

Irishman officially pardoned 166 years after his execution

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St Mary's cemetery in Pawtucket, RI, where Gordon's remains are buried.

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AN IRISHMAN who was convicted of murder and hanged in 1845 has been posthumously pardoned by the governor of Rhode Island, after a play depicting the events surrounding his execution sparked a resurgence of interest in the case.

John Gordon, who was hanged on St Valentine's Day in 1845 for the murder of wealthy mill owner Amasa Sprague, was the last person executed by the state of Rhode Island.

Author and playwright Ken Dooley told *TheJournal.ie* that he was inspired to write a play about Gordon by a song Dooley's mother, who emigrated from Co Cork, used to sing about the dead man. Dooley grew up about two miles from the murder scene and says that there was strong prejudice against Irish immigrants in the area during the mid-19th century.

The trial

He says that the evidence brought against Gordon, who was tried alongside his brother for first-degree murder, was all circumstantial. Key evidence found at the scene included a coat, which did not fit the accused, and a gun which was used to shoot and then beat Sprague to death.

However, Dooley says another key item was missing from the trial: a gun owned by the Gordon family and kept in their business.

The judge directed the jury to give more weight to the words of native-born Americans than to Irish immigrants. Nevertheless, Gordon's brother, William, was found not guilty in the 1843 trial after his alibi was corroborated by a number of different Irish immigrants. John Gordon, who could not account for his whereabouts on the day of the murder, was convicted.

As Gordon was sentenced to death, he turned to his brother and said: "William, it is you who have hanged me."

Gordon's defence lawyer John Knowles pressed William about John's words, but he denied knowing anything until ten days before the execution was due to take place. It was only then that William approached the lawyer with the missing gun, saying he had hidden it from the rest of the family and the authorities for fear it would be used to implicate them in the murder.

Despite petitions to the then-governor to order a stay of execution, the hanging went ahead as scheduled.

Dooley says the death sparked a backlash among the Irish community. A number of mass meetings were held in the Providence area after Gordon's death to campaign against the death penalty.

In 1851, Rhode Island became the second US state to ban capital punishment.

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RI Representative Peter Martin told *TheJournal.ie* that the case is widely known as the reason the state dropped the death penalty.

Pardon

Martin submitted a resolution calling for Gordon's pardon to the RI legislature. He said that people who researched the case and the trial recently, including Ken Dooley, succeeded in organising a formal legal hearing to review the case.

"If John Gordon were alive today and facing those same charges in destitution, the assistant public defender would step up to the plate and defend him free of charge," he said. "The attitude [now] is that they are doing that, but at a later time."

"Justice has no statute of limitations," Martin added.

On 29 June 2011, Governor Lincoln Chafee of Rhode Island signed the pardon for John Gordon and acknowledged that "Gordon's wrongful execution was a major factor in" the abolition of the state's death penalty.

"John Gordon was put to death after a highly questionable judicial process on no concrete evidence," Chafee said. "There is no question he was not given a fair trial. Today we are trying to right that injustice."

Gordon was originally buried in unconsecrated ground outside the prison, but his remains were later moved by unknown persons to the cemetery of St Mary's in Pawtucket, albeit without a gravestone. His surviving family in America, his brother William and their mother, moved from the area shortly after Gordon's death and have not been traced since.

Irish group Friendly Sons of St Patrick is planning to commemorate Gordon's life and death by placing a headstone on his unmarked grave at St Mary's [on 8 October](#).

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