**Dominic Daley and James Halligan Trial: 1806**

**Defendants:** Dominic Daley, James Halligan
**Crime:** Murder
**Chief Defense Lawyers:** Francis Blake, Thomas Gould, Edward Upham, Jabez Urham
**Chief Prosecutors:** James Sullivan, John Hooker

**Judges:** Theodore Sedgwick, [Samuel Sewall](https://www.encyclopedia.com/people/history/us-history-biographies/samuel-sewall)
**Place:** Northampton, Massachusetts
**Date of Trial:** April 24, 1806
**Verdict:** Guilty
**Sentence:** Death by hanging

**SIGNIFICANCE:** This otherwise obscure trial—rightly or wrongly—later came to be seen as epitomizing the anti-Irish bias that was widespread in [New](https://www.encyclopedia.com/places/united-states-and-canada/miscellaneous-us-geography/new-england) England during the early nineteenth century.

As the new American republic moved into the nineteenth century, most New Englanders were still of British stock and Protestant persuasion. Many of these Americans made no secret of their detestation of all Roman Catholics. Most especially, although they had just finished a war to break away from [Great Britain](https://www.encyclopedia.com/places/britain-ireland-france-and-low-countries/british-and-irish-political-geography/great-britain), many New Englanders kept alive their English relatives' deep-seated prejudice against the Irish. It is against this background that an otherwise routine trial in a corner of Massachusetts has come to be judged by later generations.

## The Crime

It was on November 10, 1805, that the body of a young man—his head bludgeoned and with a bullet hole in his chest—was discovered in a stream near Springfield, Massachusetts, after his horse had been found wandering in a nearby field on the afternoon of November 9. Two pistols were found near the scene of the murder. Letters in the horse's saddlebags identified the victim as Marcus Lyon, who turned out to be a young farmer from Connecticut making his way home from upstate [New York](https://www.encyclopedia.com/places/united-states-and-canada/us-political-geography/new-york).

Several local men and a young boy quickly came forward with reports of two strangers seen walking along the turnpike in that vicinity on November 9. On Monday, November 11, a sheriff's posse set out and, by asking everywhere along the road, were able to catch up on Tuesday with two such men in Cobscrossing, Connecticut (near Rye, [New York](https://www.encyclopedia.com/places/united-states-and-canada/us-political-geography/new-york)). They were Dominic Daley and James Halligan, two fairly recent Irish immigrants, and they admitted that they had come along that turnpike while walking from Boston en route to [New York](https://www.encyclopedia.com/places/united-states-and-canada/us-political-geography/new-york) City. Although both men denied having any knowledge of the murder, they were arrested and brought back to Massachusetts to await trial. For some reason, Daley was singled out as having performed the actual act of murder while Halligan was accused of "aiding and abetting."

## The Trial

## On Thursday, April 24, 1806, the courtroom in Northampton, a county seat in western Massachusetts, was so packed that the trial was moved to the town's meeting house. Each defendant had been assigned two lawyers, but they had been given barely 48 hours to prepare a defense. The presiding judges were two of the most distinguished jurists in Massachusetts; a jury of 12 had been agreed upon. In the weeks before the trial, rumors had surfaced throughout the region promising that there would be no end of evidence linking these two to the murder. But in the end, the prosecution's case rested for the most part on a series of witnesses who could at best claim they recognized one or both of the defendants as having been walking along the turnpike near the murder scene on November 9.

 There was also a gun dealer from Boston who testified that he had sold two pistols like the presumed murder weapons to a man who "talked like an Irishman"; otherwise he could not identify either of the two defendants as the purchaser. The owner of the inn where Lyon had spent some months in upstate New York testified that Lyon, the night before he had set out on his journey, had shown him some banknotes, two of which were exactly like those found on the person of Daley. Although the judge would instruct the jury to regard the testimony about the guns and the money as "circumstances too remote to bear upon the present case," the

fact is the jury had been allowed to hear this. A 13-year-old boy, Laertes Fuller, gave the most damaging testimony. He alone connected the two men to the very locale of the murder and to the horse at about midday on November 9, although even he did not claim to have had a good look at Halligan.

When the prosecution rested its case, Daley and Halligan's lawyers offered no witnesses and the defendants, due to the law then in effect in Massachusetts, could not take the stand. Instead, one of Daley's lawyers, Francis Blake, delivered a long speech attacking the prosecution's case. Occasionally legalistic, sometimes eloquent, occasionally irrelevant, sometimes right-on point, Blake proceeded to argue that in fact there was no proof that Lyon had even been murdered on November 9, the day that Daley and Halligan were said to have been walking along that stretch of highway. The pistols were two of thousands in use at that time. (He said nothing about the banknotes, and the prosecution itself chose to drop that testimony—possibly because it appeared too "neat" to be true.) The case effectively rested on the testimony of the 13-year-old boy. Blake argued that the murder could not possibly have taken place during the brief 15 minutes when the boy said he first saw the two men on foot and then with the horse—during which brief period, moreover, the boy said he heard no gunshot.

No, said Blake, the real reason these two men were being charged was because they were Irishmen. After referring to the Boston gun dealer's identification as that of a "mind infected, in common with others, with that national prejudice which would lead him to prejudge the prisoners because they are Irishmen," Blake rose to even more rhetorical heights:

*Pronounce then a verdict against them! Condemn them to a gibbet! Hold out an awful warning of the wretched fugitives from that oppressed and persecuted nation! … That the name of an Irishman is, among us, but another name for a robber and an assassin; that everyman's hand is lifted against him; that when a crime of unexampled atrocity is perpetrated among us, we look around for an Irishman.* But it was to no avail. The trial ended about 11 that evening, and the jurors returned with their verdict about midnight. Both men were found guilty, and the next day they were sentenced to hang.

## An Execution and an Exoneration

In the days before their execution, the Reverend Jean Louis Cheverus, a Roman Catholic priest, came out from Boston and heard their confession. The two were hanged before a crowd estimated as 15,000 on June 5, 1806. Father Cheverus explained to the many Protestant questioners that "the doctrine of the Church" forbade him ever to reveal what the men had confessed. Inevitably rumors about this crime continued to surface but it was not until 1879 that there first appeared in print the claim that a man had confessed on his deathbed to being the true murderer. In later years, this claim was enhanced by such details as the confessor's having been the uncle of the young Laertes Fuller. But there was no corroborating evidence for either the confession or the uncle's ties to the crime, and eventually most people of western Massachusetts forgot about Daley and Halligan. However, as the Irish-American community became both more integrated and confident, individuals eventually succeeded in gaining a reconsideration of the case, and in March 1984 Massachusetts Governor Michael Dukakis proclaimed the innocence of Daley and Halligan.

## The Issue of Bias

The now-accepted version is that Daley and Halligan were totally innocent and were persecuted only because of their being Irish and Catholic. But has this been proven? There is no denying that Roman Catholics in general, and Irish immigrants in particular, had to endure great discrimination and injustices at the time of the trial. Most people would agree that the case against Daley and Halligan was weak, even unacceptable by today's standards. In those days, there were no tests for fingerprints, ballistics, "crime scene," or other investigations for evidence. But still unclear to some is whether Daley and Halligan were found guilty solely because of their ethnic and religious ties. In fact, they were the men seen traveling along that road, and the posse that set out after them had no notion that they were Irish Catholics. The only overt reference to their being Irish on the part of the prosecution was the Boston gundealer's allusion to the speech. Nothing else said by the prosecution or judges referred to their being Irish or Catholics.

The issue of their guilt by dint of being Irish, in fact, seems to have been raised—and exploited—entirely by the defense lawyer. Daley and Halligan may well have been innocent, but the claim that they were convicted solely because of their being Irish Catholics seems unproved—and probably forever unprovable. —*John* *S.* *Bowman*

## Suggestions for Further Reading

Camposeo, James M. "Anti-Catholic Prejudice in Early [new England](https://www.encyclopedia.com/places/united-states-and-canada/miscellaneous-us-geography/new-england): The Daley-Halligan Murder Trial." *Historical Journal of Western Masachusetts,* 6 (Spring 1978).

Garvey, Richard C. "The Hanging of Daley and Halligan." In *The Northampton Book: Chapters from 300 Years in the Life of a*[*New England*](https://www.encyclopedia.com/places/united-states-and-canada/miscellaneous-us-geography/new-england)*Town.* Northampton, Mass.: Tercentary Committee, 1954.

Member of [the Bar](https://www.encyclopedia.com/social-sciences-and-law/law/law/bar). *Report of the Trial of Dominic Daley and James Halligan for the Murder of Marcus Lyon Before the Supreme Judicial Court.* Northampton, Mass.: S. & E. Butler, 1806.

Sullivan, Robert. "The Murder Trial of Halligan and Daley—Northampton, Mass., 1806." *Massachusetts Law Quarterly,* 49 (September 1964): 211-24.

*Orators are usually flattered by having a numerous audience, but I am ashamed of the one before me…Are there men to whom the death of their fellow human beings is a spectacle of pleasure, an object of curiosity?...But you, especially, O women! What has induced you to come to this place? Is it to wipe away the cold damps of death that trickle down the face of these misfortunate men?...No, it is not for this. Is it then to behold their anguish, and to look upon it with tearless, eager and longing eyes? Oh! I blush for you, your eyes are full of murder!* So preached Father Jean Lefebvre de Cheverus, a Catholic priest, at the request of Dominic Daley, 34, and James Halligan, 37, in a sermon delivered before their execution in Northampton, MA on June 5, 1806, for a murder they didn’t commit.