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# Marwood the Hangman

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**I**t was no mean achievement for James Marwood to rise from his cobbler's bench in his native Horncastle to become the most notorious man in Britain and Ireland. If we are to judge by the meticulous and efficient manner in which he performed as Lord High Chief Executioner during the 1870s and '80s he was an excellent cobbler - one that should certainly have stuck to his last. Not that he made a bad 'fist' of his adopted avocation; his mechanics were excellent, but his arrogance and cruel indifference to the plight of his unfortunate victims, coupled with the complete absence of emotional feelings, set him aside as one to be feared and despised.

On the other hand, he may have taken the place of some fumbling sadist (there were many of this sort) who could do no better than strangle the condemned person to death. Thus he may have been a blessing in hideous disguise to those who had to pay the final penalty of the law, for he was regarded as so efficient at his job that he, on his own testimony, killed without causing as much pain as one would feel by touching the back of one's hand with a finger.

It has been pointed out by his defenders that he was the mere 'finisher' of the law, a position that someone had to occupy, and that it would be impossible to come across a Jekyll and Hyde character who could be expected to act with great concern and humanity and then be so hardened as to launch his victim into eternity without the slightest qualms of conscience.

During his term of office as official hangman for the Crown there were many occasions when he visited this country on official business. Perhaps his two most notable 'achievements' here were the hanging of the Invincibles in 1883, and those convicted of the dreadful Maamtrasna murders the year before. The latter case created more than a stir throughout the whole country, and far beyond it. For sheer merciless brutality it has no parallel in the annals of crime in nineteenth century Ireland. A family of five were murdered and mutilated as they lay in their beds. The victims were John Joyce, his aged mother, his wife, his daughter aged 17 and his son aged 12. A younger son survived the massacre. No motive for the crime was ever dis-

covered, and there was evidence that John Joyce, the head of the household, was a quiet and inoffensive man.

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by Kevin Hannan

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Ten persons, believed to be members of a secret society, were arrested

convicted and sentenced to death. Shortly before the time appointed for the executions, the Lord Lieutenant exercised his prerogative of mercy in favour of five of the condemned men, who, according to eye witnesses, did not enter the house of the murdered family. The others, Myles Joyce, Patrick Joyce and Patrick Casey, were



**A drawing of James Marwood, based on a contemporary sketch, by Kevin Hannan.**

and charged with the murders. Two of these turned Queen's evidence to save their skins; the remaining eight were

executed in the yard of Galway Gaol on December 15th, 1882.

Even up to the present day, Myles

Joyce is spoken of as a folk hero. It has always been accepted that he was the innocent victim of the perjured evidence of the accusers. Casey, one of these wretches, was interviewed by a prominent journalist, in the presence of his Parish Priest, Fr. Corbett. He quite openly testified to having been ... instrumental in sending one man (Myles Joyce) wrongfully to the gallows and one or two more to penal servitude who had not earned that distinction". Casey told his story with great readiness, and in considerable detail. The burden of his excuse for the perjury which he said he had committed at the trial being that the Crown Solicitor (Mr. George Bolton) would not accept from him any other story than that which he eventually told in the witness box.

Joyce's impassioned address from the scaffold had an extraordinary effect on those who witnessed the scene - except, of course, Marwood, who was interested only in the last word as a signal to pull the fatal lever. The translation of his dying words, which were rendered in his native Gaelic, is as follows: "I am going. Why should I die? I am not guilty. I had neither hand nor foot in the murder. I know nothing about it, but God forgive them that swore my life away. It is a poor thing to die on a stage for what I never did. God help my wife and her five orphans. I had no hand, act or part in it, but I have my priest with me. I am as innocent as the child in the cradle".

After the trap had been sprung, Marwood was seen to put his foot into the gaping hole into which Joyce had disappeared and kick something very vigorously. It was thought at first that the victim was being kicked to death after some malfunctioning of the routine, but Marwood's explanation, which was generally accepted, was that the prisoner's elbow had fouled the rope and broken his fall, and he used his foot to kick it free. The inquest proved that the poor fellow was strangled to death.

The hanging of Myles Joyce has always been spoken of as a travesty, even to the kind of 'justice' meted out to the Irish peasantry during the last century. There is incontrovertible evidence to substantiate the claims of history that the Crown Prosecutor, Peter O'Brien (Peter the Packer), packed the jury.

The case was the subject of much debate and controversy in the following years. In his unfinished autobiography O'Brien makes a poor enough job of trying to wash his hands clean of the affair: he quibbles thus:

"In 1885, during the debate in the house known as the Maamtrasna debate, my brief, the letter C on which was represented as meaning 'Catholic', was produced by one of the Nationalist members of Parlia-

ment, in order to support the statement that I had endeavoured to prevent Catholics from serving on juries. My object was not to exclude Catholics or Protestants from the jury, but to get men thereon who would do their duty fearlessly. During this debate when the good faith of Irish judges and juries was impeached, Sir William Harcourt called attention to the fact that, on the trial of the first of the Maamtrasna prisoners, there were five Catholics on the jury. He also quoted the following extract from 'United Ireland': 'On the trial of the first prisoner we may venture to point out that there were at least five Catholics on the jury, and we believe the Catholic jurors did their duty no less fearlessly, and their verdict will be approved and scrupulously respected'.

That O'Brien was notorious for packing juries to bring in verdicts of his choice is too well known to elaborate on here. His attempt to clear himself in the above case is pitiful - fancy suggesting that a jury was just and fair because five Catholics sat on it!

The monster in James Marwood was evident during a press interview which he gave after the hangings. Writing afterwards of this interview, which took place in Galway Jail, Frederick Higginbottom observed:

"this, by the way, was not my first meeting with Marwood, for I had attended, not long before, his execution at Wandsworth prison of Dr. Lamson, the Wimbledon poisoner. During the course of the conversation Marwood boasted that one of the ropes used at Galway was the one with which Lamson had been hanged. This dark, sallow agent of justice had no thought but for the expert side of his business. He seemed quite sorry that he had not to dispose of the whole eight Maamtrasna convicts, for, he said, he could have managed the task 'quite easily' and had been fully prepared for it".

Marwood was no stranger to Limerick. In January, 1879, he came to the city to hang a young man who had been convicted of murder. The **Clare Journal** of Monday evening, January 13th 1879, noted the occasion:

"Marwood, the English hangman, who was brought over specially for the purpose, and who went about his awful trade with all imaginable coolness, openness and dexterity. Marwood, we may remark, is a strongly built man, under middle size, resolute, determined and sinister looking, of about 55 or 60 years of age, who does not conceal his features, or appear the slightest degree disconcerted, and in the leaden and dismal dawn ... Marwood might be seen ... adjusting the other preliminaries of his awful calling with a business-like alacrity and calcula-

tion. He was dressed in a plain suit of greyish tweed, and wore a watch with a steel chain and seals at his waistcoat pocket. His head is round, his hair is darkish grey, his hands heavy, his arms brawny, and a fitness for his calling seemed to be about him in the twilight of the cold and cutting morning. He could be seen at work occasionally communicating with one or other of the chief functionaries present ... (whose responses) ... met the icy gaze of Marwood the executioner ... The moment the drop fell, the black flag floated in the chilling morning breeze from the tower of the prison and gave warning, far and near, that the finisher of the law had done his work. An astonishing incident occurred on the departure of the 1.05 p.m. mail express train to Dublin. Marwood, the executioner was recognised by certain roughs who crowded about the platform and was cheered heartily by the roughs in question, and cheered again as the train moved off, the grim Marwood acknowledging their salutes in the blandest manner, and taking off his hat in testimony of his thankfulness. This is the rarest incident in the annals of Limerick".

Marwood visited Limerick for the last time in 1882. On his way from Dublin, where he had disembarked from the Liverpool boat, he again travelled on the mail train. As usual with this service, there were few passengers - a young lady civil servant on her way to Limerick, and the hangman. A friendly conversation developed between the two and shortened the journey until they came to Boher, about eight miles from Limerick, where Marwood got off. (A covered coach then conveyed him to the County Jail). The poor girl only learned afterwards that she had been keeping up a friendly chat with the hangman who was on his way to Limerick to hang her brother, Francis Hynes, a handsome, magnificently built young man who had been convicted, on meagre evidence, by a jury again 'packed' by "Peter the Packer", of the murder of one John Doolaghty, near the town of Ennis. Under the operation of the Coercion Act, Hynes was taken to Dublin for his trial before a hostile judge named Lawson.

There were no witnesses to the crime and the charge against Hynes was founded solely on circumstantial evidence. After his conviction there was an unprecedented flow of petitions to the Lord Lieutenant from the most influential quarters in Clare and the adjoining counties, but to no purpose.

A colourful and dramatic description of the early morning scene in Mulgrave Street and the surrounding area was given in the **Clare Record** on the day after the execution. The report illustrates the style and standard of jour-



**A portrait of Peter "the Packer" O'Brien, courtesy of the Olde Tom, Thomas Street.**

nalism of that time, and its terrible story is well worth reproducing here:

"Yesterday morning Francis Hynes paid the highest penalty that the law imposes, for the murder of the unfortunate Doolaghty, near Ennis, on the 9th. of July last. The morning was one of the finest which came for the past year - a fine glorious sunshine, a bright unclouded sky - all was warm and beautiful as our representative wended his way towards the County Gaol, where the culprit lay awaiting execution. From the appearance that the City presented at six o'clock in the morning the visitor would not imagine that in two short hours from that time, a young man, of splendid physique, full of youth and health, would be done to death at the hands of the public executioner. But notwithstanding appearances, the fact was that Francis Hynes would, at 8 o'clock, be executed by Marwood. As our reporter approached the County prison, a small knot of the

lower classes were collected on the foot-way opposite the upper end of the gaol, while doubled sentries walked round the square, which the outer walls of the prison form. On the roads encircling the gaol fifteen constables, under the command of Constable Kavanagh, were on duty. The utmost precautions were observed by the authorities to ensure the safe keeping of the prisoner, and the due execution of the sentence of death which had been passed upon him. At about 6.15 eighty men of the 70th. Regiment marched into the precincts of the gaol with loaded rifles and bayonets fixed, and in a short time afterwards a large body of constabulary, under the command of Sub-Inspector Hall, Wilton and Head Constables Rolleston and Phelan, and accompanied by Mr. Bourke Irwin, Resident Magistrate, who had command of the troops and police, marched from William Street barracks and halted in front of the

main entrance to the prison. As the police marched to the prison the military guard turned out and presented arms. The main body of the constabulary were then marched into the prison, while two parties patrolled the road outside.

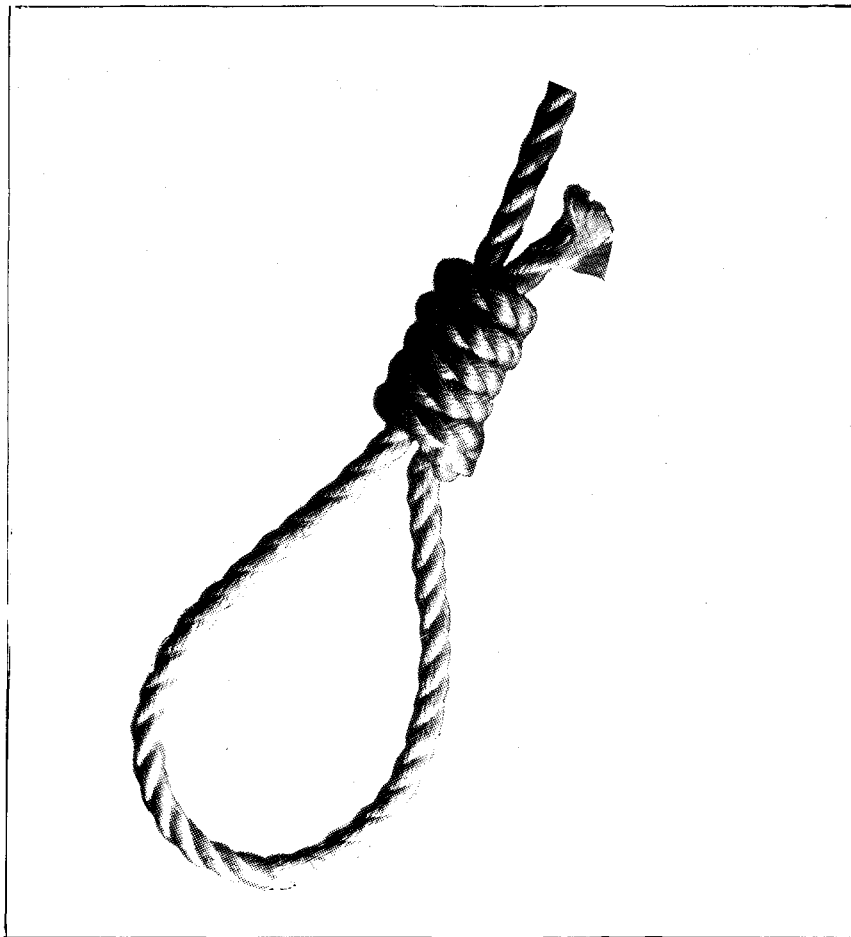
At 7 o'clock crowds of people commenced to flock towards the gaol, and half an hour subsequently there were over a thousand persons present. The majority of the persons attending were of the lowest classes from the dens of the City, from the reeking cellars, the dark alleys and nameless haunts. They came in all their repulsiveness and wretchedness for the purpose of gratifying a morbid feeling of curiosity and being near the scene of the execution of a fellow creature. But to their credit be it said there was a total absence of profanity and obscenity which formerly disgraced public executions when the full tide of life eddied and poured in rapid current through the streets to witness an execution. The demeanour of the crowd yesterday was exceptionally good, and nothing was heard but prayers for the future happy state of the prisoner who was about to be executed. The most wretched and debased creature present had an anxious look on his countenance, and there was a solemnity in the perfect silence that reigned supreme that told well for these poor people. Marwood arrived in Limerick by the 1.30 mail train on Saturday morning and was escorted by a guard of constabulary to the Co. gaol, where he has since remained. Marwood is a man of about five feet seven inches tall, slight build, sharp features and eyes restless in their gaze. He is an enthusiast in his 'profession' which he states he made a science of, and the persons whom he executed have no pain whatever. To use his own words: 'I have so studied my profession that a man dies at my hands with as little pain as I give myself by touching the back of my hand with my finger.' At 5 o'clock young Hynes rose and dressed himself with scrupulous care, in a borrowed tweed suit. He ate a hearty breakfast and appeared to be in good spirits, considering the awful fate which was so soon and so sudden to overtake him. He was a man of about 23 years of age, 6 feet 3 inches in height, of athletic appearance, well made and had very handsome features, and was entirely unlike a man who would be guilty of the foul deed for which he was to suffer death. He conversed freely with the warders who were constantly with him in his cell, and remarked yesterday morning: "I don't care what they do with my body, but may God have mercy on my soul".

His deameanour while in the custody of the Governor was a model

of propriety, and his manners were gentle. His attention to the ministrations of the Roman Catholic chaplain was marked by a sincerity which was becoming to his position.

At 7.30 the Sheriff for the Co. Clare entered the condemned cell and informed the unfortunate man that his hour was come, and in about five minutes afterwards Marwood appeared and pinioned the prisoner. The chaplain who had been with him since an early hour, and who appeared to be deeply affected, then handed the culprit a crucifix which he devoutly kissed. At 8.15 a procession was formed, two Roman Catholic clergymen leading and repeating the litany of the dead. Next followed the doomed man with a warder on each side. He walked firmly with his head erect and his eyes intently gazing on the crucifix, and his voice in response to the prayers of the clergymen "Lord have mercy on us, Christ have mercy on us" was clear and distinct, and yet marked with a religious awe and fervour. Then followed the Governor, and Deputy Governor of the gaol, the Sheriff of the Co. Clare, and then Marwood. In that order the procession moved at a slow pace, the chaplain saying the prayers for the dead, the convict articulating the responses in a clear voice without a tremulous note. His bearing was firm and dignified, and without ostentation or bravado, winning the sympathy and approbation of everyone who beheld him, and subsequently called forth from the lips of Marwood feeling words of sorrow at the untimely end of such a fine looking young man. The sentries ceased their walk, and the other lookers-on at the dread spectacle stood aside with tears in their eyes, with heads bowed in sorrow, and a deep momentous silence prevailed. Not a lip moved, the bystanders barely breathed as the solemn voice of a priest repeating the litany of the dead was heard, and the head of the procession became visible.

The convict was deadly pale; his eyes wandering alternately from the clergymen to the body of soldiers and constabulary who were drawn up in the courtyard of the prison, and then he would lift his eyes to heaven and his lips send forth a solemn prayer to the almighty God. A partition running parallel to the inner wall hid the scaffold from the unfortunate man, who, as he approached it, seemed to endeavour to pierce the structure. After a lapse of 15 minutes this partition was reached by the head of the procession, and door in the structure was thrown open. The drop was reached by a short stairs which the convict ascended with firm step. From a crossbeam descended the treacherous rope, and under this was



placed the unfortunate man. The clergymen still performed their religious duties, and still the voice of the convict was heard in response. Then Marwood stepped forward, placed the noose around the condemned man's neck, pulled a thin white cap over his ashen face, and then stooped and tied his feet securely together. The pinioning of the arms allowed his hands to clasp his crucifix. Marwood was then seen to leave the presence of the convict, who stood for a moment before the persons present. The bolt was drawn and Francie Hynes was launched into another world. A black flag was hoisted on the prison tower denoting that the execution had been carried out. Marwood afterwards remarked: "I never executed a finer man, nor a man with so much nerve. He walked to his doom with the utmost composure and I cannot but admire him".

The chaplain who attended him in his last moments afterwards appealed to the congregation in St. John's Cathedral to pray for the soul of Francis Hynes, who, he believed, died innocent of the crime for which he was convicted. Still more convincing is the hint in Marwood's own complimentary remarks, altogether out of character, that he believed in the innocence of Hynes.

Marwood left Limerick for the last time in the same manner in which he entered - by the back door. The

covered coach was again brought into requisition to convey him to the deserted platform of Boher Station to catch the night mail to Dublin.

Though the majority of those concerned in this sad case believed that a conviction on the evidence before the court was unjustifiable, the opinion of the one that mattered - "Peter the Packer" - was enough to add another victim to the long list of those who were denied the justice of a fairly empanelled jury.

Maurice Lenihan, in a lengthy leader in his paper, the **Limerick Reporter**, wrote:

"The imputed irregularities of the jury, the objectionable manner in which they were chosen, the stern determination of the Crown to carry to an end the fiat which had gone forth ... called forth on every side an expression of intense dissatisfaction and dismay which it is impossible to describe and which gives to this case a complexion which places it among the **causes celebres** of Irish history".

Lenihan concluded: "The identity of the real murderer will probably never be known. A fairly common tradition held that Francis Hynes offered himself for the fate that should have awaited a kinsman who was the father of a young family".

All the actors are now long dead, and Peter O'Brien is remembered with odium, while Francie Hynes is revered in his native county and far outside it.