

**Map showing area of the incidents in the Hand Murder. #1 location of Thomas Hand's house. #2 Location of the Widow Ann Kennedy's house. #3 Location of Cain Simmons house. #4 Location of Jacob Cline's house. Drawn from Beer's Atlas of St Lawrence County 1865.**

Sometimes stories from history take on lives of their own in the retelling and become famous in their own right as the legend grows and grows. Others that seem ripe for such treatment just wither away and are lost to the annals of history.

The 1867 murder of Thomas Hand is one of those that withered away. The only mention of him that I have ever heard was from the caretaker at the Kendrew Cemetery where Hand is buried. The caretaker had only heard that Hand was murdered at Cooper's Falls. The Thomas Hand murder, which was one of the most brutal in St. Lawrence County history, is barely remembered.

Thomas Hand, who was born in England about 1810, remained a lifelong bachelor and a bit of a hermit. He immigrated to St. Lawrence County, New York, by 1850 where he appears on the census for Canton as a laborer. By 1858 Hand had accumulated enough capital to purchase a 50-acre tract of land on the Murphy Road in the town of Lisbon from Henry Van Rensselaer.

In 1864 Hand sold the land in Lisbon and moved to De Kalb where he purchased sixty acres of land on the Childs Rd. from James Brainard. The land at the western end of the road was mostly wilderness still. His immediate neighbors were Robert and Sarah Thayer Creighton to the East and Ira and Susan Miranda Austin Poor to the west. At the time of the murder the road was known as the Beach Road.

Hand kept mostly to himself, often expressing fear to his neighbors that someone might murder him for his money. He never let any of his neighbors into his house. He avoided lighting lamps at night so no one could see into his house. Hand dove into clearing and improving his new land and kept a herd of cattle and other livestock.

The small house that he lived in was sparsely furnished with one bedstead, one chair, a rickety stove mounted on blocks of stone, two pails, a churn, washtub, and some dishes. Hand's house did have a basement with a low ceiling.

Thomas Hand's hermit lifestyle was interrupted in June 1866 when his nephew Thomas Jackson along with his wife Eleanor arrived from England. The couple stayed with their uncle for three months before moving on to Toledo, Ohio. They brought Thomas Hand his inheritance from his deceased father which consisted of a bundle of 22 English Sovereigns (a gold coin worth one pound and a shilling) and a hair brush. Hand also had a note on Judson's Bank for 70 or 80 Dollars.

The man eventually accused of Hand's murder, John Kennedy, was born about 1842 in Glengarry County, Upper Canada (Ontario). He was from the 13<sup>th</sup> concession of Indian Lands in the North West Corner of the county near Maxville. The Scottish settlement in this area began in 1815 and the Kennedy family members were pioneers there.

John Kennedy had come to the United States several years before he came to work in De Kalb. The *Utica Observer* noted that he was well known in the town of Marcy where he had worked for George B. Robbins for about two years. When Kennedy first appeared in the Childs Road neighborhood seeking work in the fall of 1866, he was described as a small man standing five foot seven and weighing 145 pounds with brown hair, a pug nose, and a ruddy complexion. He first worked for the Quebecois man, Isadore Levere, for about two weeks helping cut wood for Thomas Hand.

Because of this acquaintance with Isadore Levere, Thomas Hand, who never let a neighbor into his house, hired John Kennedy to help him clear land and cut wood. Perhaps he had a change of heart after his nephew's recent visit. We will never know for sure why the paranoid man accepted Kennedy into his home but he certainly did. Court records show that Kennedy lived with Hand for about two months sharing the single bedstead and meager rations. Kennedy even befriended Hand's dog that previously would not let anyone but Hand touch it.

Just before Christmas John Kennedy left Hand's employment. He spent part of Christmas Day with Isadore and Ann Levere. While there, he bragged of shooting off Thomas Hand's gun and pistol so none would be loaded when he settled with Hand. During the Christmas celebration at Levere's John made untoward advances on Ann Levere who severely scratched him on his face.

He left the Levere household immediately traveling to De Kalb Village (Old De Kalb) where he procured a room at M. F. Spencer's Hotel for the night. (Spencer would later testify at the trial to the severity of the scratches on Kennedy's face.)

John Kennedy left the hotel the next day and sought employment with Patrick Kennedy (no relation) who was working in the woods in the vicinity of Hitchcock Rd. John Kennedy worked for Patrick Kennedy until January 28, 1867.

On January 29<sup>th</sup> Patrick Kennedy delivered a load of wood to the wood market in Ogdensburg. John rode along with him so he could go to Canada to get his clothes, but he did not go to Canada. Instead about noon on the 29<sup>th</sup> of January he found Patrick Kennedy, borrowed a dollar, and went for a drink at J. P. Ames saloon. The pair continued their drinking spree that day stopping at another establishment in Heuvelton on their way home.

Patrick Kennedy was so intoxicated that instead of going home he drove to his mother's house (Ann Kennedy) on the Kennedy Rd. off the East Rd. in De Peyster (now known as the Mt. Alona jeep trail). John Kennedy also stayed at Ann Kennedy's house until Friday late afternoon February 1<sup>st</sup>. Michael Kennedy was getting ready to drive to Ogdensburg, but John refused a ride saying he would rather walk to Heuvelton since it was an unseasonably warm day. There he planned to catch the train to get to Canada sooner.

John walked to the end of the East Rd., but instead of heading north for Heuvelton, he headed south towards De Kalb on what is today NYS Route 812. Unfortunately for him he was observed by James Bean and George Edgell. Later, on the evening of Feb 1<sup>st</sup> Hugh Kelly saw John walking west on the Kelly Road. John did not respond when Kelly hailed him.

John continued on the road to where it ended in 1867 at the home of Cain Simmons at about nine o'clock in the evening. Simmons had a single Kerosene lamp burning in the house and John was seen peering in through a window. Cain Simmons put on his boots and went to the door to ask if the person was lost. John rushed away without responding.

A few minutes later Andrew Duwan and his daughter Mary Duwan, neighbors to Simmons, heard their dog barking near their barn. They went outside to investigate. Having shushed their dog, they waited quietly by the barn. John soon came round the barn and climbed through the bars of the gate into the yard and this strange conversation took place. Duwan bid the stranger good evening. To which Kennedy replied, "yes." Then Duwan asked, "Is that you John?" Kennedy responded, "John who?" Duwan said, "John Kennedy." Kennedy said, "What John Kennedy?" Duwan replied, "The John Kennedy that worked for Pat Kennedy." John responded, "Yes." Duwan asked next, "Are you lost?" John responded, "No. Is this the road to Poors?"

The Duwans asked John to stay the night, but he refused saying he would go back to Heuvelton and get a room. Duwan then gave him directions to get to the Childs Road. Kennedy left at 9 o'clock in the night walking towards the main road. Kennedy was not seen again until the evening of February 2nd.

The weather was still mild the morning of February 2nd when Jacob House drove past Thomas Hand's home. As he drove past Hand's cattle ran out along the barnyard fence following him. Thomas Hand came out and chased the cattle back towards the barn. That was the last time anyone saw Thomas Hand alive.

Either that morning or the night before John Kennedy came back to his former employer's house. Thomas Hand was tending the fire and drying some wet wood on the stove sometime on February 2, 1867 when John approached him from behind and struck him in the back of the head with a chair. Kennedy dealt Hand a second blow to the top of his head with an ax as he lay on the floor.

John then dragged the poor man down into the cellar where he arranged his body on top of a pile of potatoes. Returning to the main floor he realized his coats were covered in blood. He wrapped his bloody outer coat around Hand's gun and took Hand's other black coat as well as other clothes including a flannel shirt and under drawers.

That afternoon the weather turned foul as the temperature dropped, and it snowed and rained. John took the gun and his bloody coat with him along with Thomas Hand's gold and bank notes. Nearby on Creighton's land he hid the bloody coat and gun under a hemlock log. Then he continued walking east on Childs Road keeping off the road when he heard a vehicle coming.

About dusk Jacob Cline had just returned from Ogdensburg as it began to storm hard. After putting his team away, he decided to get his wife who was visiting with Mrs. Beach about a half mile further west. As he walked along the road in the storm, he mounted a steep hill and surprised John walking East in the other rut away from Thomas Hand's house. Cline greeted him, "Good Evening Sir". John did not respond rushing off into the darkness. He was wearing a broad brim black hat and overcoat that belonged to Thomas Hand.

John made his way to Ogdensburg that evening in the freezing rain. He stopped for drinks at Frank Hulihan's saloon for several hours. When he approached the depot of the Ogdensburg and Champlain Railroad just before 2 AM Sunday, February 3<sup>rd</sup>, the icy crust on the snow was so thick he made enough noise busting through that he woke the depot's night watchman, James Henderson. He enquired of Henderson when the next ferry boat to Canada was. He wanted to spend the night in the depot but the watchman would not let him.

Kennedy checked into the nearby Johnson house Sunday morning. He left there early Monday morning, February 4<sup>th</sup> on the first ferry to Canada.

Meanwhile back in De Kalb, Emeline Hurlbut and George Petrie each drove past Thomas Hand's house on February 4th. Petrie noticed that there were no tracks in the snow since the storm Saturday night, and Emeline Hurlbut heard the dog whining and barking in the house, but neither stopped to investigate.

It wasn't until Friday, the 8<sup>th</sup> of February, that Ira Poor went to Robert Creighton and called his attention to the fact that Thomas Hand appeared to be missing. Robert Creighton first went alone to Hand's house after dinner (lunchtime). He looked in the window and saw the chair that John had used to first strike Hand. It was on the bed and the dog was alone. There were no tracks in the snow so Hand hadn't been out since the storm.

Robert Creighton returned home, hitched up his sleigh, and went to get the neighbors to go with him to Hand's. They arrived about 4 PM. They first proceeded to the barn where snow was drifted against the door. They broke in and found the cattle humped up leaning against each other. They gave them water and proceeded to the house.

The front door of the house was locked and the key was missing from its hiding place. The rear shed door was also locked. The neighbors broke in a side window to gain access to the house. There they found blood on the floor and Hand's body in the cellar. The authorities were contacted, and Coroner John R. Furness and Deputy Sheriff George King along with several others examined the scene of the crime and collected evidence. By the next day, Saturday, February 9<sup>th</sup>, word of the De Kalb murder was spread far and wide.

Meanwhile for whatever reason John Kennedy had the audacity to return from Canada on February 9<sup>th</sup>. He was in the Ogdensburg wood market inquiring for Patrick and Andrew Kennedy when Bryan Trainer offered to give him a ride about 2:30 PM that day. The pair stopped at Snyder's in Heuvelton for a drink then proceeded on the De Kalb Rd. until Trainer turned off at Edgell's road. It was raining at the time.

John proceeded on foot to the East Rd. There about 6 PM Robert Best, on his way to De Peyster corners, picked him up in his sleigh and gave him a ride to the Kennedy Rd. James Orr was also hitching a ride with Robert Best and the topic of Hand's murder came up. It was mentioned that John Kennedy was a suspect. As he was walking down Kennedy Rd. John must have had second thoughts because he removed Hand's outer coat that he had taken and buried it inside a fence along the road.

John Kennedy arrived at the Widow Ann Kennedy's between 7 and 9 PM on Saturday, February 9<sup>th</sup>. He volunteered to sit up with a sick boy that evening. He shared a bed that night with Michael Kennedy. He did not get up the next morning, Sunday February 10<sup>th</sup>, until noon when James Orr, Deputy King, and others came to arrest him. As he was about to leave, he told Mary Ann Kennedy that he had left a pair of underdrawers in the bed along with a hair brush. He had only one thin sack frock coat to wear when arrested so Michael Kennedy loaned him his army overcoat.

On their way to the lock up in Ogdensburg John told George King, "The damned frenchman killed Hand." Based solely on this statement Isadore Levere was arrested. After five days Isadore was freed when no evidence corroborated John Kennedy's statement.

A few weeks after the arrest, a fifteen-year-old school boy, Thomas Manley, and his sister who lived on a lot behind Widow Kennedy's off Kennedy Rd. noticed some fabric frozen by a fence post where they entered the road on their way to school at De Peyster District #6 on the East Rd.

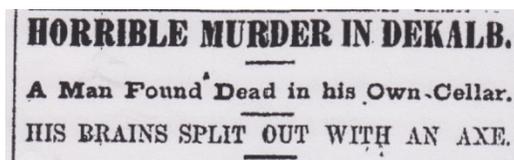
During noon recess that day Thomas and a few school chums took an ax and went out and chopped a frozen coat out of the snow. The coat had hair and blood on it so Manley and his friends left the coat under some trees in the woods until they later took Mr. Orr to it. Saloon keeper Snyder was able to identify the coat as the one John Kennedy was wearing at his establishment on February 9th. Catherine Bulson of De Kalb was able to identify the checked lining as part of a special order of cloth she had woven for a Mr. Thornhill. She had some extra and had used it to put a new lining in Thomas Hand's overcoat.

Evidence was mounting. Mary Ann Kennedy turned over the under drawers with bloody hand prints and the brush that John Kennedy had left at her house. May 13, 1867, a son of Samuel Creighton's found the gun Kennedy had wrapped in a flannel shirt and coat and hidden under a hemlock log on the Creighton farm. Mrs. Jane Dawson of De Peyster had made two flannel shirts and drawers for Thomas Hand in the fall of 1866. She had made the shirts and drawers all from the same "web" and recognized her sewing. She was able to identify the shirt and drawers found on the dead man's body and the other two bloody ones turned over to the authorities as the set she had made. Thomas Jackson was able to identify the hair brush as the one he brought from England to Thomas Hand.

On Monday, February 11, 1867, two days after Thomas Hand's body was found, District Attorney Bennett H. Vary filed papers with the county surrogate court claiming Hand's estate as a creditor. Vary claimed Hand had no relatives anywhere in North America and he was Hand's sole creditor. He was granted executors bond but no further paper work was ever filed.

John Kennedy stood trial for the murder of Thomas Hand in Canton before Justice Potter of the Court of Oyer and Terminer of St. Lawrence County June, 1867. District Attorney B. H. Vary was the prosecutor assisted by Louis Hasbrouk Jr. Appearing for the defendant were Charles G. Myers and Daniel Magone.

The jury consisted of Samuel Wilson Jr., Robert Adair, James Allison, John Goldie, Lindley Robinson, Lewis Small, William Thompson, Oliver Bell, Ira Day, Robert Wells, James C. Reed and Artemus Heames.



Headline from the February 11, 1867 Daily Journal.

Among the revelations during the trial was that Thomas Hand was born Thomas Jackson and had changed his name when he emigrated to America. Did this suggest that he was running from something when he came to the United States and was that the cause of his seclusive lifestyle?

The trial took one day. The jury deliberated for 30 minutes before finding John Kennedy guilty of murder, and the verdict was delivered at 7 PM that evening. Judge Potter sentenced Kennedy to hang on August 16, 1867. John Kennedy's response, "Thank you sir. I am a happy man."

But that was not the end of the story. Attorneys Meyer and Magone twice appealed the case to higher courts. After the first appeal John was resented to hang on November 21, 1867. Following the second appeal to the New York State Supreme Court, John was again sentence to hang on August 20, 1868, a full year after the original date.

John Kennedy became something of a ghoulish celebrity after his sentencing. He was interviewed by the New York Herald and concocted a new defense that Patrick Kennedy had actually murdered Thomas Hand while he held his horses outside the house.

In November 1867 Sherriff Chapin had the gallows constructed in the Canton jail yard. The sheriff wanted to move John's cell so he could not see the construction. John refused to move saying he wanted the see that the work was properly done.

"The gallows were located in the northwest corner of the jail yard. ...It was formed by a single upright timber about twelve feet high with arm reaching to the East. On the West side of this timber a board partition for the purpose of hiding the executioner from the gaze of the witnesses. The rope ran through a pulley in the end of the arm over behind the partition. To this rope was attached an iron weight of 350 pounds held suspended by another rope, the cutting of which would perform the execution." (*St Lawrence Republican* August 25, 1868).

The day of the execution dawned bright and clear. A large crowd gathered in Canton. The general public was allowed to view the jail yard and gallows until just before one when the yard was cleared. Only fifty dignitaries were given tickets to attend the execution by the Sheriff.

The prisoner was lead from his cell by the Sheriff and the Reverend Father Brosnan of the Canton Catholic church. John Kennedy was dressed in a black suit, white shirt and a white handkerchief on his head. At 1:20 they arrived at the gallows where Reverend Brosnan performed the last rites for the prisoner. The sheriff and all his deputies and the jailor shook John Kennedy's hand before the gallows were released. The gallows malfunctioned and it took 25 minutes for John's heart to stop fluttering. His body was placed in an ash coffin and returned to his family's home in Glengarry.

It turned out that Thomas Hand had three nephews living in the United States, Thomas Jackson of Toledo, OH., William Voce of Ovid, MI., and Robert Voce of Marquette, MI. They sold Hand's farm to Isabelle Dunphy in 1869. None of Hand's rumored treasure or house key were ever recovered. Their whereabouts remains a mystery to this day.

#### **Sources:**

St. Lawrence Republican Feb 11, 1867, July, 2, 1867, Dec 3, 1867, August 25, 1868.

St Lawrence County Clerk Deed Liber 71C p 316, Liber 84A p452.

St Lawrence County Surrogates Court Thomas Hand Estate File #2828.