

HANG BY THE NECK UNTIL DEAD — *FOUR TIMES* —

By Howard W. Henry

September 24, 1896, was a fatal day in New Mexico — *The Albuquerque Daily Citizen* reported four hangings in the state on the same morning. Four men accused in four separate crimes paid the ultimate price that day: Perfecto Padilla, Rosario Ring, Dionicio Sandoval and Antonio Gallegos.

DOUBLE HANGING IN TIERRA AMARILLA

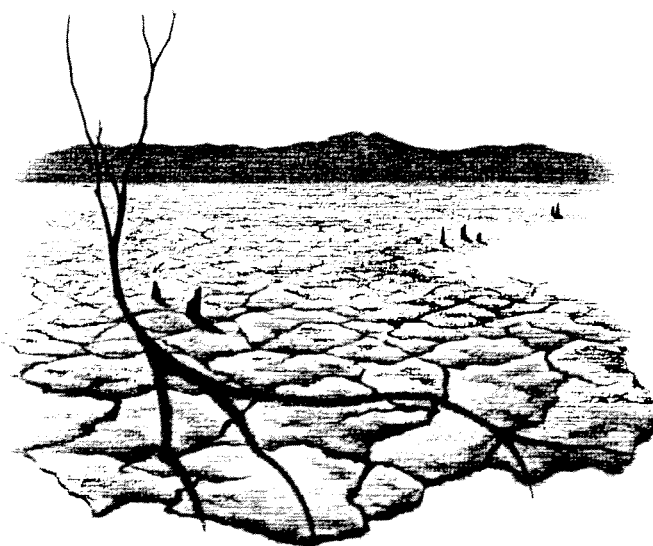
In the fall of 1894, Perfecto Padilla killed John Vipond, a miner and prospector, in Rio Arriba County. The killing occurred supposedly for his valuables.

At trial, the defense was that the defendant was poor and had no money, and that he was not guilty. He maintained that he was innocent, insisting that he would go free

if he had money, influence, or would bear false witness. He was found guilty and sentenced to hang.

Meanwhile, Rosario Ring engaged in a drunken brawl with Carlos Ulibarri at Tierra Amarilla. Not much else is known of this crime, other than it apparently was defended on the basis of not being responsible for the death because the defendant was drunk. Most of the defense in this matter was set forth in the speeches of the defendant at the time of execution.

When the appeals were heard in these cases at the September 1 term of court, the court affirmed the lower court and set the date of September 24, 1896, as the time for carrying out the executions. Death warrants were issued by Gov. W. T. Thornton to carry out the sentence of the court, the



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sheriff being directed to "hang the said (defendant's name) by the neck until he is dead. Hereof fail not! and due return make of your doings in the premises by virtue of this warrant."

September 24, 1896 was a big day in Tierra Amarilla, as the town would be the site of the double hanging. There had not been a legal hanging in many years, and there was quite a turn out of people who came from far and wide to witness the hanging of Padilla and Ring; but from all appearances, the defendants were the most unconcerned of the vast assembly.

As there was concern that attempts could be made to free either or both of the defendants, they were held in Santa Fe. The day before the execution, a squad of local cavalrymen accompanied a group of sheriff's deputies in moving the defendants to Tierra Amarilla.

It was reported that the general impression of the people in Tierra Amarilla was that Ring had killed his wife and child in Colorado sometime before the killing of Ulibarri, and that this execution would remove a naturally bad and murderous man from this earth. A deputy said that Ring virtually admitted the killing of his wife and child, and that he ought to die for that crime, if nothing else. And the sincerity of his defense was questioned when it was related that when the father of his victim, who had apparently just recently ridden into town, met the party just outside Tierra Amarilla, Ring began to sing, "Oh, Where is My Wandering Boy To-night?"

Padilla: POWER of MONEY

Authorities decided not to hang them together, but performed

the act tandem-style. Padilla was selected to initiate the gallows. He insisted to the end that he could clear himself with money, but, as one account told it, he was so frightened that he was hardly able to stand when the noose was placed about his neck.

Padilla cautioned them not to take for granted that a man might be guilty because he was convicted of a crime in a court of justice "... for there are people, who, for the sake of revenge and their greed of money, are ready at any time to swear a man's life away."

Another report stated that he walked up the gallows with a firm tread, and when the sheriff asked him if he had anything to say, he stepped to the edge of the platform, and in a clear, ringing voice made his last farewell to the people there assembled. He cautioned them not to take for granted that a man might be guilty because he was convicted of a crime in a court of justice, "...for there are people, who, for the sake of revenge and their greed of money, are ready at any time to swear a man's life away. Money is a most powerful agency, you all well know. And, gentlemen, I am the victim of that agency, for I was convicted by the power of money and false witnesses of a crime that I never committed, and to-day I am doomed to

die here on the gallows. When I was in jail at Santa Fe, District Attorney Crist and Sheriff Cunningham offered to help me with their influence and to use money also in my favor, and promised to see that I went free if I would be a false witness and swear that T. B. Catron was implicated with the Borregos in the murder of Francisco Chaves. [There had been allegations of political undertones and implication of high-level officials and citizens in the Santa Fe murder of Chaves.] But as I had committed no crime, and did not care to sell my soul to the 'Evil one,' I refused. Gentlemen, this is the truth, as I am about to stand before my God, and let this be a warning to you all, for you may at some future day be convicted of crime through the power of money and false witnesses, and still die innocent men. With this, gentlemen, I bid you all good-bye."

The hood was placed, the noose was fitted, and the trap door dropped, as did Padilla.

RING: Evil of LIQUOR

A short time later, Ring was marched out of the jail and to the gallows. Like Padilla, he was game to the last, and in the few remarks he made to the congregation, there was not a tremor in his voice. He made speeches in English and Spanish from the gallows, in which he attributed his crime to whisky and cautioned his hearers against drinking the vile stuff.

He said there were, no doubt, people before him who thought that he had committed a cold-blooded murder, and deserved death, but it was not so. When he committed the crime, he was under the influence of liquor and out of his head. If he had not drank any

liquor he would never have killed Carlos Ulibarri, for he had no enmity nor ill-will against him. If he had left liquor alone he would not have to die upon the gallows.

**I caution you t let
liquor alone, for
you may, under its
influence, commit
a crime which if
you were sober
you would never
think of doing; and
you will, like me,
think of reform
when it is too late.**

Rosario Ring

"But it is too late now for me to reform. But for you, gentlemen, it is not too late, and I caution you to let liquor alone, for you may, under its influence, commit a crime which if you were sober you would never think of doing; and you will, like me, think of reform when it is too late. So good-bye to you all, and may God help me."

With this the audience witnessed a second hooding, the placing of the noose, and the bang of the trap doors flying open, and possibly a sound of Ring stretching the length of rope to its maximum.

JUDGEMENT DAY IN ALBUQUERQUE

It was a clear day on July 29, 1895, near San Ysidro in the northwestern part of Bernalillo County. Dionicio Sandoval, 26, and Victoriano Tenorio were working as sheep-herders for County Commissioner J. M. Sandoval.

They met at the sheep camp that day and Sandoval took a seat on a water keg. Witness Pedro Gallegos testified that Tenorio asked Sandoval not to sit there, but to take a seat on some sheep skins. Sandoval declined this request, affirming that he was very comfortable where he was.

That was the start of a quarrel which reached allegations that Sandoval had in his herd many lambs without dams or mothers, and that they came from the herd of Tenorio. Sandoval said Tenorio was calling him a thief and Tenorio answered, "I didn't say that; what I did say was, you didn't deliver to me all my sheep." Then Sandoval said, "You are a liar," and Tenorio answered, "I don't lie." Sandoval shot. Tenorio dropped dead.

Trial was held for Sandoval on November 29, 1895, in Albuquerque before Judge N. C. Collier. The defendant having no funds, attorneys Edward L. Medler and G. W. Johnston were appointed to defend.

The testimony was substantially as stated above, by two eye witnesses. Sandoval, though, testified that he went to the camp to tell Tenorio to take his sheep to the corral, and upon arriving there they engaged in the conversation testified to. Upon their calling each other liars, Tenorio "rushed upon him," grabbing the rifle which he had, and during the scuffle it went off.

Judge Collier instructed the jury that the homicide was either murder in the first degree, the penalty for which, under the laws of the territory, was hanging, or an accidental killing; that they should either find Sandoval guilty of murder in the first degree or acquit him.

The jury, after about an hour and a half, returned a verdict of guilty of murder in the first degree. Argument for new trial on Decem-

ber 5 was overruled, and execution was set for January 3, 1896. Appeal to the supreme court stayed execution until September 22 when the supreme court affirmed the lower court and set execution for September 24, 1896.

Judgment day, Dionicio Sandoval woke from a sound night's sleep. He had awakened a little after midnight, but jail guards stated he got up for a moment and then retired, and inside of five minutes was snoring again.

Jailer Jones released the guards at 5 a.m. and at 6 a.m. aroused Sandoval, who reported he was "feeling well and had slept good." The priest being due any moment, Sandoval elected to delay breakfast until after his departure.

Father Durant, of the Old Town cathedral, called at 6:25 a.m. and remained with Sandoval for at least half an hour, administering the rites of the church and securing an admission that "he was ready to meet his God."

Sandoval said to Father Durant: "If it is the will of God, I will die. If I had no religion I would now despair - with this, I die gladly. God will receive me in heaven. There is no mercy for me on earth, but there is mercy in heaven."

Sheriff Thomas S. Hubbell then read the death warrants, the first from Governor Thornton and the second from the clerk of the territorial supreme court. Sandoval exhibited great nerve during the reading and in Spanish said again: "I am ready to die and have nothing to say."

About 7:30 a.m. Father Durant called again and held a brief consultation with Sheriff Hubbell, and chatted in quiet tones with others who were present by invitation: Marshal Fred Fornoff, police offic-

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ers Joe T. Glover and George Carson, Attorney Ed Medler, Commissioners Jesus Romero and Cornelius Murphy, and representatives of the city papers.

At 7:40 a.m. Sheriff Hubbell entered the cell. Sandoval thrust his hands through the bars and bid the other prisoners goodbye.

A local tailor had been hired to make a black suit for him to wear on this somber occasion. Sandoval had probably not had a fine, new suit like this in his entire life. But they were not to spare any expense. Cuffs were affixed to his wrists and then were attached to a belt around the waist. Sandoval declined the new black hat that had been purchased for him, partly because it was too large, and he much preferred to wear his old sombrero.

The procession of Sandoval, Sheriff Hubbell, Jailer Jones and Father Durant then filed down the stairs through the gate of the jail yard and climbed into the waiting hack.

The hack was driven rapidly to the "scene of death" — the gallows, where a crowd of several thousand people, among whom were a great number of women and children, had assembled. They had come from many miles on horseback, in wagons and many on foot. Some had camped there during the night. People from the city came in hacks, wagons and on "bicycle wheels." There hadn't been a legal hanging in the city since 1875, and this was a festive day.

The gallows was constructed by Dwight Wheeler, a local carpenter, at the rear of the fair grounds about 500 or 600 feet west of Old Town, probably near the present day Hollywood and Simonds streets. It was 12-feet square, the platform

being 11-feet off the ground and the cross bar 20 feet high. The trap was 4-foot-by-6-foot double doors. It was "strong and substantial, 6-by-6 posts and the hardest wood" being used. The rope was purchased especially for the occasion from a supplier in the east and was of the finest hemp, with the noose already tied.

A crowd of several thousand people, among whom were a great number of women and children, had assembled. They had come from many miles on horseback, in wagons and many on foot [to witness the hanging].

Upon leaving the hack at 7:47 a.m., the condemned man, on the arm of Sheriff Hubbell, marched up the steps, followed by Father Durant and Jailer Jones. They stood facing south and when Father Durant stepped to the front, Sandoval took off his old hat. A prayer was said in Spanish, which was repeated by Sandoval. The condemned man had nothing to say. At the request of the sheriff, he stepped on the trap door, directly under the 6-by-6 beam from which dangled the rope.

At 7:52 a.m. the noose was thrown over his hooded head, the "hang-man's knot" resting just back of the left ear, and the jailer strapped the criminal's legs together and placed a strap around his arms. There was a perceptible twitter of nervousness from Sandoval during

these proceedings, but his courage never weakened.

Sheriff Hubbell asked whether "all was right below," meaning whether the pin had been pulled from the bar under the trap doors, and upon receiving an affirmative answer, at 7:55 a.m. pulled the lever. As a moan erupted from the crowd, the body dangled between heaven and earth.

Dr. J. F. Pearce stepped forward and felt the pulse in the left hand; in eight minutes the pulse ceased to beat and at 12 minutes he pronounced Sandoval dead.

The crowd watched intently as the rope was cut just above the knot. The noose was given to Sheriff Hubbell "who will present it to Dr. Kaster for his collection at the Atlantic & Pacific Hospital."

Upon the body being lowered, the straps and hood were removed. Sandoval's body was laid on a bench beside the gallows. The crowd pushed forward as they were granted the privilege of gazing upon the lifeless body; men, women and children stared in awe at the gruesome sight. Blood had rushed to the head and the tongue had somewhat protruded from the mouth. The neck was broken. After a short time of viewing, the body was taken by Undertaker Strong to his mortuary in new town, where again several hundred people filed by to view the remains, being strongly reminded of the penalties for criminal deeds.

That evening the body was taken to the home of Sandoval's three sisters, who lived in the "Chihuahua" district on the Highlands. They had been present at the hanging, but did not make themselves known to officials. Burial services followed the next day from the Old Town cathedral with Rev. Persone

preaching the sermon. Interment followed in the old San Igancio cemetery. In addition to the three sisters, he left a brother in Arizona, whom he had not seen for three or four years, and a wife, Marillata Gonzales, living in Trinidad and from whom he was separated for seven years.

A "GOOD AND NECESSARY" HANGING IN ROSWELL

On February 12, 1894, at Roswell, Antonio Gallegos and Eugenio Aragon became implicated in the shooting and killing of Charley S. VanSickle, a teacher and foreman of the Seldomridge and Pebble Sheep Company. VanSickle lived alone at the Zubar Ranch headquarters. He had caught Aragon with some lumber that had been taken from the ranch and ordered it returned. Aragon, with his 16-year-old brother-in-law, Marcelino Sanches, went to the headquarters with the intention of killing VanSickle. Finding he had company, they left with plans to return later. But Sanches became afraid and would not participate further, so Aragon got Antonio Gonzales to accompany him. They went to the headquarters home. Aragon went in to meet with VanSickle, promising to return the lumber and stating he was sorry he had taken it. VanSickle told him that was all right, and that he was forgiven and would not be prosecuted.

At this point Gonzales knocked on the door. VanSickle, suspicious of foul play, picked up his pistol, and just as he opened the door, straining to see in the darkness, Aragon shot him from behind, the ball passing through the left hemisphere of his brain and tearing

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out the left eye. Aragon then forced Gonzales to also shoot the prostrate body.

Aragon confessed to the killing about eight days later to Balentine Garcia, who then went to the ranch with Fred Keyes and Albert Forest and found the body.

Trial was held at the October 1894 term of court, and the testimony at trial was substantially the same as set forth above, but resulted in a mistrial, thus saving the lives of the men for a period of time. But a special term was called by Judge Bantz in July 1895, and the defendants were convicted and sentenced to hang. Execution was stayed until the September 1, 1896, term of the supreme court, when the lower court was affirmed and execution set for September 24, 1896. A few days after the news was heard in Roswell, Eugenio Aragon found a wooden utensil in his cell and "whetted" the handle into a knife.

He cut his throat from ear to ear, thus beating the hangman's rope. When Antonio Gonzales heard of this event, he made a full and complete confession, not only of this murder, but of several other criminal acts in which he and Aragon had been involved.

On that fateful day in September, he was marched to the gallows. It was reported that he was hanged in the presence of a few hundred citizens, where he was dropped out into space, as far as the hemp rope would allow, and his soul was launched into eternity. It was reported that the people of Chaves County were unanimous in their feeling that this was a good and necessary hanging.

Thus, on that fateful morning of September 24, 1896, four criminals went to eternity, likely the first and last time four men met their maker on the same day at the hands of New Mexico justice. ■

Howard Henry was a court reporter in New Mexico for 40 years, serving in the Sixth Judicial District Court at Deming for six years and the United States Federal Court in Albuquerque for 17 years. He also maintained a freelance practice during that time. He retired in January 1992 and submits this story as a member of the State Bar Historical Committee. © 1997 Howard Henry