

January 1927

An Illustrated Sentence

Denver Bar Association Record

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Recommended Citation

An Illustrated Sentence, 4 Denv. B.A. Rec. 15 (1927).

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An "Illustrated" Sentence

PROBABLY the best anecdote of Judge Benedict is that told relative to his sentence of death pronounced upon one Jose Maria Martin—who was convicted of murder in the District Court of Taos county, New Mexico, under a state of facts showing great brutality, and with absolutely no mitigating circumstances. Judge Benedict said:

"Jose Maria Martin, stand up—Jose Maria Martin, you have been indicted, tried and convicted by a jury of your countrymen, of the crime of murder, and the Court is now about to pass upon you the dread sentence of the law. As a usual thing, Jose Maria Martin, it is a painful duty for the judge of a court of justice to pronounce upon a human being the sentence of death. There is something horrible about it and the mind of the Court naturally revolts from the performance of such a duty. Happily, however, your case is relieved of all such unpleasant features, and the Court takes positive delight in sentencing you to death.

You are a young man, Jose Maria Martin; apparently of good physical constitution and robust health. Ordinarily you might have looked forward to many years of life and the Court has no doubt you have, and have expected to die at a green old age; but you are about to be cut off in consequence of your own act. Jose Maria Martin, it is now the spring time; in a little while the grass will be springing up green in these beautiful valleys, and on these broad mesas and mountain sides, flowers will be blooming; birds will be singing their sweet carols, and nature will be putting on her most gorgeous and her most attractive robes, and life will be pleasant and men will want to stay, but none of this for you, Jose Maria Martin, the flowers will not bloom for you Jose

Maria Martin; the birds will not carol for you Jose Maria Martin; when these things come to gladden the senses of men, you will be occupying a space about six by two beneath the sod, and the green grass and those beautiful flowers will be growing above your lowly head.

The sentence of the Court is that you be taken from this place to the county jail; that you be there kept safely and securely confined, in the custody of the sheriff, until the day appointed for your execution. Be very careful, Mr. Sheriff, that he have no opportunity to escape and that you have him at the appointed place at the appointed time. That you be so kept, Jose Maria Martin, until—Mr. Clerk, on what day of the month does Friday about two weeks from this time come? "March 22nd, Your Honor,"—very well, until Friday the 22nd day of March, when you will be taken by the sheriff from your place of confinement to some safe and convenient spot within the county; that is in your discretion, Mr. Sheriff,—you are only confined to the limits of the county and that you there be hanged by the neck until you are dead—and—the Court was about to add Jose Maria Martin "may God have mercy on your soul", but the Court will not assume the responsibility of asking an All Wise Providence to do that which a jury of your peers has refused to do. The Lord couldn't have mercy on your soul. However, if you affect any religious belief, or are connected with any religious organization, it might be well enough for you to send for your priest or your minister and get from him—well—such consolation as you can, but the Court advises you to place no reliance upon anything of that kind. Mr. Sheriff, remove the prisoner."

(Contributed by W. J. McPherson, Esq., of the Denver Bar).