

PRISON MUSEUM POST

The Official Newsletter of the Historic Burlington County Prison Museum Association
Incorporated in 1966

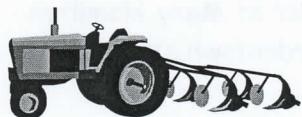
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July 2, 2014

WE'RE STILL HERE!

Membership drive underway

We hope our readers didn't think we vanished since our last issue in December! We just took a little hiatus. We will renew memberships in July from now on. This will make it easier on our bookkeeper, since our fiscal year starts July 1. *Please renew your membership and get at least one other person to join.* Membership dues will be critical in the future as this will be the last year for the Haunted Event, the primary source of our revenue for the last ten years. Although the county government preserves the building, it is up to the PMA to preserve the *history* of the Jail and related local and national history through research, publications, the website, other forms of communication, etc. It's a worthy cause: the history of the Jail is not only fascinating, but has national as well as local historic significance. Your continued support is vital to keep this history alive.



FARM FAIR - Come see the History Tent....

The Farm Fair will be held Tuesday, July 15 through Sunday, July 20 at the Burlington County Fairgrounds on Route 206 in Springfield. The Fair features arts and crafts, antique farm equipment, children's activities, a tractor pull, entertainment, *The All American Car Show* (on Sunday) and much more, including The History Tent.

The History Tent features over 20 organizations, including the PMA, Air Victory Museum, Armed Forces Heritage House, Colonial Dames, Wharton State Forest, the Burlington County Historical Society (offering children's activities), Civil War re-enactors, nightly storytelling, paper marbling craft, leather tooling activity and musical entertainment.

Hours: Tuesday to Friday 4 pm to 11 pm
 Saturday 2 pm to 11 pm
 Sunday 1 pm to 6 pm

Go on www.burlingtoncountypfarmfair.com for schedules, lists of activities and further information.

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Please help us preserve and promote the Prison Museum by joining the PMA. Our annual dues are only \$15(individual)/\$25 (family). Membership benefits include a quarterly newsletter, event updates, 10% off gift shop purchases, and free admission to the museum. Go on the website for an application.

FAREWELL HAUNT 2014



All good things must come to an end, and the 10th Annual Haunted Prison at the Historic Burlington County Prison Museum will be the last, at least for the foreseeable future. We really want to go out with a bang; we will need everyone's support to make this the best Haunt ever. More on this in the next issue.

THIS 'N THAT

Our plans for this year include printing a booklet of newspaper excerpts about the trial of **Charles Brooks**, who was executed for the murder of his father, **Job Brooks**, in 1863. The excerpts were featured in two issues of the *Prison Museum Post* last year. The marvelously detailed excerpts give us a good idea of what Burlington Countians sounded like at home, at work, in the sheriff's office and in the courthouse We also want to reproduce a booklet about **Joel Clough**, who was tried and executed for the murder of **Mary Hamilton** in 1833. Excerpts from the story appear in this issue. We thank Bordentown attorney **Edward Hannatty, Esquire**, for finding it and sending it along to us



We also thank PMA member **Rocco Minervino, Esquire**, for sending us a great article about a New Jersey politician who in 1913 campaigned for governor on a novel promise to sterilize a group of "degenerate imbeciles" south Jersey. He drove to Burlington County (accompanied by a flock of newspaper reporters) to personally observe these "Pineys", who he found to be slow-witted and immoral, many having had several children out-of-wedlock with several partners. He became governor, but nobody was sterilized We also thank PMA member **Kenneth Smith, Esquire**, for his donation of two very interesting artifacts to the PMA. We will have a general membership meeting in the fall; everyone can see the items then. More about this in the next issue **Jaffa Film Company of New York City** recently filmed a documentary at the Olde Courthouse and the Prison Museum. The subject of the film is **Kate Carew**, a prolific female journalist, caricaturist and artist who wrote for several New York City dailies in the early 1900s...we will keep everyone advised of when and where the film can be viewed....

THE STORY OF JOEL CLOUGH

In this issue we offer the story of Joel Clough, who in 1833 was tried and convicted of murder. He was infatuated with the young widow Mary Hamilton from the time he moved into her mother's boarding house in Bordentown in 1831. Much to his frustration, the feeling was not mutual. On the morning of Saturday April 6, 1833, he stabbed her to death after she once again spurned his advances. The murder took place on the second floor of the boarding house. Incredibly, several people, including the victim's mother and sisters, were downstairs at the time. Mary's young sister was the first to run upstairs upon hearing screams; she actually witnessed some of the stabbing.

He was arrested, indicted, tried and hanged in less than four months. A book about the trial was printed in Boston shortly after the execution. It was lost to us until recently, when Mr. Hanratty found it on the internet and sent it to us.

The most difficult part of presenting these stories to our readers is editing the newspaper articles and other materials. There is so much great material; it is really hard to cut. The excerpts attached here are only a fraction of the book from the beginning of the trial and the testimony of the first few witnesses. We will present more in the next issue, but again, we hope to reproduce the whole book for sale in our gift shop. Like a time machine, the fantastic writing picks you up and drops you into 1833 Burlington County.

Some things to keep in mind while reading the excerpts:

The United States of America was only 57 years old when this trial was held. The Judge who heard the case, John Coerten Hornblower, was born when the country was - in 1777. His father, a prominent engineer and mine operator from Belleville, New Jersey, served in the Continental Congress. The Judge was admitted to the bar in 1803, and in 1832 was named Chief Justice of the New Jersey Supreme Court. Why he was hearing this case is a question we will leave to our readers to research. He was one of the founders of the American Bible Society (1816) and in 1845 helped establish the New Jersey Historical Society, serving as its president until 1864.

The case became a sensation not only because murder was, at that time, a relatively rare occurrence, but also because Clough was so flamboyant. He gave the papers plenty to write about. After the murder, he attempted to kill himself by swallowing a vial of laudanum, but was saved just in time to be arrested. He managed to escape from Burlington County Prison for 24 hours. Before his execution, he claimed to have found religion and was baptized. By the time of the execution on July 26, 1833, thousands had read the newspapers accounts of all this. A reported crowd of over 10,000 lined what is now Marne Highway and the Hainesport field in which the execution took place. More on the execution and its aftermath in the next issue.

The language is so very readable, even after the passage of 180 years. Although some words are no longer used, like "mantuamaker" (dressmaker), the modern reader has Google to help out.

Attorneys and those interested in the trial process, especially criminal trials, will be interested to see that there was an insanity defense that long ago, when mental illness was even less understood than it is now. Also fascinating is the heated debate over the admission of hearsay testimony and the Judge's admonitions to the media. Aren't we lucky to be interested in history and realize that nothing is really new?

Finally, we will take a moment to remember the victim, so often less remembered than the bad actor. Mary Hamilton was by all accounts a lovely person, who like so many people back then lost her spouse at a young age. Her sweet little girl, Caroline, was left an orphan when Clough committed his murderous act.



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REPORT OF THE TRIAL OF JOEL CLOUGH FOR THE MURDER OF
MARY HAMILTON IN JUNE OF 1833 BEFORE CHIEF JUSTICE HORNBLOWER
AND FOUR ASSOCIATES JUSTICES IN MT. HOLLY

PREFACE

This is one of the most interesting trials that has taken place in this country for many years and has produced as much excitement as any other capital trial on record. Mr. Clough is a native of New Hampshire. A correspondent of the Newark Daily Advertiser, who appears to have had a favorable opportunity for observation in the Court Room, gives the annexed interesting account of the "Murderer". The prisoner is about 28 years old. He looks very pale, but rather genteel in his person and dress, and seems as if he paid much attention to his toilet. Upon taking his place in the prisoner's box, he looked up to the Chief Justice and made a graceful bow; and while the indictment was read to him, he stood erect, firm and composed. Not a muscle of his face moved; and to the thrilling question, "are you guilty or not guilty?" he responded in a slow, soft, but yet firm and distinct voice, "Not guilty, sir."

Friday morning was then assigned for his trial. Long before the bell rung for court on that morning, the people were pressing into the Court House, and the crowd was so great, that the Sheriff had to conduct the Chief Justice through a back door into his seat. Pretty much all the female fashion and beauty of Mount Holly were present from 100 to 200 ladies. The venerable and respected mother, and sister of the deceased, and other females and members of the family, were examined on the first day. As they severally turned to look at the prisoner, when asked by the counsel if they recognized him, he familiarly and gracefully, but with a fixed and rather gloomy countenance, inclined his head, or bowed for them; and when the old lady, with tears running down her cheeks, turned quite round to look at him, he instantly rose and bowed to her in the most grave and respectful manner.

The Testimony was of the most thrilling and touching character. The description of her (Mrs. Hamilton's) delicate person, her amiable character, her piercing shrieks, and her death struggles, while he held and pushed still deeper and deeper, the murderous dirk into her bosom, was truly affecting. But when the trunk was opened and the blood stained dirk, the broken breast pin, her bloody garments, especially her corsets, pierced with ten holes through that part of it which had covered her left breast, and stiffened and red with the cold blood of her that had worn it, as if it had been literally dyed in blood; it seemed too much for everyone but the prisoner. He looked upon the bloody credentials with a steady, gloomy gaze, discovering in his countenance, however, no internal emotion, nor in the least changing his position, which he uniformly occupies, reclining on his elbow, and resting his head on the palm of his hand, on which he wears a black glove. But the effect of this exhibition, followed up by the physician's description of her broken ribs, and almost riddled heart and lungs, produced a gust of feeling and emotion in the crowded audience that could not be suppressed. Every bosom swelled, every eye was suffused with tears, and for a few moments the investigation was suspended.

The accomplished Reporter of the New York Courier and Enquirer, to whom the Public is indebted for most of the particulars which occupy the subsequent pages, has furnished us with the following brief illusion to the character of the unhappy victim of Clough's jealousy and hatred. "Throughout this protracted trial, during which an immense mass of testimony was received, not a blot or stain was affixed to the character of the lamented Mrs. Hamilton; her reputation, adorned by every virtue that can dignify and beautify her sex, was most triumphantly sustained; and she was proved to have been chaste, beautiful, urbane, and lively, and as pure as the unclouded sky. During the recital of the tragic story of her death, many a manly cheek was bathed with tears, and the affecting relation of it by her mother was almost overwhelming. The object of the counsel, for the defense, was evidently to prove the insanity of the prisoner, and to attain this, their utmost efforts were directed, with what success, the public must judge. The ability and fidelity, however, deserves great praise, as did also, the efforts of the counsel for the prosecution."

THE TRIAL

On this indictment, which was found by the grand inquest of the County, at the present term of the Court, the prisoner was brought up and arraigned, and pleaded not guilty. On the 31st May the cause was called by the Court, at the instance of the Attorney General, John Moore White; and after several hours spent, and twenty-three peremptory challenges, and seven challenges for cause, the jurors were selected.

The Court then adjourned to half past 2 o'clock P. M. On the reassembling of the Court and Jury, his Honor Chief Justice Hornblower remarked, that as there were gentlemen of the press present from Philadelphia and New York, for the purpose of reporting this case for publication, he strictly enjoined it upon them as a duty they owed to the cause of Justice, to withhold their publication of the proceedings of this cause until its first termination, to which injunction they severally acceded.

The indictment was then read by the Attorney General, and consisted of two counts, the first charging the prisoner at the bar with having, on the 6th day of April, 1833, in the village of Bordentown, township of Chesterfield, and in the county of Burlington, murdered Mary W. Hamilton, by thrusting and striking her with a dirk in her left breast... causing her death in fifteen minutes thereafter... To this the prisoner had pleaded not guilty, and put himself upon God and his country for trial.

The Attorney General, in opening the cause to the jury, stated that this was a case of murder, and one of the few which, by the laws of the State, is punishable with death. This fact renders this trial all-important to the defendant... In the decision you give to this important subject, you are to show your regard for that country whose laws have been broken by the willful and deliberate murder of a helpless, innocent, and virtuous female. ... He then, from

the revised statutes of the State, read the definition of murder, and proceeded to call the following witnesses:

Mary Imlay, sworn: then testified as follows: I know the prisoner at the bar to be Mr. Clough. (He lived at the boarding house of Mrs. Longstreth, mother of the victim.) On that day (of the murder) he breakfasted with the family, and there were present at table, three gentlemen, Mrs. Hamilton, and Mrs. Longstreth. I was that day making dresses, in which Mrs. Hamilton assisted me; the prisoner at breakfast was polite in helping the company. He left the table and went into the front parlor, in which I worked, and into which Mrs. Hamilton and myself went from the breakfast room, where we found him, and where some conversation was carried on, and he took the little daughter of Mrs. Hamilton, about eight years old, on his lap, patted her cheeks, and talked to her about her lessons at school. He remained about half an hour; the little girl, at her mother's request, played a tune on the piano. Soon after, he left the room, said he was going to lie down, and I saw him no more until after Mrs. Hamilton was murdered. Mrs. Hamilton left the room, after being there some time, to attend to domestic duties, and did not return. Between 12 and 1 o'clock, Elizabeth, the little sister of Mrs. Hamilton, came down stairs and alarmed the house by saying that someone was murdering her sister. Mrs. Longstreth and myself went upstairs...

Anna P. Longstreth, sworn. I know the prisoner at the bar to be Clough. He lived at my mother's, Mrs. Longstreth. I was at home at the time of the murder...As he went upstairs I went up immediately after him into the family room. As I was going up with a skein of yarn in my hand, I told him if he did not get out of my way I would throw it at him, which I did in sport. He said he was going to lay down...

Cross examined. She said - I don't know of any presents that he ever gave to Mrs. Hamilton; he gave her daughter Caroline a pair of earrings, and side combs, on condition of her getting the premium at school; and also gave her a Geography and Atlas. I don't recollect his ever presenting Mrs. H. with a gold watch and gold rings... He left the house on Thursday week before my sister's death, professedly for New York, and parted on friendly terms with the family. He was absent about two weeks, and was thinner, and did not look so healthy when he returned as when he left.

Elizabeth Lonstreth, sworn, is 13 years of age, and was questioned touching her knowledge of the obligation of an oath, which she answered satisfactorily: I saw him on Saturday morning, and did not see him again until after I returned home from school at 11 o'clock. I was then in the family room upstairs with Caroline, the little daughter of Mrs. Hamilton. The latter came upstairs looked into the room and censured us for not wearing our aprons; Mrs. Hamilton then left the room and soon after I heard a screaming, I stepped out, went into the entry, met the servant girl, Jane... (I opened the door to Clough's room), ... and they were both down on the floor; he was holding a dirk up over her, I took hold of his arm, pulled it back, and cried out "Oh! Don't" but he did not look up... I ran down to the bar-room door, and called to Mr. Brown in the bar, and told him, to go upstairs as somebody was killing my sister...

SATURDAY, June 1.

Elizabeth Longstreth, affirmed. I am the mother of Mrs. Hamilton, the deceased. The prisoner at the bar is Joel Clough. I reside at Bordentown, where I have kept a public house two years... He ate breakfast at my table on (the 6th April) in company with Mrs. Hamilton, Mary Imlay, and several gentlemen boarders. Mrs. Hamilton was all the morning in the front parlor with her sister and the mantuamaker. I observed to her that I felt very unwell, and she advised me to recline on the sofa; said she would send me a pillow, and attend to the dinner herself, and she then left the room. In six or seven minutes thereafter, my daughter Elizabeth came to the door screaming dreadfully.. I immediately ran, and ...I saw Mrs. Hamilton coming with her hair disheveled and hands upraised, and waving to and fro. She came immediately to me, and exclaimed, "Why did you not come? I screamed and screamed, and Clough has murdered me!" I asked her what for, and she answered, "Because I would not say that I would have him; and I could not, mother, I could not." I asked her where she was; she said, "In his room; he sent for me, and he has killed me!" I discovered that she was leaning, as if about to fall, and I took her in my arms and led her into a small room adjacent, to lay her on the settee, which she did not reach, but fell, exclaiming, "Oh! Mother, mother, I must die! I must die!" and the blood gushed out of her mouth, when they took me from her.

Direct examination resumed: Question by Mr. Scott of counsel: You say, madam, that you thought perhaps that Mr. Clough had committed suicide, from some conversation you had had with your daughter concerning him, the evening before her death; now what were those conversations with your daughter that induced you to think so?

This question was objected to by the counsel for the prisoner, as illegal, was discussed with great earnestness and zeal by Messrs Scott and Southard, on the part of the prosecution, who contended for its legality and propriety; and was opposed with correspondent earnestness and energy by Messrs Hazelhurts and D.P. Brown, on the part of the prisoner, and finally was overruled by the Court as improper and illegal.

Joseph H. Brown, sworn: I am acquainted with the prisoner since the 25th March last, when I began to tend bar for Mrs. Longstreth, where he boarded...Clough had Mrs. Hamilton down, and his left hand around her back...I saw the handle of some instrument in his right hand, the blade of which, was in her breast or side; nearest to the right side, and appeared to be in up to the guard; as he held it in his hand he gave it a prying motion laterally with the appearance of wishing to push it further in. [The dirk, which had a blade about four inches long, a silver guard, and a white bone or ivory handle, was here exhibited to witness. It was covered in blood up to the hilt, one of the guards was bloody and bent downwards, the point was bent as if it had come in contact with some hard or boney substance.] The witness said, this is the dirk with which the fatal deed was done. After going into the bar, I locked up the dirk in a drawer, but I cannot recollect how long I had it before I gave it up to Mr. Dayton. I saw no more of Clough until I saw him in the back yard, seated on a bench, back of the kitchen. H looked up and said, "How do you do, Mr. Brown?" I saw him afterwards several times prior to the Sheriff's taking him away, but had no conversation with him.