

homes, the men of Eden became "cottage" builders.

John Hamor was one of the original Eden pioneers of the 1760's. With his two elder sons, he sailed down the coast from Harpswell in a "chebacco" sloop, leaving his wife and younger children behind while he made a clearing and built the new home. Thinking to bring his family down the following year, he made a return voyage for supplies, was shipwrecked, and drowned. His widow and five children not only took possession of the half-finished homestead that fall—in what must then have been a remote primeval wilderness—but survived the winter that followed. All five sons went on to become leaders in Eden.

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This capacity for survival in a hostile climate, then and now, was the great strength and genius of these people. And they knew it. And the summer people, those migratory birds who fled before winter's savagery, also knew it. This, they saw, was the chief distinguishing difference between themselves and those they had once called "natives," and came to respect them for it.

Unlike any other season, the onset of autumn called forth this ancient strength, this ability to mobilize all one's resources, courage included, and husband them across the deep, wide gulf of winter—to make do, to endure, even to go without if need be. This was the essence, the real meaning of fall.

# Who Murdered Marcus Lyon?

by Andrienne G. Clark

On November 4, 1805, Marcus Lyon, a bachelor of twenty-three, set out on horseback from Cazenovia, New York, where he had been working since the previous spring, for his home in Woodstock, Connecticut. He never reached his destination. Six days later his shot and bludgeoned body was discovered, weighted with a stone, lying face down in the Chicopee River.

Who murdered Marcus Lyon? Was it the two Irishmen, Dominic Daley and James Halligan, who were convicted and later hanged for murder? Or were they the unfortunate victims of anti-Irish, anti-Catholic prejudice that prevailed in Protestant Massachusetts at that time? Was the real killer, as later stories claimed, a local man, never identified, who confessed to the slaying on his deathbed many years later?

The question of Daley's and Halligan's guilt or innocence is still being debated. In 1964 the Honorable Robert Sullivan, Associate Justice of the Massachusetts Superior Court published an article in the *Massachusetts Law Quarterly* in which

he made a strong case that the two Irishmen were innocent. In March 1974 a float entered in the Holyoke St. Patrick's Day Parade depicted Daley and Halligan as victims of prejudice. And yet it is said that at the time the luckless Irishmen were hanged, not a single person in the throng that gathered to witness their execution doubted their guilt.

How did Daley and Halligan come to be accused of what newspapers of the day liked to headline a "Horrid Murder?"

The story begins on a cloudy Saturday in November 1805. A farmer who lived in North Parish in Wilbraham, Massachusetts, noticed a horse, saddled and bridled, running loose in the mowing field of his neighbor, John Bliss. Thinking Bliss's horse had broken loose, the farmer hastened to his neighbor's home to inform him.

But Bliss said the horse was not his and sent a boy to fetch the animal, which turned out to be a mare of good quality. Observing the well-made saddlebags hanging from the saddle, the men concluded the mare probably belonged

to the local doctor. He frequently left his horse unattended while calling on a patient and sometimes his horse strayed.

Bliss tied the mare to a tree by the side of the road. Villagers were notified that a stray horse had been found. Since his home was only a half-mile south of the well-traveled Turnpike County Road, Bliss expected that whoever owned the mare would claim her shortly.

But Sunday arrived and the horse was still unclaimed. Meanwhile a report reached Bliss that someone had seen a man, about noon on Saturday, riding eastwardly on a horse that resembled the stray mare. A young boy aged thirteen, Laertes Fuller, also informed Bliss that on Saturday he had seen two men driving the mare into the mowing field.

At that point, fearful that harm had befallen the owner of the mare, Bliss decided to open the saddlebags to see if they might yield a clue to the identity of the horse's owner. Inside he found a pair of shoes, some clothing, and a dozen or so letters addressed to persons living in Monson, Palmer, and Woodstock, Connecticut, sent kindness of Marcus Lyon of Woodstock.

Immediately Bliss organized a search party to look for the missing rider. The turnpike ran between the mountain and the Chicopee River, and the party scoured the

banks of the river and the adjoining woods, but although it was broad daylight, they discovered no sign of the missing rider or anything else that was unusual and returned to Bliss's home.

Early that evening Pliny Bliss stopped by his brother's house to report that Jesse Farnum that morning had found a broken pistol guard and a ramrod near a small brook that empties into the river.

By then it was eight in the evening and dark, but a cry rose among the men to resume the search. The party set out again with lanterns to search the spot where the pistol guard had been found. They hunted among the bushes by the glow of lantern light and found nothing. Because the river was shallow at that spot, not deep enough to cover the body of a man, Pliny and M. K. Bartlett decided to look farther downstream where the river curves to form a natural bowl.

Bartlett shone his lantern along the water's edge. At that moment Bliss noticed something in the sand and picked it up. It was a broken pistol. Shouting to the others to join them, Pliny and Bliss played their lanterns over the water. Suddenly they saw a man's body in the river. His head was close to shore and his legs extended into the stream. His greatcoat was gathered in a careless fold on the back of his head, while a stone weight protruded slightly

above the water. Further inspection of the ground and underbrush showed signs of a body having been dragged from the road to the river.

A wagon was soon brought to the scene and the searchers decided to bring the body to the stage house of Asa Calkins.

A few days later a second pistol was found by Amos Rider in some bushes a short distance from where the murder supposedly took place.

The body was identified as that of Marcus Lyon. Examination revealed two large wounds on the forehead and a fracture on the back of the skull. There was a pistol wound in the chest but the shot had not penetrated deeply, the ball having hit a rib. The ball was found loose in Lyon's clothing.

Suspicion immediately focused on the two men Laertes Fuller said he had seen. A sheriff's posse, led by Josiah Baddwell, took off in pursuit of them. They apprehended Daley and Halligan on Tuesday, November 12, at Cross-cob harbor, thirty miles from New York City. Baddwell arrested them only minutes before they were to sail on a sloop for New York.

Daley and Halligan were Roman Catholic and Irishmen who had been in this country only a short time. Halligan, twenty-seven years old, was a bachelor, rather short but robust in appearance. Daley, thirty-four, was a tall man with an athletic

build. He had a wife, infant son, and mother, all living in Boston.

When arrested they made no attempt to resist and permitted themselves to be searched. They had on them some money amounting to a little less than twenty-two dollars. Both men insisted they were innocent of the murder.

The posse brought them back to Springfield in chains where Laertes Fuller identified them, in a roomful of people, as the two men he had seen the previous Saturday. Daley and Halligan were ordered held in Northampton County Jail to wait trial before a session of the Supreme Judicial Court.

The trial took place on April 24, 1806 before senior presiding Judge Samuel Sewall and Judge Theodore Sedgwick. It lasted all day and evening, from nine a.m. to eleven p.m. The jury deliberated an hour before returning a verdict of guilty. Daley and Halligan were hanged on June 5, on a knoll above Pancake Plain in Northampton.

From the moment of their arrest to the moment of their execution, the two men insisted they were innocent. In a final statement at the gallows Domenic Daley said, "... we are perfectly innocent of the Crime for which we suffer, or of any other Murder or Robbery."

Clearly, however, the good Yankees of Hampshire County never doubted that Daley and Halligan

were guilty. Reporting on the trial, the *Northampton Hampshire Gazette* for Wednesday, April 30, 1806, described the evidence against the two men as "remarkably coincident and conclusive." Even sixty years after the event, a man who as a small boy had witnessed their trial and execution and who signed himself simply L. W., would write in a letter to the editor of the *Hampshire Gazette* that "not a single circumstance has come to light, to my knowledge, showing that they suffered unjustly, though they made the declaration they did, as they were being launched into eternity." In 1902 James Russell Trumbull in Volume II of his *History of Northampton, Massachusetts* wrote, "The trial seems to have been fairly conducted and the verdict just."

Yet the arrest, trial, and execution of Daley and Halligan took place in an atmosphere so charged with anti-Catholic, anti-Irish, and anti-foreign sentiment as to cast a pall of doubt over the fairness of the proceedings. Fear and hostility toward Roman Catholics had been deeply rooted in colonial New England. The wars between Catholic France and Protestant England were frequently played out in the New England wilderness. French missionaries converted Indians to Catholicism and French armies used the Indians as allies in their struggle for control of North America. In the famous Deerfield Massacre the French



Bishop Jean Louis Lefebvre de Cheverus, oil on canvas by Gilbert Stuart. Photo courtesy of the Museum of Fine Arts, Boston, bequest of Mrs. Charlotte Gore (Greenough) Herroches du Quillou.

England communities that before an execution the condemned prisoners were brought to the meeting-house to hear a final sermon. Daley and Halligan, anguished at the thought of having to listen to a sermon delivered by a Protestant minister and anxious to receive the consolations of their own faith, wrote to Father Jean Louis Anne Magdeleine Lefebvre de Cheverus, asking him to come to Northampton to minister to them in their final days. Father Cheverus was a French priest who had fled to America to escape the anticlericalism of the French Revolution. He was then assistant to the revered Doctor Francis Matignon of Boston, and their parish included all of New England.

Heeding the call, Cheverus journeyed to Northampton. He tried to get a room at the tavern owned by Asa Pomeroy, one of Northampton's leading citizens, but Pomeroy refused to rent him one because he was a Catholic priest. It was later claimed by an eyewitness to the events that Pomeroy's wife had told her husband, "she would not be able to sleep a wink with a Papist priest under the same roof." Unable to find lodgings, Father Cheverus stayed in the jailhouse with Daley and Halligan. Finally one Joseph Clarke invited the priest to his home.

Clarke was a nonconformist. He

and Indians raided the colonial settlement and took 150 prisoners. Some of the children who were taken later adopted Indian ways and converted to Catholicism during the course of their captivity. Later, on returning to Deerfield, several of them decided not to remain with their families and instead returned to Canada to live with their adopted Indian families.

The Protestants of colonial New England saw any increase in the Catholic population as a factor strengthening the hand of the French. They feared the Catholics would incite the Indians to attack them and that their children would be captured and converted to savagery and Romanism. This attitude was carried over into the new Republic. In 1806, also, England and France were again battling in the Napoleonic Wars. New England Federalists, anxious to keep open the sea lanes, generally favored the English side.

One week after Lyon's body was discovered, Ezra A. M. Witter, pastor of the North Church in Wilbraham, delivered a sermon on the moral lessons to be learned from the murder. One of the lessons, he asserted, was the danger of continuing to allow foreigners into the country. Foreigners broke into people's homes, burned cities and towns, and committed other outrageous crimes.

It had been the custom in New

always dressed in Quaker garb although there is no reference to his being a Quaker. Clarke's neighbors severely censured him for his act of hospitality. When, a few years later, his wife died and his house was struck by lightning, the citizens of Hampshire County believed divine providence was punishing him for his heresy.

There were only 25,000 people living in Hampshire County in 1806. Newspaper accounts of the day report that 15,000 were on hand to witness the execution. Northampton buzzed with rumors that eight hundred Irishmen were coming from Boston to free the prisoners.

Cheverus delivered his sermon in the same meetinghouse where Jonathan Edwards had once preached. When the procession arrived, the

Rev. Solomon Williams and other ministers of the county were on hand to present their own service, but Father Cheverus insisted that the wishes of the condemned men be respected.

The priest took his text from Saint John 3:15, "Whosoever hateth his brother is a murderer." He directed his remarks especially to the women of the crowd, telling them they should be ashamed to take pleasure in the suffering of two unfortunate men who were about to die. He spoke so movingly it is said that one by one the women began to leave until not a single female remained in the audience.

His eloquence had such an effect on the people in general that after the execution they invited Father Cheverus to preach to them. Trumbull in his history records that Cheverus spoke several times "and took every opportunity to remove the prejudice against Catholicism." Trumbull adds, "This certainly, as far as is known, was the first public appearance of a Catholic priest in Northampton." A short time later Father Cheverus returned to Boston. Two years afterwards he was named first Bishop of Boston. In 1823 he returned to France and became Archbishop of Bordeaux and was later made a cardinal of the church.

A quarter of a century after Daley and Halligan were hanged,

the railroads came to Northampton; with the railroads came the Irish who helped build them. Before long the Irish Catholic population was large enough to warrant building a church. The image of Daley and Halligan as villains justly convicted served the prejudices of the Yankees who saw in Catholicism and in foreigners generally a threat to their way of life. To the Irish struggling to gain acceptance in a hostile society, this version of the events of 1805 and 1806 was another example of Yankee prejudice.

The Irish, of course, had their own interpretation. Daley and Halligan were not murderers but unfortunate victims of injustice and hatred who were wrongly convicted of a murder they had not committed. They were hanged not because they were guilty, but because they were Irish.

A story which began to circulate some years after the murder lent credibility to the Irish view of events. According to that story, a local man confessed to the murder on his deathbed. No documentation to prove this tale has ever come to light, while there are tales of deathbed confessions to just about every early unsolved murder.

But an argument to support the possibility of Daley's and Halligan's innocence can also be made on the basis of the circumstances surround-

ing the trial and the evidence presented in court. During the winter of 1806 the two Irishmen were held incommunicado and permitted to see only John Hooker, the specially appointed prosecutor. Their lawyers were not assigned until the day before the trial and had only one day in which to prepare a case.

Francis Blake of Worcester, one of four lawyers appointed to the defense, had the task of summarizing the case for the jury. He pointed out a number of weaknesses in the prosecution's case. Laertes Fuller, whose identification of Daley and Halligan was a major part of the evidence against them, was but an immature boy of fourteen. The fact that Laertes had identified Daley and Halligan in a roomful of people was discounted by Blake because the men were in chains.

Blake pointed out that Fuller claimed he had first seen Daley and Halligan walking westerly on the turnpike about one p.m., but that fifteen minutes later he saw them coming in the opposite direction driving a horse with a stick. Was it possible, Blake wanted to know, for

Daley and Halligan to waylay Lyon, knock him from his horse, murder him, drag his body to the river, and return with the horse, all within fifteen minutes?

Edward E. Syms, an employee of a Boston store, identified Daley and Halligan as men to whom he had sold pistols of the same kind as those found near the scene of the murder. But the pistols he claimed to have sold them were in common use and might have been purchased by anyone anywhere.

Blake was aware of the anti-Irish feeling in the community and in his summation pleaded with the jury not to be swayed by their prejudices.

Were Daley and Halligan guilty or innocent? There is no way on the basis of the evidence available today to prove conclusively either that they were or they weren't. And yet because of the strong emotional feelings which the trial and execution of Daley and Halligan aroused, the case will always be debated. The trial, like that of another but more recent case, Sacco and Vanzetti, has taken its place in the annals of trials that will never be concluded.

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