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REPORT

OF THE

TRIAL

OF

AMMI ROGERS,

FOR A HIGH CRIME AND MISDEMEANOR, IN A BRUTAL AND HIGH HANDED
ASSAULT ON THE BODY OF

ASENATH CAROLINE SMITH,

OF GRISWOLD, CON.

BEFORE THE

Hon. ASA CHAPMAN,

ONE OF THE JUDGES OF THE SUPREME COURT OF THE STATE OF
CONNECTICUT,

At New-London, on the 5th, 6th, and 7th days
of October, 1820.

FROM NOTES CAREFULLY TAKEN AT THE TRIAL.

With an account of the whole transaction, as developed
by the testimony of said Asenath, in her examina-
tion before the Magistrate, by whom Rogers
was bound over.

BY A MEMBER OF THE BAR

NEW-LONDON:
PRINTED BY SAMUEL GREEN.

1820.

District of Connecticut, ss.

* L. S. *

BE IT REMEMBERED; That on the twenty-ninth day of November, in the forty-fifth year of the Independence of the United States of America, SAMUEL GREEN, of the said District, deposited in this office the title of a Book, the right whereof he claims as Proprietor, in the words following, to wit :

“Report of the Trial of Ammi Rogers, for a high crime and misdemeanor, in
“a brutal and high handed assault on the body of Asenath Caroline Smith,
“of Griswold, Con. before the Hon. Asa Chapman, one of the judges of
“the Supreme Court of the State of Connecticut, at New-London, on the
“5th, 6th, and 7th days of October, 1820; from notes carefully taken at
“the trial. With an account of the whole transaction, as developed by
“the testimony of said Asenath, in her examination before the Magistrate,
“by whom Rogers was bound over. By a Member of the Bar.”

In conformity to an Act of the Congress of the United States, entitled,
“An act for the encouragement of learning, by securing the copies of Maps,
“Charts, and Books, to the Authors and Proprietors of such copies, during
“the times therein mentioned.”

CHARLES A. INGERSOLL,
Clerk of the District of Connecticut.

A true copy of Record, examined and sealed by me.

CHARLES A. INGERSOLL,
Clerk of the District of Connecticut.

INTRODUCTION.

THE propriety of giving publicity to a series of facts, like those developed in the following trial, may, I am aware, be questioned. A variety of objections might, and, for aught I know, will be urged against a publication of this nature. I am quite sensible that it may be done, not only with great plausibility, but with much weight ; and if I could, for a moment, be brought to believe that these objections were not more than counterbalanced by paramount considerations, I certainly would be the last person to be instrumental in placing this trial before the public. It owes its publication to no paltry and catch-penny consideration of interest, in defiance of public morals and public decency ; but to a desire that the public may be *correctly* made acquainted with this most atrocious transaction, about which so much has been said, and about which so much has been *incorrectly* said. It is idle to suppose the community ignorant of Rogers' Case, and that it would remain so but for this publication. It is a matter of public notoriety in Connecticut, and part of Massachusetts ; and the story, with all its disgusting details, has long been the theme of popular conversation, as well as the subject of popular misconstruction. It is told in as many different ways as was the death of the Grand Monarque, among Addison's cockney politicians, while the Grand Monarque was still alive.

It would be desirable if every crime, especially so heinous an one as Rogers', could be kept from public observation.—But this is not only hopeless, but a very obvious impossibility. It may be said that this is a crime of more than ordinary turpitude ; of a most depraved

and licentious character; unfit for public perusal, and public animadversion; that to print the trial will only be to prolong the remembrance of it, and to promote the permanent circulation of a transaction that would otherwise be forgotten. I can only say, in reply to this, that Messieurs the Editors of the public Newspapers, have already taken the case into their especial keeping, and are *printing* and circulating it far and wide; and some of them, let me say, with a *minuteness* somewhat at war with delicacy and decorum. It certainly cannot be objectionable, therefore, to furnish the public with an *authentic* statement of facts, when those facts are going the rounds of the public papers in a partial and unofficial shape.

Indelicate and disgusting as the detail of facts in this trial most certainly is, their publication in pamphlet form is much the least objectionable mode. The newspapers are open to indiscriminate perusal, and every reader, old and young, male and female, constantly peruse their contents without scruple and without hesitation. With respect to this publication I can only say, that there has been as much regard shown to delicacy as the nature of the case would possibly admit. But still it is——
the Trial of Ammi Rogers.—A trial for an offence, I venture to say, of the most detestable nature that ever blackened the page of American criminality! Attended by a train of circumstances evincive of a depravity as deep, and of iniquity as hardened, as any trial ever furnished.

I have endeavoured, I say, to report this trial in a manner as little offensive to delicacy, as was in my power. I should be happy if I had succeeded so far as to render it safe, even to female perusal; for I would most unwillingly either *bring or deepen* a tinge upon the cheek of modesty. If you think there is danger, ladies—I tell you again, 'tis the trial of *Ammi Rogers*; and if you inadvertently come across a new pamphlet—the title page will tell you what it is; and you must not read the book, or——“forever after hold your peace.”

I trust there is no one who has higher notions of the respect due to female character and to female feelings,

than myself; or who would more reluctantly introduce to their notice, a single word or a single action incompatible with either. I *feel* the value of the sex, and know and acknowledge all its claims. The failings and the profligacies of female infirmity have no attraction for me, and I could never, for a moment, find a gratification in talking of them: But I cannot but think that this trial——oh! yes! even this trial, and a knowledge of all the incidents it discloses, may be, not only very properly, but very *profitably* perused by females. It adds another proof to the innumerable ones already furnished to the sex, of their constant danger from ours. Let them look to it—let them shun it; and though to the honor of human nature, atrocities so abandoned as those related here, are rare; though I should hope this case is *unique*; that the profligacy of our sex has never produced its parallel; yet, let female confidence learn the brittle tenure of its own innocence—and learn the necessity of resisting the deadly approach of seduction in all its forms, and in all its deceptions—in all its stages, and in all its specious variety of character.—Let them bear in mind, that it has, at least in one instance, made its appearance in the sacred guise of religion—that *one* offender has covered seduction under the band and surplice!

But there is another argument under which I shield myself from the objection to the publication of this trial: Rogers, with an impudence and effrontery, to which a certain degree of cunning and address have allied themselves, has, for a long time found means to pass himself upon society for a regular clergyman; and has, in many places, succeeded in obtaining a character of piety, notwithstanding the profligacy of his life, and the sentence of degradation by his diocesan; and, as the present sentence of this arch villain extends to only two years' imprisonment, at the end of that term he will again be let loose upon society, and again be at liberty to pass his impositions on the public. Certainly, then, that public should be made acquainted with his real character; and this trial effects the object. So far as this object is accomplished, I think I may reasonably calculate my motives will be duly appreciated.

But whatever view may be taken of the publication, and whatever objects may be ascribed to me, I have the consciousness that those objects are *good*; and with this consciousness I am resolved to remain satisfied.

It seems necessary to a full understanding of the following trial, to preface it with some preliminary notices of the girl, Asenath Caroline Smith, and to give some account of the manner in which the baseness of the prisoner's conduct was first brought to light. This is the more necessary as Asenath herself, who was, of course, the principal witness of his depravity, and the only one to certain parts of it, was, by Rogers' own procurement, prevented from testifying against him at Court; and as her testimony before the examining Magistrate could not be received in evidence on the trial, but a small portion of his criminality could be made to appear there.

Asenath Caroline Smith is the daughter of a respectable Shipmaster, sometime since deceased, and lived with her widowed mother, in the town of Griswold, in New-London county, Connecticut: These two, with a sister younger than Asenath, constituted the family. An old gentleman by the name of Geer, the father of Mrs. Smith, owned the house where they resided, and lived in a separate part of it.

Sometime in the year 1815, Rogers, the prisoner, came into the parish where these families resided, in the character of an Episcopal Clergyman, to which denomination Mr. Geer belonged, and to whose house the prisoner first came to preach a sermon at the funeral of Mr. Geer's wife. Rogers, who was employed to officiate in the church in this place, in which there was no settled pastor, became an inmate of the house of old Mr. Geer, and of consequence was introduced into the family of Mrs. Smith, where he very soon became a familiar visitor; and with great art appears to have insinuated himself into the hearts of the whole family. Under the imposing character of a clergyman, of a scholar, and a gentleman, it is by no means wonderful that he should be able to do so. He very soon paid his particular addresses to Asenath, a pretty, interesting, and well educated girl, then about fifteen years old. He continued

and increased his attentions to her, and became a constant and very frequent visitor at the house—professed, and appeared to feel for her a most ardent and honourable affection—making no scruple of declaring it unreservedly to the family; and no doubt was entertained by any member of it, that he would marry the young lady. To a match of this sort no objection would, from the nature of things, exist; and none did exist. Rogers was a widower, in the prime of life, whose personal appearance and address were good, and more than all, he was a *clergyman*; a preacher of rather popular talents; and though, in fact, degraded and silenced by the Bishop of the Diocese, yet believed by this family to be a man of irreproachable character, because he was so considered in the neighborhood and parish. It is, therefore, by no means strange that this man, wicked and depraved as he was at heart, should be able to obtain the ascendancy that he did obtain in the hearts of this unfortunate family. He came into it under advantages peculiarly favorable to his nefarious designs; under the borrowed, or rather pilfered garb of pseudo sanctity. Clothed in the costume of clerical sanctity, and with its seeming holiness upon his lips, the task of seduction, the seduction of unsuspecting youth and innocence, could surely not be difficult. It must have been more than ordinary virtue, that would have found itself proof against so much *real* depravity, concealed in so much *seeming* sanctity. To the ear of this innocent, and probably warm hearted girl, he sung the syren song of love; pouring into it the warmest protestations of an ardent and never ending affection, with the most solemn promises of marriage superadded. However virtuous the heart, and however pure the principles of female youth, their hold on propriety is frail and brittle, and the thread by which they hang suspended to honor and innocence, is liable every moment to be snapped by the rude and remorseless touch of licentious passion. Asenath Caroline Smith was at that period of juvenile attraction, that most invites, while it is the least capable of resisting the approach of seduction.

"With the bloom of the plumb
"Still unbroken on her cheek,"

and with the damask tint of morning frolicking in every feature, she was an object worthy of exciting the noblest and most refined desires, rather than the tiger-like wishes of an unprincipled libertine, like Rogers. He felt the force of these attractions, and he fastened upon them: *The lion held communion with the lamb*; and he who should have been her spiritual guide to heaven, was her pioneer to infamy—her base seducer into crime; and not content with her introduction to the threshold of vice, urged and goaded her still unwilling and unconsenting feet into the farthest cell of iniquity, and basely shut the door upon her!—She was ruined—her happiness and her honor were destroyed forever!—and Rogers—Rogers the destroyer, still claimed all the privileges and kept up all the semblances of piety; and he who had seduced and dishonored an innocent and youthful female, profanely dared to preach the gospel of Jesus Christ! and from the sacred desk inculcated its divine and holy doctrines to a congregation, of which this very girl was one. The unhappy victim of his lawless passion made known to him her situation, and urged a performance of his engagements; his solemn promise of marriage, as her only shield from absolute and interminable infamy. And what does he do? Why, instead of performing those promises, he urges upon her the necessity of destroying the fruit of their illicit intercourse; and he who had seduced her to ————— now desired her to become a murderess! He still held out to her the promise of a future marriage, but told her it would be impossible to marry her before she had destroyed her child, as its birth would prove his connection with her out of wedlock, *which would injure his character as a clergyman*. She was astounded at the proposal, and rejected it with horror: But all in vain—he forced her to a compliance, and procured the means of producing an abortive birth.—He led her to an unfrequented spot, and by the side of a spring administered the murderous potion.—It produced a violent sickness, and he kept repeating it until convinced that the preparation would fail to produce the desired effect, although

he gave large and very dangerous potions of it ; so large, indeed, that she seems to have escaped with her own life by miracle. He had recourse to an expedient of a character so abominable, and attended with a cruelty of circumstances so dreadful, that one almost shudders to name it. He procured an instrument of a particular form, calculated to penetrate the womb, and destroy the unborn child in that way. By threats and persuasions, he succeeded in prevailing with Asenath to submit to the cruel operation of this non-descript instrument of death. He carried her to various sequestered spots for this purpose ; into the woods ; into the barn, &c. in all of which operations the unhappy girl was subjected to the most excruciating torture, and begged and entreated of him to desist. On one occasion, she says she appealed in the most moving terms to his pity and compassion ; entreating him to let her have a living child, and all the disgrace should be hers. " I never, never, will expose *you* Mr. Rogers." But the savage was inexorable—he would hear to no appeal, and could be made to feel no " compunctious visitings of conscience." Finding his infernal instrument of torture deficient in some of its parts, he went away after one of his diabolical operations, to procure some alteration in it. Having been absent about a sufficient length of time to have gone to Norwich, he returned and told his victim that he had now gotten it "*fixed right*," and should be able to succeed. In the month of October, 1817, he came to the house determined, it seems, to effect his purposes at all events. He remained shut up with Asenath from Tuesday until Saturday, and on Thursday night succeeded in destroying the child, by a series of operations, as cruel as they are disgusting ; and as their recital is not necessary to an understanding of his crime, I gladly omit it, as I do very much of the testimony given of this transaction by Asenath before the magistrate at Norwich. Rogers staid to see the effect of his operation, until Saturday, and left her. Of the consequences after that, I say nothing, as they are sufficiently detailed in the testimony of Dr. Downing, and Maria A. Smith, the sister.

After this dark affair became somewhat known,

and Rogers had apprehensions of a full disclosure of his wickedness, he prevailed with Asenath to leave the state: He carried her into the state of Massachusetts, and kept her until he supposed it no longer necessary to keep her away; when he threw off all disguise of affection for her, and treated her with all that cold and studied neglect, which females always may expect from their seducers. His own vile passions were satiated, his purposes accomplished, and the victim of his false affection is

“Thrown, like a loathsome weed, away.”

She clung to the base destroyer of her honor, and endeavored to call him back to love; and for many lingering months, she

“— Let concealment, like a worm i'the bud,
 “Feed on her damask cheek. She pin'd in tho't;
 “And with a green and yellow melancholly,
 “She sat, like Patience on a monument,
 “Smiling at grief.”

If, at times, she dared to speak in terms of firmness to her seducer, in the hope that her sufferings and her sorrows might make a lodgement in his feelings or his conscience, she met with nought but the icy repulsions of disdain, or the frigid answers of neglect and indifference. He even had the cold blooded villainy to advise her to look out for an opportunity to marry! Thus deserted and neglected by the only person she had a right to look to for comfort and support, she left him, and returned to Griswold, and made a full disclosure of the facts here related. Rogers was arrested and holden to bail for trial; and, strange to tell, after his examination and binding over, this consummate villain had the address again to carry off this girl—prevailed with her to contradict the whole story—and, during the January term of the Superior Court, when he was to have his trial, decoyed away her sister Maria, the principal witness against him, (the mother having died) and but for the providential interference of Doctor Ira Daniels, of Springfield, would probably have succeeded in slipping through the hands of justice. This gentleman's conduct is above all praise: In the true spirit of a philanthropist he

has rescued a valuable young woman from the fangs of a merciless and unprincipled monster, and been instrumental in bringing that monster to the punishment he so richly deserves.—May the reward of the virtuous and good attend him.

Asenath has been under the control of Rogers ever since her second elopement with him—came to New-London with him—and is said to have visited him since his confinement. The story of this *pretended* Clergyman's villanies, and of the means he has made use of to accomplish them, are calculated to lead us back to "days of romance."

That a series of villany like this of Rogers' should have taken place in New-England—that it *could* have been done in Connecticut or Massachusetts—that two females could have been decoyed away; carried into a populous town like Norwich; (as was the case with Maria,) could have been carried from place to place, through the country, under an assumed name; and, after a variety of adventures, like that disclosed by her, be providentially, (I had almost said *miraculously*) rescued from such a thralldom, and be made the instrument of bringing the whole iniquity to light, and the arch projector of it to punishment, is indeed wonderful! It belongs to the age of Charlemagne and Chivalry.—It but illy comports with the steady habits and soberness of New-England history.

November, 1820.

TRIAL, &c.

Superior Court of the State of Connecticut, September term, 1820.

Present, the Hon. ASA CHAPMAN, Judge.

Counsel for the State.

HON. JAMES LANMAN, State's Attorney,
JEREMIAH HALSEY, Esq.
JIRAH ISHAM, Esq.

Counsel for the Prisoner.

CALVIN GODDARD, Esq.
WILLIAM P. CLEAVELAND, Esq.
JACOB B. GURLEY, Esq.
GEORGE HILL, Esq.

The prisoner having been previously arraigned, and pleaded not guilty, at the September term of the Superior Court, 1819, at Norwich, the case came by continuance, to the January term, 1820, at Norwich, at which term the trial commenced, before the Hon. Jeremiah G. Brainard, when an important question of evidence was agitated.—On the part of the prosecution proof was offered that Asenath Caroline Smith and Maria A. Smith, two of the principal witnesses for the state, had been, by the instrumentality and procurement of the Prisoner, carried out of the state, and kept out of the reach of legal process, so that they could not be had in Court; and on proof of this fact, it was claimed that the state might prove what said Asenath and Maria *had testified* before the Court of Inquiry, by which the prisoner was bound over.

To this testimony the prisoner's counsel objected, and the point was very fully argued by Mr. Goddard, for the prisoner, and Mr. Isham, (in the absence of Mr. Lanman) for the state.

It was urged in favor of its admission, that the general principles of justice and policy demanded it; and authorities, both in England and this state, sanctioned the principle. The case of *Rex vs. Barber, i Root, 76*, was cited, as in point. Judge Brainard expressed great doubt on the point, but finally rejected the testimony, and continued the case to this term; and on the fifth day of October, 1820, the prisoner came into court, and was put to the bar, when the following jury was impanelled and sworn:

John P. Trott, Charles Butler, Charles W. Wait, Eli Beardslee, George Raymond, Comstock Dart, James Mitchell, David Patten, Thomas Palmer, Simeon Chesebrough, Griswold Avery, jr. Caleb Lyon.

The clerk then read the following

INFORMATION.

To the Honorable Superior Court of the State of Connecticut, now sitting in Norwich, within and for the County of New-London.

JAMES LANMAN, Esq. Attorney for said state, within and for said county, information gives, that in the town of Griswold, in said county, on the first day of July, in the year of our Lord one thousand eight hundred and seventeen, Ammi Rogers, of the town of Griswold, aforesaid, a transcient preacher, did, with force and arms, an unlawful, wicked and wilful assault make upon the body of Asenath Caroline Smith, of said Griswold, a sole, single, and unmarried young female, and an attendant upon the public ministry of said Ammi; and then and there unlawfully seduce her to commit the crime of fornication with him, the said Rogers: and by means thereof, the said Rogers did unlawfully beget her with a bastard child, and the said Asenath did, then and there, by means of said fornication, become pregnant and with child by the said Ammi: And afterwards, that is to say, on the twentieth day of October, in the same year, last

aforesaid, the said Asenath Caroline Smith, secretly made known to the said Ammi Rogers, that she was quick with child by him, and she was, then and there, quick with child, and the same was then and there made known to him, that said Asenath Caroline was pregnant with an unborn infant, and the same was well known to said Ammi Rogers. And the said Attorney further informs said court, that the said Ammi Rogers did, then and there, being a public preacher, and a minister, pretendedly, of the Christian religion, with like force and arms, a felonious assault make upon the body of the said Asenath Caroline Smith, with pernicious and poisonous drugs, and then and there, with an intent to sicken, and destroy the health of, said Asenath, did administer to her a large portion of poisonous substance, called ergot; by means whereof, the said Asenath was made sick, and languished for a long time. And the said Ammi Rogers, not having the fear of God before his eyes, but being instigated thereunto by the devil, did, on or about the first day of November, in the year last aforesaid, in said town of Griswold, wickedly, wilfully, feloniously, and with force and arms, unlawfully procure a large quantity of a pernicious and poisonous drug, called ergot, that is to say, one ounce thereof, and other pernicious and unwholesome drugs, and with a felonious intent to destroy the foetus, or bastard child, then and there quick and alive in the womb of said Asenath, did, then and there feloniously, and with force and arms, that is to say, with said pernicious, unwholesome, and poisonous drug, called ergot, an assault make upon the body of the said Asenath Caroline Smith, and her did then and there sicken and cause to languish and become enfeebled, and by means of said force, potions, pernicious drugs, ergot, and violence, did endanger the life of said Asenath, cause an abortion of her said child, then and there quick in her womb, and feloniously destroy the said child.— And the said Ammi Rogers did, with the same wicked intent, and force and arms, then and there feloniously assault the body of the said Asenath Caroline Smith, with a dangerous and deadly weapon, and unusual instrument, the name whereof is unknown to said Attor-

ney, and did then and there penetrate the body of said Asenath, with intent violently to destroy the said foetus, with which she was then and there quick and pregnant, and by means of said weapon and unusual instrument, did destroy the said child or foetus, then quick in her womb, and feloniously and actually deprive the said foetus of life, and produce an abortion thereof, to the great hazard and jeopardy of the life of Asenath Caroline, and by means whereof she became sick, and near unto death.

And the said Attorney further gives information to said court, that the said Ammi Rogers did, with force and arms, in said town of Griswold, on the 20th day of October, in the year of our Lord, one thousand eight hundred and seventeen, unlawfully and feloniously assault the body of said Asenath Caroline Smith, of said Griswold, she then and there being pregnant of a bastard child by the said Rogers, and said child being quick in her womb, and with a felonious and wicked intent, to destroy the said child, to sicken the said Asenath Caroline, and procure an abortion of the said child, the said Rogers, with poisonous drugs, and with dangerous and unusual instruments, did beat, bruise, and wound the said Asenath, and she became by means thereof sick, and languished near unto death for a long time, and said child was thereby destroyed, and the life of said Asenath greatly and imminently threatened, and she still languisheth in weakness and distress by means thereof. All which wrong doings of the said Rogers, in the premises, are and were against the peace of the state; and the laws of the same, felonious, with force and arms and a high crime and misdemeanor, and to the evil example of others, in like case to offend.

Dated at Norwich, September 23th, A. D. 1820.

JAMES LANMAN, *Attorney.*

The witnesses for the state having been sworn. The Attorney first called,

Dr. Eleazer B. Downing;

Who swore that in the month of Oct. 1817, he was

called upon to visit Asenath C. Smith, found her on the bed, in the most excruciating pain—was at first unable to ascertain her disease, but immediately ordered her a large dose of laudanum, in hopes of mitigating the pain. This, however, seemed to produce no effect—administered a still larger dose, larger indeed than is usually given, and being himself fatigued, retired to another room to rest, in hopes of a more favorable operation of the medicine—giving directions to Mrs. Smith the mother, to call him, if Asenath grew worse, or became no better. Witness had been absent but a short time, when he was very earnestly called up by the family, and intreated to go to Asenath immediately, as she grew much worse. The witness was now convinced of Asenath's situation, and told her mother that Asenath was certainly in the pains of child birth—flew into the room, and found her apparently just gone—in a short time delivered her of a foetus, in a most offensive and putrid state. From every appearance it must have been dead, in his opinion, about as long as from the time when Rogers was said to have been shut up with Asenath. [*Here the witness, who seems to be an amiable and modest man, evinced considerable embarrassment and hesitancy, in going on with the disgusting recital.*] His honor, the Judge remarked,

“This is a very unpleasant species of evidence. The investigation of cases of this description, must always be pursued with as much delicacy as possible ; but still the facts must be stated as they were.”

The witness is satisfied that Asenath must have been in from the 4th to the 6th month of her pregnancy ; from every appearance of the foetus, it could not have been older than that. Here the counsel for the prosecution proceeded for some time in a course of examination, which we cannot write, because we fear it could not be read—but tending to show by professional analogy, drawn from facts observed by the witness—that foul play had probably been made use of, in producing the abortion. This was the witness' decided belief, though he swore that no marks of violence were visible on mother or child.

Mr. Goddard—Might not this abortion, in your opinion have been produced by accident to the mother ?

Yes, sir, it *might* have been so produced.

And you saw no marks of violence on mother or child ?

I did not.

Elisha Geer,

Is grandfather of Asenath Caroline Smith. She, her mother, and sister Maria lived, at the time of the transaction in question, in the house of the witness.—Witness first became acquainted with the prisoner, as a clergyman. Rogers preached to the church of which the witness is a member. Rogers came frequently to the witness' house, by invitation, and was frequently in the family of his daughter, mrs. Smith—continued a very familiar intimacy for a long time, and about the second of May, 1818, late at night, saw Rogers go out of the house ; thinks it was after midnight ; had suspicions of Rogers, and thinking he might be called in question about this visit, was very careful to ascertain with certainty that it was really Rogers. Having heard it said that evidence of an object seen through a window glass was not admissible, he took care to look through a broken pane, and is quite certain that it was Rogers that he saw.

Question by Mr. Lanman.—Don't you know, sir, that the prisoner was courting your grand daughter ?

To this question the prisoner's counsel objected, as altogether irrelevant.—“It has nothing to do with the case on trial : We presume that it is no part of the prisoner's offence that he was courting this girl.—Courting is not an indictable crime : If proved, it substantiates no part of the charge against the prisoner at the bar.”

To this objection Mr. Lanman replied, and by the Court,

“It is clearly admissible to show the nature of the intimacy subsisting between the prisoner and this young woman, in order to show the power and the opportunity he had to commit the crime alleged against him, as well as the inducement he had to the act. This is certainly furnishing *some* presumption that he *did* do it. The witness may go on.”

Witness.—I had no doubt that the prisoner was court-

ing my grand daughter—they had every appearance of being courting. He was with Asenath very much, and appeared very fond of her; was with her more than any other person; and I verily believed he intended to make Asenath his wife. Witness did not know of any other person “paying attention” to her, but Rogers.

Maria A. Smith—was next called. She is the sister of Asenath—is a young woman about 19 years old, of a most interesting appearance, well educated, and evinced a very superior mind and intelligence, throughout her testimony, detailing the incidents of this abominable transaction, and the subsequent villanies of the prisoner, with an apparently unstudied accuracy and precision, which carried with it a very imposing conviction of the truth of her whole relation.

She first became acquainted with the prisoner at her mother's house, where he came to preach a funeral sermon, in August, 1818. The prisoner came afterwards once or twice, and about the third visit, paid his addresses particularly to her sister Asenath; continued to bestow particular attentions on her for some time; was much alone with her, and it became perfectly apparent to all the family that he was courting her; and the witness had no manner of doubt that Rogers would marry her sister; has frequently heard him say that all he delayed the marriage for, was to settle a difficulty he had with the Bishop, as he did not wish to bring Asenath into his troubles. In October, 1817, the prisoner came to the house, on Tuesday, and staid until Saturday of the same week. During most of this time the prisoner was with Asenath in her chamber night and day. Into this chamber none of the rest of the family were admitted: the door was kept fastened.* On Thursday night (one

* It should be noted here, that an important circumstance was omitted in the witness' testimony, and which she related to a lady in this city, towards the close of the trial. This lady, who felt much interest in the peculiar situation in which the witness was placed, took occasion to speak to her on the subject of the trial, and to whom the witness gave a circumstantial relation of the whole affair, remarking, when she came to this spot, “There is one thing I forgot to tell the Court, with respect to the fastening of my sister's door, while Rogers was shut up with her. It was fastened by

of the nights that the prisoner was so shut up with Asenath) the witness and her mother, who were in a room directly under Asenath's, heard a most agonizing shriek in Asenath's chamber: such an one as she never heard before.—It seemed the shriek of death. Witness and her mother flew immediately to the chamber and demanded admittance, having found the door closely fastened. Prisoner delayed opening the door.—The mother demanded to know what ailed Asenath. Rogers answered that she had only been laughing. Witness again demanded that the door be opened. Prisoner told them to be easy—the door should be open in a few minutes.—Witness told him to open the door immediately, or she would break it down. The prisoner then opened the door, and let the witness and her mother into the room. They found Asenath lying on the bed—the prisoner sat by her side, and held a sheet over her face, saying to the witness and her mother, that Asenath only had a fit of the hystericks, to which she had formerly been subject, and that *he* would take care of her—they might leave her. Rogers on Saturday left the house, saying he was going to preach at Hebron the next day, and Asenath languished until the Tuesday following, when she grew very sick, and was in great pain and anguish, but would not permit the doctor to be sent for, but called continually for Rogers. “If Rogers could be sent for, she should do well enough.” The doctor was called, however, & Asenath was delivered, under the circumstances sworn to by Dr. Downing. Witness was present at the delivery. The next time the witness saw Rogers was about a month from this time, when he brought Asenath two new gowns, expressing at the same time, much dissatisfaction at her

a wooden button, which I saw him making. There was no button on the door before: And I also forgot to mention, that when we went into the room, on hearing the shriek, the window of her chamber was thrown open, though it was then cold weather.” That the witness omitted some circumstances is much less wonderful, in our opinion, than that she did not omit *much more*, in the course of a recital so long and so minute, and on a subject, too, so much at war with every feeling of female delicacy, and calculated as this was, to excite, in a peculiar manner, the agitation and embarrassment of a witness situated as she was.

having exposed the matter, saying, he thought it might have been kept secret. His visits then became much less frequent, and the witness does not recollect of his having come to the house from that time until the night of the second of May, 1818, when the prisoner came to the house, as near as the witness could judge, between the hours of twelve and three o'clock. It was a dark, rainy night, and the witness not looking out for any thing of the kind, was much alarmed on hearing a man enter the room. She and Asenath were sleeping together. Witness asked, "who was there?" Prisoner answered "Mr. Rogers." He then came to the bed, and taking witness and her sister by the hands, said, "My dear girls, I have gotten into trouble, and I entreat you to be my friends." He then told Asenath that Dr. Downing had been put under oath, and obliged to swear that she had had a child—that there was a warrant out to take her on Monday, (this was Saturday night) and make her tell who the father of the child was. He told her that their lives and happiness depended on her conduct now; and if she valued either, she must go out of the county the next day—gave her a two dollar note promising to give her more; telling her to get Andrew Clark to carry her to Mr. Amos Geer's, in Windham, where he would meet her on the following Wednesday. On Sunday morning she accordingly went to Windham, and from thence to Deerfield. There Rogers visited her, &c. She returned to Griswold, in March, 1819, in consequence of the baseness of the prisoner's conduct to her, and made the disclosure which led to the prisoner's prosecution. After this Rogers visited my sister, in a family into whose protection she had thrown herself, and succeeded in persuading her to leave the state.—She went—and Rogers, after bringing me a number of letters from my sister, invited me to visit her, which I consented to. We started from Jewett's City about dark on Saturday night—travelled all night, and arrived at South Brimfield about day light, on Sunday morning—found Asenath.—She and Rogers both entreated me to write to Mr. Lanman, and see, if by so doing, I could not induce him to give up the prosecution

against the prisoner. I did write such a letter, and gave it to Rogers.—This was not enough—they wished me to give a deposition to the same effect. To this I objected; but Rogers told me that he would write it, and state such things as that I need not swear falsely, and that I must copy it. We then returned, and the next day he sent the deposition for me to copy, which I did; and Denison Palmer, Esq. came to our house, and I made oath to it. In January, 1820, I was living with Mr. Warren Williams, in Groton, where Rogers came, and told me I should be summoned to Court—that I must evade certain questions, and told me how to do it.

By Mr. Lanman.—How did he tell you you might evade these questions?

When I asked him how I could without swearing falsely, contradict what I had sworn to at his binding over, with respect to my seeing him and my sister in bed together, he said I might do so very safely—for I could not say I had seen them *in bed*, unless I had seen them *within the ticking, among the feathers!*

The Monday following the fourth Tuesday of January, the prisoner came to Mr. Ephraim M. Williams', where I was, and wished to see me alone. I walked out with him: He then told me if I would place myself under his protection, he would do honorably by me—that Mr. Russel Willoughby was at Wm. Williams'—that Willoughby would come and summon me in his (the prisoner's) behalf—that I must go with him to Norwich, and from thence to Hartford, where he would board me until he could carry me to my sister—that all this was necessary—that if I testified against him, it would ruin him and consequently my sister; and made use of a great many arguments and much art, to quiet my conscience, and to make me think it was my duty to do as he directed me. He directed me to tell Mr. Willoughby, on the way from Mr. Williams', that he, (Rogers) was an injured man—that he was innocent, and that I could not in conscience testify against him again, and that I must tell every one so, &c. and I did accordingly tell every one, to whom I said any thing on the subject, precisely as Rogers directed me to. Mr. Willoughby summoned

me, and I went with him, though very reluctantly. On the road Rogers met us with a sleigh, and carried me to Mr. W's. house in Norwich, where I remained from Sunday night till Thursday night, shut up in a room.—Mr. Willoughby then came and told me that Mr. Spencer, the Constable,* was in the house, and determined to search it for me—that I must leave it immediately. He then went out, and in a few minutes returned and told me that when I saw a man with a segar in his mouth, I must follow him. I did so, and in a few minutes saw the man with the expected signal, and followed him into a large brick building, and found that his name was Beebe—staid there that night, and until the next night.—Rogers then came and told me I must leave town that night, and asked Mr. Beebe to take me to Backus' Iron works—set me down and let me walk on, and he (Rogers,) would overtake me. Mr. Beebe took me in a sleigh to the place appointed, and Rogers not overtaking us, Mr. Beebe, more humane than his employer, declared that he would not leave me in the streets to perish—that he would carry me back contrary to my own wishes, rather than leave me there. He however carried me about two miles further, when we were overtaken by Rogers, who requested, and Beebe agreed, to carry me to Wattles' and from there to Bailey's, in Lebanon. He then gave me 75 cents, and told me that Mr. Willoughby would come and take me away the next day. Willoughby did come the next night, and carried me to Captain Daniel Bascomb's: The next night he came again, and told me that the officers on the part of the state were going to search the town for me the next day, and he must take me away; to which I objected, and he concluded to let me stay until the trial was over. I staid

*The Superior Court was now in session, and this officer had a Capias for the witness, Miss Smith, and was then in search of her; but such was the secrecy with which Rogers kept her concealed, that it was not possible to find her, though she was actually in the house where Spencer lodged. There is in this whole transaction, a tincture of romance, that really renders its history as interesting for the novelty of its incidents, as it is for the baseness of its materials.

there until the next Thursday or Friday, when Mr. W. and his wife came and carried me to Capt. Townshend's, in Hebron, where I staid about ten days, when I was carried to Mr. Shipman Haughton's where I staid two days. Mr. Haughton having disguised me in a man's great coat and hat, took me into a sleigh and carried me to the turnpike gate in Bolton, and set me down in the street, in the night. Here Rogers had promised to take me up. After travelling about two miles, Rogers overtook me in a sleigh, and carried me to Enfield, where we stopped, and where I divested myself of my disguise.— In the morning Rogers showed me the Hampden Patriot, in which he had inserted an advertisement for a situation for me, and presented me a list of the applicants at the Patriot Office, for my services, among which was that of Dr. Daniels, the editor of the paper, where Rogers told me I must go and stay until I could find a place that would suit me. We then proceeded to Springfield, and on the way Rogers told me I must not tell Dr. Daniels his name. I observed to him that the gentleman would ask me who brought me there, and who put the advertisement in the paper, &c. and if these questions were asked, I must answer them. He said if they were asked me, I must call him Dr. John Logan, of New-London; he told me, he should be in Springfield in one week from that day, which was Sunday. The next Sunday he came and stopped at Goodrich's inn, sending to me a note informing me that a friend of mine was at Goodrich's very much unwell, and desired me to call there immediately, which I did, accompanied by Doctor Daniels. On arriving at the house, I found Rogers, but in pursuance of his command, I called him Dr. Logan. He requested an order for my clothes which I gave him; at this time, suspicion gathered so fast upon me, that I was necessitated to disclose the whole transaction, which I did to the Doctor and his family. After this, Rogers called on me several times, and in the month of May, told me he was going into the State of Maine, and should probably be gone two or three months, and knew not whether he should see me again until his return; having had his promises of support, and my health growing very

bad, I wrote to him, requesting him to call and make some provision for me during his absence. He called, and was very much enraged at my having disclosed the transaction to Dr. Daniels and his wife, and told me I must contradict what I had said to them, which I did, under the consciousness of my being so much in his power. He requested Dr. Daniels to carry me about a mile out of town, which the Doctor did. Rogers then took me and carried me to Union, in Connecticut, where he left his Chaise, and said we must go across, as it was much nearer.

Knowing that I was in his power, I complied. He led me into a most dismal swamp, where he stopped, and stepping before me, told me to promise to sign and swear to a deposition in his favor. Situated as I was, in the midst of a most gloomy and terrific swamp, late at night, and a total stranger to the place I was in, I promised him that I would, and accordingly the next morning, he carried me before Justice Foster, where, directed by Rogers, I copied the letter I wrote to Mr. Lanman, in the form of a deposition, signed and swore to it. I remained in Union a few weeks, and went to South Brimfield where I staid but a short time at a Dr. Eaton's. I here wrote to Dr. Daniels, and received an answer from him, in which he most kindly offered me his house, and the protection of himself and family. I immediately went in the stage to Springfield, and have remained in that benevolent family until I came to this Court.

Question by Mr. Lanman.—Have you lately seen and conversed with the Prisoner?

About three weeks ago, Samuel Johnson, Esq. of Chester, came to see me, and brought a letter from the prisoner, requesting an interview with me. I told Mr. Johnson, I was willing to see Rogers. Rogers came and requested a private interview, which I told him I should not consent to. I wrote to Dr. Daniels, requesting him to come to the house immediately, which he did, and advised me to have no private conversation with Rogers. Rogers then told me he had a letter from my sister, but I could not see it, unless I would see him alone. I declined seeing the letter.

on this condition. I had not been permitted to see my sister since I came to Massachusetts. He then said I might see my sister the next Wednesday, if I would go to Chester. I told him I would go, if Dr. Daniels would accompany me. This Rogers objected to; but on the next Wednesday I went to Chester, accompanied by Dr. Daniels and two other gentlemen, where I saw my sister and Rogers.—Both of them entreated me not to appear at Court. Rogers told me if I would consent to go with my sister, I should live with her, and he would provide well for us both. Rogers said if I would not appear and testify against him, he should be acquitted; but if I appeared, and testified as I should, he would be condemned.

Mr. Goddard.—Is your sister subject to Hysterick fits?

She has been, but had none for some months previous to the night I heard the shriek in her chamber.

How many months?

Not for six months, I should think.

Do you swear you had not known her to have hysterick fits for six months previous?

I do not think she had.

Andrew Clark, sworn.

Mr. Lanman.—Did you take Asenath away? and if so, when was it?

A. On the third of May, 1818. I think Asenath asked me to carry her to her uncle's, in Windham. I carried her there, and she paid me out of a two dollar note.

Q. Have you known that Rogers was in the habit of visiting Asenath.

A. Rogers was at the house frequently to see Asenath—they were very fond of each other.

Question by the prisoner's counsel.

Is Asenath subject to hysterick fits?

A. She is.

Q. You lived in the house?

A. Yes, sir.

Q. Had she any of these fits a short time previous to the time that the noise is stated to have been heard in her chamber?

A. I think she had had the hystericks not a great while before that time.

Q. Within six months, think you?

A. I should think I had known her to have them within that time.

Dr. Ira Daniels, sworn.

Is the editor of the Hampden Patriot, published at Springfield. The first time I ever saw the prisoner at the bar, was in February last. I went to my office and found him writing. After he had done, he handed me an advertisement, which he wished inserted in the Patriot. It was for a situation for a young woman; and it was accordingly inserted. About two weeks after, Rogers returned, paid for the advertisement, and requested a list of names that had applied for the young woman. I inquired of Rogers the character of the young woman, and he told me she was a girl of good character—that her reputation was unblemished. He said that she was kind and good to children, and was a suitable girl to be employed in a family; that she was an orphan, and had neither brother or sister. I then told him to have her call upon me, where she could stay till she got a place to suit her.

A short time after, Maria A. Smith came to my house. In about a week after, I saw the same person who had advertised the girl, at Goodrich's tavern, and was told by Maria that it was Dr. Logan, of New-London. I conversed with him for some time, as one of the faculty, in technical language, and was not disposed to think very favorably of him, as a professional man. The evening after, I understood (what I was convinced of before) that this was no physician; was told that he was an Episcopalian Clergyman, by the name of Animi Rogers. I suggested this discovery to Maria, who was much agitated. This awakened a very strong suspicion that all was not right. I told her that she must reconcile this mystery, or I could not keep her; and very shortly she told me the same story that she has now related, as far as it had then taken place. Rogers was frequently at my house. On one occasion I told him what Maria had related to me. He said that he had got into an unfortu-

nate affair; that some of his enemies (mentioning Hon. James Lanman, Col. Halsey, and Dr. Downer,) had availed themselves of this circumstance to destroy him; and the reason why they had done it, was *that there were some exertions made to have him constituted a Bishop!!* But as they had commenced operations against him, he felt himself justified in making the best defence he could. It was always justifiable to go into an enemy's camp—and if he could keep away the young women who alone *knew* the truth of this matter, he should be acquitted; but if they testified, he must be condemned. He desired me not to let any one in Connecticut know that he had taken the girls out of the state; as that circumstance would operate against him.

About the last of May past, when Rogers came to my house to carry Maria away, he told me that he was determined she should never testify against him; nor should I ever after hear where she was. When I told Maria that Mr. Rogers had come for her, she replied, that she knew what he wanted; but she should never consent to it; and appeared to be much agonized. I carried her one mile, to Mr. Bang's mill, where I left her; not knowing her destination or fate.

Samuel Johnson, Esq. and the prisoner at the bar were at my house, as stated by Maria; and urgently requested permission for a private interview with Maria. To this I objected. About one week after, I saw Rogers at Chester village. He there begged, entreated, and conjured me to advise Maria to put herself under his *protection* again, and go with her sister to a suitable place, which he had provided. He held out every inducement in his power, to persuade me to comply with his request. He said that if Maria went to Court, he must suffer.—I left him without agreeing to any thing specifically.

Samuel Wheeler, a black boy was next called.

Mr. Lanman.—Well Samuel, tell the court what you know, concerning this case.

I was sent to the house where Asenath Smith lived, to borrow a meal bag—they told me to go up stairs after it. As I was returning, I went near the chamber-door, and took down a sword which hung there, and played with

it—I was swinging the sword about, when I saw the chamber-door partly opened, it was opened about a foot—I looked in, and saw Mr. Rogers and Asenath in the bed.

One of the counsel asked Sam, if Rogers and Asenath saw *him*. With one of those grotesque grins that a black-amoor's white teeth, through a pair of ebony lips, produces, Sam answers :

"I 'spose they did, they rolled over when I looked at 'em." Witness says he went home immediately, and told his master.

Welcome A. Browning, Esq. called.

Lives very near the house of Mr. Geer, where Asenath Caroline Smith lived. Knew Rogers to be very frequently at the house—never saw him in the house more than once, but has seen him walk out of the house very often. Is master of the black boy, Sam. Sam came home from Mr. Geer's and told him the story that he has just related to the court, of his having seen Rogers and Asenath in bed together. Witness told Sam he must not report it, for Mr. Rogers was a minister, &c. Rogers afterwards called on the witness and demanded that Sam should be whipped for the lie. Witness called Sam, and told him he should flog him for telling the lie about Mr. R. Sam said, "you can whip me if you mind to master, but I han't lied, I did see 'em abed together." Witness did not whip Sam—thinks his character as good as black boys' in general, for truth and veracity.

Wm. Foster, Esq.

Is a Justice of Peace, residing in the town of Union. At the time mentioned by the witness, Maria, the prisoner came to his house to take Maria's deposition, and as the witness was about to administer the oath to her, he observed much agitation in her manner and appearance—was proceeding to caution her, and to inform her of the necessity there was of her being careful that the facts were truly stated, &c.—the witness was very abruptly interrupted by Rogers, who said that Maria was a well educated, and intelligent young lady, and needed no cautioning or catechising, and desired that nothing

more might be said to her ; the witness thereupon administered the oath to Maria.

Ralph Webb—sworn.

The witness keeps a tavern in Windham. Rogers came to his house with Asenath, and requested the witness to go after a magistrate, which he did. Justice Robertson came, and Asenath, very unwillingly, made oath to a deposition. Asenath evinced much hesitancy and perturbation, on being told to swear to the deposition.*

Miss Willoughby

Was at the house of Mr. Webb, at the time of Rogers' and Asenath's coming there—they staid all night.—The witness was accidentally in a room next to the one where the prisoner and Asenath were, between which rooms there was a swing partition, through a joint of which she saw§ them, and heard the prisoner say, "Asenath you must contradict what you said at the Court of Inquiry."

Asenath replied, "I cannot, I cannot, Mr. Rogers, in conscience contradict it."

Rogers sighed deeply and audibly, and said, "then I must suffer." Asenath, in great apparent agony of heart exclaimed, "Oh, that I were dead!"

Warren Williams—sworn.

Maria A. Smith was at my house—Willoughby came and summoned her in Rogers' behalf, to appear at court, at Norwich—tendered her a silver dollar, and Maria, with great reluctance went away with him.

[Here the evidence for the state was closed for the time, and the counsel for the prisoner directed to produce their witnesses.]

James Cook, Esq.—

Was one of a committee appointed by the church to inquire into the transaction in which Mr. Rogers was

*This deposition contradicted the testimony which Asenath had given before the Justice at Norwich, in which she had made the disclosures noticed in the Introduction.

§The witness is supposed to have *seen* much more than she heard during the dialogue. But Mr. Lanman's ingenuity failed him in the attempt to draw a statement of it from the witness.

implicated, with respect to Asenath C. Smith's child.—Went with mr. Baker and mr. Fry, to old mr. Geer's, and carried a paper, in which mr. Rogers was exonerated from any blame in the transaction. Old mr. Geer, mrs. Smith, Asenath, &c. all declared that paper to be true, and spoke highly of mr. Rogers. mr. Geer told the witness that Rogers came to his house as a clergyman, which he wished him to continue to do. He also went to Browning, having heard of the story reported by mr. Browning's black boy, Sam; he inquired of Browning about it—and Browning told the witness that he did not believe the story of Rogers' being seen abed with Asenath—that Sam was a lying boy, so much so that he could not send him on errands. It was at the house of this witness that the prisoner lodged on the night of the 2d of May, 1820, when M. states the prisoner to have come into their chamber—and the witness testified with respect to that: Rogers spent the evening with the witness and his family, they did not retire to bed till half past eleven—the prisoner took off his boots and left them in the room where they were sitting, but he does not recollect whether they were there in the morning—prisoner must have opened three doors to get from his lodging room, and the witness was up by sunrise the next morning, and had no suspicion of Rogers' having been out during the night—he lives eight miles from old mr. Geer's where Asenath was.

Mr. Lanman—This was Saturday night.

A. Yes, sir.

Q. The evening previous you came from Jewett's city with Rogers, did you.

A. I did.

Q. Did you not have conversation with the prisoner, with respect to the complaint that Col. Halsey had caused to be made.

A. I did, I told him I understood there was such a complaint, and he said he did not see how *he* could be implicated in it at all.

Enoch Baker—sworn

The witness also belonged to the committee appointed to examine into the transaction. Went with messrs.

Cook and Fry to the house of mr. Geer and mrs. Smith and agrees generally with the statement of mr. Cook.— Old mr. Geer, mrs. Smith, and Asenath, acknowledged that the paper containing their exoneration of the prisoner from censure was true—did not see Maria—he went by the request of Rogers, and he thinks it was Rogers that moved for the appointment of the committee.

Peleg Fry

Was also a member of the committee of inquiry and agrees with the statement of the preceding witnesses.— Maria has told him she should never say again what she had testified at the examination.

Samuel Johnson, Esq. was then called.

This gentleman is understood to be a member of the bar of some respectability, in Massachusetts, and had been employed as counsel, by the prisoner, in that state. The week preceding the trial, the counsel for the state had urged its immediate commencement, when the prisoner's counsel stated to the court that mr. Johnson, was a material witness for their client; and on this suggestion a postponement was granted for one week, to enable prisoner to avail himself of this testimony. The witness came to the stand, and after a long private conversation with mr. Goddard, that gentleman informed the court that he should not examine the witness *that night*, and it being late, the court immediately adjourned.

Mr. Johnson was called the next morning, when it appeared that he had left town for Massachusetts.

Friday, October 6th.

John Townsend, was examined.

Maria A. Smith came to my house, in Hebron, the last winter, and staid some time. She told me that her testimony before Justice Coit, against Rogers, was untrue—that she very much regretted it, and wished to get away—that she could not say it again, and was very fearful all the time she was at my house, that some one would be after her, from Norwich. Mr. Willoughby and his wife brought her there, and she went by the name of Betsey Paine.

By the Court.—Did you ever tell Rogers what Maria said ?

A. Yes—and he said he should be very glad to have her go.

Joseph R. Willoughby,

Keeps a public house in Norwich, and was employed by Rogers to summon Maria A. Smith ; found her at mr. Williams', in Groton ; she was very unwilling to go, and told him she was afraid to testify in court to contradict her former testimony before the justice, for fear of implicating herself. Witness told her to place on paper what she would testify to, and he would take it to a lawyer, and see whether she could do it safely ; carried Maria home, and she wrote the paper. [Here the paper was produced and read by mr. Gurley.] It contradicted the evidence before the examining magistrate, and stated that she had never known any part of the prisoner's conduct to be derogatory to the character of a gentleman and a christian, addressing it to Rogers' counsel, with a request to be informed whether she could testify to it without implicating herself, &c. Witness swears that Maria told him that she had sworn wrong before, and she could never in conscience swear so again. Maria was at liberty while in his house.

Judge Chapman.—Was she kept concealed while there ?

A. She was.

The witness says, Spencer, the officer, was in his house while Maria was there, and he knew that Spencer had a capias for her ; but witness never told Spencer of her being there. Charged Maria's board to Rogers. Maria left his house in the night, and the next time he heard of her, she was in Lebanon. Carried her to Bascomb's and to Townsend's.

Mary Ann Willoughby

Is daughter of the last witness ; a modest, intelligent and pretty girl ; became some acquainted with Maria during her stay at the house of the witness' father ; had considerable conversation with her on the subject of Rogers ; Maria said she had taken a false oath, under the influence of Lanman and old Halsey, as she called them.