

Double Murders at Cow Head, 1809

The information was transcribed by **ALEXANDER PAYNE**, September 1999. While I have endeavored to be as correct as humanly possible, there could be some typographical errors.

Double axe murders: it could be the headline noting yet another grisly death in some large American city, except that it happened in Cow Head in 1809.

At that time, there was no Cow Head and in fact, very little settlement on the entire Northern Peninsula, aside from French fishermen who were based along the "French Shore" during the summer.

Then, as now, Cow Head was comprised of a rocky peninsula joined to the mainland by a narrow spit of sand and gravel. The site of the present community was thickly forested, and the only inhabitants of the entire region were a few trappers.

Merchants in the BonneBay area were involved in both fur trading and the fishing industry, and they often hired trappers and sent them north to take animal pelts. Among the men hired were Joseph Rendall, who had a camp at ShallowBay, Richard Cross and a man known as John Pelley, who had settled there from St. Mary's Bay.

Pelley (locally pronounced as 'Peeley') had come to Newfoundland from Ireland and it was commonly understood that he had murdered his wife and escaped the law by crossing the Atlantic Ocean.

The three men were sent to cover the area north of RockyHarbour, with Pelley and Rendall being sent to ShallowBay, as Cow Head was then known, to set their traplines. Cross would visit his traplines once or twice a week, sometimes staying overnight at Rendall's ShallowBay camp.

Cross left for one such trip on April 10 and said he would return later that week. Several days after his expected return, his absence was causing concern among friends and relatives. Among the RockyHarbour residents who expressed concern was his sister Sarah Cross Singleton, who was also the fiancée of Joseph Rendall.

She worked as a housekeeper for John Paine, said to be an ex-Navy man. In fact, a relative described Paine as a deserter from a warship, who jumped ship near Quirpon and hid in the woods. He eventually walked to RockyHarbour, where he became known as "Man-o-war John Paine."

Nearly a week after the trappers left RockyHarbour, Paine and Sarah Cross walked 28 miles to ShallowBay in search of them. When they arrived at ShallowBay, Pelley was standing in the doorway of Rendall's camp. He told them he had not seen Cross at all, and that Rendall had gone into the woods and it was uncertain when he would return.

Paine and Sarah Cross stayed at Rendall's camp that night. The next morning, Paine went out and discovered two pairs of cuffs and a set of rackets, which Sarah identified as belonging to her brother. She became very agitated, but Paine managed to escort her back to RockyHarbour without alerting Pelley of their suspicions.

One local version of the story states that Sarah had galled her foot while walking and asked for a bandage. Pelley directed her to a room, where she noticed bloodstains and her brother's snowshoes. She also noticed that in the main room, her fiancée's mittens, which she had knitted, were hanging up to dry.

She knew the men would not have gone in the woods without their mittens and snowshoes, and relayed her fears to Paine. The two, who had planned to stay overnight in Pelley's camp, were unable to sleep, especially when Pelley took his gun into the bunk, claiming he had seen a weasel.

The two returned to RockyHarbour and told of their fears that Cross and Rendall had been murdered by Pelley.

An armed search party set out for ShallowBay to investigate. When they got to a marsh half a mile from Rendall's camp, they saw Pelley with his axe and gun. When he spotted the men, he grabbed his gun and started running for ShallowBay.

He was ordered to stop or he would be shot. Pelley obeyed and was escorted back to the camp and questioned. He denied any involvement in the apparent murder of the men, so, according to the local story, the men resorted

to stronger measures.

They apparently built a fire and threatened to throw Pelley into it if he didn't confess. He finally broke down and admitted to killing the men. He directed the searchers to remove some snow and boughs from a spot near the camp and there the bodies of the two men were found, with their skulls bashed in.

There are two versions of the explanation Pelley gave for his actions. One is that he felt the two men were encroaching on his trapping territory. While in the camp, one of the men bent down to put a stick into the stove, and Pelley hit him. He then turned on the other man, killing him too.

The other explanation is that a quarrel had arisen between the men in connection with a boat Rendall planned to build. There was a crooked tree in front of the camp which was suitable for boat timbers and as Rendall started to chop it down, Pelley struck him with the axe. As Cross reacted in horror, Pelley turned on him too, and he met the same fate as his partner.

At any rate, Pelley was taken to RockyHarbour and held there until the spring, when a British man-o-war transported him to St. John's. There, he stood trial for the murders, and the official version of the story was given on September 1, 1809 before chief justice Thomas Tremlett.

On the witness stand, Sarah Cross stated that while he was being held, Pelley had said to Paine: "Ah John, I have murdered them both, and you may kill me if you please." Paine asked the prisoner why.

"The prisoner said he had been ordered by Rendail to cut some wood," the transcript reads. "On his (Pelley's) stumbling, and going reluctantly, Rendall said if he was not quiet he would knock his liver out...Rendall approached ward him when he (Pelley) struck him a blow and knocked him down, but perceiving him move, he struck him a second time and killed him." Pelley was judged guilty of the murder and on Sept. 5, was hanged from a yardarm of a naval ship in St. John's harbour. However, there a happy ending to part of this story, as John Paine and Sarah Cross were married at St. John's before they returned home to RockyHarbour.

Although the murders took place nearly 200 years ago, the story lives on as a legend. Older residents of the community recall how they would never walk alone at night past the spot where the bodies and the axe were found over 100 years after the double, murder.

Court Records (1809)

TRANSCRIPT OF COURT PROCEEDINGS

Court of Assizes held at the Court House Saint Johns, September the first one thousand eight hundred and nine. Honorable Thomas Tremlett Chief Justice

The Court opened in the usual way, when the following Gentlemen were sworn in as Grand Jurors.

- List of the Grand Jury
1. Robert Hutten, Foreman
 2. Philip Beenlen
 3. Samuel Bulley
 4. Walter Baine
 5. John Congdon
 6. Nicholas Gill
 7. Patrick Huie
 8. Richard Langley
 9. Newman Wright Hoyles
 10. James Milledge
 11. Samuel Prowse
 12. Patrick Ryan
 13. George Richard Robinson
 14. Thomas Stabb
 15. William Beville Thomas
 16. James Stewart

17. John Butler
18. David Tasker
19. James Fergus
20. John John Masters
21. Andrew Simpson
22. Luke Murdock
23. Peter MacKellar

The Grand Jury returned a Bill of Indictment into Court, a true Bill, against John Pelley for the Murder of Josph Rendall of ShallowBay.

The prisoner was arraigned and pleaded not Guilty. The following Jury was Impanneled to Try the ...
Court of Assizes held at the Court House Saint Johns first September, one thousand eight hundred and Nine.

List of the Petty Jury

1. Robert Andrews
2. Jonas Baxter
3. John Burke
4. Richard Cooke
5. Michael Farrell
6. Anthony William Godfrey
7. William Branscombe
8. John Dowsly
9. John Guist
10. Matthew Guzwell
11. William Long
12. James Lane

Rex -- versus John Pelley of ShallowBay, for the Murder of Richard Cross of Rocky Harbour

First Witness

Sarah Singleton sworn, deposed that she lives at Rocky Harbour at the entrance of Bonne Bay, that on the thenth of April last her brother Richard Cross, who lived with deponent and John Pain, left Rocky Harbor for the purpose of setting traps, and said on his departure that he should return on thursday, or friday at the farthest but not returning on Sunday, She in company with John Pain went in search of him, they proceeded along the shore, but not meeting him they returned on tuesday to rocky harbor and on wednesday morning sett off again and proceeded farther along Shore, till they reached Shallow bay, where the prisoner John Pelly was standing at the door of Joseph Rendal ls house, deponent asked him if he has seen her Brother Richard Cross who replied he had not she then inquired for Joseph Rendall prisoner said he was gone into the woods about his traps and that it was uncertain when he might return, that this deponent remained at shallow bay that night with John Pain and sleft in Rendalls house where the prisoner also remained, that the prisoner went out in the morning, and deponent shortly after went out, and near the dwelling house of Joseph Rendall discovered two pairs of cuffs and a pair of rackets which she knew belonged to her Brother Richard Cross, she was much agitated and said, my poor brother is murdered, on which John Pain said hold your tongue, Pelly is not far and if he hears you he may come and kill us, that deponent and John Pain returned to rocky harbor and on the morning proceeded to Bonne bay, to the house of William Norris, that no person seemed willing to accompany them, and they left it, but a short time after they were joined by William Salmon and Thomas Skinner, with whom they proceeded to Shallow bay, they met the prisoner on a marsh about half a mile from the dwelling house of Joseph Rendall, with a Gun and Hatchet on his Shoulder, they inquired if he knew anything of Richard Cross, he said he had been there but was gone, and that Joseph Rendall was in the woods about his Traps, that the prisoner was taken into custody and kept in confinement during the night, that in the morning when they were getting up, deponent saw the prisoner Pelly look hard at John Pain, and heard him say ah John I have murdered them both, and you may kill me if you please that Paine asked the prisoner how he could kill Richard Cross who had never done him an injury but Pelly replied he never had injured a hair of his head and that he was very sorry, that the prisoner shewed them, the place where the body was deposited, that on removing some grass and sand they discovered the body of Richard Cross, that on removing it, a wound was visible on the back of the head from whence blood

then issued, that the prisoner said he has been ordered by Rendall to cut some wood, on his grumbling, and going reluctantly Rendall said if he was not quiet he would knock his liver out, that Rendall approached towards him when he struck him a blow and knocked him down but perceiving him move, he struck him a second time and killed him, the prisoner took them to the place where he his Rendalls and Cross's Guns and Knapsacks, and that the tinder box of Richard Cross was also recognized by this deponent, but that it had been altered in its appearance by being scraped.

Second Witness

John Pain sworn, deposed that he lives at RockyHarbor, that Richard Cross who lived with deponent, left his house on Monday the tenth (transcript ends here)

FortTownshend, 3rd Sept 1809

Sir

I beg leave to acquaint you that on Tuesday next the 5th inst between the hours of Nine and Eleven in the Forenoon, will be executed on the Barrens near the Kings Wood Yard, the Felon John Pelly who has been convicted for the Murder of Joseph Rendall and Richard Cross at Shallow Bay and in pursuance of the Sentence passed on him this Session in the Supreme Court of Judicature of this Island, I have pitched on this spot for his Execution as most conspicuous for the purpose of its being seen by all the Crews of His Majesty's Ships, in this Harbour, I have therefore to request you will be pleased to order such a Guard to attend on this Occasion as you may deem suitable and adequate to the purpose.

I have the honor to be
Sir Your most obedient
humble servant
J. Holloway
Major General Moore
Commanding His Majesty's Troops
at Newfoundland

FortTownshend, 4th Sept 1809

Sir

Herewith enclosed you will receive a Warrant for the Execution of John Pelley, who for the more Public Example, is to be drawn on a Sledge from the Gaol up the King's Road to the place of Execution on the Barrens near the King's Wood Yard.

I am Sir Your most
obedient humble Servant
J.Holloway
Henry Phillip Esqr
High Sheriff

By His Excellency John Holloway Esqr

Whereas a Court of Assize and General Gaol Delivery holden at the Court House in St. John's in this Island on the First and Second days of September instant, John Pelley was in due Form of Law convicted on the Murder of Joseph Rendall and Rich'd Cross at Shallow Bay in this Island, and was sentenced for the same to be hanged by the Neck until he is dead. I do by virtue of His Majesty's Commission made Letters patent bearing date at Westminster, the Sixth day of May in the Forty Seventh Year of His Majesty's Reign hereby authorize and command you that Tomorrow morning being the Fifth day of September instant, between the Hours of Nine and Eleven, you cause Execution to be publicly done upon the said John Pelley; according to the Sentence aforesaid, by hanging him by the Neck until he is dead. And for so doing this shall be your warrant.

Given under my hand and seal at
Fort Townshend, St. Johns Newfoundland
The Fourth day of September, One
Thousand, Eight hundred and Nine
J. Holloway
Henry Phillips, Esqr.
High Sheriff of
Newfoundland

By Command of His Excellency

St. John's Newfoundland
10th of September 1809

Expences incurred in the apprehending and Prosecution of John Pelley convicted of the Murder of Joseph Rendall and Richard Cross.

To William Salmon for 8 days loss of time in the assisting in apprehending John Pelley
a 7/6* 3 " ~ " ~ D° for the passage of Pelley and three of the Evidences from Bonne Bay to St. John's.
8 " ~ " ~ D° for the boarding of Pelley 119 Days
a 1/6 8 " 18 " 6 D° for extra trouble in guarding the prisoner during his confinement.
And for his attendance to give Evidence at the Assizes. L 24 " 18 " 6

To John Paine for his Labour in searching for and securing Pelley 17 days a 5/ 4 " 5 " ~ D° for 40 Days absence
from his home and coming to St. John's to give Evidence 10 " ~ " ~

Sarah Singleton for her Expences and loss of time in attending to give Evidence 8. 5 " ~ " ~

Joseph Norris for Tho~ Skinner attendance 8 Days in assisting to apprehend Pelley Thos Skinner for his
Expences and attendance to give Evidence on Trial 2 " ~

APPROVED L 51 " 3 " 6

(Signed) T. Coole, J.P. Approved for Payment
J. Rennell " (signed J. Holloway)
J. Harries "
J. Broom

St. John's 18 Sept 1809

Approved

(signed) Thos Tremlett

Ch Justice

· 7/6 = 7 Shillings 6 pence

· 3 " ~ " ~ = 3 pounds, 0 Shillings, 0 pence

District of St John's (partial transcript only)

1809 Sept 22

John Paine for Mr Cooks Order 19 ~ 5 ~
Wm Salmon for Mr Cooks Order 24 ~ 18 ~
Jas Norris for Mr Cooks Order 7 ~ ~

Oct 16

For executing Pelley 5 ~ 5 ~