

William J. Nixon

(– 17 Feb 1862)

The Evening Star, February 18, 1862

Inquest

Yesterday, Justice Johnson, for Coroner Woodward, held an inquest in view of the body of William Nixon of Co. A, 5th U.S. Artillery, who was found dead in the premises of Mary Magee, alias Mary Marshall, corner of Sixth St., East and Maryland Avenue, yesterday morning. The jury examined a large number of persons, from whom nothing of any account was elicited, except from two intelligent boys, sons of Mrs. Magee, and an employee in the house--Mrs. Goodin. The children testified that they went to bed about seven o'clock--their sister Mary, a girl of about sixteen, their mother, and the man, James Marshall, who she says is her husband, and Mrs. Goodin, being then in the house. They were aroused between twelve and one o'clock by the report of a gun or pistol, and they smelled the burning power. They did not hear any disturbance, or know of the homicide till the morning, when they were told of it.

Mrs. Goodin substantiated the statement of the children. She was aroused from sleep by the report of the gun or pistol, and also smelled the powder. They all say that Mrs. Magee, Marshall, Mrs. Magee's children, and Mrs. Goodin were the only persons in the house when they retired.

From the appearance of the premises, it would seem that the deceased had come to the back window, the blinds of which were open; and that the shot was fired from within, through the glass, which was fresh broken; and there were marks of powder on the sash. The ball entered through the top of his cap, striking upon the side of his nose, and glanced, passing entirely through the head, causing instant death. Blood marks were found on the side of the shutter. During the night the body was dragged from the yard to the street, as was evident from his clothing and the trail in the mud, and was there found by passengers, who had the body carried out of the rain to a shed in the same yard.

Mrs. Magee has long been a resident of the Fifth Ward, and carried on a little groggery at this place, and James Marshall, who she says is her husband, is a soldier belonging to the 1st U.S. Cavalry. The jury returned as a verdict that the said William Nixon came to his death from the effects of a ball discharged from a pistol or gun from the inside of the house occupied by Mrs. Mary Marshall, alias Magee, and they further believe that the gun or pistol was discharged by one James Marshall.

Justice Johnson, upon the verdict being rendered, committed James Marshall, as principal, for a further hearing, and admitted Mrs. Marshall, as principal, for a further hearing, and admitted, Mrs. Marshall, alias Magee to bail in \$1,000 as accessory, Mr. J.H. Bradley, jr., appeared as counsel for the defense.

The Evening Star, February 22, 1862

Further Hearing of the Nixon Murder Case

Yesterday morning, Justice Johnson, to avoid any prejudicial effect that the hearing of the evidence before the jury of inquest in the case of William Nixon, the soldier who was killed on Capitol Hill, Sunday night, might have upon his mind, invited, Justice Giberson to sit with him in the hearing of the evidence, and the parties charged, James Marshall and Mary Marshall, appeared at Justice Johnson's office for trial, Mr. Bradley, jr., appearing for the defense. The witnesses were those examined at the inquest, together with the jurors, and some soldiers. The testimony differed in some points from that elicited before the inquest.

Mr. Goodin testified substantially as before the inquest. She retired to bed, about ten o'clock, leaving Mr. and Mrs. Marshall down stairs. She was aroused in the night by the report of a gun or pistol,

and smelled what she presumed was powder in the house immediately after. She knew nothing of the killing until she was told of it next morning by Mrs. Marshall.

Miss Mary Magee, daughter of Mrs. Marshall, said she went to bed before Mrs. Goodin. She was aroused in the night by a loud noise--the report of a gun she supposed. She did not smell powder, and denied having said so before the inquest. She knew nothing of the homicide till the next morning.

James Magee, (son of Mrs. Marshall, 13 years old) said he went to bed between seven and eight o'clock; was followed soon after by his younger brother. They were aroused by the report of a gun or pistol and by his mother coming up out of the cellar calling Mrs. Goodin. He smelled powder, but could not say if the gun was fired in or out of the house.

The next witnesses (there were eighteen in all) testified uniformly to the following facts: They found the body lying outside of Marshall's premises, near the street; they found a pool of blood under the window, in the yard, a blood stain on the shutter, a hand print, a freshly broken pane, and fresh powder on the inside sash.

Surgeon A.C. Williams, 5th U.S. artillery, testified that death must have ensued instantly from the wound, and the body was probably dragged from the pool of blood in the yard to the street outside.

One of the inquest jurors--Mr. W. Readdy--when about to be qualified, refused to be sworn according to law, saying that it was contrary to his religious belief, and cited Matthew, 5th chapter, verses 33 to 37, in justification. He would not use the name of God, nor swear by the uplifted hand.

Mr. Bradley, jr., for defense, objected, on the ground that he was an unbeliever. The Justice asked Readdy if he believed the Scriptures, and the doctrine of future rewards and punishment.

He said he did. He was declared competent, and proceeded with his evidence, substantiating generally the statements of the other witnesses. The character of Marshall was shown to be excellent. The deceased had the character of being intemperate and quarrelsome. The certificate of marriage of Marshall and Mrs. Magee was produced, it being given under her maiden name of Mary McCarty. Her business has been conducted under the name of Magee, simply because established in that name.

The case was fully dismissed by Justices Johnson and Giberson, who could discover nothing in the evidence to justify a commitment of either of the parties for trial at court.