

Michigan Every Day **By Patrick Sullivan and Carole Eberly**

Sept. 24, 1830
Beginning of end to death penalty in Michigan

Stephen Gifford Simmons, a 50-year-old tavern keeper and farmer, had been convicted of murdering his wife, Levana, in a jealous, drunken rage. The murder caused a furor among residents, who wanted to see Simmons pay. But by the time his body slumped dead in the hangman's rope, Simmons may have singlehandedly ended the death penalty in Michigan for good. The government of Michigan was the first in the English-speaking world to bar the death penalty, in 1847. Simmons was a massive, good looking man. He was well-educated but he became obnoxious and prone to starting fights when he drank. This habit had, over the years, spawned many enemies. Simmons murdered his wife on a night he had been drinking. He arrived home and demanded that she drink with him. She took a few sips of whiskey but refused anymore. He flew into a rage. He struck her so hard with his fist that she suffered a fatal head injury. The assault was witnessed by Simmons' two daughters. It took a lot of work by lawyers to seat a jury of citizens who were not convinced that Simmons should hang. Once a jury was seated, the trial was almost a formality. His daughters were called to the witness stand. Each described how their father killed their mother. Case closed. Simmons was sentenced to hang on Sept. 24, 1830. Since executions were a spectator sport, hundreds turned out to witness Simmons die. A regimental band was on hand to make the social event even more grand. But when Simmons emerged from the jailhouse and was walked to the scaffolds, his demeanor startled the crowd. He sat patiently, watching the crowd, as the death warrant was read.

Then he rose to speak, delivering a moving address. He admitted his faults. He pleaded with the crowd to avoid too much drink, to avoid making his kind of mistake. He said he yet hoped for mercy from the court or from the governor but

ended his speech with a popular hymn, sung in a beautiful baritone, that asked forgiveness from God. This was not the scoundrel the crowd had come to watch die. The mood of the crowd changed. Instead of a thirst for blood, the throng now wanted mercy. But the mechanism had been set in motion and nothing could stop the hanging.

After Simmons was killed, the crowds met in taverns and discussed what had happened. People questioned their support of hanging as a means to punish murderers. It would take 17 years and much political maneuvering before the state would outlaw the death penalty. But it is the death of Simmons that is credited for prohibiting capital punishment in Michigan.