

Chapter 19 (11-01-11)

**“and there be hanged
by the neck until he be
dead! dead! dead!”
Judge Davis Floyd in 1821**

How did it happen that Davis Floyd
conducted the first murder trial
in Floyd County, Indiana?

What discovery by the author
led to a lot of information on
the murderer and his murder trial?

Murders in New Albany, Floyd County, Indiana

There is sometime gruesome about a hanging or lynching that does not accompany other forms of death. In New Albany, Floyd County, Indiana in 1821 almost everybody knew everybody. Death by hanging was reserved for the most heinous crimes. It was not as quick as the guillotine but done properly the neck was immediately broken and the convicted criminal's demise was almost instantaneous. Ordinary death at that time was not as sanitized as it is today. Plus a hanging in New Albany at that time would be a big event. It might even be bigger if everybody knew the circumstances of the crime which warranted President Judge Davis Floyd to pronounce the following judgment on John Dahman or Dahmen on Saturday, May 19th, 1821:

Therefore it is Considered by the Court that the said John Dahman be taken to the Gaol [Jail] of said County from when he came, and from thence to the place of Execution on the sixth day of July 1821 between the Hours of Twelve and four oClock of said day and there be hanged by the neck until he be dead! dead! dead! __ __ __

Record Book A, Floyd Circuit Court, Floyd County, Indiana, pp. *****.

Remember when David Faux crossed the Ohio River from Portland, downriver from Louisville, to New Albany on October 27th, 1819, turned his "back on all the spitting, gouging, dirking, duelling, swearing, and staring, of Old Kentucky" and set his sights on New Albany, "where, for the first time in America, [he] found fine, *sweet*, and white home-baked bread." That bread may have come from the bakery shop of Frederick Nolte located in a little one story building at the southwest corner of Main and Pearl Streets in downtown New Albany. But just over seven months later baker Frederick Nolte would be dead from the most ghastly circumstances. His bread-baking days would be over forever.

Indictment for the Murder of Frederick Nolte

On Monday, May 14th, 1821 a grand jury returned the following indictment against John Dahman in the Floyd Circuit Court in New Albany, Floyd County, Indiana where President Judge Davis Floyd was the presiding judge, which indictment read in part:

...that John Dahman late of said county, labourer, not having the fear of God before his eyes, but being moved and seduced by the instigation of the Devil on the Twenty ninth day of May in the year of our Lord one Thousand Eight Hundred and Twenty at the county of Floyd aforesaid and within the Jurisdiction of this Court with force and arms in and upon one Frederick Nolte in the peace of God and said State then and there being feloniously, willfully and of his malice aforethought did make an afsault, and that the said John with a certain axe made of Iron and Steel of the value of fifty cents, which axe he the said John then and there had and held in both Hands him the said Frederick in and upon the head, near the right temple of him said Frederick, then and there feloniously willfully and of his malice aforethought did hit and strike and that the said John did then and there give unto him the said Frederick by such striking of him the said Frederick with the axe aforesaid one mortal wound of the length of three inch, and of the depth of Two inches in and upon the head, near the right temple of him the said Frederick of which said mortal wound he the said Frederick then and there instantly died----

Record Book A, p. 488.

The second count of the indictment added the following;

...that said John with a certain razor made of Iron and Steel of the value of Ten cents, which said razor he the said John then and there had in his right hand, the throat or gullet of him the said Frederick, then and there...did strike and cut one mortal wound of the length of six inches and of the depth of two inches of which said last mortal wound he the said Frederick then and there instantly died--- --- ---

Record Book A, p. 489.

Both counts then asserted that John Dahman had therefore "feloniously, willfully and of his malice aforethought did kill and murder contrary to the Law and form of the Statute in such case made and provided against the peace and dignity of the State of Indiana" Frederick Nolte. Prosecuting Attorney Mason C. Fitch had conducted the grand jury proceedings, taking them through the evidence, and had written the two count indictment to insure that John Dahman would have no loopholes which would rescue him. William P. Thompson, Esquire, then entered his appearance for Dahman as his lawyer.

Dahmen's Plea

Dahman was then brought into the Floyd County Circuit court room by Sheriff James Besse, Esquire, which courtroom was located in the Presbyterian meeting house on Main Street in New Albany, probably within sight of Nolte's bakery shop. Judge Floyd most likely read the indictment to Dahman and then asked him how he pleaded. Dahman's response was "no wise guilty" and "for his trial puts himself on God and the Country." He had just heard Judge Floyd recite that he did not have "the fear of God before his eyes, but being moved by the instigation of the Devil" when he allegedly buried an axe in Nolte right temple (three inches across and two inches deep) and then slit his throat (six inches across and two inches deep). There he stood in the room of the Presbyterian meeting house and yet replied to Judge Floyd, who was a Methodist lay

preacher, that he was putting "himself on God and Country." Little did he know at that time how true these words would become, or maybe he did know.

Record Book A, Floyd Circuit Court/Dahmen Book

The official records of the Floyd Circuit Court in *Record Book A* and similar record books in other counties in Southern Indiana only present in brief fashion the trial proceedings. There is no history of the defendant, his family, where he came from, what was he like, what were his loves and passions, why would he commit an awful murder like this, how did his mind work, his emotional state, etc? That information is usually lost to history. But in Dahman's case it was not lost. After the execution of Dahman on July 6th, 1821, a book entitled *The Life and Adventures of John Dahmen The Murderer of Frederick Nolte and John Jenzer, Chiefly Consisting of His Oral Confessions and Declarations, Taken Down in Prison, Also, a Brief Statement of his Trial and Execution*, quickly appeared in print for the public's consumption. Yes, Dahmen (notice the spelling difference of his name) committed another murder for which he was never charged. A man can only be hung successfully one time. The book was published in Jeffersonville by Smith & Bolton, Printers, in 1821. It was probably a best seller in Indiana that year.

An article in the *Indiana Magazine of History* published in 1945 led the author to an original copy of the Dahmen book which is now owned by the Lilly Library in Bloomington, Indiana. The book contains exactly 108 pages in easy to read print and format. The book was made available to the author on line. About two-thirds of the book is devoted to Dahmen's youth and young manhood growing up in Europe, migrating to America, and arriving in Indiana with his wife and family, thirty-five pages to the trial, and six pages to an analysis of Dahmen's psychological makeup. Was he a psychopath? Did he kill without

feeling? Did he have a wife and family and what were his relationships with them? Did he exhibit any love for his wife, family, or friends?

Dahmen's story was written by one his lawyer who is not named in *Record Book A*; he had other lawyers who were named in the record. Perhaps, it was an oversight on the part of Judge Floyd, or the clerk who inscribed the handwritten words in the record book and omitted to name him. The lawyer's name was Reuben Kidder, Counselor at Law. The book he left to be read today adds an unusual dimension to the horrible murders.

Dahmen in Europe

John Dahmen was born in Cologne, Germany, located on the Rhine River, on September 24th, 1791. That would have made him 29 years of age at the time of his trial and execution. His father's name was Harman Dahmen who was a wine merchant until 1812 and after that was a public commissary for the King of Prussia. His mother's maiden name was Mary Hennis. They were both Roman Catholics. Dahmen received a common school education in Cologne.

His father whipped him mercilessly for the usual boyhood transgressions. Dahman vowed that when it happened again that he would leave home. After a particular brutal flogging he made the escape at the age of thirteen years. He went to Bonn, Germany, a distance of fifteen miles. There he made an acquaintance with a guard who served under Marshal Murat. In the next chapter of this book, the reader will encounter information about one of Floyd's acquaintance in the Florida Territory who was Marshal Murat's son, Achill Murat. As one reads Dahmen's account of his life one wonders whether he was telling a true story or just making up a fanciful tale for his lawyer to write down. There was a General Joachim Murat who was an ally of Napoleon Bonaparte and was married to the latter's sister, Caroline. Dahmen was introduced to Murat who

took a special liking to him. The year would have been 1804 or so. He became Murat's errand boy and was constantly in his presence. In 1805 he accompanied him first to Paris and then Austerlitz. He claimed that he was present at the great battle by the French against the Russians and Austrians. History books tell us that the allies (Russia and Austria) attacked Napoleon's army on December 2nd, 1805, that Napoleon counterattacked the same day, and that Murat was there. After an absence of two years Dahmen then returned to Cologne with Marshal Murat. His father discovered that his son was in town and went to bring him home. Dahmen objected until he could get permission from Marshal Murat. Dahmen claimed that when he asked permission, Murat said "John, you little rascal, why did you not inform me before, that your parents live in this town, that I might have sent you to visit them." Dahmen claimed he responded "General, because I was afraid if I went home, that they would withhold me from your service, which I dreaded most of all things to quit."

When he returned to his home he found his mother in very poor health. While there he was persuaded by his uncle, who was a Catholic priest, and by everyone else in his family, to leave the army. He consulted Murat about his decision and the latter granted him leave from his service. He was fifteen years of age. It was at this time that Dahmen began a life of crime and intrigue. He joined with a group of petty larceners who worked out of the home of a woman named Elizabeth Horit. They would steal the lead gutters on roofs, money and silver and gold ornaments and vases in Catholic churches, jewelry from a jeweler's shop, and on one occasion, a chest full of treasures from an elderly Catholic priest. The priest had given instructions on the Catechism to Dahmen and at that time Dahmen had scouted out or cased the priest's quarters. Dahmen told his lawyer that the religious instructions were received by him "like water thrown upon a rock, where there was no soil to be moistened." He said he had no "desire to gain treasures in heaven, [he] was thinking only of earthly treasures deposited in the old man's house."

Dahmen's luck ran out and he, the woman, and six of their cohorts were arrested and sent to jail for six months of hard labor. However, his father intervened and he was soon back on the streets and, in a few months, had returned to his criminal proclivities. The first crime he committed was against his uncle. He stole \$800 and a box of silver shoe buckles from him. His uncle suspected his nephew of the crime but was persuaded by Dahmen that it was not him. The uncle commented that whoever the thief was had overlooked a gold watch. So the next night, Dahmen went back to get the watch. However, he was unsuccessful and ended up shooting his uncle in the arm. The year was now 1807.

His uncle charged him with the crime but before he was arrested Dahmen put aside some gold coins which he swallowed. When he was arrested and brought before the magistrate, he was discharged because there was no evidence against him. He was rearrested and when he was asked where he spent the night he summoned four prostitutes who vouched his presence for the full night in their house of ill repute. He remained in jail however and the magistrate put two imposters in the cell with him to extract a confession. He immediately suspected the purpose of the imposters' presence. First, he pleaded his innocence. Next, they plied him with wine to loosen his tongue but to no avail. He was eventually released back to his father. His father started the whippings again so he escaped the second time and went to Bonn again. There he met a man with the same interest in crime that Dahman had.

He and his partner took up with a third man and traveled the distance of one hundred miles to another neighborhood. They met a farmer who needed someone to expunge the devil from his basement. They put on quite a show for the farmer reading from the Bible, etc., and when nothing was happening they convinced the farmer that the sum of \$500 would do the trick. He complied and

they left going to Alsace, a distance of fifty miles. There they stole "silver plate and money" from a room in which a dead man laid in his coffin and outside which room the mourners were celebrating in a disrespectful manner. He and his companions removed the dead man from the coffin, propped him near the door, and put a pipe in his mouth. They returned a short time later to see the celebrants open the door and encounter the dead man standing and smoking a pipe. They then proceeded to Mentz (probably Metz, France). While there they stole \$600 in gold from a man who had recovered that sum in a lawsuit. They took this money and other money they had and purchased \$1,500's worth of silk and other goods. They departed this time to Utrecht (probably in the Netherlands today), a distance of more than 100 miles.

Sometimes, Dahmen's story was not in chronological order. He then recited an additional part of the story about the farmer for whom they tried to exhort the devil. Apparently the farmer had them arrested and at the trial, Dahmen put on such a performance that he had the judge and spectators in laughter. The judge discharged him from this prosecution. Next, he and his two friends went to Brussels in Belgium. During an attempted robbery in that town one of his companions was arrested and put in jail. He then left for Limburg located in the Netherlands. He soon returned to Brussels to determine a way to extract his friend from confinement in the jail. He befriended a woman whose son was in jail with his friend. He sent food and money to his friend via this woman and then suggested that he send something that would make his friend sick. This worked beautifully, his friend was sent to a hospital, and Dahmen was able to furnish him with a file. The friend escaped from his bed in the hospital to which he had been chained but on the way out he encountered a porter and ended up stabbing him to death. The friend next encountered a guard who recognized him and sounded the alarm. He was tried for murdering the guard and sentenced to the guillotine. Dahmen said the following about this chapter of his life, "Thus ended the adventures and earthly career of poor Flack, a man of

great cunning, ingenious in contriving wicked devices, and of desperate courage in the commission of crimes." He never mentioned that his conduct led to the death of this supposed good friend. He went on to say "Being now separated for ever from my dearest companion on earth, consigned by an infamous death to an early tomb, I began to think seriously of the vicissitude of fortune and the instability of all human affairs." He decided to return home but to avoid his father. After several weeks his father located him and convinced him to return home. He was greeted by his mother who said, "John, my son, who wast lost, heaven hath restored to me." He then recited that his mother "wept profusely for joy" and said "This tenderness of a mother's affection, hard hearted as I was, reached my sensibility and turning aside to conceal how much her goodness had touched and over powered me, I poured forth my tears like rain."

While Dahmen had no affinity for his father, he claimed great affection for his friend and his mother. His father then persuaded him to take up work at a cooper's shop but he grew bored of that work in a few weeks. He then became friends of some of some of the guards of Bonaparte's officers. They were interested in seizing and destroying all British goods they could find. They found a large quantity of coffee but while transporting it they were caught and arrested. Dahmen was sentenced to four and one half years of hard labor at the work house prison at Cologne. He was put to work picking cotton. He and some other colleagues in the prison decided to make a rope ladder from cotton which they did in secret. The ladder was taken to an outside wall and the men let themselves down and escaped. They heard a cannon sound the next morning which was the alarm for the escape. They then headed for Cleves in the Netherlands. There they robbed a pawn broker's shop stealing many silver watches and "pipes silver cased," which they sold to a Jewish merchant. The men then split up and Dahmen headed back to Limburg. He was seventeen years of age at this time.

He decided to join a military school in Limburg. He soon befriended a classmate who practiced "profitable mischief." The two of them engaged in pick pocketing. Dahmen's first victim was "a charming young lady, elegantly dressed." He observed a small watch attached to a gold chain hanging down on a silk velvet fob, just below her left breast. After removing the watch without detection, he sold it for fifty guineas. The next day he and his friend went to a drug store. They discovered the druggist had a money drawer. His friend enquired about the price of molasses and then asked the druggist what a hatful would cost. The druggist replied, "Nothing," and filled his friend's hat with the sticky substance. Everybody was laughing when the friend came up behind the druggist and put his hat on the druggist's head. Being temporarily blinded by the sticky molasses, Dahman and his friend stole the druggist's money drawer and escaped. The drawer contained Dutch coin of the value of \$50.00. A few days later he stole a gold watch which he had been looking at in a jewelry shop and sold it for \$250.00. Later they followed a Dutch farmer on his way home. The farmer had received \$150.00 in gold coin for the sale of his produce in town. They befriended him, got him drunk, and stole his money.

The military school put restraints on Dahmen's criminal activities. While still a youth, Dahmen's father had acquainted him with the art of using the sword. While in military school he perfected the art and became a superior fence man in the use of both the small and broad sword. He was soon challenged to a duel and he expertly severed "the whole rim" of his adversary's belly. The man survived. Next, he stood in for his fencing master when the latter was insulted by a young Egyptian soldier who had accompanied the French army from Egypt. He inflicted grave wounds on the Egyptian but spared his life. Few would challenge him thereafter and he eventually became the fencing master. He continued in this office for the next four years. He then took to gambling. On one occasion when he was particularly short on cash he positioned a mirror

where he could see his opponent's hand of cards. He won \$300.00 on this occasion.

Dahmen claimed next that his regiment stationed in Limburg was ordered to Paris where it stayed for three months, and then marched to Hanover. He and five other soldiers were given permission to live outside town. They found a home and persuaded the owner to furnish them with a large ham. They then went to a Catholic church where they procured wine used in the sacraments. They returned to their new home just in time to see the owner, his wife, and their two daughters leaving for the woods. They searched the house and found "a trunk with fine goods with three hundred dollars in money." The family was found in the woods and forced to return. The six soldiers took a great interest in the girls. Dahmen's assessment of the two girls read:

The virtue of the eldest was not impregnable to the assaults of our gallantry, as we first imagined. For she had so well acted the part of a prude, that we had feared, for the gratification of our desires, we must have substituted force for persuasion; but her nature proved not so unbending as her manner predicted. The appearance of the youngest displayed beauty and innocence.--- There was sweetness and benevolence in her look and such a grace in her whole deportment, that, unused as my rude passions were to respect the virtuous delicacy of female sensibility, I felt disarmed at all motives to offer any violence to her will.

Kidder, The Life and Adventures of John Dahmen, pp. 53-54.

Dahmen and his fellow soldiers had spent only six days in the home when they were ordered over the Rhine River to be quartered in Strasburg. They were there three months. While there Dahmen met and fell in love with a woman named Catharine Domley. He described the affair as follows:

Her gait was majestic, her person tall and well proportioned, of fair complexion, dark brown hair, sparkling blue eyes and soft regular features commonly indicative of all those kind sensibilities which

conciliate the affection of our sex. Her conversation was so lively, witty and shrewd, and her manners so fascinating,, that she seemed to me to possess all the provocatives of love. For the first time in my life I now found myself captive at the feet of a woman. But on more intimate acquaintance, the ardor of my passion considerably abated. Catharine's exterior was but a semblance of virtue, yet, she was a complete Jazebel in principle, betraying her nearest connexions, and lending her person to those who would bid highest for her charms. Having the charge of the key to the money trunk in the house where she lived, she used to steal often, small sums at a time, to make her unsuspected, and to divide with me. To secure her favours and get the money, I promised to join in marriage with her and then depart for a distant country. She was at length arrested for theft and committed to jail, where, in her confessions, she implicated me as an accomplice. But on examination I stoutly denied the charge, or that I ever had any knowledge of the woman. Nothing appearing against me but her declaration, I was discharged without being committed; as also was another man charged in a like manner by her, but not till commitment and trial.--- Catharine was found guilty and sentenced to confinement and to the endurance of hard labor in the work-house prison for four years. Her fate, ungrateful as she was, had touched me with a sentiment of pity, and I called to see her and made a present of 20 dollars; telling her, at the same time, it was expected, she would not expose her friends any more.

Kidder, *The Life and Adventures of John Dahmen*, pp. 54-55.

He never mentions the fair Catharine again. His regiment of cavalry marched from Strasburg to Antwerp and then to Boulogne for the purpose of opposing the English. An English frigate approached the port and tried to get between a French flotilla and the shore. French guns on the shoreline missed their mark so an old French bombardier with one leg was brought forward and his fire was so accurate that the frigate was soon sunk with the loss of life for everyone on board. Dahmen claimed that Bonaparte had witnessed this scene and approached the old bombardier in person and presented him with a sword, saying, "My brave Old Son, you must accept of my sword, as the reward of your skill and valour---were the present a thousand time more valuable, you would deserve it, to keep as a token of the esteem in which I hold your loyal and gallant actions---I further, order, that you receive, yearly, out of my public

treasury, two thousand and five hundred franks, during life." Some times Dahmen used "dollars" to describe amounts of money and value of goods but here, in quoting Napoleon Bonaparte, he used "franks," which is properly spelled "francs." Next Dahmen's regiment was ordered to Spain. They were stationed at Bayonne for two or three months and then crossed the border into Spain. The regiment remained in Spain for fifteen months during which time much blood was spent on both sides in fighting skirmishes with Spanish brigands. During this time Dahmen received a wound to "the fleshy part of the small of my leg, and my horse was killed under me by the same shot...."

In April 1812 the "detachment" to which Dahmen belonged was ordered to join the Russian expedition. They marched to Marseilles, France and during the night of May 6th, 1812 Dahmen had the following experience:

As I was troubled with watchfulness, I did not close my eyes till about three hours before dawn of day. At the hour of twelve I arose from my bed and was striking fire from a flint to light my pipe, when, looking up, I beheld, with astonishment, the apparition of my mother, an exact likeness, large as life, standing before me, apparelled in the same habit at when I last saw her; in less than one minute she vanished out of sight, leaving on my mind a confident belief that her soul had just fled to the world of spirits. The time and place of this wonderful appearance I noted down in my journal. About two years later on my return from Russia, my father meeting and embracing me tenderly, as I entered the door of his house, burst into tears. His grief restraining his utterance for some minutes, then taking me by the hand and with a voice that bespoke the fulness of his heart, said he, "John, your poor, kind hearted mother is no more!" Replied I, "Father, I was so fully convinced of that melancholy event, on the very night; nay, the hour on which it transpired, (viz. the hour of twelve of the 6th of May, 1812,) that, although more than two hundred miles from home, I mingled my sorrows with your's in bemoaning her loss." On the recital of this fact, my father, in wonderful amazement, added, "the very night and the very hour on which her spirit fled! Her last moments were occupied with anxious thoughts for you, John: said she, in her last effort to speak, I never shall behold him again! and presently expired."

The next day Dahmen's detachment continued its march to Moscow crossing the Rhine at Mentz and passing Cracow on their way. Troops from other detachments joined in along the way augmenting their force to a formidable number. At this point Bonaparte appeared on horseback. He never rested; he was in constant motion and inspected everything. At night he would go into tents and speak with the soldiers. His usual words were, "My good children, keep up a good heart, I will provide for your welfare and secure your success." The marching army covered about fifteen miles a day, more or less. In Poland they had several skirmishes with the Russians. They reached no formidable resistance until they arrived at Smolensko, a small city about 180 miles from Moscow. Near here the two armies engaged in a powerful battle with many men being killed on both sides. History books tell us that for three days, August 17-19, 1812, a grim battle raged around Smolensk's southern outskirts between French and Russian troops and that the French sustained 10,000 casualties and the Russians, 12,000. The Russians then fell back about 80 miles to the town of Borodino where the two armies engaged in another powerful battle. Dahmen overheard some of his officers say that each side had suffered losses of 100,000 wounded and killed. Again history books tell us that the battle at Borodino was a brutal one with each side losing extraordinary numbers of soldiers. The French army retreated and then the Russian army retreated towards Moscow. The French gave chase to the Russians and reached Moscow on September 16th, 1812. The history books confirm this date. The two armies remained at loggerhead for 42 day when Bonaparte ordered a retreat. The retreat was disastrous because the French army ran out of food and warm clothing and winter set in. During the long march to Leipzig, Dahmen saw scenes of horror that he had never seen before. The march took eight months and in the month of July 1813 they rested at Coblentz (Coblenz) on the Rhine. Bonaparte arrived at their camp with fresh troops and everybody marched toward Leipzig which would become the scene of another great battle. The battle begun on October

16th, 1813. Dahmen served with a Prussian cavalry unit, had two horses shot out from under him, received several minor wounds, hacked down several enemy soldiers with his broad sword, and shot six or eight of the enemy from their horses. The French army eventually yielded to the enemy's superior force and his detachment was sent to Antwerp and then to Paris. While in Paris each member of his regiment was requested to sign an oath of allegiance to Louis XVIII, which was refused by everybody. Dahmen then headed for his home in Cologne where he worked for his father in the public magazine.

In April 1815 Dahmen's brother was ordered to join the Prussian army whose job was to oppose Bonaparte's attempt to restore himself to the throne of France. The brother was inexperienced in soldiering so Dahmen took his place. In June of 1816 his unit took Cleves and then marched to Waterloo. Dahmen was a member of a regiment of Hussars on horseback. Dahmen was wrong when he said June of 1816; the date should have been June of 1815. When Bonaparte and his army were defeated at Waterloo, Dahman's unit was ordered to Erfurt in Upper Saxony, where he was stationed until February 1817. He returned home and often found himself in arguments with his brother and two sisters. He decided to go to Holland visiting Amsterdam and Rotterdam. In November 1817 he resolved to visit America. He boarded an American ship and sailed to Baltimore where they landed at Annapolis in February 1817. Dahmen must be confused here because he goes back almost a year; in other words he arrives before he left.

Dahmen in America

Arriving in America and since he had no funds to pay for his passage he entered into an indentured servitude arrangement with a Mr. Moore who paid his fare and then took him to Washington city where he transferred his services to Colonel Fletcher of Kentucky. Moore probably made some money on the deal.

While on the ship Dahmen had made an acquaintance with a certain Mary Lecroix and they became "mutually attracted to each other." Col. Fletcher also paid Mary's fare, indentured her, and when the couple reached Kentucky they were married. Some time later Mary got into a fight with some of Col. Fletcher's slaves during his absence and they called her a "Dutch bitch." Dahmen heard this insult to his wife and ended up fracturing the skull of one of the slaves. The slaves then came for Dahmen with axes and hoes but he grabbed a rifle and threatened to shoot them. They backed off. When Col. Fletcher returned Dahmen and Mary withdrew from his service and went to Augusta, Kentucky, a small town where they spent the winter. Dahmen did not say what the financial arrangements were for their withdrawal but they had indentured themselves Fletcher for three years. Dahmen cut hair to earn money, a trade he learned in the army. He found out that good land was available in Indiana so he purchased a skiff and he, his wife, and their children floated down the Ohio River to a point twenty miles below the Falls of the Ohio.

At this point in his story Dahmen returned to the time he was in the army in a detachment of Prussian soldiers stationed at Erfurt in Upper Saxony. Here he described certain "unusual and unaccountable mental impressions":

On a time, my vital functions were exercised in a most peculiar manner which I had never before experienced: placing me in a state of sensibility and a tone of mind, that exactly corresponded with the notions I had formed of that condition of soul and body, commonly called, *being in a trance*. It was neither sleeping nor walking exclusively, and yet, it seemed to partake of both. The body was reposing, as in sleep, but the mind was more active and vigorous than when wide awake. My rapidity of thought was wonderful---ideas, void and distinct, in a hurried succession, formed various scenes entirely new, both of action and place, and presented objects and characters, both in kind and number, peculiarly appropriate at the time and theatre of action. In this new state of mind (for so I call it) one part of my vision respected my condition in this country. Although at that time I had neither desire nor expectation of visiting the American continent, I seemed to myself crossing the Atlantic and

landing on the shores of the United States, and to anticipate, in most extraordinary detail and particularity, my future destiny in America.--A presentiment of the most important occurrence that have actually befallen me here, was so strongly and indelibly impressed on my mind, that the principal events, concerning myself, which have transpired since, seem like reviews of scenes or the repetition of tales and facts already stored up in my memory and perfectly familiar to my apprehension. The scenery and face of the country, particularly the western parts, the labors I have performed, the difficulties I have here encountered and the pains of mind and body I have endured, seem little else than a recollection of what past in review, before I left Erfurt.

Kidder, *The Life and Adventures of John Dahmen*, p. 70.

He described another "unusual and unaccountable mental impression:"

As I descended the Ohio [river], with my wife and children in a skiff I had past the great falls [the Falls of the Ohio], and the moment I cast my eye from the river, on the town of New Albany, my mind was seized with strange terror and alarmed with fearful apprehensions of some great and impending evil. I recognized it as the very spot, pointed out to me in the vision of Erfurt, where I should feel the heaviest blow from the hand of fortune, where my trials and sufferings would reach the height of endurance and be consummated, and where my cup of sorrow would be full to overflowing. And although, I have always been less affected than almost any man, with superstitious motives I had such strong forebodings of some terrible evils, about to befall me in that town, that the strongest efforts of my reason could not restrain my mind from brooding on the prospect, with a kind of gloomy horror, nor in the least restore me to cheerfulness and composure of thought. My wife tired of the water, wanted to stop and take up a permanent residence there, but the inclination I resisted with so much aversion, that I could hardly prevail on myself to land at the town, although called there by urgent business. On my confinement on charges of heinous crimes, my escape from prison and all other matters that have or shall have discomfited me, at or near this town, I have as by a kind of second sight, been forewarned, for years before I stepped my foot on the American continent.

Kidder, *The Life and Adventures of John Dahmen*, pp. 70-71.

Dahmen's Escape from Jail

At page 71 in Dahmen's description of his adventures in Europe and coming to America, then to Kentucky, and lastly, to the Indiana, ends. Dahmen was arrested for the murders of Nolte and Jenzer and incarcerated in the public jail, a one room, one story log building. He was in the company of two horse thieves named Williams and Linthecomb. While lingering in the jail Dahmen predicted his escape to whoever would listen to him. He also complained about the indigence of being hung. He told his listeners he had seen forty or fifty people in France executed with the guillotine and preferred the expediency of death by beheading. On August 21, 1820 the three men escaped from the jail. They had somehow acquired an auger, bees-wax, umber, and file. Dahmen used these items in combination to create a hole in the jail floor and escape. And escape they did.

Dahmen and the two other escapees soon split up. Dahmen traveled to a point a few miles from Louisville and then headed back to Maysville, Kentucky. During this time he had the opportunity to return to Col. Fletcher's plantation where he and his wife had worked together. As he approached the house he supposedly heard the colonel telling someone that he had received a letter from Mrs. Dahmen telling him her husband was dead and she needed money to return herself and two children to Europe where she had friends in Amsterdam. She told the colonel she also needed a marriage certificate "whereby she might prove herself an honest woman to her friends." The book does not state what happened to Mrs. Dahmen and her two children. From Maysville Dahmen went to Sandusky, Ohio via Urbana, Illinois. That does not make much sense. He avoided people and their questions by telling everyone who asked that he was recovering from yellow fever.

In the meantime Linthecomb's body (one of the escapees) was found in a decomposed state about ten miles north of New Albany. Dahmen's confinement in jail and illness therein had emaciated his physical strength so

his trip northward was slow. He decided to seek refuge in Canada and after passing through Detroit he arrived in a safe place in Canada called New Settlement fifty days after his escape. At this point in the story lawyer Kidder digressed into psychoanalysis of Dahmen:

Wretchedly depraved in mind as he was, fatally bent on mischief and disregarding, as he seemed to, every moral duty, he appears at times, to have possessed strong sensibilities and to have been powerfully influenced by social feelings. In the story of his life, we have seen that his friendly attachments were occasionally, ardent for his companions in crime. He has frequently asserted, that his respect and attachment for his wife originated in the opinion he formed of her virtue and chastity, for resisting, indignantly, his repeated solicitations, on their passage from Europe, to indulge his propensities, by bestowing her illicit amours. So true is that favorite maxim of the stern moralist, that *genuine virtue is so dignified and exalted, in her nature, that the most depraved and vinous of men pay her homage.*

Kidder, *The Life and Adventures of John Dahmen*, pp. 74-75.

Dahmen's Letter to His Wife, Mary

About three weeks later Dahmen made a fatal mistake. He wrote the following letter to his wife, Mary, in German:

October 25, 1820

Beloved Wife,

I cannot refrain from writing a short epistle to apprise you of my residence. I enjoy sound health and would feign hope that you and my children partake of the same blessing.

Dear Mary---After my commitment to prison, when you visited there, you seemed to take your leave of me, and to extinguish your love for me, after your hope of my being permitted to live, was gone; but, I never despaired of my escape. so as to prolong my life.

My Dear Wife---If you, with your children, are desirous to live with me again, express your inclination to that effect, by a letter in German, in reply to these lines, that I may have the pleasure of seeing with my own eyes and of understanding for myself, a communication

from your own hand. At any rate, let me know your mind on this subject, so, that should you think you could live happier without me, I may be prepared to resign my will to your pleasure and learn to be contented. But, dear Mary, you can hardly conceive how much my thoughts dwell on you, by night and by day, and how unable I seem to console myself, till I again hear the sound of your voice and enjoy your delightful presence. You must rest quietly until the next spring season, cheered with the hope, that I shall then be able to afford you relief, for I am distant from you only about 330 miles, in Upper Canada, where I am employed in distilling whiskey for a German.

At present, I can give you but a short letter; when we meet, I will make a more full communication of what has befallen me since our last parting. I have ascertained that, in my absence, you have addressed a letter to Colonel Fletcher, requesting him to furnish you with money to procure your passage to Amsterdam, stating that I was dead; but your countryman, Brinst, has falsely circulated a report that I was hung. I conclude these brief remarks by wishing you a thousand blessings, assuring you that my heart is affectionate and constant to my Mary.

Signed,

JOHN DAHMEN

Kidder, *The Life and Adventures of John Dahmen*, PP. 75-77.

Dahmen gave the letter to a man bound to Indiana and asked him to post the letter in that state. The letter was addressed to a man whose name was Brindley who lived near Dahmen's home on the Ohio River. Dahmen later explained that he sent the letter to Brindley since he had been kind to Dahmen's wife and children. Brindley did not receive the letter until February 1821. Since he could not read German, he gave it to a German living in New Albany. The German immediately understood the significance of the letter and delivered it to Gen. Paxson, and he and Sheriff Besse had it translated. The Sheriff consulted Gov. Jennings in Corydon. While in Corydon Besse found another letter from Dahmen in the post office postmarked "Detroit" with the date of Jan. 13th, 1821. The second letter was opened and it was dated Jan. 1st, 1821, and contained the same recitals that the first letter had.

Pursuit of Escaped Prisoner

Gov. Jennings and Sheriff Besse decided that an attempt should be made to pursue Dahmen. The Governor addressed a letter to Gov. Cass of Michigan and furnished him with certified copies of the indictment, commitment, and the escape record. John Eastburn volunteered to accompany Sheriff Besse on the journey. When the two men reached Detroit they consulted with Gov. Cass and he agreed to assist in every way possible. Under Canadian law at the time, no prisoner, escaping justice in the United State, could by law be extradited back without the approval of the Canadian governor who lived 300 miles away. Besse and Eastburn were not interested in a 600 mile round trip to obtain the proper approvals so they took things into their own hands. A fake letter written in German supposedly from a friend of Mrs. Dahmen was created which conveyed the false information that Mrs. Dahmen and her children had come to Grosse Isle with a waggoner (wagon driver) in order to join Dahmen in Canada. Eastburn was outfitted as a waggoner and set off by himself since Dahmen would recognize Besse. Eastburn found Dahmen at his place of employment and delivered the letter to him. In order to sweeten the pie Eastburn told him his wife was pregnant and due to deliver any hour. Finally, Dahmen gave into his wishes to see his wife and children, especially with the prospect of another child on its way.

It was the perfect trap and Dahmen soon found himself in the custody of Sheriff Besse and Eastburn. To insure that Dahmen did not escape on his return trip home an iron collar was riveted to his neck. From the iron collar hung two chains which were each attached to rings positioned around his arms above his elbows and then another chain extended over his back hooking the two rings together. Somehow a lock held part of this contraption together. Sheriff Besse and Eastburn rode on horseback and Dahmen followed behind them walking in thin moccasins and lightly dressed. The long trip eventually took them to Cincinnati where they boarded a boat and headed to New Albany. During the trip Dahmen would often curse God for his predicament. During much of the

trip Eastburn traveled on foot and conversed with Dahmen. Dahmen gave him all the details of his crimes which would correspond with his confessions later. The two men and their prisoner arrived back in New Albany on March 29th, 1821. The pursuit had taken thirty-seven days.

Second Imprisonment of Dahmen

There would be no escape from his second imprisonment in the Floyd County jail. He was always guarded by at least two men. Dahmen was arraigned before the Floyd Circuit Court on May 14th, 1821. The pertinent parts of the two count indictment have been previously recited in this chapter at its beginning. Dahmen's lawyers asked for a continuance so that they could pursue two affirmative defenses. One was an alibi defense and time was needed to find the witnesses who could say that he was at another place at the time of the murder. *Record Book A* reported that Dahmen claimed that Benjamin Johnson of Breckenridge County, Kentucky was a material witness and that Dahmen "cannot go to trial without the benefit of his testimony." The other defense was that he was mentally deranged when he confessed his crime. Dahmen claimed that William Stewart was another material witness. *Record Book A* reported that he needed him "to prove by Stewart that illegal means were made use of to prevail on him to make a confession and that his mind was not in a situation to know and understand what he was doing." An affidavit was presented to the Court and it said that a messenger had been sent for Johnson and he could not be found. The motion for a continuance was denied and the prosecuting attorney was directed to start the State's case.

Dahmen's Trial before His Peers

Dahmen was brought before Judge Floyd and the two associate justices and was asked how he pled to the indictment. He raised his right hand "with great apparent composure [and] pleaded, not guilty." *Record Book A* gave a little

more detail on the guilty plea: "he says he is in no wise guilty" and "puts himself on God and the Country." Since Dahmen was a German immigrant his attorneys asked that six of the twelve petite jurors who would hear his case be foreign immigrants. The *Record Book* said his lawyers reported that Dahmen "is an alien and prays that a *Jury de mediatate lingues* may be awarded to him." Judge Floyd granted this motion and six householders from Floyd County and six aliens were eventually selected. It took three days to pick and seat the jury. Opening statements were made by the Prosecutor and the three defense attorneys, Kidder, Dunbar, and Thomasson. The *Record Book* said that John N. Dunbar was substituted for Thomasson. Eleven witnesses testified for the State. The following is a summary of the testimony:

That Frederick Nolte, with the murder of whom the defendant was charged in the indictment, was a German by birth and had accompanied Dahmen in the same ship, in his passage from Amsterdam to America---that he was a baker by trade and was settled in that in the town of New Albany; the shop where he worked, consisting of a cabin, on Main street, near the dwelling house of Gen. Paxson. That Dahmen, whose family lived on the bank of the Ohio in the state of Indiana, about twenty miles below by water, where he had resided but a few weeks, was often seen at Nolte's shop, apparently on terms of intimacy and friendship---That, on Wednesday twenty fourth May [1820], in the latter part of the day, Dahmen was seen with Nolte, in his shop by a man who called to buy bread, of which, Nolte having little on hand, he delivered a small portion only, with a request to call early in the morning, when from a fresh baking, he would provide him with a supply.---Early on the succeeding morning the customer rapped at the door, when it was founded locked. On the same day Thursday twenty fifth May, Dahmen came to the store of John Spalding in New Albany, and purchased four yards of calico and offered in payment various kinds of paper currency in small bills. The money being objected to, Dahmen said, he presumed it was good, as he had it of Nolte. On Saturday the twenty seventh May, Dahmen was again at the store of John Spalding. On the following Sunday he took from the shop of Nolte, some baking pans and carried them over the river to Shippingport. On the Monday following he occupied the shop of Nolte, alleging he had purchased all Nolte's goods, whereby he had secured a debt Nolte owed him, ---saying to some, that Nolte had gone to Shippingport, to others, that he had gone to Louisville, and again to others, that he had gone down the river. Dahmen took

down Nolte's sign, and procuring a horse and cart, as he was loading up Nolte's goods, all of which he took out of his shop and carried off, a bystander observed in Dahmen's presence, that the goods ought not to be permitted to be carried away, until the baker, meaning Nolte, was found. This remark appeared to alarm and confuse Dahmen, so much, that he seemed to look pale and his knees to tremble, and turning round, he walked off.

Dahmen put the goods in a boat for Shippingport and being pursued, on the river, and overtaken by the landlord, to whom rent was due from Nolte, with a writ of attachment to seize his goods in Dahmen's custody---To prevent seizure and detention, Dahmen paid the rent and was suffered to proceed. It being reported, at New Albany, on the second of June, that the dead body of a man had been taken out of the river about two miles below, on the Kentucky shore, Gen. Paxson, Justice Beers and four or five others immediately repaired to the grave of the dead man, on which a jury of inquest had been called, and removing the earth that covered the body and washing the dirt from the countenance, by surveying the features, one foretooth missing, the tip of the third finger on the right hand being cut off, and the texture and colour of the hair, they were all satisfied the corpse was the body of Frederick Nolte, who had then been missing seven days---On the right temple the skull was cut through, apparently with the edge of an axe, by fracture about two inches in length; the left eye was pushed out, supposed by the blow, and the throat cut from ear to ear. After returning to N. A. [New Albany] on removing a loose plank from the floor of N's shop, were discovered two large quantities of clodded blood on the ground underneath; and spots stained with blood were on the floor, which were strewed over with flour. Dahmen, being now strongly suspected of the murder of Nolte, was on the fifth June pursued by Gen. Paxson and several others from New Albany. Coming to his house they arrested Dahmen and took out of his possession several articles, including some flour and buffalo robe, stained with blood, which Dahmen acknowledged once belonged to Nolte, adding however, that he had fairly purchased it of him. Dahmen was conducted to the public jail, in New Albany, and there committed, confined by irons and constantly guarded day and night by two centinels. On the first examination before two magistrates, he very positively denied any knowledge of the murder of Nolte. On the 7th June he was re-examined before Justice Beers and Little. At first he asserted his innocence. But, on a note of hand for three hundred dollars, payable from a man in Ohio to John Jenzer, and three or four dozen of new watches, that were found burried in the ground near his house, being shown him, he exclaimed, "my God! the thing has come out, it is of no use to deny it any longer; I have been betrayed by a woman (referring to his wife, supposing she had

informed where the watches and note were concealed) you need not say more, I murdered Nolte.” His countenance changed, and bursting into tears he stated, that he made the confession voluntarily and freely, as it afforded his mind great relief, a sense of guilt having for days lain heavy on his heart.

Being questioned of the manner in which he committed the murder, he said, that on Wednesday evening, he came over the river from Shippingport with Nolte, who invited him to take lodgings with him---that Nolte that evening had prepared some dough to make into bread for his customers, and between nine and ten o'clock, having kneaded his flour and put the yeast into it, he threw a buffalo robe on to the bench, where he set his bread trough and lay down on it to sleep, that he might get up early after the dough had risen, so as to have the bread in readiness for his customers in the morning, directing Dahmen, in the meantime to occupy Nolte's bed, when Dahmen inclined to retire---Dahmen stated that he sat up till between the hours of twelve and one, when finding Nolte in a sound sleep, and being instigated by the Devil, he, Dahmen, approached the place, where Nolte lay, having an axe in his hands, with the intent of murdering him; but that having surveyed Nolte in his sleepy, defenseless condition, his heart failed him; that retiring to the other part of the shop, the Devil now suggested to him that he was a great coward---that soon returning to Nolte with the axe, he laid a blow so heavy on Nolte's forehead, as to sink the edge of the axe through the skull, when Nolte uttered one expiring groan and rolled off the bench on the floor, dead. As he would to enjoy the diabolical sport of seeing Nolte's blood run, he pulled up a plank in the floor, placed his throat over the spot, from whence the plank was taken, and cut his throat with a razor, from ear to ear; when the blood run out on to the ground, under the floor---getting some rags and wetting them with water he procured outside the shop, he endeavored to wipe up all the blood that was spilled on the floor, which he presently strewed over with flour to prevent the appearance of any stains. Then he next took the sacking bottom from the bed, where Nolte had directed him to sleep and fastening it round the body of Nolte, raised the body on his shoulders; but that having proceeded a little way from the shop, the burdensome weight compelled him to lay it down on the ground, then lashing it to a plank, he went back to the shop (the candle still burning) and got a rope by which he fastened and hauled the body and plank together, about sixty rods to the river, being closely pursued the whole distance, by Gen. Paxson's dogs, which all the while were very fierce, making a hideous noise and attempting to bite him---that, after thrusting some stones between the dead body and sacking to sink them, he put the body into a skiff, rowed into the current of the river, and threw it overboard---in doing which the skiff

jostled and tilted so much, that he came nigh to falling over himself. He then went back, extinguished the light, locked the shop and went over the river to Shippingport.

At the time of acknowledging this tragical affair, Dahmen also confessed the murder of John Jenzer; the latter transaction, which happened a few days after, as it makes no part of this trial, we shall present to our readers in another place. Several of the witnesses testified to confessions made by Dahmen to them, on several occasions, the same in substance as those made before the magistrates. A razor and bloody rags were found in Nolte's shop and a print of a plank, drawn from his shop to the river, was seen the day after Nolte was missing. Late in the night of the murder, the dogs near the shop were heard to howl and growl fiercely, and seven days after the dough in Nolte's bread trough was found running over.

Kidder, *The Life and Adventures of John Dahmen*, pp. 85-91.

After the prosecutor finished presenting the evidence in his case, Dahmen's lawyer called one alibi witness, whose testimony proved nothing. This may have been Johnson. Some of the State's witnesses were recalled by Dahmen's lawyers to show that the confessions were obtained by surprise and duress and therefore they were not free and voluntary. This testimony did not help Dahmen's case. Both sides rested and the lawyers made their final arguments to the jury. These arguments lasted about five hours. Judge Floyd then gave the jury the legal instructions governing a murder case. They then retired to deliberate the case. It was between nine and ten o'clock at night when they got the case. The jury deliberated through the night and at seven o'clock in the morning returned a verdict of guilty on the second count of the indictment only.

Dahmen's Motions for New Trial

At this point Dahmen's lawyers requested a new trial and as grounds they presented the following to the Court:

1. A juror was called and on being asked whether he had formed or expressed any opinion in regard to the guilt or innocence of the Prisoner, he said he believed he was guilty if reports were true. The

Prosecuting Attorney enquired of him whether his mind had come to any conclusion, the Juror replied he must take time to consider and after some hesitation he said he thought it had. Did you believe said reports Ans. I did---have you had frequent conversations on this subject with your neighbors A. At log rolling and other gatherings the subject has been talked of---Have you ever expressed your opinion to others A. I will not be certain whether or not. --- Is your opinion one of a settled character or only an impression which would be governed by the testimony of the case --- A. I should feel bound and could decide according to the evidence might be. I have never heard any testimony. I hold nothing unmovable.

Record Book A, p. 492.

The objection to this juror was probably made during the voir dire examination of the prospective jurors at the beginning of the trial. The words "voir dire" are French words which mean to see and to speak. And these French words come from the Latin words "Veritas and Dictum" which mean to speak the truth. During this part of the trial the Court and the lawyers were asking the prospective jurors to speak the truth regarding their qualifications and possible prejudices to fairly serve as jurors. The ruling of Judge Floyd and Justices Nance and Woodruff on this part of the motion for a new trial made at the conclusion of the trial but before sentencing was:

the Court decided Juror competent to which opinion of the Court the Defendant [Dahmen} excepts and prays his Bill of exceptions may be signed, sealed and made a part of the Record, which is done accordingly ---

**Davis Floyd (Seal)
Clement Nance
Seth Woodruff**

Record Book A, p. 492.

Dahmen and his lawyers were taking here the legal steps to perfect their appeal in case they decided to challenge the ruling by appealing to the Indiana Supreme Court.

The second ground for a new trial claimed that when the panel of prospective jurors was exhausted on one occasion, the Elisors were sent out by the Court to find twelve more jurors which they did. "Elisors" were the two men who were responsible to the Court to find qualified prospective jurors. The Court overruled this objection. Next, Dahmen challenged the array of the jurors which challenge was also overruled. This probably referred to the mix of the petite jury, i.e., it did not contain enough laborers like himself. Next, the Prosecuting Attorney moved the Court to allow the Elisors to amend their return which was allowed by the Court. This action was probably used to cure an oversight or a technical defect.

The third ground for a new trial claimed that Dahmen's confession should not have been admitted into evidence. This objection was probably made at the time it was introduced into the evidence. *Record Book A* showed that Dahmen contended that he introduced:

...evidence to prove that the said confession were made under duress of imprisonment and under the influence of fear. The witness introduced stated that at the time of the taking of the Prisoner the circumstances of the blood being discovered in the House of Nolte, and of the discovery of the body of Nolte, and that he was strongly suspected of the murder were mentioned to the prisoner, and that after he was taken he was put in Irons and while in that situation, the same circumstances were frequently alluded to and again mentioned to the Prisoner. That after he was taken he was carried before the magistrates ---that the said Magistrates either retained him in their own custody or delivered him over to the custody of the Jailor and that while so in custody these conversations above alluded to were frequent, until two days after when the said confessions proposed to be given in evidence were made before the magistrates upon being brought before them but not reduced to writing.

Record Book A, p. 493.

The fourth ground for a new trial stated:

The Defendant further objected on the ground that when first taken before the magistrates his examination was reduced to writing and that his confession before the magistrates and offered into evidence were not. The Deft's Counsel also objected to the introduction of any parol [oral] proof of confessions until the written examination was produced....

Record Book A, p. 493-494.

The Court overruled all objections. The last objection was based on the legal theory that a written confession is the "best evidence" of it and not the oral confession, and that the latter should have been excluded from the evidence upon failure to produce the former.

Kidder's book described the basis for a new trial as follows:

...that some of the jurors had misbehaved and permitted themselves to go out and to be spoken with, during their deliberations. And that the defendant by his affidavit had stated that he expected to prove, by absent witnesses named, an *alibi* and also that, at the time of making his confessions, he labored under a derangement of mind, present was out of money and friends he had been unable to get his witnesses, part of whom lived out of the state, but that he had a reasonable expectation of obtaining them at the next term. The Presiding Judge [Floyd] stated, that the first ground had not been proved to the satisfaction of the court, and that as under the circumstances of the case, they had no confidence in the other ground alleged, the court had over-ruled the motion for a new trial.

Kidder, The Life and Adventures of John Dahmen, pp. 91-92.

Verdict!

The Court adjourned at 6:00 pm on Saturday and then met again at 8:00 pm. Dahmen probably realized that the noose was beginning to tighten on his neck. The following exchange of words then occurred between Judge Floyd and Dahmen:

Judge Floyd: Do you have any further cause to show why the sentence of the law should not be awarded against you according to the verdict?

Dahmen: I have nothing more to offer which the court would hear. You would not allow me time to get my witnesses---I have been deprived of a fair hearing and treated like a barbarian.

Judge Floyd: You have had a patient and fair hearing. Your pretended defense is groundless, and your complaints unreasonable---greater indulgence has been allowed you, by the court, than in any prosecution of the like kind I have ever witnessed in the western country, where privileges as great have always been extended to prisoners on trial for capital offences, as in any part of the United States. It is high time you showed a more humble and contrite spirit, made peace with your maker and prepared to meet the awful destiny which is shortly to await you. A crime of the most heinous and aggravated nature has been clearly proved against you.

Dahmen: Yes, by a pack of damned lies!

Judge Floyd: Therefore, it is considered by the court that you John Dahmen, be taken to the jail of the county, from whence you came and from thence to the place of execution, on the sixth day of July, 1821, between the hours of 12 and 4 o'clock of said day and there be hanged by the neck until you be dead, dead, dead.

Dahmen: Go to hell and be damned at last!

Judge Floyd: And God have mercy on your soul.

Dahmen: And the Devil too!

Author Kidder described this scene as follows: "In this rude, profane manner, did the vile wretch display the sentiments and purposes of a heart hardened in iniquity and influenced by every diabolical motive, that can degrade and contaminate the human character." When Dahmen was escorted to the jail and as long as bystanders would listen at the jail, he poured forth "his spleen and malice on the judges, jurors and witnesses."

Second Murder

Author Kidder also presented the facts of the murder of another man by Dahmen. His name was John Jenzer who was a German immigrant who had recently come to the United States. The murder was described as follows:

Always when Dahmen acknowledged before the magistrates, and on divers occasions to other persons, the murdering of Nolte, he also confessed the murder of Jenzer, detailing all the particulars of that horrid deed, referring to circumstances that left no doubt from other corroborating testimony. The following is the story of that barbarous transaction: That soon after he murdered Nolte, finding that Jenzer had forty or fifty silver watches, packed in boxes, brought from Germany, he had resolved to get them into his possession. A proposal was made to Jenzer by him and accepted to go down with Dahmen to his house, near which, as Dahmen pretended, was a good tract of public land for sale, that being the main object of Jenzer's pursuit. This point being agreed on, they came over together to New Albany, and Jenzer assisted Dahmen in transporting Nolte's goods, unsuspecting of their being the price of blood, or that he, Jenzer, was designed as the next victim.

Nolte's goods and Jenzer's watches being put into a skiff, Dahmen and Jenzer departed in company from Shippingport down the river.--- Proceeding four or five miles below New Albany, Dahmen proposed going on shore to kill wild game in the woods. Having hauled the skiff upon the shore, they traversed the woods together a while in pursuit of game. Being too late in the day to reach Dahmen's house that evening, it was concluded between them to kindle a fire and stay on the shore overnight.---Dahmen directed Jenzer to make a fire, while he took

another turn in the woods for game. After being absent some time and finding Jenzer, a little after dark, with his back towards him, sitting by the side of the fire he had kindled, with his head reclining on one of his hands, Dahmen advanced within a few yards, took aim and shot him. The ball entering the back of his head, came out at the forehead, just above the right eye of Jenzer, who instantly fell down backwards, dead on the spot where he sat.---From his pocket book, containing some money and a note of hand for \$300 payable to Jenzer, from a man in Ohio, and from his fob he pulled out Jenzer's watch. He now threw into the fire a bundle of Jenzer's with some other trifling articles of little value, the better to prevent detection. One end of a rope twelve feet long he fastened to one of Jenzer's legs, conveyed the body to the skiff, laid it in the water, the other end of the rope was tied to a stone which he deposited in the stern of the skiff. On Jenzer's feet were a pair of thick German shoes, into which had been driven many clouted nails.---Dahmen now towed the body after him, in the water down the river, about six miles, where throwing the stone still confined to the rope over into the water in order to sink the body, he proceeded down to his house with Jenzer's watches and Nolte's goods. The boxes of watches, after putting the \$300 note with them, he buried in the ground under an old cabin, which he occupied for a stable, near his house. In a few days after this transaction; the dead body of an old man, shot through the head, with German shoes and clouted nails in them, one end of a rope tied round the leg and the other end fastened to a stone weighing forty-three pounds, was found floating fourteen miles below on the Kentucky shore, and, indeed, the whole appearance so exactly corresponded with the description given by Dahmen, that no doubt could remain it was the body of John Jenzer, whom Dahmen said he had murdered.

Kidder, *The Life and Adventures of John Dahmen*, pp. 95-96.

Dahmen may have committed other murders in either Europe or America which he determined he should reveal to no one.

An article in the *New Albany Daily Ledger* on October 2nd, 1891 shined a little light on the evidence against Dahmen. That article recited:

Capt. John Nafius, who has the contract for tearing down the old brick building at the southwest corner of Main and Pearl streets, to make room for the hall of the Y. M. C. A, has commenced the work of demolition. This building was erected in 1818, by John Paxton, whom from it was purchased by Mason Fitch, father of Mrs. Mary L.

Bragdon. Mars. Bragdon's mother was a Paxton, so the property remained in possession of the same family until its transfer a few months ago by Mrs. Bragdon to the Y. W. C. A. The building is an old landmark of the city. From a second story window of it Mrs. Paxton saw John Damon [Dahmen] drag the body of his murder victim, concealed in a bed tick, from a little one-story building at the southwest corner of Pearl and Main streets to the river, into which he threw it. Mrs. Paxton was a witness at the trial of Damon, who was convicted and hung, being the first man executed in Floyd county. He was hung in 1821.

New Albany Daily Ledger, October 2nd, 1891, p. 5, c. 3.

Since a man could only be hung until he was "dead, dead, dead" one time, Dahmen was not prosecuted for the second murder. For several days after his sentencing, Dahmen continued "to utter the bitterest reproaches against the judges, jurors, witnesses, and such as had been concerned with bringing him to justice." Dahmen told Judge Woodruff on one occasion that Nolte deserved to die because "he was a mean, contemptible man, and ought to have been killed long ago." The opinions of Nolte of the citizens of New Albany were much different. They admired him "for his industry, good disposition and correct moral habits."

Awaiting Execution by Hanging

While in jail awaiting his execution, he amused himself by singing German and French songs and talking with and telling jokes to any spectators who came around to see him. A few religious people spoke to him about his salvation, but as soon as they were gone, "he would ridicule their pious endeavors."

Judge Woodruff often talked with Dahmen and concluded that his confessions as testified to in Court were the same facts recited to him by Dahmen while he was awaiting execution. The only addition to the facts was Dahmen's claim that two other men were involved in planning Nolte's murder but he would not

disclose their names. If there were any such persons, their identity went to the grave with Dahmen.

Media excitement now entered the picture with the proposed publication of Kidder's book. The *New Albany Chronicle* published a certificate supposedly signed by Dahmen during his final incarceration stating that the facts in Kidder's book were not founded in fact. Judge Woodruff then issued a counter-certificate to the effect that everything Dahmen told him personally is repeated in Kidder's book. There was one addition to Dahmen's story as told to Judge Woodruff that was not in Kidder's book. If the reader is interested in this story, which involves Marshall Murat, the reader is referred to pages 99 and 100 of Kidder's book.

Shortly before his execution, Dahmen supposedly said:

Before to-morrow, at this time, this body will be lifeless and these active limbs will repose quietly in the grave---all my vital sensibility will be extinguished; and I shall be as though I had never been. I do not mean my soul, for I think that will live forever. They may kill the body, but they cannot extinguish the spirit---they cannot put out the light of the moon. Even an old or infirm man parts with life reluctantly, but to a healthy man like me, in the vigor of strength, in the complete possession of all his powers of body and mind, the apprehension of death seems still more hard and terrible. But, I can endure as great perils and meet the approach of death with as much fortitude as any man. Shrinking from evils we cannot avoid, renders our sufferings more intolerable, while it incurs the scoffs and ridicule of the world. What I experience at the gallows I intend to bear like a brave man.

Kidder, *The Life and Adventures of John Dahmen*, p. 101.

Execution Day

Dahmen faced his approaching death bravely until his coffin suddenly appeared on the scene; "his countenance turned pale and his eyes displayed some anguish of heart." Author Kidder described Dahmen's end as follows:

After his agitation of mind had partially subsided, he joined in singing a hymn, with great animation. Before one o'clock afternoon a vast concourse of people, supposed 3000 souls, had assemble to witness the awful scene of execution. At half past one, Dahmen habited in a white muslin robe, with a white cap on his head, seated on his coffin, his face backwards, guarded by the sheriff, on horse back, and a company of militia, under arms, with a band of music, moved on slow and solemn to the death march, from the sheriff's office to the gallows, followed by an immense number of spectators. At the place of execution, though solemnly impressed with the prospect before him, he manifested no unmanly fear nor agitated gestures; but displayed throughout an apparent firmness and presence of mind worthy of a great man, suffering in the cause of virtue. Stepping upon his coffin, he said in a low voice, "that he forgave all who had offended him, and the he hoped that such as he had offended would forgive him." While the apparatus of the gallows was preparing, a hymn was sung, when the sheriff asked him if he was prepared, to which he replied in the affirmative. With those, whom he knew, he shook hands, and after mounting with a firm step the platform of the gallows, with the sheriff last of all, whose humane, kind treatment, had secured his attachment and whose hand he pressed very cordially, seeming loth to let it go. He now requested Judge Woodruff to bid all farewell to him---when his cap was drawn over his eyes, and he was launched into eternity, at five minutes past three o'clock.

Kidder, *The Life and Adventures of John Dahmen*, pp. 102-103.

Dahmen's Eulogy

The last six pages of Kidder's book is sort of a eulogy for Dahmen but Kidder claims that it is a compilation of the descriptions of Dahmen's person and character by the "best judges who have been acquainted with him." The eulogy is worth repeating here since it contains brilliant insights into his physiological and psychological makeup. These pages read as follows:

Thus ended the earthly career of a man, who, from early childhood, during the course of twenty years to the day of his death, seemed harddened in the ways of iniquity and constantly and fatally bent on mischief. His person, not exceeding five feet and three inches in height, exhibited the statue of a man of the most elegant and proportions, combining great muscular strength with uncommon

activity. His face was somewhat oval, approaching to a circle---his hair rather coarse and inclined to a dark auburn---his general countenance, full of expression, animated, and even pleasing, when flashed with good humour and good spirits---his eyes of a dark brown, full of fire and indicative of passions with combined the keenest sensibility with the most deliberate & desperate courage. Towards those who had not incurred his displeasure, they beamed with complacency, when he was provoked to anger, they shed a horrid glare, that portended purposes of revenge, befitting a fiend of hell.

The natural vigor and acuteness of his mind might be referred to the higher class of human intellects. He had a power of confining it long and intensely to a single object, which he would contemplate, in all its relations and consequences, with the shrewdness of a politician. But this exertion of his of his intellectual powers, which he called *practising*, partook nothing of that abstract philosophy, which delights in speculative science and curious natural phenomena; their chief aim being directed to the means of avoiding the punishment, which the evidence of guilt was like to bring upon him.

His faculty of combining and selecting circumstances, from whence he would deduce a practical design of mischief or the means of extricating himself from imminent perils, was wonderful. To a strong discriminating understanding, improved considerably by books, but more by the extensive intercourse with the world, Dahmen join a natural talent for observation. His opportunities for acquiring knowledge, by this facility, were remarkable, for one in his humble walks of life. The serving of Marshal Murat, since brother-in-law to Bonaparte and king of Naples, and constantly about his person, as a waiter, for two years, in his military excursions over the continent of Europe, brought him acquainted with the customs and manners of most of the great commanders in the French army. It is rare, that a man occupying so low a station in society, has found the means of ranging so largely abroad and of learning the nature of man, under so great a variety of conditions and habitudes, as has the subject of this memoir. His quickness of apprehension and a kind of intuitive discernment, connected with an extensive experience in human manners and a retentive memory, made him a correct and ready judge of the human character. The scanning and nicely distinguishing the peculiarities of mind which designate each individual, on a short acquaintance, was a matter of moment for one constantly pursuing so perverse and crooked a course of policy. In this art Dahmen was a master; a look and a word seemed sufficient to enable him precisely to ascertain the character and the motives of the man he had to deal with. A striking instance of this talent was displayed on his trial. In peremptory challenges to the jurors, with most of the persons and

characters of whom, both Dahmen and his counsel were totally unacquainted, it was thought expedient to refer the selection of the men, who were to try his life chiefly to his own personal observation, from a view of each juror, as he was called upon the stand. As the jurors were presented in succession, after a scrutinising look, of one he would say, pass him by, he is a *spider*, indicating his opinion of a cunning mischievous temper---of another he looks too *sneaking*---of a third, *he is a praying character, and too scrupulous of motives*---of a fourth, *he looks too sharp and stern to be merciful*---of a fifth, *he is a good fellow, I take him, he cares not how the world goes*. In this manner did he laconically and not unskillfully judge the characters of most of those who were returned to try him, being utter strangers, merely from a view of their countenance and gestures, connected with their reply to the question, Whether they had formed an opinion?

His spritely imagination, ready colloquial powers, with a natural turn for humor and repartee, his pleasant manner of relating interesting anecdotes, with which his memory was abundantly stored, rendered his conversation vastly amusing and often instructive. In the German and French languages he was well versed and equally fluent. But, in talking the English, of which he knew nothing until he came to America, he labored under considerable embarrassments; his conceptions and ideas being too rapid and vivid for his powers of utterance; for his animated expression of countenance and significant gestures always conveyed more meaning and interest than his inarticulated English words and imperfect sentences.

While so exhilarated by the impulse of an uncommon flow of animal spirits to be forgetful, or regardless of imprisonment, the trammels which hampered his limbs and the general state of his deplorable condition, the natural energies of his mind would break forth, when every look, attitude and motion were indicative of elevated conceptions and desperate resolutions, that displayed the great and interesting actor in the bold and adventurous scenes of nature's drama. These occurrences, however, under the pressure of containment and the gloomy prospects, that brooded over and bore down on his mind, were as rare as they were extraordinary. When treated civilly by those whom he respected, he exhibited an appearance of social, friendly emotions with a suavity and urbanity of manner that formed a strong semblance of virtuous sensibilities.

From the histories of his adventures, it is clear he was susceptible of friendship towards his companions in crime and that his strong attachment to his wife and children, which by betraying the place of abode, caused his recommitment after his escape, shewed him not intirely calous to the feelings of humanity.---After his return from

Canada, he seemed to forget his own sufferings in reflecting how much his own wretched condition wounded the feelings of his wife, who frequently visited him in prison, sometimes with his two children. On such occasions I have witnessed the kind, tender look, the mild, soothing, sympathetic tone of voice and conjugal affection of a man wretchedly depraved in mind, and capable of the blackest crimes, while carrying on a brisk conversation in German, without restraint, as they knew I could not understand them, with a woman, whom he dearly loved. It was an interesting spectacle for contemplation, and exhibited human nature in a light I had never viewed it before. The sensibility of Dahmen's mind was exquisite and his passions without control, being regulated by no restraint of duty---a mental temperament which made him love or hate always in the extreme; while it prompted him to perpetuate without the least apparent remorse of conscience the most horrid and aggravated crimes. His courage was both cool and desperate, whether in conflict with a national foe, in a trial of skill at duelling with the sword by single combat, or in gratifying the spirit of revenge on a personal enemy. With the shedding of human blood, which had flowed in streams so often and so profusely on the fields of great battles he had fought, his eye had grown familiar. His natural sensibility, blunted as well by the habit of frequently beholding the wanton waste of human life and the havoc in bloody battles, as by the total lack of moral principle, rendered him as regardless of the life of a man, as of the most insignificant, irrational animal. In the catalogue of the most base and depraved of men, it would be difficult to find united so much ability of doing good with a mind so uniformly and fatally bent on mischievous adventures---such strong common sense, enlightened by extensive experience in the ways of men so constant a propensity of prostituting it to wicked purposes and the most base and diabolical crimes---such susceptibility of tender feelings and affectionate attachment: with a heart swayed by every impulse of malice and revenge, almost exclusively devoted to the calls of the unsocial passions, and apparently lost to all the restraints of duty and every sense of moral virtue. In a work, of this abandoned man it may be truly said, that the principles which solely directed and swayed his conduct through life, were the elements of his passions, which while the freaks of good humour prevailed, induced him to be civil, kind and even affectionate towards those for whom he cherished an attachment, but that the slightest disgust destroyed his equanimity and impelled him into the opposite extreme, transporting him with a spirit of malice, hate and revenge that hurried him on to the commission of the blackest and most diabolical deeds.

Kidder, *The Life and Adventures of John Dahmen*, pp. 103-108.

Description of Dahmen's Mental Disorder

The mental description of Dahmen given at the end of Kidder's book matches the modern description of an "antisocial personality disorder." *The Merck Manual of Medical Information* describes this disorder as follows:

People with an antisocial personality (previously called psychopathic or sociopathic personality), most of whom are male, show callous disregard for the rights and feelings of others. They exploit others for material gain or personal gratification (unlike narcissistic people who think they are better than others). Characteristically, such people act out their conflicts impulsively and irresponsibly. They tolerate frustration poorly, and sometimes they are hostile or violent. Despite the problems or harm they cause others by their antisocial behaviors, they typically don't feel remorse or guilt. Rather, they glibly rationalize their behavior or blame it on others. Dishonesty and deceit permeate their relationships. Frustration and punishment rarely cause them to modify their behavior.

People with an antisocial personality are often prone to alcoholism, drug addiction, sexual deviation, promiscuity, and imprisonment. They are likely to fail at their jobs and move from one area to another. They often have a family history of antisocial behavior, substance abuse, divorce, and physical abuse. As children, they were usually emotionally neglected and often physically abused during their formative years. People with an antisocial personality have shorter life expectancies than average, but among those who survive, the condition tends to diminish or stabilize with age.

Berkow, M.D., Robert, *The Merck Manual of Medical Information--Home Edition*, Pocket Books, New York, New York, 1997, p. 247.

What Happened to Mary Dahmen and Her Children?

Mary Dahmen and her children did not leave the area. Did Dahmen make up the story about overhearing Col. Fletcher saying that he had received a letter from Mary asking for money so she and her children could return to Europe? It was quite a coincidence that he would overhear the Colonel at his home in Kentucky telling the story. But then life is full of such coincidences. Mary and the two children faithfully visited Dahmen during his final days in jail. Maybe

they discussed the future of the family. Mary was probably a “handsome women” in the parlance of the day. Dahmen’s death was probably a disguised blessing for her and their children. He may have eventually turned on them. It happens. Volume B of the *Floyd County Marriages* record at the office of the Floyd County Clerk show that a marriage license was issued to Joshua Wilson and Mary Dahman on August 19th, 1822 and that they were married on August 20th, 1822. In the *History of the Ohio Falls Counties* it is written that Dahmen’s wife “subsequently married a colored man named Joshua Wilson, who owned a fine farm on the river bank about three miles below the city.” (p. 219). Another part of this history says: “...the two Wilsons [meaning Joshua Wilson and his brother, Jesse Wilson] built the brick house on the Stoy farm and the one on the Collins farm, both being commenced in 1817 and completed in 1820. These were the first brick houses built in Floyd county, both are now occupied and in excellent repair, though over fifty years old.” (p. 245). Whether Mary Dahmen’s second husband was the same Joshua Wilson who was a defendant in an assault and battery case in the Floyd Circuit Court is not known.

One Man Murders and Another Man Lives an Exemplary Christian Life

Lives take different paths for unknown reasons. A man who had similar experiences in his youth as Dahmen was John Bunyan, an English Christian writer and preacher who authored *The Pilgrim’s Progress*. Bunyan lived from 1628 to 1688. He had humble origins, did not get along with his father, committed juvenile crimes, and eventually joined the army. At that time in England, the Parliament’s army was at war with King Charles and his Royalists. Bunyan fought in the Parliament under the leadership of Oliver Cromwell. However, he became disenchanted with the Parliament’s army when he discovered that they had murdered Irish women who were following Royalist troops and disfigured the faces of English women doing the same thing. Dahmen always turned his back on God and never experienced a religious

change. Just the opposite happened to Bunyan. He went on to become a great Christian writer and preacher. Dahmen ended up becoming a brutal murderer of at least two men. Dahmen spent some time in jail before he was executed for his crime. Bunyan spent a lot of time in jail for his Christian religious convictions.

Books and references relied upon other than those cited in this chapter:

None.

Images:

- (1) Record Book A, Floyd Circuit Court, 1819-1822, pp. 488-496.
- (2) Kidder, Reuben, *The Life and Adventures of John Dahmen*, 1821, pp. 1-108.
- (3) Vintage Postcard of Napoleon I.
- (4) Photographs of paintings of Napoleon Bonaparte and Joachim Murat in the Palace of Versailles near Paris, France.