

Hangings Here in 1829, Mobbed by Public...

by Thomas C. McCarthy

Webmaster, correctionhistory.org

If on Saturday, May 7, you had possessed an H. G. Wells time machine, placed it near Roosevelt Island's lighthouse, sat on the vehicle's saddle, and traveled in reverse 182 years, you would have had a to-die-for seat at a double execution.

Indeed, some *did* die that morning when their boats overturned as they vied for close-up views of the hangings.

Of course, as you looked around, the lighthouse would no longer be there, nor would its plaza. More precisely, they would *not yet* have been there on May 7, 1829. In fact, you likely would not have been on the main island, which took its name from the Blackwell family, whose generations owned it from colonial times until its purchase by the City in 1828. You would have been on an islet separated from Blackwell's northern tip by marshes. Early maps identified the outcroppings as Bread and Cheese Rocks.

Furthermore, there was as yet no nearby Lunatic Asylum and therefore as yet no fabled patient from it to build an earthen causeway linking the big island with the little one. No mythic Thomas Maxey, Esq., self-styled architect, mason, carpenter, civil engineer, philosopher, and philanthropist.

Local lore relates that the Charities and Correction Commissioners, probably with knowing winks and smiles to each other, had granted his wish for leave to build, with his own hands, a "fort" on the small isle to protect the main island from "invasion." In the process, he drained much of the marshland. The land reclamation was the happy byproduct of his patriotic industry.

Fort Maxey and its wooden cannon (a gift from the indulgent commissioners) evidently provided sufficient deterrence to discourage any attack; at least, none occurred. Much later, another legendary inmate of the island, John McCarthy (no relation known to this writer), appeared on the scene to perform equally prodigious labors – that is, erecting the stone lighthouse, supposedly by himself.

But those fantastic tales would belong to decades not yet arrived as you sat in your Wellsian time machine that morn-

ing, an observer at the first – and only known – public hangings on Blackwell's Island.

Unlike Thomas Maxey and John McCarthy, nothing about the condemned of May 7, 1829 – a young white man, Richard Johnson, printer, and a young black woman, Catharine Cashiere, tavern worker – conveyed legend or myth.

As they ascended the steps of the gallows, the two appeared quite ordinary individuals whose features and manner, by themselves, hardly warranted the duo being the center of so much attention.

The unconnected murders, for which their executions represented society's legally-determined just retribution, had not been so depraved or otherwise sensational so as to excite great public outrage at the time of their discovery, nor during the subsequent court proceedings.

Johnson stood on the gallows convicted of mortally wounding his lover/landlady, the twice-married Ursula Newman, 38, a dozen years his senior, mother of five, including the youngest, about 2 years, by him. The young printer, orphaned early in life, had learned his trade as an apprentice and lived with Ursula and her family for a few years, more as a husband than as a tenant in the boarding house. He killed her with a gun shot during the climax of their long-running argument (which liquor only intensified) over her refusal to acknowledge and legitimize their child by marrying Johnson.

Cashiere, who had given her age in court as "under 21," stood convicted of fatally stabbing a fellow bargirl, Susan Anthony aka Susan Saltus, also described as "a colored woman," during a drunken brawl at a card game in a Five Points neighborhood grog shop. Reportedly, the fight started over disparaging remarks that the victim had made about her, including references to Catharine's reputed mestee racial heritage.

The attention that the condemned pair received their last morning was a contrasting mix of the holiday-like raucousness displayed by spectators on the river and the shores and the funereal solemnity shown by the officials and clergy participating in the civic ritual.

Eight months earlier, another ritual – the laying of the cornerstone for the penitentiary – had taken place. During it, the rationale for selecting Blackwell's Island as an execution site was expounded.

In his remarks for that occasion, Sept. 10, 1828, Alderman William W. Mott, member of the City Common Council that had approved the purchase of the Island, explained: "At the north east end of this Island, there is one other of a small description, included in the same purchase, which being sufficiently remote from the public eye, will be adapted to the use of the High Sheriff, when the sacrifice of life is demanded by the violated law of our country.

"God forbid that it should ever be required for such a purpose, and its soil be stained with blood, yet, it is certain, that officer of justice has repeatedly been put to inconvenience in selecting a spot for the mournful occasion; while the depredations of the crowd, have entailed an expense on the Corporation for repairs."

The last quoted sentence referred to the damage done at past executions by the masses of onlookers wont to gather about the gallows or gibbet to gawk as the noose's quarry gasped for his last breath.

When Mott uttered those words, the alderman may well have had in mind the more than 50,000 people (about a third of the City's population at the time) who reportedly clogged the intersection of Manhattan's Second Avenue and 13th Street a few years earlier. They had assembled to witness the hanging of another man named Johnson. That convicted murderer – first name John – was a boarding-house operator found to have bashed in the head of a sailor to whom he had rented a room at 65 Front Street and whose savings from a life at sea he took for himself.

The April 2, 1824, dispatching of the murderously greedy landlord was described by Charles H. Haswell, a naval engineer by profession and 19th century civic/cultural scene

dialist by avocation, in his *Reminiscences of New York by an Octogenarian (1816-1860)*:

The culprit, dressed in white, trimmed with black, and seated on his coffin in an open wagon, was transported from the Bridewell [City Hall Park jail] through Broadway to an open field at the junction of Second Avenue and about 13th Street, where his execution was witnessed by many thousands of persons; his body was then taken to the Hall of the Physicians and Surgeons in Barclay Street, where it was subjected to a number of experiments with galvanism.

While a working Wellsian time machine might have been able to transport you bodily back to Blackwell's Island's islet the forenoon of May 7, 1829, you still would have had the mindset of a 21st century New Yorker. So, quite likely, you would have experienced some degree of cultural shock at being, so to speak, in a front-row seat at an open-air double execution.

Whether pro, con, or undecided on the issue of capital punishment itself, you may have found somewhat disconcerting (if not downright appalling) not simply the concept of public execution, but the reality of thousands gathering on land and water to gaze and gape at

other human beings being hanged. Or would you have become a crowd member, no longer looking at the spectators as separate from you but, instead, looking with them at what they focused on: the last moments of two lives? Would you too have watched, transfixed, as the steamboat carrying the pair and their official retinue arrived at the northern tip of Blackwell's Island, about 20 minutes before 10 o'clock that morning?

The boat, especially chartered for the occasion, had departed for the Island only 10 minutes after the separate carriages for the condemned pair, their respective attendants, and their mounted escort (including the sheriff and deputy wearing mourning attire, swords, and chapeaus), arrived on the East River wharf of the City's Bellevue penitentiary at about 9:00 a.m. Delayed somewhat by the crowd that began assembling about 6:00 a.m., the cortege had left Bridewell jail near City Hall a little after 8:30 a.m.

In Johnson's carriage had been the Rev. Mr. Duncan Dunbar, from the Baptist church at Van Dam and McDougal Streets, and NYC High Constable Jacob Hays. In Cashiere's carriage had been her mother and the Bridewell jailor, Jacob B. Roome.

Prior to being pinioned and placed in their carriages, each had received visitors in their respective cells. Besides Rev. Dunbar, Johnson had a conversation with the elder of Mrs. Ursula Newman's two daughters. Although the *New York*

Journal of Commerce report didn't name her, that visitor probably was Rachel, about 19, who at the time of the incident had tried to persuade Richard to give her the gun, and who held her mortally wounded mother afterwards until help arrived.

Besides the female prisoner's mother, Catharine Cashiere conversed with "two colored clergymen, named Theodore S. Wright and William P. Quinn," as the *Journal of Commerce* de-

scribed them. Princeton Theological Seminary's first black graduate (1829), Wright was a free-born Rhode Islander whose active abolitionism led to his becoming a NYC "conductor" in the Underground Railroad. Born in Calcutta in 1788, William Paul Quinn had attended the organization of the African Methodist Episcopal Church in 1816. He would later become its fourth bishop and found an African-American college in Texas, a liberal arts institution eventually named for him.

Would you have watched and listened intently as the official party lingered on the boat for a final hymn led by the clergy? Johnson belatedly joined in but without much enthusiasm.

The *Journal of Commerce* words narrate the events, step by step:

When the sheriff intimated that the time was at hand for leaving the boat, Johnson coolly removed his cravat, and bared his neck for the halter. As the deputy sheriff placed the rope around the neck of the woman, she exclaimed, "Oh, God, have I come to this," and with some difficulty was prevented from fainting...

TRIAL OF Richard Johnson FOR THE MURDER OF



Mrs. Ursula Newman,

CASE OF JOHNSON.

The following is a copy of the letter, to which we referred the other day, from the acting Governor, to the Sheriff of this county, respecting the application for the pardon of Johnson, who is to be executed on Thursday morning:—

Executive Department,
Albany, April 25, 1829.

Sir,—I have received a petition for pardon, in behalf of Richard Johnson, in your custody, under sentence of death for murder, and have bestowed upon the case that attention which the importance and painful interest of the subject demand.

The killing was in the presence of witnesses, and the manner in which it was perpetrated is not a matter of doubt or dispute. It was done deliberately. The pistol was put in order and prepared for the occasion; it was twice discharged; and its contents were, each time, lodged in the body of the deceased. The tragic deed was the result of a previous misunderstanding between the parties, of several days continuance; and the proximate cause, a personal struggle, commenced with angry feelings, and carried on with a sufficient interval before its fatal termination to accomplish the death of the miserable victim of his violence. During several preceding days he exhibited those appearances of gloom, abstraction of mind, and depression of spirits, which indicate a bosom deeply agitated with violent passion, and a mind occupied with absorbing subjects.

It is urged in his favor, that his mind was deranged when the deed was done.—and that he had before sustained a good character, and was of an amiable and benevolent disposition.

The question of insanity was a matter in issue on the trial; and the jury, after hearing all the testimony, decided against him.—I see nothing in the evidence to induce me to doubt the correctness of their verdict in that respect.

His supposed amiable character, while it is evidence, in a doubtful case, to be duly weighed by the jury in pronouncing upon the intent, and appeals to our sympathy, does not afford a sufficient reason for arresting the course of Justice. It is in proof, however, upon this point, that he had lived in a licentious intercourse with this woman for several years, and their intimacy has, in the ordinary process of vice, terminated in the highest misdeeds.

The laws have pronounced his doom, and declared him a fit object of exemplary punishment; and I do not feel justified in interposing the Executive arm to defeat their politic ends.

I must therefore request you, to communicate to the wretched convict my decision, without delay, that he may prepare himself to meet his fate, and make his peace with his offended God.

I am respectfully, Your's, &c.

(Signed) E. T. THROOP.

To the Sheriff of New-York.

...Led to End of Executions in Public View

The gallows were erected on a knoll at the extremity of the Island, and could be seen at a considerable distance... The whole number of persons who resorted to witness the awful scene was estimated at four or five thousand.

At 11 o'clock the prisoners arrived at the scaffold, and the attending clergymen, for the last time, urged upon them the necessity of repentance, and a reliance of the merits of the Redeemer...

The awful moment at length arrived. The friends of the criminals bade them a last farewell and the sheriffs ascended the scaffold. Johnson walked up the steps with a firmness and self-possession deserving a better cause, and his companion was led up and placed under the fatal beam.

The sheriff adjusted the rope around the neck of Johnson, while [Deputy Sheriff] Lowndes performed the same office for the unhappy female. Caps were drawn over their faces; the sheriffs descended – in a twinkling of an eye, the drop fell, and they were launched into eternity.

The woman appeared to have died instantly, but Johnson for four or five minutes seemed violently convulsed. After the bodies remained suspended three-quarters of an hour, they were lowered into their coffins and taken to the Almshouse, from whence they will be delivered to the friends for burial.

The executions in themselves were unremarkable, having been conducted with the ceremony and efficiency considered appropriate by standards of the era. But the spectacle generated by the crowds along the shores and aboard river craft proved to be a final nail helping seal the coffin on public executions in New York City, and in due course, the entire State.

Yet, as a social institution, the public execution had a longer run in New York State – about three centuries – than the behind-prison-barriers format that replaced it officially in 1835. The latter – first still with the noose, later with the electric chair – lasted only about 128 years; that is, until the last Sing Sing electrocution on August 15, 1963.

Actually, after the 1829 Blackwell's Island double execution debacle, New York City moved its executions behind prison-yard walls. As researcher Daniel Allen Hearn explained in the notes and sources section of his excellent compendium *Legal Executions in New York State 1639–1963*:

The previous executions of John Johnson (1824) and James Reynolds (1825) caused gridlock conditions in Manhattan. The city council sought to avoid such a problem again. So they moved the place of execution to Blackwell's island... in a belief that the crowds would not be able to follow. The result proved even worse.

Nothing could deter the city rabble from its free entertainment. Everything and anything that could float was pressed into service and launched toward the island as the time of execution drew near. This time the gridlock conditions prevailed on the surface of the East River.

The regular river traffic was brought to a halt, thousands stormed ashore on the island, and numerous boating accidents occurred. Reports of drownings among spectators were prevalent...

Hearn is one of about a half-dozen scholars who have included references to the Blackwell's Island double execution in their books and articles. But none made it a major focus in those works.

Brooklyn Law School Professor Michael Madow, in a fall 1995 *Buffalo Law Review* article, *Forbidden Spectacle: Executions, the Public and the Press in 19th Century New York* observed that *The Evening Post* [May 7th, 1829] had reported that on the morning of a double hanging, large crowds gathered outside the Bridewell at an early hour: Broadway was "blocked up with spectators, so much so as to make it difficult for carriages to pass; and for a short time before the procession moved, every avenue leading to the prison was completely closed."

Professor Shane White, University of Sydney faculty member and NYC/African-American history specialist, focused his *American Quarterly* December 1999 article, *The Death of James Johnson*, chiefly on a Manhattan execution years earlier. But he did comment on

one of the last public executions staged in New York City. [O]n 7 May 1829... a white man, Richard Johnson, and a black woman, Catharine Cashiere, were hanged on a knoll at the end of Blackwell's Island.

The prisoners were supposed to have been taken quickly from the Bridewell by carriage to the wharf, where a chartered steam boat awaited them. Unfortunately, the escort – Captain Arcularius and his troop of horses – was late, allowing a huge crowd to build up, which delayed the execution party even further.

By the time the doomed pair reached the gallows on the island, there was a crowd estimated at some four or five thousand people on the water. Two or three hundred small boats gathered along the shore and four or five steamboats jammed with spectators cruised to and fro jostling for the best vantage point. At least three of the small crowded boats overturned and several women drowned.

CUNY history professors Edwin G. Burrows of Brook-

lyn College and Mike Wallace of John Jay College of Criminal Justice, in their monumental *Gotham: A History of New York City to 1898*, noted:

For the 1829 double execution of convicted murderers Richard Johnson (white) and Catharine Cashier (black), the authorities selected Blackwell's Island as venue. At eight A.M. the two were whisked from the Bridewell, in separate carriages, "with such rapidity [said the *NY Evening Post*] as to prevent the rabble from keeping pace with the cavalcade."

But when the entourage reached Penitentiary Wharf, where a steamboat waited, it was accompanied by several thousand men, women, and boys "eager to witness the dying struggles of two of their fellow beings."

Worse, when the boat carrying the condemned left the dock, the assembled thousands piled into hundreds of small vessels, which tagged along, then ringed Blackwell's shore. In addition, four or five steamboats cruised back and forth, crammed with passengers "animated by the strange, savage, and fierce desire to see the disgusting spectacle." In the aquatic jostling, one boat was upset, and several spectators drowned.

University of Massachusetts history professor Vincent J. Cannato in his

American Passage: The History of Ellis Island, commented:

Fifty thousand New Yorkers clogged the intersection of Second Avenue and 13th Street on the afternoon of April 2, 1824. Nearly one-third of the city's population was there to witness the public hanging of a convicted murderer named John Johnson.

City officials were not happy with the scene. They were less concerned about the question of whether a civilized city

should play host to such a gruesome event than they were about the gridlock created by the public spectacle.

The city would later order future executions moved to nearby Blackwell's Island (now Roosevelt Island). But the public could not get enough. At the next execution, they arrived in boats so numerous they shut down river traffic and caused a number of boating accidents. The city council then ordered that all future executions take place in the city prison, out of public view.

The late M. Watt Espy, Jr., foremost American executions researcher whose papers were donated to the SUNY at Albany Libraries' M.E. Grenander Department of Special Collections and Archives in January 2008 and are now part of its National Death Penalty Archives, noted in his *Capital Punishment and Deterrence – What the Statistics Cannot Show*, that a New York newspaper, in reporting the double execution of May 7, 1829, commented:

There seems to be an unaccountable propensity in our countrymen... to witness public executions; and, so far as experience goes, this has been productive of no salutary influence in the prevention of crime, while on the contrary thousands are induced to neglect the vocations whereby they live, and many instances have occurred of thefts, and other crimes, within sight of the gallows. We are gratified that the executions to take place after the present will, by a law of the state, be far from the public gaze, thus preventing the evils above mentioned, and that callousness which cannot but result from familiarity with violent death. All too many of these public executions erupted into disgraceful scenes at the very foot of the gallows."

Of the seven academicians cited above, not a single one devoted any extensive portion of his article or book to the May 7, 1829, Blackwell's Island double execution. The references to it were passing mentions in their main texts or small font footnotes.

Perhaps someday someone will make that particular Hanging Day the subject of sustained serious study, spotlighting its pivotal role in the transition of executions in New York from wide-open massive spectacles to closed-door events for only a select list of a dozen or so viewers. Hopefully, this little essay may serve in some small way to advance that cause.



CASE OF CATHARINE CASHIERE.

An application having been made to the acting Governor, for a commutation of the punishment of Catharine Cashiere, also to be executed on Thursday, the Sheriff has this morning received the following letter, of which we have been permitted to take a copy:—
EXECUTIVE DEPARTMENT.

ALBANY, May 4th, 1829.

Sir—My attention has been recently called to the case of Catharine Cashiere, a colored woman in your custody, under the sentence of death for the murder of Susan Anthony, also a colored woman. On receiving a report of the trial from the presiding Judge, accompanied by affidavits, I at a former day attentively examined the case: but the respectability of the petition, which has been forwarded to me, through the praise-worthy exertions of humane persons, in behalf of a friendless individual, has induced me to re-examine the case, and look, with scrupulous care, at the conclusion to which my mind has arrived.

All punishments are prescribed by the wisdom of our lawgivers, for purposes of public good, and should not be dispensed with for light causes. It is a maxim drawn from experience, and sanctioned by sound reason, that laws restrain crime, not by the severity of their enactments, but by the certainty of their being enforced. It was not intended by the framers of the Constitution to erect in the Executive a tribunal which shall arbitrarily dispense with those judgments of our courts, which are pronounced in strict conformity to the designs of wise and prudent laws; but one which shall discreetly exercise its powers to favor the designs of the Legislature in tempering undesigned severities in the administration of justice.

With these views I have examined the case of Catharine Cashiere.

The facts as reported shew: That the convict came to the house of the deceased by invitation, and soon began to use indecent and profane language. She was requested by the deceased to go out and did so. She returned again in a few minutes, resumed her ill conduct, and was again mildly requested to go out.— She refused to go, and used language shewing her determination not to go. The deceased then gently laid her hand upon her, when the convict made three attempts to stab her with a knife, which she drew from under her apron. The two first attempts were ineffectual, but the last was made with much force and preparation, and the knife reached the heart of her victim.

It further appears that while she was absent from the room after the commencement of the affray, she was seen in a grocery kept in another part of the same house, with a knife in her hand. Whether she procured the knife then, or had it before, is not in proof, but the testimony affords good reason to believe that she there

opened it and hid it under her apron, and returned to the room for the purpose of renewing the quarrel, and contemplating the dreadful catastrophe which ensued.— Here was positive proof of malice prepense. Although the design of murder was conceived after the quarrel was begun, yet the wrong was altogether on the part of the convict, and the interval of absence from the room was sufficient and was employed in deliberately contriving the execution of the bloody deed.

Independent of the common law doctrines of murder, stabbing is so odious that special statutory provisions exist, declaring designed stabbing which produced death to be murder without proof of malice. It is declared by statute, "that if any person or persons shall stab or thrust any person or persons that hath not then any weapon drawn, or that hath not then first stricken, the party who shall so stab or thrust so as the person so stabbed or thrust shall thereof die within the space of six months then next following, although it cannot be proved that the same was done of malice aforethought, every such unlawful killing shall be adjudged, taken and deemed wilful murder." Her case comes directly within this statute.

It is urged that she was insane, and that she was intoxicated. Drunkenness affords no excuse for crime. If it should, every species of crime from arson and murder down to the smallest larcenies, would be perpetrated under that pretence. The facts in regard to her drinking were before the jury.

It is said that when she is intoxicated she is deranged: that is the natural effect of intoxication; but the law says, with great justice, that voluntary derangement shall not excuse crime.

Affidavits are presented to shew that when she was a child she received a hurt in her head which impaired the strength of her mind, and that when she is intoxicated she exhibits insanity, which is supposed to result from the hurt in her head, and that the fact of the hurt was not proved on the trial. It is not satisfactorily proved that she ever manifested symptoms of insanity, except when she was under the influence of liquor.

Her conduct during the quarrel, from its commencement until its fatal termination, shews no evidence of insanity, nor that prostration of mind by liquor which totally extinguishes reason, but, on the contrary, it evinced a capacity to plan and execute her projects of revenge.

I therefore feel it a duty which I owe to the state, the execution of whose laws are entrusted to me, to deny the pardon solicited. You will therefore make known to the miserable culprit my determination, so that if she has cherished any hope from Executive clemency, she may dismiss it, and prepare her mind to appear before that high tribunal where there is no error in judgment, and from which there is no appeal.

Your obedient servant, E. T. THROOP.

To the Sheriff of the city of New-York.