

“Rev. William McCullar Was the Star Witness in a Murder Trial in 1814”

By Claire Kluskens

In a small community a murder is a rare, major, and terribly shocking event. Joseph Green met his violent end in Rutland, Vermont, on 15 February 1814. He and his wife, Marcia, age 22, had already buried a baby daughter and their son Joseph was born after his father's death. Joseph Green, age 27, was already considered “a leading merchant of Rutland.” To attract Christmas shoppers in 1813, he advertised “New Goods” that were “just received from Boston, an additional supply of English & West India Goods; also Crockery and Hard-Ware.” His store also held “many yards of fabric, ribbons, lace, buttons, household goods, tools, and chairs.”

James Anthony, a hatter (hatmaker) was another young man in Rutland. The colloquial phrase, “mad as a hatter,” which suggests insanity, may be derived from hatmaker's use of mercury nitrate when working with beaver fur to make felt. Over time, mercury poison attacks the nervous system, and hatters often exhibited changes in personality, tremors, shaking, difficulties in talking and thinking clearly, and other effects.

James Anthony hated Joseph Green for reasons now long forgotten. In the fall of 1813, Thomas Miller heard Anthony badmouthing Green as a rogue and scoundrel, the kind that “ought not to live.” Anthony said Green would not live long “unless he behaved better.”

Christmas and Valentine's Day came and went. Just before 9 p.m. on Tuesday, 15 February 1814, Ezekiel Green Jr., was minding his brother's store, waiting for any last minute customers that evening. Joseph Green opened the store door, looked in, said goodnight to his brother, and continued on his way. Joe was wearing a coat, white hat, jacket, and a certain silk handkerchief. During the next four hours, at least five people would see lights on in Anthony's shop and hear strange noises in the vicinity.

The next morning, Wednesday, 16 February 1814, William K. Shaw and storekeeper James D. Butler saw bruises and blood on Anthony's face. Anthony claimed to have fallen and gotten a nose bleed. He also mentioned that he and Joe Green had been fighting. Meanwhile, Joe Green was missing. Butler thought Green might have taken the stage to Boston on business, but it was strange, since Joe's wife was about to give birth.

On Thursday, William Green expressed “considerable uneasiness” about his brother's disappearance. In the late afternoon, when the Boston stage coaches arrived outside Issacher Reed's Inn in Rutland, the stage drivers told William Green that none of them had seen Joe Green the day before. Innkeeper Issacher Reed was Joe Green's father-in-law, and he was undoubtedly greatly concerned, too. Several men who were in Reed's Inn started searching for Green, but found nothing, since it was nightfall.

By Friday, word spread that Joe Green was missing, and five people who had seen the light in Anthony's shop on Tuesday night, as well as heard strange noises, started telling other people what they had seen and heard. Meanwhile suspicions about Anthony grew, especially since he kept changing his story of how he had hurt himself. There was no police force in 1814, so Ezekiel Green, a deacon of the Baptist Church, chose six respectable men to lead the search for his son. They were James D. Butler, Baptist minister William McCullar, William Brown, Doctor Hooker, Samuel Parker, and lawyer Nathan Osgood.

During the search at his shop, Anthony showed the men how he had supposedly fallen down the stairs. He took them up to his bowing room, and explained that he had put a hat-block on the floor to hold the stairway door partially open, but then fell over the hat-block and down the stairs.

Elder McCullar was only 55 years old, but he walked with a cane due to health problems from his three year stint in the Continental Army during the Revolutionary War, which included the infamous winter of suffering at Valley Forge, Pennsylvania. McCullar poked his cane into Anthony's chimney, in the space behind some drying-kettles, and encountered something he thought were hats. Anthony said, that yes, he used that space to dry hats. McCullar thought it strange, but let the explanation pass.

Then there was conversation about searching Anthony's two woodpiles. Anthony needed a lot of wood to keep his kettles hot for the felt- and hat-making process. McCullar went to the woodpile in the alley near the chimney and started poking his cane into spaces between the wood, until he felt something different—something softer—that might be a

body. He turned and said, "Gentlemen, I want this wood removed." Anthony stepped up and claimed it had already been moved but McCullar pushed his Anthony back with his hand and said, "I will remove it myself." But William Brown, being stronger—and perhaps younger—than McCullar, came forward and took on the task of removing the wood. After several minutes, Brown exclaimed, "O dear here he is!" as Green's corpse came into view. Green's body was wrapped in three large cloths of the kind used by hatters in between hats while basoning them.

Green's body was moved into the shop and an inquest was immediately held. Someone asked about Green's hat, and McCullar remembered that his cane felt something soft in the arch under Anthony's drying kettles. John Ruggles and Eleazer Wheelock borrowed McCullar's cane and fetched from the arch Green's very bloody white hat—the one he was last seen wearing—as well as his pocket book, which contained \$47.75, plus papers relating to the settling of Amos P. Hall's estate, of which Green was the administrator. Testimony at trial indicated the physical evidence included two other bloody hats, two bloody handkerchiefs, a cooling iron, a warp pin iron, and a large wooden stick. There was blood in the front room, on the plastering over the fireplace, on the bunk, behind and on the door, and on the ceiling behind the door. It looked like effort had been made to remove or cover the blood by washing and rubbing with ashes or clay.

Doctor Porter made a detailed record of Green's injuries, which included five deep cuts into his head, one of which "laid bare the skull bone." Anthony's cooling iron fit the forehead wound exactly. Four cuts went down to the membrane just above the skull, while

the fifth laid bare the skull bone. None of the head wounds were “necessarily and immediately” mortal. Dr. Porter concluded that death brought about afterwards by choking, as the throat showed “marks of a violent grasp or clenching of a hand.” Green’s funeral was held two days later, on Sunday.

Nineteenth-century justice was swift. On the first two days of March 1814, a Grand Jury of 16 men was seated, heard evidence, and voted to indict Anthony. He pleaded not guilty and was held in jail pending trial. Anthony’s trial was held in just one day: Friday, 4 March 1814, a mere 17 days after the murder, and only two days after the indictment. Although several people testified at the trial, Baptist Elder William McCullar was the star witness, providing most of the testimony on what Anthony said, what evidence was found in Anthony’s shop, and how it was discovered. The jury took only a few minutes to find Anthony guilty. The next day, Saturday, 5 March 1814, the three judges overseeing the trial, Nathaniel Chipman, Daniel Farrand and Jonathan H. Hubbard, sentenced Anthony to be hanged on 14 April 1814.

Naturally, Anthony was confined to jail until his execution. Prisoners were expected to use the time between sentencing and the execution to prepare their souls to meet their maker. They were expected to make a showing of genuine repentance, and local clergymen, including McCullar, spent much time with Anthony to help him prepare to meet God. On the morning of his execution, Anthony cheated 10,000 people of their chance to watch a hanging. While Deputy Sheriff Jedediah Hammond and the woman who cooked breakfast at the jail were busy, Anthony tore his pillow and pieces of his clothing to make a cord. He broke a stool to

get a piece of wood to poke into a ventilation crevice. He tied the cord around that wood and around his neck and proceeded to hang himself. Anthony was found dead.

If Anthony had not cheated the hangman, the procedure would have been this: First there would be a solemn procession from the jail to the place of execution. The sheriff and his deputies would ride on horseback, leading a wagon. The wagon would haul the condemned, with perhaps one or more clergymen with him. Following the wagon would be a cart bearing the condemned’s coffin, and after that perhaps a carriage with other dignitaries.

At the place of execution, the gallows would be waiting. There would be prayers led by a local clergyman, normally of the condemned’s choosing. Then, noose around his neck, a cap would be placed over the condemned’s face. He would be launched into the hereafter with a quick drop.

When we began this story, we noted the rarity and shock of a murder in a small community. In fact, murder was rare in the United States in 1814, although exact statistics are hard to come by. There were approximately 450 adult homicides in Vermont and New Hampshire combined, during the 105 years from 1775 to 1880. As a result, the Green murder was widely covered by newspapers in much of the northern states.

We are fortunate that Rutland’s publishing house, Fay & Davidson, saw fit to transcribe and publish the trial proceedings, since its 39 pages enables us to learn about the participants’ words and actions in their own voices. In addition, William McCullar’s intense personal participation in the search for Joseph Green’s murderer, and his subsequent

jailhouse visits with Anthony, led McCullar to express himself in poetry. In his preface, McCullar acknowledged that he neither possessed a “poetical genius” nor “had been in the habit” of writing poetry. But the verses had flowed from his pencil or pen as “to relieve the anxiety under which [his] mind laboured.” He consented to publishing his poetry because he considered “the sentiments just, and the subject interesting; the relatives of the deceased and many others who have heard it, or heard of it, expressed a desire that it should appear.” In it, he provides a window into his beliefs and his own soul. But that is a story for another day.

NOTE: The newsletter collator has not included Claire's endnotes to conserve space.