

Daniel J. Hayes

Born 1846

Died 1880



Daniel J. Hayes

Daniel J. Hayes was born in Ireland in 1846, and settled the Ansonia borough of Connecticut. As recorded in the 1880 United States Federal Census conducted in June of 1880, he had a wife, Sarah J. Hayes, and three children, James, William E., and Mary T. Hayes. Daniel J. Hayes was a carpenter by trade and became the first Chief of Police for the borough of Ansonia in 1880.

Page No. 56
Schedule 1 - Inhabitants of Ansonia, Conn., in the County of New Haven, State of Conn.
enumerated by me on the 1st day of June, 1880.
R. H. Peckham

| Name | Sex | Age | Color | Profession, Occupation, or Trade | Value of Real Estate | Value of Personal Estate | Married | Single | Widowed | Divorced | Deaf and dumb | Blind | Idiotic or insane |
|------------------|--------|-----|-------|----------------------------------|----------------------|--------------------------|---------|--------|---------|----------|---------------|-------|-------------------|
| Daniel J. Hayes | Male | 34 | White | Carpenter | | | | | | | | | |
| Sarah J. Hayes | Female | 32 | White | | | | | | | | | | |
| James Hayes | Male | 12 | White | | | | | | | | | | |
| William E. Hayes | Male | 10 | White | | | | | | | | | | |
| Mary T. Hayes | Female | 8 | White | | | | | | | | | | |

Ancestry.com - 1880 United States Federal Census

Search Results Provided By [Ancestry.com](#) The No. 1 Source for Family History Online

Database: 1880 United States Federal Census
November 3, 2005 12:21 AM

Name: Dan J. Hayes
Age: 34
Estimated birth year: <1846>
Birthplace: Ireland
Occupation: Carpenter
Relationship to head-of-household: Self
Home in 1880: Derby, New Haven, Connecticut
Marital status: Married
Race: White
Gender: Male
Spouse's name: Sarah J. Hayes
Father's birthplace: IRE
Mother's birthplace: IRE
Cannot read/write: View Image
Blind: View Image
Deaf and dumb: View Image
Otherwise disabled: View Image
Idiotic or insane: View Image

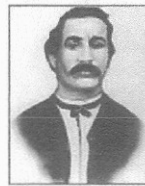
Image Source: Year: 1880; Census Place: Derby, New Haven, Connecticut; Roll: T9_104; Family History Film: 1254104; Page: 181.1000; Enumeration District: 67; Image: 0711.

Daniel J. Hayes

There are various accounts of the events leading to the death of Ansonia's Police Chief, Daniel J. Hayes on December 23, 1880. An account found listed on the "The Officer Down Memorial Page, Inc. web site states that Chief Hayes was shot and killed while attempting to arrest a suspect. According to this account, Chief Hayes



The Officer Down Memorial Page Remembers



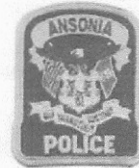
Chief of Police Daniel J. Hayes
Ansonia Police Department
Connecticut
End of Watch: Monday, December 27, 1880

Biographical Info

Age: 34
Tour of Duty: 1 yr
Badge Number: Not available

Incident Details

Cause of Death: Gunfire
Date of Incident: Thursday, December 23, 1880
Weapon Used: Gun; Unknown type
Suspect Info: Executed



Chief Hayes was shot and killed while attempting to arrest a suspect. He had been summoned by the suspect's father who had asked Chief Hayes to arrest the man for discharging a pistol in a saloon. When Chief Hayes located the suspect a struggle ensued and Chief Hayes was shot in the stomach. He succumbed to his injuries four days later. The suspect was found guilty and executed in 1882.

Chief Hayes became the first police chief of Ansonia when the police department was created earlier in the same year.

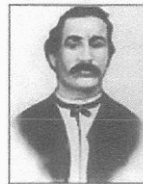
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- » [Printer friendly view](#)
- » [Leave a Reflection](#)
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Daniel J. Hayes

was called by the suspect's father to arrest him for firing a firearm in a saloon. When Chief Hayes found the suspect a struggle ensued and Chief Hayes was shot in the stomach. He died from his injuries on December 27, 1880. It further stated that the suspect was found guilty and executed in 1882.



The Officer Down Memorial Page Remembers



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The newspaper of the time, the *Derby Transcript* relates the incident as follows. On Dec. 23 of 1880 at approximately 6 p.m., James Smith (father of the suspect) sent word to Police Chief Hayes requesting that he arrest his 21 year old son, Jim Smith, aka "Chip" Apparently, "Chip" had been on a spree for several days and was in possession of a revolver, with which his father feared he would endanger his family.

Another Shooting Affair.

CHIEF OF POLICE HAYES MORTALLY WOUNDED.

Our Borough was thrown into intense excitement caused by another shooting affair which occurred last evening, in which Chief of Police Dan Hayes received a bullet wound which it is feared may prove fatal. The facts are as follows:

About six o'clock last night, James Smith sent word to Officer Hayes to come and arrest his son, Jim, more familiarly known as "Chip" Smith, who has been on a spree for some time past, and having a revolver in his possession was endangering the lives of the family. The officer went to make the arrest, but did not find Chip at his home, on Prospect Street, so he started down town again, and met the young man near Dermody's Hotel, on Main Street. Hayes went to Smith and told him to come with him, but he refused; so the officer laid his left hand on Smith's shoulder, and told him he was his prisoner. Noticing that Smith kept his right hand in his pocket, Hayes said, "Now, Chip, you have a revolver in your pocket," but the prisoner denied it, and while the officer was attempting to put a pair of "twisters" on his wrists, he drew out his revolver and shot. Hayes says he saw the flash and heard the report, but did not think he was shot, until after he started to the lock-up with the prisoner. At this point, officers Thomas Ellis and Larkins came up, and assisted Hayes in taking Smith to the lock up, which was accomplished after considerable scuffling. Chief Hayes was then taken to Thomas Ellis' on Main Street, and Drs. Blodgett and Baldwin summoned. On examination, the wound was found to be on a line with and about one inch to the left of the navel, and probing failed to discover the ball.

Mr. Hayes was very cool and collected, and related to your reporter the whole circumstances in a very intelligent manner, and, on bidding him good night with well wishes, he said, "It's of no use, I'm finished this time; I have been threatened more than once, but I never thought it would come to this." Mr. Hayes is a married man and has two children; is a joiner by trade and much respected, and deep sympathy is expressed for this unfortunate occurrence. His wife was kept in ignorance of the affair until late last evening, when it was thought best to have him remain where he was, as he is in good hands. At the time of going to press he is in a very critical condition, the ball having pierced the intestines.

The prisoner is a young man about 23 years of age, thick set, and weighs about 150 pounds. The revolver which Hayes took from him was a small nickel-plated one, with five-inch barrel. After he shot the officer, he fired again, the ball passing through the coat of a bystander, who was hitching his horse nearby. After the arrest, crowds were gathered along Main street, eagerly seeking any information which could be imparted, and it was thought best to place a watchman at the lockup, as the prisoner had made his escape once before while incarcerated there. A hearing will be had to-day, when Smith will be bound over to await the results of the wound.

Daniel J. Hayes

Chief Hayes went to make the arrest, but he did not find him at his home so he set out to find him. Upon finding him, Chief Hayes told him to come with him but he refused. Chief Hayes asked “Chip” to hand over his revolver, but he denied having one. When Chief Hayes attempted to affix a pair of “twisters” (that day’s version of handcuffs), “Chip” pulled out the revolver and shot Chief Hayes hitting him in his stomach. Chief Hayes was unaware he was shot until he was taking the prisoner to lock up. Officers Ellis and Larkins assisted Chief Hayes by taking the prisoner to lock up.

Daniel J. Hayes

Chief Hayes was able to relate the incident in detail, but realized the severity of his condition. He stated he held no animosity towards the suspect.

Chief Hayes' condition got worse and on December 27, 1880 he died. He was buried in the Catholic Cemetery in Ansonia on December 30, 1880.

There was no way to view Chief Hayes' burial site as a fire had destroyed all records. It is believed that he is buried in the old St. Mary's Cemetery. His youngest daughter, Mary Hayes, passed away May 3, 1977. She is buried at the new St. Mary's Cemetery – Burial Plot #713.

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“Chip” Smith was taken to the county jail in New Haven where he was charged with murder in the first degree. He was put on trial in April 1881. Mr. Smith was found guilty of murder in the first degree and was sentenced to be hung on May 5, 1882 in New Haven. Smith’s attorneys filed for a new trial, a stay of execution was ordered allowing the case to be heard before the Supreme Court. The presiding judge, Judge Park, found the writ insufficient to stay the course of the law, and Mr. Smith was sentenced to be hung on September 1, 1882 at the County Jail in New Haven.

Daniel J. Hayes

The James “Chip” Smith case (State v. Smith, 49 Conn. 376 – 1881) precipitated the Connecticut Supreme Court’s establishment of language concerning the duty of jurors when deliberating a case. This language became known as the *Chip Smith* charge, and trial courts repeatedly gave the charge to jurors when they reported that they were deadlocked. The *Chip Smith* charge became an established part of Connecticut’s jurisprudence. The instruction was often challenged as being coercive, implying that a juror in the minority should side with the majority for the sake of unanimity.

Daniel J. Hayes

In 2002, during *State v. O'Neil*, 261 Conn. 49 (2002), after some deliberation, the jurors reported that they were unable to agree. The trial court delivered the *Chip Smith* instruction and later the same day the jury returned a guilty verdict. Upon appeal the defendant's attorney argued that the *Chip Smith* charge had coerced the jury into reaching a guilty verdict.

The Connecticut Supreme Court upheld O'Neil's conviction and the use of the *Chip Smith* charge, but the Supreme Court initiated a modified version of the charge to be used by trial courts in future cases.

Daniel J. Hayes

Effective 2002, judges must remind jurors that they should vote their consciences and not give in to their fellow jurors just for the sake of reaching a unanimous verdict. This they hoped would create a balance between encourage a unanimous verdict and protecting the defendant's right to a fair trial.

*Connecticut Judicial Branch Law Libraries – “Tapping the Scales of Justice – a Dose of Connecticut Legal History”