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Northampton Historical Society
Northampton, Mass
Gentlemen,

The enclosed copy of a prize winning paper by a 1965 Graduate of Northampton High School is offered to you for your preservation if you are so inclined. Mr Chauncey L Parsons (my Uncle - deceased as of July 6, 1965) has set up an annual award to NHS students for the best paper on early Northampton historical events.

J W Parsons

131 Bridge St - Northampton

NORTHAMPTON HIGH SCHOOL
NORTHAMPTON, MASSACHUSETTS

JOHN J. FEENEY
PRINCIPAL

June 29, 1965

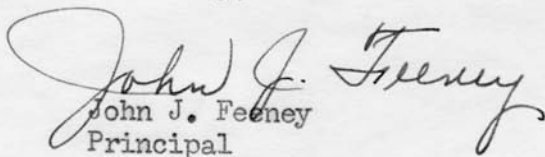
Mr. Chauncey L. Parsons
% Mrs. J. W. Parsons, Sr.
131 Bridge Street
Northampton, Massachusetts

Dear Mr. Parsons:

Enclosed is a copy of the best paper on
a phase of the History of Northampton.
The prize at the 1965 graduation exer-
cises of Northampton High School was
awarded to:

James Malinoski
81 North Maple Street
Florence, Mass.

Sincerely,


John J. Feeney
Principal

JJF/mp

THE HANGING OF DAILY AND HALLIGAN WILL LONG
REMAIN A SCAR ON THE FACE OF THE
HISTORY OF NORTHAMPTON

James Malinoski



Wm Wm

For nearly a century, a mass of rock some six feet high by two feet wide has stood on the summit of what is now commonly called Hospital Hill, overlooking the Smith College stables. Upon first glance it appears to be a freak of nature or a symbol of some ancient civilization, but upon closer examination new mysteries are revealed. The stone is roughly cut and set upright upon a square red pedestal also of rock. It is weatherbeaten and faded; its only friends are the two pines on either side and the blue moss around the base. The only clue to its meaning is the date 1878 cut near the top among the surface irregularities on the side facing the Northampton State Hospital.

Strangers to the area give a quick glance and turn away thinking it is just another monument with an obscure meaning. Natives, from habitual sighting of it, now take it as a part of the scenery. Now its purpose is nearly forgotten. Some of the older residents who have heard the legend still remember. They can remember the tale of the shame and ^{the}sickening sight of a wrong decision. They can remember how Northampton murdered two innocent men. The memory of the hanging of Dailey and Haligan still stands vividly in the hearts of those who have heard the story of those who stood on Gallows Plain quietly watching on that warm summer morning, the fifth of June, 1806.

It all began on November ninth with the discovery of the body of Marcus Lyon, a young Connecticut farmer. He was found face-down, covered with blood, in a gently flowing stream in Wilbraham. He had been robbed and bludgeoned to death while on his way from Cazenovia, New York, to his home in Connecticut. This crime came under the jurisdiction of Hampshire County and the citizens were promptly aroused that such a cruel and horrible crime

could possibly have been committed in their seemingly peaceful county. The people were out for revenge and on the same day arrested two strangers; Domanic Dailey, 34 and James Halligan, 27. The two young men accused were Irish and were on their way from Boston apparently without any specific aims and, as was popularly believed, with plunder in their hearts.

The case was tried in April, 1806, and all went for the worse. The prisoners were frightened; they were among total strangers. The only thing which brought some relief was the presence of Dailey's wife, and ^{his} mother. Their fright would have turned to stark terror if they had known better the other participants in the trial. One of the judges was Samuel Sewal who had been partners with Theophilus Bradbury in an opinion directed against a Boston priest, Father Matignon. In this not-so-friendly discourse they portrayed the popular feeling of the times that Catholics were only tolerated in Massachusetts with a little more than passive indifference and should expect no sympathy from the people. The other judge in the murder trial was Justice Theodore Sedgwick, known widely for his scorn of the lower-class farmers and workmen. This feeling was probably the key reason which made his house a prime target during Shay's Rebellion. The attorney general had no beneficent ideas about Catholics either. It was he, James Sullivan, who had tried the case in which Father Matignon was told of the ill-feeling towards Catholics and was almost convicted on a marriage law complaint. The outcome of this case mortified

Judge Bradbury who had high hopes of putting Father Matignon in the pillory. The prosecutor of the case turned out to be the notorious John Hooker of Springfield, a loyal friend of Attorney-General Sullivan.

With such an opposing court and such religious discrimination it is not difficult to see why the verdict was ~~pronounced~~ ~~and~~ "guilty." The extreme one-sidedness of the whole affair is evident in the fact that the commonwealth was given five months in which to prepare its material whereas no one asked the defendants whether or not they wished a lawyer until after they had pleaded innocent on April 22, some three days before the trial. The court then assigned attorneys whose legal experiences were not ~~to~~ ^{to} diversified. This fact accounted for the ~~blame~~ that was placed by some on the defending attorneys for the adverse verdict. One of the last-minute crusaders, Francis Blake of Worcester, made a commendable effort to save Dailey and Halligan. But unfortunately the lack of time caused by such an inconvenient short notice made it virtually impossible to locate any defense witnesses. He did, however, do an honorable job in weakening the commonwealth's case through excellent cross examination. Attorney Thomas Gould was to have closed the case for the defense but ~~due to the fact that~~ ^{because} it was getting quite late in the day and because the prisoners were beginning to realize that it would be a futile attempt, ^{he} ~~he~~ decided not to present himself before the jury. Blake, on the other hand, was the image of a true man. He refused to concede defeat. Despite

a severe head cold, the lateness of the hour, pleas of the prisoners to forget the case and realize defeat, and extremely critical scrutinization of the ^Commonwealth, he addressed the jury in words which remained long in the memories of those present that damp April evening in 1806:

"Pronounce then a verdict against them. Tell them...that the name of an Irishman is, among us, but another name for a robber and an assassin; that every man's hand is lifted against him: that when a crime of unexampled atrocity is perpetrated among us, we look for an Irishman; that because he is an outlaw, with him the benevolent maxim of our law is reversed, and that the moment he is accused, he is presumed to be guilty, until his innocence appears." * 1

His attempt was commendable, his presentation was grand, but unfortunately the jury was set on revenge. They remained out only a few minutes and, actually, needn't have gone out at all. Before the end of the day on which the hearing had begun two young Irishmen were convicted of murder on evidence that was purely circumstantial and on the hot blood of the people. Three days after the verdict, Judge Sedgwick pronounced the sentence; "To be hanged by the neck until dead and whose bodies are to be dissected and anatomyzed."

1* The Tercentenary History Committee, The Northampton Book

(Alan S. Browne, Inc., Brattleboro, Vermont (1954) p.93.

The trial was conducted in elegant fashion and the verdict was very understandable at the time, for the men were total strangers and all evidence pointed towards their guilt. After the trial the prisoners were entered in the Pleasant Street jail to await their execution some two months in the future. There now spread a rumor that fellow countrymen were on their way from Boston to rescue the condemned men, but this account proved untrue in two aspects: (1) The man was French. (2) He was a Priest who was coming to console the prisoners. He was Reverend Jean Louis Anne Magdeleine Lefebvre de Cheverus, a 38-year-old Catholic Priest, assistant to Reverend Doctor Francis Matignon of Boston whose parish covered all of New England.

Father Cheverus was born in Lower Maine, France, son of a police lieutenant, nephew of the mayor and of the local pastor. When twenty-three years old he was publicly made a priest in Paris just prior to the French Revolution. Forced to flee France when the revolt brought in anti-clerical laws, Father Cheverus went to England and in 1796 was invited by his former seminary professor, Father Matignon, to come to Boston. Most of his energy was devoted to the Indians of Maine and to the scattered settlements of poor Catholics in New England.

Dailey and Halligan were both Catholic and now sought the consolations of their faith. Because there were no Catholic Priests in this section of Massachusetts at the time and because the two prisoners had heard much of the great work of Father Cheverus they wrote a letter stating:

"We adore in the judgement of men, liable to be deceived, the decrees of Providence. If we are not guilty of the crime imputed to us, we have committed other sins, and, to expiate them, we accept death with resignation. We are solicitous only about our salvation; it is in your hands; come to our assistance." 2.

As was the custom before capital punishment, a clergyman was to preach a sermon and they sent a second letter requesting him to preach.

"It will be a painful task for you after the fatigue of a long journey, and especially after the sad impressions made on your heart by the sight of two young men about to die in the bloom of youth; but you will not refuse us this favor, and reduce us to the necessity of listening, just before we die, to the voice of one who is not a Catholic." 3.

At this, Father Cheverus immediately made plans to do all possible to aid the two. He arrived in Northampton the first week of June 1806, and promptly sought a lodging place. His first attempt was at the tavern of Asahel Pomeroy, but unfortunately, because of extreme prejudice against Catholicism in Northampton and because Asahel's wife was vowed to uphold this hatred, Father Cheverus was turned away. After many more

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2. The Tercentenary History Committee, The Northampton Book, Alan S. Browne, Inc., Brattleboro, Vermont (1954) p. 67.
3. Trumbull, James Russell, History of Northampton, Mass. Vol. II. Gazette Printing Co., Northampton, Mass. (1902) p. 592.

tries and refusals he resolved to set up house in the only remaining place--the jail where Dailey and Halligan were. While in the jail, the Priest celebrated the first mass ever said in Northampton, conveyed the Sacraments upon the two parishoners, and gave them counsel and his blessing and did all possible to prepare them for their inevitable fate.

The morning of the execution finally arrived and found the two prisoners a sorry sight. They were not allowed to borrow razors because the guards were afraid that they would jump upon the opportunity to commit suicide and bring a premature curtailment to the ceremonies which promised to be the greatest spectacle of the year. Father Cheverus, however, contributed a few words to the matter which caused the guards to change their decision. The prisoners were clean-shaven and washed when the sheriff, attended by his deputies, a company of artillery and a detail of militia arrived at 10:30. The escort was quite an elaborate affair and had the frugal New England farmers cursing the cost for many months.

The parade followed the same route taken just seven weeks earlier when they had been transported to the Hampshire County courthouse to receive their liberty ⁱⁿ ~~of~~ making a ^{fatal} attempt at salvation. The procession this morning, the fifth of June, did not stop at the courthouse but continued a few feet farther to the church where Jonathan Edwards had preached on several occasions. Its pastor, Reverend Solomon Williams, along with numerous other ministers of the county, had arranged an

elaborate service but Father Cheverus protested vehemently. Although his disposition was usually extremely calm, rather lamb-like, that June morning found him firm, resolved, ~~with~~ ^{his} eyes filled with hatred and ~~a~~ ^{his} heart with disgust. "The will of the dying is sacred; they have desired to have no one but myself and I alone will speak to them." With these words he immediately went to the full height of the pulpit, stood immovable, and casting his eyes over the huge crowd was ~~ar~~ ^{ar}oused to a great passion over the great number of women who had come from every direction. This was ~~too~~ ^{too}nauseating a sight for any man so constructed to bear. He felt himself surging with contempt, overflowing with holy hatred at the curiosity that had attracted so many moralless people to such a ~~mo~~ ^urnful spectacle as a hanging. His eyes shot flames, his whole body trembled, and he commenced with a discourse that was to move that audience as one has never before done.

"Orators are usually flattered by having a numerous audience, but I am ashamed of the one before me. * * Are there then men, to whom the death of their fellow beings is a spectacle of pleasure, an object of curiosity? * * But you especially, O women! what has induced you to come to this place? Is it to wipe away the cold damps of death that trickle down the face of these unfortunate men? Is it to experience the painful emotions which this scene ought to inspire in every feeling heart? No, it is not for

for this. Is it then to behold their anguish, and to look upon it with tearless, eager and longing eyes? Oh! I blush for you, your eyes are full of murder * * you boast of possessing sensibility, and you say it is the highest virtue in women, but if the sufferings of others afford you pleasure, and the death of man is an inviting entertainment for your curiosity, I can no longer believe in your virtue. You forget your sex. You are a dishonor and a reproach to it. Everyone who hates his brother is a murderer, and you know that no murderer has eternal life abiding in him." 4.

The immediate effects of the sermon were ~~not~~ revealed at a quick glance, but closer examination found wonders. The execution took place immediately after and strangely enough, not a single woman appeared at it. The crowd went from the church filled with an insuppressable shame and blushing at the thought of the animalistic curiosity that had attracted them in the first place. The mood was changed drastically but the sentence had to be carried out.

Northampton had never in its one-hundred and fifty-two years been so crowded as it was on that fatal day, June 5, 1806. It was as if an invasion had taken place. Some historians estimate that the little hamlet of twenty-five hundred occupants had on that day burst to an unbelievable number of

4. Clark, Rev. Soloman, Antiquities, Historicals and Graduates of Northampton, (Gazette Printing Co., Northampton, Mass.)

fifteen thousand persons. Some accounts have it that Father Cheverus preached from one of the upper windows of the Third Church to a crowd in the street. This fact seems entirely plausible since the church was not anywhere near large enough to contain the crowd. Whatever the version one fact remains evident: that this was the first public appearance of a Catholic Priest in Northampton.

The early arrivers to the affair were treated to a grand military parade headed by Major General Ebenezer Mattoon of the Fourth Division Massachusetts Militia, high sheriff of Hampshire County, who rode in from Amherst on his elegant parade horse. He was accompanied by his aides, all in full dress uniform, and fully equipped with pistols hanging by their saddles. According to the old-timers they "were presenting a very imposing appearance." The first hanging in Northampton was indeed a great spectacle. Pancake Plain was filled to capacity; filled with a mixture of hate, indifference, protest or quiet wonder about the true guilt of the two young men. The last of these emotions was to become the prime factor in the uneasyness of conscience that was to forever haunt the inhabitants of Northampton.

When the deed was done, the guards retired to Captain Joseph Cook's residence for entertainment which cost the county more than twenty-five dollars. Other expenses included eight dollars to Mr. Pomeroy for dinner served to the ministers, seven dollars to Hezekial Russell who built the gallows, and two dollars and seventeen cents for ropes and cords.

The presence of the Catholic Priest and the hanging had immense influence on Northampton. Mrs. Mary Shepherd, daughter of General Seth Pomeroy and widow of Dr. Levi Shepherd, made a very interesting entry into her diary; d

"The Priest, I found to be a very remarkable and extremely mild man who explains his religion in a very different manner from what we have always been taught. -- The criminals who were executed this day in the last words denied the crime, and declared their innocence in a most solemn manner, and forgave everyone as they hoped for pardon themselves. Poor men, they must have been guilty." 5

Father Cheverus had indeed interested the citizens of Northampton. Complying to several demands, he preached several more times and had many long discussions with numerous dignitaries. In each case he took every opportunity to remove the prejudices against the Catholic religion and needless to say, succeeded rather commendably. Records show that of the fifteen thousand persons viewing the execution "scarcely one had doubt of their guilt." But disregarding this fact and moved by the sight of the extreme modesty and calmness of the condemned, even to the time the trap was sprung, many begged Father Cheverus to tell them if the men had revealed their guilt or innocence to him during confession. To this he agreed to give them the only possible reply and in his last series of

5. The Tercentenary History Committee, The Northampton Book,

Alan S. Browne, Inc., Brattleboro, Vermont, (1954)

talks he explained clearly and thoroughly "the doctrine of the church respecting Confession and the inviolable secrecy imposed upon the confessor, which he cannot break even to save a kingdom." Through these last lectures, Father Cheverus found many new friends filled with much new understanding instead of old assumptions. Joseph Clarke of Hawley Street, who was host to Father Cheverus towards the end of his visit here, was one of the several townspeople who urged the Priest to stay longer in Northampton, but he had other duties. He bade good-by and that was the last seen of him in Northampton. Two years later Father Cheverus was named first bishop of Boston and in 1823 returned to France.

After he was named archbishop of Bordeaux and inducted into the French peerage, Rev. Dr. Willian Ellery Channing, the Unitarian leader in Boston wrote:

"Has not the metropolis of New England witnessed a sublime example of Christian virtue in a Catholic bishop? Who among our religious teachers would solicit a comparison between himself and the devoted Cheverus? He has left us; but not to be forgotten. He enjoys among us what to such a man must be dearer than fame. His name is cherished, where the great of this world are unknown. It is pronounced with blessing, with grateful tears, with sighs for his return, in many an abode of sorrow and want." 6.

6. The Tercentenary History Committee, The Northampton Book, Alan S. Browne, Inc., Brattleboro, Vermont (1954)

Father Cheverus was indeed a great man. Taking into consideration the extreme opposition to Catholicism at the time his presence alone was a giant-sized feat. What torture it must have been for Parson Williams to let his pulpit be "contaminated" by the presence of a Catholic Priest!

Whenever the "remarkable, mild man" of Mrs. Shepherd's diary spoke of Dailey and Halligan, whom he had so nobly attended, he referred to them as innocent. Whether a word from him could have saved them or not will never be known. Father Cheverus was a failure but more a success. He failed to save the lives of the condemned men but then again that was not his purpose. What is more important, he saved their souls, and broke a path through the wilderness of mistrust. He acquainted the people of Northampton with Catholicism and laid the cornerstone for future development. The people had their beliefs and Cheverus died with his soon after becoming Cardinal. By the law, Dailey and Halligan were guilty; however, in 1836 the tide was drastically upset by a certain native-born man who confessed the murder for which the two Irishmen had been hanged.

The years have ^{passed} ~~past~~ and the times have changed. The trampled grass of Gallow's Plain has long ~~since~~ ^{All} revived. ~~Many~~ of the spectators are gone but the shame of a wrong decision will never be erased from the face of Northampton. Passers-by on Hospital Hill are still attracted by that curious rock. Although it was erected nearly seventy years later and for an entirely different purpose, it serves many as a grim and sol-

itary reminder of that calm June morning when Dailly and Halligan were hanged.

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