

# The Murder Trial of Halligan and Daley— Northampton, Massachusetts, 1806

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*Versatility in a writer is a boon to his readers. The Quarterly of last March carried Judge Sullivan's "Oral Deposition Discovery," an article which is reviewed in the current issue of the British Law Society Gazette. Here he presents, in an entirely different vein, a little-known episode in the history of criminal justice in the Commonwealth.*

Northampton, Massachusetts, settled on the Connecticut River in 1654, is an attractive, peaceful city of broad, tree-lined streets, with a population of 25,000. Students at Smith College and several preparatory schools within the city, and from Mt. Holyoke College a few miles away, bicycle to and from classes, museums, shops. Clarke School for the Deaf and a large state mental hospital are not far from the center of the city. From 1727 to 1750 Jonathan Edwards was a pastor here. A century later a communistic settlement called the Northampton Association for Education and Industry flourished for a few years. Here, after graduation from nearby Amherst College, Calvin Coolidge practised law, and here he returned in 1929 to retire and reminisce until his death six years later.

Northampton is also the Shire Town of Hampshire County. Not too long ago, at about the time when President John Fitzgerald Kennedy passed through the city to dedicate the library at Amherst in honor of Poet Robert Frost, I presided over the Superior Court of Hampshire County. It was then that I learned of the case of the Commonwealth of Massachusetts against James Halligan and Dominic Daley, tried and convicted of first degree murder in Northampton in February, 1806. This story of two young luckless Irishmen touched me deeply; and although the surface facts were few, I probed for details. As the strange circumstances unfolded themselves and fell into place, the tale of the trial and conviction became the account of a gross miscarriage of justice. It gives one pause to consider whether the political and social problems besetting the society which took their lives have yet disappeared. Racial and religious prejudice, inadequate recognition of the rights of the criminally accused, the injection of political ambition into the administration of justice, the issue of capital punishment, the human tragedy—these are some of the facets of the trial of Halligan and Daley.

A century and a half ago, Northampton was a town of some 2,500 people. Among its inhabitants was the governor of the Commonwealth, Caleb Strong, one of the so-called "River Gods." An aristocrat, he had been given the title of "the Washington of Massachusetts"; and a Federalist, he had been elected Governor for seven consecutive one year terms, beginning in 1800. In his 1801 campaign against Elbridge Gerry (whose efforts gave rise to the term "gerrymander"), Governor Strong received all of the votes in Northampton. Not a single vote in his town was cast for his opponent.

In 1805 and 1806 Attorney General James Sullivan, the candidate of the Republican party, (predecessor of the present day Democratic party), campaigned for governor against Strong and nearly defeated him on both occasions. But in Northampton, Governor Strong had staunch Federalist support from his fellow townsmen.

The Federalists were bitter at the 1800 defeat of John Adams of Massachusetts and resented the free-thinking of President Thomas Jefferson. The concept of religious freedom, despite its guarantees in the Massachusetts constitution and the first amendment to the Federal Constitution, had many dissenters among the Massachusetts Protestants of the first decade of the nineteenth century. Whatever disagreement may have existed among themselves on theological doctrine, they were united on a single point—their hatred of the Catholic faith and its adherents, and especially the Irish.

A contemporary account reported the current attitude:

"The religious ministers never cease declaiming against it (Catholicism), never cease exhibiting it to the people as an impure mass of idolatries and corrupt and despicable individuals, as the new Babylon, as the enemy of God and man."

Father Jean Lefebvre De Cheverus, who served the 1,200 widely scattered Catholics of New England (including some Maine Indians, members of the Penobscot and Passamaquoddy tribes—the result of conversion efforts by Canadian Jesuits fifty years earlier) as well as the first Catholic church in this part of the United States, the Church of the Holy Cross in Boston, described the situation:

"The Catholic Church in New England is the object of execration, detested utterly, the name of a priest held in horror."

The *Constitutional Telegraph* of Boston said on May 17, 1800:

"The Pope with his party is the Man of Sin, the Son of Perdition."

A pamphlet published in Boston at about the same time revealed the prevalent anti-Catholic sentiment:

“Come on, Brave Youths, drag on your Pope,  
Let’s see his frightful phiz,  
Let’s view his features tough and fierce,  
That map of ugliness,  
Distorted joints so huge and broad,  
So horribly dressed up.  
T’would puzzle Newton’s self to tell  
The Devil from the Pope.”

The remainder of the pseudo-lyric is too vulgar to bear repetition.

Not to be outdone by the ministers and the publishers, the Massachusetts Supreme Judicial Court in the early 1800’s cast itself in the role of the protector of Massachusetts against the evils of the Catholic religion. In 1801 Judge Bradbury of that Court announced:

“Catholics are only tolerated here, and so long as their ministers behave well, we shall not disturb them. But let them expect no more than that.”

In *Barnes v. First Parish of Falmouth* the full Court generously opined that a Catholic could hold public office provided he renounced all obedience and subjection to the Pope, and further stated that the Constitution had not provided for the support of any public teacher of the Popish religion.

In 1801 Father Cheverus had been prosecuted by Attorney General Sullivan for “performing an illegal marriage” between Catholics. Sullivan, son of a Catholic, had become vitriolically anti-Catholic, and his diatribes took on ugly proportions. Father Cheverus was arraigned and held at the bar together with thieves and forgers and then bailed in the sum of two hundred dollars. Subsequently, the trial took place in Wiscasset before three Supreme Court Justices, Bradbury, already quoted; Strong, brother of the Governor; and Sewall, a direct descendant of Justice Samuel Sewall, who had presided at the Salem witchcraft trials in 1692. Despite Sullivan’s efforts, Father Cheverus was acquitted and discharged. However, Judge Bradbury stated in open court that he would gladly have sentenced Father Cheverus to the pillory and fined him.

Even the patriot Samuel Adams wrote in the contemporary *Boston Gazette*:

“I have been long apprehensive that what we have above everything else to fear is Popery. . . . As you value your precious civil liberty and everything you can call dear to you . . . be on your guard against Popery.

“Much more is to be dreaded from the growth of Popery in America than from Stamp Acts or any other Acts destructive of civil rights.”

Such was the tenor of the times.

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On Saturday, November 9, 1805, John Bliss of Wilbraham, a small community near Springfield, Massachusetts, discovered in his pasture a bridled and saddled but riderless horse. Saddlebags were affixed to the handsome, light bay mare, and, among other things, the bags contained several letters and a supply of bread and cheese. Bliss tied the horse by the side of the road, which was the first section of the Boston to New York Post Road. By the following day no one had claimed the horse, and Bliss, having informed his neighbors of the unusual circumstance, called together a group to search the area, fearful that the owner of the horse had met with misfortune.

At eight that evening, the lanterns of the searching party, shining from the banks of the Chicopee River, (which ran parallel to and a short distance from the Post Road), lighted something which had the appearance of a greatcoat, about six inches below the surface of the shallows. It was indeed the body of a man, about six feet tall. The upper part of the head “over the cerebrum and over the left eye was indented,” and the back part of his head had been “smashed to a pulp.” The ball of a small caliber pistol was lodged in his ribs. It was deduced from the appearance of the shrubbery in the area that the body had been dragged some distance before it was deposited in the shallows of the river; a large stone weighing sixty-five pounds had been placed on its head “to prevent its rising.”

By the letters found in the saddlebag of the stray horse, the victim was immediately identified as Marcus Lyon, a robust farmer of Woodstock, Connecticut, whom the newspapers of the day characterized as “a young man of peculiar respectability.” Lyon had left his home in Woodstock and gone for summer farm employment to Cazenovia in New York State. En route home to Connecticut he had been seen, riding a fine horse, on the Turnpike from Springfield to Boston (and passing through Wilbraham) on Saturday, November 9.

Immediately the body was discovered, the citizens of Hampshire County hastily convened a Jury of Inquest before which a thirteen-year-old boy, one Laertes Fuller, (who lived about a quarter mile from where the body was discovered), testified that he had seen two men near the locus on November 9, heading west (toward New York) on the Post Road. Both men had been dressed in “sailor’s



garb," and one of them carried clothing in a blue handkerchief tied to the end of a stick.

The Governor of the Commonwealth, Caleb Strong, by proclamation offered a reward of five hundred dollars (a staggering sum in 1805) for the detection of the murderers. Major General Mattoon, High Sheriff of Hampshire County, "greatly interested himself in measures to detect them." A sheriff's posse was formed and dispatched from Northampton on Monday morning, and on Tuesday one Josiah Baddwell, the leader of the posse, apprehended two men, James Halligan and Dominic Daley. They were still on the Boston to New York Post Road, at a place called Coscob Landing, fifty miles west of New Haven, about where Rye, New York, is today.

When apprehended, both men were lodged in a tavern awaiting the departure of a packet from the Landing to New York. Daley was in the barroom (bathroom) shaving himself, (a habit that will be later mentioned in this account), and Halligan in the kitchen. A contemporary newspaper report reads as follows:

"When the arresting officers told the two Irishmen that they had a warrant for their arrest, Daley said, 'For what?' They were told 'For murder.' Both protested their innocence and related that they were traveling to New York from Boston where they resided, Daley for the purpose of collecting a small sum of money due him and Halligan to visit his cousin there."

They were immediately returned to Springfield in chains and shortly thereafter placed in the county jail at Northampton.

The contemporary newspaper accounts of the apprehension of the two Irishmen give somewhat conflicting reports as to their background. One says Halligan arrived from Ireland six months before his arrest. Another relates that he had been in this country four years and had lived in Boston at a boarding house operated by one Madame Sumner. It is almost unanimously agreed, however, that he was about 27 years of age and was unmarried. For a short time he had lived in "the works" in South Boston, and shortly before his ill-fated trip to New York he had taken up residence in Exchange Alley in Boston.

Daley was about 34 years of age and had, according to newspaper accounts, come to Boston from Ireland about two years before. He had a wife, infant child, and a mother and brother, all residents of South Boston. The contemporary (1805) Catholic church records report several Daley's, spelled Daley, Dailey, and Daly, but no Dominic Daley, and the surname Halligan does not oc-

cur at all. However, the church census records of this era, in this area, were understandably incomplete.

With the 1806 political campaign in view, the murder of Lyon and the trial of Halligan and Daley had considerable political significance in western Massachusetts. After two narrow victories Governor Strong was again being hard-pressed by Attorney General Sullivan. The 25,000 inhabitants of Hampshire County in 1806 included many voters who were certain to be impressed by the handling of the case. The Governor had offered a considerable reward for the apprehension of the culprits: and his political arch-rival, the Attorney General, was to prosecute the case.

Further clouding the atmosphere, the community of the Connecticut River Valley had reacted violently to the murder. An editorial in the *Hampshire Federalist*, published in Springfield, January 7, 1806, a little more than a month before the trial, reflected the uneasiness occasioned by incidents of violence in the area:

"That the minds of the good people should be shocked with the late murder of Marcus Lyon on the high road at noon-day is perfectly natural and would be right to a certain extent.

"But the panic excited by this event goes to an extreme. It magnifies every assault to a manslaughter—every sudden or accidental death to a bloody assassination."

From their return to the Northampton jail in mid-November, 1805, to two days before the trial, Halligan and Daley were kept incommunicado to all but the specially appointed prosecutor, John Hooker, representing the Commonwealth. On the first day of the session and in accordance with the practice of the time, two Justices of the Supreme Judicial Court convened to hear the murder trial. Judge Samuel Sewall, the senior presiding judge, has already been noted as one of the three who tried Father Cheverus and as the direct descendant and namesake of Judge Samuel Sewall of the Salem witchcraft trials. His conduct of the Halligan and Daley trial was in the best family tradition. Judge Sewall was born in Boston in 1757 and graduated from Harvard College in 1776. At the time of the trial he had served in the General Court (the Massachusetts Legislature) and in the Congress of the United States. He served as an associate justice of the Supreme Judicial Court from 1800 to 1814, became Chief Justice in 1814 and died a few weeks later.

Judge Theodore Sedgwick was born in Hartford in 1746 and graduated from Yale University. He was Speaker of the House of Representatives in Massachusetts and a United States Senator before his appointment to the Supreme Judicial Court. In adult years he

lived in Stockbridge, Massachusetts (some forty-five miles from Northampton), where his popularity was something less than unanimous. In 1787, during the farmers' uprising in that area called "Shays' Rebellion," Judge Sedgwick's house was the first to be destroyed. He was appointed to the Supreme Judicial Court in 1802 and served until his death in 1813.

Because of the great concourse of people from that and neighboring towns, the trial was held in the Northampton Meetinghouse. The Court appointed counsel for the defendants on the day before the actual trial commenced. Counsel named for Daley were Thomas Gould, member of the bar one and a half years, and Edward Upham, member of the bar seven years. Halligan's counsel, also appointed by the Court, were Jaboz Upham, member of the bar eleven years, and Francis Blake, member of the bar nine years. (None of the four except Jaboz Upham would be eligible for appointment in a capital case today—the present Massachusetts requirement being ten years' membership at the bar.)

The case was prosecuted by the Attorney General assisted by John Hooker. James Sullivan received his education, legal training excepted, from his father. His enthusiasm on matters of religion, evidenced by his prosecution of Father Cheverus, has already been touched upon. He served on the Supreme Judicial Court from 1776 to 1782, when he resigned because the compensation was inadequate (\$300 annually). His occupancy of the office of Attorney General lasted from 1790 to 1807, when, by a close margin, he defeated Caleb Strong and became governor. Re-elected in 1808, he died in office shortly thereafter.

During the trial twenty-four witnesses were called by the prosecution. Their testimony was reported a short time later by a "Member of the Bar of Hampshire County," who gave an account largely in question and answer form, including arguments and the judge's charge. No official transcript of the record was made (or if made, not preserved). The only records of the case in the files of the County of Hampshire are the recorded verdict and vouchers for trial expenses.

The prosecution's testimony was that:

- (1) Marcus Lyon was killed by a pistol ball, stoning on the head and immersion in water or one or more of such acts on or about November 9, 1805;
- (2) the day, November 9, was very cloudy, and the Turnpike where the murder was alleged to have been committed was heavily traveled with hundreds on the road;

- (3) Laertes Fuller, age 13, saw two men in sailor's garb on the Turnpike near the area where Lyon was murdered at about one o'clock in the afternoon; the men, when seen on the road, were "10 or 12 rods away" (roughly 200 feet);
- (4) fifteen minutes later the same 13-year-old boy saw two men with a horse; they were 5 or 6 rods from him (about 100 feet); he could not say that they were the same men he had seen 15 minutes before, but they were driving a horse which appeared to be the riderless horse found by Bliss; Laertes "viewed" only one of the two men, because this man, carrying a cudgel, leaned on the wall and looked at Laertes; Laertes did not see the other man;
- (5) Laertes lived a quarter of a mile from the scene of the crime; he never did hear a pistol shot, but he was chasing hogs when he came upon the man whom he saw; he ran home because "he was cold";
- (6) after the apprehension of the two Irishmen, Laertes identified Daley in Springfield (in the 1805 version of our modern day lineup) as one of the two men whom he had seen on November 9 driving the horse and the man who was leaning on the wall; at the time of identification, the two prisoners were in irons; the others, all spectators, were not;
- (7) the two Irishmen continued on the same road en route from Boston to New York, after November 9 as before, but made better time walking from Wilbraham to Connecticut than they had made from Boston to Wilbraham.

As a commentary on the prosecution's charge of flight to show consciousness of guilt, the following appeared in the *Hampshire Federalist* of April 24, 1806:

"It appears they (Halligan and Daley) had no mistrust of being pursued before they were apprehended for they followed the same course and when they were taken, they made no kind of resistance but professed innocence and willingness to be searched."

To the twenty-four witnesses who appeared and testified for the prosecution, a grand total of forty-four questions are reported to have been asked by all four of the defense counsel in cross-examination. This is an average of less than two cross-questions per witness. At the conclusion of the testimony of the twenty-fourth witness, the prosecution rested.

Not one single word of testimony was offered in the defense of



Halligan and Daley. But, defense counsel clearly had no opportunity to prepare a defense, even if they had so desired. In 1806 a trip from Northampton to Wilbraham, scene of the crime, and back would have taken longer than the elapsed time between their appointment by the Court and the opening of the trial. Similarly, there was no time to locate and arrange for the appearance of defense witnesses. And most astonishing of all, in 1806 and for a period of sixty years thereafter, no Massachusetts defendant in a criminal case was able to take the witness stand in his own defense. Until the law was changed in 1866, an accused was completely "incompetent" to testify in Massachusetts. Halligan and Daley were thus helpless to defend themselves.

There being no defense testimony, Halligan's attorney argued on his behalf. Oddly, the inexperienced Blake, arguing his first capital case, and suffering "from a heavy cold" ("often depriving him of the power of utterance"), spoke for his client in an articulate manner. On the subject of race prejudice against the two Irishmen, Blake said,

"I allude to the inveterate hostility against the people of that wretched country, from which the prisoners have emigrated, for which the people of New England are peculiarly distinguished."

Stressing what must have occupied the minds of the jurors and the assembled crowd, Blake challenged:

"Pronounce then a verdict against them—tell them that the name of an Irishman is, among us, but another name for a robber or an assassin: that every man's hand is lifted against him, that when a crime of unexampled atrocity is perpetrated among us, we look around 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!"

Speaking of one witness, the defense counsel said,

"But his mind is infected in common with others with that national prejudice, which would lead him to prejudge the prisoners because they are Irishmen."

Blake having finished his argument, Gould, who was the principal counsel for Daley, and who was to have closed the defense, declined to address the jury, "the evening having far elapsed." Thus, in sum, the entire defense of Halligan and Daley consisted of the argument to the jury by counsel for one of them.

The charge to the jury given by Judge Sedgwick was virtually a command for a verdict of guilty. The charge, as reported, was a stronger argument for conviction than that of the prosecuting attorney. Stressing the testimony of Laertes Fuller, the 13-year-old boy, Judge Sedgwick charged: "If you believe this witness, gentlemen, you must return a verdict of conviction." This statement is not only exceptional but clearly exceptionable in any Court, at any time. Indeed it is almost incredible, since, even if one were to accept the boy's testimony as religiously true, it had no direct bearing on the commission of the crime itself. Going one step further, Judge Sedgwick told the jury that the boy's testimony "had always been consistent" (although the record clearly shows that it had not been). Finally, the judge's discussion of the force of the evidence of flight to show consciousness of guilt flies in the face of the fact (to which all agreed) that Daley and Halligan had continued on the same Boston to New York course on the Post Road. So ended the trial. It had lasted from nine in the morning to about eleven at night. The jury was ordered out to deliberate.

Some minutes later the jury returned the verdict—guilty. By midnight the meeting house where the trial had begun that day was empty, locked, and in darkness.

The following day Judge Theodore Sedgwick pronounced the sentence that the two Irishmen were to be hanged by their necks until they were dead, and their bodies to be dissected and anatomized. The contemporary press reported this scene as follows:

"Daley seemed to be in some degree agitated and immediately after sentence was pronounced fell upon his knees, apparently in prayer, but Halligan, who previous to the trial was by many supposed much the least criminal, exhibited stronger marks of total insensibility or obstinate and hardened wickedness than is often witnessed."

Unfortunate as the two Irishmen were, they were not illiterate nor inarticulate, for found among the papers of Father Cheverus after his death was the following plea in a letter from them:

"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."

Father Cheverus responded to the plaintive petition and made the long journey to Northampton, arriving there some days before the execution in June of 1806. There his reception was stone cold.

“Hatred of the Catholic religion was so strong in Northampton that it was only with great difficulty that the priest was able to find lodgings.”

The innkeeper, Asabel Pomeroy, proprietor of Pomeroy's Tavern, refused to accept Father Cheverus as a guest because Pomeroy's wife would be unable to sleep if “a Papist priest were under the same roof.”

As a result of Northampton's unanimous lack of hospitality Father Cheverus “was obliged to seek shelter in the prison, and for many days he lived with the prisoners.” Finally, one Joseph Clarke of Hawley Street accepted the priest at his home, and here Father Cheverus lived during the latter part of his stay in Northampton. Clarke's critics (of which there were many) for this charitable act felt themselves completely vindicated when, within a few years, Clarke's wife died and his house was struck by lightning—interpreted by them as the wrath of a vengeful deity.

Although the population of Northampton in 1806 was about 2,500 (including “13 foreigners and 5 slaves”), 15,000 people assembled in the town on June 5, 1806, for the hanging of Halligan and Daley. The enormous size of the crowd can be fully appreciated only when it is understood that the entire population of the vast county of Hampshire, including Springfield, in that year was about 25,000. The “*Massachusetts Spy*” of June 10, 1806, tells succinctly the story of the gala day:

“On Thursday last, pursuant to their sentences, James Halligan and Dominic Daley, natives of Ireland, were executed.

“At half past ten o'clock they were conducted to the meeting house by the High Sheriff with his deputies, together with a guard composed of a company of artillery and a detachment of militia.

“An appropriate and eloquent discourse was there delivered to a very crowded auditory by the Reverend Mr. Cheverus of Boston from I John 3:15—‘Whosoever Hateth His Brother is a Murderer.’”

At the jail, Father Cheverus, having heard the last confessions of Halligan and Daley, gave his word to the Sheriff that if he would allow the two Irishmen a razor, they would not take their own lives. They both wished to die clean-shaven, but the High Sheriff of Hampshire County was somewhat reluctant to run the risk of disappointing 15,000 of his constituents. Upon Father Cheverus' representations, they were allowed to shave.

It was the custom in 1806 to conduct the prisoners, about to be

executed, to a church so that they could, before execution, have the unusual advantage of hearing their own funeral discourse. The extraordinarily large crowd, however, precluded the use of any church in Northampton on June 5, 1806, so the procession wound its way to the meeting house, and the windows were removed so that the overflow crowd standing outside the church could hear all. A minister was standing by to deliver the funeral address, but Father Cheverus declared that he and he alone, as the clergyman of Halligan and Daley, would speak. He ascended the pulpit.

The thousands, including a great many women, occupying and surrounding the Northampton meeting house, heard the priest's sermon:

"Orators are usually flattered by having a numerous audience, but I am ashamed of the one now before me.

"Are there men to whom the death of their fellow beings is a spectacle of pleasure, an object of curiosity?

"But especially you women, what has induced you to come to this place? Is it to wipe away the cold damps of death? Is it to experience the painful emotions which this scene ought to inspire in every feeling heart?

"No, it is to behold the prisoners' anguish, to look upon it with tearless, eager, and longing eyes. I blush for you. Your eyes are full of murder!

"You boast of sensibility, and you say it is the highest virtue of women; but if the suffering of others affords you pleasure, and the death of a man is entertainment for your curiosity, then I can no longer believe in your virtue.

"You forget your sex; you are a dishonor and reproach to it."

Thereupon, all the women departed the scene.

The *Massachusetts Spy* reported that, after the sermon,

"The criminals were constantly attended by Mr. Cheverus, with whom, during the greater period of time, they appeared to be engaged in prayer."

At three in the afternoon, the two Irishmen were led to the gallows, and, standing upon the contrivance set up for their destruction and facing the assembled thousands, Daley first read aloud, then delivered in writing to High Sheriff Mattoon, the following statement:

"At this awful moment of appearing before the tribunal of the Almighty, and knowing that telling a falsehood would be eternal perdition to our poor souls, we solemnly declare we are



perfectly innocent of the crime for which we suffer or any other murder or robbery; we never saw, to our knowledge, Marcus Lyon in our lives; and as unaccountable as it may appear, the boy (Laertes Fuller) never saw one of us looking at him at or near a fence, or any of us either leading, driving or riding a horse, and we never went off the high road.

“We blame no one; we forgive everyone; we submit to our fate as being the will of the Almighty and beg of Him to be merciful to us through the merits of his Divine Son, our blessed Saviour, Jesus Christ.”

Whereupon, Sheriff Mattoon received the written document, and hanged James Halligan and Dominic Daley.

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As a memorial of the tercentenary of the founding of the Shire Town of Northampton, the good citizens of Hampshire County caused to be published in 1954 “The Northampton Book,” a compilation of essays, for the most part dealing with the early history of the Connecticut River Valley area in Massachusetts. References to the Halligan and Daley hangings appear in several of these historical essays, particularly those written by Richard Garvey; and the reader of “The Northampton Book” senses that there is in that community, even today, an uncomfortable consciousness of guilt which has survived for more than a century and a half.

Preserving the inviolability of the confessional, Father Cheverus declined to reveal his views on the guilt or innocence of Halligan and Daley. It is, however, strongly suggested by his biographers that he believed them to be innocent.

In 1810 the Diocese of Boston was created, and Father Cheverus became its Bishop; after thirteen years he was called to Rome, and a consistory held at the Vatican confirmed him Cardinal of Bordeaux, France. He served as Cardinal-Archbishop of Bordeaux and by virtue thereof a Peer of France until his death in 1836. In “The Northampton Book” the following appears:

“In 1836 soon after receiving the red hat of a Cardinal, Cheverus went to his death without receiving the report that a certain native-born man had confessed to the murder for which Halligan and Daley had been executed.”

At the turn of the last century James R. Trumbull, a meticulously accurate historian, writing of the Connecticut Valley area, alludes to the deathbed confession of the murder by a Hampshire County man as follows:

“Years afterward, on his deathbed, the real murderer of the mail carrier acknowledged his guilt and vindicated—too late—the innocence of the lads who were executed for the crime.”

Undocumented as it is, persons knowledgeable about the history of Northampton have indicated to me that it is popularly believed that the deathbed confessor to the crime for which Halligan and Daley were hanged was the uncle of Laertes Fuller, the 13-year-old witness at the trial.

As one walks through the center of attractive, peaceful Northampton, one can imagine—if one wishes—that, hovering over the spot where they were hanged, the ghosts of James Halligan and Dominic Daley still proclaim their innocence and warn us sadly that, after a century and a half, bigotry and uncontrolled ambition still breed injustice and that—as Father Cheverus reminded the Northampton spectators—hate and murder often go hand in hand.