

LONG ISLAND.

EXECUTION OF JAMES KELLY AT BROOKLYN.

Particulars of His Crime—His Conduct in Prison—His Regard for His Children—His Will—Preparations for the Execution—Spiritual Condition of Kelly—His Last Moments and Words—His Death—Scenes and Incidents Within the Prison Yard—The Crowd Outside—Police Arrangements and Arrests.

JAMES KELLY, convicted in the Kings County Court of Oyer and Terminer, in June last, of the murder of his wife, ROSE KELLY, on the 16th of April, suffered the extreme penalty of the law in the yard attached to the Kings County Jail, Raymond-street, Brooklyn, yesterday, at a little past 1 o'clock P. M.

The murder was committed under circumstances the most appalling, and without anything to relieve its atrocity. Owing to his own misconduct, KELLY had lived unhappily with his wife for several years, until finally he gave up work, neglected to supply his family with the ordinary necessities of life, and since the Fall of 1856 had been a *habitué* either of the Almshouse, Hospital or Penitentiary. On the 15th of April, KELLY was in the Hospital at Flatbush under treatment for inflammation of the lungs. He asked, and obtained, permission to be absent for two days with the intention, as he subsequently said, of killing his wife, whom he pretended to believe, was in constant. Arriving at his former residence in Brooklyn, he found that his wife had left and gone to her sister's residence, corner of Navy and Prospect streets. She had gone there to avoid his ill-treatment, having heard that he was about to be discharged from the Hospital. KELLY, not finding his wife at home, went to New-York and purchased a knife, and the next day went to seek her. She avoided him for several hours, but finally, through the aid of an acquaintance, he traced her to the home of her sister. Upon confronting her he charged her with infidelity, and said that the youngest child, then only a few weeks old, but since dead, was not his. This she replied to by saying, "You know better, JAMES." KELLY would not be satisfied unless she would go before the Priest and swear that what she said was the truth. Some further conversation ensued, and then he drew his knife and stabbed her five times about the thighs and lower part of the abdomen. She was taken to the City Hospital, where soon after she died.

After he had stabbed his wife, KELLY started off at a rapid pace through Navy-street and into Flushing-avenue, throwing the bloody knife over the Navy-Yard wall as he ran. Some citizens stopped him without difficulty on Flushing-avenue, and handed him over to OFFICER BEATTY, of the Second Precinct, and he was locked up. He acknowledged what he had done, and when the officer accused him of beating his wife frequently before, he said:

"No matter what I did before, what I am now charged with is another thing. I lived happily with her, and had four children; but the last one, which was born about three weeks since, is not mine. I told her if she would go with me to the priest and state to him that it was mine, then I would be satisfied; but she wouldn't do it, and when I saw her, all that had heretofore passed between us rose up before me, and I could not restrain myself."

KELLY was indicted and tried in the Court of Oyer and Terminer, in June last, before Judge STRONG. When arraigned for trial he pleaded guilty, and said he didn't want to live any longer. The plea, of course, was not received. He was tried one day, and sentenced the next, (June 9.) At the conclusion of his sentence he coolly turned to his counsel, ALEXANDER HADDEN, Esq., and said "What day did he say?" When informed that it was the 30th of July, he nodded his head several times, as though the time suited him. So indifferent was he during the trial that he said in reply to a question put to him in the Court-room, after the verdict, "I don't remember scarcely a word sworn to on the trial—it interested me very little."

After he was sentenced he was immediately taken to the Jail, and placed in cell No. 8, which opens on the middle corridor. He commenced the work of preparing for death forthwith, and invited the Rev. Father GLEASON, of St. James' Church, Jay-street, to become his spiritual adviser. The latter accepted the trust, and visited him almost daily until the fatal day. Appropriate books were furnished him, and among them we noticed *The Sufferings of Jesus and The Life of Christ*.

During his imprisonment the condemned behaved himself in a most unexceptionable manner, so much so that he was allowed the largest liberty consistent with safety. His cell doors were open every day, and he had range of the corridor, as do all prisoners in this Jail, who merit kind treatment by their conduct while in prison. He received visits from strangers as well as friends, and would invite them into his cell, and if there were more present than could be accommodated with seats, he would express his regret. His meals were all furnished from the Sheriff's table. Generally all questions put to him were answered readily and without the least reserve. He conversed of his approaching execution with calmness, and, as a well-merited punishment for the heinous offence he had committed. The scaffold had no terror for him, nevertheless he regretted his wife's death, not on his own account seemingly, but on account of his children. "If she was alive," he would say, "they would fare well enough." To them he seemed to be devotedly attached, and it was only when conversing of them, that, on one occasion, he gave away to his feeling. When a few days ago a benevolent lady promised to provide for the two youngest, he was convulsed with joy, and it seemed as though he could not express his thankfulness sufficiently. When under the fatal noose, almost his last words were a request that his children might be properly cared for. As the day for his execution approached, KELLY still maintained his usual calmness, but finally at the last, became a little anxious and frequently "wished it was over with."

In the last forty-eight hours of his life Father GLEASON was with him most of the time. Thursday afternoon KELLY attended mass, and at a late hour in the night the ceremony of absolution was performed. The Sheriff at 12 o'clock sent him a dish of oysters and another of clams. He ate heartily. Dr. CHAS. A. VAN ZANDT, Jail Physician, at 11 o'clock sent him a strong anodyne, but it was not used. In fact, KELLY refused to partake of any stimulant whatever during his confinement. A relative one day smuggled into him a bottle of liquor, but he refused to partake of it, and handed it over to the turnkey. At about 1 o'clock yesterday morning he retired to rest, and slept soundly for about three hours. When he awoke, he carefully dressed himself in a pair of striped cassimere pants, white cotton shirt and black bombazine frock coat. He then renewed his devotions. Mass was said in his cell, and at 5 o'clock his spiritual adviser retired for a little rest, returning again at 11 o'clock. During his absence KELLY was left alone in his cell, with both doors open. As the Jail Physician passed his door KELLY was busily reading a book, and when asked how he felt, he simply raised his eyes but made no reply.

PREPARATIONS FOR THE EXECUTION.

At 11 o'clock the Rev. Father GLEASON, accompanied by the Rev. Father CASSIDY, of the St. James' Church, and the Rev. Father KEENE, of the Church of the Assumption, arrived, and at once proceeded to the cell of the condemned man. By the advice of Father GLEASON, KELLY had partaken of no breakfast. He was not removed from his cell to mass, as is usually the custom, as it was thought the removal might break down his fortitude, and he was therefore conducted directly from the cell to the gallows. All remained undisturbed in the cell until 1 o'clock P. M., when the Sheriff entered and announced that the hour for his execution had arrived. KELLY stood up promptly and submitted to the operation of securing his arms behind him without a murmur or the twitch of a muscle. This done the black cap was placed on his head and the cord about his neck. He was then led into the corridor. Here several of his prison companions bade him farewell, among them PATRICK GALLAGHER, convicted of the murder of HUGH KELLY, at No. 12 Fulton-street, one year ago.

THE PROCESSION TO THE GALLOWES.

At 1 o'clock the procession emerged from the rear door of the jail into the yard, in the following order: Sheriff REMSEN and Under-Sheriff SPARKS; the condemned, supported on either side by the Rev. Fathers GLEASON and CASSIDY, followed by Father KEENE, the two first-named dressed in priestly garb, the condemned carrying a crucifix. Then followed the Deputy Sheriffs and other officials, two abreast.

AT THE GALLOWES.

Arriving at the gallows, KELLY glanced at the suspended hook and ran his eye up the cord to the cross-tree and down to the weights. Not a muscle moved, so well was he prepared to face the instrument of death. He had one glimpse at it before, from his cell windows, while the workmen were engaged putting it up in the morning. He then threw himself upon his bed, but soon recovered his composure.

All having taken their positions under the gallows, Father CASSIDY addressed to the condemned man a few words of encouragement. He then knelt with the priest and a prayer was offered. The service was then read in Latin, and KELLY responded fervently. He was then placed under the fatal cord and the noose about his neck was attached to the hook and adjusted by Under-Sheriff SPARKS, assisted by

Keeper VOORHIES. KELLY gave a rapid glance at the cross-beam above his head, and said:

GAWLEIGH: Before dying, and going into the presence of God, allow me to thank, from the bottom of my heart, the Sheriff (turning to Mr. REMSEN.) I must also thank the keepers of the jail for their many kind attentions to me, and trust that they will remember me in their wishes for my future. I hope God will forgive me, as I forgive all my enemies, and trust that he will protect and cherish my children. Then I feel for more than for myself.

Under-Sheriff SPARKS then read

THE DEATH-WARRANT.

The People of the State of New-York to the Sheriff of the County of Kings, greeting:
Whereas, at a Court of Oyer and Terminer, held at the City Hall, in the City of Brooklyn, in said county, on the 9th day of June, 1856, by and before S. B. STRONG, one of the Justices of the Supreme Court of said State, presiding Judge, and S. D. MORRIS, County Judge of said county, and JOHN A. EMMONS and MARTIN SCHOONMAKER, Justices of the Sessions, JAMES KELLY was convicted of having murdered ROSE KELLY his wife, by stabbing her with a knife, and was thereupon sentenced by the said Court of Oyer and Terminer to be hanged by the neck on Friday, the 30th day of July next, between the hours of 12 M. and 2 P. M., in the afternoon, until he should be dead;

Now we do by this warrant, pursuant to the statute in such case made and provided, require and appoint that you cause the said sentence to be executed on the day and between the hours therein mentioned and at the place and in the manner prescribed by law. Given under the hands of the undersigned, being the Judges, who constitute said Court of Oyer and Terminer on the 10th day of June, 1856.

S. B. STRONG,
S. D. MORRIS,
JOHN A. EMMONS,
MARTIN SCHOONMAKER.

While the Sheriff was reading the warrant KELLY ejaculated several times: "Oh, my children!" Father CASSIDY assured him that all would be well with them. KELLY shook hands with the Sheriff, Under-Sheriff SPARKS, the priests and several others near him, and then the cap was drawn. As this was done he eagerly kissed the crucifix, and said to Father GLEASON:

"I am thankful to you all for the kindness which has been shown to me. To you, Father, I leave my children; I hope that God will bless them."

At this time KELLY's face became very red, when the Rev. Father GLEASON said to him, "Do not be afraid—remember that your God went to Calvary and died before you. You will go to Heaven." Again he said, holding up the cross, "Look upon this and fear not to meet him who died for you."

At a signal given, the rope which held the weights was severed, and the condemned man was quickly suspended in the air. The rope was cut at six minutes past 1 o'clock P. M. For 4½ minutes he struggled violently, and at the end of 12 minutes life was extinct. There was some little delay after the noose was adjusted, and it doubtless became displaced. The cord tightened above the larynx, and was so loose that the vertebral artery could supply the brain with blood, from which the reflex action upon the respiratory muscles was derived for at least six minutes.

THE INQUEST.

After the body had been suspended 35 minutes, it was taken down, and placed in a plain mahogany coffin, bearing the following inscription:

JAMES KELLY,
Died July 30, 1856,
Aged 44 years and 10 days.

The witnesses and medical men then repaired to the reception room in the jail, and signed the following document:

We, the persons attending such execution, not relatives of the criminal, and who witnessed such execution, hereby certify that on the 30th day of July, instant, within the yard of the Prison and County Jail of the County of Kings, on the 30th day of July, 1856, at the hour of 1 o'clock and 6 minutes, on the roof of the same day, the said JAMES KELLY was then and there executed in conformity to the sentence of the Court before which he was convicted, and in pursuance of the provisions of part 4, chap. 1, title 1, of the Revised Statutes of the State of New-York.

Signed,
Francis B. Stryker, Englebert Lott,
Daniel Van Voorhies, Lewis F. Newmann,
John H. Funk, James H. Cornwell,
George F. Whitney, James Cole,
John S. Young, Jacob C. Blachley,
Z. Voorhies, Robert W. Allen,
John H. Duff, Dr. Ayres,
Judge Morris, Dr. Bauer,
Justice Emmons, Dr. Turner,
Wm. Jenkins, Dr. McAllister, &c.,
as witnesses.

The body was then taken by friends and conveyed to the Cemetery of the Holy Cross in Flatbush, where it was interred in a lot purchased by a benevolent gentleman for the purpose.

THE PLACE OF EXECUTION.

KELLY was executed in the yard of the King's County Jail, located on Raymond-street, corner of Bolivar. The male and female prisons form two sides of the yard and the main building on the street one end. The other end is towards Fort Greene. Here there is a stone fence some 15 feet high, and a board fence on top, raising it to about 30 feet in all on this side. The yard is about 150 by 80 feet. Passing from the front building to the yard, the place of execution was on the right, half way to the rear wall.

THE GALLOWES.

The gallows and appurtenances were the same that were used in the case of KELLY, who was executed in the same place, Jan. 30, 1852. The gibbet is of oak, constructed in a substantial manner. There are two uprights, 16 feet high, a cross-beam at the top nine feet long, through the centre of which passes the rope to which the ring in the noose is attached. The other end of the rope passes over the top of the frame and into the female department of the prison. This arrangement with pulleys, so that when the cord is severed inside of the building, the criminal is suddenly drawn up some four or five feet, the weights striking the ground jerks the man up, so that when properly arranged the neck is at once broken. In the case of KELLY the neck was not broken and he was strangled.

THE POLICE ARRANGEMENT.

Sheriff REMSEN made the most ample arrangements to preserve the peace. He caused to be summoned nearly 400 specials, and there were besides in the yard two companies of the Thirteenth Regiment—Company C, Captain MORGAN, 45 men, and Company E, Captain EDMONDS, 45 men. There were also present 95 policemen under Deputy-Superintendent FOLK.

The military reached the Jail about 11 o'clock. A portion of the Police arrived as early as 9 o'clock A. M., and were stationed at the door of the Jail. The rule to admit no one not invited was rigidly adhered to, and the consequence was good order and a great demand for tickets outside. One man offered \$14 for the privilege of being present.

About 12 o'clock, Under-Sheriff SPARKS mounted a chair and swore in all of the policemen as Special Deputies.

Around the gallows a rope was stretched, inside of which were ample accommodations for the witnesses—officers of the law and members of the Press. Just outside of the rope the military were formed on two sides, and in front and along the aisle through the centre of the yard the Police were stationed, under the immediate command of Captain SMITH, of the First Precinct.

Within the precinct of the jail all was quiet, and the proceedings were conducted with due solemnity; but outside was far different as will be seen in another place. The prisoners were all removed from the female department of the jail and placed in a portion of the building from which they could not see the execution. The prisoners in the male department, most of them, had a good view of the proceedings. The inmates of some of the cells obtained a sight of what was going on by using pieces of looking-glass. It is due to them to say that they behaved remarkably well. The windows of the dwelling portion of the jail were occupied by ladies, gentlemen and children even.

THE SCENE OUTSIDE.

beggars all description. Several thousand people of all sexes, ages and conditions assembled, all eager to get a sight at what was going on inside. They were struggling, yelling, hooting, shrieking, swearing, in all living tongues, on every hand. Several interesting fights occurred. The light-fingered gentry plied their vocation very successfully. Several of them were arrested by the Police for relieving gentlemen of watches and money.

The greatest tumult was in the rear of the jail. Here vehicles of all descriptions were piled up against the rear wall. These were soon covered by the anxious rabble, who made strenuous efforts to get a peep inside. Some of the more reckless commenced ripping off the boards of the fence above the stone wall, and at one time there were fears that the whole rabble would burst in and interrupt the proceedings. A few of the most turbulent were finally arrested by the Police, and this put a damper upon the besiegers' proceedings.

THE CHILDREN OF KELLY.

At 9 o'clock, Thursday night, KELLY made his will, bequeathing all his property, real and personal, to his children, and appointing Father GLEASON as their guardian. The document was witnessed by Under-Sheriff SPARKS and Mr. Keeper VOORHIES.

His children only visited him once during his confinement. On Wednesday last two of them were brought to the jail, but he refused to see them, he thought it was not best that they should know the state he was in, and feared the parting might shatter his firmness. There are four children, aged respectively 15, 13, 7 and 5 years—the next to the oldest is a boy. The two youngest have been provided with comfortable homes in the family of a man who has taken a deep interest in the family. The eldest is living as a servant in a respectable family near Fort Hamilton, and the other resides with the sister in Navy-street.

The youngest have no knowledge of their father's crime, or the manner of his death, and he frequently expressed the wish that they never should know any of the circumstances. The oldest girl, it is said, had no desire to see her father.

Dr. TUCKER was KELLY's family physician for several years. His last interview with him took place on Thursday night. He asked him how he felt, when KELLY said:

"Very well, indeed, under the circumstances. I am perfectly resigned to my fate. I have nobody to blame but myself—and my sentence is a just one. I have made no effort for a pardon or commutation of sentence. I killed my wife and am willing to suffer the extreme penalty of the law. I feel kindly toward everybody, and think I can leave the world without regret, and hope I shall go to the scaffold like a man. I am very grateful to the keepers for their kindness to me, and think I shall leave this life without an enemy. I have had a fair and just trial."

KELLY's personal appearance was certainly not forbidding. There was an unpleasant expression in his eyes, but in every other respect he appeared to be superior to those in the same walks of life. He was about 5 feet 9 inches high, and well set. His hair and beard were tinged with gray, but before he died it had turned nearly white.

On one occasion, when talking with a friend, he

said it was a curious circumstance that his wife died on Friday and that he should die on the same day of the week.

RICHARD GORDLEY, the culprit's brother-in-law, who resides at Newport, R. I., arrived just in time to see the execution. The deceased's sister-in-law and his little son, 14 years of age, were outside during the execution, and made every effort to get in to bid their brother and father a final adieu. They were not admitted.

At an interview with KELLY, a few days ago, he made the following statement relative to himself, to our Reporter. He said he was born in Ireland, in 1812, in the town of Creve, County of Westmeath. He lived in his native town until 1840—(then about 26 years old)—when he became seized with the emigration mania, and resolved upon trying his fortune on the Western Continent. He took passage in the lumber-ship *Bratshaw*, Capt. MILLER, and came in her as far as Quarantine, when the ship completed her voyage to Quebec. KELLY, after passing Quarantine, landed safely in New-York, and having no trade or capital, to set up business for himself, sought employment as a day laborer. Not finding immediate employment in the City, he accepted an offer to work on a farm in the country, a short distance from the City, but the work not agreeing with him, he only remained two weeks, and then returned to New-York and crossed to Brooklyn. He first worked for JOHN DILLON, milkman, on Stanton-street, for two months; then for a man named BROWN, who had the contract for building the stone wall under the Heights on Fuman-street. For this man he worked three months, and then, Nov. 9, 1840, took passage for New-Orleans. The first employment there was with a drayman named PETER MCGANLEY, and subsequently worked as a laborer on the levee, took sick and went to the Hospital, where he remained four weeks. Upon leaving the Hospital he worked about the city picking up stray jobs here and there until March, 1841. Business being dull, he took the ship *Frankfort*, Capt. MILLER, and returned to Brooklyn March 23. After his return, he worked for WILLIAM LEE, contractor, about three years, and resided on Division-street; the next two or three years he worked for JOHN BARTON, boss mason at Greenwood; then for JOHN RICHARDS, mason, corner of Myrtle-avenue and Gold-street, two or three years.

He next worked on the Dry Dock—two Summers and one Winter—first under Mr. VOORHIES, contractor; then with CAMPBELL and MITCHELL and others, but for the last eight or nine years, up to Christmas, 1856, he worked most of the time for Messrs. MURRAY and DOWERY and E. FORCE, masons. In the Winter of 1856, he was taken with inflammation of the lungs, from which disease he has suffered more or less ever since. All health compelled him to make an application for admission to the hospital, but was refused, and he then applied and was permitted to go to the Almshouse, where he remained some six weeks, and was then transferred to the Hospital for medical treatment. He has been in the Hospital most of the time since, until the 15th of April last—the day before the murder.

HIS HABITS.

He says that he was always temperate in his habits until 1856. He occasionally drank and occasionally went on a short spree, but seldom neglected his business. He did not charge his misfortune, however, to the use of intoxicating liquors. His relatives all live in Ireland; his mother and two brothers are living.

THE MURDERED WOMAN.

KELLY says that his wife's maiden name was ROSE GANLEY. She was born in Westmeath County, Ireland, and at the time of her death was about 37 years old. She arrived in this country in 1841, and they were united in marriage the following year in New-York City. She has a brother in New-York and a sister who resides in Navy-street. Her father is living in Ireland, but her mother is dead.

Mrs. KELLY is said to have been, by her neighbors, a woman of kind heart, sober, industrious and correct in conduct. KELLY himself speaks well of her, but intimated that he had a cause for killing her, but declined to say what that cause was. It is well known that when first arrested he made several statements, all tending to show that he was jealous of his wife, but there was no foundation whatever for this feeling. She worked early and late to support herself and children. KELLY had rendered no assistance since the Fall of 1856. He became very intemperate and consequently abusive and neglected his family. Mrs. KELLY resolved to live with him again, and this fact alone is all the ground he had for jealousy.

HIS STATEMENT.

KELLY told us that he was not intoxicated at the time he killed his wife. He was somewhat excited, but not greatly so. He had premeditated and deliberately planned the act a week before. He expressed regret for what he had done, but said it could not now be helped. He acknowledged the justice of his sentence, made no complaint and found no fault with the determination of the Governor not to interfere in his behalf. He never had asked or hoped for a commutation of sentence.

INCIDENTS, ETC.

During the excitement at the execution a number of persons obtained access to the roof of one wing of the prison. They were somewhat crowded, and a man not having sufficient room for himself, pushed a boy, named YATE, off the roof, outside of the Jail. The boy fell a distance of some 25 or 30 feet to the pavement, and had one of his thighs fractured. OFFICER EVANS, of the Fourth Precinct, arrested the man, and the injured boy was taken to the Hospital.

Just as KELLY was brought out to execution there was a loud clap of thunder, which caused several superstitious persons to leave the place. A soldier who stood in the line near KELLY, as the rope was cut, fainted away, and was carried ingloriously from the field. A glass of brandy revived him.

The knife used to cut the rope was the same that KELLY committed the murder with.

THE SHERIFF AND HIS OFFICERS.

We cannot close this account without speaking of Sheriff REMSEN and his officers, all of whom, especially Under-Sheriff CASPIAN A. SPARKS, and Turnkeys VOORHIES and GRIDDINGS, deserve the thanks of all persons for the manner in which they discharged their duties yesterday.

The Sheriff offered to procure a place of burial for KELLY at his own expense, but the brother and sister-in-law preferred to attend to the matter themselves.

Long Island Items.

FLUSHING FEMALE COLLEGE COMMENCEMENT.—The exercises at the Female College, at Flushing, the present week, have been quite interesting. On Tuesday evening the Rev. Mr. MILBURN, the blind preacher, gave an instructive discourse, taking as his subject the life and trials of Job, and delivering thereupon an important lesson, that misfortunes of the most painful character even, viz., those touching the person, are often sent upon the righteous. The speaker advised those now going forth to act upon the "stage of life," to always "preserve their integrity," as did Job, regardless of success, prosperity, or adversity. On Wednesday a large company, including numbers from New-York City, gathered in the College Chapel to listen to the annual musical treat, which is always of a high order. On Thursday the exercises consisted of reading of the ladies' essays, by proxy, music by the school, and the conferring of the degree of "Mistress of English Literature" upon those ladies who had completed the full course of study prescribed. This Institution was chartered as a Female College two years since.

The Church of the Messiah (Episcopal) on Adelphi-street, between Myrtle and De Kalb avenues, Brooklyn, was closed during the month of July for repairs. It reopens for public worship on Sunday next, under the charge of the Rev. O. PEACOCK.