

The remarks preceding the sentence passed upon Woodard Tramel, for murder at Wilkes Superior Court by Judge Clayton.

At the last term, after your case had passed the solemn and to you the fatal voice of the jury, by your counsel, you made a forcible and as you have just awfully heard, an unavailing appeal to my discretion for another hearing. Although the protraction of your sentence may, in the minds of some, have created a just inquietude, yet, in the bosom of the court, it never has for a moment produced a solitary regret. By such a course the sober character of justice has been vindicated, the humanity of our institutions has been justified, and what is a matter of deep concern to me, my conscience is at rest. If after so long and wearisome a trial, as it was your misfortune to undergo, if upon the hasty and unprepared argument which was made in support of your motion, at a time when my own strength and that of your advocates was nearly exhausted, my mind worn down by the alternate agitations of doubt and anxiety, and may I not add, by the sympathetic excitement which may even break from the sufferings of a guilty culprit, I had resigned you to the dreadful fate demanded by your verdict, and afterwards it should have appeared that I had cut you off from a single support afforded either by justice or humanity, I should never have ceased to upbraid the precipitancy of the step, and reproach the cruelty of such unfeeling impatience. I am now entirely satisfied as to my duty; but I should scandalize the unwonted feelings of my heart, could I own that this solemn duty is about to be discharged either with cheerfulness or indifference.

The power that constrains me to surrender you over to the appeasless vengeance of justice, shall never rob me of that internal emotion which answers to the distresses of a fellow being, or blunt the sensibility that should feel for "another's woe." I proceed then with no common sensation of solicitude; and may I cherish the hope, that it will procure for me, your most serious attention, while in this our last interview, I

offer to your mind some reflections intended solely for your future peace.

You have been found guilty of having procured a *slave to murder, by poison, an infant female orphan, and that infant orphan your sister.* Great God! what a story of depravity is told in a few short words! Can any thing like it be found in the history of judicial proceedings? It has a character too strong for fact and too unnatural for fiction! To what class of human frailty it shall be referred must baffle all enquiry! Through the whole frame of the moral sense it will diffuse a sickening influence and discolour its universal complexion, while in the annals of guilt it will be hailed as its proudest era.—All other crimes will exult in its superior hue, and upon the bloody escutcheon of murder it will flourish as its most triumphant trophy. Perhaps you are not aware of the singular and striking combination of elements which your crime presents. In its outline it is perfect, in its structure it is stupendous, in the style of its order it is exact, and in all its members there is a superlative finish. Behold its features as I bring them in review! In its execution you employed a being whose condition was already so morally degraded, as to imply the most heartless cruelty in one, who should seek to jeopardize his life or increase his wretchedness—your means were the most deadly and insidious and therefore the most difficult to elude—your warfare was against *orphanage*, and therefore actuated by the worst of all sentiments—it was directed against *infancy*, and therefore it pierced the purest of all human innocence—it ruptured one of the strongest ties of nature, and therefore betrays the most unnatural of all passions—Perpetrated then by an *agent* so debased, upon a *sex* so helpless, an *age* so tender, a *condition* so unprotected, and a *relation* so dear, will it be uncharitable to say it was a deed the most remorseless.

Do not imagine that these remarks are made to mock your misfortune or reproach your misery—yours is a situation that inspires far other and different feelings. Brought up to receive the last and severest stroke of justice, with a courage bowed and spirit broken, you cannot, at least to the court, indeed you cannot, be an object of derision. There is vengeance for your guilt, but there is sympathy for your weakness—the first is the law's, the other is the heart's, and no cold calculation of civil policy or social safety can check its legitimate authority.

This feeling, though it can do you no good here, comes from a source and is allied to a compassion that is all sufficient for your future repose—If then I can present your offence to your own mind in such a denouncing voice, as to alarm your conscience, to arouse your fears, to disclose your danger and thereby to inspirit your exertions, to strengthen your confidence, to animate your zeal and to exhibit your infinite necessity of far other pity than that of mans, you will have the true scope of my object, and will receive I trust the full benefit of its aim—Besides, the only atonement now left in your power to offer for your crime, is to lend the example which its suffering has produced, to those whose avarice has swallowed up every other affection—To such indeed it will be awful warning, and for that purpose I have endeavoured impressively to hold it up to the public view to the end, that as its fatal catastrophe will always be sufficiently unpitied, so its solemn admonition can never be too long remembered.

On this side of that great fountain of mercy, wheres we all have a need to raise a supplicating eye, there is one of its temporal depositories instituted by the lenity of government for the relief of the unfortunate—thither you have been directed, and to its bewailing help you have been earnestly recommended. This is not only a favorable but a remarkable circumstance in your case, and evidently implies a doubt of your guilt, on the minds of your peers—for if the charge was satisfactorily established, it would seem to have been the last outrage that should dare to lift its blood-stained hands towards the seat of executive clemency. Far be it from me then, in your present deserted condition, by any of my remarks, to rob you of a solitary gleam of hope, that hangs upon that relieving though dubious alternative. Go then, as it is your peculiar right, to that source, not I beseech you in the full confidence of forgiveness, for as you have incurred a penalty that it would be impious to defy, so it involves a fate that will be difficult to defeat. Go there prepared for the worst event, that whatever may be the issue, you will be the better able to sustain the duties of the living or dying character, in the first to be less detested, in the latter more lamented.

SENTENCE.

You WOODARD TRAMEL shall be taken from this bar to the jail from whence you came, and there remain until Friday the sixteenth day of May next, on which day, you shall be taken from thence, with a rope about your neck, and by the sheriff of the county, or his deputy, be conducted to the common place of execution, in or near the town of Washington, and then and there between the hours of ten o'clock in the forenoon and three in the afternoon, by the officer aforesaid, be hanged by the neck until you are dead—And may the Lord have mercy upon your soul.