

Nov 27, 2013

## TOURING SULLIVAN COUNTY'S MUSEUM ... while dusting

In the January 10<sup>th</sup>, 1907 Sully was an interesting obituary for Ellis Snell, "of Hillsgrove, died Dec. 31 under circumstances that seemed to warrant the authorities in demanding an investigation and Coroner R.J. McHenry and District Attorney Hill, of this place went to Hillsgrove and empanelled a jury, the result of whose deliberations was a verdict that Snell came to his death at the hands of some person to the jury unknown. It is alleged that on the night before Christmas Snell and a man named John VanBuskirk, both employed in Sones' lumber camp on Dry Run,



had a quarrel, and that VanBuskirk stabbed Snell. Van Buskirk is said to have gone to his home near Tivoli, and remained there six days after the affair, but when the authorities went to look for him he had gone. It seems to us very peculiar, if these allegations are correct, that VanBuskirk was allowed to escape. The county authorities appear to have acted with reasonable promptness when finally notified and the affair was unreported in the end of the county until after Snell's death. We trust that a rigid investigation will be conducted by the authorities and the party or parties responsible for Snell's death will be brought to justice."

Then on the 24<sup>th</sup> of Jan. this was reported: "VanBuskirk, the man responsible for the death of Ellis Snell at Hillsgrove was given a hearing at Laporte Monday, and held to await the action of the grand jury. A.J. Bradley appeared for the defense." While in another column "George VanBuskirk, who stabbed Ellis Snell at Hillsgrove the night before Christmas, certainly exhibited pretty good sense in surrendering himself to the authorities, and if his story of the affair is corroborated by witnesses he will escape serious punishment. As he tells it, it was a drunken lumber camp fight. But the question is: Has a drunken man any more right to commit murder than a sober one! We think not."

Moving onto May 24<sup>th</sup> (still in 1907) "Probably the first business to come before the court will be the trial of John VanBuskirk, charged with the murder of Ellis Snell, in a lumber camp near Hillsgrove, the night before Christmas. The story, as far as it has been told to the public, is that Snell and VanBuskirk quarreled and fought, that VanBuskirk used a butcher knife with terrible effect, and that Snell died of injuries inflicted on Dec. 31<sup>st</sup> following. VanBuskirk surrendered himself to the authorities, and, without a doubt will put up a strong plea of self defense." On May 30<sup>th</sup> a notice appears for the securing of the jurymen. On June 6<sup>th</sup> the paper announced the jury's finding of guilty of murder in the second degree following a three hour deliberation. It was reported that nine of the jurors originally went for this verdict, but that three were holding out for a lesser sentence. Popular opinion at the time favored VanBuskirk either getting off scott free or as those three jurors thought, getting a light sentence. Their reasoning was based on the fact that the two men had fought and argued numerous times before and "that Snell had whipped the smaller man (VanBuskirk) repeatedly. This chance was ruined by the defendant's own testimony, that after a quarrel he had got the butcher knife and sat with it in his hand for an hour and a half before renewing the quarrel and using the knife with such deadly result. This plainly showed premeditation on the part of the defendant." The funds for VanBuskirk's defense were raised by his grandmother with whom he'd lived since a baby. She basically sold her farm implements and livestock to cover the costs of this trial. But once the verdict was read she instructed to her attorneys "Georgie shall have another trial, even if it takes every cent (she had)". The trial had cost the county \$500 to that point. And application was made for a new trial at that time, argued in the September court and on Dec. 19<sup>th</sup> the paper reported that the court "rule for new trial discharged. Defendant sentenced to 12 years in eastern penitentiary."