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New York's Last Hanging

BY MICHELLE HENRY

When Joseph Damon killed his wife with an iron rod in 1834, he became the first known murderer in Chautauqua County. This fact, and the nature of the crime, resulted in a great deal of public interest in the trial and its outcome. Damon was convicted of the murder and was sentenced to death—and on May 15, 1835, he became the last man in the State of New York to be publicly hanged. Just six days earlier, on May 9, such hangings in New York had been made illegal.

Records held by the Chautauqua County Historical Society in Westfield and the Chautauqua County Archives in Mayville provide a unique glimpse of the trial and exe-

cution. The historical society holds the only extant copy of testimony for the prosecution and the defense: a seventy-page pamphlet printed by the *Fredonia Censor*, a local newspaper of the time that had sent several men to take notes at the trial.

Damon was tried in the Court of Oyer and Terminer, a predecessor of today's state Supreme Court. His attorney eloquently pleaded for Damon's life to be spared by reason of insanity. The argument for temporary insanity is substantiated in the testimony. However, the Court Minutes book in the county archives informs us that the guilty verdict was followed by the instruction that Damon was to be "hung by the neck until he is dead."

Although called a "revolting spectacle" in the *Fredonia Censor*, the hanging was well attended. Accounts estimated that between 3,000 and 8,000 men, women, and children came to Mayville to witness the event. A letter in the collection of the historical society, written on behalf of the high sheriff, instructed the militia to "appear with your respective company at Mayville...completely armed and equipt according to law for the purpose of being a part of the guard to attend

the execution of J. Damon... get good music and keep [the guard] still until the square is formed...there will be a great crowd and it will be very different from parade days."

In 1843, District Attorney Samuel Brown recorded his memories of Damon's execution day. The condemned man was dressed in his burial shroud and was escorted from the jail to the gallows by a procession of dignitaries, court officials, and the sheriff. The militia did indeed form a square around Damon and his coffin, which preceded him in the procession. At the gallows, Damon spoke for twenty minutes, stating that the verdict was wrong but forgiving those who had testified against him. He was given a handkerchief to drop when he was ready for the trap to be released. Brown wrote that Damon's head was covered, the handkerchief was dropped, and he was "launched into eternity."

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This document orders that Joseph Damon "be hung by the neck until he is dead."

In Superior Court
July 5-1835
S. M. Brown District Atty
clerk Houllet

The Rope
is
Joseph Damon?

Ordered that the Court of Oyer & Terminer of Chautauque County, be advised to render judgment upon the verdict—
a copy—
clerk Houllet

The District Attorney then moved for sentence on said verdict and the Court pronounced sentence accordingly, to wit, that the prisoner Joseph Damon be taken from this place to the jail of the County, that from thence on the 15th day of May next, he be taken to the place of execution provided by the Sheriff within the County, and there between the hours of 12 and 2 o'clock in the afternoon, that he be hung by the neck until he is dead—

Ordered that George Colville and Amos Emory be discharged from further attendance as Constables at this Court—