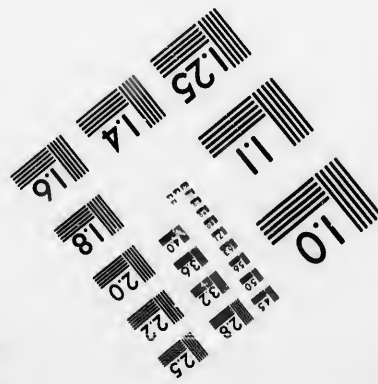
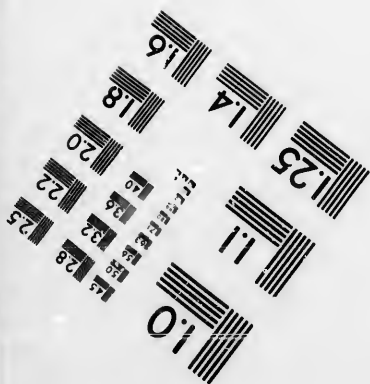
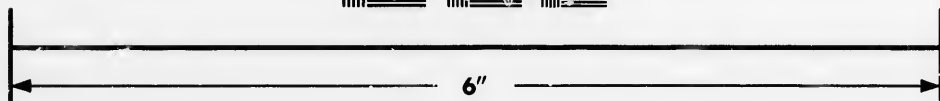
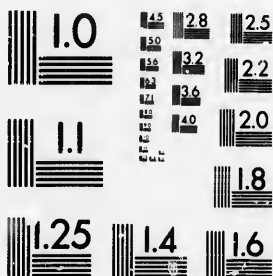


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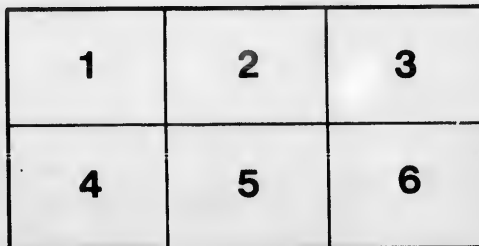
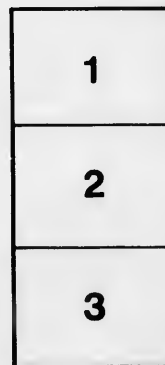
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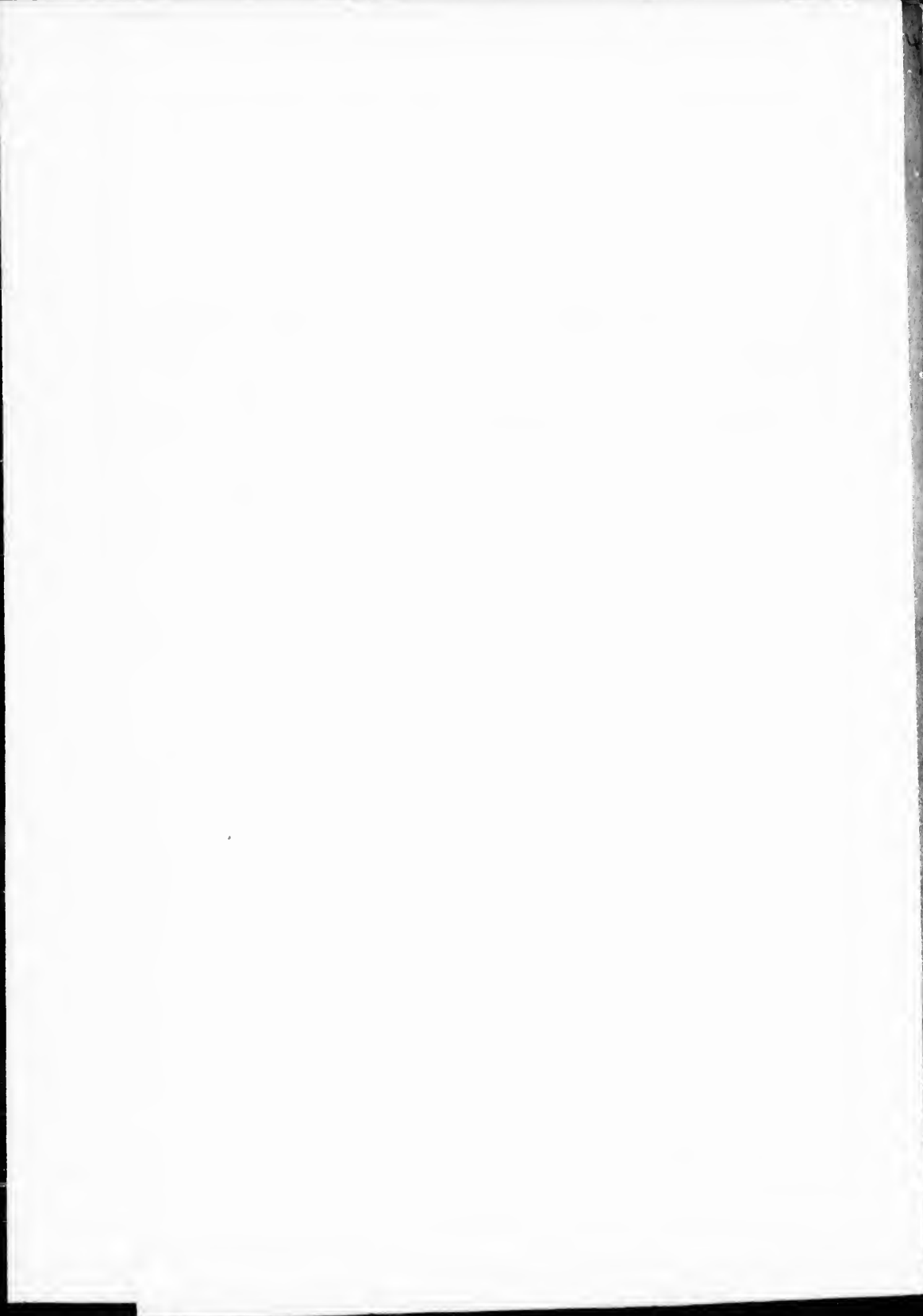
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*S. Miles*

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**LIFE OF WILLIAM KAIN,**

WHO WAS

EXECUTED AT KINGSTON, UPPER CANADA,



On the 6th day of September, 1830,

FOR THE

**MURDER OF JOHN RODOLPH COUCH.**

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### LIFE OF WILLIAM KAIN.

The unfortunate subject of this Memoir was born in the Island of St. Vincents, in the West Indies, on the 24th day of November 1809. His father was at that period quartered in the Island as a Soldier in His Majesty's 70th Regt. of Foot.—His mother is supposed to have been either of French extraction or a native of the country ; and whether she died before the Regt. left the Island or remained behind is a matter of little importance. However, it is true she never came to this country, and William Kain, her son, arrived here at three years old with the Regiment, being placed under the care of the widow of one of the Soldiers, who followed the regiment to Canada. His father being still living, he enjoyed all the benefits of the Regimental School, and acquired a tolerable Education in reading, writing and arithmetic until he arrived at the age of 14 years, when the circumstance of his father's discharge dissolved his connection with the regiment at a most critical period, when neither his age or size could have justified his enlistment—nor was his father's example likely to benefit him in any respect: his habitual intemperance during upwards of thirty years that he served in the army, left the Colonel but little anxiety to provide for an offspring that at an early period developed those propensities that hastened him to an early & untimely end. Cast upon the world at this eventful & precarious age, with an education scarcely sufficient to correct a violent temper, this unhappy youth wandered about, the victim of bad company and vicious habits ; unsteady in his services, he remained but a short time in any; and though living in many most



respectable Establishments in Kingston, he was unable to retain a respectable character, and attached himself to the company of the most degraded portion of the human species: previous to this however, he became the pupil of a pious Teacher, then conducting a popular School, and through his means was brought to a sense of himself at least as far as becoming an attendant at Sabbath School, and occasionally at preaching; but the restraint was unsuited to his unconquerable passion for pleasure and amusement, and he quickly released himself from the opportunity Providence had wisely and mercifully designed for his recovery from ruin. We can trace him in the service of Mr. Markland, Mr. Bruce, Messrs. Beach and Vanalstine, with the latter of whom he acquired some insight in the trade of a Butcher. He afterwards became a raftsman, and speedily got tired of that employment—he passed some time at Montreal, and returned to Kingston, where he was cherished by many of his former vicious companions, who listened with admiration to his tales of heroism (as they considered his adventures) with astonishment and delight. The Town providing him with but few attractions, and his society only sought by his depraved companions, he looked to the woods for supplying him with the means of his subsistence;—he worked with one farmer after another, employing his strength in the execution of miraculous feats, in chopping and clearing, and astonishing his employers by the dexterity with which, for his age, he wielded the axe. If a Bear Hunt was projected, his rifle, his knife, his dog, and his grog can were in immediate requisition; for such an exploit no one could be found a more efficient Leader: no sense of danger alarmed him, and the natural determination of his mind which never forsook him, and which caused his unbridled passion to lead him to his final destruction—made him a noble guide for the more timid companions of his exploits—in fishing excursions upon the lakes of Loughboro he was equally expert, and always ready to meet the plans of his acquaintances; in this pursuit he was equally successful as in hunting, and was

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universally adopted by those who for pleasure or profit embrac-  
ed this life. We hear of him with a most unaccountable com-  
bination of the diversive tempers of mankind—at one time uni-  
ting all the influence he possessed over his neighbours in form-  
ing a Sunday School, and organizing it by Rules and Regula-  
tions of his own arrangement—at another enjoying the revelry  
of a Bee, and by his muscular strength attracting the shouts  
and applauses of his fellow labourers in the task—at one time  
opposing with all the influence he was concious he enjoyed  
over the minds of his neighbours (particularly the young and  
inconsiderate) the introduction of a Temperance Society that  
had extended itself to Camdem, and establishing a Society  
to be denominated the “Buck Skin Society,” (from the material  
of which his trowsers were made) as an antidote to what he un-  
fortunately considered the baneful effects of Temperance. At  
another time he would be found reading with apparent devo-  
tion, the pages of that Bible that the excellent regulations of the  
British Service had required him to possess, and that he retain-  
ed in his hands to the last hour of his life.

Such were a few of the contradictions of character that dis-  
tinguished or disgraced this wretched boy until he became ac-  
quainted with the unfortunate victim of his passion; and even  
after he had acquired some habits of industry in his employment.  
It appears that Rodolph Couche was a German, formerly a Sol-  
dier of distinguished bravery, and one of the few who survived  
the ever memorable battle of Leipsic. He enjoyed a pension  
for his meritorious services, and came to settle in this country  
—single and unincumbered by any family, he undertook to  
clear and cultivate by his individual exertions, that farm upon  
which he little thought his blood would be shed, after escaping  
the horrors & dangers of many protracted campaigns; there he  
found his strength unequal to the task and accepted the servic-  
es of William Kain;—they for some time continued to labour  
on shares—until, finding the impossibility of devoting so much  
time to the field, whilst the house was destitute of a female for

cooking or washing—Rodolph was prevailed upon by Kain to procure a wife, and thereby enable them to pursue their agricultural employments without any solicitude for the care of the house. Rodolph agreed to his proposal, and in the Township of Richmond fixed his choice upon a young woman of the name of Rebecca Smith; they were quickly united in marriage by a Minister of the Dutch reformed Church; and it is said, but with what truth is scarcely credible, that this Reverend character introduced a clause, which, for any thing we know to the contrary, may be highly salutary to the phlegmatic character of his nation—that if Rodolph should become tired of her in two years he was to bring her to him (the Minister,) that he would dissolve the nuptial knot, and restore him the fee of two dollars which he had received. The household seemed to prosper, notwithstanding the ignorance & simplicity of this unfortunate addition, until February last. Two years had nearly elapsed, and no appearance of any family. Rodolph was 42 years of age—his wife scarcely 21. In an evil moment she forgot the solemn contract she had engaged in, or perhaps did not see the impropriety of violating it, and became the seducer of Kain!—For some time the suspicions of Rodolph were unconfirmed; and when her guilt was no longer questionable, the agreement of the Dutch Minister flashed across his memory, & he threatened to put it in execution, by returning his hopeful spouse and dissolving the tie.—Happy would it have been for him had he then resolution enough to put his plan into operation, but the unfortunate man still hoped that he would discover an amendment in her conduct, which was never realized. In June last, Kain finding his situation uncomfortable, and perhaps conscience-struck, left the farm with an intention of returning to Kingston:—he slept at a friend's house on that night, and before day received a most friendly message, as if from Rodolph, almost entreating his return;—the youth for some time struggled—and as they had not parted in hostility, he thought he would try the experiment, and returned immediately;—he was

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for some time before he discovered that the plan was laid by the deluded wife, and her affection for him (if such her brutal passion could be called) chained him closer to the spot. Rodolph's suspicions were daily revived, and finding his happiness blasted he resolved to forbid Kain his employment, or access to his House. The latter removed his chest to a neighbour's house, and there continued in hopes that Rodolph would compensate him for the labour he had expended—this was refused, as well as any interview. On the fatal Sunday morning, Kain saw him crossing his meadow and waited on a fence in hopes of his return when he determined to demand his wages. Upon Rodolph coming up an altercation ensued, in which Rodolph refused to pay or remunerate him in any way. The natural violence of Kain's temper overcame every restraint; and with an awful determination to fulfil the dreadful threat, he pronounced Rodolph's doom by declaring that "he never should enjoy the crop, or reap one sheaf." He deliberately returned, prepared his Rifle, and the Trial which is subjoined will detail the dreadful result of his rash and inconsiderate purpose.

### TRIAL OF WILLIAM KAIN FOR MURDER.

[Extracted from the Chronicle.]

Yesterday forenoon came on the Trial of this unhappy person for the murder of John Rodolph Couche, on the night of the 15th of August last in the Township of Camden, in this District. We now lay before our readers the following outline of the Trial.

The Prisoner being arraigned, pleaded "NOT GUILTY."

Mr. Attorney General Boulton, in a concise but eloquent speech, explained the nature of the case to the Jury—after which the following witnesses were called.

JACOB HUFFMAN.—Knows nothing of the circumstances previous to the murder—resides 30 or 40 rods from deceased's house. Before sun-rise on Monday morning, (16th August,)

found the body of deceased before his (deceased) door.— Heard prisoner, on Sunday, say, that unless deceased allowed him to finish his job, and pay him for it, he would not reap the benefit of it. Witness heard deceased also threaten the prisoner, saying, that if he came to his house any more, he would take out his guts. Prisoner had lived with deceased, but left him about a week previous, in consequence of a quarrel—understood deceased was jealous of prisoner. On Monday after he was apprehended, prisoner pointed out where the gun was lying, and explained the position in which he stood when he committed the murder—witness examined the body—there were five holes in it—shot entered under the right shoulder—supposes deceased did not live ten minutes after he was shot—deceased was about 42 years of age. The parties lived on good terms previous to the quarrel—there was a *hardness* between them for two months. Witness knows the gun—prisoner, after the quarrel, had moved his chest and gun to witness' barn. On Sunday evening when he saw the prisoner going down the lane, observed an uncommon wildness in his looks and appearance.

**ELIJAH HUFFMAN.**—Lives within a quarter of a mile of deceased's house. On Monday morning at day break heard of the murder—slept that night in his barn with his sons—about midnight heard a noise that awoke him—slept no more that night; the dogs barked and made pitiful howling—thinks it was the noise of the gun that awoke him.—Samuel Foster called on witness early in the morning—said Rodolph was murdered—witness said at once that Kain must be the murderer—went together and saw the body—saw Kain about 9 o'clock that morning, about two miles towards Kingston, then in custody—heard Rodolph and Kain disputing one morning—deceased said to prisoner, that if he came any more to his house he would take his head off, or some expression to that effect.—About the 16th or 17th of July, prisoner was employed on witness' farm—witness observed the man was in trouble about

ceased) door.—  
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something, and much confused—witness told him it was about  
 the mistress—this prisoner denied—prisoner said he must un-  
 load his gun : for, God knows, said he, but the contents may  
 yet go through my body—the gun belonged to deceased.

**JOHN METZLER.**—Heard of the murder about break of day ;  
 lives within a quarter of a mile of deceased's house—did not  
 see prisoner till nine o'clock—witness put a chair near the  
 body, and made the prisoner sit upon it.

**JAMES SEWARD.**—Lives about 8 miles distant—came to the  
 spot between 11 and 12—took prisoner to Kingston—on the  
 road, prisoner confessed having committed the murder—said  
 he blamed his neighbours for not interfering—thought they  
 might make Rodolph settle with him—said deceased had  
 threatened him—when shot, deceased was making water at  
 the door—prisoner said he shot deceased with four buck shots  
 and half a one—did not see deceased when he shot him, but  
 heard him making water.

**REBECCA COUCHE.**—Was at home on the night of the mur-  
 der—was in bed with her husband—he went to the door—on  
 hearing the shot—witness went out—found her husband lying  
 at the door—did not know who shot him—does not know the  
 time of night—did not see prisoner—was awake when deces-  
 ed went out—he was in the habit of going out—did not touch  
 the body—was afraid to go out till day light, went to Foster's  
 house—first told the circumstance to Mr. Foster—prisoner for-  
 merly lived in deceased's house.

**J. W. MCKAY.**—Is one of the Coroners of the District—took  
 down confession of prisoner—examined the body—saw the  
 wounds—saw the gun—the confession was voluntary—it was  
 as follows—

#### CONFESSION OF WILLIAM KAIN.

Says that he killed John Rodolph Couche, on the night of  
 the 15th of August, 1830, by shooting the said Rodolph Couche  
 with a rifle loaded with four buck shot and a half. He says



his reasons for committing the act, was in self defence, the said Rodolph Couche having threatened to cut out his guts.— Prisoner says that he sat at the west end of the said Rodolph Couche's house for at least half an hour before the said Rodolph Couche came out, and that no conversation passed between the prisoner and deceased before he shot him. On Sunday afternoon, 15th inst. was the first time the murder was meditated. (Signed)

WILLIAM KAIN.

Taken before me, at Camden, this 16th day of August, 1830.

W. J. MCKAY, *Coroner.*

The learned Judge then addressed the Jury in a most solemn, impressive, and feeling manner : commenting upon the evidence with his usual ability and perspicuity—after which the Jury retired : and, in about five minutes, returned with a verdict of **GUILTY.**

When the Judge asked the usual question of the prisoner, whether he had any thing to say, why the sentence of the law should not be passed upon him ; and upon his answering in the negative, the learned Judge proceeded to address the prisoner in nearly the following words :—

Unhappy man !—You have brought yourself, by your rash conduct, to the brink of eternity : I cannot say to the brink of the grave, for the laws of your country deny sepulchral rites to those standing in your situation.—By your own headless, malicious, vindictive and blood-thirsty conduct, you oblige the laws of the community under which you live, and by which you have been hitherto protected—to cut short your earthly career. A few short days, and you must depart hence !—A few short hours, and you must appear before your God, to answer for all your sins. It is lamentable, that, turn which way we will, we see persons accused of the crime of manslaughter or murder, committed, too frequently, under the most atrocious circumstances ; one would almost suppose that some people believed their strength given to them, for no other purpose than to abuse

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LIAM KAIN.  
August, 1830.  
AY, *Coroner.*

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it—and that they were not bound to pay respect to the laws ei-  
ther of God or man. Short time as I have presided in this  
Court, not once or twice has it become my unpleasant task to  
discharge this the most painful part of my judicial duty.—  
Would to God that the dreadful examples which the law makes  
for the crime of murder should have its due effect. The laws  
ought to punish, and will punish, as long as necessary, until  
the arm of violence shall be restrained. It appears that you,  
having unfortunately come to a misunderstanding with your  
former friend, instead of suppressing and extinguishing your  
animosity and hatred, have allowed your vindictive feelings to  
impel you to commit this dreadful deed.—And the only atone-  
ment you can now make to the offended laws of your country  
is to expiate the offence by the forfeiture of your life. It is  
now the duty of this court to impose that sentence upon you.—  
You appear now before a humble human tribunal, which can  
only kill the body; when that is done, your immortal soul will  
be translated to another world, where you must appear before a  
tribunal more awful than the mind of man can conceive;—  
there to account for all your past offences; but you will there  
appear before a tribunal that *can* and *will* shew mercy to a re-  
pentant sinner—a mercy which this court cannot now show  
you: and I have no doubt you may and will enjoy the benefit  
of religious comfort and instruction. I therefore beseech you  
to avail yourself of it during the short space which is yet affor-  
ded you—and by weeping, by fasting, and by prayer—by pen-  
itence and contrition, to endeavour to make your peace with  
your offended Maker, before you appear in his awful presence;  
and I hope, through the mediation of your blessed Saviour,  
who died for the sins of all, that you may be forgiven. His  
encouraging words to the malefactor who was crucified with  
him, may comfort and support you, even at this late hour.—  
If you repent of your sins, and of this the greatest of your of-  
fences, you may yet partake of a joyful immortality. It only



remains that I should pronounce the awful sentence of the Law, and of this Court.—

That you, William Kain, be taken from thence to the prison from whence you came, and that you be taken from thence, on Monday next, the sixth day of this present Month of September, to the place of execution, and that you there be hanged by the neck until your body be dead—and that your body, when dead, be taken down and dissected and anatomised:—and may the Almighty God of his infinite mercy, have compassion on your soul.

The Prisoner during the trial, appeared cool and collected, and put several unimportant questions to the witnesses. Even after the sentence was pronounced, he evinced the utmost indifference.

[Extracted from the Warder.]

It is with the most painful feelings that we have to announce to our readers, that there now lies in our jail, under the awful sentence of the Law, a fellow-being, convicted yesterday of a barbarous and premeditated murder, committed on the 14th of last month, in the township of Camden. We would not, perhaps, have deviated from our original plan of excluding matter of this character, had it not been for the moral lesson this tragical circumstance is calculated to convey. William Kain, formerly a resident in this Town, like many others, was blessed with an opportunity of acquiring knowledge of “the means of Grace,” from a source exclusively devoted to religious instruction, (a Sunday School.) There the first seeds of Piety were planted, by hands that are now piously engaged in furnishing him with the “Hopes of Glory,” through the merits of his Redeemer. There, he acquired a taste for his Bible that it would be happy for him, he had cherished and encouraged; but in the diversified scenes of life, to which his avocations exposed him, the Tares became predominant, and the good seed overwhelmed. From the Raft to the Raising, from

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the Chace to the Axe, from the Bee to the Brandy-Shop, he descended with fearful rapidity the current of dissipation, and is now an awful example how incapable is nature unassisted by the power of Divine Grace, to resume the image it once, (however dimly) reflected of the Divine presence. It must be gratifying to every Christian to know, that these embers of Religion are capable of revival, and that the grace of God is now flowing into his heart, and recalling to his memory these truths, that the world, the flesh, and the devil, had so successfully obscured. On Monday, he will stand before the Judge of quick and dead.—And may He the Discerner of Spirits, and the Ruler of Hearts, hear the prayer of his earthly Judge, so pathetically pronounced, and “Have mercy on his Soul.”

### EXECUTION OF WILLIAM KAIN.

[Extracted from the Herald.]

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On Monday, being the day fixed for the Execution of the unfortunate William Kain, whose trial will be found in another part of our paper, an immense concourse of people assembled at the Court House, at an early hour, to witness this tragical event. A few minutes before ten the Executioner appeared on the platform, disguised by a mask and a waggoner's frock, and precisely at ten o'clock the unhappy culprit, with a firm step, ascended the fatal trap, supported by the Rev. Thos. Handcock and the Rev. Thos. Turner. The drop being of rather contracted dimensions, the Rev. Mr. Handcock and the prisoner alone were visible to the public. The former entreated the attention of the crowd while he would read a paper which the unhappy criminal had composed and written on Sunday evening, in his cell. Silence being instantly complied with, the Rev. Mr. Handcock delivered this parting admonition to his friends and juvenile companions—enjoining them, in the most forcible language, to take warning by the example then afforded them, in a young man twenty-one years of age, hurried out of life by the contagion of evil company—by intem-

perance and vicious habits—and attributing his ruin to the neglect of the Sabbath, and the means of grace, in which, in his earlier days he had been instructed. During the reading of this document, he remained fervent in prayer, unattracted by the crowd that sorrowfully gazed on him, and frequently crying for mercy to the God he had offended, with a piety of gesture and expression, that left no doubt of his sincerity. This admonitory parting address, which must have produced in many an unthinking soul, and many of the companions of his early follies, a solemn and awakening impulse, being ended, the Rev. Mr. Hancock proceeded to read the commendatory Prayer, and following it with the Lord's Prayer, the unhappy criminal by a preconcerted signal, was launched into eternity at the moment he was responding to the clergyman, "forgive us our trespasses as we forgive them that trespass against us." His sufferings were of short duration, though, by the happy inexperience of this peaceable Town to such exhibitions, the arrangements were not so complete as might be expected.

The Sheriff, under Sheriff, and inferior officers behaved with a humanity which might be expected from the respectability of their respective characters, and which, about an hour before he was removed from the Cell, the young man acknowledged to the Sheriff personally, in a manly strain of eloquence that moved to tears all who witnessed his manner on the occasion. As many erroneous and vague reports are in circulation as to the conduct of this ill-fated individual both before and since his condemnation, we have it from the best authority to state, that from the time of his committal to the concluding hour of his existence he cherished the hope of immortality in his Redeemer's blood. Perhaps this hope was occasionally clouded by doubts that may arise in the mind of the best Christian—but by the admonition of the few pious friends who laboured in prayer for his conversion, they were removed, and the last 48 hours of his life were absorbed in prayer and praise and meditation, in which he was encouraged by the advice and instruc-

tion of the Rev. Messrs. Handcock and Turner and Messrs. Tolkien and Edward Hardy—the two latter of whom had some years ago been his instructors in the Sunday School. These gentlemen, day and night, were unremitting in their exertions for his soul's salvation. On Sunday evening he was visited by the Venerable Archdeacon, and after his departure the night was spent in watching and praying and many delightful religious exercises. He slept none for the two previous nights, and at 9 o'clock on Monday morning he received the Holy Communion from the hands of Mr. Handcock, in which Messrs. Turner, Hardy and Tolkien were partakers, with great confidence in the Blessing it conveys to the expiring Christian; and immediately upon the conclusion of this service having sung a Hymn, he was conveyed, with the general sympathy of those who shared his sufferings, to the awful and appalling scene which awaited him in the Court House.

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**THE FOLLOWING IS A COPY OF KAIN'S ADDRESS  
WHEN ON THE SCAFFOLD.**

MY FRIENDS,—Behold what an awful spectacle is here before you this morning. A young man in the 21st year of his age—just in the prime of his life. But look to your own hearts my friends, and examine yourselves, and see if there is one among the crowd that can say that his state is much better than mine; not for violating the laws of your country as I have done; but the laws of that great and merciful Jehovah, who can take your breath from you in an instant. You, perhaps, my young friends, consider me in a situation that none of you will ever come to; but believe me, had any person come to me five weeks ago and told me that I should be here this day before you all, I would have thought the person was mad; therefore, you see, my young friends, the uncertainty of life, and the influence that deceitful company and the devil had over me. Now my friends, one and all, let me give you this short advice: First, consider the ways of vice, and guard against them: keep good hours, at-

tend to your Church, and remember the Sabbath-Day to keep it holy: for it was Sabbath breaking that led me to bad company, intemperance, and other crimes;—Therefore, my young friends, beware of the Sabbath, likewise of intemperance;—and do not suffer yourselves to break the Lord's Day: for you may be well assured, that if you allow yourselves to do so, you will get along by degrees, from one sin to another, until you become so hardened that you will never think that there is a God in Heaven. I speak from experience—for that Gracious and most Merciful God never suffered one being on earth to go the length that I have, without bringing him to an untimely end. But I have reason to praise his Holy Name: he has given me more time than I deserved, for had he done justly with me according as I ought to have been dealt with, he would have destroyed me years ago, and sent me to outer darkness, where there is weeping and wailing and gnashing of teeth, and the smoke of their torments are ascending up for ever and ever.—But he is so merciful and just, that he will not suffer one sinner to be lost, that will come to him with a penitent heart, sincere repentance, and a godly sorrow. But blessed be his holy name, he has spared me three weeks to seek his glorious Kingdom, which I trust I shall see. Now my friends, let me give you a warning against intemperance. In the first place, it is one way of ruining both soul and body, for it makes both man and woman unfit for any service, either of God or themselves.—It will likewise lead them to evil company, and thus they are led headlong to destruction. Thus my friends you may look to me for a proof of that: for it was the first step towards bringing me before you this day. Now my friends, let me tell you that Sabbath-breaking, intemperance, and bad company, has brought me to receive the just reward of my crimes. My dear friends, I commend you all to the care of the Almighty and most merciful God, whose Grace, I pray, may ever rest and remain with you, and the love of his blessed Son, Jesus Christ, guard you, one and all, from the temptations of this world, evermore, world without end. Amen.

[Written by me, William Kain, in my Cell, September 5th, in the year of Our Lord, 1830.]

Kingston Gaol.

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