killed. What can shed a brighter light on the motives of the assassin than the unvarnished description of that desolate house?

The prisoner was a laborer on the farm of Mr. Deering; but, as I have said before, being generally disliked by Mrs. Deering and other members of the family, he was discharged in October last. He came back in February, and from that time until the murder no one of the family seemed to have any communication with him except Mr. Deering. No human eye ever saw him there after Friday afternoon, the 6th of April. The bodies of all the former inmates were now accounted for, and search was set on foot for the prisoner.

As soon as the discoveries I have detailed had been made, continual, though fruitless arrests were made of vagrants and *trampers* who could give no satisfactory account of themselves, whose appearance in any respect answered the imperfect description given of the murderer by the police authorities.

On Saturday night, the 7th of April, at about eight o'clock, a man made his appearance at a house of ill-fame in Front street, having in his possession a pistol and a gold and silver watch. He left shortly, but soon returned, and was then coming backward and forward until twelve o'clock, when he went to bed, and remained through the night until seven o'clock on Sunday morning, paying the woman with whom he had spent the night in dissipation and debauchery a pitiful three dollars.

On Sunday afternoon, this same man made his appearance at a tavern in New Market and Willow streets, with a black travelling bag, containing a shirt, a powder flask, two spools of cotton, and several other articles. He remained there but a short time and came back on Monday morning. He then stayed there all of Monday night until Tuesday. He then left again, and on Wednesday morning we find him selling the gold watch to a jeweller on Third street. He goes back to the tavern again, and stays there till Wednesday night, when he left and did not return till Thursday morning. During Thursday, while seated in the bar room, with his hat drawn over his eyes, the officers of the law called to search for, as they express it, a suspicious looking man. Alarmed by this, as

is probable, he left on Thursday night at seven o'clock.

At about nine o'clock the same evening, in the neighborhood of Twenty-third and Market streets, officers Dorsey, Welton, and Atchinson, with no other light or guide than the God-given instincts which detect murder, saw a man whom they were, as by a divine impulse, compelled to arrest. They took him into custody, and as he made many contradictory statements, he was taken to the Sixth District Station-House and carefully searched. Two pocket-books and a snuff-box were found upon him. That man, gentlemen of the jury, is Antoine Probst, the prisoner. All the articles found in his possession we shall show, beyond all doubt, were stolen from the members of the Deering family.

Divesting myself as far as possible of all feeling, I have submitted to you a concise, naked outline of the facts to be passed on by your judgments. You are to judge between the Commonwealth and the prisoner, who now stands trial for the murder of Christopher Deering alone. But the facts of this one murder are so inextricably blended with all the others in the category, that it is impossible to state this case without allusion to the facts and circumstances connected with the murder of all—the transaction being a unit.

Gentlemen, the case thus imperfectly submitted to you, so far as I have been able to inform myself, has no parallel in the catalogue of mere private murders in the annals of the world. Murders of a wholesale, indiscriminate character, during great popular excitements, whirlwinds of infuriate passions, with the brutal propensities of men maddened to insanity by ambition, fanaticism, or ungovernable zeal, have occasionally occurred. But even among these, more properly termed massacres than murders, it is in vain that we seek for a similar instance of the destruction of a whole family, singled out as victims to gratify the lusts of one single mind.

Gentlemen, it is with a crime so rare and fearful that you now have to deal. I conjure you that while you bring to the investigation and consideration of it every spirit of fairness that belongs to the trial by jury, you will feel inspired with an unflinching determination to permit no such crime—a crime without an adequate name—to pass unpunished, but will so perform your duty as to make the perpetrator of it a memorable example to mankind.

Mr. Wolbert, counsel for the defence, moved that the witnesses be excluded from the court room, to be admitted and examined separately.



Judge Allison stated he would be very reluctant to enforce such an order in regard to witnesses, whose attendance was enforced, and for whom there were no proper accommodations elsewhere.

During the remainder of Thursday, evidence was submitted to the jury and Court, in substance such as we have given our readers in preceding pages, as rendered before the Coroner's Inquest. All went to establish the guilt of the prisoner at the bar, and when the Court adjourned there was no one of the vast assemblage present during the day's proceedings who did not believe but that Antoine Probst was the murderer of the Deering family.

A great tumult ensued on Sixth street, directly in front of the Court House, immediately at the conclusion of the last witness's testimony, at six o'clock, and the shouts and groans of the vast crowd resounded throughout the building, causing some of the audience to spring to their feet and rush to the windows; but order and silence were speedily restored. Only police officers were allowed to leave the room. On the removal of the prisoner, a few minutes past six o'clock, the Court was adjourned until Friday, at ten A. M.

#### FRIDAY'S PROCEEDINGS.

The entrances to Independence Square were guarded as zealously as on the two preceding days, and, as before, large crowds were assembled outside the railing along Fifth and Sixth streets, but principally around the main entrance on Walnut street. A great shout of indignation greeted Probst as he descended the steps to the street and passed into the square. Chief Ruggles took him to the western back entrance of the Court room, so that the crowds outside the railing at a distance of only few feet had an excellent view of him. Here the groans and shouts burst out anew, though the worthy Chief motioned with his hand to obtain a compassionate silence. Probst remarked to him and to the tipstave in attendance, as he glanced at the crowd, "I don't care for them; I know they would kill me in half a minute."

Antoine Probst, throughout the day, preserved his impassiveness of feature. Only when something appealed to him in a comic way did he show the least emotion. The remark of one of the witnesses about his "old woman," caused the prisoner to laugh, but seeing he was noticed by the persons present, he covered his face with his hand. During the recess of the Court, after he had eaten a much heartier dinner than on Thursday, the people outside were allowed to file through

the room to have a look at the murderer in the dock. The mistakes of many in regard to his position, and the blunders of some in passing him without having a look, caused the corners of his mouth to twitch up several times into a smile. Yet the identification of his clothing, and the goods he had stolen; the testimony of Mrs. Dolan and little Willie, and their unconcealed aversion to speaking of him while on the witness stand, did not affect or move him in the least degree. During the eloquent, thrilling speech of Mr. T. B. Dwight, on the part of the Commonwealth, which was an eloquent description of the *rationale* of the murder of the eight members of the Deering family, and vivid picturing of the atrocious crime committed, undoubtedly by one man, and that one man Antoine Probst, at the dock, even then, not by word or look, did he evince the slightest feeling.

At ten o'clock the Court was opened in due form by the Crier, H. Dare. After the calling of the jury empanelled for the trial of Antoine Probst, the examination of witnesses on the part of the Commonwealth was continued.

The evidence was not materially different from that before the Coroner's jury, but we cannot refrain from giving that of "little Willie," the sole survivor of the family. The scene was very impressive and touching while he was on the stand.

#### TESTIMONY OF WILLIE DEERING.

*Willie Deering, sworn.*—[The only surviving member of the family, a little ten year old boy. He is a little fellow, with light brown hair and blue eyes. In order that he might be seen at the witness stand he was lifted upon a chair. His low, indistinct, childish accents could scarcely be heard, and the Clerk of the Court repeated all his words. He is a stout, chubby little fellow, a farmer boy in looks. He is quite a child, easily interested, and altogether does not realize as yet his great affliction. He was so young it was somewhat difficult to obtain his evidence by the strict legal questions.]—I am ten years old; I lived at my father's, down the neck. [A sketch of the neighborhood was shown to him.] This is my house in the corner; I left home on Easter Monday; I went to my grandfather's, over the Schuylkill; I left my father and my mother, and no one else at home when I left; also Johnnie Deering, Tommie Deering, Annie Deering, Emily Deering and the baby; Cornelius Carey also lived there, and that man over in the dock; my father had a watch; I would know it. [One shown.] Yes, sir, that is it; he wore it in his breast pocket, fastened



to a chain, a gold chain, a thin one; it was not as thick as Miss Dolan's chain. [Axe shown.] Yes, sir, I know that; it is mine; I used it for chopping kindling wood; we had dogs there, three; I have not been home since this happened; my father had pistols, a big revolver about that large [measuring the size with his hands], like this one here; that is the pistol; the small one was like this; he used to carry it in his pocket; he kept the big one under the bed; I can tell this revolver by the ramrod.

*Question.*—Was it cut near the handle? [Objected to by the counsel for the prisoner.]

That is like father's about the handle; I know Antoine's clothes; that is his coat; that is his pants [pointing the goods out as they lay before him]; those are his; I know father's snuff-box; I see it here; that is it; Antoine slept in the room right before you, going up-stairs; the room toward the stable.

*Cross-examined.*—I know father's watch, because I often carried it down-stairs; I am sure that is the watch; yes, sir, that is the very watch; I had it in my hand pretty near mostly every morning; father had the watch more than I can tell you; I don't know whether he has had it a year; I don't know that chain; father had not that chain when I left to go to grandfather's; I first saw that chain when I was in the prison; I don't know, sir, when I was there; my grandfather took me there; I saw the prisoner there; I know that pistol; I can tell by the barrel of it, because you can take them out; nobody told me that; somebody, a good many people asked me if I knew that was father's pistol; I don't know who asked me; that man there [pointing to District Attorney Mann] asked me and my aunt also; I know the little pistol by the letters P. F.; the ramrod also comes undone; I know it by that; I know that coat to be Antoine's because I often seen it on him; he never wore any other; he had been there a week or two I expect, before I left; he always worked with his coat on.

*District Attorney Mann.*—The case for the Commonwealth is here closed, may it please your Honor.

*Counsel for the Prisoner.*—May it please your Honor, we have no testimony; we close.

*District Attorney Mann.*—May it please your Honor, Mr. T. B. Dwight will sum up the case on the part of the Commonwealth.

Mr. John A. Wolbert addressed the Court in reference to the closing of the case on the part of the defendant; and on his request it was understood that Mr.

Dwight's argument would close the case for the day; that on the morrow Messrs. John P. O'Neill and John A. Wolbert would deliver their arguments on the opening of the Court, extending together about an hour and a half, and that, thereupon, District Attorney Mann would close the case for the Commonwealth.

## SATURDAY'S PROCEEDINGS.

### Demeanor of the Prisoner.

Throughout the long hours of Saturday morning Antoine Probst maintained almost uninterruptedly an unshaken, undemonstrative demeanor.

During the address of District Attorney Mann, Probst sat still and inflexible. His eye rested on the speaker almost incessantly, though at times as if from very weariness, it would flicker and move aside a moment, to return as if magnetized by his voice, and his vivid, terrible picturing of the tragedy. His head, at long intervals, would move an inch or so along the panel, against which it rested, as if he was tired. These slight involuntary actions were the only ones that changed his utter unalterable bearing, despite the detailings of the minutest incidents of the murder of the Deering family, and the able application of the circumstances to show the guilt of the prisoner.

The Court was opened in due form at 10 o'clock. At 10½ o'clock John A. Wolbert, Esq., opened the case for the defence, as follows:

### SPEECH OF JOHN A. WOLBERT, ESQ.

*May it please the Court, and you, gentlemen of the jury:*—You will pardon me, in opening my case, if I make mention of my position and that of my colleague in this case. I said to the Court when assigned for this duty, that the position was not a pleasant one, and at all times unenviable when a human life is at stake. Feeling deeply impressed, as one must on a trial of this nature, I came here to-day to make the statement of the prisoner, and meet the Commonwealth's case. I ask at your hands no sympathy. I had almost said I disdain it. But I come to meet the case of the Commonwealth, and answer it from the beginning to the end. It is not by eloquence we are to try this man. Not all the eloquence of the District Attorney—and there are few who equal and none who surpass him in the discharge of his duties—will suffice in a case like this.

The prisoner at the bar, Antoine Probst, is twenty-four years of age. His father, his mother, three brothers, and a sister, now reside at Baden, in Germany. He came to this country on the ship *Columbus*,



leaving Bremen on the 12th of March, 1863, arriving here on the 9th of May of the same year. He had been in the country but two hours when he strayed into Castle Garden, New York. An officer of the Government met him there and persuaded him to enlist in the army. He was taken to a rendezvous somewhere in New York, and enlisted in an infantry regiment of the State of New York. He left there and went into camp some six or eight miles from the city, and from there was sent to Virginia. He served his term, and then came to Philadelphia. He stayed here for some three or four weeks. When he got back, the bounty he had left for safe keeping was returned to him, and he had money to spend with the men on Front street who came here to testify. After it was gone he again enlisted, and entered the Fifth Pennsylvania Cavalry, and was sent to Camp Cadwalader, and stayed there some eight days, when he left for the front.

The regiment was stationed at Deep Bottom, the prisoner tells us. When there he commenced doing picket duty, scouting and drilling, for he had been in an infantry regiment, and was, therefore, not conversant with cavalry tactics. One evening, while on picket duty, about eight o'clock, he was shot in the thumb of the right hand, and this accounts for the thumb being missing. He came home after receiving his discharge from the army, a few days after the capture of Richmond. He came here and called on Mr. Mohr, on Front street. He had some money which Mr. Mohr was keeping. He got that and stayed there fourteen days, when he left for New York. While in New York he stopped somewhere in Greenwich street, and stayed there four days, and then returned to Philadelphia. Not feeling well, he met a comrade on the street, who asked him to go to the Soldier's Home. He did so, and remained there until he recovered. His money was now gone. He was alone, and he started out in search for work. Why he took the direction of the Neck, I cannot say; but perhaps he thought it was the shortest route to reach a farm-house, and as he was most familiar with farm work, he was anxious to reach one and obtain employment. He came somehow to the house of Mr. Deering. Mr. Deering was not at home at the time, but Mrs. Deering was there. He asked Mrs. Deering if they needed a man to help. She said they did; that Mr. Deering was not at home, but would be down at six o'clock, and requested him to call at that time. He went back and saw Mr. Deering, who engaged him to work for him at \$15 a month. He stayed there but a

short time, or until he got more money. He then left and went to Mr. Mohr, in Front street. After staying there a day or two, he went to an employment office, and they sent him on to Maryland, where he got employment at picking peaches. He stayed there ten days, when he was taken sick with the typhoid fever, or rather felt the approach of the fever, and he came to Philadelphia. When he got here the fever overtook him, and he was compelled to go to the Almshouse, where he remained two weeks. During this time Mr. Mohr received a package from Germany from the prisoner's father. It contained \$30. Mr. Mohr sent it to him by his barkeeper. After leaving the Almshouse, Probst went to New Jersey and remained there three weeks at work making roads. Getting out of employment there, he came back again to Philadelphia, and again called on Mr. Deering for employment. Mr. Deering told him to go to work at \$10 per month, and the prisoner stayed there from that time on until his arrest.

Now, gentlemen of the jury, first, the Commonwealth have failed to prove when this murder was committed. No living person can say when. Eight persons have been murdered, and yet nobody can tell one syllable about the murder. The fact is only we find them there. Mr. Everett goes to Mr. Deering's barn and finds a stocking sticking out; this is the furthest known; and they are then dug up; the neighbors gather, examine, and find the stocking has in it a man's foot; the police uncover the hay and find the body of Christopher Deering. This is all the Commonwealth have told us in reference to the murder. They have only the naked fact he was thus found. By the side of his body was Elizabeth Dolan. The same may be said of her; and sad, indeed, to say, they are dead. Yet this inquiry to-day is to determine, if murdered, who murdered them? The murdered mother lay with her dead children, covered up in the hay. No one can throw any light upon the case; no one living.

The Commonwealth on this trial, have offered to you, gentlemen, circumstantial evidence. I might have brought before you stacks and stacks of books, and shown people convicted thus when the people were excited, when the Commonwealth would hoot at defence, and yet, after conviction and execution the man has been proved innocent. But these facts are household words. I might have excluded many of you from the box; but we only wanted to have honest men in the jury box; we only asked to have twelve honest men to try him fairly; that you would ex-



clude the hallooing and tumult from outside the Court House, and think you are to decide upon the life or death of a fellow-being. I think you will not do that hastily, not in a case like this, where the links of evidence are broken.

The bodies were found dead; a sorry, sorry sight. I pass it by untouched upon. The bodies were found as described by the Commonwealth's witnesses. The Commonwealth say this man at the bar has done the deed; for that he is now on trial. It is true he is from a strange land, and has no one here in this day of trial to say one kind word to him; but he is here, where our laws and institutions bid him come; to come to a land of liberty from his own country, and he appreciates this country for which he fought.

Mr. Dwight has alluded eloquently to the fact that the bloodshed of the army did not use him to scenes of murder; but, gentlemen, there it is no such thing. I can see him in the army, striving on the side of the right; I can see him there in the ranks; but that is not part of our case.

Were this a trial for larceny, the Commonwealth might have some argument. From the fact that goods have been found with this man, that might furnish a case of trial for larceny alone.

On Friday the prisoner was paid ten dollars by Mr. Deering; he came to town, perhaps, to spend it. A witness states, between two and four o'clock, he saw him at the lager beer saloon. Another witness, the boy, says he saw him working at Mr. Deering's; he was some three or four hundred yards away. I do not, however, desire to pick out discrepancies, but to meet the Commonwealth's case.

The question is—Did this man commit this murder?

After Friday, four o'clock, Saturday night, between seven and eight o'clock, he is seen again; Sunday and Monday, Tuesday and Wednesday again. And when was this murder committed? Saturday, Sunday, Monday, Tuesday, Wednesday—when?—The Commonwealth, by inference—theory alone—are trying to tell you this.

He is seen all those days in Front street, either in Leckfeldt's or Moore's; morning, afternoon, evening. Up to this time, gentlemen, this murder had not been heard of. Not until Wednesday afternoon did the authorities know of it.

Now, gentlemen of the jury, we are not to split hairs on the question of a man's life. We are not to try by theory, but by evidence. Look on those eight dead bodies and say if one man could have done that—killed them. It is in the dark, and to get out of the dark, the learned gentlemen

have got up a theory—attempting to account for that. I submit, gentlemen, theories won't do; it must be facts submitted to you. Eight people murdered, and all by one man!

Take the condition of the place; look at the clothes upon them: you can see if one man done it and took the bodies from the yard, or where they were killed, there would be evidences of the dragging through the mud. There is no evidence of that on the woman's frock to show that she was dragged across the soft dirt to the barn. That fact would have appeared, but it did not. The sharp eye of the detective saw all else, but not that. But the bodies are there in the barn, free from all mud whatever. Now, could one man have put them there? Do you think that possible to be done? He might have taken the adults by the shoulders and let the shoes drag on the ground and be covered with mud. But they are free from dirt, and that convinces me two people must have carried the bodies into the barn.

The prisoner was arrested on Thursday night, at the Market Street Bridge; he is taken to the Sixth District Station-House. The Mayor has offered a large reward, and all over, not only this city, but the country, all the police officers are at work searching for the murderers.

Now, gentlemen, the prisoner at the bar, Antoine Probst, lived with Mr. Deering; we do not deny that. He left Mr. Deering's house on Friday, as I have told you, with ten dollars Mr. Deering gave him. The Commonwealth say, we have found, through the detective, a carpet-bag, gold and silver watches, and two pistols, large and small. We prove he left them on Saturday night at a house. Who knows the murder was committed on Saturday night? The whole family might have been all well on Saturday night. They might try him for larceny on that evidence, but not for murder.

Now, gentlemen, let me ask you to bear in mind at that time, on Saturday night, when the prisoner left that carpet-bag, we do not know if Mr. Deering was dead or alive. We do not know if he had been murdered. No living witness can say. If a man commits a larceny, and somebody steps in and commits a murder, shall that prove that that man committed a murder? Remember the carpet-bag was left on Saturday night; on the next Thursday a shirt is found at Mr. Deering's home, wet with perspiration. *Wet, wet*, gentlemen, was the word he used. If the person had taken off his shirt on Saturday, would it be yet wet on Thursday? Gentlemen of the jury, can you presume that? There-







fore, gentlemen, I say this man may have had these goods long before the murder was done or thought of. The Commonwealth has shown two axes, and both of them bloodied. Think of that. Would one man want two axes? He could not use an axe in each hand. Why should both axes be bloodied?

Another fact proving two men committed the bloody deed—they say the prisoner's pants were found up-stairs under the bed, with blood on, carefully rolled up. That was the usual place he had to put his clothes, having no bureau. Is there anything strange about that, that they were rolled up and blood upon them? What kind of blood? Human blood? The Commonwealth has never proved that.

Could this so cool and deliberate man, as the Commonwealth call him, have put bloody pants, rolled up, in his own room, under his own bed? He might have washed them at the well or burned them. He may have been killing cattle with Mr. Deering. That is a legitimate question. Are you to assume only for the Commonwealth? I trust not.

I plead, gentlemen of the jury, for this man and his family at home. Their hearts and their hopes are with him. Little does his aged father and mother think he is in the bar being tried for murder. Give him justice. Do not be swayed by the tumultuous crowd who sway around the Court House to tear a man to pieces whether guilty or innocent. I can imagine the feelings that sway them impulsively. But we are here to try him in a court of justice.

We do not know what kind of blood that was on the pants. We have as much right to believe it of one kind as of another.

It is true the trinkets were taken from the house; that is a larceny, but it proves no murder. Two hundred dollars were given by Mrs. Dolan to her daughter. Where are they? The prisoner has had very little money; he has sold a watch; offered to sell a revolver; could not loan an old comrade seventy-five cents.

Again, the prisoner remained about the city. He did not attempt to flee, as do all murderers. No attempt to take flight. He remained where he had been known for eighteen months back, and does not fly for safety. He feels that he has committed a larceny. The Commonwealth might prove that. They have a case for that I admit. He does not, then, wish to return to Mr. Deering's. He has the watch of Mr. Deering, indeed; but does that prove a murder?

The Commonwealth has the case all fixed. They tell you who, first, second,

third, etc., were all killed. My learned friend, Mr. Dwight, tells you even where Mrs. Deering was killed, but they can give the only argument against Mr. Probst, that his pants have blood on them, and have been rolled up and put under his own bed in his own room. A man who commits a murder does not do that sort of thing. A man wishes to get rid of the "damned spot;" he does not take it to his own room and leave it there.

Both of these axes had been used. One left by the kitchen door, and the other in the ditch. I do think you will say, gentlemen, that a man would not be apt to throw the small axe and then take the large axe, the heavier one, more difficult to use; yet the Commonwealth say he used the small one first, and then cast it aside.

But what is the evidence? Purely circumstantial. Sometimes circumstantial evidence is better than witnesses; but facts are stubborn things, and in a criminal court we cannot thus decide upon a man's life. We are, however, called upon to presume all this by the Commonwealth. Can you do this? Can you take away another's life to follow the eight who have gone before.

Even in a case where a man's liberty is concerned, conscientious men must pause. But where a man's life is concerned you must faithfully pause, consider, and magnify the doubt into almost a fact.

Gentlemen of the jury, I have briefly gone over the case, and in a few moments will yield to my very able colleague. But I have endeavored to show the Commonwealth must prove, first, a murder; second, a deliberate, premeditated, wilful murder; third, that the prisoner at the bar did it.

You are to say, gentlemen, whether this man did the murder. You are to say, beyond all doubt, that this man did the deed. If you doubt the Court will tell you you must give him the benefit of that doubt. You are sitting here as this man's peers. Oh, go alone by the evidence! Do not sacrifice hastily and needlessly another man's life. Presuming that this man is the guilty man upon so purely circumstantial evidence, the law will not permit it.

I will now, gentlemen of the jury, submit this case to your hands. It is a serious thing for a lawyer to have a case involving the life of a fellow-being. It is one he would like to shrink from, if he could in justice to law; even if the lawyer believed beyond all doubt he was guilty, and had the crime stamped on his brow yet the law would take him home and give him a fair trial. I have, gentlemen, dis-



charged my duty. I can only ask you to carefully consider the evidence, and pause ere you send his life back to God.

John P. O'Neill, Esq., made the closing speech for the prisoner.

### HON. WM. B. MANN'S ARGUMENT FOR THE COMMONWEALTH.

At the conclusion of the speech of Mr. O'Neill, District Attorney Mann arose and said: With submission to the court—

*Gentlemen of the Jury:*—In arising to address to you the concluding argument for the Commonwealth, in a case like this, I feel constrained at the outset to ask you to bear with me if I forget, at some moments, the calmness and deliberation of the public officer in the bitter indignation of my own manhood.

The circumstances connected with this case are so unparalleled in atrocity, so unexampled in horror, that I cannot think of them, I cannot speak of them with calmness.

Not only are we called upon to consider the death of Christopher Deering and the manner of his murder, but the cruel and wanton slaughter of seven innocent and unoffending creatures is so indissolubly connected with it, that we cannot sever the conduct and deeds of the murderer of the one from the indiscriminate destruction of all. For I am sure you must feel satisfied now that the death of all the victims at the Deering farm is fairly attributable to the same wicked heart, the same fiendish arm, the same plotter, and the same artistic destroyer. How, then, can I, I repeat, speak, or think of this with coolness:

I really fear,

*"The expedition of my violent love  
Will outrun my pauser reason."*

As I stand here, even now, my mind carries me away from this spot and fixes itself around that secluded house, calling up memories of the kind father, the happy mother, and the innocent prattlers that dwelled there. A few weeks ago, and there all was gladness and sunshine. But a cloud has lowered upon that house; the hand of the destroyer has been there, and with fingers of blood has written upon its walls, DESOLATION.

No father, no mother, no child, no loving one of God's creatures dwells there now. All is solitude. The very dogs run masterless, and in vain turn their eyes wistfully to stranger forms, seeking in vain for those hands that were wont to answer with caresses. But eight several black-covered coffins in the darkened room of Mr. Gartland, with their silver lace faintly glimmering, with the name and age inscribed of

each victim, reveal the terrible cause of this otherwise mysterious solitude.

These victims have now passed away; their dirges have been sung, and the earth has closed above them. In a few short months the spring will bedew their graves with verdure, and the flowers will bloom above them as over other kindred turfs; but they cannot and will not be forgotten in their narrow dwellings. The recollection of their untimely end will haunt the neighborhood where this bloody tragedy was enacted, and long will our annals tell the story of this fearful crime. In after years the aged crone shall gather around her the little grandchildren, and telling the story of the massacre of these innocents, "send their hearers weeping to their beds."

I do not propose, gentlemen, to enter to any great extent into the heart-sickening details connected with this wholesale slaughter. I shall merely content myself with demonstrating certain propositions, which I believe can be drawn from the whole evidence in the case, and I desire to call your attention, first, to the fact that all these murders were committed by one person, and by one person alone; that that one person was no stranger to the family, but was one whose presence gave no alarm, but was on such intimate terms with the family as to be able thereby to execute the hellish plans that his wicked heart had conceived. That this was done for purposes of plunder, and in order to carry away all articles of value from the house of Mr. Deering, and from the persons of those he intended to kill. That the prisoner at the bar was the person who carried away this plunder, for the acquisition of which the murders were committed by him, and thus that he and he alone is to be held responsible for the perpetration of these fearful crimes.

I have said that this was the work of one, and you will be convinced of this if you only consider for a single moment the arts of deception which must have been practiced to allure his victims to the fatal spot at which they were slain, the same weapon evidently used in order to accomplish his entire purpose, and the same singularly fearful manner in which the instrument was used on each.

The presence of a stranger would have excited surprise, and might have interfered with the perpetration of this hellish work, which was evidently plotted and contrived long before the first blow was struck to further its execution.

This wretch, whoever he be, in my estimation, first murdered Cornelius Carey; approaching the unsuspecting boy, he struck him down, and then coolly and



wantonly chopped his throat with the axe, and held his head over the ditch, and suffered the blood to be poured out in the ditch on the water, leaving, as he believed, no trace of blood behind. He then raised the lifeless body from the ground, carried it with a strap that he had fastened around his waist, and covered him over in the laryick, taking the poor boy's cap and stuffing it in the mud under the bridge, hiding it away as he supposed from all human sight. He then went to the house and beguiled the mother out into the barn, and there struck her down and chopped her throat in the same wanton and brutal manner, then led or carried the little ones to the same place of slaughter, dashed out their brains, and with the same wantonness inflicted the same fearful gashes upon their throats, and when Mr. Deering drove up, framed some excuse to decoy him into the stable, as he had his wife before, and there struck him down, coward-like, from behind, butchered him, and gashed his throat.

Miss Dolan went into the house and upstairs, took off her furs quietly, her bonnet, her cloak, and finding no one in the house she started out to the stable to inform Mr. Deering. She was there met by the same monster and disposed of in the same way. Their bodies were all placed in their concealments parallel with each other, and with their feet toward the dwelling-house, as if they had been dragged to the place of concealment by the shoulders, and each disposed of in the same way and by the same person.

The same fearful mark, and in many instances, even to a willing murderer, of unnecessary cruelty, inflicted solely in the mere spirit of wantonness, was upon all. I mean the terrible gashes in the throats inflicted after the skull had been shattered, and the brains dashed out, affords incontestable evidence that it was the inhuman handiwork of one superlative villain, whose heart, entirely regardless of all social duty, was fatally bent upon deeds of rapine and murder.

This same distinctive mark is seen upon every victim.

I repeat, was it the mere spirit of wantonness, or a habit of destruction that led to this? Had these poor murdered creatures been found in a wilderness miles asunder, the conclusion would have been inevitable in every case that the work was that of the same fiend. How much more powerful must that conclusion be when we find their bodies laid side by side and the instrument of death within a few yards of them.

In an American tale written by our

townsman Dr. Bird, we read of an adventure that occurred when Roland and Telie Doe were journeying through the forest. Fearful of an attack from hostile Indians, they became aware of the proximity of other enemies of the Indians beside themselves.

They suddenly came upon the body of a savage of vast proportions lying on its face, across the roots of a tree, and glued it might almost be said to the earth by a mass of coagulated blood that had issued from the scalp and axe-cloven skull. Fragments of a rifle, shattered as it seemed, by a violent blow against the tree under which he lay, were scattered at his side, with a broken powder-horn, a splintered knife, the helve of a tomahawk, and other equipments of a warrior, all in like manner shivered to pieces by the unknown assassin. The warrior seemed to have perished only after a fearful struggle; the earth was torn where he lay, and his hands, which yet grasped the soil, were dyed a double red in the blood of his antagonist, or perhaps himself.

While Roland gazed upon this spectacle he observed the body of the Indian to be raised by a spasm, which was the last and but momentary; yet as it suddenly ceased and with it the life of the sufferer, the body rolled over on its back, and thus lay, exposing to the eyes of the lookers-on two gashes, wide and gory, on the breast, traced by a sharp knife and a powerful hand, and as it seemed in the mere wantonness of malice and lust of blood which even death could not satisfy.

The sight of these gashes answered the question Roland had asked of his own imagination; they were in the form of a cross, and as the legend, so long derided, of the forest fiend, recurred to his memory, he responded, almost with a feeling of superstitious awe, to the trembling cry of Telie Doe:

"It is the Jibbenainosay!" she exclaimed, staring upon the corpse with mingled horror and wonder. "Nick of the woods is up again in the forest."

What there was fiction is here a terrible reality.

I have read also, in Quentin Durward, that Louis XI.'s Provost Marshal went to put the bowstring around the necks of his victims, and then say with merry tone: "Cut a *fleur de lis* upon his shoulder and toss him into the river. Whoever finds him will utter no complaint, for the king's toll passes free."

I ask you, gentlemen, whose mark was this?

Standing over the lifeless forms of these eight gashed and mutilated corpses, I pro-



pound the question to them, and although their eyes are closed in death, and their organs of utterance have been severed, I can fancy that in response to this question each arm is extended, and each bony finger is pointed to the spot where little Willie pointed yesterday, as he stood upon that witness stand, and in reply to a question of mine, raised his little hand, and pointing to the prisoner said "that man."

You must therefore feel convinced, gentlemen, that this was the work of one person, and I have said that his purpose was plunder, and this plunder was commenced immediately after the murder of Miss Dolan; her chain and pocket-book were taken from her; then her carpet-bag was taken possession of. Mr. Deering's watch was taken from his person, and the silver one in the house was taken. His pocket-book was taken to the house, and after the money was abstracted from it is thrown down. The house is ransacked and rifled, and every article of value is carried away. With the disappearance of these articles, Antoine Probst, who had been at work at that farm for several weeks, also disappeared.

His clothes are left behind, stained with blood; the shirts and clothing of Mr. Deering were carried away, and it is confidently believed that the possession of these articles will lead to the detection of the perpetrator of the crimes.

The murders were committed evidently upon Saturday; Miss Dolan's carpet-bag was stolen on Saturday, and on Saturday night Antoine Probst is in the northern part of the city, with the stolen carpet-bag, spending the money for which he bartered his soul in haunts of vice and dissipation.

For a few days he goes from place to place, exhibiting the articles stolen from the house of Mr. Deering, and taken from his and Elizabeth Dolan's persons. He sells Mr. Deering's watch and pistols, and whilst he is wandering off in the night time from the city and into the darkness, the hand of the law is laid upon him.

He is brought face to face with the mother of one of the murdered ones, who recognizes the very necktie he had on as one made by herself for Christopher Deering, and who identifies upon the prisoner the very shirt he wears as one stolen from Mr. Deering's house. Subsequently, investigation discloses the fact that the two watches, the two pistols, the two powder flasks, the two razors, and every article carried from the scene by the guilty one, were traced to the possession of this man, who was alone when he was arrested in Market street, alone at Leckfeldt's, alone at

Straub's, alone at Lavinia's, alone at Susan Smith's, alone at Moore's, alone at Deering's, alone in prison, alone in that dock, alone without confederate or accomplice in the world. For how idle would it be to suppose that any one had shared the danger and the horrors of that scene, and would not have shared the plunder for which all this was performed and endured.

You must have noticed, gentlemen of the jury, that I have not offered any proof of statements or confessions made by the prisoner. In so conducting the case I have acted according to the best of my judgment. I was fully conscious that the exertions of the police, and the facilities afforded by the citizens, had collected a mass of evidence that fixed the guilt of this prisoner beyond all doubt. I care nothing, and I imagine you care nothing, as to what he said, or could say, about it, as affording any light in the case, or enabling us to arrive at any correct conclusion in its decision.

Who could expect truth from the lips of such a man as this prisoner is proved to be? Did ever any criminal, hardened enough to take the life of even one man, tell the truth, the whole truth, in regard to his crime? How then can it be expected that the murderer of eight human beings—the murderer of a mother with her little children by her side—the murderer of the lad, his companion and his bed-fellow—the murderer of his employer and benefactor—would prove suddenly truthful, and detail facts and circumstances upon which we could rely with any degree of certainty? Did truth ever seek such a lodging-place—ever fix her throne in the breast of such a man? No. Search his heart, and you will find murder, theft, deceit, treachery, ingratitude, and lust, all dwelling there. Can you expect that truth could exist in such a place, and with such lodgers? Besides, gentlemen, I felt a pride in demonstrating the fact that in all murders such as these, there were unmistakable evidences of guilt around and about it that would of themselves afford a clue to the detection and punishment of the perpetrator.

The very purpose for which this murder was accomplished, indicated that the wretch who did it did it for the purpose of acquiring the means to gratify his low and brutal instincts, and the officers did well to make instant search at Leckfeldt's house, and among haunts of vice and dissipation frequented by the very outcasts of society.

They showed their discrimination to search where they found the brute had been, consorting with the ignorant and degraded Lavinia. None but a fiend in



whose heart had expired every spark of his celestial origin, could have contrived, plotted, and planned such a murder. This man, Antoine Probst, occupies the highest pinnacle of wickedness. His name will be written the darkest in crime's dark annals. The records of our court, history, and tradition, will transmit his memory as the foremost fiend of all the earth. The innocent blood shed by him will not sink into the ground—it has a voice which rings in the ears of an excited populace, crying aloud for vengeance against the author of all these murders.

As the blood of the first murdered one cried aloud to Heaven, so does that shed by this brutal monster appeal to us, teaching us the way in which we should go, and the conclusions to which we should arrive. The rains which fell upon that Saturday have not washed it out. It reddens the very atmosphere, as we look through it to that prisoner's box. It crimsones the arm of the public prosecutor as he here lifts it up and asks for JUSTICE.

Some effort has been made to throw a charitable mantle over this wretch by allusions to the fact that he was in the Union army. He may have enlisted a dozen times for ought I care—ay, and taken the bounty each time—but this does not constitute him a soldier. It is not the uniform that makes the soldier, else many a miscreant would earn a title the noblest upon earth—for I regard the soldier who fought in freedom's battles, with a clear heart, and for his country's safety, as the peer of any man on earth; but the hireling wretch, who cares for or has no country, and volunteers to fight merely for pay, be he coward or be he brave, merits not, in my estimation, the name of soldier. How well does Lady Allworth describe a soldier in speaking to young Allworth:

“These were your father's words:—If e'er my son  
Follow the war, tell him it is a school  
Where all the principles tending to honor  
Are taught, if truly followed. But for such  
As repair thither, as a place in which  
They do presume they may with license practice  
Their lusts and riots, they shall never merit  
The noble name of soldiers. To dare boldly  
In a fair cause, and for their country's safety  
To run upon the cannon's mouth undaunted,  
To obey their leaders, and shun mutinies,  
To bear with patience the winter's cold  
And summer's scorching heat; and not to faint,  
When plenty of provisions fail, with hunger;  
Are the essential parts make up a soldier—  
Not swearing, dice, or drinking.”

He a soldier! By the killing of Cornelius Carey alone, he forfeits the name of soldier.

He a soldier! this man, who carries innocent children into a barn and kills them with as little remorse as if he were a

farmer cutting the throats of chickens to take them to the market.

He a soldier! that would murder these innocents, cut off their little fingers, strip off their little aprons, and walk coolly to the house made desolate by his horrid crime, and coolly wipe his hands upon these babies' garments!

A soldier! a man against whose brutality none are safe; a man who murders young and old, spares neither age nor sex, and hurries into eternity by dashing out the brains and cutting the throats of such innocent beings as the Master spoke of when he said, “Of such is the kingdom of heaven.”

No, gentlemen of the jury, Antoine Probst is not a soldier. He is a thief and a murderer. He is proved to be such by evidence most conclusive in its character, by facts so clearly shown, that to turn from them would be to close our eyes, to shut out the light of the sun, and ask, Is it day?

I have urged this trial speedily, with unusual speed, because such a crime as this is not only unusual, but unknown to criminal annals. There are no words to express its enormity. The brain whirls, and the breast sickens, as we contemplate it; and I am sure, gentlemen, you relieve not only the community and this court, but yourselves, by speedily convicting this man of the crime of which he is proven guilty.

Without such conviction human justice would be a mockery, and the trial by jury a delusion and a snare. Standing here, pleading for a father murdered, a mother butchered, a household destroyed, a desolated home, an outraged community, and for the justice of the Commonwealth, I feel that I have a right to ask you to resolutely and sternly perform your duty by the conviction of this prisoner—and by such a verdict, teach all such wandering criminals that the soil of Pennsylvania is an unsafe place for the perpetration of rapine and murder; teach them that the commonwealth's justice will watch them by day and by night—will pursue them as surely and as steadily “as conscience craves their bloody tracks”—and will swiftly arrest and expose them to the just vengeance of an outraged law.

At the conclusion of Mr. Mann's speech, his honor, Judge Allison, proceeded, amid profound silence, to charge the jury as follows:

#### CHARGE OF THE COURT.

*Gentlemen of the Jury:*—I shall endeavor to be brief in what I have to say to you—brief in discussing the practical question



which you will shortly be called upon to decide—a question of the first magnitude to the public and to society—a question, doubtless, of vast importance to the prisoner at the bar. This, gentlemen, is no ordinary case. The question connected with the murder of the Deering family is such as to startle this community, when called upon to investigate the circumstance with the hope of discovering the guilty party. It is not often that a murder can be compared to the murder of Christopher Deering, and the circumstances as they have been proven in this trial; these circumstances indicating that at the time Christopher Deering met his death, he died not singly, not alone, but he died one of eight victims, whose lives were all taken, the Commonwealth arguing, as part of the transaction, and yet we are trying the question of the guilt or innocence of the prisoner, charged not now with the murder of eight human beings, but charged singly and alone on the bill of indictment with the murder of Christopher Deering. It is necessary and proper, therefore, that I should say to the jury that you are to decide this question upon the evidence which has been submitted to you as to the guilt or innocence of the prisoner of the particular offense laid in that bill of indictment.

In the course of this trial, it has been permitted to the Commonwealth to give in evidence all the facts and surroundings, just as they were discovered at the time, and immediately after the discovery of the death of Christopher Deering. That was not permitted, however, for the purpose of entering on an investigation of who it was who took the lives of the other persons found there at the time, but it was because it became necessary that the jury should have, through the mouths of the witnesses, a true and veritable account of the circumstances, as far as they could be testified to by witnesses—the time, place, surroundings, and facts, which must have occurred when Christopher Deering lost his life. When you were called to the stand as jurors for the purpose of settling the question raised by the issue between the Commonwealth and the prisoner, you and each of you were asked severally whether you had formed or expressed an opinion of the guilt or innocence of the prisoner. Most of you said you had formed an opinion from the accounts of this transaction you read, or from the statements you heard; but each of you answered upon your oaths, that notwithstanding this impression or opinion, you could enter that box as impartial and unbiassed jurors, and

decide this question according to the evidence, and that alone.

I beg to remind you of the meaning of that answer which you gave when the Commonwealth was seeking for a jury, and when the prisoner interrogated each of you minutely as to the exact condition of your mind, and I do this now when the testimony is closed, and when you are about to enter upon that deliberation which must determine for the prisoner the question of life and death, in order to bring before you the solemnity of that oath, and to say that you are bound by this oath to decide the case according to the evidence. It is the glory of the law that it will not permit the life of any man to be taken unless there be full and sufficient evidence to warrant such a conclusion. It is the duty of the Court to say to you, that you are not to decide this case by the outside surroundings, by popular clamor, by tumult, or by the influence of the honest indignation which you may feel at the horrid atrocity of the murder committed under circumstances like to that which has claimed your attention for the last four days. You have sworn that you will decide the case according to the evidence; and I ask your attention to your solemn duty, to say, not whether a murder has been committed, not to say whether lives were taken, but to say whether the prisoner at the bar is the person, according to the evidence in this case, who took the life of Christopher Deering.

If this evidence does not satisfy you of that fact, regardless of the surroundings to which I have referred, it is your solemn duty to say that this prisoner is not guilty in manner and form as he stands indicted. You cannot be acquitted of your high and solemn duty, if you decide the question of the guilt or innocence of the prisoner by any other consideration, or motive, or influence, than the evidence which the Commonwealth has submitted to you in this trial.

In regard to the evidence, the Commonwealth has not been able to call before you a single eye-witness of the murder thus committed. They have, therefore, not presented you any witness to say, "I saw the accused lift the axe that resulted in the loss of life." But the Commonwealth has resorted to what can only supply the place of positive testimony. They have presented to you certain facts from which to draw a deduction to sustain their argument that, beyond all reasonable doubt, Antoine Probst, the prisoner, killed Christopher Deering. This evidence is called circumstantial evidence. If these facts, as thus



testified, form a chain of evidence pointing with irresistible conclusions to Antoine Probst as the murderer, then, by the settled law of the land, that kind of evidence is just as satisfactory, conclusive, and sufficient to enable you to render a verdict of guilty of the murder charged.

It is urged that witnesses come to the stand to testify to that which is untrue. That, undoubtedly, is too often true, and has often been brought to our knowledge. Then, on the other hand, it is urged that when you prove a chain of circumstances that has no link wanting, that leads to prove either the guilt or innocence of the prisoner, the jury can implicitly rely upon it. All I need state is, that if the evidence submitted to you leads you to believe in the guilt of the prisoner, you are so to decide. You are, however, to take neither the reasoning of the Commonwealth or the defense, upon this evidence; neither has the Court the right to pronounce upon it. It will be for you, gentlemen of the jury, to take up the evidence and say whether it proves Antoine Probst guilty, beyond a fair doubt, of the murder. If it does, you must convict him. If the Commonwealth has failed to prove the case, and you have a fair reasonable doubt of his guilt, then the prisoner is entitled to the verdict of not guilty.

It has been asserted that the law books are full of instances of the cases in which circumstantial evidence has convicted and condemned innocent persons. They are also full of instances of persons convicted upon false or mistaken evidence of witnesses. When the juror has rendered a verdict in accordance with his firm convictions of duty, then he is forever absolved from any guilt, even if it should be proved the prisoner was an innocent man.

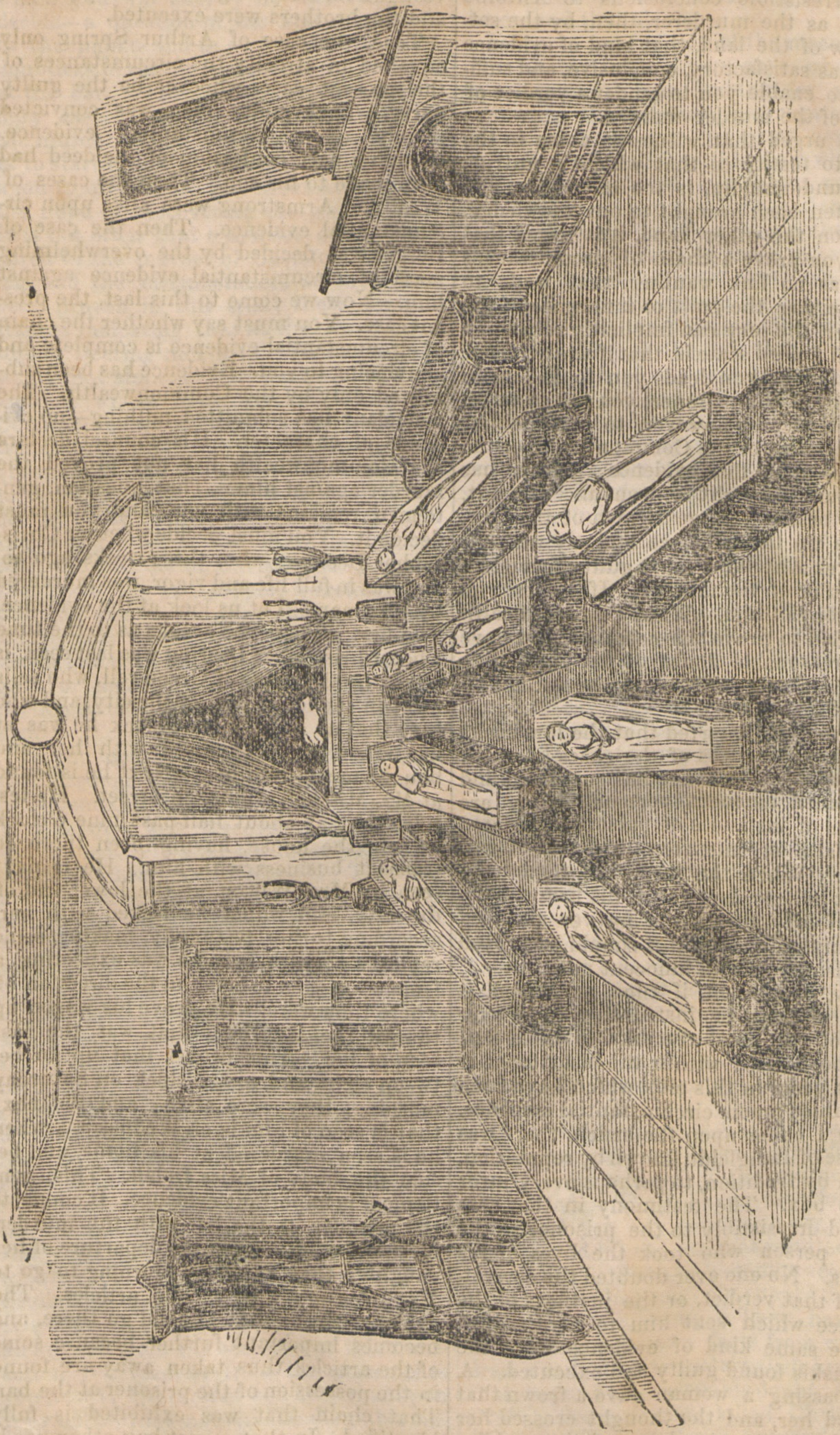
Now, gentlemen, if time permitted, it might perhaps be instructive to go over some of the most remarkable cases that have been tried within the last fifteen or twenty years in this city, which have been determined upon circumstantial evidence. Before I came upon the bench, there was the case of Langfeldt, known by reputation, known by tradition, to perhaps every juror in the box. The testimony in that case pointed irresistibly to the prisoner as the guilty person who took the lives of his victims. No one ever doubted the correctness of that verdict, or the justness of the sentence which sent him to his Creator. By the same kind of evidence were the Scupinskis found guilty and executed. A man passing a woman gave a frown that startled her, and the thought crossed her mind, he is the murderer of the peddler boy. She could not get rid of that thought,

and finally her husband instituted an investigation, and the guilt was fully proven, and the brothers were executed.

True, the case of Arthur Spring only equalled in atrocity the circumstances of the present case, whoever be the guilty party. That guilty man was convicted mainly upon circumstantial evidence, though a part confession of the deed had been made to his son. Then the cases of West and Armstrong were alike upon circumstantial evidence. Then the case of Berger was decided by the overwhelming mass of circumstantial evidence against him. Now we come to this last, the present case. You must say whether the chain of circumstantial evidence is complete and convincing to you. Evidence has been submitted only by the Commonwealth. The defendant has submitted nothing—no evidence of character. His counsel declare the Commonwealth has not proved the murder against him. That question, gentlemen, remains with you, and you must decide it. You must decide whether Christopher Deering, who, three weeks ago to-day was in full life and vigor, was murdered by this man. Let us look at the evidence. The first witness who speaks as to the time when Christopher Deering was last seen, is a lady by the name of Greenwell, who sells meat in the lower part of the city, and who says that at about nine o'clock he was at her stand and conversed with her and bought meat from her. Next he is found at Mr. Mitchell's in Arch street. He testifies that at about half-past nine o'clock he left the house, having been there to transact business with him. He is next seen by Mrs. Wilson, at the lower end of the city, and whilst he talked with her, according to her testimony, making some remarks about a lady he was expecting, a female was seen to come in the direction of where they were. He drove his wagon up toward the lady, and that was the last seen of her. This proves that up to between eight and nine o'clock on Saturday morning, they were alive; and the next that is seen of him is on Wednesday, when he is seen murdered at his home, and beside the body of Miss Dolan. This, gentlemen, is important evidence. It connects the prisoner at the bar with the murder. Mrs. Dolan testifies to the departure of her daughter that Saturday morning to go to Mr. Deering's with certain articles. The evidence shows that she did go there, and becomes important further because some of the articles thus taken away are found in the possession of the prisoner at the bar. That chain that was exhibited is fully identified. In that carpet bag other goods are found, such as spools of thread, placed



...in-  
 ...and finally her husband instituted an in-  
 ...and the jury was fully  
 ...were examined.  
 ...only  
 ...of  
 ...the jury  
 ...had  
 ...cases of  
 ...the case of  
 ...by the over-  
 ...evidence  
 ...to this last  
 ...whether the  
 ...is com-  
 ...has  
 ...



Probst's Victims.—Their bodies in the parlor of the Undertaker preparatory to burial.



there by Miss Dolan when she left for Mr. Deering's. These goods were afterward found in the possession of the prisoner at the bar.

Then the Commonwealth argue that this watch of Mr. Deering's was seen upon the person of the latter several days before, fully identified by little Willie. Mrs. Dolan proves positively the murder of Miss Dolan by the property being found in his possession. Then there are other articles found on the prisoner—clothing, coat, flannel shirt, and two white shirts, all fully identified. It is not necessary to go over in detail all those facts which connect the prisoner with the charge of murder, and at least calls upon him to explain their possession. You are entitled to consider he has offered no explanation, and may consider what the prisoner has not done in the case. Where portable property is stolen and found in the possession of any one, that person must prove how it was obtained, and the Court will allow him full facilities to do so. To be sure, the prisoner is not charged with larceny, but is here upon the charge of the greatest, highest, crime known to law. He has not attempted to explain how he had obtained those goods. The Commonwealth say they have thus fully brought the case home to him. Does it do so, gentlemen? You must decide that alone, gentlemen. If it does, you must not shrink from your duty; if it does not, you must not swerve from your conclusion. If these facts establish several theories in your minds, so that one theory leads to the guilt of the prisoner and another to the guilt of another, then you cannot render a verdict against him.

It has been said, gentlemen of the jury, as part of the theory of the defence, that some other person either aided him or did the deed; that this man cannot be convicted of the murder of Christopher Deering unless he was present aiding and abetting the murder. Now, according to the counsel for the defendant, he was not alone in this. But if you are satisfied that he was present at the murder of Christopher Deering, he is just as guilty as if he had raised the axe and struck those deadly blows. If the defendant was not present at all, in your belief, the prisoner cannot be convicted on this bill. The Commonwealth have called a number of witnesses in regard to the premises of the Deering farm. The description of the premises has been given to the jury. When these bodies were found, they were found in the barn covered with hay. That is the evidence of an intent to conceal the murder, to hide it from human eyes, and to

shut out, as long as possible, an investigation which would result in its discovery.

According to the testimony of the witnesses, whoever placed those bodies there, had attempted to conceal them by throwing upon them half a ton of hay. But singularly, either by accident, or by the searching of the dogs, the bodies were partly uncovered, and the foot was exposed to the searching neighbors. When the authorities undertook the investigation, the bodies of the mother and children were found. The body of Cornelius Carey was not found, I think, until Thursday, the day of the prisoner's arrest, hid in the gulley in the hayrick, his face downward. That disposes of every living person in that house, save the prisoner at the bar and little Willie; all are accounted for. All other beings have ceased to live. Investigation, search, description of the prisoner, started the police officers of the city, and on Thursday afternoon one of the officers arrested the prisoner near Market street bridge. He took him to the police station. Subsequent search obtained possession of the bag containing the articles detailed, and several purses of Mr. Deering and Miss Dolan.

The Commonwealth have followed up the travelling of Antoine Probst. We first find him on Saturday evening, about eight or nine o'clock, and start with him until morning, exhibiting several articles, as detailed. Judge Allison fully reviewed the evidence of the articles exhibited to various witnesses prior to his arrest, by the prisoner, which articles were identified as belonging to various members of the Deering family. Thus he is traced up from eight o'clock Saturday night, to the evening of his arrest—not continuously, but at short intervals. The silver watch was not produced in court, but was fully identified as having been exhibited by the prisoner.

This, gentlemen, in the main, is the case of the Commonwealth—to the main facts of which only I have referred. Upon these they rely for the conviction of the prisoner.

It is now the duty of the jury, each one for himself, not taking the judgment of any of his fellows, to decide honestly, to the best of your judgments, whether Antoine Probst is guilty or not. If you have a fair doubt, he is to be acquitted; if not, your solemn duty is to convict him.

In Pennsylvania, legislation upon the subject of felonious homicide has declared that life shall not be forfeited unless there was malice in the heart that took life. If there was hot blood, though the law is violated, then the offence is homicide. If



a person is assaulted to be severely punished, not with the intent to take life, then the law calls that murder in the second degree, and imposes a long term of imprisonment. It is only murder that is committed deliberately, premeditatedly, and maliciously, that is murder in the first degree.

It is not for me to say, whoever did this murder must have complied with the above requirements. The facts of the evidence fully prove it was taken with deliberation and with premeditation. Yet, it is still the province of the jury to decide whether, if the defendant is found guilty of the murder, it is in the first or second degree, or is simply a case of manslaughter.

With this exposition of the law of the case, and with these references to your duty and the references to the main facts presented on behalf of the commonwealth, I submit this case to you; and you must now discharge your duty, by showing whether this defendant is guilty in the manner and form as he stands indicted—and if so, in what degree, and what character—and whether, in your judgment, he is guilty of the offence charged against him.

The District Attorney called the attention of the Court to the fact that the counsel for the defence had alluded to a part of the evidence to prove that the shirt was wet, and requested Judge Allison to refer to his notes in the matter.

*Judge Allison.*—My attention has been called to the fact testified to here as to the condition of the shirt; and counsel for the defence have said it was wet. All I have to say is, that I have not got it so on my notes. Probably it may be on the notes of some others who may have taken down the evidence. However, as that is a matter of dispute, I leave it to the jury to decide the point in dispute.

At the conclusion of Judge Allison's charge to the jury, at twenty-five minutes past two o'clock, the jury retired. They returned to Court at fifteen minutes before three o'clock.

#### RENDITION OF THE VERDICT.

Mr. Wolbert requested that his colleague, being absent at his office, should be sent for before the reception of the verdict, but Judge Allison did not consider that necessary.

*Judge Allison* said:—I hope every person in this Court room will remember that this is not a town-meeting, and that no manifestations of applause or censure will be given. If any one so offending is discovered, he shall be most severely punished.

After the call of the jurors' names, the Clerk of the Court, Mr. George H. Moore, inquired: Gentlemen of the jury, have you agreed upon your verdict?"

*Foreman*—We have.

*Clerk*—Gentlemen of the jury, you will please to stand up. Prisoner, stand up. Jurors, look upon the prisoner. Prisoner, look upon the jurors.

Gentlemen of the jury, how say you, do you find Antoine Probst, the prisoner at the bar, guilty of murder, in the manner and form as set forth in the bill of indictment?

*Foreman.*—Guilty.

*Clerk.*—Of what degree?

*Foreman.*—OF MURDER IN THE FIRST DEGREE.

At the request of Mr. John A. Wolbert, the prisoner's counsel, the jurors were then polled. Each responded separately, in a clear voice, "*Guilty of murder in the first degree.*"

*Clerk.*—Gentlemen of the jury, hearken to your verdict as this Court has it recorded: You say you find Antoine Probst, the prisoner at the bar, *guilty of murder in the first degree*, in manner and form as set forth in the indictment—and so you say all?

Affirmative response by the jury.

*District Attorney Mann.*—May it please the Court, I desire now to give notice to the prisoner and his counsel, that upon Tuesday morning I shall move that the judgment of the Court be entered upon this verdict, and that the sentence which the law affixes upon this crime shall be passed upon the prisoner.

#### ADJOURNMENT OF THE COURT.

Some little time elapsed, after the close of the proceedings, before the police arrangements for the removal of the prisoner were effected. An immense throng had congregated about Sixth street, and two hundred policemen were on hand to preserve order and maintain the majesty of the law if requisite. Loud yells, groans, and hisses resounded from thousands when the prisoner was removed to the prison van, but no overt attempts were made against him.

The Court adjourned at three o'clock. Immediately after, Independence square was re-opened to the public, and the neighborhood began to resume more of its wonted aspect.

#### THE DEATH SENTENCE.

On Tuesday morning, May 1st, Antoine Probst walked through Independence square as steadily and unflinchingly as



ever before when his doom was yet doubtful.

Throughout the hour that he remained in Court he was, as ever, passive and immovable. The room was crowded with curious spectators, but not a sign on the part of the prisoner betrayed any emotion. Judges Allison, Ludlow, and Peirce, of the Court of Oyer and Terminer, and Justice Thompson, of the Supreme Court, were upon the bench. Even the private retiring room of the judges became a gallery from which the ladies and other members of their families reviewed the exciting scene: exciting to all save to him who was to be doomed by human justice to a speedy felon's death, as too vile to breathe the same air with his fellow mortals.

The only perceptible trace of feeling was when he rose to his feet to receive the sentence of death from the Court. Then his face could be noticed to crimson. He stood through the solemn address, that affected all who heard it, and sat down after its close. The interpreter, Mr. Eben, inquired if he understood the sentence, and he replied to him distinctly, "I understood his sentence, but he did not say when I was going to be hung."

#### PROCEEDINGS OF THE COURT.

At ten o'clock, as the last stroke of the clock on the tower of Independence Hall rang out the hour, the Court was duly opened by the Crier.

#### COMMONWEALTH'S MOTION FOR JUDGMENT.

*District Attorney Mann* said:—May it please the Court, on the 18th day of April last, Antoine Probst, the prisoner at the bar, was indicted by the Grand Inquest of the present term for the crime of murder—of the murder of Christopher Deering. On the 18th of April he was arraigned, and asked time to be allowed to consider before he plead. On the 25th of April he plead not guilty to this bill of indictment, and for trial put himself upon the country. On the same day a jury was called, and, after a fair and impartial trial, that jury rendered, on the 28th of April, a verdict of guilty of murder in the first degree.

It now becomes my duty to move the Court that the sentence which the law of Pennsylvania affixes to this crime be passed upon the prisoner.

*John P. O'Neill, Esq.*, counsel for the defendant, said:—May it please the Court—Before your Honor will pass judgment upon the verdict rendered in this case, I desire to say that, after consultation with my colleague, we consider it our duty to file reasons in this case in support of a mo-

tion for a new trial and an arrest of judgment.

The reasons which we propose filing, may it please the Court, have virtually been discussed and passed upon during the course of the trial. Your Honors have passed upon them, and we shall submit them during the day for filing, and leave them with your Honors for further reflection.

We consider this to be our duty in the full discharge of the charge which the Court has assigned to us. We wish to do all we can for this man, poor, humble, and deserted as he is, as we would do for the best in the land. We do not wish to delay or embarrass the proceedings, and we therefore submit the reasons, knowing your Honors will give them further consideration, if you should consider it necessary.

*District Attorney Mann.*—May it please your Honors, I gave notice on Saturday to the counsel for the prisoner that I would make this motion this morning.

#### MOTION OVERRULED BY THE COURT.

After consideration by the Court, Judge Allison overruled the motion.

#### NO OBJECTION TO THE SENTENCE.

*Clerk of the Court.*—Antoine Probst, stand up. Have you any thing to say why sentence of death should not now be pronounced upon you by this Court, according to law?

*Prisoner* (repeated by interpreter).—The counsel has said all I had to say.

#### SENTENCE OF DEATH.

*Judge Allison* solemnly said:—Antoine Probst, you stand at the bar of this Court convicted of murder—of murder in the first degree. A jury of your own selection pronounced you, after a patient trial, guilty of a crime, the punishment whereof is death.

Without cause, and with malice premeditated, you took the life of Christopher Deering. This, the verdict recorded against you establishes as a fact judicially ascertained, after a solemn and impartial trial, in which your every right was most carefully guarded. No one of the forms, which the law has declared to be of the substance of such a trial, in the jealous watch and care which it keeps over the life of the citizen and the alien alike, has been neglected in your case. A stranger in a strange land; alone, but not friendless, for the law itself became your friend; provided you with able and conscientious counsel; shielded you from popular vio-



lence; watched over and guarded your life with sleepless vigilance; and by the direct interposition of its might and its power obtained for you a trial according to the forms of the Constitution.

All this was secured to you. By none other but legal evidence, not in the least degree by your own confession, but by evidence from which there was no escape, most conclusive in its character, you have been found guilty of the commission of one of the most appalling crimes of which the records of civilized jurisprudence makes any mention.

A felony of murder unparalleled your heart conceived and your hands executed; in plan most comprehensive, in minuteness of detail unequalled; in execution relentless, brutal, savage beyond precedent.

A husband and a father, returning to his home, in all the strength and glory of his manhood—a wife and mother, toiling for the little loved ones whom God had given her—toiling at her domestic altar, her humble fireside—a companion of your daily labor, who with you shared your bed, who almost slept in your arms, at peace with you; the very breath of whose life you breathed—your fourth victim, an inoffensive visitor, whose sex should have not in vain appealed to your compassion, if compassion you possess, had you but thought of the mother who gave you birth. And four helpless children of these slaughtered parents, four little ones, who had never done you harm; of three of these, in innocent and happy childhood, you had been the daily witness; listened to their young and merry voices, and perhaps have had them play in confidence and trust about you; and the fourth, a smiling, tender, gentle babe, who had not yet learned to lisp your name, or to know you as a stranger in that household—whose tiny, bloody garments, brought here by other hands, leave testimony most crushing against the monster, in the shape of man, who cut and hacked its youngest life away.

Of all who gathered beneath the humble roof of Christopher Deering, but one remains. A little, lonely, solitary boy, saved, not by your mercy; for mercy you had none; but by an interposing Providence protecting him from your murderous arm and uplifted axe, with which you sought to kill them all.

All this you performed alone, or aided by another, it matters not which, so far as the legal and moral guilt of all these murders committed by you is concerned, and much more that human eye hath not seen, you did with malice inconceivable.

Almost without motive you went at your work, self-imposed, and eight innocent vic-

tims you slew. Not suddenly; not in a tempest of resistless passion; but in the coolness of a premeditated design—one by one, at intervals, with solemn pause, with calm deliberation, and with a quenchless thirst for blood, you ceased not until all that you set out to do was fully accomplished, and you found yourself alone with the dead. Your triumph was then complete.

This is but a poor picture of your work, and of this I here remind you, that you may even now, at this dread hour for you, realize, if it indeed be possible for you to do so, the enormity of your deeds of blood, and before God seek for pardon for your crime.

No one may limit his power to forgive, but you can find mercy only in redeeming love. Man cannot, will not, dare not, pass by unavenged a crime so fearful as to be almost nameless. Society demands protection, and violated law its vindication. But the Omnipotent God hath said, "Who-soever will, let him come." To his mercy I commend you.

But what you have to do, do speedily, for the night of death casts its shadow already around you. The avenger of blood has followed steadily after you, and in the darkness of the night the invisible finger of the Almighty pointed you out to your pursuers, and justice now claims you as its own. And that which it requires to be done shall not be long delayed. You had your success in the execution of your fell purpose; but it demands its triumph now in the detection, exposure, conviction, and promptest and severest punishment of the criminal, who has defied alike the laws of God and man, and outraged all the nobler sympathies of his nature.

It only remains for me to pass on you the judgment of the law, which is that you [here the four judges rose, and amid a breathless silence concluded the sentence], Antoine Probst, the prisoner at the bar, be taken from hence to the jail of the county of Philadelphia, from whence you came, and from thence to the place of execution, and that you there be hanged by the neck until you are dead. And may God have mercy on your soul.

#### THE PRISONER'S REMOVAL.

The usual careful preparations were the made by the police for the removal of the prisoner. A dense crowd was gathered on Sixth street, and they shouted and yelled with great clamor at his appearance. To gratify the curiosity of the thousands present, he was placed on the driver's box of the van, between two officers, and thus driven back to Moyamensing.



# THE CONFESSION.

**No Accomplice in the Bloody Work—A Full and Frank Confession—How the Awful Deed was done—The Monster Shaves Himself with Deering's razor—Afterward he Eats his Dinner and Plunders the House.**

On Monday morning, May 7th, Reverend P. A. M. Grundtner, Pastor of St. Alphonus' Church, at Fourth and Reed streets, informed Mayor McMichael that Antoine Probst, recently convicted of the murder of Christopher Deering, and now under sentence of death at Moyamensing Prison, had communicated to him, as his spiritual adviser, on Sunday afternoon, a full confession of being the sole murderer of the eight members of the Deering family, and had confirmed it that morning before others, with liberty to publish the same to the world.

At one o'clock yesterday afternoon, reportorial representatives of the leading newspapers of this city, were gathered in the apartments of Mr. Perkins, the efficient keeper of Moyamensing Prison, endeavoring, with the kind and able assistance of Chief Detective Benjamin Franklin, to obtain the fullest and most reliable details of the confession to gratify the deep anxiety of the public upon this subject.

The counsel of the prisoner, Messrs. O'Neill and Wolbert, were present in his cell until past four o'clock. On their retiring the members of the press were not able to obtain any details of the confession from these reticent gentlemen. After a subsequent short visit by several Catholic priests, Mr. Perkins, Jr., assistant keeper, Chief Franklin, Mr. Woodward, and the reporters were admitted to his cell. The indoors were closed, but the narrow window lighted up the small, vaulted cell, bringing out vividly the bare walls and floor, and the mattress upon which sat Antoine Probst. He looked the same as during the long days of his trial. He was dressed in pantaloons, shirt, and blue woolen stock-

ings. Around his left ankle passed an iron chain, several feet in length, which was fastened to an iron ring in the floor. In his hand he held a small rosary, and his fingers often played among the black beads, and his eyes occasionally drooped to the crucifix.

Chief Franklin at once received the full and free statement of the prisoner that he was most willing and ready to give an immediate confession to the representatives of the press. Then, tutored by his thorough understanding of the case, and his long experience among criminals, Chief Franklin, by occasional questions, led the prisoner on to tell the whole story of his life, and the harrowing details of the crime.

Antoine Probst threw off all the impassibility of feature that had always characterized him before the public, and showed more of his inner thoughts and motives than one could have dared to hope.

He spoke in a low tone, with a German accent and idiom, generally understanding what was said to him. Occasionally he paused for a little time. Often his hands played mechanically with the separate beads of the rosary. And, sometimes, as a cunning thought struck his mind, his face would glow over with suppressed laughter. Yet this mirth would come at the most terrible details of the crime, causing the blood to tingle to the very tips of one's fingers with suppressed emotion.

On the very floor on which he sat, had lain the dead body of Christian Berger, a few weeks before, and the foam-covered face came back to memory. Indeed, it was far pleasanter than the face of him who, living, could sit there recalling the terrible, sickening story of his unequalled crimes, and laugh, catching a joke in the long-ago spoken words to Miss Dolan that led her to her death, that she would find the father, the mother, and the little ones in the barn. Yes, they were there, and he laughed to think that their gaping wounds



were covered with the hay, and that his last victim would be terribly duped in trusting to see them alive.

From a quarter of five, for a long hour, the dreadful tale was told, and the reporters, with strained hearing and quickened pencils, bent toward him to catch his every word. The annexed account is a phonographic report of the entire disclosure, and is as faithful in letter and comment as it could be made.

At last the work was done, and with eager haste but trembling nerve, the notebooks were closed, and all sought the free, fresh air of heaven, to be rid of the spirit of those walls.

### ANTOINE PROBST'S CONFESSION.

#### His Intention of Robbery.

I went down to Mr. Deering's the second time, about the 2d of last March; my motive was to work; I knew at the time he was in the habit of having money in the house; I had not thought of committing the murder at that time, but I calculated to rob him of money; I had seen him counting money; he counted a good deal of money in the house; I never said anything about it to anybody at all; I had several plans to get hold of the money; but I was never out on the road waiting for him; I never said anything to the boy Cornelius about it; never asked him about the money in the house; never had any conversation with him about it.

#### HIS PREVIOUS LIFE.

I came to this country in 1863, at Castle Garden, in the ship *Columbus*, from Bremen; I never did any thing wrong in Germany, before I came here; my father and mother are still living in Baden; I had a brother and sister; my father is a carpenter; I had no trouble at home; I thought this was a better country; I worked at home at farming for my father; I was never brought up to any trade.

I was born at Baden; I am twenty-four years old; I enlisted in two hours after arriving in New York, on Saturday, the 9th of May, 1863; I went into the Forty-first New York Infantry, about two o'clock in the afternoon, after drinking in a lager beer saloon in Greenwich street; I went into the Twelfth Pennsylvania Cavalry next; I stayed in New York until the following Monday; then I got the money for my clothes; they sent me away on Monday about six or eight miles from New York; I stayed there, and then we went to Washington.

I stayed there about six or eight weeks in all, then I deserted there, I went to

Baltimore for Philadelphia, and then to New York.

I enlisted first in the Forty-first New York Infantry Regiment (De Kalb Regiment) and went to Charleston, South Carolina; then, on Saturday, nine months after, we were ordered to Washington; we got there on Sunday afternoon and we stayed there; I left my musket there and deserted right away; I went to some place in Washington and got some clothes; I stayed there until Monday morning, and then I went away for New York; I came to the Baltimore depot and was arrested by the Provost Marshal at Washington, and was kept for five days; he asked me what regiment I belonged to; I told him I never was a soldier; then he sent me away after five days; he brought me to the Baltimore depot, discharged me, sent me to Baltimore; so I came to Philadelphia, and went to Christian Moore's hotel in Front street.

Then in September, 1864, I enlisted in the Fifth Cavalry; that is all the regiments I have been in; I was discharged on the 28th of May, 1865, at Richmond; I came back to City Point, and up to Philadelphia; then I went and got my bounty; spent that in fourteen days; I went to New York; stayed there in Greenwich street, six or eight days; I stopped at the Wirtemberg House on June 8th, 1865.

*Chief Franklin.*—Yes, your name is registered there; your right name.

*Probst (apparently surprised).*—My right name; I did not recollect that.

Then I went over to Hoboken. I stayed there about three weeks, in New street, and worked there at gravelling and shovelling; I went to New York, and came back to Philadelphia; I went to Chris. Moore's, stayed there two or three days, and then I looked for work; I went to work in a sugar factory in St. John street; I gave my right name there, Antoine Probst; I worked in only one sugar factory; I do not know which one is the right one; it was near a big church.

*Chief Franklin.*—It was at Levering's refinery; your name is registered on the books.

*Probst.*—The work was too hot for me. I worked there three weeks; I stayed a good time then in Front street; I had nothing at all to do; I got a room afterward at Third and Brown streets, in a candy store; then I went to the employment office; they sent me to Maryland, to pick peaches; I stayed there about three weeks, when I got sick with the fever; I came to Philadelphia, and got a home at Thirteenth and Christian streets, in the Soldier's Home; I stayed there about two



days, and then went to Chris. Moore's, at Front street; I stayed about fourteen days with him, and washed the carriage and did other things for him; then I went in the country, about West Chester; I never worked in Jersey; never long in any place; I came back about November of last year, and stayed at Chris. Moore's six or eight days; then I got sick and my money had all run out; I spent my money in drinking beer and with women (laughing); then I thought the best thing to do was to go to the Almshouse; I got a ticket at Third and Brown streets, from the visitor of the poor, and went to the Almshouse about the 1st of December; I was sick there four or five weeks, and worked in the kitchen, in the cook house.

### HIS WORKING AT THE DEERING FARM.

I went to Deering's—I forgot that, after coming back from Maryland; I travelled around through the country; I was sick, and then I went down to Deering's; I stayed there about three weeks; I went there first, as I was looking all round for work; Mr. Deering did not come after me; I went down to his place in the morning, about eight o'clock; he was not at home; the woman was alone with the children; I told her did she want a man to work; she told me yes; she told me he is not home; he would be home in the afternoon or evening; I went away and went down in the evening, about half past five o'clock, and then he was there; he said yes, he wanted a man; he gave me fifteen dollars a month to work, to do every thing that was to do on the farm; I stayed there about three weeks; about three or four days before my time was up, I left; a rainy, very rough day he sent me out there to work in the field; I did not want to work in the field that rainy day; I said he had better pay me off, I would go away; he said, that is all right; he paid me off and I went away.

### DISCHARGED BY THE DEERINGS.

At the time I was there, I saw him counting a good deal of money; he had the horse and cart out that day for Cornelius to go the city; I got in with the boy, and with my bag, and rode up to the city.

I went to Chris. Moore's again; I had not been to Leckfeldt's all this time; I was out of work three or four days; I went out in the country, round about; then I came back again to Chris. Moore's about three weeks after; I stayed there about twelve or fourteen days, working, feeding his horse, and cleaning his carriage; then I went to the Almshouse, as I said before, and worked

in the cook house till the 1st of February, and gave my right name there; I got a pass from there and came back; then I went to Chris. Moore's, stayed two days in February there, and one day at Leckfeldt's; I left a carpet-bag there; it had a pair of pants, a couple of shirts, a pair of boots, a segar box, and necktie in it.

### RETURN TO THE DEERING FARM.

I stayed here one day, and then went down to Mr. Deering again on Friday evening; that was on the 2d of February; I told him I had no work and no money; I wanted some work; I told him before, the first time, I wanted to go to Germany, but I had spent all my money and did not go; then when I came back, I told them I was in Germany, and that I walked all the way from New York; I had no baggage with me; *I made up my mind to get some of the money; that is what I went back for;* I worked with him, and was four times with him to the drove yard; I made there the acquaintance of a man, who talked with me, and seemed as if he would like to have me over there to work.

### HIS NEFARIOUS SCHEMES.

I was watching an opportunity some time to get hold of this money. (The prisoner kept on slowly, drawing deep breaths for a few moments.)

I planned every day to get the money, and never had a chance; I never thought of murder before that morning I murdered them. I had tried no way to get the money before that.

*Mr. Perkins, Jr.*—Probst, what did you say before—about eight days before the murder?

*Probst.*—Yes; eight or ten days before I had thought of that, of murdering him and the whole family. My first plan was to kill him and get the money; I could not get the money in any other way; I thought of killing them in the house, as they came down in the morning. I got the axe sometimes ready for them when they came down, in the evenings sometimes; I did not do it then; I never could do it; I got sometimes a good chance, but my heart failed it; Deering was home always in the evening.

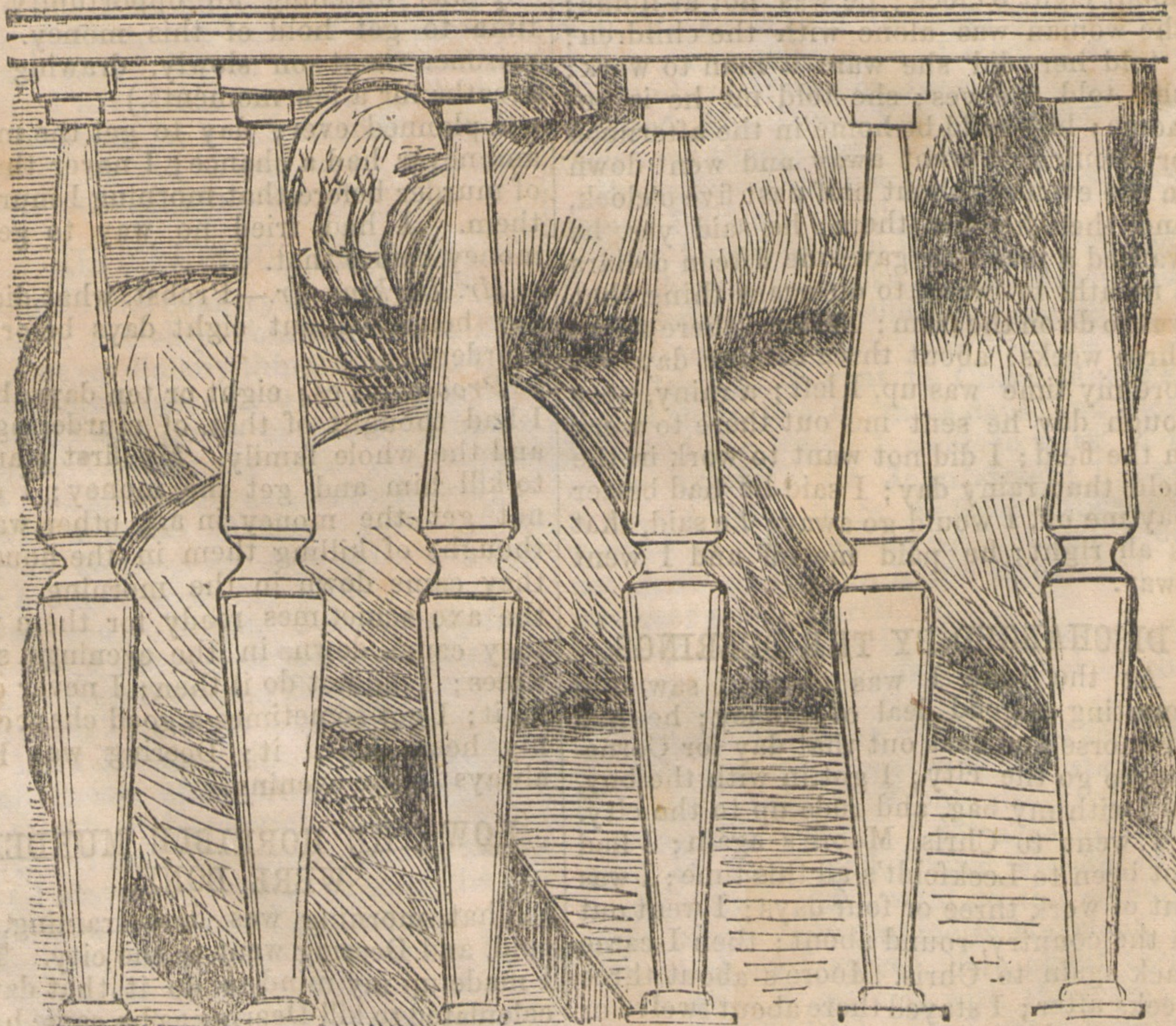
### HOW THE HORRIBLE MURDERS WERE DONE.

That morning was dark, raining, and cold, and Deering went to the city. Then I made up my mind to do it that day; I calculated to kill Deering as he came home. I did not know whether the money was in the house or not; I did not know whether he had it.



days, and then went to Mrs. Moore's at the cook house till the 1st of February. I got a pair of trousers and gave my right name there; I got a pair of trousers from their and came back; then I went to Mrs. Moore's. I stayed two days in Mrs. Moore's room, and on the 3rd of February I left a carpet-bag there; it had a pair of trousers, a pair of shirts, a pair of boots, a cigar box, and pocket in it.

RETURN TO THE DEERING TOWN. I stayed here one day, and then went down to Mr. Deering again, on 1st day even- ing; that was on the 10th of February; I had but I had no work and no money; I went down to his place in the morning, I was watching an opportunity some- where to get out of there.



PROBST ON TRIAL.

...now whether the money was in my pocket or not; I did not know whether...







### THE KILLING OF THE BOY CORNELIUS.

Me and the boy were working out on the bank; we went to work that morning about half past seven or eight o'clock I guess. Mr. Deering went up to the city before we went out; he said he would be back about one o'clock. We went to work in the meadow, about one hundred yards from the haystack; we took the horse and cart and went to work together; I took with me to kill him, the axe, the big axe for cutting roots out also.

We were standing under the big tree when I killed him; it was raining a little; he sat down under the tree and I stood above him, behind him, with the axe in my hand. He sat there and talked of something about work, while I stood right behind him. I was going to kill him, and drew my hand back three or four times; I hit him on the left side of the head; he did not holler; he fell down; I gave him one or two more blows, and then cut his throat. He bled much (the prisoner stopped, looked down on the rosary, and ran his fingers over the small beads of the rosary) on the tree; I lifted him up, and put him on to the cart; he had the strap every time round him, to keep his coat up. That was all in full view of Mr. Wiles's house; I was not afraid of them seeing me; I looked first; then I drove the horse up, and lifted him up and laid him in the haystack and covered him up with hay. There was a little blood on the cart; I took a little hay and wiped it off; I took some outside hay and threw it over him.

### BUTCHERY OF THE MOTHER AND LITTLE CHILDREN.

Then I took the axe with me to the house, and also took the horse with me; this was about after ten o'clock in the morning. I came to the house with the horse and cart, and had a little wood on the cart, and put the wood down in the yard; I left the horse and cart stand at the machine house; did not unhitch the horse. I went into the stable and laid the two axes and the hammer in the corner, right on the left corner, near the narrow door that faces the ditch; well, then I would go over in the house, and had a little blood on my pants; I took hay and took it off; then I went over in the house, and the children were all in the house, and the woman was out at the ditch for water.

I took the oldest boy, John is his name, and told him to go over in the stable and help me with something I had to do. He goes; I stood inside the door, got my axe in my hand, the little axe, and then he

comes in; through the long entry first he comes, right on the corner. I knocked him down, and he fell inside where the little blood was; he did not holler; I gave him one or two of the same, and cut and chopped his throat; I brought him in, hauled him in through the hole, and put a little hay on him; then I put the axe to the same place at the door. Then I came out in the house and told the woman to come over, there was something the matter with the little horse, the colt, I could not tie it myself.

I went over; she comes in two or three minutes alone; I said nothing to her; she comes in the stable; I stood inside and struck her on the head; she did not holler; I gave her two or three more blows, and chopped her throat; I took her on my shoulder and hauled her in; I had to crawl in first, and then pull her in; then I put the axe in the same place as before at the door.

Then I go over and bring the boy over there; Thomas is his name, the next oldest; I told him to come over, his mother wanted him. He said nothing at all, and comes over right away; he came in the same place; he walked before me; I walked behind him; he walks right in the stable; when he comes there I killed him by striking him in the same place; nobody did holler; I hit him on the head when he laid down; I hit him once more; I do not know whether I mashed his whole skull in; I did not examine him; I brought him in the same place with his mother; then I left the axe in the same place.

### THE LITTLE ONE.

Then I went over to the house and took Annie; I told her her mother wanted to see her in the stable; she did not say a word; then I took the little baby; I took it on my arm; the little girl walked alongside of me; I left the baby on the first corner as you go into the stable; I left the little baby there playing in the hay; then I go in the same place where I killed the others; she looked around like for her mother, who was in the hay (smiling); I was not warm; she did not say any thing; I knocked her down at the first blow, and cut her throat the same as the others; then I went back and got the little baby, and struck it on the head in the same place; then I hauled them in the same place.

Then I took the new axe and washed it off, and put it on the bench in the porch, and left the little axe in the stable, by the door on the left side; then I went over into the house; I took the horse out of the cart and put it into the stable; then I



went over in the house, and stayed there watching for him to come; I did not search the house then.

### MURDER OF MR. DEERING AND MISS DOLAN.

I guess about half-past one o'clock, I do not know the exact time, I saw him coming, out of the window; I looked through the window and saw him coming, and went out down-stairs and saw Miss Dolan in the carriage, and then I was worried; then I go out of the house and stay outside until he come; when he is come with the carriage I stepped out to the carriage and told him that the steer is sick over there in the stable; I told him he looks very bad, he had better see him, I would like him to go over and see him; then he comes right away, walking over there; he left the horse standing there; Miss Dolan went into the house with all her clothes.

Then I went to the stable and walked behind him; I took the axe behind him in my hand; I walked behind him and hit him right on the head with the small axe; he fell right down on his face; I turned him over and gave him one or two more on his head, and cut his throat, and chopped his throat; he never spoke to me, or said a word; he told me was that steer hurt very bad; he did not look so bad when I saw him; I will go right over to the barn and see him; then I put a little hay over him and left him laying there; I killed him at the place where you go up to the hay mound, where the blood is on the boards; I put a little hay over him; going out, I put my axe in the same place, the small axe; I had the hammer there.

And then Miss Dolan called me over there in the house; I said the horse would not stay there; I would walk the horse around and put the horse out of the carriage; I walked over there and said Mr. Deering wanted to see her over in the stable; she asked me where the woman and the children are; I told her they are all in the stable (smiling); that is all I talked to her; she walks right in the stable; I took the hammer with my left hand and she was five or six feet inside the door; I hit her on the head once with the hammer, and she fell right down on her face; I turned her round, hit her once in the head, and took the little axe again and chopped her throat; then I went to Mr. Deering and took the watch and pocket-book from him and put them in my pocket; and then I went back to Miss Dolan to see if she had money; I looked into the pocket and took a pocket-book and put it into my pocket; after that I took Mr. Deering's

boots off, and laid him in the same place where you found him, and put Miss Dolan there, and covered them up with hay.

### THE ROBBERY OF THE HOUSE AFTER THE MURDERS.

Then I went out and shut to the doors; went over to the house; put the carriage and horse into the stable, and took the gears off of him; I gave the horses something to eat, oats, corn; then I shut the door; I went over to the house, and put the carriage in its place in the carriage-house; this was about half-past two o'clock; I cannot tell exactly what time; then I went into the house inside, shut the door, and fastened the door; I took my pocket-book out to count the money; I took first the big pocket-book out, Mr. Deering's pocket-book; I found ten dollars in it in greenbacks, and two two dollar notes, and a counterfeit three dollar note; that is all the money I saw; I took Miss Dolan's pocket-book, the little one; I opened it, and saw nothing in it but postage stamps; I am certain there was none in it; I will not now lie.

I thought they had much money (laughing); I left the watch and pocket-book on the table and went up-stairs; I found a pocket-book of Mrs. Deering's, that little one on the bed there, with a yellow clasp on it; it had three dollars in it, in greenbacks, and about sixty-five cents in small change; under the bed there was a little revolver, loaded; I got down-stairs; I looked all over and I cannot find more; I took the revolvers down, and put them among the other things; then I went up-stairs and looked all over; I searched about but I cannot find any other thing; I took the three shirts and pants and vest down-stairs; and after that I shaved myself with Deering's razor, the one in the carpet-bag; then I washed myself, and dressed myself, and put his clothes on; then I eat something, bread and butter.

I saw the big butcher knife on the mantel-piece many a time before, but I did not notice it that time, and did not put it there; then I eat something (bread and butter), and went up-stairs again; looked all over again, and did not find any thing; I took all I could in my carpet-bag down-stairs, Miss Dolan's carpet-bag, and packed it up, and made it ready to go way with; I stayed in the evening until six or half-past six o'clock; it was not very dark then; about sunset; I did not then see anybody coming through the yard; I had the doors locked, and the window, too, in the yard; I had nothing in the house to defend myself in case anybody came.



## HIS FLIGHT AND CAROUSINGS.

I left there about half-past six; I went down Jones's lane to Point House road; I carried the carpet-bag through the meadow; did not go by Mr. Wiles', but across the meadow; I left the door open in the barn for the cattle to go in and get some hay, but I fed the chickens and cattle, all of them, before I left.

*Question—By Chief Franklin.*—What did you think they would do for water?

*Probst.*—I thought they had water enough there outside; I went up the Point House road; one dog followed me; the little yellow dog; I drove him away for a time, but he followed me; none of the dogs followed me before around the barn; I went in Third street car; then the dog did not follow me; I went up Third to Callowhill street; I got down, and walked from Callowhill along to New Market street, and then to Leckfeldt's; I took my carpet-bag there and gave it to him to save for me, and an umbrella; am certain I did leave it there.

I am sure that was Saturday night; it was not so that I was there on Sunday noon; I treated him and another fellow there, one a Dutchman, a big man; do not know his name; they called him the beer brewer; it was not Heinrich Baer; then I went to Front street, about seven o'clock or after, anyhow, eight o'clock, and stayed there about half an hour; then I go over to Germantown road, to Stropes; I told him I had a pistol to sell, and told him I worked in Camden, over there in a saw-mill; I promised to bring the pistols back on Saturday, at half-past ten or eleven o'clock; I went over there to Leckfeldt's; I stayed there the whole night with that woman, and then next morning I went to Chris. Moore's; then to Leckfeldt's; eat my dinner there, and drunk lager beer; I stayed there then in the evening, and then went home with that other big woman; I was there about fifteen or twenty minutes; then I went back to Leckfeldt's; I gave her the \$2 note; I offered to give her the watch in exchange for it, when she came over there for other money; I did not want to give her other money, but I offered her the watch, the silver one; she would not take that watch; she told me she would take a revolver if I had one; I told her I had none; I stayed at Leckfeldt's Sunday night, Monday night, Tuesday night, and Wednesday night; then I slept down on the wharf, on Brown street wharf; there are plenty of boats there; I slept in one of them; then I got out in the morning about six o'clock, and sold the watch on Thursday morning to Mr. Al-

geier; he gave me \$4; then I went back to Leckfeldt's and paid him \$3 and about sixty cents; then I had about forty cents left; I took my dinner there, and in the evening my supper.

About half-past seven o'clock I went away with that Heinrich, and walked about two squares with him; then I told him I would go back to Leckfeldt's; then I walked out Market street; I wanted to go into the country; I wanted to go right through the whole country (smiling); I felt bad; I had seen an account of it in the papers; I looked into them every day; I seen it first on the morning I was arrested; that was the first time; I was then in Leckfeldt's; it was in a German paper; I had a talk about it there; he talked the whole time about it, Leckfeldt, and everybody who came in there; the police came in there inquiring about that; they were talking with Leckfeldt this day I stayed there; I expected to be arrested.

I did not see the officers doing any thing when I went by them, near Market street bridge; I heard them talking, and heard them say, *that is the man*; and then I walked; I walked pretty sharp (laughing), and when he came behind me (smiling) I could not do any thing; he asked me, right on the bridge, I do not know exactly what; he told me I was a Dutchman; I told him no, I was a Frenchman, (laughing and playing with the beads of the rosary); he told me to come back with him; I could do nothing with him; I could not do any thing more, nor I would not have done any thing then, if I could have done any thing; I did not care whether I was caught or not; I had no money (laughing); I feel not right; I was sorry for what I had done.

After I killed the first boy I did not care if a hundred were there; if a hundred had gone there I would have killed them all without caring; I do not know why I felt that way; I had no feeling against the family, only I wanted the money; they always treated me well.

## THE MURDERER'S FEARS.

I feel better since I have told the truth about this thing; I feel relieved; I was afraid to say it at first—afraid of being lynched, afraid of the crowd, and that the police force could not keep them off; I am satisfied I had a fair trial, and the witnesses testified to the truth, except Leckfeldt, saying I went and stayed there only one night, when I stayed every night.

*Chief Franklin.*—Well, Probst, how could Leckfeldt remember exactly, when he may have had a hundred boarders coming and going?



*Probst.*—He knew nothing about this case; I opened the carpet-bag there and showed my pistol; I sold the other watch in Second street near Poplar.

*Chief Franklin.*—I searched for four squares around there and could not find it.

*Probst.*—I am sure of that; I got two dollars for it; I sold it to a man behind the counter; one of the hands was broken off; I got nothing else but what was found; every thing was there but that watch and umbrella; I took the boots off Mr. Deering's feet after he was killed, before I killed Miss Dolan; but I did not put them on until after I killed Miss Dolan; I took them off because I guessed he had something in his boots, some money; I put on his boots and took off my own shoes I had on and left them there; I had Mr. Deering's boots

on, pantaloons, shirt, and necktie, when I was arrested.

None of these people said a word or hollered when I killed them; I do not know whether one of the boys threw up his hands; I guess Mrs Deering got her hand chopped; none of them said any thing neither the baby; I did not wish to leave the baby because I was afraid it would cry or make a big noise; I was in a hurry when I killed the baby and did not look, and that was the reason I cut it in the shoulder.

I was in the fight at James' Landing before I left the army; I lost my thumb with my own gun; I was out on picket several hours, and I was sleepy; after awhile I stumbled, and somehow while my hand was partly over the muzzle, the gun exploded and my thumb was shot off.

## THE DEATH-WARRANT.

### THE READING OF THE DEATH-WARRANT OF PROBST.

The Murderer is to be Hung on June 8th Ensuing.

THE warrant of his Excellency, Governor Curtin, fixing the time of the execution of Antoine Probst, was read to the doomed man at quarter before twelve o'clock yesterday. By a previous arrangement between the Sheriff and the Governor, the fact of the signing of the death-warrant was kept private in order to prevent any excitement. This was so admirably arranged that the entire ceremonies yesterday were conducted with all due respect to the solemnity, dignity, and calmness as contemplated by the law in dooming a human being to death.

Sheriff Howell, Mr. Charles Gilpin, law-adviser; Mr. Enoch Taylor, chief deputy sheriff; Mr. Wm. R. Leeds, execution clerk, and several representatives of the press, proceeded to the prison, and, in company with Mr. W. B. Perkins, the superintendent thereof, entered the cell of Probst. He was seated on his bed; was perfectly cool and resigned. A priest of the Roman Catholic Church, who requested that his name be omitted, was with him, giving him all the consolation he could, under the influence of religion.

Sheriff Howell entered the cell with the

death-warrant in his hand. Upon being introduced by Mr. Perkins, he stated in a firm, frank manner the object of his visit, it being entirely official. He remarked that he had an important message from the Governor of the State which he desired to communicate to the prisoner. It was rather an unpleasant duty to perform; it was the same that he had already performed on two occasions in the same cell.

Probst was still seated on his bed, his leg being shackled and chained to the floor. He was resigned to his fate, and listened attentively to the reading of the official document, of which the following is a copy:

PENNSYLVANIA, ss.

A. G. CURTIN.

In the name and by the authority of the Commonwealth of Pennsylvania, Andrew G. Curtin, Governor of the said Commonwealth, to Henry C. Howell, Esq., High Sheriff of the City and County of Philadelphia, sends greeting:

Whereas, At a Court of Oyer and Terminer, held in and for said city and county of Philadelphia, on the twenty-eighth day of April, A. D. one thousand eight hundred and sixty-six, a certain Antoine Probst was convicted of murder in the first degree, and was upon the first day of



May sentenced by the said court to be hanged by the neck until dead.

Now, therefore, This is to authorize and require you, the said Henry C. Howell, Sheriff of the city and country aforesaid, to cause the sentence of the said court to be executed upon the said Antoine Probst, between the hours of ten o'clock in the forenoon and three o'clock in the afternoon of Friday, the eighth day of June, A. D. one thousand eight hundred and sixty-six, in the manner directed in the seventy-sixth section of the act of the General Assembly of this Commonwealth, approved the twenty-first day of March, one thousand eight hundred and sixty, entitled "An act to consolidate, revise, and amend the laws of this Commonwealth relative to penal proceedings and pleadings," and for so doing this shall be your sufficient warrant.

Given under my hand and the great seal of the State, at Harrisburg, this eighth day of May, in the year of our Lord, one thousand eight hundred sixty-six and of the Commonwealth the ninetieth.

By the Governor: ELI SLIFER,  
Secretary of the Commonwealth.

The recital having been concluded, the prisoner bowed his head submissively in acknowledgment of the justice of the sentence. He said he was ready to die. The attending priest informed the Sheriff that the prisoner was perfectly resigned to his fate; that he feels the yielding of his life is the only atonement he can make for the great crime he has committed. The priest also said that he had officiated on a number of similar occasions, and he never saw any man more thoroughly resigned than Probst.

In answer to a question, the prisoner replied that he was twenty-four years and four months old, and that he arrived in this country on the 9th day of May, 1863.

The Sheriff stated that he had been called upon by ministers of the gospel and members of the Society of Friends, who desired to visit the prisoner, and he would like to know whether such visits would be agreeable. The priest conveyed this in German to Probst, and replied that the prisoner did not desire any person belonging to any religious society, or anybody else outside of the Catholic Church, to call upon him.

The interview now ended, and the official visitors departed, leaving the doomed man alone with his religious adviser.

A very great change had overcome the bloodthirsty wretch from the day before. Then he was restless and wild; but yesterday he was tame and submissive. He seems to have no fear of death; and it is probable, although the blood of eight victims is fresh upon his soul, that he, like Peter Mattocks, will be sure of stepping from the scaffold directly into heaven.

It is believed by his priest that he will walk to the place of execution with great firmness. It is quite probable that he will nerve himself up to meet his fate with apparent submission, provided he does not cheat the gallows, and stain his guilty soul still deeper with the crimson of his own callous heart. The gallows will be erected on the same spot where Armstrong was hung. It is probable that Probst will be allowed to drop at least five feet. He is an ugly-shaped person, the upper part of his body being out of proportion to the lower part. His neck is thick and strong, and will require a pretty good jerk to separate the vertebra. The fixing of the day of execution to take place on Friday, June 8th, shows that the Governor has fully allowed the bloodthirsty murderer the full leniency of the law, namely, thirty days from the time of signing the warrant. The 8th of June will be the thirty-first day from that period.

THE END



## Execution of Antoine Probst—Scenes at the Prison—The last Hours and Demeanor of the Criminal—The Gallows and the Execution—Medical experiments.

The extreme penalty of the law was inflicted upon Antoine Probst, at a quarter before eleven o'clock, June 8th, 1866, within the walls of the county prison.

The prisoner was attended during his confinement by the Rev. A. M. Grundtner, of the St. Alphonsus Church, corner of Fourth and Reed streets, and the Rev. Peter M. Carbon, of the Holy Trinity Church, corner of Sixth and Spruce streets.

Owing to the great excitement among the people, all of whom desired to see the culprit hung, many beset the Sheriff for permission to witness the execution. This gentleman was applied to by hundreds of distinguished persons from Massachusetts to Missouri, for cards of admission. The Sheriff soon found that he could not accommodate everybody, and at an early day he determined to confine his action as strictly as he could to the requirements of the law. This excluded some of the members of the press of this city. All were excluded who came from other parts of the country.

### THE EXECUTION.

The gallows, upon which Probst was hung, have been in use in the prison for many years. The last person hung thereon, previous to the present culprit, was a deserter at Fort Mifflin. That event occurred a short time before the end of the rebellion. They were erected yesterday in the right angle formed by the western wall and the partition wall that divides the male and female apartments of the prison. This was the most secluded spot within the walls.

At half past nine o'clock in the morning, the Sheriff and a few of his regular deputies, the jurors, legal advisers and representatives of the press, assembled in the room of Signor Blitz, at the Assembly Building, this place having been agreed upon by the Sheriff. Signor Blitz was present, training his canary birds. Mr. J. E. Salter, the assistant solicitor, called the roll, and each person answered as his name was announced.

At 9.45 a car on the Tenth and Eleventh streets passenger railway, especially appropriated by Mr. George W. Williams, the president of the company, stopped in front of the main doorway, and the party entered.

At ten o'clock the car halted at the debtor's apartment, and the entire party passed through the side gateway, flanked by police officers.

Mr. Samuel S. Money, the keeper, received the officials in the front reception room.

The roll was again called, and all were found to be present—thirty-five persons besides the sheriff. A line was formed, and the procession moved to the prison, entering in at the north gateway, and, filing to the right, passed into the reception room adjoining the east end of the convict side of the jail. Sheriff Howell at once announced his arrival, and that he was ready to proceed with the execution.

### THE SWEARING IN OF THE JURORS.

The twelve jurors were now sworn in by Mr. Deputy Solicitor Salter; after which, Mr. Charles Gilpin, the solicitor, read the death-warrant, as issued by Gov. Curtin. This was 10.30 A.M.

### INTERVIEW WITH THE INSPECTORS.

During the ten or fifteen minutes that elapsed after the Sheriff had communicated his views with the Rev. Mr. Grundtner, we had some conversation relative to the prisoner. He was at-

tended by his clerical advisers from seven o'clock in the morning. This was earlier than usual. The prisoner slept soundly during the night. He took breakfast at half-past seven o'clock in the morning. It was served from the family table of Mr. Superintendent Perkins. It consisted of bread and butter, coffee, and two soft boiled eggs.

Colonel W. H. Keichline, one of the inspectors, stated that the prisoner was relieved of his shackles on the evening previous to the execution. He had the full freedom of the cell during the night. The outer or wooden door of his apartment was wide open; the iron-grate door was closed. A private watchman was deputized especially to watch him during the night, in case any attempt at self-destruction should be manifest. He had repeatedly said he was sorry, and desired to make as full an atonement as he could for the awful crime he had committed. He was willing to undergo any kind of a death; would die eight times if he could. He would endure any kind of punishment, even being nailed to a cross, if such were necessary, to atone for the crime of which he confessed his guilt.

### SCENE IN THE CELL.

Upon entering the cell of the doomed felon, at 10.27 A. M., Sheriff Howell, in a firm and respectful tone, thus addressed the prisoner:

"Antoine Probst, I have come to inform you that I am ready to proceed with the execution provided by the law. I am told by your kind, spiritual advisers, that you are ready to meet it."

The condemned man replied, in tremulous tones:

"That is so."

The Sheriff now motioned to move from the cell. Upon passing out of the cell the prisoner shook hands with the person who had been specially delegated to watch over him; he bade him good-bye, and at that moment a tear started in the eye of the condemned. At 10.32, the prisoner reached the room where the line of procession was already formed. He was accompanied by the Rev. Messrs. Grundtner and Carbon. He was bareheaded. He was in his shirt-sleeves, and wore a pair of old gray pantaloons, and a pair of pretty well worn-out lace boots. He carried a crucifix between his clasped hands, they being elevated to the top of his breast.

While on the way to the scaffold, the clergy were unremitting in their endeavors to console the wretched criminal, and he several times clasped the crucifix to his breast with all the fervor of religious devotion. He walked with a firm step to the fatal spot where he was soon to expiate his crime. Upon reaching the gallows he ascended the steps very firmly, and turning his eyes upward, surveyed the noose pending from the cross beam. He was followed by the clergymen and the sheriff, and the prison superintendent.

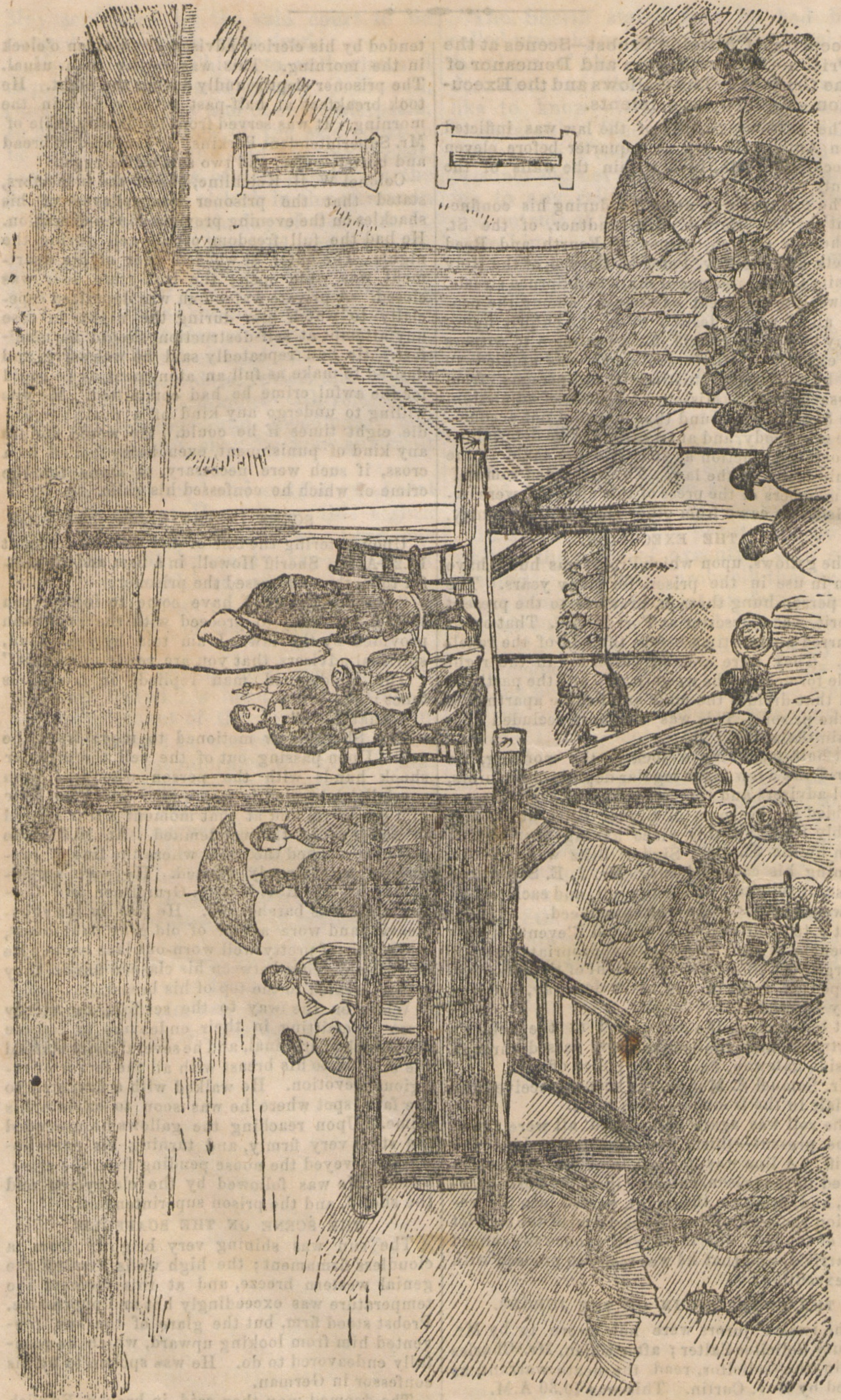
### THE SCENE ON THE SCAFFOLD.

The sun was shining very brightly from a cloudless firmament; the high walls kept off the genial western breeze, and at this moment the temperature was exceedingly hot and oppressive. Probst stood firm, but the glare of the sun prevented him from looking upward, which he painfully endeavored to do. He was spoken to by his confessor in German.

The doomed man then said, in broken English accents, "God will forgive me."

He now knelt, and repeated the words of the prayer read from the book by the Rev. Mr. Grundtner. At this moment the clerical adviser enrobed himself in a purple satin collar, with





Execution of Antoine Prost, for the Murder of the Deering family.

INTERVIEW WITH THE EXECUTOR.  
 During the day of the execution, I was  
 after the Sheriff had communicated his views  
 with the Rev. Mr. Grundner, we had some con-  
 versation relative to the subject. He was at-

The doomed man then said in broken English  
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 enfolded himself in a purple satin coat, with

... was exceedingly  
 ... the high  
 ... and at  
 ... but the glass  
 ... looking upward  
 ... He was a  
 ... in German.



golden embroidery, and then continued the religious service.

The prisoner arose and kissed the crucifix. Now he began to tremble, as though he had an ague. He attempted to stop this, but it was very evident that his nervous system was becoming weaker. He and the Rev. Mr. Carbon now knelt again, while the other clergyman stood upright.

Probst then made the sign of the cross with his right hand, holding in his left the crucifix.

The Rev. Mr. Grundtner then also made the sign of the cross on the person of the felon, after which the latter arose to his feet. He did not tremble at this moment. He kissed the crucifix three times, after which he took leave of his attending clergymen. They descended, leaving the prisoner alone with the Sheriff and prison-keeper. As they advanced to the centre of the scaffold, Probst seemed to suit himself so as to give as little trouble as possible in adjusting the rope. His hands were fastened behind him by means of handcuffs. The white cap was then drawn over his face. The next moment he alone stood like a statue on the brink of eternity. His breast heaved heavily in the process of breathing. Father Grundtner speedily ascended the steps, and waving his hand, Sheriff Howell pulled the rope, and in an instant the wretched criminal was dangling in the air, having fallen three feet.

A slight sickness overcame the Sheriff, but it passed away in a moment. He has performed his duty well. There never has been such a quiet execution within the walls of the prison. The doomed man hung perfectly motionless for two minutes. He then slightly vibrated his lower extremities. This was immediately followed by intense tremulousness of his limbs. In a few minutes his heart pulsated its last throb, and Probst was no more. The law triumphed, and justice was satisfied. He was hung at 10.45, and at 11.13 was cut down, and his body taken into the paint-shop.

#### AN EASY DEATH.

While the culprit was hanging, a remark was made that he seemed to die easy.

"Yes," replied Mr. Perkins, "there is every thing in knowing how to fix the knot."

The jurors now completed their duty by affixing their names to the following

#### RETURN.

We, the undersigned jurors, summoned by Henry C. Howell, high sheriff of the city and county of Philadelphia, to witness the execution of Antoine Probst, first having been qualified, do hereby certify that "we were present and saw the said Antoine Probst executed by hanging by the neck in the yard within the walls of the Philadelphia county prison, at 10 o'clock and 45 minutes, A. M., on Friday, the eighth day of June, Anno Domini one thousand eight hundred and sixty-six, in pursuance to the act of Assembly in such case made and provided."

#### SCIENTIFIC EXPERIMENTS.

The body was placed in the hands of Dr. B. Howard Rand, who, with five assistants, proceeded to make a number of scientific experiments. The first of these consisted in the examination of the eye, with the aid of a powerful electric light, for the purpose of detecting an image remaining upon the retina.

The right eye was afterward taken out, to allow of more careful examination, as there is a modern scientific theory that events occurring immediately before death remain impressed upon the retina.

The galvanic battery was then applied, one pole being placed in the mouth, and the other to the temple. A powerful current was then passed through the wires, producing a fearful contortion of the frame.

The jaws worked convulsively, and the chest heaved as with a strong respiration. This action was, of course, purely mechanical, as the neck had been broken by the fall, and life was entirely extinct.

The post mortem of the body will be made by Dr. Pancoast, before the class of the Jefferson Medical College, this morning.

#### COPY OF A LETTER WRITTEN BY PROBST.

The following is a faithful copy of the epistle, translated into the English language. The letter was superscribed as follows:

"Mr. Martin Probst,  
"Uehlingen Amt,  
"Bondorf,  
"Grand Duchy of Baden,  
"Germany."

"PHILADELPHIA, 7th of June, 1866.

"DEAR PARENTS, BROTHERS AND SISTER:—I do not know whether or not you received my last letter, in which I sent you the sad intelligence of my fate. I desire to write to you once again, to inform you how I have spent my time here in the prison. I have now spent eight weeks in this cell, and have endeavored to prepare for my death as well as I possibly could. The clergyman has visited me every day, and has instructed me well. I have several times confessed and received holy communion. Besides this, many prayers are offered up for me throughout the entire city, and therefore I am now so cheerful and consoled that I can gladly offer my life as an atonement for my fearful crime. I trust that you also will be consoled and cheerful as I am.

"The clergymen will send you all the particulars of my death. I only entreat you all, pray for me. Have the holy sacrifice of Mass offered up frequently for the repose of my poor soul.

"Joseph Wächter has also visited me several times during my imprisonment. He will send you my picture and a lock of my hair.

"The eighth of June has been appointed as the day of my death, and to-morrow will be the eighth of June; on which I am ready to offer up my life with greatest joy for my sins.

"I trust to meet you all in eternity, in a happier and better place, and this hope makes me rejoice with my whole heart.

"I will now close my letter with many thousand greetings to all of you.

"I send a most heartfelt farewell! May we meet again in a better world.

"ANTON PROBST."

Joseph Wächter, who is alluded to in the above letter, is the only person known to be connected with Probst's family in America. His sister is married to a brother of Probst in Germany.

#### PROBST'S AUTOGRAPH.

The last autograph written by the felon was presented to Charles H. Graffen, by Mr. Schuyler, the keeper of Probst.

#### AFTER SCENES.

After the execution was over, a limited number of persons, who had congregated on the outside of the prison, were admitted to view the body. Every thing was orderly; the police arrangements were admirable.

It was stated to us that Mrs. Elizabeth Dolan, the mother of one of the victims, was in the crowd, and anxious to gain admission to see the murderer hung. Her wish, however, could not be gratified. Whether she was or was not admitted into the prison after the execution, we did not learn.



# A GRAPHIC ACCOUNT

OF MANY OF THE MOST

## HORRIBLE AND MYSTERIOUS MURDERS

COMMITTED IN THIS AND OTHER COUNTRIES.

### A TALE OF HORRORS!

**GREAT POISONING REVELATIONS!—SIXTEEN PERSONS POISONED BY THEIR PHYSICIAN—AMONG THE NUMBER LORD GEORGE BENTINCK, AND THE POISONER'S WIFE AND BROTHER—IMMENSE FRAUDS ON LIFE INSURANCE COMPANIES.**

POISONING has been for centuries a favorite method of despatching persons to the other world. It was a frequent crime in the palmy days of Imperial Rome, and many empirics, for a golden bribe, gave their hateful nostrums to gratify vengeance. The Egyptians were well acquainted with the noxious qualities of certain drugs, and the Hindoos, Mexicans, Peruvians, and aborigines of America, knew how to prepare the most deadly compounds.

The mediæval Italians were exceedingly able chemists, and the aqua Tofana was extensively used. Catharine de Medici, Cæsar Borgia, and in later times, the Marquise de Brinvilliers and Margareta Gottfried have a fatal celebrity in history as poisoners. There are also many celebrated cases in the history of American law where poison was preferred as a quick and safe method of putting obnoxious persons out of the way.

The science of life insurance, both in the United States and Europe, is now well understood, and, properly pursued, is of immense benefit to a large class in the community, who can, by laying aside a small portion of their earnings, make some provision for their families or destitute relations, who are dependent on their labor. But as we will show in the following narrative, the system is liable to abuse, and sometimes opens the way to great crimes.

William Palmer, commonly known as

Dr. Palmer, applied to several insurance offices, to effect a policy on the life of Walter Palmer, and after the proper examinations had been made, eleven companies issued certificates to the amount of \$117,250. Shortly after all the arrangements were completed, Walter Palmer died. The insurance companies had ascertained the fact that Walter Palmer was exceedingly intemperate, and refused to pay any part of the premium.

When the body was exhumed, the effluvia was sickening. Some of the jurors fainted. The wainscotting was removed, and the room fumigated, before any one could enter with safety. This murder was useless.

Mrs. Ann Palmer, his sister-in-law, was the next victim chosen. About twenty thousand dollars were effected on her life. She had been a ward in chancery, and her guardians very reluctantly consented to her marriage. This lady was taken ill about the middle of September, and was attended by her brother-in-law, who declared her disease to be English cholera. She grew worse. Another physician was summoned, who pronounced her very dangerous, and requested additional medical aid. She, however, died. A post mortem examination was made of the body, but the particulars, at the request of Mrs. Palmer senior, were withheld from the public. Lord George Bentinck, son of the Duke of Portland, was also supposed to have been poisoned by the Doctor.

John Parsons Cooke, then familiarly known on the turf, was on terms of the greatest intimacy with Palmer. There had been some betting transactions between them. Cooke was known to have a large sum of money in his possession, in foreign gold and bank-notes.

He was suddenly taken very ill, and the



chambermaid of the hotel testified that the deceased partook of some soup sent by Palmer, a mixture and some pills smelling strongly of opium. A drug clerk also swore positively that about the same time he had sold Palmer strychnine and two drachms of prussic acid. The doctor also asked, what was the quantity of prussic acid necessary to kill a dog. The contents of the stomach were analyzed by a learned chemist, but no traces of poison could be detected, except strychnine, though all the tests for ascertaining the presence of both mineral and vegetable poisons were used, on this occasion. A jar containing the contents of the stomach were sent to London, and Palmer offered the post-boy fifty dollars, if he would contrive to fall and break the vessel as if by accident. The coroner listened to the evidence, and after a consultation with the counsel for the crown, committed the defendant to the jail at Stafford, to be tried at the following March assizes for the murder of Mr. Cooke.

A gentleman, whose name was not known, visited Palmer and remained with him for four or five days. He also died. Mr. Cooke suspected Palmer, and used the following significant language to a friend: "Take care of this money, for I believe that I have been dosed to get it." Five guineas only were found in the sick man's pocket after his death.

Palmer was fond of the turf, and purchased some race horses—Goldfinder, Chicken, and Nettle—well known on the course. Chicken was twice beaten at the Liverpool Autumn meeting, and once at Shrewsbury. Nettle was also unfortunate, and Palmer lost that season upward of thirty-five thousand dollars. He was then exceedingly embarrassed, and owed Mr. Pratt more than fifty thousand dollars. He was also heavily indebted to Lord William Bentinck and Mr. Cooke, whose betting book could not be found.

Like Fauntleroy, Palmer kept a record of all his misdeeds, and the murders he had committed. The following entry occurs in relation to Mr. Cooke: "Attended poor Cooke's post mortem." The *Liverpool Journal* makes the following statement: "*Startling as it may appear, the names of no fewer than sixteen persons are mentioned at Rugby, respecting whose death by poison at the hands of the prisoner statements are made.*"

After Palmer was incarcerated, no one was permitted to see him, and he refused all food, stating that it was his intention to starve himself to death. The medical officer informed him that if he did not voluntarily take some nourishment, it would be administered by the stomach pump.

He then consented to eat what was placed before him.

Palmer was convicted and expiated his crimes on the scaffold.

These occurrences transpired in the year 1857.

### WILLIAM BURKE.

THE UNPARALLELED ATROCITIES OF WILLIAM BURKE, A BUTCHER OF THE HUMAN RACE.

The evil deeds of this miscreant deserve an especial mention, and although many years have elapsed, still his name is held in just execration in the metropolis of Scotland, which he selected as the scene of his crimes. Vague rumors prevailed in Edinburgh. Men, women, and children went out and never returned. These were chiefly among the laboring classes—Irish haymakers. An idiot, who was well known in the city, and Margaret Campbell, an Irish mendicant, were missed from their usual haunts in October, 1829.

Her friends were not disposed to allow the matter to pass unnoticed, prosecuted the most vigilant search, offered rewards, and enlisted the services of the police. Their efforts were crowned with success, and her remains were identified by some parties, on the dissecting table of Dr. Knox. Some medical men who inspected the body, gave it as their opinion that the deceased had come to her death by suffocation, and that she had been murdered. Subjects for scientific purposes were exceedingly scarce, and ingenuity almost exhausted itself in supplying the demand. Graves were violated and the inmates sold. Men who were employed in soldering the coffin of a child, came provided with a large basket, and seizing their opportunity, would frequently carry off the corpse, leaving an empty coffin behind. If a corpse were taken from the river, it was claimed by some near relation. Persons dying in the hospital were sure to have some friends who never came near them when living. These, if fresh, generally brought, exclusive of teeth, over sixty dollars.

The frequent disappearance of so many, and the constant supplies of bodies to the medical school, attracted the attention of the Lord Provost, and Patterson, the porter of Dr. Knox, communicated certain suspicions to the sergeant of police, and a visit was made to the premises of William Burke, a man who was in the habit of visiting Dr. Knox, and who was well known to



Patterson. A bargain was accordingly made for a body, and Patterson was told it was at his disposal. It arrived: the face was livid, and blood was running from the nostrils.

Burke was assisted in his nefarious calling by Joseph Hare, and they both resided together in Tanners close, the darkest and most dismal section of the city of Edinburgh, Helen McDougal acting as the wife of Burke, and Margaret Laird officiating in the same capacity to Hare. Other circumstances were brought to light. Mr. and Mrs. Gray, two travellers, in an humble class of life, took up their temporary abode with Burke, and saw Mrs. Campbell go in, but never beheld her again. They inquired what had become of her, and were told that she was impertinent, and that she had been dismissed. They were not contented with this reply, and looking into the apartment occupied by Burke, perceived traces of blood, and investigating still further, discovered the body of the murdered woman concealed under some straw. Burke was a shoemaker, and upward of forty pairs of boots and shoes were found, and a large quantity of wearing apparel. Burke, Hare, Helen McDougal, and Margaret Laird, were taken into custody, and ample proof was adduced to show how Burke made Margaret Campbell's acquaintance, no less than three witnesses tracing her to Burke's house. It was exceedingly difficult to obtain sufficient proof, and Joseph Hare offered, if secured a free pardon from the Crown, to reveal all that he knew. His offer was accepted, and on the trial, Hare distinctly avowed that he and Burke had been concerned in the murder of Margaret Campbell; that the unfortunate woman had been suffocated by Burke; that being intoxicated, she fell on the floor. "She called on Burke to be quiet, and he was silent; but having stood for some moments on the floor, he stood stride legs over her, and laid himself down above her, his breast being on her head. She gave a cry, and then moaned a little. He put one hand on her nose and mouth, and the other under her chin, and stopped her breathing. This was continued for upward of fifteen minutes. He never spoke while this was going on. After he had risen from above her, he put his arm upon her mouth. She was then dead." The jury, after an absence of fifty minutes, returned with a verdict of guilty, as to Burke, but not proven, as to Helen McDougal. Sentence of death was passed on Burke, and he was ordered for execution January 28th, 1830. After sentence, Burke made a full confession, avowing himself guilty of upward of forty murders. Daft Jamie, the idiot above mentioned, fought

desperately for his life, and inflicted a severe wound on Burke's lip, which would have ended his life, as cancerous symptoms had already developed themselves. To the question, how long he had been engaged in this atrocious business, he replied, "Since Christmas, 1827, to October, 1828."

"Had you any other accomplices?"

"None, except Hare."

To another question, as to the best method of committing murder, he replied, "Suffocation."

He also further added, that all the bodies they sold but one, were the corpses of their victims, and that they were constantly urged to bring fresh supplies. No questions were ever asked. They were not resurrectionists, and never got bodies from the churchyards.

On the 28th of January, 1830, Burke suffered the extreme penalty of the law, and showed the greatest contrition for his manifold offences. When he appeared on the platform, the mob greeted him with shouts and yells of execration. Burke, stung to madness by these taunts, signified to the executioner to proceed with his duty. In two moments he ceased to live; and after being suspended for half an hour, was cut down, placed in a shell, and handed over to the surgeons for dissection. A struggle ensued between the executioner and his assistants, for fragments of the rope, and shavings of the case.

It was a very singular fact, but nevertheless true, that Burke was singularly winning in his address, and all the children of the neighborhood courted his acquaintance. He was never drunk or abusive. Hare, on the contrary, was a rude, licentious, and profligate villain.

Helen McDougal was liberated from jail, and going to a small grocery to make some purchases, was recognized, and freely pelted with rotten eggs, stones, and other missiles. The intervention of the police saved her life, and she was, as a matter of safety, reconducted to prison, where she remained for some days, and eventually succeeded in effecting her escape from Edinburgh, where she was never seen again.

The case of Joseph Hare, the associate of Burke, was carefully considered, the matter thoroughly argued on both sides, and the officers of the crown agreed, that as the public faith had been pledged that he should be protected, he was therefore discharged and freed from all legal disabilities February 12th, 1830. This course was the only safe method that could have been adopted, as Helen McDougal was greatly incensed at a proposition made by Hare that in case other victims were scarce, that she and Mrs. Laird should be mur-



dered, a petition had also been presented by the relatives of daft Jamie to the Lord Advocate, praying that Hare should be tried for his abduction and murder. On his liberation Mrs. Laird went to Glasgow, where she was nearly sacrificed to the fury of the mob. Hare departed for Dumfries, where he met a similar fate. When he alighted from the mail, he was recognized, and fled for his life to the King's Arms, a well known hostelry, the populace surrounded the house, and insisted on his immediate surrender, but the police force was too strong, and though the hotel was surrounded all day no violence ensued, and at night the mob quietly dispersed.

Hare, with his paramour, quitted Scotland forever, and their future history is unknown. Mrs. Laird was of a remarkably savage temper, and was rarely known to smile; during the trial she held a child in her arms, ill with the whooping-cough, upon whom she cast the most ferocious glances, shaking it violently whenever the unhappy infant made a noise, resembling the furies drawn by the ancient poets.

This terror was not confined to Scotland, but extended to England, and the atrocities of Bishop and Williams, in 1831, increased the public excitement. Mr. Warburton, in parliament, moved, during that winter, that an act should be passed that the bodies of all persons who died in the hospitals, and other public charities, etc., and whose bodies were not claimed within a certain time, should be consigned to the surgeons for dissection. A similar law had long been in force in Paris, and greatly advanced scientific research. The bill was defeated in the House of Lords.

In the session of 1831, another bill, containing similar provisions, was passed. By this act the consent of the parties to their own dissection was required, before death, and superintendents and inspectors were appointed to see that the law was rigidly enforced. Since then no murders have occurred in any part of the United Kingdom for the sake of gain by selling the bodies.

From 1830 to 1835, considerable excitement prevailed in the United States on the same subject. Reports were circulated that physicians employed men who walked the streets at very late hours, and trapped the unwary by putting a plaster over their mouths; but no one was ever convicted of the crime of murder for that purpose.

Body snatching was practiced to some extent, both in New York and Philadelphia, and as the subject is new to our readers, we will add a few particulars.

A party of four started in a carriage, provided with spades, and an instrument

for wrenching off the coffin lid; the body was then lifted out with a hook and put in a sack; the carriage, after it deposited its burden at the grave yard, would return, after a suitable interval, to take it up again. Graves were then guarded. The writer well knew one of the "grabs," as they were styled by the students. Prices then ranged from ten to fifteen dollars a subject.

According to Blackstone, the parties violating the mansions of the dead could be subjected to two actions: one for larceny, at the suit of the executor, administrator, or whoever was at the expense of the shroud, or other grave dress; and another, for trespass, at the instance of the corporation whose ground they had broken.

### JESSE STRANG AND MRS. ELSIE D. WHIPPLE.

THIS individual, who was concerned in a fearful tragedy near Albany, was the son of poor parents, and brought up to hard labor in the western part of the State of New York; he married early in life, and soon tiring of his spouse, quitted her, and went to Ohio; there he was dissatisfied, and returning, fixed his residence in Albany, in 1826, near P. P. Van Rensselaer, and hired himself to Mr. Bates, who kept a public house. To avoid recognition by any of his former associates, he assumed the name of Joseph Orton.

One day Strang saw a handsome young woman pass through the bar room, and struck with her levity of manner and conversation, he inquired her name, and was informed that she was Mrs. Whipple, and married to a man who was some years her senior, but who treated her liberally and kindly. Shortly after Strang went to board at Mr. Van Rensselaer's, where Whipple and his wife were also inmates. For a time there was no intimacy between Strang and Mrs. Whipple, but toward the end of October they had a conversation together which induced a belief on Strang's part that Mrs. Whipple preferred him to her husband. A few hours after the first conversation Mrs. Whipple requested Strang, who was commonly called doctor, to write her a letter.

Strang replied in astonishment, "What, I write you a letter?"

"Yes, I hate to write the first one." She further added that she wanted it that very night. Strang accordingly wrote a



badly written, and worse spelled letter, in which he cautiously declared his passion, and further added, "that he skorned two put a disturbance between husband and wife." This epistle would have cured any woman of the least delicacy or refinement of any love for the writer, but such was not the case in this instance.

Immediately after Mrs. Whipple received this precious morceau, she indited a reply, in which she told him, that her motive was pure love; that the sight of his beautiful eyes had won her heart, and that she had never loved before, and that she would continue devoted to him as long as she lived.

Strang then proposed that she should elope with him.

She consented, saying that she would go to the ends of the earth with him; that she was exceedingly desirous of keeping a hotel, but that twelve hundred dollars would be necessary. Strang then proposed that they should go to Montreal, remain there for a season, and then be married under feigned names at Sandusky, Ohio. She also urged her dupe to forge her husband's signature to some checks, but his limited education disqualified him from that piece of roguery.

Disappointed in her expectations, she asked Strang to murder or poison Mr. Whipple, but he refused. She then told Strang that Mr. Whipple had struck her, and pressed him to kill the coward. Again she was frustrated in her attempts.

Soured by these repeated failures, Mrs. Whipple prevailed on her paramour to procure arsenic, and drugged potions were thrice administered by the guilty wife to her unoffending husband, but no harm ensued.

Mr. Whipple was compelled to go to Vermont, and his wife proposed to Strang to waylay and kill him, this he also refused.

Despairing of success with Strang, Mrs. Whipple offered Dinah Jackson, a female slave, five hundred dollars if she would poison Mr. Whipple, and received this virtuous reply, "I wont do it. I wont sell my soul to hell for all the world. If I should do it I shall never have any comfort after it."

During Mr. Whipple's absence the unprincipled pair had opportunities for conversation, and Mrs. Whipple finally induced Strang to consent to the murder, and provided the necessary weapon. He practiced repeatedly, at a mark, till he was expert; selected the place where he should fire, and at last slew Mr. Whipple.

After the fell deed was done, Strang buried the weapon, slipped off the muddy

socks, which covered his boots, sought the main road, and calmly knocking at the door, was informed that Mr. Whipple had been killed, and was shown the corpse. The murderer turned pale, and was visibly agitated; he was next sworn as one of the coroner's jury, and examined before a police magistrate, on both occasions endeavoring to fix the guilt on some other parties. The authorities, however, found some evidence sufficiently strong to warrant the arrest of Mrs. Whipple and Strang, and they were put in confinement. Strang applied to Mr. Yates to act as his counsel, but he declined; the defence was then entrusted to Calvin Pepper, Esq., with whom Mr. Oakly, of Poughkeepsie, was associated. He desired Mr. Pepper to go to the spot where the rifle was concealed, and put it in a place of safety.

The following day the grand jury in a body waited upon the criminal, and told him that Mrs. Whipple had made some revelations, and that his case was hopeless. On the receipt of this intelligence Strang sent for the jailer, and made a full confession, stating where he had buried the rifle, bullets, and some arsenic, and accompanied by the police and a vast crowd, disinterred them from a swamp near Cherry Hill.

Mrs. Whipple was exceedingly infuriated against her associate in this diabolical crime, and sharply informed him "that if he had not been fool enough to confess, all might yet have been well, and their lives would have been spared." Irritated by these reproaches Strang's former love was turned to hate, he therefore resolved that she should (as far as in him lay) share the same fate, and he copied from memory one of the letters he had written her, and giving it to Mr. Pepper desired that it might be hidden. His request was not granted.

The district attorney then positively assured him that he could not be received as states evidence against Mrs. Whipple, and that the governor could entertain no application for pardon on his behalf. Strang made no reply.

The grand jury found a true bill, and Strang was arraigned for the murder of John Whipple. His counsel strenuously objected to the admission of the confession, alleging that it was obtained by unfair means, and that the grand jury had no authority, but after very elaborate arguments on both sides, the court decided that the confession should be received as legal evidence, the petit jury, under the testimony, rendered a verdict of guilty, and Strang was duly executed. Mrs. Whipple was tried, and as there was no direct evidence tending to implicate her was acquitted and discharged, though in



the estimation of the community she was as guilty as Strang. She subsequently remarried.

### THE HARPE.

KENTUCKY was settled by Daniel Boone, and the adventurous hunter sought amidst its virgin forests and magnificent rivers an almost pathless solitude, where he could track game at his leisure, and avoid the din and bustle of cities. The salubrity of the climate and fertility of the soil allured many settlers from Virginia and the other southern States; and some from Yankee land sought to better their fortunes in the new territories. Men of talent desired a fresh field for the development of their energies, and the name of Harry of the West was long a rallying point for millions, and the great statesman retained to the last his hold on the affections of his countrymen; and when death claimed his prey, a nation mourned the loss of her greatest son.

But in the early times of the settlement, difficulties occurred. Many who transferred their household goods to Kentucky were lawless and desperate; affrays occurred, blood was "liberally poured out," and the distant recesses of the mountains and the sweet shades of the valleys too often resounded with cries of agony; mounted bands of robbers patrolled the country and levied contributions on the unsuspecting traveller. Some escaped, others were better known; whispers were circulated, doubts were removed, and the name of Harpe began to bear a fearful significance.

In the autumn of 1799, Mr. Langford, a young man belonging to a respectable family of Virginia, started on a tour throughout Kentucky, and stopped for some refreshment at a public house, near Big Rock, Castle river. The bar room was filled with woodcutters, hunters, and pedlars, who travelled in company for safety. The Harpe's, with their women, were also there, with two or three sorry horses. They then had no settled place of abode, but rode from spot to spot, scrupling not to encamp where it suited them best; in the summer, choosing the open field, and depredating freely on the corn and other crops in their vicinity, and in the winter, dwelling in caves. They had no visible means of subsistence, and their appearance betokened the most squalid poverty. As yet, though the officers of

justice watched them narrowly, they had escaped, and nothing positive could be laid to their charge.

The meal was spread for Mr. Langford; the Harpes eyed the table; but, when invited to partake, declined. The young Virginian generously asked them to be his guests; they accepted his hospitality, and devoured the food set before them voraciously. Mr. Langford displayed a heavy purse, and discharged the reckoning; he then set off in company with the Harpes.

About ten days elapsed; some men were driving a herd of cattle to Missouri, on the same road taken by the Harpes and Mr. Langford. The beasts swerved and trembled; the men endeavored to soothe them, but uselessly; the cattle rushed down the hill, and fled into the woods. The drivers, alarmed, made a thorough search, and discovered the dead body of a man, covered with leaves and concealed under a log. The corpse was brought to the house where Mr. Langford had breakfasted, and immediately identified. Suspicion pointed to the Harpes; they were arrested at Crab Orchard, conveyed to Stanford, in Lincoln county, where the court of inquiry examined into the matter, and sent the criminals for safe keeping and trial to Danville; but they escaped before trial, went to Henderson county, and were again at large to commit additional crimes.

These villains now threw off every restraint, and mocked at all laws both human and divine. Travellers were robbed and murdered; they destroyed, without any motive, what they could not consume. At night they would steal to the nearest cabin, carry off whatever they required, slaughter all the defenceless inhabitants, and then fire the dwelling. A negro boy, returning from the mill with a bag of flour, was killed—his brains beaten out; but the horse and meal were untouched. No one dared to stir abroad unarmed, and women and children confined themselves to their houses and enclosures of their dwellings.

They selected as the scene of their depredations what was then known as the Green river country, a vast wilderness, situated at the south of the Green river. That section of the State was then sparsely settled; the Indians still occupied the country to the south and west. Many desperadoes, flying from justice, considered this as a safe theatre for their exploits. The northern and western counties were comparatively thickly settled. Fortune for awhile apparently favored these men; and, mounted on the finest steeds, they baffled all pursuit, and frequently changed their scene of operations. The Harpes



were suspected of having accomplices; but nothing definite was ever ascertained on that head.

"Even handed justice,  
Which commends the ingredients of our poisoned  
chalices  
To our own lips—"

Now demanded that the career of these miscreants should end.

It chanced one day that a gentleman of the name of Love, mounted on a remarkably fine horse, met the Harpes. He was stabbed to the heart, and the elder Harpe, commonly known as Big Harpe, mounted the murdered man's animal, and sought new plunder. For several days the robbers travelled about the country, and finally reached the residence of Mr. Stegal—some strangers had arrived before them, and asked food and shelter, which were readily granted. The Harpes informed Mrs. Stegal (her husband was then absent) that they wished to personate Methodist ministers, and desired that each should share a bed with a stranger. Mrs. Stegal, who knew the character of her visitors, did not dare to refuse. The travellers were murdered, and the Harpes further added to their crimes by firing the dwelling and killing Mrs. Stegal. When the unfortunate husband arrived, he found his house a mass of ruins, and the mangled corpse of his wife was the first object that met his view.

Public vengeance was now thoroughly aroused, and an armed band was organized, headed by Colonel Leiper, to capture the Harpes. A negro boy, who had seen them water their horses, and alight to prepare some food, gave the alarm, and the band proceeded silently to the place mentioned by their guide. The Harpes had mounted, but were surrounded; not losing heart, they pushed rapidly ahead. Little Harpe was unnoticed. Leiper, who bestrode a remarkably fine animal, celebrated throughout the county for its speed and powers of endurance, kept Micajah (or, as he was better known, Big Harpe) steadily in view, occasionally cocking a pistol and calling on Harpe to surrender; he constantly refused, and spurred on his horse. The animal, in leaping a ravine, sprained a limb, and fell. Leiper came up. Both men were heavily armed, and carried rifles. Leiper fired; the shot took effect, and Harpe was wounded. He levelled his piece; but it missed fire, and, dashing it to the ground, with an oath, swore that it was the first time it had ever deceived him. He then drew a tomahawk, and awaited the approach of his enemy. Leiper had not been idle; he grasped a large hunting knife, and rushed upon Harpe. There was a long struggle. Leiper was eventually

successful—threw Harpe to the ground, and wrested the tomahawk from his grasp. Harpe, faint from loss of blood, lay silent for some moments, and, after he partially revived, asked:

"Is Mr Stegal one of the party?"

"Yes."

"Then I am a dead man."

"That would make no difference; you must die at any rate. I do not wish to kill you myself; but if no one else will do it, I must."

A long conversation then ensued. Leiper, without insulting the dying man, questioned him as to the motives which had actuated him in the commission of such terrible atrocities. Harpe replied, that he had a settled hatred for his species, and had vowed to exterminate them whenever he could. He expressed no regret for any of his misdeeds, not even the murder of one of his own children: "It cried, and I killed it. I had always told the women I would have no crying about me." He further stated that he had buried large sums of money, but nothing was ever found. He was proceeding to make further revelations, when, Mr. Stegal advancing, severed his head from his body.

This trophy was carried to the nearest magistrate, and recognized as the head of Micajah Harpe. It was then placed in the forks of a tree, near the Highland Lick, in Union (then Henderson county). The spot is designated to this day as the Harpe's Head, and the road is called the Harpe's Head road.

Little Harpe escaped, and visiting Natchez, joined a band of vile desperadoes, headed by one Meason. This ruffian seldom murdered, but always robbed. Plunder was his object. A reward had been offered by the authorities of Mississippi for Meason's head. Profiting by the absence of his associates, Harpe murdered Meason, and putting his head in a sack, boldly claimed the reward. The money was paid, but a Kentuckian, conversing with the State Treasurer, recognized Harpe, and as he left the building, Little Harpe was arrested. He was afterward tried, convicted, and executed.

After Harpe's death, the women who travelled with him claimed protection. Two of them, the wives of the elder Harpe, remained in Muhlenburg county. The other, whose appearance was very prepossessing, stated that when she married Harpe she knew but little about him, or his avocation. Her father, who was a respectable planter, came for her, and she returned with him to the western part of Virginia.

These incidents occurred in the year 1799









THE ARREST OF PROBST.

*Officer Dorsey*—I took his hat off, and said: "You are a Dutchman!"  
*Probst*.—"No; me are a Franchman!"