

The Joseph Damon Skeleton
By Douglas H. Shepard, 2012

Joseph **Damon**, the last man hung in this state, was buried in Pioneer Cemetery, disinterred, and disappeared. There have been numerous retellings of the events surrounding the Joseph Damon murder trial in 1834. His hanging was the last public execution in New York State. However, what happened to **Damon** after that is still unclear. Ed **Kurtz**, a Brocton historian, had questioned the matter for years, which is what has led to this admittedly incomplete account.

Two basic sources offer some answers to our question. The first is a long article by Franklin **Burritt** in the *Fredonia Censor* of 2 February 1898; the second is a Xerox of a part of a clipping from an undated and unidentified newspaper. That copy is in one of the Barker Historical Museum's scrapbooks.

Before we look at the two items, it would be best to give some background. Franklin **Burritt** was born in Fredonia in September 1827, the son of Charles and Orpha (**Tucker**) **Burritt**. Charles **Burritt** came to Fredonia in 1809, setting up as a cobbler in a small log house at the corner of today's Water and West Main streets. By 1812 he had married and transformed himself into a druggist, with his home and store on West Main just west of today's Forest Place.

Franklin **Burritt's** account explains that his father's "drug, grocery and general merchandise store" was "a sort of rendezvous for early settlers when they came to Fredonia [to shop] In that old store rude slab benches encircled a three-foot fireplace.... The incidents concerning the 'resurrection' of the body of Joseph **Damon**, which I propose, briefly to relate, I have often heard detailed in the light of a cheerful blaze of hickory wood in that capacious fireplace, by the actors in the weird drama themselves."

Basically, then, this is the story as young Franklin **Burritt** heard it. Around 1830 "a freshly graduated young Dr. M, about 23 years old, came to Laona. He quickly became very popular and attracted a number of students. Dr. M. was open and "bluff," addressing his young disciples as "Hank and Pete and Joe and Sam and Sol." After Joseph **Damon** was executed in 1834, he was buried in what we today call Fredonia Pioneer Cemetery. Dr. M. and the three young men who were his students at the time, decided to exhume the body and secretly take it off to use for anatomy lessons. Somehow, Joseph's brother North **Damon** got wind of the scheme, so he took up residence at **Watson's** tavern, an inn at today's 35 East Main Street. Every two hours he would make a trip to the grave to make sure all was well. This went on for a few nights "when Dr. C. [possibly Dr. Orris **Crosby** or Dr. Charles **Smith**] persuaded him to go home."

As soon as Dr. M. heard of North **Damon's** departure, he and his three co-conspirators chose a dark night to act. "Along the main road east of Fredonia for about a mile ... stretched a thick forest. Our adventurers hid their horse and vehicle behind a thick clump of underbrush in that timber and were about to proceed to their work. It was a sultry night, about the middle of June, 1835. The sky was overcast with thick clouds and a storm threatened. Rain began to fall and they crept into the thicket."

Years later, **Burritt** says, he "heard Dr. H tell the story of that storm." As soon as they could, the four dug up the body, which was well preserved, although it "had been in the ground a month." They loaded it into their wagon and started for Arkwright. When they "got close by the Arkwright Center road, they heard, coming over the hill, singing at the top of his voice, a

character, known to the early settlers as 'Glutfoot **Thompson**,' He was a big man, gifted with a voice like a fog horn, and equipped with a spacious throat for whisky. When drunk he was quarrelsome and offensively inquisitive."

Therefore, Dr. M. had his students remove the corpse to hide it. "The boys boosted the body over onto his [Dr. M's] back and shoulders. In attempting to straighten up he stumbled over a rolling stone. What with the weight of the body and the libations he had indulged in, the luckless doctor tumbled to the ground full length and the dead man fell on top of him. The doctor had an impediment in his speech when excited, and he stammered out: 'T-t-t take him off me Lew.' That ever after became a catch-phrase among the doctor's students and intimate friends."

The body was quickly hidden in the roadside woods and "Dr. M., as noisy Elias came up, was busy at a put-up job of mending a broken harness. By the time they got rid of **Thompson**, dawn began to break. The next night they took the body to the house of a brother of one of the students, in Arkwright. It was a long, rambling, double house, and stood nearly opposite the present **Horton** cheese factory [at today's Route 83 and Center Road]. It was a lonely spot, on a lonesome road. There the body was reduced."

Burritt goes on to say "the bones were never articulated." Also, "the skull of **Damon**, a good many years ago, was loaned to a traveling lecturer on phrenology, one 'Old **Grimes**,' who held forth in Fredonia. 'Old **Grimes**' incontinently skipped, and carried off without leave or license the skull of poor Joe."

Dr. M. died young, age 32, in 1838 and was buried in Laona. "Sixty years after the death of Dr. M., an aged and venerable doctor, still living, who has practiced his profession toward sixty years, and who had enjoyed the patronage of a large clientele — a physician who, subsequent to the occurrences which I have related, was a student in the office of Dr. M., who sat by his bedside when he died, and into whose possession the skeleton of Joseph **Damon** then passed, presented the uncanny relics to me.

"Gently nudging my consciousness, a sense of duty has suggested to me that the exhumed remnant of Joseph **Damon's** body should be reinterred." After a long discussion of the right of burial in general, **Burritt's** last paragraph reads "Thus have I made good my resolution. Its consummation has beguiled many a weary hour. If this sketch shall interest any and shall serve to perpetuate one historical incident, out of the many unwritten local events that are fast fading out of the memory of men, I shall be content."

Unfortunately, what he seems to be referring to by "resolution" is the beginning of his article. He had a visit in the fall of 1897 from Major Charles **Kennedy**, an old friend. They reminisced about many things, including the **Damon** episode, and "at the close of our interview" **Burritt** "resolved to sketch a brief history of the **Damon** crime and its expiation." That is what he was referring to. He has put this incident on record, not that he had buried the bones. So the question remains, as Ed **Kurtz** originally posed it, "where is Joseph **Damon** buried," if anywhere?

Before we try to answer that question, we should look at another piece of evidence, the incomplete article in the Barker Museum scrapbook. "Clarence **Buell**, an employee of the Columbia hotel in Fredonia," the article begins, has "the skeleton of Joseph **Damon**." **Buell** had obtained it from "Fred **Wilson**, Fredonia's night watchman who had it in his collection of curios for ten years or more."

After **Damon's** execution, "The body was brought to Fredonia and buried, but not long to remain so, for a couple of local doctors, a few nights later, stole the body from the grave and carried it to a lonely spot near **Wheeler's** gulf, and used it for experimental purposes. Many weird and sensational stories have been told of the theft of **Damon's** body but the truth of most of them is hard to substantiate.

"The bones were eventually strung up in the form of a skeleton and have been about Fredonia ever since. For a long time they were in the old Academy, later in the office of Dr. Charles **Smith**, who, with Dr. **Mann** was said to have been involved in the theft. A few years ago Fred **Wilson** secured ..., " and there the clipping breaks off.

The newspaper article can be dated at least approximately. The Columbia Hotel burned on 26 January 1918. The 1917 city directory lists Clarence H. Buell as a clerk there; the 1915 State Census (dated in June) lists him as a "Hotel Clerk"; but the 1915 city directory, delivered to customers on 30 December 1914, lists him as a "Naval militiaman." In other words, Buell worked at the Columbia Hotel at some time between January 1915 and January 1918.

That should mean that Fred **Wilson** owned the skeleton (by now "articulated" if headless) from around 1905/1908. Before that it hung in the office of Dr. Charles **Smith**, who was one of the original exhumers, and before that, in the old Academy "for a long time." However, the Fredonia Academy was in operation until 1867, after which the building itself continued to be used by the Village until it was replaced, in 1891, by today's Village Hall. If the skeleton was truly hanging anywhere by 1891, it cannot have been the skeleton that was "never articulated" as of 1898, when **Burritt** wrote his piece. Was it the newspaper reporter who misunderstood what he had been told? Perhaps.

Dr. Charles **Smith** died on 7 September 1901, age 86. He had studied with Dr. **Mann** in Laona, according to his obituary. This must be the "aged and venerable doctor, still living," who gave the skeleton to **Burritt**. (In 1898 the doctor would have been 83.) It is possible the missing part of the clipping goes on to say that **Wilson** got the skeleton from **Burritt**, but what of the other participants?

The *Centennial History of Chautauqua County* (Volume I, Page 177) describes a similar exhumation attempt — quoted from an account by Dr. Oscar **Johnson** — which took place in Laona in 1834. Dr. Thomas D. **Mann** and "his three students" again were involved. However, the effort was thwarted and one student was caught, George S. **Harrison**, later a local doctor for more than 50 years. "It is believed that the same trio of medical students prepared themselves for their duties by a close observation of the bones and muscles of Joseph **Damon**, the murderer." It must have been this notorious Laona escapade of 1834 that led North **Damon** to believe whatever warning he heard in June 1835.

According to his obituary, Dr. George S. **Harrison**, who died age 70 in May 1881, had studied with Dr. **Mann** in Laona. His first wife, Mary **Sprague**, whom he married in December 1836, had also been from Laona. It would seem, then that Dr. **Mann's** trio consisted of George S. **Harrison**, Charles **Smith**, and a young man known familiarly as "Lew." On a stormy evening in June 1835 they had made their way toward Arkwright when they were temporarily side-tracked by Elias "Glutfoot" **Thompson**, a resident of Arkwright who died there on 4 February 1845.

The four were heading for the home of a brother of one of the students, the rambling double house opposite **Horton's** Cheese Factory. The factory lay on the east side of today's Center Road just below today's Route 83, with the double house across the way.

There are a number of avenues that could be explored to clarify any questions that remain. It might be possible to determine who owned the large double house [possibly the large **Horton** house, later destroyed by fire] which would verify the family name of one of the students, unless the student's brother was renting. Another clue is the medical student known as "Lew." Was there a "Dr. Lewis _____" who had lived in or near Laona in 1835? **Burritt's** reference to "Old **Grimes**" the phrenologist is to J. Stanley **Grimes** (1807-1903), a lawyer in Boston and New York who became interested in phrenology in 1832.

Another question: Is it likely that **Burritt** gave the skeleton to Fred **Wilson**? **Burritt**, as we have seen, was a lifelong resident of Fredonia. Frederick N. **Wilson** and his wife came to Fredonia in 1871. At first he worked in a blacksmith shop, then as an ice dealer, then as a miller, living on West Main Street very near to where Franklin **Burritt** grew up. **Burritt** died here in September 1900, so he and **Wilson** both lived in the same small village for almost thirty years. It was indeed possible for **Burritt** to have known **Wilson**.

Then what of Clarence **Buell** and **Wilson**? Julian J. **Buell** and his family came to Fredonia in 1891. Clarence was born here in 1893, his brother Julian, Jr., in 1894. They grew up in the family home at 217 Porter Avenue and both attended the Barker Street School, as did Fred **Wilson's** daughters, Ada, Mary and Ruth at the same time. **Wilson** was first appointed night watchman in March 1908, a position he held until March 1917. While Clarence **Buell** was a "naval militiaman" in 1915, his brother Julian was the day clerk at the Columbia Hotel, the position Clarence took over, and where he resided. Once again, there was ample opportunity for Clarence and Fred **Wilson** to have known each other.

If the anonymous clipping is correct, the last person to own the **Damon** skeleton, with or without its skull, was Clarence **Buell**. Although Clarence did live at the Columbia while he worked there, he apparently had moved on by the time of the fire in January 1918. There is a very full account of the fire in *The Fredonia Censor* of 30 January 1918, including a list of all those who lost any property in the conflagration. Clarence **Buell** is not mentioned. If **Damon's** skeleton did not perish in the Columbia fire, what happened to it? We still do not know. At best we have brought Ed **Kurtz's** quest from 1834 down to 1918, but there we must leave it, waiting for one last chapter to be written.