

The Bell Ringer

A Publication from the Education and Research Committee
of the Friends of Brentsville Courthouse Historic Centre, Inc.

Volume 1, Issue 1

October 2005

The Infamous Fewell Trial -- Part II continued from *The Brentsville Journal*

In the September issue of the *Brentsville Journal*, a tale of incredible scandal was begun. When we left off, Fannie Fewell, daughter of the founder of Manassas, suffered hysterical spasms. James F. Clarke, the Commonwealth's Attorney for Prince William County, was incarcerated at Brentsville, accused of crimes against Fannie. The public stood by, awaiting details and testimony which had been delayed by Fannie's poor health. By August 27, 1872, the *Alexandria Gazette* began to reveal the events in greater depth. In those days, before radio and television, newspapers supplied extensive and wonderful detail. Nothing was omitted, down to a complete account of the clothes and condition of the accused.

Alexandria Gazette 27 Aug 1872

JAS F. CLARKE, whose examination upon a charge of abduction, took place in Fredericksburg yesterday, and resulted in his being remanded to Prince William County for trial, reached this city at four o'clock this morning on the train from Fredericksburg, in charge of Sergeant Edrington and a guard of five men, C. A. Gore, C. D. Cole, J. A. Tayloe, A. B. Rowe, and R. W. Gravvott, all armed with revolvers, and was carried to the City Hotel, where he remained until the train on the O. A. & M. R. R. left for Manassas. The guard was brought at his insistence to protect him from the summary vengeance which he supposed might be inflicted upon him by the relations of Miss Fewell, or other citizens of Prince William County. The news of his arrival spread rapidly, and notwithstanding the early hour, the reception room, and all the rooms on the lower floor of the hotel were speedily filled by persons anxious to obtain a look at him. People had just commenced going to market, and the sellers and buyers for a time forgot their more immediate concerns to catch a glimpse of the man whom many

of them knew, or had heard of before his connection with the late deplorable affair, as one bearing an honorable name and likely to do well in the world, but who now has attached to him a stain which can never be effaced. He was dressed in a blue cap, black alpaca sack coat, and blue pants; wore a soiled shirt without a collar, and looked haggard and worn. It was almost impossible to converse with him owing to the great crowd that surrounded him, and who were eager to hear any words that might escape his lips, but in response to the questions of some who had formerly been his friends, and who asked him "how he came to get in such a scrape," he said that he had done so "without thinking of the consequences," and that he "was not the only one to blame in the transaction." He sat down at the first breakfast table and ate heartily, and though but few usually eat at that table, it was crowded this morning. The crowd remained about the hotel until he and his guard left for the depot, to which place many followed him, and where a large number of persons assembled and witnessed his departure for Manassas.

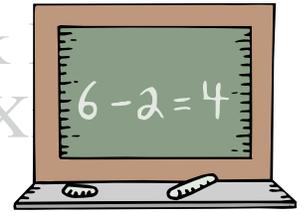
Intense interest in the case and the accused manifested itself in record-sized crowds, watching and waiting to witness the examination of the players in the drama. Fannie Fewell's inability to cope with the predicament into which she had fallen resulted in the determination that her affidavit be sworn, rather than face public

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Take Note!



Welcome to the *Bell Ringer*, a publication of the Education and Research Committee of the Friends of Brentsville Courthouse Historic Centre, Inc. Our mission is to share exciting information that has been uncovered by researchers working to preserve the history of the Town of Brentsville. The Committee values the importance of educating the public about Brentsville's significance and its place in history. People of all ages will be offered opportunities to learn about Brentsville, the county seat for Prince William from 1820 - 1894, through public programs, guest speakers, special events, school field trips and volunteerism.

Already, the Committee introduced the 1928 Brentsville One Room School House to elementary school instructors from across Prince William County. Teachers visited the Historic Centre and learned about a new program designed to take 1st graders back in time to a one room school. This experience is closely aligned to Virginia Standards of Learning in Math, Social Studies and Language Arts.

Each month, *The Bell Ringer* will feature recent research by Committee volunteers. These articles will closely support the Prince William County Schools' new Hands On History course. This high school class focuses on local history. Brentsville is naturally a central part of the curriculum. Teachers of the course can readily reference *The Bell Ringer* to learn about the most recent and accurate research available.

Instructional strategies and historic content that support the SOLs for many grade levels will be included in every issue. Photographs, oral history, primary sources and period literature will be made available through this publication.

The Education and Research Committee welcomes input from the community as this publication is intended to not only educate but also provide a forum for educators, researchers and the public to share their knowledge, findings and experiences about the Town of Brentsville.

The Education and Research Committee

Friends of Brentsville Courthouse Historic Centre, Inc.

A nonprofit, 501(c)3 volunteer organization
Established in 1996 to support the
restoration and preservation of the
Brentsville Historic Centre.

Annual Membership Fees:
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The Infamous Fewell Trial -- Part II continued

scrutiny while delivering her testimony. The newspaper ran detailed accounts and transcripts of the legal proceedings.

Since Clark refused to talk, the people had to wait for the August 28 newspaper to report what had occurred on the previous day in Fredericksburg. Serialized coverage of such events was not commonplace during the 1870s. So, accusations of an abduction perpetrated by such a high profile citizen most certainly caught the imagination of newspapers throughout the nation and the word rapidly spread. Even prior to Clark's extradition to Prince William County, Daniel Whiting, editor of the *Manassas Journal*, published his view that it was every Virginian's right to seek vengeance when such crimes had been committed. This comment would foreshadow the events to come.

Alexandria Gazette 28 Aug 1872

THE CASE OF JAS. F. CLARK - Examination at Fredericksburg - From the Fredericksburg Star - The court met promptly at 4 1/2 p.m. Motion was made by the Commonwealth's Attorney for a continuation of the case until Tuesday morning at 10 o'clock. J. B. Sener, counsel for prisoner, desired a continuation until Wednesday. The Judge saw no good grounds for continuance and ordered that the case be proceeded with at once. By agreement of counsel for prisoner and Attorney for Commonwealth the case was postponed until 8 o'clock p.m.

Miss Fewell, in company with her sister, B. D. Merchant, Dr. Marsteller and Judge Chas. E. Sinclair, Commonwealth's Attorney for Prince William, in the meantime had arrived in town. It was ascertained that the physical condition of Miss Fewell would not

admit of a public examination, and by consent of counsel it was determined to take her affidavit.

The counsel then sought Miss Fewell, who was stopping at the Farmers' Hotel, and commenced to take her affidavit. She being duly sworn, testified as follows: "My name is Fanny S. Fewell; born on the 29th of June 1856. I am the daughter of W. F. Fewell, a resident of Manassas, Prince William County, Va. I first became acquainted with Mr. Jas. F. Clark early this summer at the residence of Mr. Hinson at Manassas. I met him often at Mr. Hinson's. His wife and children were with him when I first made his acquaintance. I don't know how long this was before the removal of his family to King George County; he paid me no particular attention until after his wife left. I received a note inviting me to Mrs. Hinson's. Mrs. Hinson said he had left his wife forever. The next day I received another note from Mr. Clark, in which he stated that he had separated from his wife, or rather that his wife had left him, and that he intended settling in the West; from that time up to the time I left I received notes from him, these notes urging me to come with him. I then wanted to know if he and his wife had really separated; he told me that they had positively. I then made up my mind to go with him; that is, I was urged to go with him. He promised to marry me when I got to Washington." (At this point Miss Fewell gave way under excitement, and through the advice of her physician further examination was dispensed with)

The court reassembled at 8 o'clock, and Mr. B. D. Merchant was sworn, and testified as follows: Miss Fannie Fewell left my house on the night of July 21st, about 12 o'clock. Becoming aware of her absence I immediately made it known to her father, and in company with him searched a freight train which was then at the depot. Not finding her we concluded that she was in the village. Becoming satisfied that she was not in the village I took the next train for Alexandria, where I made inquiry for her, and learned that she in company with a man, had taken a hack and went in the direction of Washington City. I followed them and traced them to a point on the Washington & Baltimore railroad; about five miles beyond Washington, at which place I learned they had taken the cars to Baltimore. The description given of them by the Railroad agent at this place assured me that it was Mr. Clark and Fanny, and here for the first time was my suspicion aroused towards Mr. Clark. I then returned home.



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Questioned by Mr. Wallace - Where did you next hear from them?

Witness - I saw published in the Lynchburg Republican an account of them, taken from the Cincinnati Enquirer of August 16th. I next heard of Clark being in Washington, and on the same day received information that he had visited Fredericksburg, and then Mr. Fewell took steps for his apprehension. Mr. Fewell and myself left Manassas for Fredericksburg on Thursday night, arriving here the next day at 11 a.m. On the evening of our departure from Manassas information was received that Fanny was at Boyle's Hotel, room 37, in Washington City. Soon after arriving at Fredericksburg Mr. Fewell procured a warrant for Clark's arrest, which was placed in the officer's hands and Clark arrested. I left Fredericksburg on the night train, and proceeded to Washington; upon arriving there I went to the Baltimore and Ohio railroad depot where I remained until five o'clock, a.m.; walked over to Boyle's Hotel and made inquiry for the party occupying room 37. I was informed that the clerk was out, and the man, whom I took to be a porter for the hotel, was unable to give me the information I sought. I then returned to the depot and found the party who had first informed me of Fanny's arrival in Washington, and was reassured that she was at this hotel; I returned to the hotel and took breakfast; when I went to pay my bill I asked the clerk if the lady who occupied the room 37 was in. He replied she was not. I ask him if there was not a lady in the house unattended, who arrived there on Sunday or Monday. He said no; that the lady I was looking for took the train for Baltimore the evening before. I believed that this young lady was still at this hotel, and went to a magistrate and stated the object of my visit was to take such legal steps as would lead to my securing this lady. He directed a detective to take the matter in hand; who deputized two policemen to proceed to Boyle's Hotel and ascertain, if this lady was there. They went to this hotel and found her there; she accompanied them to the office of the chief of police, where I met her, and asked her if she was willing to go home with me. "Yes," she replied, "I'm willing to go with you." We then went to the house of a friend and at 7 o'clock, p.m., took the train for Manassas.

Question by Mr. Wallace — Have you not a letter in your possession written to this young lady by Clark?

Witness - I have.

The letter was produced, but not read before the court. It was written from Fredericksburg on Thursday last, and contained many sweet and

affectionate words, and promises that he would soon be with her in Washington. A fictitious name was appended to the letter.

Wallace — Can you qualify to the hand writing?

Witness — I can.

Wallace — How did you become in possession of this letter?

Witness — Fanny gave it to me soon after we got in the carriage in Washington.

Wallace — Has that letter been in your possession ever since?

Witness — It has.

Mr. Sener — What time did Mrs. Clark leave Manassas?

Witness — I don't know.

Mr. Sener — How long did Clark's family reside at Manassas?

Witness — I am not positive as to the time, several months I believe.

Mr. Sener — Where did Clark move from when he came to Manassas?

Witness — From Brentsville

Dr. E. H. Marsteller, of Manassas, was then called, and being sworn, testified as follows: "The young lady was at present laboring under nervous symptoms, having just recovered from hysterical spasms, (to which she is predisposed,) produced by over exertion and excitement, and therefore unfit for further examination. She is naturally nervous and excitable, but possibly might be able to undergo examination tomorrow, though he was not positive became the paroxysm might occur at any time."

After argument by C. Wistar Wallace and Judge Charles E. Sinclair for the Commonwealth, and J. B. Sener for prisoner, the judge delivered an opinion refusing to release the prisoner upon a writ of habeas corpus as illegally in custody and also refusing to bail him, and Clark was then remanded to the custody of the sergeant to be carried to Prince William County.

Fannie's hysteria, Clark's imprisonment and the increasing crowds all fueled the mounting ire of Fannie's kin including her father William and brother Rhoda. The journalist's prose carefully reported all aspects in the case. The setting of Clark's incarceration was extensively described, providing outstanding insight into the furnishings and condition of the Brentsville jail in the 1870s, after the Civil War had damaged

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much of the town. One *Alexandria Gazette* reporter visited Clark at the jail and described his visit in rich detail on August 29 article. Clark's apprehension regarding his safety at the jail was likely motivated by Rhoda Fewell's comments, made the previous Saturday, about how easy it would be to "assassinate" Clark.

***Alexandria Gazette* 29 Aug 1872**

The Case of Jas. F. Clark. — The Clark affair, the main particulars of which, so far developed, have heretofore been published in the *Gazette*, considering the character of the persons connected with it, and the apparently unaccountable course pursued by the accused, who is now incarcerated in a felon's cell, is so remarkable in all its surroundings, that the interest excited by its first announcement, so far from diminishing, is on the increase, and will doubtless continue until the trial of the principal has been concluded and he shall have left Prince William County, or what is feared by many, been buried beneath its already blood stained sod, the victim of the vengeance of a grief-crazed father or an enraged and desperate brother. A reporter for the *Gazette* yesterday called at the jail in Brentsville, and was admitted into the presence of the accused. He is confined in what is known as the debtor's cell which is a room about ten feet square on the second floor, with an iron grating over an ordinary sized single window opening to the West, in front of which, and in full view, stands the Episcopal Church, upon which he can look and meditate when not otherwise employed, and a solid wooden door. It is furnished with an iron bedstead, on which was a mattress and comfort, and over the head of which a shawl was thrown for a pillow; two chairs, one, however, with only three legs, so that in order to keep it in an upright position, it had been placed in a corner, and was supported by the walls; a table, on which were lying some paper and envelopes, pen and ink, and the remnants of his breakfast in a plate. A blackened tin wash basin, sitting upon the broken chair, completed the list of serviceable furniture, though the different parts of a wooden bedstead were piled up on the floor against the eastern wall. A fire place leading to an open chimney was near the head of the bed. The walls of the room were bare and needed white washing. Clark was reclining on the bed in his shirt sleeves, and in response to a question concerning his health, said he was as well as could be expected. A conversation then commenced and continued for about an hour, during which, though most of the efforts usually successful in drawing out an interviewed party were resorted to, they failed to

elicit any thing relating to his points of defense, except that he had not promised Miss Fewell to marry her, had not seduced her, nor had he ever seduced any girl. He seemed perfectly confident of an acquittal, and said that the Recorder of Fredericksburg would have released him at the preliminary examination had he demanded a release. In response to a question about his extraordinary conduct in returning from the West to Fredericksburg, he said that remorse had nothing to do with it, but that the reason would be made known at his trial. When asked how far West he had gone, he said he should follow the advice he had always given his clients, acknowledge nothing, but that the young lady said she had gone so far as Mexico, Missouri. In regard to the parties he was reported to have given at his house, after he had sent his wife home, he said they were given not by himself, but by the young men of Manassas; that he did not dance with Miss Fewell every set, and that as he was fond of dancing, and saw no harm in it, he would continue to dance as long as it pleased him, irrespective of what other people thought of it. He said the only time he had ever been seen with Miss Fewell alone was once when they were buggy riding, and that then they were accompanied on the ride by another couple. So far from abducting Miss Fewell, the charge upon which he was arrested, he said that Gov. Marve had showed that she had eluded those who were searching for her, but why, how, or for whom she eluded them he could not tell, for that would be divulging his line of defense. The prosecution fearing they could not convict him on the charge for which he was committed had, he said, endeavored to pick up flying rumors of fraudulent transactions and form them into charges upon which to hold him, but they would fail in this too. Mr. Fewell and his son had not, he said, been friendly with him since he had gone to Alexandria and had the latter arrested and brought back to Prince William for a breach of the peace, and that Rhody, instead of shooting him, as last Saturday it was reported he was going to do, had gotten so drunk that he had to be put to bed, and since then had gone off up the road with the lightning rod man. It would be, however, he said, a very easy matter to assassinate an unarmed man. He was extremely sorry, not for the moral guilt of which he was accused, but which he did not admit, but for the notoriety he had gained, and the annoyance it had occasioned so many people, as if by the loss of his two arms he could have avoided it, he would willingly have sacrificed them. He was aware, he said, that the feelings of those who had formerly been his friends were against him, and had been since his advocacy of the removal of the Court House to

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Manassas, and that was one reason why he had determined to leave the county. He also knew that he had been charged with radicalism, and that it was reported he had gotten \$1000 for a promise to stump Tennessee for Grant, but these charges, like that of abduction, were groundless. He said he had been treated very kindly by those in whose charge he had been since his arrest, particularly in Fredericksburg, where he supposed an attempt would have been made to assassinate him, but where he had made up his mind that if any shooting was to be done it would be by him who could draw his pistol first. He said he anticipated no personal injury while in the hands of the law, and that the jailer had promised him he would admit no one into the jail at night; and that "they don't think I will attempt an escape," he said, "you see there is no guard around the jail, there is but one jailer, my door and the outside door are open, or there's the chimney, out of which I could climb were I so disposed." He said that upon his arrival from Fredericksburg he was taken before Justice P. G. Weedon, and as he waived an examination, had been committed for his appearance at an examination to be held on Saturday next, the Justice refusing to let him to bail without a previous trial. If, however, he should not succeed in obtaining counsel and in having a conference with them by that day, he should demand a postponement of the investigation, and that that would be the case he thought was more than probable, for he had been allowed no opportunity for communicating with his friends, indeed a telegram he had endeavored to send to his father yesterday from Manassas was returned to him because, not knowing the exact amount of the charge, he had not sent with it quite enough money. He said Miss Fewell had not manifested any special love for him; that his wife knew all about the affair and that his father in law had been ready in Fredericksburg to go upon his bail bond. The interview here ended, the reporter promising to call again in a short time for a card which the prisoner said he would write, and which he desired to be printed. In about a half hour the reporter accompanied by a young gentlemen of the village called for the card, which not being completed they said they would withdraw in order and he might finish it. He would not agree to that, however, telling them to be seated, for, said he, I can say to you as Judge Thomas said to Judge Keith, when the latter stopped in an argument he was making before the former, because Judge Thomas picked up a newspaper and commenced reading it, "Go on Sir, you don't incommode me." He then took up a pen again and in a short time wrote the following card: BRENTSVILLE, Prince William County, Va., Aug 27, I am here incarcerated in jail, denied the free

opportunity of advising with relatives or friends, or of engaging counsel to conduct my defense. I have never had so much as a preliminary examination before justice of the peace; have never been confronted with those witnesses on whose testimony alone my prosecution may hope in any contingency base my conviction; have never had an opportunity to converse with or to have examined a single witness in my behalf, and have under these circumstances been compelled to listen to defamatory denunciations of the people and permitted to read newspaper articles written to embitter public feeling against me and to create in the judgment of the people my conviction of a crime, before I have been even arraigned therefore in any criminal forum of the country. I know how sensitive public opinion is and how easily it is operated upon to the prejudice of any one charged with a crime of this character, but surely it is bare justice to withhold popular out-cry against me until I have been convicted before a jury of my countrymen. Especially does this seem to me a right which I can confidently expect to have recognize by the press, since in no article that I have seen has my previous life for rectitude and integrity in such matters ever been assailed, and since I came to the community where arrest might reasonably have been expected and have never shrunk from any investigation of the case. I feel the deepest sorrow for all parties concerned in this most unfortunate affair, and no earthly ill will towards any who are engaged in an effort to rivet upon me a legal conviction and to place me in a felon's cell. But I am NOT GUILTY of the charge against me, and when the case is fully investigated and all the facts fully developed, I have no fears of a conviction by a jury. If I have violated any law let that law punish me through its recognized and sworn agencies. I am in the custody of the law and expect to be discharged as the law directs and don't ask a discharge in any other way.

Based on this article, Clark clearly believed that he was not guilty of any crime against Fannie Fewell. At the same time, it appears that he was cognizant of the fact that there was a good chance he would be assassinated by Fannie's brother in the Brentsville jail where he awaited his day in court. The November issue of the *Bell Ringer* will include the account of Clark's murder by Rhoda Fewell and the ensuing, high profile trial. This court battle became infamous for its circus-like atmosphere and widespread, national attention which centered on Brentsville.