



The Execution of Prouse and Mitchel

Pennsylvania, 1730

Last Week at a Court of Oyer and Terminer held in this City, two Servants, James Prouse and James Mitchel (the same who broke Prison some time since, and were retaken at Amboy) were tried for Burglary.”

“It appeared by the King's Evidence, that *Prouse* entred the House of Mr. *Sheed*, Barber, in Front-street, (being admitted by a Servant of the Family) and there broke open a Desk, from whence he took *Seven Pounds Ten Shillings* in Paper Money, and some Copper Half-pence; and that *Mitchel* in the mean time waited without to watch. It was proved that the



Money lost was found upon *Prouse* when he was taken; who only said in his Defence at the Bar, that it was given him by Mr. *Sheed's* Man to keep. *Mitchel* in his Defence said, that tho' he had been in Company with *Prouse* and other Servants drinking *Rum* out of Town in the Day Time, being Sunday, yet that he heard nothing of any Contrivance to Rob, or the like; and that he was in Bed when the Fact was committed, from whence *Prouse* afterwards call'd him to go and drink, but did not acquaint with what had been done.

"The Jury brought them both in Guilty; and *Prouse* being asked what he had to say why Sentence of Death should not pass against him, answered, that he had nothing to say in his own Behalf, but declared that *Mitchel* was wholly innocent, and knew nothing of the Fact. The Court passed Sentence on them both, but directed *Mitchel* to apply to His Honour the Governour for Mercy.

"Mr. *Sheed's* Servant (who in the above Trial was Evidence for the King) is hereafter to be tried for Robbery; the Law not making it Burglary in a Servant to open a Door in the Night time, tho' it be to admit Thieves, &c." ¹



¹ *The Pennsylvania Gazette*, December 23, 1729

Statement of James Prouse²

"I *James Prouse* was born in the Town of *Brentford* in Middlesex County in *Old England*, of honest Parents, who gave me but little Education. My Father was a Corporal in the late Lord Oxford's Regiment of Horse, (then named the said Lord's Blues) and I was for some Time in the Care of an Uncle who lived at *Eling* near Brentford aforesaid, and who would have given me good Learning; but I being young would not take his good Counsel, and in the 12th Year of my Age came into *Philadelphia*, where I was recommended to one of the best of Masters, who never let me want for any Thing: But I minding the evil Insinuations of wicked People, more than the good Dictates of my Master, and having not the Fear of God before my Eyes, am deservedly brought to this wretched and shameful End. I acknowledge I justly merit Death for the Fact which condemns me; but I never had the least Design or Thought of the like, until often press'd, and at length seduced to it by *John Greyer*, who was the only Person that ruined me. He often solicited me to be guilty of other Crimes of the like Nature, but I never was guilty of any such, neither with him or any one else; neither did I ever wrong any Man before, save my too indulgent Master; from whom I now and then pilfer'd a Yard or the like of Cloth, in order to make Money to spend with the said *Greyer*. As for *James Mitchel* who dies for the same Fact with me, as I hope to receive Mercy at the great Tribunal, he the said *James Mitchel* is intirely innocent, and knew nothing of the

² *The Pennsylvania Gazette*, January 20, 1729/30 "The following are Copies of the Papers delivered out by Prouse and *Mitchel* the Evening before, with little or no Alteration from their own Words"

Fact until apprehended and taken. I am about Nineteen Years of Age and die a Protestant. --JAMES PROUSE"

***The Speech or Declaration of James Mitchel written with his own Hand.*³**

"I *James Mitchel*, was born, at *Antrim* in the Kingdom of Ireland, of good and honest Parents, and brought up with them until the Age of 13 Years, and had a suitable Education given me, such as being taught to read and write *English*, with some *Latin*; and might have been further instructed, but at my earnest Request was bound Apprentice to a Book-binder, and served 4 Years to that Trade; after which I left the Kingdom and went for *England* in order to be further improved in my Business; but there had the Misfortune to be press'd on board the *Berwick* Man of War, commanded by the Honorable George Gordon, and having been at several Parts abroad, returned to England in *Octob. 1728*. where I was by Sickness reduced to a very sad Condition, through which I came over to this Country a Servant; here I was it seems unfortunately led into bad Company, and one Evening by *James Prouse* was raised out of my Bed to go and drink with him and one *Greyer*, the which *Greyer* after parting gave to the said *James Prouse* Six-pence, which was all the Money I saw that Night and till next Morning, and then *James Prouse* took out of his Pocket a 15 Shilling Bill, and desired me to get it changed for him, in order to spend some of it; but coming unto Town I was apprehended for the

³ Ibid.

robbing of Mr. *George Sheed*, and now am to die for the same. I die a Protestant. --**JAMES MITCHEL**"

A M E R I C A
Philadelphia, January 20.



THE 14th Inst. being the Day appointed for the Execution of James Prouse and James Mitchel for Burglary, about 11 o'Clock a numerous Crowd were gather'd to the Prison Door, to see these two young Men brought forth to suffer. While their Irons were taking off, and their Arms were binding, Prouse cry'd immoderately, but Mitchel endeavour'd in a friendly Manner to comfort him; *Do not cry, Jemmy, (lays he) in an Hour or two it will be over with us, and we shall both be easy.* They were then placed in a Cart, together with a Coffin for each of them, and led thro' the Town to the Place of Execution. Prouse appeared extremely dejected, but Mitchel seem'd to support himself with a Manly Constancy: When they arriv'd at the Place of Execution, they were told that it was expected they should make some Confession of their Crimes, and say something by Way of Exhortation to the People. Prouse said his Confession had been taken the Evening before; he acknowledged the Fact for which he was to die, but said, that Greyer who had sworn against him was the Person who persuaded him to it; and declared that he had never wronged any Man beside Mr. Sheed and his Master. Mitchel being desired to speak, reply'd with a sober Countenance, *What would you have me say? I am innocent of the Fact.*

London Daily Journal, No. 2966
Thursday, July 9, 1730

"We hear to Morrow is appointed for the Execution of *Prouse* and *Mitchel*."⁴

"Wednesday the 14th Instant, being the Day appointed for the Execution of *James Prouse* and *James Mitchel* for Burglary, suitable Preparations were accordingly made. The

⁴ *The Pennsylvania Gazette*, January 13, 1729/30

tender Youth of one of them (who was but about 19) and the supposed Innocence of the other as to the Fact for which they were condemned, had induced the Judges (upon the Application of some compassionate People) to recommend them to His Honour's known Clemency: But several Malefactors having been already pardoned, and every Body being sensible, that, considering the great Increase of Vagrants and idle Persons, by the late large Importation of such from several Parts of Europe, it was become necessary for the common Good to make some Examples, there was but little Reason to hope that either, and less that both of them might escape the Punishment justly due to Crimes of that enormous Nature.

“About 11 o’Clock the Bell began to Toll, and a numerous Croud of People was gathered near the Prison, to see these unhappy young Men brought forth to suffer. While their Irons were taken off, and their Arms were binding, *Prouse* cry’d immoderately; but *Mitchel* (who had himself all along behaved with unusual Fortitude) endeavoured in a friendly tender Manner to comfort him: Do not cry, Jemmy; (says he) *In an Hour or two it will be over with us, and we shall both be easy.*

“They were then placed in a Cart, together with a Coffin for each of them, and led thro’ the Town to the Place of Execution: *Prouse* appear’d extremely dejected, but *Mitchel* seemed to support himself with a becoming manly Constancy: When they arriv’d at the fatal Tree, they were told that it was expected they should make some Confession of their Crimes, and say something by Way of Exhortation to the People. *Prouse* was at length with some Difficulty prevailed on to speak; he

said, his Confession had been taken in Writing the Evening before; he acknowledged the Fact for which he was to die, but said, That Greyer who had sworn against him was the Person that persuaded him to it; and declared that he had never wronged any Man beside Mr. Sheed, and his Master.

“Mitchel being desired to speak, reply'd with a sober compos'd Countenance, *What would you have me to say? I am innocent of the Fact.* He was then told, that it did not appear well in him to persist in asserting his Innocence; that he had had a fair Trial, and was found guilty by twelve honest and good Men. He only answer'd, *I am innocent; and it will appear so before God;* and sat down.

“Then they were both bid to stand up, and the Ropes were order'd to be thrown over the Beam; when the Sheriff took a Paper out of his Pocket and began to read. The poor Wretches, whose Souls were at that Time fill'd with the immediate Terrors of approaching Death, having nothing else before their Eyes, and being without the least Apprehension or Hope of a Reprieve, took but little Notice of what was read; or it seems imagined it to be some previous Matter of Form, as a Warrant for their Execution or the like, 'till they heard the Words PITY and MERCY [And whereas the said James Prouse *and James Mitchel have been recommended to me as proper Objects of Pity and Mercy.*]

“Immediately *Mitchel* fell into the most violent Agony; and having only said, *God bless the Governor,* he swooned away in the Cart. Suitable Means were used to recover him; and when he came a little to himself, he added; *I have been a great Sinner; I have been guilty of almost every Crime; Sabbath-*

breaking in particular, which led me into ill Company; but Theft I never was guilty of. God bless the Governor; and God Almighty's Name be praised; and then swooned again. Prouse likewise seemed to be overwhelmed with Joy, but did not swoon.

"All the Way back to the Prison, *Mitchel* lean'd on his Coffin, being unable to support himself, and shed Tears in abundance. He who went out to die with a large Share of Resolution and Fortitude, returned in the most dispirited Manner imaginable; being utterly over-power'd by the Force of that sudden Turn of excessive Joy, for which he had been no Way prepared. The Concern that appeared in every Face while these Criminals were leading to Execution, and the Joy that diffused it self thro' the whole Multitude, so visible in their Countenances upon the mention of a Reprieve, seems to be a pleasing Instance, and no small Argument of the general laudable Humanity even of our common People, who were unanimous in their loud Acclamations of *God bless the Governor for his Mercy.*"

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