

Ohio Wesleyan University

Digital Commons @ OWU

Finley Letters

James B. Finley Letters

2-23-1848

Letter from R. Bowland to James B. Finley

R. Bowland

Follow this and additional works at: <https://digitalcommons.owu.edu/finley-letters>

Recommended Citation

Bowland, R., "Letter from R. Bowland to James B. Finley" (1848). *Finley Letters*. 1077.
<https://digitalcommons.owu.edu/finley-letters/1077>

This Book is brought to you for free and open access by the James B. Finley Letters at Digital Commons @ OWU. It has been accepted for inclusion in Finley Letters by an authorized administrator of Digital Commons @ OWU. For more information, please contact earutigl@owu.edu.

Mansfield Feb'y 23. 1848.

Dear Sir,

I glorify myself that the peculiar circumstances in which I am placed, will induce you to excuse the liberty I take in addressing this communication to you; It is my painful misfortune to have a favorite son (R. M. Bowland) now confined in the Ohio Penitentiary, for causing the death of his brother-in-law Franklin Barker Esq. Doubtless Sir, you have heard ^{many} and probably conflicting statements relative to the facts and circumstances connected with that lamentable event, should you Sir, feel disposed to examine the following brief narrative, you will therein find a correct statement of facts so far as my knowledge and memory will enable me to give it. I am aware, that my near relationship to the prisoner may induce those unacquainted with me, to be cautious in giving entire credence to my statements, to obviate doubts as far as in my power; for my standing and character I refer to Hon. M. Bartley, late Governor of the State of Ohio, Dr. Allen a reputable Attorney in this place - Gen. James Hedges, and any other reputable gentleman who is acquainted with me.

On the 24. Oct. 1843 - ^{my} Franklin Barker Esq. married my daughter Margaret Ann, after dark, on the night before the marriage, I was informed that Mr. Barker was in the Parlor much excited in consequence of some reports he had heard derogatory to the character of the wife of my son Robert, who was expected to reach this place in a few days. I forthwith sought an interview with Mr. Barker, on retiring to a private apartment Mr. Barker said that he had heard, and believed that Robert's wife had been a lewd woman, that she must be intercepted on her journey, and turned back, and not permitted to come to this place &c. This tale, the person who told it, the time, manner &c. astonished me, I replied "If it were certainly known to be right, that she should be intercepted and turned back, that could not be done, as it was not known by what route she would travel," adding "If I become satisfied that she is such a woman as ought not to be in my house, she must go away" at this time Mr. Barker's ^{father and} family were in town, and part of them in my house - the guests invited &c. Early on the next day, the marriage was solemnized, and the young couple forthwith left to visit friends in Penn^a. On their return Mr. Barker refused to be introduced to Robert's wife, they remained a few days at my house, then went to boarding at a public house - This matter passed along, Mr. Barker associating with all the members of my family, except my son Robert and his wife, until about the first of June 1844. when Mr. Barker came into my office apparently much excited, and refusing to be seated, exclaimed "Julia is about to join the Brick Church, one of the most fashionable churches in town, if you don't stop her I will" I was astonished at his manner, and replied "I will not speak to her on the subject, but will mention it to my wife" he left the room hastily without further remarks.

2

I immediately communicated the occurrence to my wife; shortly thereafter, I went into the family room, where I found Julia in great distress, and the family much disturbed. On the following day I was informed that Mr. Barker was about to leave for New York, and that my daughter (his wife) wished to see me at their room speedily, when I went in. I found my daughter expostulating with her husband, and entreating him with tears, not to go away, not to act so rashly &c. he appeared frantic, pushed her from him, and peremptorily ordered her to get him his shirt or cloaths. I attempted to speak soothingly to him, but he answered me harshly, and immediately took the stage for New York.

On the day after his return, I received a note from my daughter requesting me to come to their room, and "be sure to bring Julia with me" we went, and after being seated (Mr. Barker standing) he extended his arm, pointing his hand toward Julia's face exclaimed "Madam I have found you out, you are a whore," she replied "Sir, you are misinformed" he repeated "you are a whore" she again replied "Sir you are misinformed" he asserted and she repelled, when I said "Julia, let us go home, I did not come here to witness such a scene" we left; On the following day I went to Mr. Barker's room, hoping that he would reason more calmly when Julia was absent, when I went into his room he appeared cool and collected. he then stated to me "that he went to a house of ill fame in Church Street New York - that he there met with a beautiful girl, a prostitute, or whore, as he called her whose name was Angelina Miller whom, he said told him, that she was acquainted with Julia, that she used to board at their house and was a whore" he then said to me "do you now believe that Julia is such a woman as I have represented her to be" She replied "Sir, I do not, yet do not question but that you have been told all that you have related" he then answered me indecorously, when I said "Sir, I came to reason with you in a friendly manner, but if you cannot talk to me, without insulting me, I must leave your room, he replied offensively, and I left his room without further remark - And that was the last time I spoke to him, until June 19, 1846. (the day after he was wounded).

Some three or four months before the fatal event took place, I wrote a very long and friendly letter to Franklin, in which I reasoned with him in a soothing manner, relative to the feud existing between him Rotch and wife, informed him of the efforts I was making to enable Rand wife to permanently leave this place, to this friendly communication (now in possession of Old Mr. Barker) I received a short, uncourteous reply.

As I was informed (and doubtless correctly) immediately after Mr. Barker returned from New York in June 1844 - he procured himself

Pistols, saying they were to defend himself against Bob Bowland, who at that time, or prior thereto, had neither said or done aught calculated to offend, or in any way to incommode him; he then commenced reviling Julia, the wife of R. M. Bowland in the most reckless manner, dragging her name into his public conversations coupled with the most opprobrious epithets. So soon as Robert was apprised that Mr. Barker was thus reviling his wife, he applied to James Stewart Esq (his Uncle) an eminent lawyer, to bring suit against Mr. Barker. Mr. Stewart intimated an unwillingness that parties so nearly allied should go to law with each other, Robert then mentioned his intentions to his parents who decidedly objected to members of their family going to law with each other, expressing their hopes that Mr. Barker would yet become sensible of his error and cease his vilifications, yet facts prove that impunity only served to increase his indignation, he soon became so frenzied that when Julia would pass him on the street or sideway, he would exclaim "there goes Bob Bowland's ^{dam'd} whore" in her hearing, and that of the bystanders, he was sure to thus insult her, if there was any person in company with him when she happened to pass ^{from} him. She concealed these outrages from Robert as much as she could, yet those who heard her thus insulted, would occasionally tell R, when he would become much excited, but on being counseled by his wife, parents, or friends, was easily appeased. On one, or more occasions Mr. Barker when speaking of my residence called it "A dam'd whore house" and manifested bitter feelings toward myself, and nearly all the members of my family, while they all forbore giving him the smallest provocation. Some three or four weeks before the calamitous event took place, Robert came into the family room, where his wife, mother, and myself were, he was much excited, said Barker had got to halting on his step, when he met him (R) on the sideway and would stare him in the face in the most insolent manner possible, that he would not bear it any longer, we counseled him to be quiet, and he was soon calm - and the unfortunate parties were sternly looking each other in the face at the moment the fatal wound was inflicted, the bystanders not suspecting harm, did not observe whether Mr. Barker's looks were, or were not derisive.

On the forenoon of the day after Mr. Barker was wounded, a messenger informed me, that Mr. Barker wished myself and family to visit him, we forthwith went to his house. When I came to his bedside, he reached me his hand and looking in my face with peculiar earnestness said "Sir, I have wronged you much, I hope you will forgive me" On my answering him affirmatively, and adding a few words - my wife came to his bedside, he held out both his hand, and grasped her hands, after kissing her with great emotion, still holding her hands,

4

he said "Mam I have long injured you, will you forgive me" she with deep emotion complied with his request, he still grasping her hands, then said "I forgive Robert and Julia, and I wish it to be remembered as my dying request, that the Governor be applied to, to extend mercy to Robert, what he did, he did in a passion"

Mr. Barker again in the night time, called for my family, when his acknowledgements of doing them wrong, and asking their forgiveness, were the same as at the former interview, and as before, saying "I forgive Robert and Julia, and I wish it to be remembered as my dying request that the Gov. be applied to, to extend mercy to Robert, what he did, he did in a passion"

He said to W.^m Boyd, ~~my~~ my fourth son (Robert is my 3^d) of whom he had spoken unkindly "Boyd I have injured you much, will you forgive me?" Boyd replied "Franklin, I am not aware that you have injured me - but if you suppose you have, I kindly forgive you" he then spoke a few words to Boyd in a kind advisory manner.

I was informed by Rev.^d A. Poe - an estimable clergyman - that on the forenoon of the day after Mr. Barker was wounded, he requested Mr. Poe to go to the prison and tell Robert "that he forgave him" and Mr. Poe said he delivered the message.

I have understood from other persons, that at times when my family were not present, that Mr. Barker expressed his desire that the Governor should be applied to, to extend mercy to Robert - It was evident, that he felt anxious that Robert should not be severely punished - Whether his anxiety that Robert should not be severely punished, and oft repeated expression "that he forgave him" arose from a consciousness, that he himself originated, and carried on the quarrel that had terminated so fatally, and that he had causelessly goaded Robert to desperation, and therefore did not wish the more innocent party to suffer severely - are inferences to be made by the disinterested.

I have been apprised for months past, that Old Mr. Barker has a somewhat different, and peculiarly striking version of what his son should have said on his deathbed relative to Robert! What I have stated above, is what Franklin said in my presence, and what was sworn to on the trial by highly respectable witnesses unconnected with either family. I would here state that Mr. Messer Barker and family are very respectable, and he quite a shrewd intelligent gentleman, yet it is to be regretted, that at times, he permits his ardent temperament to override his better judgment, and withall, may be somewhat implacable.

I would here remark, that from the time Franklin Barker and my daughter were married up to the time of his decease, M^r. Messer Barker (his father) and myself were on terms of friendly social intercourse during that time. M^r. Barker often expressed to me his pointed disapprobation of his son's deportment toward Robert and wife, at one time remarking, "that he had often expostulated with Franklin on the impropriety of his conduct in that particular", adding, "that he believed the more he said to him, the worse he grew, and that he believed he would have to quit saying anything to him on that subject."

And it did appear that such was his extraordinary infatuation, that every effort made by his many friends and wellwishers to convince him that he was acting a most unreasonable and suicidal part, only served to increase his frenzied violence! different well disposed persons kindly admonished him to desist insulting Julia, and provoking Robert, least bad consequences might result, he would answer "I am not afraid of him, I am prepared for him, Bob is to dam, d a coward to resent an insult &c!"

From the time of Franklin's marriage, but more especially after his return from New York in June 1844 - up to the time of the fatal event June 18. 1846 - his deportment toward Robert and wife was outrageous; and highly improper toward myself, and other members of my family - yet on this death bed he appeared ^{much} grieved on account of his past errors, and manifested an ardent attachment to his wife's parents and other members of their family - at a time when my family were absent, I was told that he called his father to his bedside, and told him to be sure to treat M^r. Bowland and his family kindly, adding "they have never done me any wrong" (the persons who told me this were credible, but I cannot now remember who they were)

All the facts and circumstances connected with this distressing calamity go to clearly prove, that during the progress of this unreasonable feud between Franklin Robert and wife - Franklin was irresistibly impelled onward by some unaccountable delusive fatuity, and that so far as Robert and wife were concerned, he was in verity a monomaniac, or morally insane! That he intended, (without cause or provocation) to destroy the life of his wife's brother is manifest by his actions - he armed himself with Pistols avowedly to defend himself against Robert, who at the time had neither said or done any thing whatever calculated either to offend, alarm, or incommode him, he then resorted to the most flagrant, gross, and oft repeated public insults of R. and wife evidently with design to provoke Robert to commence ^{an} assault on him, when

6

under pretext of self defence, he could shoot R. without danger of punishment, If such were not his intentions, then are his actions, and deportment toward R. and wife altogether inexplicable.

Franklin Barker in the most public, vulgar, and flagrant manner repeatedly insulted his sister-in-law, and also toward the last her husband.

In justification, or extenuation of their monstrous outrages, he alledged that she was a woman of bad character, and it would appear that his father now takes the same Cue—were it admitted ^{sa, ke} for arguments, that she was ^{or had been} a woman of bad character, I cannot comprehend how such a fact, would in the smallest degree excuse or justify Franklin's rude, public abuse of her or her husband.

Doubtless all will admit, that a man has an unquestionable right to marry that woman he may prefer, provided the parties are agreed, and there is no legal barrier in the way—and however unwisely he may exercise that right, Can give no other person, a right, pretext, or excuse to publicly, vulgarly, and repeatedly insult such woman, and her husband on her account, more especially, if the parties deport themselves courteously, giving no just cause of offence to any person; nor will any ^{person} attempt to say, that such was not the demeanor of Robert and his wife.

If my premises be correct, and that the character of Julia before her marriage (whatever it might have been) could furnish neither right, pretext, excuse or palliation, to Franklin, or any other person to outrageously insult her, and that her husband was as much bound to protect her, as any other husband is bound to protect and defend his wife—it follows, that Franklin's demeanor toward her and Robt. is as inexcusable, outrageous, and indefensible, as if perpetrated against any other husband and wife in community, and still more aggravated on account of the family alliance existing between the parties.

If my reasoning be correct, then Robert's case will be considered and decided upon, precisely as would be that of any other man, whose self and wife had been frequently, publicly, and outrageously insulted, and who under long goading and chafing, had in a moment of great excitement committed a similar crime to that committed by Robert.

As the alledged previous character of Julia, can give no right, pretext or excuse for the flagrant insults offered to her and her husband, then, may I not hope and expect, that Robert's case will be considered and decided upon altogether irrespective of the alledged character of his wife?

I am aware that Old Mr. Barker, and possibly others who may have taken a cursory view of the case appear convinced, that if it is made appear, that Julia

the wife of Robert was such a woman as Franklin represented her to be, that, that gave him a right, and that he was justifiable in grossly insulting her and her husband, and that Robert's misdeed derives no palliation whatever from the virulent abuse and insults offered to him and his wife by Franklin, hence the desperate efforts made by Franklin in his life time, and by his father since his decease to satisfy community that Julia had been a slave woman! Doubtless, supposing, that if they could establish that point, Franklin's demeanor toward her and her husband would be considered not only justifiable, but meritorious, and leave neither pretext or palliation for Robert's transgression;

I have seen copies of some affidavits that Old Mr. Barker has procured in New York derogatory to the character of Julia, part of the statements I know to be absolutely false, after procuring these singular documents, part of which I know to be false, and have no reason to believe that any part of them is true. He then made an attack on myself and members of my family in the public papers, in replying to his unprovoked assault, I called on him to publish his famous New York affidavits, and thereby give me an opportunity to prove them false, as I pledged myself to do by many persons in Mansfield, yet instead of publishing them, as doubtless he would have done, had he believed they were invulnerable, I have understood, he placed them together with a long communication, or commentary of his own in the Executive office at Columbus, doubtless with design to forestall the opinion of the Executive, and place a barrier in the way of his extending clemency to Robert. I would here remark, that I have availed myself of all the means within my power to ascertain the true character of Robert's wife, and all the reliable information I have obtained, taken in connection with her correct deportment for more than four years that she has been a member of my family, all go to gainway Franklin's statements, and his father's twistical New York affidavits relative to her. I have obtained the deposition of Mr. A. Clark of New York, formerly of Montreal Canada, where Julia's parents resided, and where she was raised, he was acquainted with her in ^{the time} Montreal, and from ^{the time} she came to New York [where she lived with Mr. Hahn her brother-in-law] up to the time she was married, he speaks of her in the most favorable terms, also the deposition of a Mr. Peacock in whose family she resided a short time, after her brother-in-law left New York for New Orleans. Mr. Clark's standing is known to two merchants in this place, to wit. Mr. C. L. Avery, who has been one of our most prominent Merchants for 10. or 12 years and a Mr. Chambers who removed from New York to this place less than a year ago, each of these

gentlemen say that Mr. Clark is a gentleman of good character and standing, and that entire confidence may be reposed in any statement made by him. I directed a friend to place these depositions in the executive ^{office}, where they can be examined. I have understood, that Eld. Mr. Barker visited Montreal in Canada, and the city of New York during the last summer, in search of persons who would give an evil report of Julia, probable the proceeds of his labors have been placed in the executive office. In charity to Mr. Barker, may we not infer, that he is monomaniacal, or morally insane, in preference to attributing his persecuting spirit, to deeprooted malignity of heart? The son causelessly and desperately persecuted Robert and wife, and may I not say, that the father is following in his wake? and may I not ask, what reliance can be placed on testimony raked up by men of such malevolent feelings, in the haunts of vice, in our large cities?

I would here state, that after the jury on Robert's trial, had rendered their verdict, and before sentence was past, a friend of mine (without my knowledge) called on Mr. Barker, and after much conversation with him relative to the matter, Mr. Barker proposed, "that if Julia the wife of Robert would sign a paper admitting that all that Franklin had said about her was true, that on her so doing, that then he and my daughter (Franklin's widow) would sign a petition to the Governor praying for Robert's entire pardon." I learn that Mr. Barker told Mr. Kirkwood, the prosecuting atty, that he had made such a proposition.

It would appear to me that the only plausible pretext that Mr. Barker can offer, why Robert should be longer detained in prison is that he ^{might be} a dangerous man if at liberty, the above proposition gainsays such a pretext, moreover, it can be established by any desirable number of credible witnesses, that Robert from his boyhood up to that lamentable event, has been a remarkably peaceable inoffensive person, of few words never intermeddling with other persons, or their business.

I am aware that ^{the} verdict of the jury has a forbidding appearance in this case, doubtless, much more so than it ought to have, first, the trial was had too soon after the event took place - next it ought not to have been had in this county. But Robert wished to have his trial, at the time it was had, and in the place where the parties, facts, and circumstances were known - and his friends yielded to his wishes - as was to be expected, a kind of vengeful excitement was gotten up against the defendant, and the bodybody fraternity appeared to vie with each other, who could tell the most horrid tale - the sheriff doubtless shared in the excitement many of the jurors were taken from remote parts of the County, none from this town.

most of these of course, had heard many of the extravagant tales put in circulation by the news mongers, without hearing the true state of the case. Consequently their prejudices against the dependant must have been strong. While the jury were out, Robert's attorneys had taken depositions proving that men who sat on the trial had said when on their way to court, that Bowland ought to be hanged, yet when examined in court said, they had, neither formed or expressed an opinion. so that he fore the verdict was rendered his counsel were prepared, ^{if necessary} to move the court for a new trial, which could not have been refused them, if it had, they would have appealed to the supreme court; when these facts were communicated to Robert, he would not allow the motion for a new trial to be made, said his health was breaking down so fast, he could not expect to live to see another court, he would trust his case to the Governor who knew the parties, facts and circumstances.

All Mr. Barker's movements touching this case, go to prove, that he has two darling objects in view, first to prove by any means whatever, that what Franklin said, relative to her, ^(Julia) was true; doubtless from a belief, that such proof would exculpate Franklin, or his memory from all blame or censure. the second, is to gratify his vindictive feelings toward Robert.

I must still hope that if the Governor will patiently examine all the facts and circumstances connected with this lamentable Event, that he will come to the conclusion that the extenuating circumstances are such as to justify him in extending clemency to unfortunate Robert, and that under all the peculiar circumstances of the case the Majesty of the laws has been sustained; and that neither community or individuals can suffer detriment by his being now pardoned. may I not hope that the earnest, repeated desires of Franklin on his death bed, will be considered, these go to shew that he was conscious that he was greatly to blame for the lamentable event, that had brought him to his then distressing situation, and that Robert was less blameworthy than community might suppose, surely, if ever two persons have been ^{ever} cruelly and wantonly persecuted Robert and his wife have been.

It was the wish of Franklin on his death bed, that his wife should become a member of his father's family, she is still at Mr. Barker's and however kind they may be to her, it is not supposable that she can feel as comfortable there, as she would do in the house of her parents, after what has taken place, we cannot expect her to come to our house, so long as Julia is a member of our family, and a sense of justice to her, will not permit

us to send her away, until her husband is at liberty to accompany her, were he liberated, they would forthwith leave the State of Ohio for New Orleans where all her sisters, two married and one a widow live and where Robert and her intend to make their future residence. so soon as circumstances will permit,

I am now in my seventy fourth year, and very unable to bear the pressure of affliction now resting upon me and my wife equally unable to bear up under existing distress of mind.

If Robert was at liberty so that he and his wife could leave, and our widowed daughter return home, such circumstances would do much toward alleviating our present distress of mind. And could do no wrong to Community or individuals,

My dear Sir, If you are on terms of intimacy with the Governor, may I hope that you will mention Robert's Case to him as favorably, as in your judgment, facts and circumstances will justify, beyond which, I could not wish or expect any Gentleman to go.

So far as facts and circumstances are stated in this communication I pledge my honor that it contains no known or intentional error. and although I feel a deep interest in the welfare of my unfortunate Son, yet I would ^{not} intentionally prevaricate, were I sure that by so doing I could procure his immediate liberation. When he was told that Mr. Barker proposed to join in a petition to the Governor praying for his entire pardon, provided his wife would sign a paper admitting that all Franklin had said of her was true, he replied, no, never, never, I admit I have done wrong, under the sudden impulse of grievous excitement, and I am deeply grieved on that account, if they want my life, they may take it, but my honor they never can take from ^{me}. His friends all admit that he has greatly erred, and are deeply grieved on that account, he admits that he has grievously erred, and has passed many long days and nights of agonizing mental anguish on that account (say since June 18. 1846) I feel very confident, that if the Governor is well assured of the cruel and relentless persecution that Robert and wife were subjected to before the fatal event took place and that the same spirit of rancorous persecution is still persisted in, then, I verily believe, the Gov. would forthwith extend Clemency to that persecuted sufferer. I hope my advanced age, and that of my wife, and our deep distress of mind will induce you Sir, to excuse the prolixity of this communication, very respectfully,

I am Dear Sir,
your afflicted humble Servant

R. B. Boland