

History 48: Murder in a Mill Town
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SYNOPSIS OF THE AVERY/CORNELL MURDER CASE

On December 21, 1832, John Durfee discovered the body of a young woman hanging from the pole of a haystack on his farm in Tiverton, Rhode Island. A local Methodist minister identified the victim as Sarah M. Cornell, a "factory girl" who attended his church and who had come to the area only a few months ago to work in nearby Fall River, Massachusetts. Cornell, it turned out, was pregnant, and letters in her trunk suggested that another Methodist minister, Ephraim K. Avery of Bristol, Rhode Island (a married man with several children), was the father of her child. A jury of local citizens, called together by the coroner to conduct an inquest, initially ruled the death a suicide. But additional evidence caused them to change their verdict to homicide. A second search of Cornell's belongings had turned up a scribbled note dated December 20th: "if I should be missing enquire of the Rev Mr Avery of Bristol he will know where I am . . . S M Cornell."

While the coroner's jury took steps to revise its verdict, John Durfee and a companion set off for Bristol to see to Avery's arrest. The local Justices of the Peace (John Howe and Levi Haile) refused to extradite Avery to Tiverton and insisted that a hearing on the charges be conducted in Bristol. In the meantime, prominent citizens of Fall River called a meeting of the community, at which a committee was formed to gather evidence and aid the prosecution in its efforts. The Fall River committee's assistance proved to be of little avail, however, because Justices Howe and Haile determined that there was not sufficient evidence to link Avery to the crime. On January 7, 1833, they set the minister free.

Perhaps because he feared for his life at the hands of outraged citizens, Avery fled town and went into hiding in New Hampshire. The Fall River committee immediately sprang into action. On the basis of what was claimed to be new evidence, the committee secured a second warrant for Avery's arrest, tracked him down in hiding, and brought him back to Rhode Island to stand trial before the state's Supreme Court in Newport.

The trial, which began in early May, 1833, and lasted for approximately a month, attracted national attention. The prosecution presented a mass of circumstantial evidence connecting Avery with the murder. The defense, aided by both the manpower and wealth of the Methodist organization, presented an equally massive body of evidence aimed at demolishing the character of the victim and reviving the possibility that she had in fact committed suicide. In the end, members of the jury found the arguments of Avery's skillful attorneys sufficiently convincing that they rendered a verdict of not guilty. Less than two weeks later the Methodist church issued its own report, completely exonerating Avery of the charges of murder and adultery.

Popular outrage at the outcome of the trial made it impossible for Avery to continue to live and preach in the area. In October he moved to upstate New York. A couple of years later, he resigned from the ministry and moved to Ohio where he took up farming. He died in 1869.