CHAPTER 1

From Sermon to Story
Early American Crime Literature

Jodi Schorb and Daniel E. Williams

Executed in Worcester, Massachusetts in 1737 for the crime of "*Housebreaking*," Hugh Henderson was attended in his final hours by four ministers, who helped him prepare for his death. As part of their ministerial duties they collaborated with him to compose his final confession, published as *The Confession and Dying Warning of Hugh Henderson* (1737). What is remarkable about the confession is that it confesses little of Henderson's actual life. Other than declaring he attended neither school nor church, the Henderson narrator offered few descriptions of his experiences, and most biographical references are reduced to a list of generalized sins provided by the ministers. Doubtless the historical figure cooperated in constructing his confession, but he contributed little of its rhetoric.

Henderson's confession was shaped by attending ministers, who advised him that he could only escape eternal hellfire if he renounced his former wicked life, confessed his sins, and expressed sincere repentance. The ministers cast Henderson in the role of a penitent sinner and carefully staged his death drama as a public spectacle that drew thousands to the scaffold to view his last moments as he hovered between life and death, damnation and salvation. His confession both justified his execution and dramatized lessons of evangelical expectation that the ministers wanted to inculcate.

For early New Englanders, the confrontation with the King of Terrors touched the collective imagination in powerful ways. Death was not dissolution, the extinction of identity; rather, the destruction of the flesh represented a transition from lesser to greater worlds. Early New England theology promoted a constant awareness of death, affirming that life was a pilgrimage to an eternal state. Death led to final judgment, when God offered the rewards of salvation to the chosen and the pains of damnation to the rest. For those who believed in innate depravity, death became the most significant event in life.

Preparing for final judgment was the theme of Henderson's execution sermon, delivered by John Campbell shortly before the condemned man

was taken to the gallows. In *After Souls by Death are Separated from their Bodies* (1738), Campbell exhorted his congregation to consider that they were no different than Henderson and implored those listening – and by extension, those reading – "to employ and improve all their Powers … to prepare for Death, and the Judgment that immediately follows" (25). In the midst of the Great Awakening, Campbell's evangelical message attempted to move his flock toward repentance and conversion. Salvation was only possible through grace, and – as sinners – people had to do everything possible to prepare for the infusion of the divine spirit. Henderson's plight was perilous, but he was by no means alone standing before the pit. Everyone stood on the precipice of damnation.

Depictions of crime and criminals in early American print culture began in the 1680s when ministers, such as Increase and Cotton Mather, started to publish their execution sermons. Aware of the intense popular interest in criminal executions, they began to add supplementary texts to their sermons, such as dying speeches, final confessions, and last prayers. Intended to recreate the spectacle of a miserable sinner confronting death and the probability of damnation, these early texts depicted specific fictive identities during periods of extreme crisis. Readers were not only drawn into the criminal's spiritual predicament, but encouraged to identify with the individual paraded before them. The condemned's capital crime represented the collective crimes of everyone who defied the sacred order. Crime represented sinful rebellion, and crimes against people and property were understood to be offenses against God. Warning New Englanders against backsliding in countless jeremiads, ministers made use of executions to exhort people to perceive that the condemned's desperate struggle to escape damnation through repentance reflected the larger drama of New England itself. In a world where even the fall of a sparrow was understood to be part of God's Providence, the condemned were examples of divine dispensation.

In rehearsing them for their penitential roles, the ministers encouraged the condemned to accept their special status, and in numerous early texts, they were referred to as "monuments" ordained by God. In an early execution sermon, *Impenitent Sinners Warned of Their Misery* (1698), Samuel Willard declared that God chose condemned criminals to become "astonishing monuments of his righteous severity" (iii). Similarly, in *Warnings to the Unclean* (1699) John Williams stated: "whensoever God in his just Wrath leave any to be monuments of shame and ignominy before the world, it is a loud call to all who lye under such guilt, to be speedy and thorough in repentance" (5).

Although the condemned were told that they could only escape damnation through true repentance, the earliest depictions questioned the likelihood of achieving such a thorough state of contrition. In one of his execution sermons, Increase Mather stated that, although repentance is never too late, "Late Repentance is seldom true" (*A Sermon Occasioned*, 1686). When gathering "Dying Speeches" for America's first criminal collection, *Pillars of Salt* (1699), Cotton Mather echoed his father's skepticism concerning late repentance. Whether the condemned were brought to the gallows for adultery, piracy, bestiality, murder, or infanticide, most of Mather's monuments "continued in a *Sottish* and *Stupid*, frame of Spirit," despite his best efforts to prepare them for final judgment (68). Clearly, Mather was more concerned with the living than the dead. His intention in collecting various "Dying Speeches" was "to Correct and Reform, the Crimes, wherein too many do Live." He wanted to scare New Englanders with the fates of those God "*Thunder struck*, into PILLARS OF SALT" (65).

Despite their crimes, many of the condemned prisoners performed their roles with resolve and devotion, and were described as becoming monuments of divine grace. One of the most notable monuments, Esther Rodgers, was portrayed as having lived a depraved life, having twice committed infanticide, but in death she manifested the miraculous effects of grace. In his published execution sermon, *Death the Certain Wages of Sin* (1701), John Rogers announced the marvel of Rodgers's conversion on his title page. While stating that she had been guilty of "Murdering her infant Begotten in Whoredom," Rogers proclaimed that in death she displayed "the glory of free grace."

In contrast to Mather's "Pillars," Rodgers's journey to the gallows became a triumph of Christian piety, and her carefully constructed story presented readers with a model of repentance rewarded:

> *thou mayst behold a Tragick Scene, strangely changed into a* Theater of Mercy, *a* Pillar of Salt *Transformed into a Monument of Free Grace*; *a poor wretch entering Prison …* [after] *the space of Eight Months she came forth … a Candidate for Heaven*. (95)

In her physical death and spiritual rebirth, Rodgers demonstrated crucial steps in the redemption process. If grace was offered to the worst of sinners, then surely salvation was possible for all of New England.

The Rodgers texts indicate a new development in the gallows genre. Unable to stem the tide of secularism through wrathful jeremiads, New England ministers became increasingly involved with arousing a more

evangelical form of piety, and their sermons became less concerned with the excitement of terror and more concerned with the process of conversion. Criminal characterization reflected this evangelical fervor, as narrative emphasis shifted from the individual's desperate distress to his or her unwavering faith in Christ's merciful love. Throughout the first four decades of the eighteenth century, and particularly during the fires of the Great Awakening, the criminal gallows genre was dominated by the theme of miraculous conversion. As one of the first criminal saints, Rodgers died, not as a malefactor, but as a martyr:

> THE manner of her Entertaining DEATH, was astonishing to a Multitude of Spectators (being judged Four or Five thousand People at least) with that Composure of Spirit, Cheerfulness of Countenance, pleasantness of Speech … that even melted the hearts of all that were within seeing or hearing, into Tears of Affection … Her undaunted Courage and unshaken Confidence … steadfastly held unto the end. (108)

Condemned criminals were not the most likely candidates for sainthood, and to encourage them to perform an "Entertaining DEATH" the ministers stressed that they were appointed to their roles. In commenting on Rodgers's conversion, Rogers declared: "God does often make the chiefest Sinners, Objects of his choicest Mercy" and that "great Sins are often made preparations to Conversions" (71, 72). Writing three decades later in 1734, John Webb encouraged two condemned criminals with the same thought: "The greater our Transgressions have been, the more will the Mercy of God be magnified in pardoning them … the Mercy of God never appears more illustrious than it does, in Rescuing the most miserable and unworthy Objects from Destruction" (*The Greatness of Sin Improv'd* 18).

Such comments granted Rodgers and other criminal saints a sense of importance in death that they had never experienced in life. During a period of fervent evangelical expectation, criminal narratives described those awaiting execution as actually longing for their final performance. When told that her execution had been postponed, Rodgers expressed regret, stating "I find … a willingness in me to accept the punishment of my sins, and a readiness to glorify God by suffering the Death I have deserved" (100). When asked how she felt the night before her execution, she exclaimed: "Oh! I have had the joyfullest day to day that ever I had in my whole life. I bless God that I ever came into this prison" (102). For Rodgers and other criminal saints, death was fulfillment, the ultimate test of their devotion. As they approached the gallows, they were told that, as

God's monuments, their righteous deaths verified their spiritual rebirths. To encourage such pious performances, the ministers exerted great efforts to move them to repentance; one minister declared: "It may be there is no Place in the World, where such Pains are taken with condemn'd Criminals to prepare them for their Deaths; that in the Destruction of the Flesh, the Spirit may be Saved" (Thomas Foxcroft, *Lessons of Caution to Young Sinners*, 1733, I).

Yet not all of early New England's condemned criminals adopted the penitent roles assigned to them by their attending ministers, and some were described as unrepentant and brazen during their last moments on the gallows. When John Quelch and five of his pirate crew were executed in Boston, Quelch staged a final act of defiance on the scaffold:

> When on the Stage he pulled off his Hat, and bowed to the Spectators, and not Concerned, nor behaving himself so much like a Dying man … yet now being called upon to speak what he had to say, it was but thus much: Gentlemen, 'Tis but little I have to speak: what I have to say is this, I desire to be informed for what I am here, I am condemned only upon Circumstances.

As depicted in the broadside *An Account of the Behaviour and Last Dying Speeches of Six Pirates* (1704), Quelch was one of the first criminal characters to question the authority of the magistrates who condemned him and the sanctimony of the ministers who attended him.

Two decades later another pirate, William Fly, was even more recalcitrant. From the moment of his capture to his last moments on the scaffold, he refused all attempts to move him toward repentance. Nevertheless, his defiance was exploited to promote godliness. In the text he appended to his execution sermon, *The Vial Poured out upon the Sea* (1726), Cotton Mather carefully depicted the pirate as "running Head-long to Hell," and his crimes, murder and mutiny, were rendered in narrative as a reckless rebellion against God (20). In Mather's description, Fly displayed "a most uncommon and amazing Instance of Impenitency and Stupidity" by refusing "the appointed means of Grace" (114).

> He seem'd all along ambitious to have it said, *That he died a brave fellow*! He pass'd along to the place of Execution, with a *Nosegay* in his hand, making his *Complements* … Arriving there, he nimbly mounted the Stage, and would … put on a Smiling Aspect. He reproached the Hangman, for not understanding his Trade, and with his own Hands rectified matters. (114)

According to Mather, Fly's "unrelenting Frame" continued until "he Expired withal" (114). Yet the minister literally had the last word. Not

only was Fly's body "hanged in Chains … at the Entrance into Boston-Harbour," but also – by recreating the pirate's "Stupidity" in print – Mather continued to keep him suspended before the public (115).

Executions were a staged production created by the ruling elite for mass consumption to exert ideological control, and in recreating the spectacle of execution in print the ministers similarly staged their scenes to exhort lessons of discipline and deference. The gallows was a symbol of order, and those who mounted it were there to legitimize the power of those who erected it. Thus, public executions were one of the most important contact points between the elite and the non-elite. Yet the ministers and magistrates could never completely control the crowds who gathered at the gallows. By presenting dramatic displays that titillated as much as they inculcated, they indirectly created popular expectations that ran counter to their attempts at subordination. In effect, they empowered the people they were trying to control by promoting a popular anticipation for sensation. Ultimately, as New England grew more secularized, they were unable to control the imaginative appeal of their death dramas. By mid-century control of the gallows genre began to shift from ministers to printers, who were more interested in producing commercial commodities than in saving souls. As the book trade became more active, printers became more sensitive to the expectations of readers and more concerned with competing in the print marketplace.

The gallows genre that developed in early New England always had profit-making motives. Henderson and Rodgers would not have been paraded in print had they not been both spiritually and commercially profitable. Ministers and printers collaborated because their separate goals were not in conflict. In depicting the spectacle of sinners encountering death and final judgment, the ministers proved to be marketable writers. Like other popular genres, such as tales of wonder, martyrdom, and captivity, these early criminal accounts focused the individual's struggles to overcome worldly corruptions by heightening the spiritual terrors of lost souls. Like those who flocked to the gallows, readers were encouraged to believe that they were part of God's eternal battle against evil.

By the mid-eighteenth century, however, the number of New Englanders actively enlisted in this spiritual crusade had declined. Despite the evangelical fires of the Great Awakening, ministers were generally unable to maintain their central importance as the primary arbiters of sin and crime. As the secular tides of commercial trade washed over New England, printers responded to the changing interests of their consumers. Reacting to marketplace pressure, and competing for readers, some of

New England's printers began to publish criminal narratives with little or no ministerial intervention. The most obvious shift in the gallows genre was a change in emphasis from the criminal's spiritual state after condemnation to his or her crimes before condemnation.

Most mid-century criminal narratives still followed the structural pattern of fall, repentance, and redemption, yet they exhibited greater concern for engaging the imagination than they did for arousing contrition. Ironically, the lurid material ministers first appended to their execution sermons now became the primary text. Far more Lives, Accounts, and Dying Speeches were published separately than before, and the narratives were generally more detailed and sensational as textual focus shifted from spiritual struggles to worldly conflicts. Rather than being depicted as archetypical sinners fallen from God, those condemned were described as distinct personalities moving about in a recognizable world. As New England developed a more socially diverse, complex, and commercial culture, depravity alone was not enough to account for the existence of crime.

Mid-century narratives, such as *A Short Account of John ********** Alias Owen Syllavan* (1756) and *A Brief Description of the Life and Abominable Thefts of the Notorious Isaac Frasier* (1768), illustrate the reversal of sacred and secular functions. While both texts follow the structural pattern of repentance through confession, Syllavan and Frasier expressed little of the self-mortification that Rodgers and other criminal saints had displayed. Although Frasier confessed his sins, thanked the judges, and warned others not to follow his example in his final declaration (composing barely one-tenth of the text), the narrative had revealed little interest in his spiritual welfare up to that point. Rather than relating his struggles to repent, the Frasier narrator provided a highly detailed account of his life and crimes, offering readers glimpses of character and motivations.

Raised "in the most abject conditions," Frasier was "often induced by hunger to take provisions to satisfy the cravings of nature" (152). After having been sold into several harsh apprenticeships, theft became his only means of self-determination. According to the narrative, he robbed hundreds of shops, sometimes three or four in one night, and he was caught, jailed, and escaped more than a dozen times. When finally brought to the gallows, he declared: "the love of money, the ruling principle of my mind, has brought me to the grave in the flower of my life, when my sun is scarce risen; at the age of 28, I am going down into the house of silence, to be numbered with the dead" (159).

Frasier's dying speech reveals more of the printer's sense of melodrama than it does the historical figure's state of mind. The Frasier narrator

presented to readers was a character shaped out of the raw materials gathered from the actual thief, and this characterization was created primarily for imaginative diversion rather than for spiritual instruction. According to various newspaper reports, the historical figure remained silent on the scaffold, much to the disappointment of the spectators. There was no dying speech.

Owen Syllavan was an even more sensationalized example of a character shaped for a popular audience. Overtly, his narrative's structure resembled previous criminal texts, as the Syllavan narrator related his life as a confession and, once on the scaffold, begged God for mercy, but his text expressed more hubris than humility. Thinking that counterfeiting was "an easy way of getting Money," Syllavan established himself as one of New England's most notorious and prolific counterfeiters (146). During his criminal career the historical figure copied nearly every form of New England currency and succeeded in flooding most of the region with his homemade specie. According to the text, he passed twelve thousand pounds worth of counterfeit in one day, and had up to four different gangs distributing his product at a time.

When he was brought to the gallows, Syllavan subverted the convention of confession by refusing to incriminate his confederates, declaring "all my Accomplices deserv'd the Gallows, as well as myself; but I will not betray them" (147). His final warning was not for youth to obey their parents and masters, but for his accomplices to "*burn and destroy all the Money, Plates, and Accoutrements, that they have by them, and that they may not die on a Tree as I do*" (148). In his final moments, he only confessed "that he was not willing to die" (148), and in the text's final scene he cautioned his executioner: "*don't pull the Rope so tight, it is hard for a Man to die in cold Blood*" (148).

Frasier and Syllavan represent a series of criminal characters whose activities in life and in death aroused a mixture of pity and outrage, ultimately creating ambiguous characterizations. Given the number of texts that appeared from mid-century to Revolution, counterfeiters were especially popular subjects, since their passion for making money was a motivation most readers could understand, if not identify with.

While most characters in the gallows genre admitted their crimes, Joseph-Bill Packer went to his death denying guilt of any crime. Maintaining his innocence, he collaborated with two Albany printers, Alexander and James Robertson, to document his virtues rather than his vices, thus reversing obvious genre conventions. Instead of being labeled a "confession" or "dying speech," his narrative was presented as *A Journal*

of the Life and Travels of Joseph-Bill Packer (1773), and throughout the text the Packer narrator described his life as being devoted to a miraculous medical practice: "The principal part of my business was curing cancers; of this art I may justly call myself master, as I have cured every species of them" (207). When recounting his arrest for counterfeiting, he maintained that he was merely conducting experiments to pursue philosophic studies. In his final statement, he declared his innocence: "I am now tried, convicted and condemned, on suspicion of having counterfeited the currency of this province: but, if the word of a dying man can be taken, I am innocent of the crime imputed to me" (212).

The Packer narrator's declarations of innocence are remarkable, since they contradict not only his judicial condemnation but also that of the newspapers, which identified him as a notorious counterfeiter. In *Counterfeiting in Colonial America*, Kenneth Scott verified the historical figure's guilt. Yet remarkably, when approached by the Robertsons to offer an account of his life, the historical figure created an alternate version of himself to compete with the scandalous rogue already in circulation. Such self-fashioning indicates the development of a public sphere where, if the voice was compelling, convictions could be overturned.

As the widespread popularity of these texts demonstrates, criminal narratives of the Revolutionary period were significant channels for dramatizing conflicts between individual autonomy and social authority. Once printers began to focus on individualized characterizations and motivations, the portrayal of criminal characters began to destabilize traditional foundations of authority. In this way, criminal narratives illustrated how the American Revolution altered relationships between people and authority on various levels. Obviously, the war raised the issue of political representation to a national level, not only breaking apart colonial systems of state power but also entirely reversing the traditional hierarchy of descending authority with new Enlightenment concepts of popular sovereignty. Before, during, and after the Revolution, a cultural climate emerged that generally distrusted expressions of absolute power and that encouraged people to embrace the republican rhetoric of individual rights, particularly liberty and equality. By presenting readers with a criminal's personality and motives, the gallows genre increasingly encouraged equivocal perceptions of both those who wielded unmediated state power and those brought to the gallows.

Such equivocation is particularly evident in the various narratives of Levi Ames, who was executed for burglary in 1773. For a short time, from his arrest on August 29 to his execution on October 21, Ames became the

center of a remarkable level of attention in Boston and beyond. While patriots plotted their tea party, the city's printers produced nineteen different Ames texts and editions, making Ames the most widely published criminal in early America.

During the weeks between his conviction and execution, five separate Ames broadsides appeared, as Boston printers competed to exploit the excitement his case generated. Four of these publications attempted to quell the controversy surrounding Ames by depicting him as deserving his fate. The anonymous 1773 pamphlet *A Prospective View of Death*, for example, assured readers that the condemned man was "remarkably addicted" to theft and that "a full relation of the life and actions of this young man … would open such a scene of iniquity to view as was never perpetrated by any one in America" (185). Yet the fifth, *Theft and Murder! A Poem on the Execution of Levi Ames*, added to the agitation by using his condemnation as political propaganda. Published by patriots attempting to incite anti-British sentiment, the text questioned the justness of executing Ames while Captain Preston and his soldiers were acquitted for their part in the Boston Massacre.

Ultimately, the various Ames texts created an ambivalent portrait of the condemned man, an ambivalence especially apparent in *The Last Words and Dying Speech of Levi Ames* (1773), a broadside published shortly after his execution. While warning youth to obey their parents and keep the Sabbath, the Ames narrator also cautioned them not to consort with "bad Women who have undone many, and by whom I also have suffered much," signifying a salacious story beneath the conventional warning. At the same time as he warned youth to refrain from "gaming" and "drunkenness," he also advised property owners to keep their doors and windows locked at night, which – he declared – "often proved a snare to me" (183). More petition than admonition, his final plea begged readers not to ridicule his "poor dear Mother, or Brother" because of his "shameful and untimely death," an entreaty placing him in a world of relations rather than alienation (183). Notably, *The Last Words* – purveyed as the truthful statements of a penitent before final judgment – contradicted the court's official judgment. The Ames narrator claimed that the burglary was actually instigated and committed by his accomplice, who had testified against him. Published in an atmosphere charged with political tension, the text suggested that the "power-knowledge relations of the state were neither exclusive nor protective (Foucault 27).

Criminal narratives of the Revolutionary period demonstrate a second profound shift in the gallows genre. Those constructing criminal accounts