

CELEBRATED TRIAL OF REV. JOY HAMLET FAIRCHILD,

For the alleged Seduction of Miss Rhoda Davidson,

TOGETHER WITH HIS OWN DEFENCE BEFORE THE COUNCIL.

(Reported for the Daily Mail.)

This Council met at the 1st Congregational Church, in Exeter, N. H. on Wednesday last, at 10 o'clock, A. M. The Council was called to order by Rev. J. French of North Hampton, N. H. and on his motion it was organized by the choice of Dr. Dana, of Newburyport, as Moderator, by whom the Council was opened with prayer. The Rev. Luther F. Dimmick was chosen Scribe, and Rev. R. W. Clark, Assistant Scribe.

The following Churches were represented :

Second Presbyterian Church of Newburyport, Rev. Daniel Dana, D. D., Pastor, and Isaac Pearson, delegate.

Church in North Hampton, Rev. Jonathan French, Pastor, Deacon Samuel Chapman, delegate.

Church in East Bradford, Rev. G. B. Perry, Pastor, Nathaniel Ladd, Delegate.

South Church in Salem, Rev. Brown Emerson, D. D., Pastor, Deacon Jacob Hood, delegate.

Church in Braintree, Rev. Richard S. Storrs, D. D., Pastor, Charles M. Fogg, delegate.

Church in Dedham, Rev. Ebenezer Burgess, Pastor.

North Church in Newburyport, Rev. L. F. Dimmick, Pastor, John Pearson, delegate.

First Church in Concord, N. H., Rev. Sylvester Dana, delegate.

Second Church in Nashua, Rev. Austin Richards, Pastor, Deacon David Baldwin, delegate.

First Church in Ipswich, Rev. D. F. Kimball, Pastor, Deacon Charles Smith, delegate.

Church in Greenland, Rev. Samuel W. Clark, pastor.

North Church in Portsmouth, Rev. Rufus W. Clark, Pastor, Deacon John Knowlton, delegate.

Church in Derry, Rev. E. L. Parker, Pastor, Elder John Humphrey, delegate.

Church in Durham, Rev. Alvan Tobey, Pastor, Ebenezer Thompson, delegate.

Church in Rye, Rev. James F. McEwen, Pastor, Thomas J. Parsons, delegate.

Church in Saco, Rev. Samuel Hopkins, Pastor, William P. Haines, delegate.

Howard street church in Salem, Deacon Isaac P. Foster, delegate.

The letter missive sent to the different churches was read. It is as follows :

This is to request you, by your Pastor and delegate to meet in Council at the lecture-

room of the First Church in Exeter, on Wednesday, the 24th inst. at 10 o'clock, A. M., to dissolve the Pastoral relations of the Rev. J. H. Fairchild, to the First Church in this place. Also to examine certain documents and evidence which may be presented by a committee of the Suffolk South Association, implicating the moral character of Mr Fairchild, and to act and decide thereon.

Yours in the faith and fellowship of the Gospel.

Exeter, July 16th, 1844.

J. H. FAIRCHILD, Pastor.

JAMES ODLIN,	} Committee of the Church.
THOMAS LOVERING,	
JAMES G. PAIGE,	

Mr Fairchild was present and sat with his wife at a table near the pulpit. He requested permission to have the aid of the Rev. Mr Phelps of Groton, in the examination of evidence and papers, and the Council voted to comply with his request.

The subject of the discussion and the charges were now before the Council.

Mr Fairchild hoped as he had sent in a letter of resignation to the Church, that that event would take place first, and be now acted upon.

The Council voted that the paper containing Mr Fairchild's resignation, and the action upon it, should be read. It was dated Exeter, June 18th, 1844, and the Church voted to comply with his request. At the semi-annual meeting on the 9th of July, Mr Fairchild requested a committee to be raised to unite in calling an Ecclesiastical Council, to dissolve his pastoral relations, and to examine the documents of the Suffolk South Association, and the Church voted to call such a Council to dissolve his connection.

Mr Fairchild arose and stated that his letter might, perhaps, strike the members strangely, and he would endeavor to explain himself. He received a letter from brother Adams in relation to some charges which had been made against him, and requesting him to write him an answer upon the subject. He preferred seeing him in person, rather than writing and accordingly went to see him at his house in Boston ; there he heard of the papers, containing the charges read. He denied their truth, but did not know where to find witnesses to rebut those charges. He returned home in a state of mind almost bordering on despair, and hardly knew what he did. He wrote the paper to the Church.—

He wrote it for this reason ; he could not disprove those charges, and he could not bear the idea of implicating the Church with him. The affair mentioned took place in another town and State years ago, and he could not involve this Church in any such difficulty with him.

The committee composing the Suffolk South Association, are Rev. Mr Riddel, Chairman, Rev. Edward Beecher, D. D. and Rev. N. Adams, and it was moved that the papers of the Association be received from the committee. Before this question was put it was suggested by a member that as this meeting was one of the greatest delicacy and importance, the Council should be held private ; he was willing to gratify a public curiosity in any reasonable way, but he thought the debates were unfit to be listened to in public. This measure was strenuously urged by two or three others, from the general reasons, that understanding the matter was to be subjected to a legal investigation, they were unwilling that the proceedings of this Council should clash at all with such a tribunal. Rev. Dr. Burgess of Dedham advocated this point with great zeal.

On the other side it was argued that no such evil consequences could reasonably be expected to arise, that this was a case of public importance, many statements false and injurious had undoubtedly appeared, and the public demanded a public investigation to get the truth, and not to throw a cloak over sin if sin it be. It was believed to have far more a bad tendency to keep these matters concealed than to have them open to the public ear, and after some discussion the motion to shut the doors was negatived by an overwhelming vote.

The chairman of the committee the Rev. Mr Riddell, now stated that the committee appeared before this Council by invitation of Mr Fairchild and the church, as a committee of the Suffolk South Association of Boston, for the purpose of bringing before the Council the charges of immoral character made against Mr Fairchild, who is a member of the Association. This association appointed three gentlemen to inquire into the facts of the case. After proceeding in their investigation as far as they could, they made a report to the Association of the subject before them. Being informed by a letter from Mr Fairchild that a Council would be held in Exeter, the Association appointed a committee for the purpose of laying the fact before the Council. They were here in obedience to the call, and they proposed to present the matter in the following order.

1st. To submit a brief statement as to the manner in which the subject came into the Suffolk South Association.

2d. That the charges in their full extent be stated to the Council, and that witnesses be

introduced and be examined and cross examined.

3d. That the Rev. Dr. Beecher should sum up the evidence in the case and bring it before the Council, in its proper connexion, to enable them now to act.

Rev. Mr Adams now gave a brief history of the affair and how it came to be investigated. He said that sometime in the Spring of the present year a circular was issued from Exeter and scattered in this place and elsewhere. It came to his knowledge from Mr Fairchild himself, whom he met in Boston, and it was agreed that as the subject referred to acts of an immoral nature, they should be investigated, and the question was how shall it be done ? The charge appeared to be an informal and an irresponsible one, and it was thought proper that the investigation should also be informal. At the request of Mr Fairchild, six individuals came together in May, composed of three clergymen, and three laymen. The investigation was a laborious and protracted one, and the result was that there was nothing in these charges, to remove our confidence in Mr Fairchild, as a christian. It happened that an individual in whose family Miss Rhoda Davidson had lived heard that she had become a mother, and that the reported father was a minister ; he remembered this in connection with the charges made against Mr Fairchild, and he communicated his thoughts to another, a brother of his church. The subject was investigated by some of the laymen, which resulted in the facts that are to be presented here. These facts were embodied in these papers which were sent to him. The charges were not known to exist at the time that the first investigation was made by any gentleman upon the committee of investigation. The papers being put into his hands, he wrote a letter to Rev. Mr Fairchild stating the substance of them, and informed him that he would evidently see that it was due to himself and the committee that he should have an opportunity to answer. On Monday Mr Fairchild came to his house, and the brethren composing the committee of investigation met there, and those letters were read to Mr F. We came to the result that there were three ways for him to conduct. First, on the supposition of his guilt we told him if he were guilty the best way would be to confess. Second, if innocent, to indict the individuals whom he thought conspired to injure him, and bring them before a legal tribunal, and third, to call an Ecclesiastical Council.

He came to the conclusion that the subject ought to be submitted to the Suffolk South Association, and in compliance with his request a meeting was called. They appointed a committee who proceeded to investigate the case by examining witnesses, and obtaining certificates of the facts ; had had an interview with Mr

Fairchild a few weeks since, and it was his wish that the subject be referred back to the Association, for the reason, that the alleged misconduct took place before his connection with the Church at Exeter. This being the understanding the witnesses were obtained and he was informed that he would have an opportunity of examining them. A letter was received from him, stating that he had altered his mind, and that he would prefer an Ecclesiastical examination, and the committee after a long examination made the report to the Association. Mr Adams stated that the committee appeared here as one of inquiry as searchers after truth, and to lay before the Council such a view of the evidence as had been impressed upon their minds after examining the witnesses.

Mr Fairchild here requested Mr Adams to read his letter that he had referred to in reference to changing his mind.

It was read; and stated that Mr Fairchild had upon due reflection and consultation, concluded that the most proper course would be to request the committee to appear before the Council, that he might hear the charges preferred against him, prove his innocence, and meet his accusers face to face. Mr Adams pursued the history of the affair; it had been ascertained that the young female Miss Davidson, had had an illegitimate child, and that those with whom she had lived had become involved in the matter. The subject was incidentally discussed in different places, and on different occasions, and considerable interest in the case arose from the fact, that she had lived in a gentleman's family who had acted as her guardian. Mr A. went on to state how the reputed father became known, from certain papers that were put into the hands of the committee by an individual.

Mr Fairchild. Will Mr Adams state to the Council who put the papers into his hands?

Mr Adams. The Rev. Mr Aiken, who stated that he had received them from Deacon Drake of Phillips' Church, South Boston.

Mr Riddel here stated some facts in relation to the early part of the history of the developments in the case, and what led to them, and as Deacon William Lovejoy of East Boston had been alluded to, he stated that gentleman's connection with Rhoda Davidson, and how he came to take an interest in her welfare. Deacon Lovejoy stated to him that he had known Rhoda some years ago, that he was a native of a town adjacent to the one where she lived. On a visit there about eight years ago, he met her mother, and in course of conversation, she requested him to take the girl into his family and bring her up till she was of age, and wishing to do such a favor, he consulted his wife, and they concluded to receive her for an indefinite time, and they either brought the girl home with them, or

she came into their family to live soon after. She remained with them about six months, when they found her another place, and she left. But they felt an interest in her welfare, and she occasionally calling to see them, an acquaintance was kept up. At length she returned home to Maine, and they lost sight of her, till there came a report that she was the mother of an illegitimate child, that it was not known who the father was, except that he was a minister. Deacon L. did not suspect any particular person, till the result of the investigating committee at South Boston, and Rev. Mr Phelps gave him a paper in which it was published.

Knowing where the girl had lived, in a conversation with Mr Charles Homer, upon the subject of Mr Fairchild's case, he mentioned what he thought of it. Mr Homer went to Deacon Vinton, one of the Deacons of Phillips' Church, South Boston, and told him of the rumor, and the idea that prevailed that the father of the child was a minister. Deacon Vinton mentioned it to Deacon Drake. He knowing that the young woman had lived with the Rev. Mr Shaler of Brookline, he went out to see him and inquire what he knew about it. He urged Mr Shaler if he knew where she was to see her, and induce her to say who the father of her child is. He then spoke of the subsequent interview with Mr Shaler and the girl, in which she revealed the name, and her declaration was put in writing.

Mr Fairchild. Did you not learn that the girl was a cousin of Mrs Lovejoy?

Mr Riddel. I don't remember hearing any thing of that kind.

Mr Fairchild. That fact will come out in the evidence.

Mr Riddel now read to the Council the statement of charges brought against the Rev. Joy H. Fairchild, which were

That sometime in the summer of 1840, Mr Fairchild did seduce and have criminal connection with a young woman, by the name of Rhoda Davidson, of Edgecomb, in Maine, while she was a domestic in his family, and from that time till September, 1842, had criminal connection with her; that she had an illegitimate child, and that she affirms he is the father.

To prove these charges, Mr Riddel stated that he was now ready to introduce Miss Davidson, her sister, Mrs Mary Easty, and the Rev Mr Shaler, of Brookline. These witnesses, he remarked, had been examined by the committee, but he did not think it proper to use any documentary evidence or papers, but had brought the witnesses themselves, for the purpose of giving Mr Fairchild an opportunity to cross examine them. Before the witnesses were introduced a discussion arose as to the course which the council should adopt in relation to evidence, and the proprie-

ty of using nothing in the investigation, but good and valid testimony—and the committee thought that such a course was more important in this case in consequence of a legal investigation which had taken place in Boston. Dr Beecher remarked that the District Attorney, Mr Parker, in speaking of the subject, objected to the general course taken by Ecclesiastical councils in introducing much that was not evidence, and had urged upon him the importance of being cautious how evidence was taken.

Rev. Mr. Emerson remarked that he had heard that the Grand Jury of Suffolk had found a bill, and his opinion was, if that was the case, that the trial before the Civil Court should precede that of an Ecclesiastical Council, as the former had the power of compelling the attendance of witnesses, and obtaining a thorough investigation, and he enquired if a bill of indictment had been found.

Dr Beecher remarked that if a bill had been found the Council ought not to know it, except in an informal way. He could make no statements that should go before the public; he had heard at one time that a bill had not been found, and at another time that one had been, and he supposed there had.

Rev Mr Adams said that the District Attorney seemed to be disposed to defer the action of the Grand Jury till after the decision of the Council, rather than Mr Fairchild should stand before them in the position of a culprit. Mr Riddel said the Committee did not intend to introduce any documentary evidence, except for the purpose of rebutting documentary evidence.

A desultory conversation now took place upon the subject of administering oaths, and whether an oath could be legally administered. An appeal was made to Judge Farrar, who was in the room. He stated that it was no offence in New Hampshire to administer an oath in that way, although there was no legal validity in such an oath, and that it would not subject the party to an indictment for perjury.

Mr Phelps said that the evidence he had was not strictly legal; he should produce a number of affidavits from Maine, that would show a moral if not a legal bearing.

Mr Fairchild remarked that his evidence, except in one case, was obtained from professors of religion, and under oath from Justices of the Peace.

Mr Adams said he should rejoice at any evidence Mr F. might obtain bearing upon the truth of the case.

Mr Riddel thought that in order to ensure confidence in Ecclesiastical Councils, we should use good and valid testimony.

Mr Fairchild believed he should suffer for the impression made in relation to the indictment. It was easy for any one to go before a Grand Jury and make a statement—an enemy might do it, and it was well known that only one

side was heard. He thought that the indictment was mentioned to intimidate him and throw out obstacles in the way.

Mr Beecher stated that Mr Parker suggested that the Ecclesiastical trial should go on, and that legal measures be adhered to.

Mr Fairchild remarked that as it was stated by Mr Riddell how the course marked out by the Committee in their investigations here, and that Dr Beecher was to sum up the evidence, he would ask Dr B., if he is to advocate that side of the case, and give an opinion.

Dr Beecher replied, that as a member of the Suffolk Association, and as a member of the Church of Christ, he should state the truth, let it cut where it will. It was now agreed that the witnesses should be examined and to prevent any correspondence from taking place between them, while one witness was under examination, the other should be out of the room.

Dr Burgess again renewed his motion that the Council have a secret session. This caused more discussion and waste of time, and was decided in the negative, almost unanimously.

[The principal witness, Miss Rhoda Davidson, of Edgecomb, Maine, was now called in. She came in with the wife of the Rev. Mr Shaler of Brookline, and took the oath prescribed to her in the name of God, by Mr Parsons, one of the delegates from Rye, N. H. Miss Davidson is now 22 years of age; she is in form and features, handsome, with a face indicative of intelligence, and with manners peculiarly winning. She gave her testimony very intelligibly, and with apparent candor and firmness. Under the circumstances, considering the number of hours she was upon the stand and the painful nature of the case, and the rigid cross-examination, she endured for the defence and by the Council generally, her prompt declarations, I must say, she was an extraordinary witness. Her examination commenced at 2 o'clock, P. M. Wednesday.]

Rhoda Davidson went to live with the Rev. Mr Fairchild, at South Boston, in the summer of 1840; his treatment of her for some time was very kind, until about three months, when Mrs Fairchild went on a journey into the country. One evening, he called her into the parlor, and she sat down in a corner of the room, and the witness went on to state. He wanted me to give him an account of my religious belief, experience, &c. I did so, and he began to tell me what a good girl I was, and how glad he was that I had come to live with him. He said that I might have thought strange that he had always been so kind to me, and that the reason was, that I was much like a young lady he loved very much, before he married his first wife; that she died and that this was the foundation of his regard for

me. Mr Fairchild began to profess great love for me, said he was very glad I had come into his family to live; I said I thought it very strange that he should make such demonstrations, being a married man, and that if he were not, I was not good enough to become a Minister's wife. At this time I was sitting on the sofa; he came up to me, and I think put his arms around my neck, and kissed me, and again stated how glad he was that I had come to his house. After this conversation, he said that I must not tell it to any one as it would injure him, and mentioned the circumstance of another minister who had made similar remarks, who was ruined. I had considerable confidence in Mr Fairchild and kept it to myself. It was not long after this before I got up to retire, he followed me to the door, and there hugged me pretty tight and hard; I went up to bed and went to sleep, but had'n't been so long when Mr Fairchild awoke me; he asked me if I knew my window was up, and remarked that he thought it imprudent, as it might rain, and he shut it down, and then he laid down upon the bed by my side, and told me to lie still, saying that he would'n't harm me, "you know I would'n't!" Soon he began to move up the bed-clothes, said he was cold, and began to get in the bed; I then got out, he took hold of my wrist and held me; I said, Mr Fairchild, I don't think that you are here for any good purpose; I don't recollect his reply, but he said a good deal, and observed that I ought to have confidence in him; I told him that rather than submit to his desires, I would rather he would cut my throat; he said I could'n't think he would do me any harm; he quoted some passages of scriptures, said that such a thing was the foundation of affection; that it was affection and God had made it so! that there was no lust where there was affection, that it was right in the sight of God, that I was acting against nature, that God had made me with such inclinations, and that I ought to consent to any thing that was right in the sight of God! It was at this time that he referred to David and Solomon and said that David had more than one wife, and he asked me if I didn't think that David was a good man; he said that God did not frown upon David until he killed Uriah. I asked him if God did not say every man should have his own wife; he said God did not say so, it was Paul; he talked to me some more upon this subject. At length I was compelled to consent to his wishes or scream; but I didn't want to scream for fear of exposing him and ruining his family; I had great confidence in him, and always supposed that he was a good man, and I didn't wish to expose him if his words were strictly true. His object that night was accomplished; I wept a great deal after this, and he staid in the room about an hour trying to console me; I told him that it

was disgraceful in the eyes of the world, that the guilt of a sinful woman in this way shone in her countenance. He laughed at me and the next morning he laughed me out of it, and asked me if I had looked into the glass that morning. [He tried to make me agree that when his wife went into the country he should come to my room once a week, but I made no such agreement.] About a week after Mrs F. returned home, I had some disagreement with her, and I told him in his study, that I thought I could not stay; he told me to go up stairs and pray over it, and I would think differently; he mentioned that I must not mind what his wife said; that she was at times a very amiable woman and I should like her.

I staid with him about a year; Mrs Fairchild was about going on another journey, and she was anxious that I should come back and live with her again; I went away to learn a trade, but previous to my going to a place I thought it proper to get a recommendation, and I went to Mr Fairchild and he gave me a good one. Afterwards I gave up learning a trade and went to Brookline to live at Mr Dyer's, and then with Mrs Sokes. Subsequent to this I promised to return to Mr Fairchild's and stay until they got a girl; I staid with him six or seven weeks, and I asked him to get another girl, that I must go, and at length he went to Boston and brought one home; I don't recollect at what time this was.

[The witness then went on to state that after leaving Mr Fairchild's she went to live at her cousin's in Porter street, from there to another cousin's in West Centre street, where she remained about three weeks; then she got a place with a Mrs Wood but left on account of understanding she was bad pay, then she went back to her cousin's in Centre street and there remained till she got a place to live in the family of Dr Chapin in East Abington.] A few days before the 12th January, I made a call at Mr Fairchild's house to see the family; Mrs F. had gone away, and there was no one in the house but Mr Fairchild into the country; Mr Fairchild came to the door and asked me into the study, and he talked a little while upon general matters, and expressed himself as being glad to see me. He took off my bonnet and shawl and then began to do some improper things; I had made up my mind that he should not do any thing improper with me, if I had the power to resist him; I got up and was going down stairs, my feelings overcame me and I burst into tears; I thought I would not go into the street in that way as people might think I had done something improper; Mr Fairchild came down and persuaded me to go back to his study; I did so, and he succeeded in accomplishing his desires; I told him that it was the last time he should do so, the last

time he should ever have his will over me, and it was. I went to live with Dr Chapin in East Abington, and was there till sometime in April, I came back to Boston and went to Mr Jonathan Hoyt's, and afterwards to Rev. Mr Waterston's in Temple street; I was not very well, and made known my complaint to my sister and Mrs Hoyt; she said if I were married she could think directly what ailed me; my sister asked me if I had had any intercourse with the other sex, I told her I had, and with a married man and of high standing, but I didn't wish to tell her the name; I told her, however, who it was, and she told me to go to him, and say that if he didn't get me out of the difficulty I would expose him; I took the hourly and went to South Boston: I saw Mr Fairchild at his house; I represented my case to him, and talked to him plainly upon the subject; he told me not to talk so loud, and said his wife was in the study and would bear; he told me to go out as soon as possible, go to the old Bridge, and he would overtake me; I went accordingly and he met me; he asked me what I meant by saying what I did? I told him my fears; he replied that "you know I would not do such a thing."

After some other conversation he offered to give me \$200 if I would say nothing more about the matter. I told him that my sister knew of it, and he would have to satisfy her also. I didn't mean exactly in the way of money. Mr F. said, "I'll tell you what I'll do, if you'll meet me at 1-4 before 8 o'clock, this evening, at Park street Mall, I will be there." I agreed to it, and went to Mrs Hoyt's where I saw my sister, and told her what I had done. She consented to go with me and meet him. At the time we went down Park street and there saw Mr Fairchild waiting for us, we walked to the great tree on the common and up the rising ground, and there Mr Fairchild gave my sister \$100; he told me that I had better go home; I said how can I go home, and not let Mr Waterston know it, and besides he knows that I have not got any money. Mr Fairchild said I can give the money to your sister and she can give it to you, and you can tell Mr Waterston that your sister let you have the money. Before Mr Fairchild handed my sister the money he said, "you solemnly swear before God that you will never divulge this!" and he remarked that I must never reveal it, for if I did it would ruin him for the ministry, and deprive him of the means of doing any thing more for me. At that time I understood Mr Fairchild that he would send \$90 every fall to my father, and give my sister \$10 a year to keep the secret. About a week after this, on Saturday, I went home in the John W. Richmond, and the next day being Sunday I went to church; I understood that there was a letter in the Post Office for

me, and I got it out and opened it, and upon reading the first few lines I knew who it came from; at the bottom of the letter it said "burn this immediately." I did so. The letter was from Mr Fairchild, and the substance of it was, that what I feared was the matter of me was not the case; he wished me to keep the secret and to take my medicines as usual. On the middle of Summer, while I was at home, I received another letter from Mr F., the purport of it was the same as the preceding one; I also burnt this, in compliance with his request. The child was born on the 8th Sept., 1842.

Before the birth of my child, my father, who had gone a-fishing, returned home; he questioned me as to who was the father of the child; I did not tell him directly it was Mr. Fairchild, but talked to him in a way that I thought he could understand, without violating the oath I had taken never to reveal it. He could not believe Mr. F. was the father, because he had heard of his being such a fine man, and also a christian; he went to Boston about it, and saw Mr. F. I returned to Boston on the 1st of September, 1843, and went to my sister's. [The witness now told where she had lived until she went to live at Taunton, where Rev Mr Shaler called to see her, and communicated to her what was said about her having an illegitimate child, and as she had lived at his house and Mr Fairchild's, that suspicion rested between himself and Mr F., and advised her to divulge the name of her seducer and the father of her child.] Mr Shaler urged me to tell who it was, and told me if I would divulge the secret, he would stand between me and all harm. I told him that I wanted to see my sister first upon the subject, and get her advice. I did so, and she told me that she didn't think of giving me advice, but told me to act my own pleasure. That night I returned to Boston, in the cars, in company with Mr. S., and told him who was the father of the child. I never received \$90 from Mr. Fairchild; my father wrote to me last fall and informed me that he had received only \$25 from him.

[Here the witness said she had finished her narrative. Rev Mr Riddel now examined her interrogatively.]

Question. Were you a member of the Baptist church at the time you went to live with Mr Fairchild?

Ans. I was a Calvinist Baptist at Brookline.

Ques. You spoke of Mr Fairchild's showing you some favors; can you specify any of them?

Ans. Sometimes when I wanted to go to Boston he would give me a ticket in the hourly, and whenever there was anything wanting about the house, he was very good in getting it.

Ques. You remarked that you had confi-

dence in Mr Fairchild, and did not think that he had any improper designs ; do you know what reasons you had for this confidence, &c?

Ans. I always supposed he was a christian—that he would live up to what he preached, and would know and act up to what was right in the sight of God.

Q. When Mr Fairchild came into your room that night, and spoke to you about the window being open, was he dressed or undressed?

Ans. He had on his night clothes.

Q. You spoke of his solicitations to you at that time and others ; did you make objections?

Ans. I always did.

Q. Were there efforts made to persuade you?

Ans. There always were.

Q. Were there, or not, assurances made that they would not be repeated?

Ans. There were, unless I was willing.

Q. Did you consider the resistance you made would secure you from his approaches, or was there violence used?

Ans. There never was violence used, tho' I never was willing.

Q. What were the considerations used to prevail upon you.

Ans. He overcame me with persuasions, and had said that he didn't think that there was a female member of the church but would think it an honor.

Q. Was there anything said about love?

Ans. There was a great deal, and about affection, and that there was a great difference between true love and lust.

Q. Did you ever suggest any fear that you might become a mother?

Ans. I did.

Q. What was his reply?

Ans. He gave me a reason—a *plain one*, and one that I do not wish to mention ; another was that he had been married so long, and had so small a family, as an argument that he understood such things and knew how to prevent it.

Q. Can you not convey to the Council some idea of the first reason he gave you that you would not become a mother by him?

Ans. I cannot very well, but there is a passage in the scriptures that will explain it.

Q. How frequently did these illicit connections take place?

Ans. As often as once a fortnight.

Q. Did you never take means to avoid him?

Ans. I did, I noticed that he came to my bed on Saturday nights, and when I was not very tired I sat up very late.

Q. You say he chose Saturday nights, did he or not give you a reason for so doing?

Ans. He did, he told me that his wife would think he was in his study preparing his sermon for the Sabbath.

Q. Did he ever caution you to be careful of

your behaviour towards him before his wife?

Ans. He did, he told me always to be very careful lest I should excite her suspicions.

Q. Did you ever think she was suspicious?

Ans. I think not.

Q. You say he generally came in Saturday nights ; did it ever occur on other nights?

Ans. I do not recollect.

Q. While you were living with him a second time, did he repeat his solicitations?

Ans. He did.

Q. Were there inducements made with these solicitations?

Ans. There were.

Q. Did he ever say to you that you were resisting your nature?

Ans. He did.

Q. Did he or did he not say you were more particular than other people?

Ans. He did.

Q. Did he ever say he felt more respect for you because you kept yourself so pure?

Ans. He has so stated.

Q. After you became sick when you went to Abington, did you take any means to restore your health?

Ans. I did.

Q. Did you take any medicine?

Ans. I did.

Q. Of whom did you obtain it?

Ans. Of Dr. Chapin. After I returned to Boston I went to Mrs Wheeler's, a female Physician, but Mrs Waterston found out that I was sick, and advised me to go to Dr. Channing.

Q. What arguments did Mr. Fairchild use to induce you to keep the secret?

Ans. He said for the sake of his wife and family, and for the cause of religion, it ought to be kept a secret.

Q. Did you hear him admit to your sister on the common that he had had intercourse with you?

Ans. I did.

Q. Do you recollect of his saying to her that what you had told her about the affair was true?

I do.

Q. Did Mr. Fairchild during that interview on the common charge you with accusing him falsely?

Ans. He did not.

Q. Did he make such a statement to your sister?

Ans. He did not.

Q. Were any of your family aware of your receiving such a letter as was sent to you at Edgecomb immediately after you went home?

Ans. My younger sister knew of it.

Q. Did your father or mother know of it?

Ans. I think they did not. My father had formerly said in his family that if one of his daughters came home in such a situation he would disown her. I don't think at first that he suspected my situation, though he told me

after that he did, when I first went home. I never told my father or sister as to the number of times Mr. Fairchild had illicit intercourse with me.

Q. I wish to ask you a very important question, and I desire that you would give a decisive answer. Have you ever had connection with any other man?

Ans. I never have.

Q. Was there any person who paid addresses to you at the time you were living with Mr. Fairchild?

Ans. There was not.

Q. Was there, previous to your being there?

Ans. There was.

Q. And who was it?

Ans. It was Mr. John S. Ellis; after I went to live with Mr. Fairchild, the attentions of Mr. Ellis were not continued, as he only came there once while I was there. The reason why Mr. Ellis ceased to pay attentions to me was because he was not a professor of religion, I was advised on this account to discontinue his addresses.

Mrs Shaler came to see me, after I returned to Boston, to inquire in reference to the rumors she had heard respecting me; said she had heard reports from the eastward, and she wanted to be satisfied of the fact. I have never denied that Mr. F. was the father of my child. I recollect of Mrs Shaler urging me to tell who was the father, when she informed me that I had been excommunicated from the Church. I told her the father was an orthodox professor. The witness here mentioned the different places where she had lived prior to her going to Rev. Mr. Fairchild's, and said her only motive for changing was to suit herself better.

CROSS EXAMINATION.

[The examination now being finished, the witness who had been sitting on the left of the pulpit, was requested to remove her seat to the right hand. She did so, and was brought face to face to Mr Fairchild. The following is the substance of the cross-examination, which was elicited by interrogatories. The cross-examination was conducted by Mr Fairchild.]

I lodged in the attic story, the window was in the skylight; you had to pass the bed to get to it; I didn't scream when you laid upon the bed, but I have wished since that I had; the reason that I did not, was because I had too much respect for you and your character.

Mr Fairchild—What, a good virtuous girl, and not scream.

I have given my reasons; I might have said that John S. Ellis intended to marry me; I have never denied that he kept company with me; I never said any thing derogatory to the character of my sister; I never called her an improper person; might have said that she believed in any thing, and might have said that she was void of religious

principle; might have said that Mr H. was an improper man; do not recollect on what condition I agreed to go back to live with you, but you know very well what I said about going back again, and you recollect what you told me the last time I came; I hired with you 6 or 7 weeks.

Q. Didn't I call you up into my study one day after your abusive treatment to my wife, and say, Rhoda, leave my house immediately?

Ans. I don't recollect of your ever telling me to leave your house.

I don't recollect how many times I called at your house after I left Abington, but think I was in the habit of coming often; have said that I thought it was December when I called to see you, just before I went to Abington, and went into your study.

By Mr Phelps—Did you not feel afraid to go up into Mr Fairchild's study, alone with him?

Ans. I didn't feel afraid of the man, for I always had my own way.

By Mr Fairchild—Did Mrs Chapin ever say to you when you applied to her for medicine, that if you were a married woman, she should know what ailed you?

Ans. I don't recollect of ever having applied to her for medicines.

Q. Did you ever say that I once told you when my wife had gone her journey that I hoped some accident would happen to the cars, and hoped that my wife would be killed but the children saved.

Ans. My impression was that you said you hoped that some accident would happen and your wife destroyed, but the lives of your children spared.

By Rhoda Davidson (the witness.) Do you recollect of your saying that if your wife were out of the way, you would get a house-keeper, and give me an education?

Mr Fairchild—I am not on the stand as a witness.

I never told any one that I was the sister of Mrs Turnbull; said that Mr Turnbull married my sister to her husband, and I recollect of Mrs Matthews asking me if Mrs Turnbull was my sister, and I told her no; recollect of your giving my sister \$100 on Boston Common; the condition was that I should keep it a secret, and you told my sister that if I was in the way I stated, you would see me out of it.

Question by the witness—Do you not recollect of saying that you would send me the money, if you had to take it out of your own tea and coffee?

Mr Fairchild—My recollection does not serve me there; do you recollect of my making a solemn declaration to your sister, that I was not guilty, but agreed to comply with your wishes to preserve my character, and for the welfare of the Church.

Ans. I do not recollect of your saying anything of the kind; you never denied it, but seemed to think it could not be the case.

My motive in destroying those letters you sent to me, was to keep my promise and to save you from harm. The substance of those letters was that it could not be the case, and advising me to take my medicines.

Q. Did not they say that the money was obtained from me by false pretences; that I denied it at the time, denied it now, and should continue to deny it till I died; that I had rather die than have such an accusation from a female, when I had never had any thing to say to her, and that I gave the money to save my character.

Ans. I recollect of your once saying that you had rather have given all you had in the world, than to have had my sister, a third person know of it.

After answering this question the witness turned to Mr Fairchild, and asked with great emphasis: "Do you mean to deny that you ever had criminal intercourse with me?"

Mr Fairchild. I do most distinctly.

Witness. I know that you have no apparent accountability to a Supreme Being.

Mr Fairchild. Mr Moderator, I claim protection from you.

Witness. I may have overstepped the bounds of propriety, and I hope to be excused.

Question. What did you say to Mrs F. about a young man, a Phrenologist, who walked home with you, and examined your head.

Ans. He told me that I was none too careful.

Q. Don't you recollect that you said he told you about a particular organ, and told you that organ was wonderfully developed.

Ans. I do not recollect much about it.

I never said Mr Shaler paid my tuition at school; have said that they were in the habit of introducing me to their company; I never said I had criminal intercourse with you for two years; I might have told my sister that I only had connection with you but once; I did not want to tell her how bad it was; I have told a great many that you overpowered me and almost forced me; I told Mr Shaler when I came to Boston with him, who the father of the child was; he came to see me at Taunton upon the subject; he said the suspicion rested on some minister with whom I had lived, and he was implicated, and that was one inducement he made for me to tell; there was no inducement held out to expose you except to tell who was the father of the child.

Q. Have you ever said that you were afraid to meet my friends, or me, for fear that I should kill you.

Ans. I think you would kill me if you should meet me alone.

Q. Have you ever said you were afraid to meet my friends?

Ans. I have said I should be afraid to meet any one of your accomplices, who might kill me, if you did not.

Q. Have you ever seen any thing to lead you to this belief.

Ans. I think you would be glad if I were out of the way.

Q. Did you not refuse to see my friends in order to gratify those who were unfriendly to me.

Ans. I did not.

In answer to Mr Phelps—Mr Fairchild agreed to pay \$200 if I would keep the secret, but when he found my sister knew it a different arrangement was made, he was to give me \$100, and \$90 a year to myself, and my sister \$10 to keep the secret.

I don't think I've ever conversed with Deacon Drake since I've revealed this; I first made known to my father who was the father of my child about a fortnight before the birth of the child. I don't know how that letter of Mr Fairchild's which was saved happened to be published; I gave it to Mr Shaler, and I don't know what he did with it.—Among the motives held out by Mr Shaler for me to disclose who was the father of the child was, that it was reported its father was a minister, and he said, "you know I'm an innocent man and its rather hard for me to bear suspicion," and said also people suspect Mr F., and they'll take him up on suspicion, and that I should have to go to the Police Court and swear to it, and it would be better for me to disclose at once. The witness was asked whether she meant to say that she thought it was right that Mr Fairchild should do as he did; she replied that she thought Mr F. was a good man, and that his knowledge being greater than hers, she felt a sort of confidence in him; I suppose I could have secured myself against his approaches if I had told him I should expose him. Mrs F. treated me generally the same at both times I lived at the house; the only difference I had with her was in relation to work done in the house; Mrs F. once told me or gave me to understand that if her husband was like some men in the world she would not live with him; this was said at the time that I supposed Mrs F. wanted to get something from me about her husband.

By the Committee, Mr Riddel. The witness was questioned as to what she said relative to her fears about Mr F. either by himself or through an accomplice to take her life. She said that she began to have these fears when Mr F. came to the city, and she heard from Mr Howe that he was going to Court about it; and I thought if he could get rid of me it would end the matter; I do not know that my fears were increased by Mr F.'s act upon himself; I never told my father that he had connection with me but once.

By Mr Fairchild. Did you ever tell any one that it was sixty times?

Ans. I never did.

Q. Nor sixty-two times?

Ans. I never said any number.

I found Mr F's a good place to live in during the first part of the time; I never said it was the best place I ever lived at; I said it was a convenient place about doing the work; I think that my sister told Mr F. on the common that she could keep the secret without the \$10 a year. The understanding was that the money was to be paid if the secret was kept be it longer or shorter.

The witness was interrogated as to what she meant by saying that she had unlimited confidence in Mr Fairchild, and why she did not resist him, and why she suffered him to do what she had said he had done, &c.; she stated at length her feelings at the time, her state of mind, &c.; said when she first went to live with Mr F. she did not enjoy religion, that she always supposed he was a christian man, that after his conduct her conscience would often smite her as to what she had done, and she would go to Mr F.'s and tell him her complaints; he would then reason with her; refer her to the Bible; said it was not wrong, and led her to believe he would not do wrong; still her conscience would smite her, and then there would be a conflict between her own feelings of right and wrong, and this excitability wrought upon her nerves and made her irritable; it was noticed by Mrs F., and she supposed it was occasioned by disappointment in love, and witness suffered her to believe this, rather than expose her husband, and ruin him. I understood from what Mr Shaler said to me about declaring who was the father of the child, that he would protect me from all harm.

By Mr Phelps. I had less enjoyment of religion after my intercourse with Mr F. than before, the secret that I was keeping troubled me. I never told any one that I loved Mr John S. Ellis ardently, nor do I recollect of saying that I couldn't love him more if I were married to him; I might have said so. I was 22 years old, the 2d day of last Dec. I have two brothers, both younger than myself.

[The witness was closely interrogated as to the reason Mr F. gave for saying that there was no danger of his placing her in the situation that she afterwards supposed she was in.

The witness objected to answering the question on the ground that she could not do so delicately, but said there was a passage in the Old Testament that would explain her meaning. She afterward stated that he said his intercourse with her would result in no danger, because he took a proper care. The witness was asked why she hadn't revealed the fact to her mother as to her situation, before she told her father of it, as it would be natural for her to do. She replied that her

mother never asked her about it, and when she told her, she never asked who the father of the child was. [Upon this point many questions were asked by the Council why her mother was not more solicitous upon the subject of a daughter's ruin.] I think I conversed with my sister last night upon the subject of my testimony. I told her what I said upon the common.

By Rev. Mr Perry. I did not give permission to Mr Shaler to have the letter published. I never remonstrated with him upon its being published. I did not see any impropriety in its being published. I do not know whether my expenses are borne here by Mr Easty or by the committee of the Suffolk South Association. I have received no clothes or consideration that I should be recompensed. I have had an intimation from Mr Shaler, that if I revealed the truth, I should not suffer. Mr Shaler told me I had friends who would not see me suffer.

By Mr Emmerson. I have had no encouragement from any particular person that I should receive encouragement and support, if I would go forward in this matter; the only person from whom I had encouragement was from Mr Shaler.

Mr Shaler only said the amount I forfeited in disclosing would be made up by my friends he thought. The arrangement made with me by Mr Fairchild for the payment of money was not definite, but I understood that the arrangement made with my father, was for seven years.

By Mr Perry. I have never heard any one say in South Boston that if there was money enough they would have Mr Fairchild put out of the ministry; they wanted me to reveal because it would throw light on the subject and cause people not to think so hard of the Deacons of the Church at South Boston—who were suspicious of Mr Fairchild upon some other affairs.

Some questions were asked about who bore the expenses of the witness here, who paid for her ticket, &c. Mr Riddell said it would save trouble if he should here state, that he had paid the Railroad tickets of the witness, her sister, and her sister's husband, who had been induced to accompany her, at considerable sacrifice in his business.

Rev. Mr Adams, stated that he felt it his duty to add, that if Mr Fairchild was an innocent man, there was a most cunning conspiracy to ruin his character, and the Suffolk Association, were determined to spare no money in order that the whole matter be sifted to the bottom and that was the reason why the committee had assumed the responsibility in this matter.

Rev. Mr Emerson remarked that it was on the ground of a supposed conspiracy, that he had asked many questions, that might be supposed to be irrelevant.

Q. By Rev. Mr Clark. The child is 2 years old. I think she bears a resemblance to Mr Fairchild. I have heard people say she resembled others. I have a cousin who said she thought the child resembled Dr. Chapin some.

Q. By Rev. Mr Toby. I have been summoned before the Grand Jury to testify in relation to this affair.

By a member of the Council. I never supposed my father would ask me who was the father of my child when I agreed to keep it a secret. I thought he would at once disown me on discovering the fact to him; my reason for this was upon something he said some years ago that he would disown a daughter, under such circumstances.

By Mr Fairchild. I don't remember that I ever positively told my father that you were the father of the child.

Mrs Mary Easty, sister of Rhoda Davidson, was called. Before examining this witness, Mr Fairchild requested permission to have the aid of a legal gentleman to cross-examine the witness. He had suffered much he said, in consequence of the loss of such aid, in the singular course which had been pursued in this examination. Rev Mr Phelps remarked that he had been requested by Mr Fairchild, while visiting Exeter about a fortnight since, to aid him in looking over his papers, and taking notes, but it was not expected that he should be known at all in public, as Mr F. was to perform all the speaking. The committee expressed no objection to a gentleman being selected by Mr Fairchild to aid him in getting out the truth, as that was the object of the Council. The only objection was that if the impression should go abroad that a lawyer was called in to aid in the examination it might be unfavorable.

On the other side it was argued that the request was made for a counsellor, not in his capacity as such, but as a lawyer, a man skilled in searching out the truth.

After some discussion a proposition was made by Rev. Mr Kimball that any party interested in this investigation now going on, be allowed to have legal counsel in the examination of witnesses, and Mr James Bell of Exeter, was admitted on the part of Mr Fairchild to examine witnesses.

But some objection being still urged by the committee, to the admission of a lawyer on one side only the request was withdrawn by Mr Fairchild, and the vote was reconsidered.

Mrs Mary Easty, (sister of Rhoda Davidson) was now called and sworn. The attention of the witness was called as to her interview with Rev. Mr Fairchild and her sister on the Common. She said that in the Spring of 1842 she returned from New York; saw her sister soon after her return from Abington; she complained to her of her health; said she was taking medicine from Dr Chan-

ning; I told her if she was a married woman, I should think she was in different circumstances than what she said she was. She at length told me she had had intercourse with a man, and one of high standing, but didn't tell who it was; but after persuasion, she told me it was Mr Fairchild; I then told her to go to him and see what was to be done; I gave her the money to go to South Boston, and she went there as she told me; she told me what she said to Mr Fairchild about her fears of what ailed her, and that he agreed to meet her at the old Bridge, and that on his meeting her he agreed to give her \$200 if she would go home and say nothing more about it; she told him that I knew of it and that she wouldn't take the money till she saw me, and he proposed to meet me and my sister on the Common at 8 o'clock that evening. We went to Park street that evening, and there saw Mr Fairchild; he shook hands with me and said he was sorry to meet me on such an occasion, and he went on to state how Rhoda came to his house and that during his wife's absence he had criminal intercourse with her, that the devil had tempted him, but he hoped God would forgive him, and that his dear wife would forgive him, and that I would forgive him. I told him I thought both were to blame, but that he, as a professor of religion was the most to blame, that he should have seen that she was kept from harm. He said if she were in that situation, he would give her a \$100 if she would go home, and she and I would keep it a secret and he would continue to do all in his power for her if he had to take it out of his own tea and coffee — Rhoda remarked that Mr and Mrs Waterston, where she lived, knew she had no money and that they knew I had no money, and where would they think I got money to go home with; he said I can give this money to your sister, she can give it to you, and you can say your sister gave it to you without telling any lie. Mr F. wished them to bind me to a secret by giving me \$10 a year; I told him it was not for the money, but the good of my sister I wished, he then took the money and counted it in \$5 bills, and there was \$100; I then returned with my sister to Mr Waterston's house; I called on my sister the next morning and told her I was going to Billerica that afternoon, and told her she must go home, and do the best that she could; I never heard any more from her till the summer, when I received a letter in which she said Mr Fairchild was the father of her child; I heard next from her in October when my father came to Billerica, and told me that Rhoda had a daughter, that Mr Fairchild was the father, and that he was going to South Boston to meet him; that he didn't wish to go himself for fear of exciting suspicion, and he wanted me to go; I went to see Mr Fairchild the next day at his house; I went into

the parlor; he asked me how it was with Rhoda; I told him Rhoda had a daughter; he then asked me to go up into his study; he then said "I am not the father of that child." I then said Mr Fairchild you have once admitted to me that you have had intercourse with her; I said what is to be done; my father is here to meet you, and has said if you don't do what is right about it, he will fetch Rhoda to Boston, and she should swear the child on you. He then took out his pocket-book and gave me \$5, and asked where my father was, and said I will meet your father at 11 o'clock at the Post Office; I said he wanted to go out of town before that, and he agreed to meet him on the old Bridge in half an hour; I told my father what Mr F. had said: Mr F. met us as he agreed to; when we were all together, he asked me if I would not go somewhere while he and my father had some conversation, and he would meet me with my father on the Common.

I told him I should not tell any one my business, and told him I would meet them on the Common at the time he appointed; went to my cousin's till the time arrived, and then met Mr F. near Beacon street mall; we walked down to Tremont mall together, and there we met my father; they said nothing about what they had talked about, but that it was agreed to keep it a secret, and Mr F. wanted to bind me by an oath to God and man that I would keep it a secret, and I agreed to do so; I have never spoken to Mr F. since upon the subject.

Cross-examined by Mr Fairchild—The condition that you agreed to give the money was, that you had had intercourse with her, and that it should be kept a secret; you gave her \$100; it appears to me that you gave me a \$5 bill at that time, and I think agreed to give me \$10 a year; I first told my husband that Rhoda had accused you of being the father of her child in the spring when he came from New York: she said that the conversation between you and her took place in your study; I never said it was in the entry; she told me she had been forced and over-persuaded by you; you did not give my father any money in my presence; think I heard you say to my father that you would give him \$50 a year, for seven years, and think you gave him \$50 then; no inducements were made to me disclose the matter.

Q. What effect did it have on your mind, when you heard of my attempt on my life?

Ans. I always wished you to live and repent of your evil deeds; it had no other effect upon my mind. (The witness said she was sick at the time.) I made my mother a visit last summer, and was gone about four weeks; you gave to me the money, that I gave Rhoda on the Common; when I found Rhoda was in the situation she was, I guessed two persons, Mr Shaler and Mr Fairchild;

I had no reason of guessing these two only because Rhoda said that it was a man in high standing, and a professor; when I mentioned Mr Shaler, she cleared him at once, but when I said Mr Fairchild, she stammered, and I was convinced; she always placed a great deal of confidence in a minister, and I always told her if a minister should attempt to cut her throat, I believed she'd let him do so; my sister gave me \$10 out of the \$100 given her by Mr Fairchild; I might have said to her that she might give me some of it; in June 1842, while I was residing in Billerica, I received a letter from my sister; destroyed it; think it very likely that I told Mr Fairchild on the Common that I would keep it a secret; live at South Boston, and was at home last Tuesday all day.

By Mr Riddel—The witness mentioned the names of some ladies and gentlemen, friendly to Mr Fairchild and to Rhoda who called to see her at South Boston.

By Mr Fairchild—I have never said that my father told me that Rhoda informed him that you were the father of the child upon her return home in the spring.

Rev. Wm. H. Shaler of Brookline, testified that he knew Rhoda Davidson before she went to live with Mr. Fairchild, and stated his first acquaintance with her and his impressions of her character.

I found her to be intelligent in regard to her religious views, more so than in regard to other things; she said she'd lived in Mr. Lovejoy's family and there was a time when she had deep religious impressions. In Sept. 1838, she came to live in my family. In July previous she had united with the Church; she continued in my family one year; at the close of the year in 1839, she went to reside in Mr. Twombly's family, in Boston; her sister was then residing in that family, and she thought it would be so pleasant to be with her sister that she had better go. In the spring of 1840, I understood she had gone to live in Mr. Fairchild's family at South Boston; we were glad to hear that she had gone into Mr. Fairchild's family: believing it to be an excellent place. I have no recollection of seeing her till the Spring of 1841; in May 1841 she was at my house, and said she had given up the idea of learning a trade, which had been her desire; I told her that I thought it would have been better for her to have remained with Mr. F. and at the time I expressed my regret at her leaving him, she made no reply implicating that family; she went to Mr Dyer's, remained there 8 or 10 days, and stated at my house that she had left Mrs Dyer's as they did not agree; I talked to her very plainly and her whole spirit appeared to be different; she manifested a spirit that didn't appear to be as amiable as usual! Mrs Loker being in want of a girl, I recommended Rhoda to go and see her; that

was in May 1841. I did not see her again till last Jan. 1844. I heard in the fall of 1841, that Mr. Fairchild had been to see her, and that she had returned to his house, and I was much pleased then to hear it.

In Spring of 1841 Mr Fairchild called to see me at my house; I inquired of him in regard to Rhoda and her religious character; Mr Fairchild said he regarded her as a good girl; I heard sometime in fall of 1841 or winter of 1842 that Rhoda had left Mr Fairchild; I heard nothing of her during the winter of 1842; in April 1842, there was a young lady of Boston, a member of my Church, who met Rhoda and she told her that she was going to Maine; I heard nothing of her till the fall of 1842, or beginning of 1843, when a report came to me that Rhoda had become the mother of a child at the house of the minister with whom she lived at South Boston; I replied that that could not be true, because I thought I should have heard the particulars, and I attached no importance to the story.—

A few days after, I heard the report again; I went and saw the person whom I was told had given the information; the person who told me was William Dearborn, he had heard it from Mr Sanderson, and I went to see Mrs Loper who had told Mr Sanderson; she had no definite information on the subject. In the Spring of 1843, I again heard of it, but supposing it to be the old report, and that there was nothing in it, I let it drop; in the fall of 1843, I heard the story again, and I then concluded to go and see Mr Lovejoy, in Nov. 1843; Mr Lovejoy was not at home; his son was there, and I made an inquiry of him about Rhoda as to what he had heard. He said he had heard nothing very good. I stated to him that I was her Pastor and wished to investigate the matter; he then stated that he had heard from Edgecombe that she had a child; at a church meeting I placed all the facts before the members except as related to her having the child at South Boston. The Church after hearing the case, on the 3d Friday of Nov. 1843 passed a vote to ex-communicate her. The first week in Jan. 1844, I received a communication from the P. Office, mailed at Boston

[This letter was from Rhoda Davidson after her return from Edgecombe; she had not then heard that she had been excommunicated. The purport of the letter was very good, inquiring affectionately after the welfare of the church, spoke of the happy times she had enjoyed at Brookline, how often she thought of the times past while she lived in Mr Shaler's family, but it did not refer to the fact of her having a child.]

I spoke to Mrs Shaler upon the subject of the letter, and thought that either we had acted hastily in excluding her from the Church, or else she was trying to deceive us. I heard she was living in a pi-

ous family and I thought it my duty to call and see her, at Mrs Ellis', on Oliver street. I did so, and went into the house and found her; I conversed with her for some time upon the subject of religion in the presence of Mrs Ellis; I saw that I had no opportunity of introducing the subject except before Mrs Ellis, and I thought it at that time, important so to do; when I went away I invited her to come out and see us, and at the door, spoke in a low voice and told her I had heard some unfavorable reports of her. She said yes, and she led me to believe that they were true. I did not then learn any of the circumstances; Mrs Shaler subsequently went in to see Rhoda, told her she was excluded from the Church, (the Church clerk not knowing where she resided had not informed her,) and Rhoda told her the circumstances of her having a child. Rhoda told Mrs Shaler that the father of the child stood high and was an Orthodox man, and a member of the Church; Mrs S. reported her conversation to me, and expressed her suspicions that it must be Mr Fairchild. I told her Mr F. was a pious man, and she ought not to entertain any suspicions of that kind. Rhoda intimated to Mrs Shaler that the father had agreed to do so much a year for the support of the child. I was at a loss what to do in relation to the matter, and one day in February I received a communication which was addressed to Mrs Shaler, and post dated, Boston, February 27th, 1844.

[This letter appeared to be written in a penitent spirit, it stated how much she missed the good counsel she so often received in Mrs Shaler's family, and how much she then needed its influence, &c., and inquired affectionately as to Mrs S's family.]

We expected her out to our house as soon as she could get away. The subject was frequently talked over with one of the Deacons of the Church, and myself, but we decided upon no mode of action. On the 22d of May I found a gentleman at my house by the name of Drake; he enquired if I knew a girl by the name of Rhoda Davidson; he made some enquiries, and I gave him a brief history of her, and her ex-communication from the Church; he asked me if I suspected any one, and I told him I had my suspicions; he told me he was the Deacon of Phillip's Church in South Boston; he was engaged I ascertained to investigate the affair, and he showed me a circular of an informal proceeding to inquire into the matter; conversation was had with me and Mr Drake, in which the latter disclosed to me some suspicions that it might be Mr Fairchild, but I never entertained any such suspicions. I told him of Mrs Shaler's interview with Rhoda, and what she had told her; Mrs

S. being out of town, I told him on her return I would enquire of her the particulars, and let him know at some other time, and whether she thought Rhoda would tell the name. On the evening of the 29th of May, a gentleman came to me who was Deacon Drake, and he asked if Mrs Shaler had returned. I told him she had, but I had not talked with her about the matter, but I would ask her if she thought Rhoda would disclose. Deacon Drake called on me on the 4th day of June again to see me, for the purpose of learning the facts of the case, and he wanted me to go to Taunton, where she tried to see if she would disclose the facts; upon inquiry of the Deacons of my Church, I came to the conclusion that I ought to ascertain who her destroyer was, if possible, and as Deacon Drake had told me that he had heard the father of the child was a minister, and as Rhoda had lived in my family, and Mr Waterson's family, and with Mr Fairchild, bad rumor had involved me in the matter. I thought it due to myself and society, to endeavor to ascertain the whole truth of the matter.

On the 5th June I went to Taunton, and found Rhoda, but did not tell her what my object was; I asked her if she had ever communicated the facts to any one as to the father; she said she had done all she expected to do; I told her from my views of the case the facts ought to come out, and that they would be investigated, that the cause of religion demanded revelation of the father's name; she said she had taken an oath which she regarded as sacred; she said the father of the child had agreed to give her so much a year; I told her the cause of truth demanded it, and that suspicion rested upon some minister, and the facts ought to come out, but she expressed a determination not to reveal. I then proposed to her this question, "will you clear Mr Fairchild?" she said no I will not clear any one; I then said you remarked that you could clear me, referring to what she had before stated; she said yes I did; I said will you clear Mr Fairchild, not wishing if he were innocent that he should have the censure; she replied no; she seemed to want to see her sister before she revealed. I referred to the fact of the money she was to receive to support the child, and said there were individuals who would make up the amount to her. Rhoda concluded to come to Boston, and came in the cars with me. After some conversation about her sister, she took out a letter from her pocket and asked me if I knew that handwriting; I said no; and she replied that that was the writing of the father of the child; I asked her if she would allow me to read it; she said she would and I did so. In Boston she saw her sister, and the result was that she

concluded to communicate the facts; and she then told that Mr Fairchild was the father of her child, and related all the circumstances; she told me his connection was more than once, that it commenced in the Summer after Mrs Fairchild went away; she communicated to me what methods he used to make her consent to his wishes. The next day after this Deacon Drake called at my house and asked me what I had ascertained; I told Deacon Drake the fact in relation to the communication she had made, without stating the circumstances. In answer to his question I left the impression on his mind that Mr Fairchild was the father of the child; I understood that Deacon Drake had conversed with some of the Pastors, and I drew out a statement that accorded with her statements, as I understood them, and this statement was taken to Taunton by Mrs Shaler and the facts were communicated to Mrs Robbins, the lady with whom Rhoda lived, in the presence of Rhoda, and after some slight alterations she signed the paper; that document was given to Deacon Drake for him to submit to the gentlemen who wished to examine it.

Cross-examined by Mr Fairchild—Deacon Drake intimated to me that Rhoda should sustain no loss upon her communicating the facts.

By Mr Phelps—I transferred the letter which Rhoda gave me to Deacon Drake to whom I gave the other papers; I do not know how that letter happened to be published; I held out to Miss Davidson the inducement that there were circumstances to palliate her crime; that she had been excommunicated from the Church, that I thought it was due to me and Mr Fairchild, that the truth should be made known; Rhoda was at my house when she came from Taunton, and when she left there for good she came to my house on the evening of Friday and staid till Monday; the only advice I have given to her is to stick to the truth; there were individuals who called to see me who saw Rhoda at my house; the suspicion on my own character has not at all influenced me in action; I knew I was innocent and that God would take care of my character; I do not know that I ever cautioned Rhoda against seeing any of Mr Fairchild's friends.

By Mr Riddel—Mr Fairchild at the time he called to see me, spoke well of Rhoda; he said nothing about the trouble she had made in the family; I might have mentioned to her the name of Deacon Drake, who would befriend her in this case; I had no authority from him to mention his name; I never gave her any assurance that I should raise money for her, but told her that I was not unwilling to be responsible, that she should not suffer in this case, nor meet with any loss.

Mr. Riddel asked permission to read the letter referred to by Mr Shaler, written to Rhoda Davidson, but before doing so he would prove it to have been written by Rev. Mr Fairchild, by his own admission, and he would ask leave to have Rev. Mr Adams sworn.

Mr Fairchild—I freely admit that I wrote that letter.

Mr Riddel now read the letter. It is directed

To MISS RHODA DAVIDSON,
Edgecomb, Maine,
Lincoln County,

and is as follows:

[THE LETTER.]

I now write you another letter, not for the purpose of denying what you say I have done, (for that denial I have made from the beginning,) I wish to say nothing more upon the subject. What has been done cannot be undone. I have not heard one word said about the matter by any body, but it is possible that I may have some enemies who would be glad to injure me, by exciting suspicions against me, if they should hear what has happened to you. The bare possibility of this gives me pain; on this account I now write. You and your father are under the strongest obligations to protect me from harm; you are bound to save me from all suspicion, and you are never to mention my name in such a way as to lead any one to suspect me. Your father must never let it be known that he has ever seen me, or spoken to me on the subject, and you must do the same. If any question should ever be asked respecting the matter, I shall be ignorant of the whole subject, and so must you be. I shall never let it be known that I know anything about it, and I shall expect you to do the same. It was solely on this account that I agreed to what I did. I should not have done any such thing if you and your father had not given me your solemn oath before God, that you would see me harmless, that you would save me from being suspected. In order to do this, you are never to let it be known that I have ever exchanged a word with you upon the subject. Your father told me that he considered it his duty to save me from harm, as much as it was to seek the salvation of his own soul, and your duty is the same; tell your father not to talk about the matter to your neighbors, or to any body, for he may let drop some expression which will excite suspicion. A wise head keeps a close mouth. If you write any letters to your friends, never allude to me in any way. You must never write to me at all. If people should ever guess about the matter tell them to guess until they are tired of it. Say nothing to them, but if they should happen to guess me, then your oath binds you to clear me. The same is true of your father.

I hope what is past has been forgiven of

God, but if you violate your oath to me you must expect the curse of God upon you.—Think of the consequences of doing so. It would not only ruin you, but it would greatly injure me; I should then never be able to do any thing more for you; I have always treated you kindly, and can you have a heart to ruin me? I do believe that you will never break your promise, and never give me any more pain and distress. I have suffered beyond expression already. Don't add anything to it. Tell your father that I consider him bound never to let any mortal know that he has seen me or spoken to me one word on the subject, for I shall never let it be known that I have seen him. If any person should ever ask him whether he did not suspect me, his oath binds him to clear me at once. He must never tell what my business is or where I live. Tell him to say nothing about money. If you and he will thus fulfil your promise, you may be sure that I will fulfil mine. Let me charge you before God never to violate your oath and promise.

After you have read this letter to your father, you must burn it immediately.

Mr Riddel after reading the above letter remarked that the Committee would here rest their case. They had documentary evidence, but did not see fit to introduce such evidence unless it were of the nature of a rebutting proof against documentary evidence.

Rev. Mr Fairchild now arose to make his defence. He made but a few remarks introductory, before introducing his testimony. His defence was grounded upon a conspiracy, and that the charges alleged against him were utterly false. He wished to show the Council that he had been the object of an unrighteous persecution; that he should prove that there had been a conspiracy to ruin him; that an anonymous letter had been sent to Exeter to two individuals, viz: Rev. Mr Jewell and to Mr Burley. There had been also thirty or forty anonymous circulars sent through the Post Office here, and he wished to have the circulars and letters read. Rev. Mr Phelps now read the letters and circulars. One of these anonymous letters charged Rev. Mr Fairchild with having had criminal connection with the wife of one of his parishioners. It was signed "A Friend to Justice," and requested Rev. Mr Jewell to obtain the names of the Deacons of the Church over which Mr Fairchild had the care and send them to Mr T. D. Cook of South Boston.

Another letter directed to Rev. J. A. Burnell, of Exeter, mentioned a report that Mr Fairchild left his society in South Boston, in consequence of a criminal connection with the wife of Mr N. D. of South Boston. The printed circular was then read. It was headed "A wolf in sheep's

clothing," and charged him in pretty strong terms with adultery, of connections with a member of his church, a Mrs D. R. and was signed "Epaphrodotus."

Mr Fairchild commented very briefly upon these anonymous missiles, and argued that if they had such complaints and if they were true against him, that instead of writing anonymous letters, they would have presented themselves before him face to face, and presented their charges. He adverted to the meeting of reference, held at South Boston on the 8th of May, 1844, to investigate these charges, the result of which was that after a full and protracted meeting, it was stated that the circumstances did not impair their confidence in his moral character, accorded a full confidence in him and recommending the Church at Exeter to place every confidence in his moral and religious character.

Mr F. stated that when this result was made known, that the Deacons, and a gentleman by the name of Howe were much dissatisfied; he alluded to Deacon Drake's interest in the matter, and understood that he laid an attachment upon his house at South Boston, for a debt not due which he considered to be an act of persecution.

Mr Fairchild stated the circumstances of the situation of this house, that it was bought for him, with the understanding that he should remain in South Boston until it was paid for from his salary; but in case of sickness he had the right to leave, or in case of death the house should be held by his heirs; that he did leave on account of sickness, and consequently the house belonged to him, according to the understanding.

The manner in which the attachment was made and by whom, was stated by Mr F. but the Council did not seem to think it relevant, as it related to matters of some intricacy, which they had no right to meddle with. At this stage of the proceedings, Rev. Mr Patten of South Boston, successor to Rev. Mr Fairchild in Phillips' Church, arose and requested permission to present the following protest, which was granted to him:

To the Ecclesiastical Council about to be convened at Exeter in relation to the Rev. J. H. Fairchild.

Whereas we have reason to believe that Mr Fairchild, in conducting his defence, may attempt to bring charges or cast imputations upon us, Deacons of Phillips' Church, of which he was formerly pastor, this is to protest against your hearing any such charges or imputations.

1st, Because we think it irrelevant to the case in hearing which, we understand to relate to charges brought by Rhoda Davidson, with which we do not consider ourselves connected, not having ever con-

versed with her or the other principal witnesses in the case.

2ndly. Because it is manifest injustice to us to hear any such charges or imputations in our absence, before a body which we had no agency in calling, and before which we have no right to appear.

3dly, Because we are ready and willing to meet in any proper manner, and before any proper tribunal, any such charges or imputations, and to prove the entire falsity of many things reported to have been said upon other points. We have also been informed that a paper has been circulated for signatures among the members of Phillips' Church, professing the belief of the signers (most of whom are ignorant of the evidence in the case) of Mr Fairchild's innocence of the charges, and that a vote passed by Phillips' Church, a few weeks since, exonerating us and others from any blame, touching Mr Fairchild's dismissal, was passed without a full understanding of the case. Now in relation to said statements we do hereby declare that so far from being true, they are in every essential point, false. The Church held two meetings, both of which were unusually well attended as was remarked to the Church by the Pastor, at the time. The first meeting was continued to nearly or quite 11 o'clock, P. M., and the second to a late hour. When the report was submitted to the Church it was signed by all the members of the Committee who presented it, (six of the seven members of which being Mr Fairchild's friends and defenders) and having been read at least twice, and full opportunity having been given for its discussion, it was unanimously adopted as the opinion of the Church.

JOSIAH VINTON.

JEREMY DRAKE.

South Boston, July 23, 1844.

N. B. Not having been permitted to see the paper referred to above, our information of what it contained may be erroneous, but our remarks are made upon the best information we could obtain.

After some discussion upon the above protest, and the impropriety of introducing the names of individuals into this trial who were not present to defend themselves, the Council voted to lay the protest upon the table.

Mr Fairchild said he was perfectly willing to let the matter of the conspiracy rest upon the anonymous letters and the printed circular which had been read, and if that did not prove that there was a conspiracy against him he would say nothing more about it. He next read a statement signed by Mr Joshua Getchell, and Mr Jacob Odlin, in relation to what Mrs Josiah Dunham had said about him. The purport of the statement was that those gentlemen had had an interview with Mr

Dunham, and after stating his reasons, said that Mr Fairchild was a rascal and a villain, and that he would leave no stone unturned to hurl him out of the pulpit.—Mr Jacob Sherman was called and sworn, as to an interview he had had with Doctor and Mrs Chapin at Abington.

Jacob Sherman. I had an interview with Doctor and Mrs Chapin a week ago last Friday; he stated that he called on July 17th on Dr. Chapin of East Abington to make some inquiries respecting Rhoda Davidson; Dr. C. stated that Rhoda came to reside in his family the 12th day of January; that she came the day he engaged her; he received a letter, part of which he read, dated the 10th January, stating that she might probably be obtained, if they so wished; he went to Boston the 11th, passed the night there; engaged her the morning of the 12th, and wished her to go out to Abington; Rhoda said she wished to go and see her dentist first, and could not go until afternoon; in the afternoon she did go and began to have wages the 13th of January; that on the 13th of February she asked Mrs Chapin to get her something for suppression as she had not been unwell for three months; Mrs C. spoke to her husband and obtained some medicine; again March 1st and 25th she got more medicine; she always obtained it through Mrs Chapin; Mrs C. said to her, "Rhoda if you were married I should suspect you, and laugh at you;" Rhoda left Dr. C. the early part of April, and said she was going to learn a trade; the latter part of February she went to Boston and stayed a few days; five days of last time was marked in his book but she might not have been gone all that time; Mrs C. said Rhoda spoke highly of Mr Fairchild, and said the reason she left his family was on account of wages; that she wanted ten and sixpence a week, and that Mrs F. was not willing to give her that unless she did all the work, and she would not do that; Mrs C. then asked if Mrs F. did not keep two girls; Dr. C. as well as Mrs C. seemed to have the impression from Rhoda that that was the case.

Mr Fairchild said he should now introduce as a witness Mrs Fairchild, and that lady was sworn. Mrs F.'s statements were at some length, and given with great frankness; her manners exhibited an artlessness of mind peculiarly winning, and there was not a person in the council or the church, but what sympathised deeply with her under the painful situation in which she was placed. Mrs Fairchild has been at her husband's side during the whole of this trial, and her devotion to him under these trying circumstances, is a most beautiful comment upon the enduring virtue of woman's love. I could not but recollect the beautiful lines upon female fidel-

ity and true love in the midst of the storms of affliction and adversity,

"There is a love which born
In early days, lives on through silent years,
Nor ever shines but in the hour of sorrow
When it shows brightest—like the trembling light,
Of a clear sunbeam, breaking o'er the face
Of the wild waters in the hours of warfare."

Mrs Fairchild—sworn. I was at Dr Chapin's house in Abington, on Friday of last week 19th July to ascertain in relation to some dates. I objected to go, at first, being a party interested, but my friends advised me to go.

She went in company with Mr Sherman. During an accidental interview with Mrs Reed of that place, that lady said she felt astonished at hearing what she did about Rhoda, as had come to light, because Rhoda appeared to be a good girl, and attended the prayer meetings there.

I saw Mrs Chapin and asked Dr Chapin for the date when Rhoda came to live in their family; she said the 12th of January that she commenced her work on the 13th, but that she was engaged on the 12th; that he had a letter from Mrs Chapin's sister as to when she could be found in Boston, and the letter was dated the 10th.

Dr Chapin said he went to Boston on the 11th, engaged her to come out on the 12th, and that she commenced work on the 13th. He said the first he knew of the affair was from a letter sent to him asking a number of questions, which awakened some suspicions, and led him to look back to the time; he went to his book and found on the 13th of February, that Mrs Chapin had given medicines for suppressions, which was one month from the time she commenced her work; she applied again on the 13th and again on the 25th of March. These things led Mrs Chapin to say to Rhoda that if she were a married woman she should suspect her of being in the family way, and laughed at her; Mrs Chapin said Rhoda had spoken of her family in high terms, and spoke of Mr Fairchild in very high terms, and said she left an account of wages.

Mrs Fairchild was now examined as to what she knew of Rhoda Davidson.

In April 1830 Rhoda came to our house to live; she said she was recommended by a Mrs Shaler, and she came to inquire for help. I was pleased with her conversation, and concluded to see her further. She said she had left Mr Shaler on account of wages, that she wanted to lay up something to enable her to get an education.

She came to reside in our family and appeared to be happy and contented for a month or more.

[The attention of the witness was called to the time when she first discovered Rhoda's attachment for Mr John S. Eliis, and other matters relating to it.]

She told witness that there had been an attachment between herself and a gentleman, a Mr Ellis; stated that he was not a professor of religion, and asked her opinion about marrying a non-professor of religion; witness didn't express much of an opinion upon the matter; Rhoda said that Mrs Twombly had told her that it would be next to an unpardonable sin to marry a man under such circumstances. Rhoda talked much about Mr Ellis in this relation to witness, but the evidence was not of the least importance. The attentions of Ellis and Rhoda had at this time been broken off, but according to Mrs F.'s statements, Rhoda still had a great affection for him; Mrs F. went a journey; on her return Rhoda had made up her mind to see Mr Ellis, and had sent a note to him; asked her whether she thought Mr Ellis would return to her; she seemed to think that his attachments were such that he certainly would. The witness now went on to state that after Rhoda sent this note she manifested great impatience to see Ellis; dressed herself up handsomely every night, expecting him to come; went to the door at every bell expecting to receive him, and was nightly disappointed, and these disappointments from day to day wrought upon her nervous system, made her peevish and petful, altered her mind, and the hope she still entertained still more increased such feelings; she told me at one time that she feared that Mr Ellis would think that she was not a good girl; I asked her why; she said that on Independence day, 1840, she went with her cousin and her husband, and that her cousin introduced her to a young man; she afterward lost her husband and cousin in the crowd, and the young man invited her to take a ride with him; she accepted, and they went to Brookline and Brighton and came home again, and she got out of the vehicle at the same place where she had got in; that when she got to her cousin's she blamed her, and said she wouldn't have had her done so on any account as that young man did not bear a good character.

Mr Ellis came to see her on his receiving the note, and they went into the study together; Rhoda told her the conversation she had had with him, which was in relation to his continuing his attentions, and he said he was paying attention to another lady; that if he could leave her honorably he would return to her again. Afterward she had a letter which she said was from him, but in attempting to break the seal she seemed to be very much agitated, and witness broke the seal for her; the substance of the letter was that he had too long continued his addresses to another lady to break them off.

It was evident to the mind of the witness that Mr Ellis had made a great im-

pression upon her mind and worked much upon her feelings, and one day she told witness that she had no doubt that Mr Ellis loved her more than he did the other lady, and stated another circumstance, that one bright moonlight night, she saw Mr Ellis walking with the other lady, and she, wishing to know who she was, followed them; witness thought that the hope given by Mr Ellis to her that if any thing occurred in relation to his attentions to the other lady, if he could return to her with honor he would, did much to excite her, and she thought that it was this hope that made Rhoda feel so unhappy; and whenever Rhoda appeared to be laboring under these spells of excitement, which made her ill-natured and troublesome, she attributed them to her attachment to Mr Ellis, and said nothing more to her.

During the time she lived with me she asked me what I thought of Phrenology. I told her that I didn't think much about it; the reason was, she said, a young gentleman walked home with her, and he examined her head, and told her she had a certain organ more fully developed, than he had ever seen in any other female, and named the particular organ. I told her that such conversation was very improper, and that if any young man made such a statement to her either after a short or long acquaintance, he was not what he ought to be. The phrenological name of the organ was *amativeness*. She asked me what I thought it meant; I told her I was not willing to tell a young girl what it did mean. I do not think she knew what it meant at that time.

In the fall of 1840, Rhoda told us that she thought she could not stay with us, and gave as a reason that she had not got a cloak to wear; I agreed to advance her the money to buy a cloak with upon her agreeing to work it out. [The witness wished in this connection to explain a circumstance, which she thought had been the cause of some suspicion against her husband. She obtained the money from Mr Fairchild, and gave it to Rhoda to purchase a cloak with; one was bought, but Mrs F. not liking the appearance of it, advised her to return it and bring another; at this time Rhoda wished to go to Boston, and the day being cold and rainy, she advised her to take a seat in the chaise with Mr Fairchild, who was going to Boston, to prevent any injury being done the cloak, and any difficulty in returning it.]

I used to tell Rhoda that when she was herself she was as good a girl as I could wish, but when she got into her nervous excitements she was a different creature, and she admitted that when she got excited about Ellis she didn't know what she did; Rhoda's usual sleeping room was in the attic, but when I was absent on my

journey I learnt on my return home, by either herself or my husband, that she slept in the lower story, in my bed room; on my return home from my journey I found some of her dresses in that room; the attic room had a bolt in the door, and the girls who occupied it used to push it sometimes to keep out our little daughter when they wished to be alone. After Rhoda left our family she went to Mrs Usher's to live. I went on a journey in May or last of April; in my absence learnt that Rhoda was at our house with Miss Towne with whom the house was left in charge. I returned home in July, my husband came for me, and on our way he said, Rhoda has been to see me since you have been gone, and would like to come again to live with us; I asked him how she appeared and whether she had got over her nervous excitement; he said she had, and that he had been talking to her about it, and that she promised to do better; I was very glad to hear that there was a change in her conduct, and was very willing that she should return; she related some other conversation with her husband, and she expressed a willingness to have Rhoda come back if she would do better, and if she had got over her nervous excitement, and would do differently. The result was that Rhoda came back, but Mrs F. was disappointed in her, as she was no better; still she would speak of the Ellis affair, and I thought we had better change help, and at last told her that she had better leave; Rhoda then said that she had never promised to do differently; (I had heard such a promise made through her to Mr Fairchild, and virtually from herself,) and she shouldn't leave till Mr Fairchild told her to go, as he engaged her; talked with my husband upon the matter, and he spoke of the spirit she showed, and his surprise at it, and that he should go immediately and look for other help; that afternoon we engaged another girl; I don't recollect that I saw her again till the Spring on her return from Abington, where she said she had been living; I never discovered any thing in my husband that caused any suspicion against him; I have lived with him 19 years, and have seen every variety in his face; he is a man when any thing troubles him, shows it in his face at once. During the last time Rhoda lived with me, and when she was going to leave, she had her "nervous scrapes;" in a conversation with my husband in the study she said that she should do all in her power to injure us.

She used to speak of her sister Mary as being an unprincipled woman, and that she was as much of an infidel as anything else, but didn't understand her to mean that her sister was not a virtuous woman.

By Mr Riddel—In her conversation

with Mr Fairchild in the study, he told me of the spirit she showed, and that she told him she should do all she could to injure him. I never thought that Mr Fairchild's deportment to Rhoda Davidson was different from that towards any other domestic.

After Mr Fairchild went to see Mr Twombly to tell where Rhoda had boarded before she came to us, in relation to her character, Rhoda asked me what Mr Twombly had said about her. (Witness,) I told her that Mrs T. said, she preferred older help; that Rhoda was young and wanted too much looking after. Rhoda said it was not that, but because she wouldn't let her go out evenings when she wanted. Witness said it was no doubt for her good. Rhoda replied it was not that, but on account of her wanting her to stay at home and wait upon company.

[A number of questions were asked of Mrs Fairchild as to Mr Fairchild's general conduct in the house, or whether she ever saw anything to excite her suspicions. In answer to such questions, Mrs F. selected several circumstances.]

At one time after Rhoda had returned from Abington, Miss Gurney remarked to her (Mrs F.) that from Rhoda's appearance she should think she was *enciente*. Mrs F. mentioned this to her husband, and he replied, "Oh I cannot think so bad of Rhoda as that, and he appeared to speak with such truthfulness, and in such a way that I felt ashamed of myself for saying what I did, and I replied, "well I don't think so myself."

[The attention of Mrs F. was called as to the time when Rhoda called to see her husband, just after she returned from Abington.]

Mr Fairchild had been brushing his boots when the door bell rung. I was going to the door myself, but he remarked I am going down stairs to wash my hands, and will go to the door, and he opened the door. I saw a woman come in, and waited a moment upon the stairs to see whether she wanted to see me, but finding she did not, I went into another room; the female went into his study. My husband told me he was going out to the neck; he never said anything about that interview. I never heard anything of his interview upon the Common till June last; he never told me anything about Rhoda's trying to injure him.

[Mrs F. was questioned as to Rhoda's character for persevering in any statement she once made, and related one or two trifling examples.]

I spoke to Rhoda upon this fault of her being so positive and she replied, "if I said I did a thing, and I thought it was so, and you and the whole congregation told me I did not, they could not convince me."

Question by Mr Phelps—Have you any other motive in testifying than a belief in your husband's innocence.

Mrs Fairchild—My only motive is because I think him innocent of the crime alleged against him. If I thought he were guilty I would never make these solemn declarations. (much agitated.) I know I love my God more than I do my husband.

[As a mark of her confidence in her husband, Mrs Fairchild said,]

Before I went on my second journey, I told Rhoda that I would ask my husband if he was willing that she (Rhoda) should remain a week in the house, or for a few days after I had gone, to do some sewing for herself; I did speak to him about it, and his reply was that he thought I had better shut up the house as soon as I could, as he had engaged his board, and it would save trouble. Rhoda asked me what Mr Fairchild had said; I told her his reply, and she said she thought it unkind in him not to allow her to remain, and then I said perhaps he will consent, and I will have another conversation with him; and her reply was I don't want you to; I wouldn't stay now.

[The attention of Mrs F. was then called to the point of what Rhoda had stated that Mr Fairchild said about the accident happening to the cars.]

My husband proposed the journey for me himself, and he said he would come for me and accompany me home; he did come for me; it is his usual way in travelling to sit by my side, with one of the children in his lap, and if he did make use of the expression that was attributed to him, it was calling down destruction upon himself, as well as upon me and the children.

In answer to one of the Committee—Rhoda told me that her argument to Mr. Ellis when she expressed a doubt about marrying him because he was not a professor of religion, was a quotation from scripture—"Be ye not unequally yoked with unbelievers." His reply was, "A believing wife will sanctify her husband."

The cross-examination of Mrs Fairchild was very brief, and no new fact was elicited. It was merely a confirmation of what she has stated above. In the course of the cross-examination one of the Council wished to know in what capacity the Committee here appeared, and whether they were acting in the light of prosecutors, and appeared for one side of the case.

Dr. Beecher remarked he believed that any result arrived at from a superficial investigation, if such a result went to the discharge of Mr Fairchild, it would be a mill-stone around the neck of this Council. The question was one of the most solemn importance—it involved the sacredness of ministerial duties, which was like a city

set upon a hill and could not be hid. He had a duty to discharge to God and the community and that must be discharged.

After the examination of Mrs Fairchild was finished, Mr Fairchild stated that he should now introduce a number of affidavits and statements, which he believed had an important bearing upon the case. The first was a statement from Miss Eliza M. Towne, who said that

She was at Mr Fairchild's house at the time Mrs F. went on her journey, that she stopped there to do some work that Mrs F. wished her to do after she had gone; that Rhoda came there while she was there, and wished Mr F. to give her the privilege to stop a few days, saying that she wanted to make a new dress; that Mr F. objected to it, because he had made arrangements with Mrs Dunbar to take his meals with her, and he did not want the trouble of going to market; Rhoda said she would put up with any thing if he would only let her stay; Mr F. told her that as Miss Towne was there, he should get something for her to eat, but that I should get through in two or three days, that she (Rhoda) might stay until Miss Towne got her work done; she stopped three days, and deponent slept with her during the time, and did not know her to be out of sight at any time. She (Rhoda) talked much about the opposite sex and her disappointments; said she had met with a great disappointment; that she was engaged with a young man by the name of Ellis, and he then was married. She said she put all confidence in him, and that was why she was almost distracted on his account; she told her that she (Miss T.) did not know anything about true affection, for that was never cold, for she loved Ellis even then he was married, and she loved the very ground that he walked upon, and that she should never love any one else; if he had been her own husband, she did not think it would be possible for him to seem any nearer to her. Miss Towne's statement concluded by her saying that Mr Fairchild appeared like a kind and affectionate husband, and a fond and indulgent parent and she never saw any thing amiss in him.

A statement was next read from Mrs Eliza T. Barry.

She said she had lived in Mr Fairchild's family about 16 months, and was there the last time that Rhoda Davidson came there to live. She said Rhoda's whole conversation was about the beaus, that it was chat, chat, chat, until she got her to sleep every night talking about them. That her only objection to her living with Mr Fairchild was because she could not see her beaus alone as much as she wanted to, as Mrs F. frequently passed through the kitchen. She spoke of Mr F. as being more like a Saint than a living man.

[Before reading the statement, Mr Fair

child remarked that Mrs Barry was a Catholic which would account for this statement.]

Mr Fairchild here remarked that the announcement of the case to the public was a most shameful thing, under the peculiar state of his mind, and he wished to have the physician who attended him examined, and also those who were around his bed at the time, and he would call Dr Perry his attending Physician.

Dr. Perry, sworn—Mr Fairchild made known his difficulties to him as quick as he knew them himself, and gave his own version of it, and I used to go to his house to see if he'd got any letters from Boston. On Sunday I learnt he'd got a letter from Rev. Mr Adams; I advised him to go to Boston on Monday, and he did so; on Tuesday, when he returned, I went to see him; he said, "I am a ruined man," and referred to the testimony they had got, and said he could not meet it; and declared his innocence and said if Mr Adams were placed under such circumstances I should vote against him; he said the whole affair would be out in the penny papers, and he could not endure it; and wished to get out of the way; he wished a special meeting of the Church called, and I had no objection to this course; a meeting being called, and he came to the conclusion that he would leave and go to Detroit; that he could not endure to have such things published in the penny papers; he wished Mr Bell, the lawyer, to come and see him.—At the Church meeting he gave a succinct account of the stories alleged against him, made a resignation and left the Church much agitated.

Dr. Perry then went on to state that on the next evening he was called upon to visit Mr Fairchild at his house; he was told that Mr F. was crazy; that he had started up and ran out of the house in an undress. When I saw him he was in as much excitement as ever I saw a man; he was supported in bed. After some conversation we soothed him down, but he at length started up, leaped over the foot-board, struck the wall, flew at the door with his fists drawn; after some time, he was again calmed down. At night he was desirous of taking laudanum, but I was averse to it; he was calmed down as much as possible.

In the morning his son came after me and said that his father had cut his throat. I went to see him and found him curled up on the floor, at the foot of the bed, with his neck and head over the chamber; he was very white, his pulse was very feeble, and I supposed he was nearly gone; there were from two to three quarts of blood and water in the vessel; could not say how much water. We took him up, and laid him on the bed; he had but little appearance of life; so much so that I did

not at first dress the wound. [He described the wound and the manner of dressing.] He lay through the forenoon in a very feeble state, and I thought he would not rally again, but he did. I thought his case was a decided case of insanity.

While in this state of mind and before, I heard him make the most solemn expressions of his innocence; that he had never had criminal intercourse at all with the female, Miss Davidson.

Mr Woodbridge Odlin, was present at the Church and heard Mr F.'s resignation. On the evening of the next day I spent the night with Mr Fairchild.

Mr F. arose in his bed and made a noise like a deranged man; by some effort we pacified him and he appeared to be calm. I sat by his bedside; in the course of the night he had two or three paroxysms of this kind, and exhibited symptoms of derangement. At 4 o'clock in the morning, he insisted upon my lying down in his study and get some rest. I stepped out and went into the study, fell into a drowse, heard him moving and saw that he was attempting to dress himself; I watched him; he went down the front stairs and into his son's room; spoke to his son, and then went into the sick room; Mrs Fairchild was alarmed, and afterwards came up stairs and was talking to me in the study; while I was talking to Mrs Fairchild he got up; I saw him at the foot of the bed, and heard him say in an unnatural tone of voice, "wife;" she went to him but soon came back, and said in a tone of great horror that he had cut his throat; I told her to send for the Doctor at once; I took out my handkerchief and staunched the wound. [The witness stated what Mr Fairchild said after he had been restored.] He remarked that the Devil had often tempted him to commit the deed, but he had always been able to say, "Get thee behind me Satan," until last night, and said he had unbeknown to any one, carried a razor to bed with him, and had also taken laudanum.

He made the strongest declarations of innocence and turning to rise he said, "tell my enemies I forgive them for all the evil they have done or intend to do," and asked the witness to pray for him.

Mrs Fairchild also testified as to her husband's declaration, at the time above alluded to; he spoke of his persecutions, declared his innocence and when the family were around his bed, he said, "I die innocent of the charges against me;" he stated to her the fact of a friend advising him to give the money to Miss Davidson to save his character, under an unjust accusation; that he had solemnly pledged himself not to divulge the name of his friend.

Mr Phelps now read an affidavit of Mrs

Hannah Usher, in reference to Rhoda's having stated that she was the sister of the wife of the Rev Mr Turnbull.

Mrs Usher in her statement said she was explicit upon this point, as she thought it very strange that Rhoda should have been living with Mr Fairchild, if she were Mr Turnbull's wife's sister; she asked her several times, and she replied that she was the sister of Mr Turnbull's wife, and that Mr T. married her sister.

Mr Fairchild in reference to this point, introduced a statement from Mrs Comfort M. Matthews, who said that Rhoda told her she was the sister of Rev Mr Turnbull's wife, and that she was positive that Rhoda represented herself to be the natural sister of Mrs Turnbull. A statement from Mr Ebenezer Haywood, who said that he considered Mr Fairchild to be a high-minded, honorable man, and worthy to be imitated by every professor of religion.

Also one from Mr Nathaniel D. Vose, who said that being one of the committee employed to investigate charges against Mr Fairchild, he called on Mr Shaler, and inquired of him whether Rhoda ever kept company with Mr John S. Ellis, that he replied it was a mistake, and he presumed Mr Vose got the impression that she once lived in the family of Mr George Ellis, who was a married man. Rhoda was then called, and Vose put the same question to her; that she evaded it by saying that deponent got the impression from her having lived in Mr George Ellis's family; she said that she had seen Mr John S. Ellis, but had never kept company with him. This statement was confirmed by Mr Benjamin Tilton and E. G. Piper, two gentlemen of the committee.

Rev Mr Shaler was called by Mr Riddel. He testified that he remarked that he didn't think that Miss Davidson was *engaged* (that was the word used by Mr Vose) to a young man in Abington. When Miss D. came in she was also asked if she was engaged to Mr Ellis, or Mr Holbrook. She replied that she was not engaged to any one. The expression used was engaged, and he based his reply upon that word as he thought that if Rhoda had been engaged to any one she would have told him of it.

Mrs Shaler was then called and sworn. She testified that the conversation in her presence, related to Rhoda's being engaged. She said that she never was engaged to Mr Ellis, nor to any one.

Horatio N. Crane said that a week or ten days after these reports had been circulated against Mr Fairchild, he went to Mr Hoyt's, to get the truth of some things in relation to Rhoda Davidson. I asked him when Rhoda came to his house after leaving Mr Fairchild; he said on the

28th November 1841, and that she came as help; that she staid four or five weeks before she went to live with Dr Chapin; that she went with Dr C the last of December; he said nothing against her reputation, and that the reputation of Mrs Easty was as good as any one. In the conversation with Mr C., and Mrs Hoyt they said that Rhoda had told them that Mr Fairchild had said to her in conversation, that he hoped some accident would happen upon the Rail-road to Mrs Fairchild that would kill her, but that his children might be saved.

Mr Fairchild here introduced an affidavit from Mrs Elizabeth G. Randall, who keeps a store at South Boston. Mrs R. there stated that the first time she saw Rhoda was at her store; that Rhoda told her she had been boarding in Marblehead, three or six months, and was then boarding in Mr Fairchild's family, which struck her strangely; Rhoda used to come occasionally into her store, and from her conversation and general appearance, Mrs R. used to fear that she was not as virtuous as she ought to be. Some young men once asked defendant who she was, and said they thought she was a "kitten."—[Several members of the Council marvelled much as to this expression, and what it meant.] Rhoda used to talk to her a great deal about a John Ellis, and said he used to visit her at other places, but would not come to Mr Fairchild's, and she used to go and meet him at other places. Rhoda called one cold day, and deponent let her have a pair of lined gloves to wear, and she said she was going in the 2 o'clock Omnibus to meet Ellis; Mr Davidson called at her house after Rhoda had left Mr Fairchild's, and from him she learnt that Rhoda had gone home; he expressed his regret that she had left Mr F.'s as she had not done so well since; he spoke very kindly of Mr F. The deponent knowing that Rhoda had gone home, and being suspicious of her, she asked Ann (Rhoda's younger sister) what kind of a scrape Rhoda had got into; Ann told her that she had a child; deponent asked her who was the father of it, and she said Rhoda told her she did not know who it was; Ann then said I did not believe she does for she had so many beaux; the deponent said that the first time she saw Ann, Rhoda brought her to her house, and wanted her to take her and get a place for her, saying she had taken her away from Mrs Ruggles because Mrs R. had said something about her (Rhoda) which she (R.) did not like, and Rhoda said I will pay Mrs Ruggles for this, and I have got Ann away too; deponent used to talk to them about Rhoda, and Ann used to say she would try and take my advice and not follow Rhoda's examples, for she knew it would be her ruin

Ann spoke also of her sister Mary, (Mrs Easty) and said she would not keep such company as she kept, young as she was; knew better than that; Rhoda often spoke of Mr Fairchild's correct conduct in the house in every respect, and said she never lived in a house where a man lived so correctly; spoke of his advice to her about religion, her extravagance, and that she ought to lay up more wages, &c. Deponent also asked Ann what Mrs Ruggles said about Rhoda; she replied that Mrs R. told her that Rhoda was not a good girl, and did not want her to come to the house; Mrs Randall also stated in the deposition that Rhoda often spoke of Mary (Mrs Easty) more slightly than Ann did: always said she was an unprincipled woman, and that she hated her: that she never could be half an hour with her without quarrelling. Mrs R. also stated that the last time she recollected having seen Rhoda she spoke of Mrs Fairchild very kindly and regretted being obliged to leave, and she often spoke with great respect of Mr F. and thought him more exemplary in his conduct than any man she had ever lived with. An additional statement made by Mrs Randall, made at another time, and appended to the above, was also introduced: the substance of it was that Rhoda Davidson used to take her sister Ann's wages, and Mrs R. said she owed it to her, and gave as an excuse that she must have money, and did not like to ask Mr Fairchild for money so often: at one time when she took Ann's wages she said she was in debt to Mr F. \$4: Ann said Rhoda did not care any thing about the matter of having a child as long as she had plenty of money for it.

[I have given the substance of Mrs Randall's statements, as taken from my minutes. The statements were read by Mr Phelps.]

Mr. Fairchild now asked leave to introduce certain depositions of different individuals from Edgecomb, Maine, as to the character of Miss Davidson; but before these were read he asked permission to read two letters sent from South Boston to Edgecomb. One was to the Post Master of Edgecomb, Me. by E. D. F. Allen, stating in relation to the alleged crime, as to Fairchild's payment of money, and a relation of the affair, and requesting him to see Mr. Davidson, and get from him a certificate of the facts.

The other from Cranston Howe of South Boston, addressed to Rufus Sewell, Esq., of North Edgecomb, Me., in relation to the seduction, &c., and giving all the circumstances, and requesting him to see Mr. Davidson, and get the facts.

Mr. Fairchild said he thought from these that the Council might see what efforts had

been made to forestall public opinion, in his case.

The first affidavit was from Mrs Ann Davidson, the mother of Rhoda Davidson, who deposed that her daughter Rhoda returned to her home from Abington, in May 1842, and complained of being unwell, and being warned of her neighbors in about a week afterwards as to her situation, she charged her with being in the family way and she did not deny it. She importuned, threatened, and coaxed her to tell who was the father of the child both before and since it was born, but she utterly refused, and has never told her directly or indirectly to this day, who he was. She often told her that its father was respectable, but never told her that he was a married man or a minister up to this time. Her husband was at home in a few days after Rhoda returned from Abington, and left home again to go fishing; he returned home again in Sept. 1842 on Tuesday, and Rhoda's child was born Sunday morning next, after that. Rhoda told her father, during her confinement the name of the father of her child, but her husband had never communicated to her his name, nor did she know from any one, except by a letter, dated Boston, June 18th, 1844, and signed by C. J. Allen, and directed to the Postmaster of Edgecomb, who its reported father was. Her daughter Mary (Mrs Easty) made her a visit of three weeks since Rhoda's child was born but she never intimated any thing relative to its father. She had never heard Mr Fairchild's name connected with it until recently, except by the letter referred to. Mr Davidson went to Boston in Nov. 1842, and said he got some money which she supposed came from the reputed father of Rhoda's child. Her husband said he had seen a person who Rhoda alleged was the father of the child and that he positively and solemnly denied any knowledge of her, or of being its father. Mr Davidson had always told her that Rhoda positively asserted that the father of the child never had connection with her but once; that when Mr Davidson returned from fishing and found Rhoda about to be delivered of a child, he said it was no more than he expected.

Another deposition from Mrs Davidson, dated July 19th, stated in substance that Rhoda was confined on the 18th Sept., 1842—that the color of the child's hair is light, and its eyes like those of its mother. That she (Mrs D.) had said, and now says that as much as Rhoda disgraced herself by being the mother of that child, she had, in her opinion disgraced herself still more, by the statements which she understood she had made relative to Rev Mr Fairchild. That she was constrained to say that she had the strongest fears that her daughter was in the hands of bad advisers, and under such circumstances, had said and done

that which was decidedly wrong and untrue. That under the pretence of friendship and worldly advantage, she would be very easily influenced to do wrong, when instigated to do so by men who would have her believe them to be her friends. That Rhoda brought home with her in 1842, \$42 and no more. That she came home more poorly clad than usual, and without the least preparation for her confinement, and deponent knew of no way in which she could have spent the other money, nor what she did with it. That Rhoda always spoke of Mr Fairchild and his wife in the highest terms, as being the best of people, and she had often said that Mr F. was an excellent man and a true christian. Had heard Mr Davidson ask Rhoda how many times she had had intercourse with the father of her child, and she replied but once, and that was by great persuasion if not force. Her husband asked Rhoda what she had done with the other \$50, and Rhoda said that she had brought home all that she had left. Mr D. reckoned up her expenses, bills, &c., and could not account for the deficiency, and Rhoda concluded that she had lost it. Rhoda had told her that when she had done living with Mr Fairchild that she went directly to Mr Chapin's, in Abington.

This is the substance of Mrs Davidson's affidavit. It was sworn to before T. W. Chadborne, Justice of the Peace of Edgecomb, and the selectmen of the town, who also signed the paper, gave Mrs D. a good character for morality, and was a person of truth and veracity.

The next affidavit was from Rachel Fly of Edgecomb, and it testified that she was present at Rhoda's confinement; that the attending physician told her that it was necessary he should ask her who was the father of the child, and Rhoda told him she should not tell, that she should rather ruin her own character than tell; she afterwards grew sicker and asked deponent if she had better tell, and deponent told her to do as she pleased. That she was in the room alone with Rhoda the night of her confinement, and she observed that she was such a despiser of girls of bad character, that she believed it was sent as a judgment against her. That deponent asked her why she was caught in such a scrape, and she said suppose you was away in an attic making a bed and any man should come in, what would you do? and deponent understood this to be the case, and she began to cry, and the subject was dropped.

The next affidavit was from Sarah Haggett of Edgecomb, the substance of which was that she was in company with Rhoda at John Dodge's, her uncle, last summer in July, and that she told her she had kept company with one Mr Ellis of Boston, and the reason she

did not marry him was that he was not pious. She also said that another man had courted her, and that another wanted to court her. She also said that Mr Ellis wrote her a letter after she came home to her father's, and that she did not answer it on account of her misfortune. The letter from Mr Ellis, deponent understood to be a love-letter.

The last affidavit from Edgecomb, was from Samuel Merry, who stated that he was a near neighbor to William Davidson and a member of the Freewill Baptist Church, of which Mr D. is also a member. That in July 1843, he was at work at Boothbay, in partnership with Mr D. and that D. made the following statement to him. That after Rhoda's child was born he went to Boston and saw the man that Rhoda said was the father, and told him that she had laid the child to him, and the man upon hearing this, appeared to be amazed and he utterly denied being the father of the child, and said it could not be his. He then stated that if she was going to swear the child upon him, he must do the best he could, and if it could be kept secret and he had his health, he would comply with Mr Davidson's proposal. Mr D. said he had agreed to keep it a secret, and that he had told him more than he had any one else, even his wife. Deponent had understood that the father of the child was a Methodist minister, and said to D. that he wished to ask one question, and he could do as he pleased about answering it. The question was this, "Is the father of the child a minister?" and he replied that he was not, neither was he a professor of religion, nor a doctor, but he was nearer a doctor than a minister. Deponent said to him that he must be a man who deals in medicines, and he said you need not guess again, you have guessed right. He did not say that the man who paid him the money was not a minister, but that the father of the child was not a minister. He had never heard Mr Davidson connect Mr Fairchild's name with any statements he had made to him, and deponent said that if Mr F. was the father of the child, Mr D. must have told him that which was not true, as he said the father was not a minister. Mr D. said he had done as well as he expected; that he did not get any disappointed; that he had received what he had, and he should receive more if the man had his health, for he was out of health, and was a hard laboring man.

[These depositions were all made oath to before the Justice of the Peace of Edgecomb, Me., and Miss Fly and Miss Haggett, testified that Mrs Davidson, the mother of Rhoda, was a woman of good moral character.]

Isaac L. Folsom, who obtained the above depositions, testified that he went to Edgecomb, Me., to oblige Mr Fairchild, and see what information could be got. I told him I should get all the information I could, that

would tend to bring out the truth, let it be for or against him. I went to Mr Davidson's family on the 4th of July morning. [The witness said Mr Fairchild gave him a paper containing the points that he wished the witness to investigate, and the witness went on to state the circumstances of his mission, and his interview with Mrs Davidson. He examined Rhoda's child, and remarked that he was free to say that the child bore not the slightest resemblance to Mr Fairchild or his children. He stated that a number of rumors were in circulation, among which were that Rhoda and her father went to a lawyer to swear the child, and that she said the father was a dentist. Witness examined the child a second time, and a second time said it did not in the least resemble Mr Fairchild.

Witness had another conversation with Mrs Davidson, and took the second deposition referred to. He thought there might be important information for the Council obtained from Edgecomb, from Mr Davidson, after his return from fishing.

A statement was introduced by Mr Fairchild from Mrs Abigail C. Sanborn, that she had been in Mr F's family for nearly 5 years, that she thought him one of the best of husbands, a kind father, and a consistent practical christian, and always thought him a man of correct moral conduct.

A deposition from Mrs L. Brown states that Mr and Mrs Fairchild lived happily together, that he was a good man. There appeared to be nothing else of importance in the deposition.

Also a statement from Mr Horatio N. Crane, who said that in a conversation with Mr Hoyt of South Boston, Mr H. told him and Mrs Hoyt affirmed to the same, that Rhoda told them that while Mrs Fairchild was away on her journey, Mr Fairchild told her (Rhoda) that he hoped the Lord would cause some accident to take place on the cars, so that Mrs Fairchild would never return, but that the children might; Mr Crane also said he had been intimate with Mr F. for several years, and he could say in behalf of himself, wife and family, that he has ever borne the reputation of a sincere, devout, and highly worthy Christian, and minister of the Gospel.

A statement from Miss Hannah Gurney, who had been much in the family of Mr Fairchild, stated that she had always looked upon Mr F. as a consistent Christian.

Mr Phelps read a statement from members of the Phillips' Church, signed by twenty seven males and thirty two females speaking of the moral and christian character of Mr Fairchild, as being unexceptionable, and that he was led into an imprudent step by consenting to pay hush money, and was thus led into a snare.— Another paper signed by several members

Phillips' Church and citizens of South Boston, stating that he was a persecuted and injured man.

Two or three letters and statements were read, two from Edgecomb, Me. in answer to individuals, who wrote to get information respecting the father of the child, were read, but they were wholly unimportant.

The Rev. Mr. Fairchild now gave his own statement of the affair. His account embraced the time that Rhoda Davidson came to reside in his family in 1840.

MR FAIRCHILD'S OWN STATEMENT.

On the 27th day of April, 1840, Rhoda Davidson came to reside in my family, and remained with us until the latter part of April, 1841. She appeared amiable and obliging, and was faithful in her work for several months. She soon began to make some statements to my wife about her love affairs, in connection with a Mr Ellis. On this subject her mind was at times a good deal excited, which excitement increased from month to month. I was always kind to my domestics and conversed familiarly with them; she occasionally spoke to me on the subject, and particularly at one time asked my opinion whether it was right for a professor of religion to marry a non-professor. But most of her love affairs were told to me by my wife. I have heard her speak of quoting Scripture to Mr Ellis, and his quoting Scripture to her. I always treated her kindly, and never offered her any abuse.

During the latter part of the winter, when she appeared to have lost all hope of obtaining Mr Ellis, she was more excited, became fretful and passionate, and sometimes impudent, neglected her work, and acted so strangely that we were several times on the point of dismissing her. But knowing the cause of this alteration in her conduct, we pitied her, hoped she would soon get over her disappointment, and do as well as she did the first six months. At any rate, we concluded to get along with her as well as we could, till Mrs Fairchild went her journey to visit her friends in Philadelphia and elsewhere. Whatever was wrong in her conduct we attributed to her disappointment. We did not think her vicious, or given to bad practices. We gave her every Thursday afternoon and evening to go where she pleased. She usually went into the city to visit, as she said her cousins, those cousins we knew not. She generally returned

in the evening, accompanied, as she said, by some man. I recollect on one occasion that she did not return till midnight. We have heard her say that her sister, (Mrs Easty) was an unprincipled woman, and as much an infidel as anything. We have heard her say, too, that Mr Hoyt was an unprincipled man, and that her sister Mary was quite intimate in the family. We know nothing of these persons except what Rhoda told us. On one occasion, as my wife informed me at the time, a young man waited on her home in the evening who professed to be a phrenologist. She said he had been walking with her on the old bridge and examining her head, and told her that she had the organ of amativeness developed more plainly than any female head he had ever examined.

In the latter part of April, 1841, she left us for the purpose of learning a trade. But she did not succeed. The reason is unknown to me. I have the impression however, that it was on account of her inability to pay for her board. Mrs Fairchild went her journey early in May, and was absent ten or twelve weeks. During her absence I broke up house-keeping, though I studied and lodged at home. Soon after Mrs F. went her journey, Rhoda came to my house and requested permission to stay a day or two to make or alter a dress. To this I objected on account of the inconvenience, as I was then boarding at one of my neighbors. But pitying her poverty, and as Eliza Towne was then at my house, I told her she might stay till Eliza Towne went away. She stayed a few days. Some weeks after this I met her in Washington street. She said she was going to my house in search of a pair of shoes which she had either lost or left there. I told her that the door was locked; but if she would wait till I returned from the post office, she could go home with me and look for her shoes. She went into one of the stores, and on my return I called for her, and she went home with me. She told me she was then living or going to live with a family in Jamaica Plains. She expressed a wish to live with us again, and observed that no family seemed so much like home to her as mine. I told her that we could not receive her back, unless she would do differently from what she did a few months before she left us. She said that when she lived with us she was very nervous, owing to her disappointment, and that she hardly knew what she did, but that she had now got

over it, and would do as well as ever. I told her that on condition she would do as well as she did the first six or eight months she lived with us, she might return if Mrs F. was willing. She promised that she would. When my wife returned from her journey I told her what Rhoda had said and promised. She was perfectly willing to take her back on that condition. In a short time I called at the house where Rhoda was living, told her what Mrs F. said, and engaged her to return the middle of September, on the express condition above mentioned, assuring her that we would receive her back on no other condition. Accordingly she returned at the time appointed, and remained with us about six weeks. We soon found there was no alteration in her for the better, and that we could not get along with her as our help. After some abusive treatment which she had shown to my wife, I conversed with her kindly but plainly, and told her to leave the house that day. I reminded her of the promise to do as she did at first. She insultingly replied that she never made any such promise. She was much offended and said that she had long disliked my wife, and that now she disliked me as much as she did her, and added, "I'll pay you for this." I said to her, Rhoda, you profess to be a Christian, and how can you show such a disposition? How could you now retire for prayer in such a state of mind? She then became calm, and made an apology, and I gave her permission to stay till the next day. I obtained another girl immediately. Rhoda left my house on the third day of November, and said she was going to Mr Hoyt's, who, as I understood, married her cousin. Whether she went there or not at that time I cannot say. She never came to my house again while I was at home to my knowledge till one afternoon, I should think, the latter part of November. I have an impression that she then came for her trunk; but of this I am not positive. I know however that I was not at home alone when she called; for the girl who then lived with us was at home taking care of my little daughter, while Mrs Fairchild was at the Odeon. Rhoda came up stairs and sat awhile with me in the study. She had not been there long before a female friend called, and I went immediately with this friend into our sitting room in the basement. Rhoda soon came down into the room where we were sitting. In a short time my wife returned from the

Lowell Lecture. Soon after her return, Rhoda left, I believe in the omnibus. From that time I never saw her, nor did I have any communication with her either written or verbal, till the last Sabbath but one, I think, in April 1842. On that day she attended my meeting in the afternoon. She came into my house directly after meeting, and stayed perhaps an hour. As I was engaged in the study with the clergyman who was then preaching for me, I saw her only as she entered the house, and just as she was leaving it. On the Friday following that Sabbath she called at my house about 3 o'clock, P. M., and requested to see me alone. I went with her into the parlor. She then told me that she was sick and poor, and wished to go home to her parents, and requested some aid from me. I told her that I was sick myself, and about to take a long and expensive journey, and dependent on my friends for assistance. She then said that she wished to state to me more particularly her circumstances. I told her that I had not time then to attend to her; for I was going to see a gentleman at that hour on the neck; but if she would call the next day, or wait till I returned, I would hear her. She replied that she had rather converse with me then, and would walk with me over the bridge to Washington street. To this I made no objection. And as I was not quite ready, I told her she might walk on and that I would soon overtake her. I overtook her soon after she entered on the bridge. She then gave me to understand distinctly what her circumstances were, and said that she must have some money. I told her that if such were her situation she must go to the man for money who had put her in that situation. She replied, "I must have money; and if you don't give me some I will put it upon you." I remonstrated, and entreated, and threatened. She then said that she did not wish to injure me; that what she wanted was money, and that if I would give money she would not put it upon me; otherwise she would. Perceiving that she was bent on her object, and recollecting her previous threat when I turned her away from my house, I asked her how much I must give her? She said two hundred dollars. I then asked her who told her to come to me for money? She said that her sister, (Mrs Easty) told her to come. Without saying positively whether I would give her the money or not, I told her that I must see

her sister and agreed to meet them on the Common at 8 o'clock in the evening. I then went to see a kind and generous friend, told him in confidence and with tears what had taken place, asserted my innocence, and asked him to advise me what to do. After talking the matter over some time, he said that all things considered I had better pay the money: one hundred dollars then, and the other hundred at some future time. An allusion was then made to my feeble health, my dependent family, my contemplated journey, and my scanty means of subsistence, when he said he would give me the money on condition of a promise from me that his name should never be mentioned in connection with the subject in case the affair should ever become public. That promise I solemnly made.

I met Mrs Easty and Rhoda at the time appointed. I told Mrs E. at once that Rhoda had falsely accused me; that I never had any improper connection with her, and of course could not have put her in that situation. I then asked her what Rhoda had said to her? She replied that Rhoda told her she called at my house the latter part of November or early in December, (she could not recollect which,) found me at home, and that I then had connection with her by over persuading and almost forcing her. She also said that Rhoda told her that that was the first and the only time. After conversing some time on the subject, I agreed to give two hundred dollars,—one hundred then, and the other when I returned from Europe, or if I travelled in this country, I would pay it in January if I lived to return. I then gave Mrs Easty one hundred dollars for her sister, assuring her that I gave it, not because I was guilty, for I was not; but to save my character, my family, and the church from reproach. I told them both that I would not pay one cent except on condition of their promise, which they were to regard as much binding on their souls as the oath of God, that my name should never be mentioned in connection with the subject, and never alluded to in any way to my injury. This promise they then made in the most solemn manner possible. After this Mrs Eastey intimated that she ought to have something for keeping the matter a secret; and I gave her ten dollars, adding that I might, if able, give her something more at some future time. I have not seen Rhoda from that time till the present. I was

informed that soon after that interview she returned to her father's in Maine.

I have been censured for paying money, and entering into any such agreement. But those who know my peculiar circumstances at the time, my feeble health, the recent attack which my enemies had made upon my character, and my constitutional temperment, being naturally timid and shrinking back from all contention, will not I hope be very severe in their censures. No one can tell what he will do till he is tried. I well knew that if she were to lay it upon me, her oath would be taken, while I could say nothing. I now regret that I took the course I did. But I am not alone in this matter. Others, better than myself, have done the same.

Early in May, 1842, I wrote a letter to Rhoda. In that letter I asserted her knowledge of my innocence, and reprov- ed and condemned her wicked conduct in obtaining money in such a way. I cannot now distinctly recollect the con- tents of that letter; but I am quite sure that the following expressions were in it. "I denied your charge at first, I deny it now, and shall deny it till I die." I also said, "My character is every thing to me, and I had rather sacrifice all I have in the world than have such a thing said of me even by a female to whom I had never spoken." I then reminded her of the condition on which I had given her money, enjoined upon her the impor- tance of fulfilling her solemn promise, and entreated her not to add sin to sin by violating that promise. I regret to learn that that letter has been destroyed.

About the middle of May I set out on my journey, and returned early in Sep- tember. In six or eight weeks after my return Mrs. Easty called at my house one morning, informed me that Rhoda had a daughter born on the 18th of Sep- tember, and that her father had come, and was then on the old bridge wishing to see me. I told her that I would see him in half an hour. I knew from what had previously passed between us, that she expected more money, and I gave her five dollars. I found him and Mrs. Easty on the bridge. He immediately informed me that Rhoda told him that I was the father of her child. I said to him that the charge was false, as she well knew. After conversing a while he said that Rhoda had never mentioned my name to him in connection with the subject, till about the time of her con- finement. He said that he had come after the other hundred dollars which I

had promised her. I told him that I did not promise to pay it till January, and asked him what she had done with the other hundred? He replied that she had but five dollars when she was confined. By this time we had crossed the bridge and Mrs. Easty parted from us agreeing to meet us on the Common at 2 o'clock. Mr. Davidson and myself then walked together for some time and talked the matter over. I asked him what Rhoda had told him. He replied she had only told him I was the father of the child, and that I never had connexion with her but once, and that was done almost by force. I again asserted my innocence. He said it might be so; but Rhoda had put it upon me and he had come to set- tle with me. I told him that I would pay the other hundred dollars on the Common at 2 o'clock. "But," said he, "that is your settlement with her; you must now settle with me. And you must give me \$50 a year for six years." I told him that such a demand was most cruel and unjust, and that I could not comply with it. I again asserted my innocence, spoke of my feeble health, and expressed my fears that I should never be permanently restored. He said that he should not expect of me impossi- bilities; but if I were able to pay the him the sum he had demanded I must do it or he would expose me. I found that he was fixed in his determination; that he had me in his power, and that my only prospect of safety was to yield. We then separated. I went directly to my friend, told him that I had seen Rhoda's father and what had passed be- tween us. As the matter had now been communicated to a third person he ex- pressed his fears that I should be be- trayed. He said he would see me again in half an hour. I then called and he gave me one hundred dollars. And as put the money into my hands he said with much emphasis and decision, "Let what will come you are never to trouble me in this matter or say anything, ei- ther directly or indirectly which may lead any one to suspect me." I most solemnly assured him that I never would.

Censure has been cast upon this friend for what he did, and upon me for not disclosing his name. But if I were per- mitted to state all the circumstances of the case, and the reasons he assigned why I should not connect his name with the affair, I am sure that such censure would be withheld. At any rate I shall strictly adhere to my promise. Let what will come his name shall forever

remain a secret in my bosom. It shall never be made public through me. And why should it be? It would prove nothing as to my innocence or guilt. I sometimes regret that I mentioned the fact at all. But in giving an account of the matter to my friends, I mentioned it in the order of events as they transpired. Whether I have done wrong in this thing I leave the candid to judge.

At 2 o'clock, I met Mrs. Easty on the Common, her father not having arrived. She said she had not spoken of the matter to any one, not even to her husband. She further stated that as soon as her husband had heard that Rhoda was going to have a child he put it directly upon Mr. Hoyt. Her father soon joined us and having conversed with them for some time I gave him the money, assuring him that I gave it not to hide my guilt, for I was not guilty; but to save my character. He said my character should be preserved harmless. He then took his daughter's hands into his own and said in the most solemn manner, "I consider myself as much bound to keep the matter secret as I do to seek the salvation of my soul. And you, Mary, must bind yourself in the same manner." She replied, "I do. I will never mention the matter to any living creature." We then separated.

Soon after this, if my memory serves me, I wrote the letter to Rhoda which has been published. There are some unguarded expressions in that letter which have received a different construction from what was intended. Suffice it to say that my object was to write in the kindest manner possible, that by an appeal to her sympathy and the sympathy of her father. I might make assurance doubly sure that I should be protected from all harm. I did not dare to reproach or threaten, lest I should offend them and provoke them to say or do something in a passion to violate their promise. It was to accomplish this object that I expressed myself in such kind and charitable terms. The whole affair had convinced me that I could not appeal to any principle of honesty, and that an appeal to sympathy was my last and only resort. For this reason I wrote as I did.

Last October, I sent Mr. Davidson fifty dollars, which was received by him as I have recently learnt from the postmaster at Edgecomb.

I heard nothing more about the matter till I received a letter from a friend in Boston, the early part of June, mention-

ing that Rhoda was in the hands of enemies and that she had made certain disclosures implicating my moral character. What has since transpired is well known. The shock was too great for my feeble body and mind to bear. My reason was dethroned, and I was left to make an attempt on my life. The loss of blood soon restored my reason. I deeply lamented what I had done, implored the forgiveness of my God, gave my parting directions and advice to my friends and family, asserted my innocence of the crime laid to my charge, and waited patiently for an exchange of world, expecting every moment to be my last. But God saw fit to spare me, for what purpose I know not. May I be resigned to his holy will! My earnest prayer is, that let me suffer what I may, he will preserve to me my reason.

I have now given, according to my best recollection, a true and faithful account of this unhappy affair. I have doubtless omitted some things; but nothing I believe which is essential to a right understanding of the matter. However dark the circumstances may appear against me, and however difficult it may be for me to disprove the testimony brought to convict me of crime, yet I believe that the time will come even in this world, when my innocence will be made to appear; but if not in this world, it certainly will in the world to come. If I am guilty in this matter, then is the peaceful traveller guilty who gives up his purse rather than his life to the highwayman.

I am well aware that the influence of money has been and still is exerted to destroy me; and there are some who seem to indulge the most deep rooted enmity and hostility. Indeed one man of property (Josiah Dunham,) has been heard to say "I will leave no stone unturned till I have got Mr. Fairchild out of the ministry."

What poor men and especially what clergyman can withstand such influence? I profess to be the servant of a Master who, when he was reviled, reviled not again, who forbids retaliation, and enjoins it upon his followers to render love for hatred and good for evil. May I ever act consistently with this profession!

Whatever the decision of the Council may be, (and they can judge only from the evidence presented,) I shall have a clear conscience before God in this matter, and the judgment of the great day will declare it.

All the evidence for the defence now being introduced Mr Riddel proposed to put into the case the documentary evidence elicited from Rhoda Davidson.

These documents consisted of the written statement prepared from her narrative by Mr Shaler, and of that prepared by the Committee, after a separate and most rigid examination, which being compared with her testimony before the Council would enable them to judge of the internal evidence of its truth.

He read two letters from Dr Chapin of Abington in answer to some inquiries about what time Rhoda Davidson came to live in his family and as to her character: in that the Doctor stated that she came to live with him on the 13th Jan., 1841, and he said that her character was good: that she attended church regularly, and that she was beyond suspicion.

Mr Riddel also read two similar statements of Mrs Easty's testimony; by which her veracity could be tested in the same manner. These documents were made out from the story of the witnesses, at different times and by different persons, without giving them any opportunity to compare their statements.

He also read the report of the committee of the Suffolk South Association, containing historical facts as to all the places where Miss Davidson had lived during eight years, and certificates stating that her character during that time was unexceptionable.

The certificates of her good character as read by Mr Riddel, are from Messrs Ward & Norcross, merchants in Kilby street, Mr William Dearborne, and Rev. Mr Shaler, of Brookline, Mr Alexander H. Twombly of Boston, Mrs Lillie and Miss Roby, milliners of this city, where Rhoda went to learn a trade, and from Mr George Ellis of Oliver place.

He then read a letter from the physician at Edgecomb, who attended the young woman in her confinement; also two letters from persons in Edgecomb, written in reply to the letters of Messrs Allen & Howe before referred to.

[The letter of Mr Allen, dated Edgecomb, June 26th, is addressed in answer to Samuel G. Wilson, and states that he had seen Mr Davidson, showed him Mr Wilson's letter, and conversed with him on the subject, and he concluded not to have any thing to do with it at present.

The letter to Mr Howe is from Rufus Sewall, Esq. of Edgecomb. It states that he called on Mr Davidson, and found that he had left home a day or two before. His wife stated that Mr Wilson had conversed with her husband, and that he refused to divulge anything; blamed his daughters, or thought they had done wrong, as circumstances were, in making the disclo-

sure. Mrs Davidson stated to Mrs Sewall, that her husband, being a poor man, with a large dependent family, thought it best at the time to enter into an arrangement whereby his increased expenses on account of his daughter might be paid, rather than expose the matter; and that he considers himself still bound by his agreement. The name of the father had never been made known to her. There is no intimation in this letter that Mrs Davidson suspected that her daughter had falsely implicated Mr Fairchild.]

Rev. Mr Adams was called and sworn. His testimony went to the point of Mr Fairchild's denial of his connection with Rhoda Davidson: Mr Adams said that when Mr Fairchild stopped at his house in Boston, on the Monday night referred to he told him that he had not removed the impression formed against him by the committee, and he mentioned this fact for the purpose of eliciting from him some explanations of expressions that he had used in his letter to Miss Davidson. He directed Mr Fairchild's attention to the first sentence of the letter, viz: "I now write you another letter, not for the purpose of denying what you say I have done, for that denial I have made from the beginning." He said he was apprehensive that he (Mr F.) had here denied only that he was the father of the child; and that in his subsequent denials he might mentally make the same distinction between intercourse and the paternity of the child. The fact he wished Mr Adams here to state was that he made not one word in reply.

Mr Fairchild in answer to Mr Adams said that the reason why he had couched his letter in the way he did, was that it might be seen by another person, but that he had had another interview with Mr Adams at his house, and he then disclaimed any knowledge of the charges preferred against him. Mr Adams in reply said he never witnessed an act which brought him so near the judgment seat of Christ as this; he wished to get a solemn declaration from Mr Fairchild, as to whether he was innocent or guilty, and he asked him the question, and wished him to answer in the presence of God, without any reservation or secrecy, if he had ever had carnal knowledge of Rhoda Davidson. His reply was, I never did. I denied it at first, and I always shall deny it to the day of my death, and he went on in the same breath, and in the same tone of voice, the effect of which was most painful. He said that as soon as the conspiracy against him was made known it appeared to be a question with him of "money or life," and he gave him to understand that after consulting a friend, that friend advised him to do as he had done. Mr Adams told him if he would give the name of the man, it would be a most important circumstance in

his favor, and he was told that he ought to reveal his name; the only use we wanted to make of it was to satisfy our minds; he said he had taken a solemn oath not to reveal the name. Mr Adams also questioned him again about the charges, and he replied "I never touched her; there's no foundation for it."—Mr Adams also alluded to some sentences in Mr Fairchild's letter, the sentence which reads "I hope the past is forgiven of God." He had asked Mr Fairchild at his house, what he meant by saying this; and he was much embarrassed in making a reply. In conclusion he said that he waited with a degree of interest unsurpassed to know whether Mr Fairchild is or is not an innocent man.

Mr Fairchild in reply alluded to the excited state of his mind at the time he made these statements, and had no doubt that his words had made a different impression than what he intended them to do; he alluded also to his peculiar temperament, of his different constitutionality from Mr Adams, that his nature was naturally sensitive, and he shrunk back from all controversy, but he thought he ought not to suffer on this account, because he did different from what Mr Adams would have done under the peculiar circumstances in which he was placed.

He reiterated that a friend advised him to do what he had done, under a solemn promise not to reveal his name, and he said the lines from the Psalm might be quoted as applicable to his case.

Firm to his word he ever stood,
And always made his promise good;
Nor dares to change the thing he swears,
Whatever pain or loss he bears.

His first two letters he stated were differently expressed from the one saved, and he regretted that they had been destroyed.

Mr Riddel, asked Mr Fairchild if he had not told Rhoda to destroy these letters.

Mr F. replied that he had. A few pieces of documentary evidence were introduced by Mr Riddel.

One from Mr Josiah Dunham correcting a statement made by Mr Sherman.

A letter from Alvin Simonds of South Boston, expressing his misapprehension of facts at the time Mr Fairchild's request to be dismissed from Phillip's Church on account of ill health, which misapprehension was, as he said, occasioned by a false statement which had been made to him by Mr. Fairchild, and stating that he should not have prepared votes of recommendation if he had known the facts. Mr Fairchild replied in explanation to the letter very briefly, stating the manner in which his conversation was held with Deacon Simonds.

Two or three unimportant papers were also read, which finished the evidence on both sides.

Dr. Beecher then rose and said that the duty of summing up the evidence in the case on the part of the Committee had in the outset been assigned to him. He had however made objections in the course of the trial to the irregular manner in which evidence had been admitted; and now as there was such a mass of evidence before the Council which was altogether irrelevant and uncertain in its nature he should not at present attempt the task of reviewing it, and discriminating amongst it. He would leave that to the Council.

Mr Riddel then said, in behalf of the Committee, that they were willing to submit the case in its present state into the hands of the Council; but on the following condition, viz: that if, when they had considered the whole evidence, their minds should be clear and unembarrassed to come to a decision either for the conviction of the accused or for his acquittal, the Council might proceed to make up their Result; but that, provided they should be in any considerable doubt or perplexity, on account of some parts of the evidence which were more or less uncertain in their present form, the Committee would then ask the Council to open the case again for further evidence; and especially to give opportunity to ascertain in a proper manner the validity of so much of the documentary evidence on both sides, as might be thought to have any important bearing on the great question at issue. He then concluded the discharge of his duty by saying that it had been one of the most trying and difficult to which he had ever been called. He begged pardon of the Council and of the party accused if he had in any respect misjudged, as to the extent of his responsibility, or the manner of discharging it. If the cause of truth and justice should be attained in this case by the part which he had been called to take, he should feel rewarded for the painful sacrifices he had made.

The Council then, after being a short time by themselves, adjourned at half past 10 o'clock, Friday evening, until 10 o'clock on Monday.

The Council came together again on Monday, and after two days of most laborious deliberation, closed their labors, and returned a verdict at half past 5 o'clock, P. M., on Tuesday.

They held a session on the previous evening from 7 to 10 o'clock, and a morning session on Tuesday, from 5 to 7 o'clock, and were from that time constantly engaged in coming to a result up to the time the vote was taken:—Their sessions were private during Monday and Tuesday, and they were, most of the time, engaged in reviewing testimony, and reading documents. Several new witnesses for the defence arrived Tuesday morning, but as it was understood that their tes-

timony would be of but little importance, and the Council having one decided that the evidence was all in, it was deemed improper, under such circumstance, to open the case again as no new light was expected.

The result as announced is as follows :—

“The Council having for three successive days given the most patient attention to the evidence presented before them by the parties concerned; and having also with much and careful attention for nearly two days more, considered that evidence among themselves, and hearing their decision on the facts in the case as presented to them, come to the following result, viz:

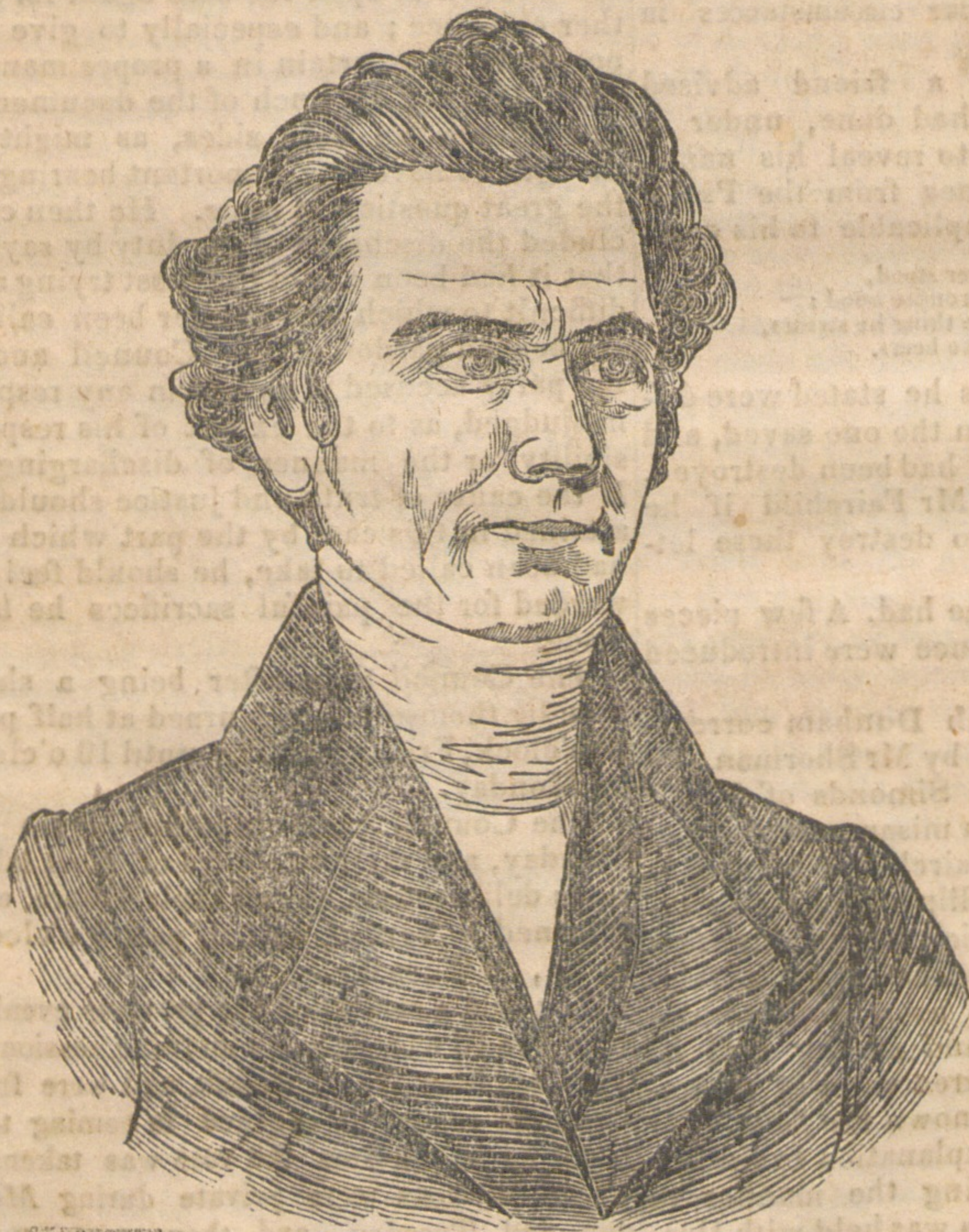
“They consider that Fairchild’s attempt to prove a conspiracy against him has not been successful; that the character of the principal witness in the case, Rhoda Davidson, implicating Mr Fairchild as guilty of criminal intercourse with her, has not been so impeached by any thing coming before us as to invalidate substantially her testimony; that other witnesses, and especially his own admissions, partially con-

tained in a letter to Miss Davidson already published are such as to give that testimony a strong corroboration, and that therefore, however painful the duty, and however much the private feelings of the Council would lead them to shrink from it, they yet feel compelled to express their deep conviction that Mr Fairchild cannot be innocent in this matter, and that unless he can present a clearer vindication of himself before some tribunal more competent than ourselves to compel the attendance of witnesses, and the utterance of all the truth, and till such act be done, he ought not and so far as our decision goes, does not, hold the place of a Minister in the Church of Christ.”

The foregoing was accepted by the Council, yeas 19, nays 6. The position taken by those who voted in the negative, I did not understand to be in the light of a verdict of not guilty, but that the evidence was not clear enough to enable them now to act, and consequently they voted to disagree with the majority.

Yours,

E.



☞ The above is a correct likeness of Mr. Fairchild copied from a Daguerreo-type taken by Plumbe, drawn by Rowse, and accurately engraved by Mr. F. E. Worcester.

REPORTED IN FULL BY WM. B. ENGLISH.