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9–10:30 Morning
June 4

Emerson Suite A

Law and Order in the Early Republic:
The Ledgers of Justice Simeon Button
Walter Auclair
Pittstown Historical Society

Lasting Questions About New York’s Last Hanging Execution
Thomas C. McCarthy
New York Correction History Society

Divorce in the Early Republic: Isaac Gouverneur vs. Elizabeth Gouverneur
Michelle Duross
SUNY Albany

Comment:
Dr. Michael A. Bellesiles, Central Connecticut State U.

includes slide notes that can be accessed by moving cursor over the text balloon icon near the top of each slide page, in an upper corner, left or right, depending on your Adobe Acrobat version & settings.
webmaster presents

Lasting questions about NYS’ Last Hanging Execution

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Horrifically botched hangings such as the slow strangulation of Alexander Jefferson on 8/1/1884 at Brooklyn’s Raymond St. Jail fired drive for more humane method. Linda Gilbert, reformer (‘mother of inmate libraries’) had frequently visited him. He was 1 of 9 hanged at the 1838 jail.
Virgil Jackson, Metcalf's Murderer.

He was calm on the scaffold—His last
Night on Earth Was Enlivened by
the Singing of a Local Glee
Club—The Crime.

Utica, N. Y., March 14.—Virgil Jackson
was hanged in the jail yard here at seventeen
minutes past 9, for the murder of Morton
Metcalf over a year ago. The execution was
the last which will occur in the county, as
the new law of punishment by electricity is
now in force. The gallows was the same as
that in which 8 were hanged after 1/1/89
for pre-1/1/89 murders.

#1 – Oneida Cty 3/14/89.
#2 – Ontario Cty 7/10/89.
#s 3, 4, 5, 6 NYC Tombs 8/23/89
Cases not tied.

Victims women.

FOUR MURDERERS HANGED
A QUADRUUPLE EXECUTION IN
THE TOMBS PRISON.
PACKENHAM, NOLAN, CAROLIN, AND
LEWIS, THE SLAYERS OF WOMEN,
EXPIATE THEIR CRIMES.

For the first time since that gloomy old place
of execution, the Tombs Prison, was erected
4 criminals were yesterday hanged in the
shadows of its walls at practically the same
time. Two scaffolds had been erected, one at
the court house and the other at the street
near the prison. The first was occupied by
Virgil Jackson, Metcalf's murderer.

He was calm on the scaffold—His last
Night on Earth Was Enlivened by
the Singing of a Local Glee
Club—The Crime.
#7 – ‘Handsome Harry’ Carlton 12/5/89 at Tombs. Last in NYC.

Fatally shot cop James Brennan who came to aid of a man whom Harry & his gang buddies were beating.

New York, Dec. 5.—“Handsome Harry” Carlton, the murderer of Policeman Brennan, was hanged in the Tombs yard this morning at 7.29. His neck was broken and he did not struggle. The execution in scenes preceding and immediately attending it was more than usually lacking sensational incidents. The prisoner was to have been awakened at 4 this morning, but was sleeping so soundly at that time it was decided to let him rest till five o’clock.
EXECUTION
OF
GREENWALL
#8—JOHN GREENWALL (GREENWALD) AKA JOHN THEODORE WILD AT BKLYN ST. JAIL 12/6/1889 LAST ROPE

FOR THE MURDER OF LYMAN S. WEEKS IN MARCH, 1887

John Theodore Wild was the name marked on a plain stained-wood coffin that was carried out of Raymond-Street Jail, Brooklyn, yesterday morning, but the body within it was that of John Greenwall, who at 7:30 o'clock had expired on the gallows the brutal murder of Lyman S. Weeks. The condemned man had retained his unnatural calm until a second be

fore the black cap was drawn over his eyes. Then his face grew suddenly white and his

pained knees trembled. Father O'Hara quickly placed a crucifix on Greenwall's

lip, and the latter kissed it passionately. The next instant "Joe" Atkinson had

raped sharply on the wooden partition con-
Poor farmer Joseph Chapleau on 1/28/1889 beat to death well-off farmer Erwin Tabor whom he said killed his cows. The 1st electric chair sentence cut to life in prison due to pleas by jury, officials.

ALBANY, July 16.—Gov. Hill has commuted to imprisonment for life the sentence of Joseph Chapleau, convicted in Clinton County of murder in the first degree and sentenced to be executed during the week commencing July 21. In his decision the Governor says:

“This application for executive clemency is based upon a petition signed by many of the leading citizens of Clinton County, including nearly all the county officials. The County Judge strongly favors the application. The District Attorney does not oppose it. The twelve jurors who rendered the verdict against the defendant unanimously unite in asking for a commutation.”
1st electrical execution: ax murderer Wm. Kemmler Aug. 6, 1890 at Auburn Penitentiary. The issues in his case: capital punishment & method to be used, not the trial, its verdict or his guilt.
Intrigues & legal moves of George Westinghouse (A.C.) vs. Thomas Edison (D.C.) delayed implementation of the law. Neither wanted his current known as a killer.
But precisely those validity-of-process issues arise when the long-forgotten case of the last man hanged in NYS is studied. Began as Raymond St. Jail history research.
Lyman Smith Weeks shot dead checking noise below at 1071 Dekalb Av. 12:30 a.m. 3/15/1887. Cellar street level. Neighbor ran to 14th Pct. Hq to report break-in & murder.
Weeks, top staffer at Shethar & Sanford, NYC hatters, a kin of Sanford hat-making family. $2,500 reward. Hat trade added hundreds more $$.
Bklyn & Kings not beat of NYC Insp. Thomas ‘3rd Degree’ Byrnes’ but he involved himself in case & credited as ‘solving’ it. Effective, innovative, ruthless, dogged, self-promoter, w/o scruples. Regarded by historians as corrupt as the rest in Tammanyn-era office.
Tried to pin Weeks murder on Peter Inglis, an ‘extra,’ but the youth was well-liked, articulate, believable. Margaret Mather troupers publicly made known he had been with them in other cities at the times of crimes Byrnes sought to push against him. The charges crumbled.
Conveniently diverting attention away from Inglis case collapse: emergence of John Greenwall, German tailor & thief who barely mumbled in English. Picked up as 1 of 4 NJ mansion burglars.
4/5/1887, Greenwall, John Baker and Paul Krauss arrested in Bowery flop house for NJ burglary. Contrary to a Byrnes later claim, Butch Miller wasn’t arrested then. He already was in the Tombs on another case.
to see Byrnes, claiming Greenwall 1/2 asleep told of killing Weeks during a break-in with Miller as lookout. Baker backed up Krauss’ story to Byrnes.
Miller said he was near Weeks home, not with Greenwall, but with Krauss.

Route there: via Wmsburg steam ferry & Ralph Ave. horse trolley.
At trial, Miller testified he refused to be look-out after Krauss showed him gun; wanted no part of any gunplay. Instead went to local bar. A Krauss cellmate said Krauss in ‘half-sleep’ admitted he shot Weeks.
DA sought to bolster case via an uncharged crime. Ridgway had 1 ‘sleep’ confession too many, Miller ID-ing Krauss as the killer, & eye witnesses who could only place man with hunchback Miller (Greenwall?) in the Weeks general vicinity.
Greenwall at sentencing:

I’m innocent...I know nothing of Mr. Weeks’ death. My blood will be on Mr. Ridgway, Judge Moore, & the jury. Moore declared: “I am personally entirely satisfied with the jury verdict.” The incompetent testimony Moore let DA use involved an uncharged burglary.
Earl’s 2/7/88 top court unanimous ruling overturning conviction reads like Trial Law 101 why uncharged crimes n.g. –

The defendant's guilt was not so clearly established by other proof that it can be said that this [incompetent] evidence was harmless.
The evidence was clearly incompetent . . . It was objected to; the attention of the [trial] court [judge] and the district attorney was clearly called to its incompetency.
... the error of its reception cannot, ought not to be disregarded. A person on trial for his life is entitled to have his case submitted to an impartial jury upon competent evidence.
2nd trial resulted in guilty verdict, death sentence & NY highest court again unanimously critical of DA ‘improper’ conduct. His comment on having convicted the defendant before & vowing to “do it again” ran contrary to Criminal Trial Procedure Code Section 464.
Co-defendant Miller had not been called by the defense at the 2nd trial. Ridgway tried to suggest what testimony Miller would have given had he taken the stand. Earl noted the DA shouldn’t have so spoken.
Unlike its opinion on the first trial’s appeal, the high court -- while again critical of DA’s misconduct -- did not undo the 2nd trial’s verdict. The top panel deferred to the trial judge to instruct the jury that summations were not evidence.
Only former Surrogate/District Judge Abram H. Dailey, Greenwall’s last lawyer, sought to have another judge hear bid for a 3rd trial, citing Moore’s ‘‘prejudicial’’ remarks after the first trial.
High court justices may have been less inclined to defer to Moore if they had seen him, as did the *Times* and other reform forces, as part of ‘Bklyn Boss’ Hugh McLaughlin’s machine along with Ridgway. *Times* cited DA-Moore political teamwork.
NY Times: Ridgway & Moore teamed up to keep Grand Jury from indicting Mayor, Aldermen, & other Bklyn officials on trolley franchise fix raps. Case raises question about the high court’s reliance on this trial judge to restrain this DA.
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Brooklyn Jail Scene of NYS' Last Hanging Execution 120 Years Ago Dec. 6th