







Charles Fenton

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A
COMPLETE HISTORY
OF THE
LIFE AND TRIAL

—OF—
CHARLES JULIUS GUTEAU,
ASSASSIN OF PRESIDENT GARFIELD.

A GRAPHIC SKETCH OF HIS ERRATIC CAREER AS DETAILED (EX-
PRESSLY FOR THIS WORK) BY HIS FORMER WIFE, MRS.
DUNMIRE; ALSO, AN AUTOBIOGRAPHY, AS DIC-
TATED BY HIMSELF SINCE THE SHOOTING.

AND
A CAREFULLY PREPARED HISTORY OF THE TRIAL, IN MANY RE-
SPECTS THE MOST REMARKABLE OF THE PRESENT CENTURY,
GIVING ALL THE MOST IMPORTANT AND INTERESTING POR-
TIONS OF THE TESTIMONY, THE STARTLING INTERRUPT-
IONS BY THE PRISONER, INCIDENTS, ARGUMENTS OF
COUNSEL, CHARGE BY THE JUDGE, SENTENCE,
&c., &c.. AS REPORTED AND EDITED

By H. G. AND C. J. HAYES,
Special Stenographic Reporters for the N. Y. Associated Press.

AMPLY ILLUSTRATED.

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PREFACE.

SELDOM has the civilized world been so startled as by the unparalleled crime committed by Charles Julius Guiteau, the assassin of the late honored and beloved President of the United States, James Abram Garfield. Seldom has a trial been anticipated with such wide-spread interest; and when in progress, seldom has a trial had so many strange incidents, so marvelously blending the farce with the tragedy, as this trial of Garfield's murderer.

The history of Guiteau's wild and wicked career, his political and religious freaks, his various business ventures; the history of his last most startling crime; the investigation of experts as to his sanity or insanity; his unprecedented deportment while on trial; his comments, questions, answers, repartees and denunciations of judge, jury, witnesses and lawyers; these and kindred matters stamp this trial as one of the most remarkable in the history of the world. It is full of absorbing interest, and every lover of our murdered President must desire to read it.

Because of these facts, the Publishers of this volume have gone to great expense to secure the services of Mrs. Annie J. Dunmire, the divorced wife of the criminal, of Mr. Edmund A. Bailey and the authorized stenographic reporters in order to furnish the official and most complete record of the whole matter that will be offered to an interested and expectant public.

This is the only work for which Guiteau's former wife has given a full account of this man as she knew him. It is also the only one containing his autobiography as given in jail to

the Government stenographer ; and the only account of the trial which has been edited by the special stenographers of the Associated Press, right from the records taken by them on the spot as they occurred.

This trial is that of the assassin of President Garfield, and it reveals the true character of the assassin, and the subtle motives that actuated him in committing that horrible deed of blood. This trial has cost the Government an immense sum, possibly two hundred thousand dollars, and in many other respects it is so remarkable that it will assume in history a dignity infinitely above ordinary murder trials.

This trial develops the insanity question as it has never before been opened. Insanity is one of the most intricate, delicate and troublesome questions known to jurisprudence, and is frequently and often successfully set up as a defense to clear wicked men of great crime. There has been brought out in this trial the ablest expert testimony in the land regarding the nice shadings and obscure workings of insanity and the peculiar plea of "Divine inspiration."

This trial teaches a great lesson. The striking contrast between Guiteau and Garfield, the assassin and his victim; the immense distance between the greatest earthly glory and the degradation of the gallows. The value of right principles, honesty and industry, in contrast with indolence, vanity and deceit as the main-springs of action ; are some of the great lessons forcibly presented in this "Life, Autobiography and Trial of Guiteau."

For these reasons, as well as to meet the popular demand, this volume is confidently sent forth by

THE PUBLISHERS.

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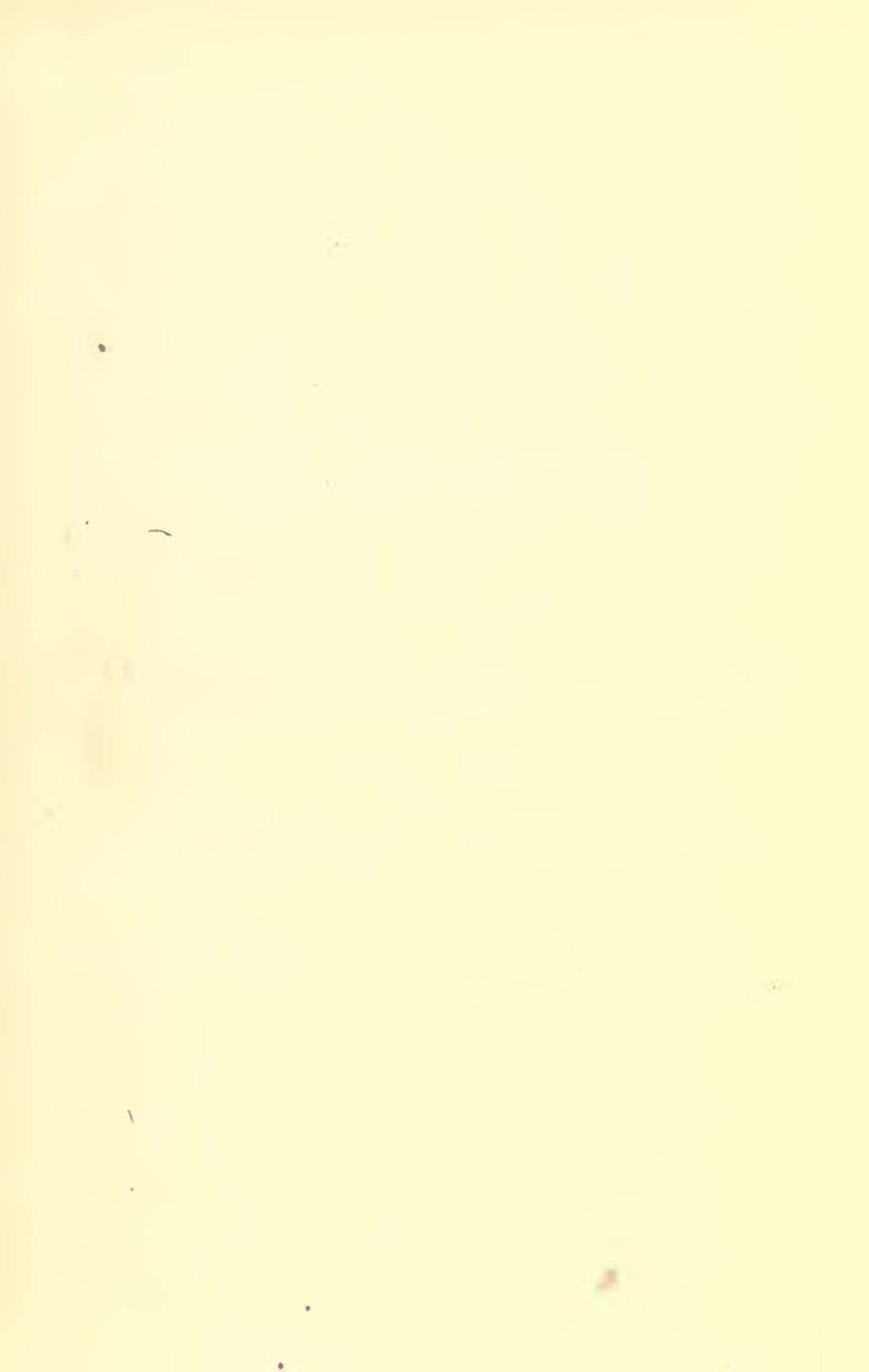
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AUTOBIOGRAPHY
OF
CHARLES JULIUS GUTEAU,
ASSASSIN OF
PRESIDENT GARFIELD.

REPORTED STENOGRAPHICALLY BY EDMUND A. BAILEY.





AUTOBIOGRAPHY
OF
CHARLES JULIUS GITEAU.

HISTORY OF THIS SKETCH.

THE assassin, Charles Guiteau, has narrated the story of his life. To print it entire would demand an immense amount of space. In a literary point of view, the work is of no value whatever. As the record of a man who will stand in all our history as one of the greatest of our criminals, it possesses a special interest and importance. Guiteau, in a series of interviews, dictated the work which follows, and the passages within quotation-marks contain the exact language which he used, as taken down by a shorthand writer.

His vanity is literally nauseating. Guiteau has an idea that the civilized world is holding its breath waiting to hear of the minutest details of his career. He thinks the people have an especially acute desire to be fully informed concerning his conduct during confinement in jail, and he has frequently urged visiting correspondents to describe his dress and demeanor. At the interviews Guiteau used a memorandum containing a list of

subjects about which he wished to talk. He spoke with deliberation, occasionally emphasizing, somewhat dramatically, with his voice or by gesture, a remark which he deemed of transcendent importance, or chuckling at the mention of some incident which he considered amusing. He observed the utmost discrimination as to language, many times balancing in his mind for some moments the appropriateness of an expression or word, and even directing the manner of paragraphing and punctuation. He objected strenuously to the "continuity of his thought" being disturbed by interruption, and frequently stated so in a most imperious way, intimating that the interruption had placed in immediate jeopardy of destruction some thought of vital interest and importance to the community.

GUITEAU'S VIEW OF THE ASSASSINATION.

The assassin begins with a brief chapter, which he calls "Introduction," in which he seeks to explain his crime. "I have not," he says, "used the words 'assassination' or 'assassin' in this work. These words grate on the mind and produce a bad feeling. I think of General Garfield's condition as a removal and not as an assassination. My idea, simply stated, was to remove as easily as possible Mr. James A. Garfield, a quiet and good-natured citizen of Ohio, who temporarily occupied the position of President of the United States, and substitute in his place Mr. Chester A. Arthur, of

New York, a distinguished and highly estimable gentleman.

“Mr. Garfield I intended to quietly remove to Paradise (which is a great improvement on this world), while Mr. Arthur saved the Republic.” He adds: “Not a soul in the universe knew of my purpose to remove the President. If it has failed I shall never attempt it again. My motive was purely political and patriotic, and I acted under Divine pressure. It was the same kind of pressure that led Abraham to sacrifice his son Isaac.” These hysterical utterances are followed by what he calls an “Address to the American People,” in which he reiterates the declaration that he alone is responsible. “The President’s nomination,” he says, “was an act of God; his election was an act of God; his removal is an act of God. These three specific acts of the Deity may give the clergy a text.”

A CHAPTER IN GENEALOGY.

Guiteau then goes on to tell about his family. “My full name” he says, “is Charles Julius Guiteau. I have dropped the Julius; I prefer to be known as Charles Guiteau. My surname is spelt G-u-i-t-e-a-u; it is pronounced Get'-o. It is a French name. My father’s ancestor, two hundred years or more back, was a physician connected with the royal family of France. I do not know much about my genealogy. There is a John M. Guiteau in New York, who belongs to our family, and who

has its genealogy. He is a lawyer and a man of considerable wealth, I believe. He has lived in New York about twenty-five years, and formerly practised law at Cincinnati, Ohio.

“There were two brothers named Guiteau, who came to this country, as I understand it, from France, a good many years ago—my father’s ancestor and the ancestor of John M. Guiteau. These are the only two branches of the Guiteau family in America that I know of. My father’s family settled in Central New York; John M. Guiteau’s ancestors went to Ohio. My paternal grandfather was a physician and a very prominent one, at the beginning of the century, near Utica, N. Y. My father was born at Whitesboro’, near Utica, N. Y., in 1810. He died in August, 1880, at Freeport, Ill., having lived there for about forty years. He originally was a merchant. He was Clerk of the Circuit Court of Stevenson county one term. After that, for about twelve years, he was cashier of the Second National Bank at Freeport. He was a very good man, a very pious man and an intelligent man.

“About thirty years ago, he became interested in the publications of John H. Noyes, who is the founder of the Oneida Community, and was under his influence more or less during that entire period. I used to hear him talk about the Community a great deal in his family and I became interested in it, in that way, in my early boyhood.

My mother died when I was seven years old. I know very little about my mother. I understood she was a woman of fine mind and a lady in every respect. I have heard her very highly spoken of. I have a brother named John Wilson Guiteau; he is eight years older than I am. He was born at Ann Arbor, Michigan. He lived at Freeport in his early days, and he went to Davenport, Iowa, in 1854, and lived there some fifteen years. He was a lawyer by profession and practiced at Davenport. In 1869, he went to New York city and entered the employ of the United States Life Insurance Company. He was with them two years, and was one of their principal men. He has a great deal of insurance brain.

“I have a sister who is married to George Scoville, Esq., an attorney at Chicago. They were married in 1853 and have several children. My mother died at Freeport when I was seven years old, and my father was a widower for five years. He then married a lady at Freeport, named Maria Blood, in 1853. They have two children living—a daughter (my half-sister), about twenty-five years old, and a son (my half-brother) about twenty-three years old, and I think that she lost one child in infancy.”

EARLY LIFE AND HISTORY.

Guiteau next gives the story of his life: He was born at Freeport, Ill., September 8, 1841. As a boy, he says he knew Mr. E. B. Washburne and

General John M. Scofield, whom he remembers as a cadet at West Point. He went to school to Mr. Burchard, the present Director of the Mint. Reading Guiteau's life, as written by himself, it is easy to see that he is a creature of the most intense vanity. "I was always," he tells us, "ambitious to be somebody and was a great reader." His father took the *Tribune*, and he had a great reverence for Horace Greely and Henry Ward Beecher, from whom he declares he got most of his political and social views. His father was a whig and a republican; of moderate means; in religion a sort of fanatic who believed in what were called the new ideas of the time. Noyes, of the Oneida Community, made a great impression on him, and he endeavored to inculcate the doctrines of that peculiar establishment on his family. Guiteau traces all his misfortunes and failures in life to his early training, and he is especially severe on his father, to whom he attributes most of his calamities and ill success. In 1859, he desired to go to college. His father, he says, opposed the idea, but finally consented, and he went to Ann Arbor, in Michigan. Some money—about \$1,000—had been left him by his maternal grandfather, a Major John Howe, who fondly declared that he "had more brains than all the rest of the Guiteau family," and who took "a great interest in him." Guiteau's intention was to spend two years there fitting himself for the study

and practice of the law; but instead of going to college he joined the Oneida Community. This was in June, 1860. His father advised him, he says, to take this step, and he has never ceased to repent of it. He remained there five or six years, during which he had scarcely anything to do with his family.

ONEIDA COMMUNITY.

The picture he draws of it is a gloomy one. Noyes was harsh, cold, cruel, and exacted the most degrading service. He worked there as a common laborer, did service in the kitchen and on the farm. There was, however, a pretty good library there and in it he spent all the time at his disposal. With the female portion of the society he did not get along very well. They made fun of him and wounded his self-esteem. He made up his mind to leave in a short time, and turned his eyes toward New York. This was in 1865. He had about \$1,000, and he conceived the idea of starting a religious newspaper here, for which he had hit upon the name of the New York *Daily Theocrat*. The story of Horace Greeley and the foundation of the *Tribune* were in his mind, and he thought he could accomplish what Mr. Greeley had accomplished. Nothing, he says, ever came of it. His New York trip was not a success. He made himself at home in the rooms of the Young Men's Christian Association; became acquainted with the secretary, Mr. McBurney. He tried to

find something to do ; lived in Hoboken in an humble way from April to August, in 1865, and in his distress again turned to Oneida. He wrote to them and secured a position on trial in the New York agency, where he remained until the following November, when he again joined the parent establishment. His second visit lasted until November, 1866, when he again left. The story that he was expelled he indignantly denies. In November, 1866, he was again in New York, hanging around the quarters of the Young Men's Christian Association, boarding in Brooklyn and attending Plymouth Church.

EXPLOITS IN THE WEST.

In 1867, he turned his eyes toward the West. His family, with whom he appears to have had little or no communication, had heard in some way that the Oneida Community and he had parted company, and Mr. Scoville, his brother-in-law, sent him a letter enclosing \$20 and inviting him to that city. He went, but remained only a few months, when he again came back to the metropolis. This was in 1867. The spring of the following year again found him in Chicago, studying law. He was admitted to practice in a short time by Charles H. Reed, who was then District-Attorney. Mr. Reed, it appears,, asked him a few simple questions about law, and he obtained his certificate.

He remained in Chicago until 1871: "I did

well," he says; "was industrious and had no bad habits, and was active in getting business." About this time, Guiteau was married to a lady whom he had met at the Young Men's Christian Association establishment in Chicago. This part of his career is narrated with a minuteness which, while it may be creditable to his accuracy and fidelity as a biographer, is not very well calculated to give a favorable idea of his delicacy or sensitiveness as a lover or a husband. He next brings us down to 1871. In that year, he turned his thoughts toward California. He went there and failed. His domestic relations were not, it may be imagined, of a very pleasant character, and a divorce followed at the end of about four years.

A LAW SUIT WITH THE HERALD.

Guiteau again drifted back to New York and set himself up in the law. He was doing well he says, until unfortunately he and one of his cases got into the *Herald's* law reports. It seems that he was engaged by some parties as counsel in the collection of a lot of claims which are generally set down as "worthless." The one in question was for \$350. "I took it," he writes, "from a friend of the firm that owned it. This party was not willing to advance a single cent in defraying expenses and considered the claim totally worthless. After a great deal of effort and time I succeeded in collecting a portion of the claim and the balance I directed my attorney, South, to prosecute. I .

kept the first instalment which I received for my services and disbursements. I felt justified in doing this because the parties that gave me the claim had not advanced me a cent on it and considered it totally worthless at the time I took it. They insisted, when they ascertained that a part of the claim had been paid, that I ought to pay it to them. I declined to do it. Therefore they commenced proceedings against me in the Supreme Court before Judge Donohue, at Chambers, to compel me to disburse. I resisted the application successfully, the judge holding that I was right in my course.

“The New York *Herald's* law reporter pretended to give an account of the proceeding before Judge Donohue to compel me to pay over the money; he wrote up his article in a very sharp, witty style, and headed it among other things, ‘A Profitable Collecting Lawyer.’ I do not remember the details of the publication; I only remember that it was very sharp and witty and that it did me a great deal of harm. I therefore went to the *Herald* office and requested a retraction. I saw the law editor and he put me off. I tried to see the managing editor, with the same effect, and finally I commenced a suit against the *Herald* for a libel for \$100,000. I commenced the action in my own name against the proprietor. I filed my complaint setting forth the facts; Mr. Townshend, the *Herald's* attorney, answered it. I made an appli-

cation to strike out certain portions of the answer as irrelevant, and asking for other relief. The motion was heard before Judge Lawrence, in Chambers, who denied my motion. The matter has thus stood in court, without further proceedings, from that day to this.

“The *Herald's* libel appeared in April, 1874. In December, 1874, I became very much reduced in circumstances; I was out of business and out of money and out of friends. I had not been in New York a sufficient length of time to get thoroughly established in business. Prior to the *Herald* publication I was doing well. I had clients and every prospect of success. I had been in New York for some two or three years. After the *Herald* publication my clients got demoralized, and the newspapers talked about it a good deal at the time and it demoralized me, and, to make it brief, I got all run down and run out. I lived a precarious existence there during the summer and fall. I tried to get on to my feet again in the law business. I got an office, but could not get enough business to pay my office-rent. I could not pay my board-bill, and I got thoroughly discouraged and demoralized, and suffered a good deal on account of the *Herald* publication. It was certainly a very unjust and injurious publication, and something that no lawyer could possibly endure unless he was well established.”

Guiteau describes, at considerable length, the

sea of troubles that came upon him as the result of the publication.

DOWN ON THE BLACK LIST.

"I was," he writes, "in great distress. I could not get money enough to pay my board during the summer, and I owed several parties for board, and they were pressing me for it, and finally I got my name on the black list there as a boarding-house beat, and it was circulated among boarding-house keepers. That was in 1874, and one night in December, 1874, I had not any money or any place to go to. It was raining—a cold, bitter night, I remember—and I went up to the St. Nicholas Hotel desk like a man, registered my name and told the clerk I would like a room. He gave me a room and I was there a week, and during this week I was pressing the *Herald* to settle my claim. I needed the money. I was in great distress of mind. I could not get anything to do and I had not any money. I went around to the newspaper offices during the fall, trying to get something to do, and I tried law business. They were all full, and I got an office myself once or twice and tried to get business, but I could not get enough to pay my office-rent, and I gave it up. I got all run down and run out financially—out of friends and out of business and out of money. I had a terrible hard time there for several months.

"I stayed at the St. Nicholas one week. I did not have any other place to go to. I used to live

around the Fifth Avenue Hotel and that part of the city; and when I was in practice I had money and I paid my bills like any gentleman, and I had plenty of bills to show for it. The first two or three years that I was in New York I was doing well. I had business and I had money and I had friends, a nice office, and all that; but after the *Herald's* publication, in the course of six or seven months, I got all run down and run out. I stayed at the St. Nicholas Hotel for a week, at the end of it they presented the bill. I did not have any money, and I told them that I would see them about it in a day or two, and I started to go. Just at that moment their detective came out. He was a burly fellow and he was very impudent. I had a good suit of clothes on and he looked at my coat and he says: 'Well, that is a good coat; suppose we take that; suppose we put him out under the hydrant and open the hydrant on him; suppose we take him around to the other hotels and exhibit him.' The detective was abusing me in that way, and finally I lost my temper and I told him not to treat me in that way; that I was a gentleman and I would certainly pay them in a very few days; that I was expecting some money. Thereupon he got angry and he seized me by the throat and marched me through the back way to the Prince street station-house. He and Mr. King, one of the junior proprietors, went with me to the station-house, and they put me into a cell

and locked me up all night. The next morning the detective came there and came to my cell, and says, 'How are you, Professor?' Says I, 'I am about so-so.' I had never been arrested before in my life and I felt terribly disgraced and very indignant at him for doing it. He was bluff and hilarious in his style and laughed and talked to me and wanted to know how much I had sued the *Herald* for, and asked other impertinent questions."

IN THE TOMBS.

The end of this distressing part of the biography is that Guiteau finally got into the Tombs on the charge of false pretences and that he was released through the agency of his relative, Mr. Scoville, who happened to be in the city at the time. The *Herald* episode in his history is closed up with the expression of the opinion that he would consider it a handsome thing if the proprietor would send him a check for \$10,000 and call the thing "square."

THE SECOND ADVENT.

In the fall of 1875, Guiteau conceived the curious idea of becoming a great editor, and endeavored to purchase the Chicago *Inter-Ocean*. "I intended," he says, "to make it the great paper of the Northwest." He talked to his friends about it; but it is needless to add the project fell through. In the spring of 1876, he was again in Chicago with a law office. Mr. Moody started his

revival meetings in the fall of that year, and Guiteau was of course on hand. About this time his thoughts turned toward theology.

“Along in November,” he writes, “I began to get some conceptions about the second coming of Christ. I heard the Rev. A. Kitteridge, the well-known Presbyterian minister of Chicago, say, at Farwell Hall prayer-meeting one day, that, as a man of God, he had no idea when Christ would come. There seemed to be an impression in the public mind at that time, and has been ever since, that Christ might come very soon, and I studied the Bible, and this passage came to me with great force: ‘If I will that he (John) tarry till I come, what is that to thee?’ This idea was the foundation of my subsequent discoveries in reference to the second coming of Christ, as set forth in detail in my book, ‘The Truth.’ I prepared the article on the second coming of Christ, at the Public Library in Chicago, during the month of December, 1876. I went there and got the New Testament and the Concordance and History, and I studied it up. I did not think of anything else scarcely during the entire month of December, while my mind was running on that idea of the second coming at the destruction of Jerusalem. The more I examined the New Testament with the help of the Concordance to find out just what the Testament said on the subject of the second coming, the more certain I was that I got at the

truth about it, and that article, as it now appears in my book, was the result of my discovery and research and study.”

A LECTURE.

“Soon after writing that article I wanted to go out lecturing to enlighten the world in reference to the discovery which I conceived I had made, and I got the Methodist church there—in Chicago—and I had my intention to deliver the lecture, well announced in all the Chicago papers, about the 10th or 15th of January, 1877. It was a Saturday night; a cold, bitter night, one of the coldest nights of the year, and after making some preparations, and getting the hall, after considerable delay and trouble, I went there to deliver my lecture on the ‘Second Coming of Christ at the Destruction of Jerusalem.’ The announcement was made something like this: ‘Admission, twenty-five cents; free to all who cannot afford to pay twenty-five cents.’ I went there about 8 o’clock, and found about twenty-five people, and I went on to the stage and delivered my lecture on the ‘Second Coming of Christ at the Destruction of Jerusalem, A. D. 70.’”

“The next morning the *Chicago Tribune* gave me about three-quarters of a column—what they called a report of the lecture, setting it forth in rather unfavorable light, ridiculing me, etc., making fun of the failure of it, and the publication did me a great deal of harm. It brought me into con-

tempt, and I went to see the city editor about it, and he was on a high horse and would not make any correction of it, and I went to see Mr. Sam. Medill, the managing editor, and he referred the matter to the city editor, and they would not either of them give me any satisfaction. They claimed it was a correct report of what happened, and they thought it would have been a great deal better if I had not attempted to deliver the lecture, and I certainly thought so when I saw their report and the result of my attempt. I finally persuaded the city editor to publish a little retraction, which he did the next morning, which relieved me considerably of the odium of the previous publication." Guiteau next describes his experience as a lecturer in different parts of the country, chiefly in the West. It is a long record of failure and disappointment. His failure as a theologian was as signal as his failure as a lawyer.

THE ASSASSIN AS A POLITICIAN.

Guiteau next gives his experience as a politician: "I was," he says, "in New York, from July 1, 1880, until the 5th of March, 1881. During this time, I was around the headquarters of the National Committee, at the Fifth Avenue Hotel. I was in the habit of going to those places. During this time, I made the personal acquaintance of the leading men of the republican party. I had my speech, entitled "Garfield against Hancock" printed on August 6 at the time the

Republican Conference was held at the Fifth Avenue Hotel. I gave or sent this speech to all the leading men at that conference. This was my first introduction to them. Afterward, as I met them, I introduced myself and called their attention to that speech. They seemed to be highly pleased with it, and that was the beginning of my personal acquaintance with them. I sent it to General Arthur and Senator Conkling, and General Logan, and Senator Cameron, and all that kind of men. I wanted to take the stump for General Garfield in August, and I wrote Mr. Blaine (in Maine) about it, and called Governor Jewell's attention to my wish, but there was a great pressure on Mr. Blaine from their quarters for speakers. Not having a national reputation he did not use me in Maine. Governor Jewell was very kind to me personally. The disability I labored under was this: I had ideas, but I did not have a national reputation. The State Committeemen wanted a man that would draw a large crowd. So, as a matter of fact, I only delivered that speech once, and that was at a colored meeting, I think, on Twenty-fifth Street, one Saturday evening. I was the first speaker and delivered a portion of it and gave it to the reporters in print." After the result was known in November Guiteau wrote to General Garfield, as follows: "We have cleaned them all out just as I expected. Thank God! Very respectfully, CHARLES_GUITEAU."

THE AUSTRIAN MISSION.

Immediately after the Indiana election Guiteau began to think it was time to look around for something. He wrote to the President-elect, suggesting that he might be a candidate for the Austrian Mission. Early in March, he went to Washington, he says, for the purpose of getting an office. He had nothing to do in New York, except solicit for some insurance companies. He says: "I addressed a letter to President Garfield and to Secretary Blaine, sometime in March, I should say, calling their attention to my services during the canvass and to my early suggestion to General Garfield, at Mentor, in October, and also in January, touching the Austrian Mission. I heard nothing about the Austrian Mission until I noticed in the paper that William Walter Phelps, of New Jersey, had been given the mission, and of course that ended it.

THE PARIS CONSULSHIP.

"I then sought the Paris consulship. I spoke to General Logan about it, and he said that he would speak to General Garfield and with Mr. Blaine. He told me that he did speak to General Garfield, and that General Garfield agreed to leave it with Mr. Blaine. I saw Mr. Blaine about it several times during the deadlock in the Senate, and Mr. Blaine said that they had not got to that yet. He was very clever at that time. I stood well with him and with General Garfield, and I had every

reason to expect that they intended, as soon as they got to it, to give it to me. Mr. Walker, the present consul, was from New York, and had been appointed by Mr. Hayes two years ago, upon the recommendation of ex-Secretary Evarts, and I did not feel that Mr. Walker had any claim upon General Garfield for the office, as the men who did the business during the canvass ought to be remembered. And I have an impression decidedly that at this time General Garfield and Mr. Blaine felt as I did.

“Well, I called at the White House to see General Garfield about it (after General Logan had spoken to him and he had agreed to leave the matter to Secretary Blaine), but I was unable to see the President. I only called the President’s attention to the matter once, and that was within two or three days after I reached Washington. I gave the President my speech entitled, ‘Garfield against Hancock,’ which I delivered in New York in August, 1880. I marked at the head of the speech these words: ‘Paris Consulship,’ which were written in pencil, and then drew a line down to my name, connecting the words ‘Paris consulship’ with my name, so that the President would remember what I wanted. This was the only time that I had any personal conversation with the President on my having the Paris consulship. He took the speech and ran his eye over it, and there were other people pressing around him and I left

him in the act of reading my speech. I went into his room through the private secretary's room and there I saw Mr. Morton, Minister to France, and General Tyner and two or three other gentlemen of that character. They knew me and I was cleverly received, especially by Mr. Morton. He asked me about my health, how I was getting along, etc. This interview with the President occurred about the 7th or 8th of March.

LETTERS TO MR. BLAINE.

“I may say here that after Mr. Blaine was appointed Secretary of State I had not much expectation that I was to get the Austrian Mission, because I expected that it was to be given to one of the Blaine men; but I did think and I did feel that I had a right to press my application for the Paris consulship in view of my having surrendered any supposed right that I might have had in reference to the Austrian Mission, on account of my having called General Garfield's attention to the Austrian Mission in October and also in January. I abandoned the idea of obtaining the Austrian Mission as soon as I saw that Mr. Blaine was appointed Secretary of State, but I did feel that I had a right to press my application for the Paris consulship. During the deadlock in the Senate I wrote Mr. Blaine several notes.

“I called at the State Department several times, but he was generally busy, so I said what I had to by a brief note. I always addressed him famil-

ially as 'Secretary Blaine,' or 'Mr. Blaine.' After the deadlock broke, I saw Mr. Blaine at the State Department one day, and he said that he did not think that the President would remove Mr. Walker. This was the first intimation from either the President or Mr. Blaine that they did not intend to give me the Paris consulship. I was surprised, and I said to Mr. Blaine: 'I am going to see the President and try and induce him to remove Mr. Walker and give me the Paris consulship, 'Well, if you can, do so,' said Mr. Blaine. This is the last conversation I have had with him. I have not spoken to him on any subject since. A few days after I saw Mr. Blaine, I called at the White House to get the President's final answer in reference to my getting the Paris consulship. I sent in my card and the door-keeper came back in a moment and said: 'Mr. Guiteau, the President says it will be impossible for him to see you to-day.' I therefore sent him a little note and told him about the Paris consulship.

"I never had a personal interview with the President on the subject of the Paris consulship except once, and that was when I handed him my speech and told him that I would like the Paris consulship, which was about the 7th or 8th of March. He was inaugurated on Friday and it was about the middle of the following week after his inauguration. The time that I was pressing the Paris consulship began about the first week in March

and terminated, I should say, about the last of April. During those weeks I was pressing it and expected to get it. I have never had any final answer either from the President or from Mr. Blaine in reference to my having the Paris consulship. It did not have the slightest influence on me one way or the other in reference to my removing the President.

CONCEPTION OF THE ASSASSINATION.

"I conceived the idea of removing the President," Guiteau declares, "pending the answer, and, so far as the Paris consulship had any influence on my mind at all, it would have deterred me from the act, because I expected as a matter of fact that I would get the Paris consulship. After I conceived the idea of removing the President I did not go near Mr. Blaine or near the President to press my application. About two or three weeks intervened from the time that I called at the President's when the door-keeper said, 'Mr. Guiteau, the President says it will be impossible for him to see you to-day,' to the time that I conceived the idea of removing him, during which time I was waiting patiently for my answer, which as a matter of fact, I have never yet received.

"I had been pressing the President and Mr. Blaine for an answer and I thought that it would be better for me to keep away from them. They had my address and I thought, if they concluded to give me the Paris consulship, they would notify

me, or I should see an announcement of the appointment in the paper, and, as I have stated, after I conceived the idea of removing the President, I did not go near the President or Mr. Blaine.

“My conception of the idea of removing the President was this: Mr. Conkling resigned on Monday, May 16, 1881. On the following Wednesday I was in bed. I think I retired about 8 o'clock. I felt depressed and perplexed on account of the political situation, and I retired much earlier than usual. I felt wearied in mind and body, and I was in my bed about 9 o'clock and I was thinking over the political situation, and the idea flashed through my brain that if the President was out of the way every thing would go better. At first this was a mere impression. It startled me, but the next morning it came to me with renewed force, and I began to read the papers with my eye on the possibility that the President would have to go, and the more I read, the more I saw the complication of public affairs, the more was I impressed with the necessity of removing him. This thing continued for about two weeks. I kept reading the papers and kept being impressed, and the idea kept bearing and bearing and bearing down upon me that the only way to unite the two factions of the Republican party, and save the Republic from going into the hands of the rebels and Democrats, was to quietly remove the President.

PREPARING FOR THE CRIME.

“Two weeks after I conceived the idea, my mind was thoroughly settled on the intention to remove the President. I then prepared myself. I sent to Boston for a copy of my book, ‘The Truth,’ and I spent a week in preparing that. I cut out a paragraph, and a line, and a word, here and there, and added one or two new chapters, put some new ideas in it, and I greatly improved it. I knew that it would probably have a large sale on account of the notoriety that the act of removing the President would give me, and I wished the book to go out to the public in proper shape. That was one preparation for it.

“Another preparation was to think the matter all out in detail and to buy a revolver and to prepare myself for executing the idea. This required some two or three weeks, and I gave my entire time and mind in preparing myself to execute the conception of removing the President. I never mentioned the conception to a living soul. I did most of my thinking in the park and on the street, and I used to go to the Arlington and the Riggs House daily to read the papers.

WATCHING AN OPPORTUNITY.

“After I had made up my mind to remove him the idea when I should remove him pressed me, and I was somewhat confused on that. I knew that it would not do to go to the White House and attempt it, because there were too many of his

employés about, and I looked around for several days to try and get a good chance at him; and one Sunday (the Sunday before he went to Long Branch), I went to his church in the morning. It is a small frame building, and I stood there at the door a moment. I was a little late; the services had progressed about one-third. I noticed the President sitting near an open window about three feet from the ground, and I thought to myself, 'That would be a good chance to get him.' I intended to shoot him through the back of the head and let the ball pass through the ceiling, in order that no one else should be injured. And there could not possibly be a better place to remove a man than at his devotions. I had my revolver in my possession when I first went to the church, having purchased it about ten days before the President's going to Long Branch. This was the Sunday prior to his leaving for Long Branch on Saturday. During that whole week I read the papers carefully. I thought it all over in detail. I thought just what people would talk and thought what a tremendous excitement it would create, and I kept thinking about it all the week.

"I made up my mind that the next Sunday I would certainly shoot him if he was in church and I got a good chance at him. Thursday of the same week, I noticed in the paper that he was going to Long Branch, and on the following Saturday he did go to the Branch for Mrs. Garfield's

health. I went to the depôt all prepared to remove him. I had the revolver with me. I had all my papers nicely prepared. I spoke to a man about a carriage to take me, as I told him, over near the Congressional Cemetery. He said that he would take me over for \$2, and seemed to be a very clever fellow and glad to get the job. I got to the depôt about 9 o'clock and waited there until the President's White House carriage drove up.

“About twenty-five minutes after 9, the President and his carriage and servants and friends came up. He got out of his carriage. I stood in the ladies' room, about the middle of the room, watching him. Mrs. Garfield got out and they walked through the ladies' room, and the presence of Mrs. Garfield deterred me from firing on him. I was all ready; my mind was all made up; I had all my papers with me; I had all the arrangements made to shoot him and to jump into a carriage and drive over to the jail. Mrs. Garfield looked so thin, and she clung so tenderly to the President's arm, that I did not have the heart to fire on him. He passed right through the ladies' reception-room, through the main entrance, and took the cars. I waited a few moments. I went outside the depôt and walked up town toward the Riggs House, the Arlington, and the park. I think that I went to the park and sat there an hour or two thinking about it, and I went to my lunch as

usual, and after my lunch I went to the library of the Treasury Department and read the papers as usual, and I think I stayed there until 3 o'clock on Saturday, and then I went out. I do not remember where I went particularly; I think I went to the Riggs, the Arlington, or the park. That was after I left the library.

THE ASSASSIN IN AMBUSH.

“I noticed in the papers,” Guiteau continues, “that he would be back the first of the week. I watched the papers very carefully to see when he would return, but he did not come back that week, but he did come back on the following Monday. The following Monday was a terribly hot, sultry day. I remember I suffered greatly from the heat, but notwithstanding that I prepared myself again, and I went to the depôt again on Monday with my revolver and my papers, but I did not feel like firing on him. I simply went to the depôt. I sat in the ladies’ waiting-room. I got there ten or fifteen minutes before the train time, and I waited and thought it all over and made up my mind that I would not fire on him that day. I did not feel like it. The train came and he came, and Mr. James, the Postmaster-General, was there, and Mr. Hunt, the Secretary of the Navy, and their lady friends. They all came through the ladies’ room together, and the President’s son and a thickset gentleman that came from the White House to meet the President were there. They

went right to the gate and got the President, and they all walked together to the President's carriage and they all got in and drove off. I stood at the entrance door of the ladies' waiting-room, and I noticed James and Hunt there with their families, and the President and his friends drove up in his White House carriage, and then James and Hunt went, and then I went. I got into a car and went up toward the Riggs House.

VIGIL OF A MURDERER.

“Well, I was watching for the President all that week. I got up one morning at half-past five, thinking that I might get the President when he was out horseback riding, but he did not go out that morning. I sat there in the park for two hours watching for him, with my papers and revolver, thinking that I might get a chance at him, but he did not go out that morning, so I went back to my room, took breakfast, put up my papers and my revolver and let the matter drop until night. In the evening, after dinner, at five o'clock, I went up to my room and got my revolver out and carried it in my pocket. This was either Wednesday or Thursday, I do not remember which, but I think it was Thursday night. He went out riding that night. I was in Lafayette Park opposite the White House watching for him, and about half-past six the White House carriage drove up to the White House and waited a few moments, and the President and some gentleman, and a young man

eighteen or twenty years old, who I presume was the President's son, got into the carriage. The young man sat with his back to the driver and the President and his gentleman friend (whoever he was) sat on the back seat. They drove out the entrance nearest the Treasury Building and passed right along the east side of Lafayette Square toward the Arlington. They drove down by the Arlington and out on Vermont Avenue. I walked out of the park pretty rapidly and I saw them from the corner of the park. I went out on the street on the east side of the square and I looked and saw they were going down Vermont Avenue. I hung around the park about half an hour or so, and they did not return, and it was very warm, and I concluded to let the matter drop for that night, so that, after sitting in the park for some time, I went as usual to my home and went to bed.

I went to the Riggs House and took a room in the afternoon of Thursday, and the event mentioned in this preceding talk happened, I am quite certain, on Thursday night; it was either on Wednesday or on Thursday, I am not positive which, but my impression is that it happened on Thursday night. On Friday night, after I got my dinner at the Riggs House, I went up to my room and I took out my revolver and I put it in my hip pocket, and I had my papers with me, and I thought I possibly might get a chance at him Fri-

day night. I went into Lafayette Square and sat there, opposite the White House.

IN THE SHADOW OF DEATH.

“I had not been there a minute before I saw the President walk out of the White House. ‘Now,’ I thought to myself, ‘I have got a splendid chance at him; he is all alone; there isn’t any one around him.’ He walked along the east side of the square and down H Street. I followed him. He went to Mr. Blaine’s house on Fifteenth Street. He walked along, and when he got on the sidewalk opposite Mr. Blaine’s house, he looked up, as if he did not know the place exactly, and then he saw the correct number and walked in. I followed him along, and I was about half-way between H Street and Mr. Blaine’s house, on the opposite side of the street, when he entered the house. I went into the alley in the rear of Mr. Morton’s house and got out my revolver and looked at it, and wiped it off and put it back into my pocket. I went over to the H Street stoop, at Wormley’s, and I waited there half an hour, I should say, for the President to come out. He came out and Mr. Blaine with him, and I waited at Wormley’s until they passed by me on the opposite side. They walked down H Street and on the east side of Lafayette Square and through the gate nearest the Treasury Building and into the White House. Mr. Blaine and the President seemed to be talking with the greatest earnestness.

Mr. Blaine was on the left side of the President, as they walked along the street. Blaine's right arm was looped in the President's left arm, and they were engaged in the most earnest conversation; their heads were very close together. Blaine was striking the air every few moments and the President was drinking it all in; and occasionally the President would strike out his hand, thereby giving assent to what Mr. Blaine was saying. They seemed to be in a very hilarious state of mind, and delightful fellowship, and in perfect accord. This scene made a striking impression on me; it confirmed what I had read in the papers, and what I had felt for a long time, to wit, that the President was entirely under Mr. Blaine's influence, and that they were in perfect accord. I may have remained in the park perhaps half or three-quarters of an hour, and then I went down to my room at the Riggs House. I took a towel-bath in my room, and went to bed and went to sleep. I woke up about 4 o'clock Saturday morning, and felt well in mind and body. My mind was perfectly clear in regard to removing the President; I had not the slightest doubt about my duty to the Lord and to the American people in trying to remove the President, and I want to say here, as emphatically as words can make it, that from the moment when I fully decided to remove the President, I have never had the slightest shadow on my mind; my purpose has been just

as clear and just as determined as anything could be. I believed that I was acting under a special Divine authority to remove him, and this Divine pressure was upon me from the time when I fully resolved to remove him until I actually shot him. It was only by nerving myself to the utmost that I did it at all, and I never had the slightest doubt as to the Divine inspiration of the act, and that it was for the best interest of the American people.

NEARING THE END.

“Having heard on Friday from the papers, and also by my inquiries of the doorkeeper at the White House, Friday evening, that the President was going to Long Branch Saturday morning, I resolved to remove him at the depôt. I took my breakfast at the Riggs House about 8 o'clock. I ate well and felt well in body and mind. I went into Lafayette Square and sat there some little time after breakfast, waiting for 9 o'clock to come, and then I went to the depôt, and I got there about ten minutes after 9. I rode there from the park in a 'bob-tailed car.' I left the car, walked up to a boot-black, got my boots blacked, and inquired for a man named John Taylor, whom, two weeks before, I had spoken to about taking me out toward the Congressional Cemetery. They told me that Taylor's carriage was not there, and there were three or four hackmen there who were very anxious to serve me, and finally I noticed a colored man, and I said to him, 'What will you take me

out to the Congressional Cemetery for?' He says, 'Well, I will take you out there for \$2.' 'All right,' said I, 'if I want to use you I will let you know.' At that moment these other hackmen were pressing me to get my business, and I said to them, 'Keep quiet; you are too fast on this,' and I told this colored man, privately, that if I wanted his services I would let him know in a few minutes. I then went into the depôt and took my private papers which I intended for the press (including a revised edition of my book, 'The Truth, a companion to the Bible'), and stepped up to the news-stand and asked the young man in charge if I could leave those papers with him a few moments, and he said, 'Certainly;' and he took them and placed them up against the wall on top of some other papers. This was about twenty minutes after 9, and I went into the ladies' waiting-room and I looked around, saw there were quite a good many people there in the depôt and carriages outside, but I did not see the President's carriage.

"I examined my revolver to see that it was all right, and took off the paper that I had wrapped around it to keep the moisture off. I waited five or six minutes longer, sat down on a seat in the ladies' room, and very soon the President drove up. He was in company with a gentleman who, I understood, was Mr. Blaine, and I am satisfied that he was Mr. Blaine, although I did not recog-

nize him. This gentleman looked very old, and he had a peculiar kind of headgear on, that I did not recognize as that of Mr. Blaine. I am satisfied that it was Mr. Blaine, now that my attention has been specially called to it, because it was the same gentleman that I saw with the President the night before, and I know positively that that gentleman was Mr. Blaine. The President and this gentleman drove up in a plain single-seated carriage with one horse; this gentleman, I think, was driving. It was a single carriage—a single-seated top buggy. The President seemed to be in very earnest and private conversation with this gentleman, who evidently was Mr. Blaine, although at the time I did not recognize him as Mr. Blaine. They sat in the carriage I should say some two minutes; they had not completed their conversation when they reached the *depôt*, and during the interview of two minutes they finished their conversation. During this time they were engaged in very earnest and private conversation, as I have said.

“The President got out on the pavement side and Mr. Blaine on the other side. They entered the ladies’ room; I stood there watching the President and they passed by me. Before they reached the *depôt*, I had been promenading up and down the ladies’ room, between the ticket-office door and the news-stand door, a space of some ten or twelve feet. I walked up and down there I should say two or three times, working myself up, as I knew

the hour was at hand. The President and Mr. Blaine came into the ladies' room and walked right by me; they did not notice me as there were quite a number of ladies and children in the room.

HOW THE PRESIDENT FELL.

“There was quite a large crowd of ticket purchasers at the gentlemen's ticket-office in the adjoining room; the depôt seemed to be quite full of people. There was quite a crowd and commotion around, and the President was in the act of passing from the ladies' room to the main entrance through the door. I should say he was about four or five feet from the door nearest the ticket-office, in the act of passing through the door to get through the depôt to the cars. He was about three or four feet from the door. I stood five or six feet behind him, right in the middle of the room, and, as he was in the act of walking away from me, I pulled out the revolver and fired. He straightened up and threw his head back and seemed to be perfectly bewildered. He did not seem to know what struck him. I looked at him; he did not drop; I thereupon pulled again. He dropped his head, seemed to reel, and fell over. I do not know where the first shot hit; I aimed at the hollow of his back; I did not aim for any particular place, but I knew if I got those two bullets in his back he would certainly go. I was in a diagonal direction from the President, to the northwest, and supposed both shots struck.

THE ARREST.

“I was in the act of putting my revolver back into my pocket when the depôt policemen seized me and said, ‘You shot the President of the United States.’ He was terribly excited; he hardly knew his head from his feet, and I said, ‘Keep quiet, my friend; keep quiet, my friend. I want to go to jail.’ A moment after the policeman seized me by the left arm; clinched me with terrible force. Another gentleman—an older man, I should say, and less robust—seized me by the right arm. At this moment the ticket-agent and a great crowd of people rushed around me, and the ticket-agent said, ‘That’s him; that’s him;’ and he pushed out his arm to seize me around the neck, and I says, ‘Keep quiet, my friends; I want to go to jail;’ and the officers, one on each side of me, rushed me right off to the Police Headquarters, and the officer who first seized me by the hand says, ‘This man has just shot the President of the United States,’ and he was terribly excited. And I said, ‘Keep quiet, my friends; keep quiet; I have got some papers which will explain the whole matter.’

“They let go of me and they held my hands up—one policeman on one side and one on the other—and they went through me, took away my revolver and what little change I had, my comb and my toothpick, all my papers, and I gave them my letter to the White House; told them that I

wished they would send that letter to the White House at once, and the officer began to read my letter to the White House, and in this envelope containing my letter to the White House was my speech, 'Garfield against Hancock.' He glanced his eye over the letter and I was telling him about sending it at once to the White House to explain the matter and he said, 'We will put you into the White House!' So I said nothing after that. They took me around a little dark place and put me into a cell; they locked the door and went off, and I did not see any one for ten minutes, and then one or two parties came and took a look at me; they were policemen and detectives and said, 'I don't know him; I don't know that man; never saw him before.'

"I waited a few moments longer and a gentleman came—a detective, who proved to be Mr. McElfresh—and he was very polite and attentive. I told him in brief who I was and why I did it; that I had some papers at the news-stand; that I wished him to get those papers and take them up to Byron Andrews and his co-journalists; that the papers would explain all about the matter. I also told him that I wished to go to the jail at once, and he came in and put the handcuffs on to me. There were five or six policemen and detectives with him when he came in to see me, and he went away and came back in a few minutes and said that they had decided to take me right to jail, and



THE ASSASSIN IN HIS CELL.

I said, 'That is just what I want.' And he and his brother officers took me right out into the room and down the stairs and into a carriage, and he and three other policemen got in and drove me rapidly to the jail. I met Mr. Russ, the deputy warden. McElfresh told him that I had shot the President of the United States, and he assigned me to cell No. 2, and I have been there ever since, except when I have been to the warden's room to be interviewed by correspondents, or to consult with counsel."

PURCHASE OF THE REVOLVER.

Guiteau bought the revolver before the President went to Long Branch: "I called at O'Meara's, corner of Fifteenth and F streets, opposite the Treasury, about two or three weeks before the removal. I stepped up to the show-case and said, 'Let me look at that.' I saw it was a large bore, and he pulled it out. I saw it marked 'British Bull Dog,' and saw that it was an unusual revolver, and he said, 'That will kill a horse,' or something to that effect. There were two just alike, except that one had an ivory handle for \$10, and the other a plain wooden handle for \$9; I got the best one for \$10. I was very timid in holding it. I knew nothing about weapons at all; I looked at it in an unsophisticated way, snapped it. And I said, 'that will make a good noise,' and he said, 'oh, yes, that will kill a horse;' he said, 'I never want a bullet like that in me.' I said, 'perhaps I

may get that some of these days.' Three or four days afterwards, I stepped in there and selected the revolver with the ivory handle and got a box of cartridges and a little penknife, and he said he would give me the entire purchase for \$10.

"I did not have the money when I first went in; I got it from a gentleman in the interim. He loaded the revolver and said, 'Put that right into your pocket.' Said I, 'Is there any law here against carrying a revolver?' He said, 'Yes, there is, but they don't enforce it except against drunken people.' 'Where can I shoot this?' says I. He says, 'Well, you can go down to the foot of Seventeenth Street and fire it off into the river.' In the course of two or three days (I remember it was the Saturday night after I bought it) I went down about 7 o'clock in the evening and I shot it off twice. That is I shot off ten cartridges. At the first shot I was about ten feet from a sapling three inches in diameter, that was stuck into the mud, and I pulled and struck the sapling and it trembled like a leaf and it made a fearful hollow; I was terribly excited at the noise and power of the weapon; thought I, 'that is a terrible weapon; it made a hole like a little cannon; it startled me. I fired ten shots, and they went off with tremendous effect every time; it made a terrific noise. One or two men came around, hearing the reports, and on the way back I noticed a colored woman and several other people. 'Did you

hear that noise?' They said. 'Oh, yes; it made a terrible noise.'

"I went down again the Saturday morning that I intended to remove the President, when he went to Long Branch and Mrs. Garfield deterred me. I got up about half-past 4 that morning and I went right down to the same place. I got down there about 5 o'clock. It was a bright, splendid morning I remember, and I shot it off twice, using ten cartridges. It made a terrible noise, as usual. Those are the only times that I have practiced with a revolver. I then took it to the house and wiped it nicely and took the cartridges and rubbed them off, and I loaded it and put it into my drawer in my room, and it was in that condition when I used it on the President. I took great pains; put it in my coat and wrapped it up nicely, so that no moisture could get to the powder, in order that it would be in a nice condition when I wanted to use it. I took it out several times and carried it in my hip pocket; but it was not fired off after that until I used it on the President on Saturday morning, July 2.

VISITS TO THE WHITE HOUSE.

"During the time I was pressing my application for the Paris consulship I called at the White House several times. I handed my card to the door-keeper and he would take it in to the President. The reply came back on several occasions—'Mr. Guiteau, the President says that it will be impossi-

ble for him to see you to-day.' I understood by the President's statement that he could not see me to-day—and that was the statement that he sent me through his doorkeeper several times—because he was trying gracefully to get rid of Walker, the present Consul. In one of my notes to the President I asked him directly, 'Can I have the Paris consulship?' and the reply, as usual, came back, 'Mr. Guiteau, the President is very busy and cannot see you to-day.'

"These interviews occurred several days apart—sometimes a week apart; they all occurred during the time that I was pressing my application for the Paris consulship. The case was pending at the time I shot the President, and, as I before stated I confidently expected a favorable answer when they had got rid of Mr. Walker. I understood, by the President's statement that he could not see me, that he was trying in some way to get rid of Walker gracefully, and that as a matter of fact he intended that I should have it. My getting or not getting the Paris consulship had nothing whatever to do with my shooting the President; I shot him purely as a political necessity, under Divine pressure; and it was only by nerving myself to the utmost that I shot him any way. If he should recover and I should meet him again I would not shoot him; and now I leave the result with the Almighty. In case the President had said that I could not

have the Paris consulship, I intended to go to New York or Chicago, and open a law office, and let politics go.

LEGAL VIEW OF THE ASSASSINATION.

“I shot the President without malice or murderous intent. I deny any legal liability in this case. In order to constitute the crime of murder two elements must co-exist. First, an actual homicide; second, malice—malice in law or malice in fact. The law presumes malice from the fact of the homicide; the degree of malice depends upon the condition of the man’s mind at the time of the homicide. If two men quarrel and one shoots the other in heat or passion, the law says that is manslaughter. The remoteness of the shooting from the moment of the conception fastens the degree of the malice. The further you go from the conception to the shooting the greater the malice, because the law says that in shooting a man a few hours or a few days after the conception, the mind has a chance to cool, and, therefore, the act is deliberate. Malice in fact depends upon the circumstances attending the homicide. Malice in law is liquidated in this case by the facts and circumstances, as set forth in these pages, attending the removal of the President. I had none but the best of feelings, personally, toward the President. I always thought of him and spoke of him as General Garfield.

“I never had the slightest idea of removing Mr.

Blaine or any member of the Administration. My only object was to remove Mr. Garfield in his official capacity as President of the United States, to unite the Republican party, and save the Republic from going into the control of the rebels and democrats. This was the sole idea that induced me to remove the President. I appreciate all the religion and sentiment and honor connected with the removal; no one can surpass me in this, but I put away all sentiment and did my duty to God and to the American people."

INTERVIEW WITH MR. CONKLING.

The fourth chapter in Guiteau's autobiography contains little that is of interest. He gives his impressions of men in public life whom he casually met; whom he bored for office or money. It is a record of intense egotism. His speech, "Garfield against Hancock," he used everywhere as his letter of introduction. If a public man failed to recognize him out came the speech. He tells how he was snubbed by Mr. Conkling, whom he styles "My Lord Roscoe," and who nearly always seemed to him to be on his "high horse." Mr. Jewell was always affable and appeared to like him. Mr. Blaine he met two or three times at the State Department. He describes one interview in the first week of March. "I gave Mr. Blaine my speech, headed 'Garfield against Hancock,' and he immediately recognized me and brightened up and was very clever to me. I met him in the elevator

one day about that time—probably about a week later—and he was very cordial, and said he remembered me, and seemed to be very glad to see me. My standing with Mr. Blaine ran along in this free and familiar way until he told me one day that he did not think the President would remove Mr. Walker. Since that I have not seen him.” Mr. Conkling he saw one day in the Vice-President’s room at the Capitol. The ex-Senator was in conversation with a gentleman. “I sat within a few feet of him,” says Guiteau, “on the sofa. I eyed him and he eyed me, and when he got through with his friend I stepped up to him and said ‘Good morning, Senator,’ and he said ‘good morning.’ I said, ‘I hope to get an appointment, Senator, and I hope when the matter comes up you will remember me,’ and he simply said, ‘perfectly,’ and I bowed, and he bowed, and we parted.”

LOOKING FOR A WIFE.

In bringing his autobiography to an end he says: “And now I speak of two matters strictly personal. First, I am looking for a wife and see no objection to mentioning it here. I want an elegant Christian lady of wealth, under thirty, belonging to a first-class family. Any such lady can address me in the utmost confidence. My mother died when I was only seven, and I have always felt it a great privation to have no mother. If my mother had lived I never should have got into the Oneida

Community, and my life, no doubt, would have been happier every way. Nearly three years after I left the Community I was unfortunately married. At last I made up my mind that I would sever the bonds, and I was divorced in 1874. I am fond of female society, and I judge the ladies are of me, and I should be delighted to find my mate."

PRESIDENTIAL ASPIRATIONS.

"The second" subject in which he desires to take the public into his confidence refers to the Presidency. "For twenty years," he writes, "I have had an idea that I should be President. I had the idea when I lived in the Oneida Community, and it has never left me. When I left Boston for New York, in June, 1880, I remember distinctly I felt that I was on my way to the White House. I had this feeling all through the canvass last fall in New York, although I mentioned it to only two persons. My idea is that I shall be nominated and elected as Lincoln and Garfield were—that is, by the act of God. If I were President, I should seek to give the nation a first-class administration in every respect; I want nothing sectional or crooked around me. My object would be to unify the entire American people, and make them happy, prosperous and God-fearing."

MARRIED LIFE
OF
CHARLES JULIUS GUTEAU,
BY HIS FORMER WIFE,
MRS. ANNIE J. DUNMIRE.

STENOGRAPHICALLY REPORTED.

Philadelphia, Dec. 29, 1881.

Messrs. Hubbard Bros.,

Philadelphia, Penna.:

Gentlemen :—I have given you as fully as possible, and exclusively for publication in your forthcoming book on the “Life and Trial of Charles J. Guiteau,” all the important and interesting particulars concerning him, as I knew him, while his wife.

Very respectfully yours,

MRS. THEODORE DUNMIRE.

MARRIED LIFE OF GUTEAU:

BY MRS. ANNIE J. DUNMIRE.

PREFATORY.

MRS. ANNIE J. DUNMIRE, the divorced wife of Guiteau, now residing in Leadville, Colorado, has given to the publishers some interesting information, which, in a striking manner, portrays the moral obliquity of her quondam husband.

In following her narrative and the testimony introduced at the trial concerning the nefarious life of this theological vagabond and modern vampire, one is forcibly reminded of the character of that most illustrious imp of depravity Tiddlebat Titmouse, M. P. Titmouse has justly been considered one of the most repulsive and nauseating characters in fiction, but the reality which the santimonious Guiteau presents, is infinitely more despicable and loathsome than the contemptible effigy created by the brilliant imagination of Warren. His defense of inspiration is undoubtedly an artifice, and his pretensions to patriotism, and claim to be ranked with a Brutus and Charlotte Corday, equally absurd in the light of his selfish career. If such an event could, in any manner, advance his personal interests, he would be

perfectly content to see the Republic obliterated from existence. His ambition was to wriggle into notoriety, "to strike a blow in the world that would resound through the centuries," whether for good or bad, whether by a gigantic achievement of genius, or the surreptitious assault of an assassin against purity and honor, he was supremely indifferent. It was the old Satanic ambition: Better to reign in hell than serve in heaven.

MRS. DUNMIRE'S STATEMENT.

In the spring of 1868, I was employed as libra-



GUITEAU IN JULY 1869.

rian of the Young Men's Christian Association, in Chicago, and I there became acquainted with Guiteau. He was then a member of the Association, and had been for a short time previous to my connection with it. He took an active part in the work, often conducting the meetings, and frequented the library

rooms a great deal. He represented himself as practicing law, and I think he was then in the office of Reynolds & Phelps. I presume he was studying law and getting what business he could—just commencing business. He pretended to

feel a great deal of interest in religious matters, and repeatedly referred to his having been a member of Mr. Beecher's Church, in Brooklyn. The gentlemen in the Association seemed to think that he was a very exemplary young man, so far as his conduct and work among them was concerned.

My first impression of him was that he was rather peculiar in his manners and dress, but nothing very remarkable. Of course, one sometimes notices little peculiarities in a person that another would not observe.

MARRIAGE.

We were married in Chicago on the 3d of July, 1869, by the Rev. William Alvin Bartlett, who was then pastor of the First Congregational Church of that city. We lived there until the time of the great fire, in October, 1871. During that period he practiced law, but the principal part of the law business that he attended to was collecting old notes and debts. He seemed to have



WIFE OF GUILTEAU, IN 1869.

more business of that nature than any other. He had a great deal of difficulty with almost every party with whom he had any business transactions,

in regard to making proper returns respecting such bills as he had collected.

METHODS AS A COLLECTOR.

When he had a bill for collection he would work with a great deal of energy for a time, and succeed in obtaining a part of it; and then he would state to the creditor that he had had a great deal of trouble in collecting the first instalment on their claim, and he would keep the amount so collected as payment for his services, promising to pay to them their share if he should succeed in obtaining the remainder, and if not (as in many cases he never did) that is the way the matter was left—he never paid over any more, thereby naturally causing these men to feel very hard toward him, they often threatened him with exposure, and pursued him and gave him trouble. He probably thought I knew very little about these matters, but I learned the state of affairs from people who would call to see him where we were boarding, and in an indirect way at different times. He would often tell me, in fact, of different sums of money that he had succeeded in collecting, and he seemed to take unbounded delight in talking about how he would arrange to keep these amounts, and evidently looked upon it as quite a piece of smartness to be able to do so without getting into any difficulty about it. I repeatedly told him that he knew that way of doing business was dishonest and not the right conduct, and that

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he would suddenly cause a great deal of trouble. His reply invariably was, that the world owed him a living, and that he intended to get it in one way or another.

AN UNCLEAN LIFE.

I lived in continual anxiety and suspense of mind on account of this mode of living—his cheating and dishonest transactions. I was constantly expecting that something would happen to him, during that time, because I knew how people felt toward him, and if he was late at meal-time or was out unusually late in the evening, I was in constant fear that something had happened to him. I became so sure of it that the least unexpected noise in the house or hall, would startle me, and I would think that perhaps he had been attacked or killed or injured in some way. I lived in a perpetual dread and expectancy of something fearful occurring to him on that account.

GUILTEAU'S CUNNING.

I might mention a few instances of his remarkable shrewdness, or cunning, if you can call it that. One incident that transpired while we were living in New York I remember very well, which shows how very quick he was in trying to deceive or in deception. He had a hunting-case watch which was not worth more than five dollars. It was referred to by Mr. Shaw in his testimony at the trial. It was what was called an oroide watch and could be brightened up so that it would greatly re-

semble gold, and one glancing at it might think it very valuable. He was in great need of money and an idea occurred to him that he would try to get some money on this watch. He waited until evening and then went to the store of a pawnbroker, kept by a Jew, somewhere down town. He handed the man his card, and told him that he was short of money, and that he wished to get about twenty-five dollars advanced on the watch, which he produced. The man took it and turned to get the money from his safe or drawer, and as he turned Guiteau picked up his card and slipped it into his pocket, and he took the twenty-five dollars and came away. He returned home and showed me the money. He clapped his hands and walked up and down the room and just laughed to think how he had cheated "that old Jew." He was a perfect stranger to the pawnbroker, and of course in a large city like New York, it would perhaps be impossible to find him again. I told him that in all probability the man would find him, because he had given him his card; and he said, "Oh, no; there is no danger of that, for as he turned his back to get the money, I slipped the card off the counter, so that the man would lose the clue as to who I am." He regarded that as so much clear gain.

DISHONEST DEALING.

During all the time we were living in Chicago, he kept up his dishonest practices, cheating every-

body that he came in contact with, great or small, in any way he possibly could. I presume no one ever had any dealings with him where money was involved, that did not get the worst of the transaction.

We were both members of the First Baptist Church of Chicago, of which Dr. Evarts was pastor; we were baptized and received into full membership, and part of the time Guiteau taught in the Sabbath-School, and often conducted, or assisted in conducting, the prayer-meetings held during the week. He attended the services regularly, and to all outward appearances, took great interest in the church. And yet all the while it was his constant study to see how successfully he could carry on his dishonest operations. He seemed to delight in such conduct, and succeeded in almost every instance, and, notwithstanding this, I do not know of his ever getting into any serious difficulty as a result of his roguery, during our residence in that city.

HIS PLAUSIBILITY.

He apparently was able to explain satisfactorily all his questionable doings, and his manners were so pleasant and so agreeable to strangers that he was continually making friends, and sometimes was able to borrow sums of money, two or three different times from the same parties, who were almost total strangers to him, a thing that perhaps few persons could have done.

I remember of one instance where he discovered that I was acquainted with a lady who is, or was then, a very intimate friend of George W. Childs, of the Philadelphia *Ledger*. Guiteau had an idea at that time that he wanted to go to San Francisco for the purpose of opening a law office there, and as he did not have means to go with he wished me to write to this lady to see if he could borrow some money from Mr. Childs. He talked about it so persistently that I at last told him he could write to the lady, as she was an intimate acquaintance of mine and mention the request he desired to make. He accordingly wrote to her and enclosed his note payable to Mr. Childs for the amount; it was for several hundred dollars (I think two or three hundred) that he wanted Mr. Childs to loan him on his note. I do not remember for what length of time the note was made out. Of course, Mr. Childs did not see fit to advance it, because he did not know him and he did not know me. Yet Guiteau was very sanguine, in fact convinced, that if he could have gone to Philadelphia he could have gotten that loan—just upon the strength of his position in Chicago as a lawyer. He thought if he could once introduce himself with his business card, he could secure almost anything he wished.

BORROWING MONEY.

In regard to his borrowing money, I might mention another incident. He at one time, soon

after our marriage, inquired something about my relatives. I was born in England, and my relatives are there. He asked me, a number of times, if I had not relatives living there? He also said, "It is singular you don't know anything about your family, who they are, or what they are," and I told him that I had a cousin who, I thought, was probably still living near Liverpool, but that I had forgotten his address; that the family might have moved, and that I did not know anything about them. He thought it likely that they were in pretty good circumstances, and he had a wonderful desire to find where those people were living. He wrote to the authorities at that place or in the neighborhood, and gave the address of the family as far as he knew, and requested that a special effort should be made to trace them up, and discover their whereabouts, and that he should be notified of the result of the inquiry; he sent his card, of course, enclosed in the letter. After a time, an answer came, stating that the family were still residing in the same place; that my aunt (my father's sister) was dead, but that her son was married and was living there. He obtained their address and wrote to them, and wanted to learn how they were situated financially, which was his only object in writing. They sent us a very kind letter and stated their pecuniary circumstances, and when he found they were people who were not able to help us (as he inferred from their

letter), he never mentioned them again. He never afterward expressed a desire to know anything about them, and I naturally concluded that his object in communicating with them, was because they might possibly be in a position to aid him in money matters or otherwise.

BOARDING-HOUSE EXPERIENCE.

In regard to board-bills, there was scarcely a place at which we boarded, during our married life, that he ever paid our bills. I have experienced more difficulties in that respect than I could describe. He was always unwilling to take a house. Mr. and Mrs. Scoville tried every way to induce him to do so. They even offered to rent a house for us, and furnish it comfortably, so that we could have a home, but he never would consent to such a thing. He insisted that it was too much trouble; that there was too much work about it; that it was a great deal less expensive to board, and he did not want the annoyance of keeping house; consequently, we boarded constantly in Chicago, from the time we were married, in 1869, until the fall of 1871, when we left that city.

We stopped sometimes at hotels and sometimes at boarding-houses, and he invariably made an especial effort to get the very best place, and secure the best accommodations the house afforded, and would remain just as long as they would allow us to stay. As a result of his procrastination

and failure to pay his debts, the people who kept the hotels and boarding-houses would become tired of his promises, and disgusted with us both, and treated me with frowns and contempt. Even if he had money, as he often had, it was impossible to persuade him to pay such bills; if there was any way of avoiding such bills, he would refuse to pay. Occasionally, when his creditors would press him closely, his excuse was: "I have been disappointed about getting money; I am expecting one hundred or two hundred, or maybe three hundred dollars in a day or so, and then I will settle my bill, and it is not worth while," he would perhaps add, "for you to get 'on your ear' about it or to get angry, for I will pay you just as soon as I have the money, and I can't pay before." I was exceedingly worried and annoyed about the matter and would urge him to pay the bills, and told him that I would not live that way, and that unless he paid the bills I would work and do almost anything in order to live in an honest and proper manner and be saved the anxiety and inconvenience to which his conduct subjected me.

BAGGAGE DETAINED.

Our baggage would time and time again be detained, in order to secure the payment of the board-bills. I cannot begin to tell the number of times during my acquaintance with him that I have lived for weeks, sometimes four or five weeks and

even into months, with scarcely a change of clothes, on account of the detention of my clothes for board. In some instances I have gone personally to the creditors and actually begged them to let me go to the store-room or wherever the baggage was kept, and open the trunk and take out a dress or an article of clothing I was compelled to have, and then wait for the rest until he could arrange to get them. He did not usually suffer as much inconvenience as I did from these matters, because he had a valise, and what clothes he needed, or he thought he would need for a while, he would put into the valise and take it away with him. The greater part of our clothing, however, was kept for board.

I remember one occurrence particularly, while we were living in Chicago. We were staying at a boarding-house on Wabash Avenue at that time. He went there for the purpose of boarding out a bill he had undertaken to collect for some client. The bill, I believe, was against the woman who kept the house, and he agreed with her to board out his share of the claim for services in making the collection. He accordingly received his fee in board, and continued to board there and of course never turned over any money to the party who gave him the claim to collect. The client was not in Chicago at the time and did not know anything about it. The woman became very tired of having us there, we had one of the best rooms in the

house, and, after boarding out what he termed his share of the claim, she repeatedly asked him for money. He would pay her a small sum once in a while, and it ran along in that way for several months. At last she notified him that he would have to find another place, as she needed the room for some one who would pay her cash every week, and he owed her then a considerable amount. We had two or three trunks at that time, and when we came to vacate she would not let us take our baggage along with us, and we had to depart without anything save what we were wearing.

But he vowed when he left the house that he would get those trunks in spite of anything she might do; that he would not allow anyone to "beat" him in that way, and that he would get those trunks and she would not get anything—just to retaliate for their detention.

We went to another place to board, and some time had elapsed when he one day informed me that he had at once commenced replevin proceedings in court; and he had to wait several days, I believe, before he could perfect arrangements. It was in the summer time, and, during evenings in warm weather, the front doors of houses would be left open. He said he knew the room in which the trunks were stored, and that he intended to go to the house while the family and boarders were at their meals in the basement (at dinner or

supper, for instance), that he was going to bring an express-wagon to the door, that he would walk right into the house and into the room and have the trunks out before the woman could know anything about it, and that, if she should attempt to molest or interfere with him in any way, he would secure the baggage at all events. And he did so. He succeeded in getting them out. Just as he got the last trunk down stairs, this lady discovered it and called on some of the boarders. Before they could get up the steps, however, to help her, he was on the wagon driving off with the baggage, and she never got a cent from him.

He had the baggage brought up-stairs into our room, paid the expressman for his services, and he was just completely exhausted from his exertions and excitement, and he could scarcely express his delight at the way he had succeeded in accomplishing his object. He talked of it for hours afterward; it was the constant theme of his conversation on all that day and the next—the smartness of the idea and the brilliancy of its execution. He would say: “There is not one man in five hundred who would have attempted that; they would be afraid they would be shot at. But not I; nobody will beat me, for I will be even with them in the end!” He made that remark several times, walking up and down the room, hysterically clapping his hands and shouting: “Sold again and got the tin!”

He looked upon such an act as a great achievement, as if it was an honor to him. It was of no use to attempt to reason with him and talk about such conduct being dishonest. He did not care anything about it; he was impervious to sentiment or feeling. I never heard him say that he was sorry for behavior of that kind: he apparently never suffered any pangs of regret on account of his dishonesty.

GETTING OUT OF A HOTEL.

After the fire in Chicago we went to New York, and boarded for a time at the Cortlandt Street Hotel, in the lower part of the city, and the same old story was repeated there. The proprietor was very patient, and would sometimes come to him at the table and tap him on the shoulder and say: "I will have to trouble you for some money to-night," or something of that sort, and Guiteau would always turn to him and say very pleasantly and politely: "I am very sorry to keep you so long; I appreciate your kindness. I expected money to-day, but didn't get it, but I shall probably be able to settle with you to-morrow." But the proprietor got tired of waiting. Guiteau then owed something over one hundred dollars for board, and one day after dinner he said to me: "I tell you what it is, I haven't got the money to pay, and I presume I had better leave. I hate to be annoyed about board; I think we will have to get a place up-town." I said: "I presume we

shall have to leave our baggage again for board," and made some remark about detesting to have to live in that way; and he said: "I tell you what we can do. We can leave some things here and we can take some things with us." But the difficulty was how to get the goods out of the house without detection, because they always kept the ladies' entrance fastened, as is customary, and the entrance through the office was so public it would have been impossible to carry away anything without being observed. He did not know what to do. He studied over it some time, and said: "There is one thing certain, if I ever get out of here, I will never pay them one red cent," as he was in the habit of saying. The room we had was on the second floor, in a corner of the hotel, and fronting on the street. There was a porch under one of the windows, and he proposed that we should fasten up some of the articles of which we were in the most need; that he should go down on the side-walk, and I throw these things out; and that would secure them, and then I would go out. They would not suspect anything, of course, by my going out alone, and he said: "We will leave the other things until we can get them out at some time." I demurred to such a proceeding, and he got very mad, and said: "You are a jackass; you have no sense: I had no business to have a wife anyhow; if I had not a wife I would have none of this annoyance about board-

bills." He went out and ascertained that our windows were right over the clerk's office of the hotel, and as that was lighted up at night, his proposed action would unavoidably have attracted immediate attention: and he said: "Of course, that will not do. But, I presume they will be willing for us to take a valise, or something of that sort. You had better pack up some things you need the most." I did so, and we left the hotel. We went up town, and took board at a place on Twenty-second Street, I think, and lived two weeks there, and our trunks were kept at the hotel, some two or three months, before he made any attempt to get them.

Those are only a few characteristic instances out of a great many. Rather than make an effort to get the money like any one who would pay, he would go to all that inconvenience. He had an idea that whatever he could cheat a boarding-house or hotel-keeper out of was so much clear gain. The only motive in the world that ever induced him to pay them anything was in order to get what belonged to him—his clothing and mine; that was the only reason influencing him to pay at all, and he regarded that as an unnecessary expenditure altogether.

LIVING BEYOND HIS MEANS.

Another singular feature about his conduct was that he was always anxious to live so far beyond his means. It was always: "Nothing but the best,"

the best place and among the very best first-class people, prominent people, people well known so far as position and wealth were concerned. That was his great object—always to be among them and to live at the most expensive places and to have the best accommodations; he was not satisfied to live in plain style anywhere,

RENTING OFFICES.

In renting offices in Chicago, it was the same way as in boarding. There were very few places where he had an office that he paid his rent. In nearly every instance he owed for rent, and he remained just as long as he could comfortably, and then when they would press him too much and become persistent about his settling with them he would say that he could find a better place, or he would find some fault with the office, or the parties he was with, and then change. And this was repeated over and over again. It is perhaps impossible to tell how many persons there are in Chicago and New York, whom he owes for office-rent and board-bills. There are probably scores of them.

BORROWING MONEY.

Dr. McArthur gave very good testimony at the trial illustrating the character of the prisoner. Soon after we went to New York, Guiteau sent for our letters from the Baptist Church in Chicago, and was admitted to the Calvary Baptist Church of New York, Dr. McArthur being the pastor at that time. He attended it regularly and evinced

a great interest in it. Several months after we joined that church, he handed me a note one day, and said that he wished me to call on Mr. McArthur and request him to loan one hundred dollars for thirty or sixty days on the note, which I think was payable "on demand." At first I strenuously objected to it, and he said, "Well, I know that Mr. McArthur would very much sooner loan you the money than he would me, because he would not like to refuse you on account of its being a lady who makes the request, and if you go to him very pleasantly and tell him that it is to pay a board-bill, that we need it very much, and state the circumstances—that I have been here but a short time; that I have not got fairly started in business, having lost everything in the Chicago fire—I have no doubt he will loan you the money." With great reluctance, I went to Mr. McArthur's house, and explained it to him, and gave him this note, and he was very kind indeed. He stated that he did not have that much money with him that morning, but he gave me twenty dollars and said he would make an especial effort to get the rest that day, and to call or send for the remainder; that he was interested in us, and if it would help us he would be only too glad to be able to assist. And he did as he promised. I think the next day, or a day or two afterwards, he paid the balance—in all ninety-five dollars, and, as he stated in his testimony, that money is still unpaid.

Guiteau never made the slightest attempt to return it to Mr. McArthur, and never said anything about paying it. I talked with him repeatedly about it and asked if he ever intended to repay the money, and his reply was: "Well, perhaps, sometime when it is perfectly convenient for me to return the money, I will do it, but not before, and it is not necessary for you to say anything more on the subject. Dr. McArthur does not need it; he has a large congregation; receives a large salary, and a hundred dollars is nothing to him. He doesn't expect us to return it. He is a good man and he gives that with perfect good-will; he will think none the less of us for not returning the money."

STILL BORROWING.

Guiteau was also acquainted with General Jones, then Postmaster at New York. Subsequently to the incident I have just mentioned, he was taken sick, and we were in great want of money; and he said: "I think I will get you to call on Postmaster Jones, and I will make my note and you can give it to him." I forget the amount, but I think he wished to borrow seventy-five or one hundred dollars. His excuse then was that he knew very well that General Jones would not refuse me; that he might refuse him, but not me. He said: "Your manners are so pleasant and you seem so amiable and lady-like, people won't dare to refuse you." So I went to General Jones, very

reluctantly again, and I succeeded in getting the amount. I never heard of Guiteau's returning that money, and his apology was just the same as in the case of Mr. McArthur—that he was a wealthy man, and would not miss it. But I told him at that time that he need never again ask me to go to any one to borrow money: "I positively will not do it," I said: "You told me often that you would pay this money to these parties, and I will never do such a thing again; I had rather starve than do it." I presume he would have sent me to a number of others, borrowing money on his note, if I would have consented to do it.

HIS TEMPERATE HABITS.

Guiteau never drank or used tobacco. He has many times said that he disliked the taste and smell of liquor in any form, and that his father disliked those things very much also. He was perfectly temperate in this respect, and I have wondered at it. He seemed to be always perfectly sensible of what he was doing. He would plan and study up things for hours; his mind was often deeply buried in some project that would give him fame and wealth.

ASPIRING TO FAME.

He was sure that he was destined to be at some time "famous in this world," as he expressed it, and he constantly conversed about it—that he knew the time was coming when he would be a "big man." He used to walk back and forth be-

fore the glass and pull down his coat and straighten back his shoulders, so as to give himself a conspicuous appearance. If there was any peculiarity in his style of dress or deportment in the street, it was in keeping with his desire to look like some of our noted men. He has asked me the question repeatedly: "Don't you think I would look like a good Foreign Minister?" or something of that kind. His great predominating ambition at that time was to be noted in something. While conversing on the subject he would mention the early lives of some of our prominent men--particularly those born and reared in obscurity and poverty. He would say: "There is such and such a man, occupying such a position to-day; he was born in poverty. There are Mr. Lincoln and Mr. Greeley, and so it has been with me; I have had a hard time, a hard road to travel, but the time is coming when I will be just as famous as they are." And I would laugh at him and come down to everyday life; I at that time wanted something comfortable, something whereby we could live; his mind was always in the future; I would say: "I do not think you are living now as you ought to live if you are expecting to be a prominent man; you are not living in the proper way now." But of course he would not take that view of the matter.

EARNING LITTLE.

He habitually represented that he made a great

deal more money than he ever did, the actual fact being that he made but little money rightfully, and the only way he succeeded in getting any money at all was either by borrowing or by collecting old debts, and in nine cases out of ten, he would collect half (or what he was pleased to consider his half) and keep it; if he should at any time obtain the rest, why all well enough.

TRIP TO SAN FRANCISCO.

While we were living in Chicago—I think it was in the summer of 1871—he decided to go to San Francisco and open a law office there; he was thoroughly disgusted with Chicago. After he failed to get money from Mr. Childs, of Philadelphia, he managed to obtain some elsewhere—I presume through collecting bills, and retaining what did not belong to him, because he never seemed to get money in any other way. He went to San Francisco and was absent about two weeks. He returned to Chicago, and said he was perfectly satisfied with Chicago, that he did not think he would care to live in San Francisco at all, and he stated that while he was there he had stopped at the Cosmopolitan Hotel, which at that time was considered to be one of the handsomest hotels in that city, and he mentioned that circumstance with great glee—that his stay there had cost him nothing, getting the very best accommodations and living in the best of style at no expense whatever.

REMOVAL TO NEW YORK.

We were living in Chicago at the time of the fire in October, 1871. He had quite a nice library, and he lost that and the furniture in his office in the conflagration. We succeeded in saving our clothes, but nothing more.

From Chicago we came to New York. He decided to establish himself there and renew his law practice. The first office—or desk-room rather—that he rented was with Mr. McLane Shaw, who testified at the trial, the office being at 59–61 Liberty Street. He remained there nearly a year.

We took board up-town, and the experience which we had passed through in Chicago, in regard to board-bills, was repeated in New York, as I have before stated. We would stay a while at one place and then have to leave our baggage, or possibly get it and go to another place and board there and then leave that, and so on always and everywhere.

GOOD REFERENCES.

I believe he obtained considerable practice in New York. He had business cards printed, and with quite a number of references to responsible men on the back, in order that persons to whom he applied for business, could refer to those gentlemen for any needed information, as to his character and ability. I remember that one of those references was to the firm of Reynolds & Phelps, of Chicago, another to his brother John W. Gui-

teau, who was then in Boston, I think, another to General Jones, the then Postmaster at New York, in addition to several others. He had five or six references, and whenever, he applied for business, he would turn his card over and say, "you can refer to any of these," and that was generally satisfactory.

He resolved to make collections a specialty, and attend to nothing else. He said that it was a branch of the law-business, and he thought he could do very well at that, and he went around among the merchants, and leading business houses in New York, and obtained a great many bills for collection, and I believe that he succeeded in collecting considerable money on their account.

He had difficulty with nearly all his clients, in New York, as he had had with those in Chicago. He was several times threatened with arrest for withholding moneys that he had received, but he always got out of it in some way; he was never arrested during my acquaintance with him.

POLITICAL ASPIRATIONS.

He continued in this branch of the law business in New York during that winter and the spring and summer of 1872, following. When Mr. Greeley was nominated for the Presidency Guiteau made up his mind that he would get out of the law business and get into politics with Mr. Greeley. He talked of him continually, almost everything that Mr. Greeley had done in the past

was discussed, and he read his life and read the New York *Tribune*, and he became infatuated with the idea of going into the canvass and doing everything he possibly could for the election of that gentleman; Mr. Greeley being "just the man for the place." He accordingly wrote quite a number of speeches and probably visited the committee rooms for the purpose of getting an opportunity to address meetings. They used to have torchlight processions and open-air meetings, and he would go out in the evenings ostensibly to deliver his speeches, and he did make addresses at several assemblies in different parts of the city. He would say that he had been appointed to speak at various places, and would come home much delighted at his success, and he was particularly pleased at the notice of his address in the papers of the following day.

WRITING HIS CHIEF SPEECH.

He wrote a speech that he regarded as a wonderful production, and I find that it is substantially the same speech that was offered in evidence at the trial—the speech entitled "Garfield against Hancock." There are sentences in that speech that, when I commenced to read it, came to me as plainly as when he composed it. He read it over and over again; sometimes he would sit up nearly all night working on that address—changing it and thoroughly revising it.

STICKING TO POLITICS.

During that summer he neglected, almost entirely, his law business. He had no income, and our condition was terribly embarrassing and distressing to me. We had no means with which to live, and yet he persisted in his resolution of "sticking right to politics," and nothing else. He said that after a time he would be rewarded for his services, for he knew that just as soon as Mr. Greeley should be elected he would appoint him to a foreign mission; that he had consulted different persons about the foreign missions, and believed that the one he would prefer to have above all others, was that of Minister to Chili. He denied this in court and stated that it was the Swiss mission, but I never heard him refer to that before. He was apparently fully informed about these foreign appointments, the salaries attached to them, at what time he would go there, etc. Often times, when speaking of our embarrassed circumstances, he would say: "Well we will try to put up with these things for a while; after a time I will have a good position. There is no doubt that Mr. Greeley will be elected; and as soon as he is elected, I shall see him and tell him of the work I have done, and shall ask him as a compensation for the services I have rendered, to appoint me to that foreign mission." And he would frequently ask me if I did not think he would fill the position well, and turn to look in the glass and

add: "I think I would look very well in such a position as that; don't you think I could fill the office first-rate?" and similar comments which, showed it was his constant thought, and he worked at his scheme with a great deal of perseverance—more than he ever displayed at anything else.

DISAPPOINTED.

He continued to work in the Campaign until the fall. I was not in New York, at the time Mr. Greeley died, but he was there, and he wrote to me afterward of the death, stating what a dreadful disappointment it was to him. It seemed to completely unfit him for everything; he was utterly disheartened, and did not have the desire or inclination to undertake anything whatever.

As soon as I heard of the assassination, his career during the other campaign came to my mind at once; the interest which he took in it, his positive confidence that he was to have a position, and the disappointment—all these things, were reproduced before me, the moment I heard of his crime. He evidently worked in the last campaign, with as much zeal as he did in the other. I cannot say that I was surprised to hear of the assassination. The idea of his being insane, however, never occurred to me, at all—it never occurred to me at that time, or during the time I lived with him.

THE "INSPIRATION" DODGE.

I never heard anything of "inspiration" until I came to Washington. There is no doubt in my

mind but that this has been an afterthought on his part. He has been alone in the prison; he has looked back and seen his danger and realized how the people regarded him, and he has said to himself: "I have got to get up something," and he has studied and studied and finally resolved that the plea of "insanity" or "inspiration" was the only thing that could save him. Or he may have carefully studied out his proposed defense before the assassination.

Now, there is another reason that leads me to think this view of the matter is correct. During my acquaintance with him I do not remember of his ever making any remark about "inspiration." I might hold a different opinion if he had been in the habit of believing then that he was led by God to do certain things and, as it is now pretended, he had been in the habit of hearing voices in his dreams directing him to do certain things. But he never spoke of dreaming. That is one of the first things Mr. Scoville asked me when I came to Washington—if I had ever heard Charles refer to voices speaking to him "in dreams," and I just laughed at the question. In fact, I don't think that he ever dreamed; he never told me that he had dreams; he never talked of such things.

INGENIOUS PLEAS.

The "inspiration" plea is entirely new to me, for he never was in the habit of using that term. He was always very ingenious at devising defenses

and excuses for his misdeeds. He was in the habit of talking with me about certain notes and bills that he had collected, and "Now," he would say, "when they come to me for this settlement, why I will tell them such and such a thing; that I could not succeed in collecting that amount from such and such a one; that they had gone away somewhere and I could not find where they were." He would describe the whole thing glibly and consistently, and when his clients would come and inquire in regard to these accounts he would explain it in such a manner that they would not doubt for a moment that it was exactly as he stated.

I have known of many firms in New York with whom he had dealings that did not find out the exact state of affairs for months after he had made the collections, and then perhaps by that time he would be away from the city, or rather than have any difficulty with him, they would let the matter go. Whenever they called he would receive them so amiably and explain everything so satisfactorily to them that perhaps, if they were angry when they commenced to talk with him, before they left, they would seem to be pleasant and perfectly satisfied. That is one reason, as I say, why I thought as soon as I heard it that his claim of "inspiration" was an afterthought or an artifice on his part, because I know he was so excellent in such matters. He made a specialty of

studying up defenses by which he could explain or cover anything and make it appear correct.

HABITUAL DECEPTION.

Judging from the deception which he practised in small affairs, and his general behavior in our married acquaintance, I am unable to detect any material variation from his former conduct, so far as I have seen his actions in court and at the jail. In fact, if I had not known that the defense was "insanity" the suggestion never would have occurred to me for a moment that there was anything wrong with him. I have merely thought of insanity in connection with the plea, and, in my opinion, there is not the slightest foundation for it. The only difference I notice is in his thin and haggard appearance, which of course is easily accounted for by his nomadic, or "tramp" experiences.

COMMITTING CRIME FOR NOTORIETY.

As soon as I heard of the crime and afterward read more of the circumstances, I formed the opinion that he had committed it for the purpose of securing notoriety.

His disappointment at not obtaining the foreign mission that he had labored so hard to obtain, and his other disappointments, his impecunious condition and failure in everything he had undertaken—all these circumstances led me to think that he was actuated by a desire to become noted in some way. He knew of course, that if he com-

mitted that act he would become notorious, and looking back over his past life, and knowing so well how morbidly anxious he was for fame, and to have his name known over the land, his egotism and pride, I came to the conclusion at once—before I had heard anything of “insanity” or “inspiration”—that he had done the act for that purpose. His being insane or ignorant of the enormity of the crime he committed, never suggested themselves to my mind. I knew that he was always responsible; that he always knew the difference between right and wrong, and had the power to control himself when it was to his interest or suited his inclination do so.

FAMILY LETTERS.

In October last, I received a letter from a sister of Guiteau's in relation to the crime; it is very ingeniously worded, apparently for the purpose of obtaining some admission from me as to the insanity of her brother, for use at the trial, but I promptly answered the letter, according to the exact facts. The two communications are as follows:

532 WEST ——— ST.,
CHICAGO, Oct. 29th, 1881.

MY DEAR ANNIE:

I have thought of you and what you must feel, since our poor Charles has brought upon us, and himself, as well as upon the whole people, this terrible trouble through his insane act. What I have suffered in view of the sufferings of our departed President and his family, the good Lord only

knows. If we only *could* have known what the future was to bring forth, we, perhaps might have prevented it. But it is so hard for friends to believe that those they are constantly with, and have long and truly loved, are really insane, and ought to be deprived of their liberty, that our case is only one of hundreds, where the proper steps are deferred until something terrible happens. When I look back now and can see so plainly, what then I only saw in part, and can see what a risk you and I were in of losing our lives, I am amazed we could have been so *blind*.

He raised an axe at me four years ago, and *then* I insisted upon having him examined; but before we got to the point of having anything done about it, he slipped away. If I had only *persisted* then in putting him in an asylum, how much better it would have been!

I saw your mother a few days ago. She is very well; says she thinks Charles was crazy long ago. The doctors tell me a marked symptom in such cases as his is a persistent determination to marry some woman with whom they become infatuated. First one, and then another. The insanity expert in the case considers it important to know, if he ever thought he heard *voices* commanding him to do certain things, *especially voices in the night*. Do you know of any such facts? They are not *essential*; but if you do, we would like to take your deposition or affidavit. You will confer a favor upon me, and may save him from further misfortune by giving your testimony towards proving his insanity. Mrs. P—— has no doubt he was insane when he boarded at her house with you, and from what she saw of him after her husband's death; she went over to Mr. Scoville's office and told him so, and wanted his father informed; they were then afraid of him—she and her daughter.

If you know of anything that will be of service, write me what it is—anything you can think of, and we will send on copies of interrogations for you to answer and swear to before a notary. You will have to send us name of notary. If you

can think of anything going to show his insanity, do not fail to send it.

What we want is to place him in an "Insane Criminal Asylum," of which there are two in this country, one in St. Louis. He will never be better, but will be properly cared for during life, which the Lord grant may not be long. You, of all others, can understand how my heart aches for him. He was my dead mother's son. He was the husband of your youth. We loved him.

Hoping to hear from you immediately, I am, as ever,
Your friend,

P. S.—Preserve this letter. You will see by the papers the poor fellow is terribly changed. Anything proving that he believed he was acting under Divine direction would be of value. You need not wait to answer this, but *send your deposition* right along. *The time is short.* Write me what you intend to say, also.

138 EAST SECOND STREET,
LEADVILLE, COL., Nov. 5th, 1881.

DEAR ———:

Yours of the 29th inst., was received, and in reply I desire you to accept my sincere sympathy in this dreadful sorrow through which you are passing.

You desire to know how I feel with reference to the state of Charles' mind, during my acquaintance with him. I have read your letter, carefully, and have studied well each question, and have tried to recall any instance, during our married life, where I had cause to look upon him as a man of unsound mind, and I must say, that I have failed to find aught which would convey that idea. I met with him repeatedly, some four years ago, previous to my leaving Chicago for Denver, and then I saw nothing which would impress me that he was not a responsible man. That he has been deluded, to some extent—of that fact, there can be no doubt.

Now, with regard to my mother's opinion, as you mention,

that Charles was always crazy. She never has expressed herself before in that way, only since your and Mrs. P——'s visit to her, and on account of her exceeding sensibility and nervousness, I presume, she expressed herself so, under the influence of the moment.

You also speak of Mrs. P——'s opinion as the same. Strange that she never mentioned her fears to me, knowing her as intimately and as long as I did. However, looking over all these facts, I am entitled to my own opinion with regard to Charles' sanity or insanity; living with him and knowing him as only a wife can know a man, it is natural that I could form a tolerably correct idea on the subject. You judge me wrong, if you think I have at this late day no feeling or pity for him in his deplorable condition. God above knows how exceedingly sad I have felt during these last few months, and I daily beseech Almighty God to open his darkened mind to a true sense of his error, and save him in his time of need. However charitably inclined we may try to look upon him, the thought will present itself to our minds that he is only reaping what he has sown; and the more I look upon his past deeds the more positive I feel that his mind was good and sound. He doubtless now well remembers my oft-repeated warning to him, when we lived together. It was this: "Unless you change your course of action, you will be led down until you end your life either on the gallows or in a penitentiary." It will seem very harsh for me to talk thus, but think what I suffered on his account. 'Tis true, he was the husband of my youth, and I loved him better than anything on earth, but he crushed me, he spurned my love, and turned me out sick and poor to make my living, while he lived in style and supported improper women. In answer to my loving letters he would say I was too affectionate and he could not afford to keep a wife, when I would have been happy to have lived with him and shared a crust. Ah, the many bitter tears I have shed, the loving Heavenly Father above only knows. At last, when I had decided to obtain a

decree of divorce from him, even then I could scarcely tear myself from him, and would rather have died than lived.

Again, neither those friends who obtained my divorce nor the bill for divorce, mentioned insanity at that time.

With much love and sympathy for you and family, I am,

Yours truly,

MRS. THEO. DUNMIRE.

PROCEEDINGS FOR DIVORCE.

In the winter of 1872, I was absent in Philadelphia for awhile; from there I returned to New York, and he was still doing some law business, though not very much. But for a long time he did not take any interest in his business, as he had done previously; he was unsettled, and did not seem to care to attend or apply himself to his business. The following spring of 1873 I lived there, and in the summer I went away, and that is really the termination of my acquaintance with him. I lived with some friends near Saratoga Springs, and the following fall I met him again a little while, but did not live constantly with him after that summer.

In the fall of 1873, while I was in Philadelphia, I commenced proceedings for divorce, assisted by my friends in that city, the family of Mr. Wood. The application was made through Mr. Wood, and the suit was instituted in Kings County, New York, for absolute divorce on the ground of adultery. Guiteau put in no defense. The case was referred to Mr. Levi A. Fuller, as referee, to take testimony and report. He reported in my favor,

favor, and on the fourth day of April, 1874, Justice Calvin E. Pratt passed the decree of divorce, which is as follows :

DECREE OF DIVORCE.

In the Supreme Court

Kings County.

ANNIE J. GUILTEAU,	}	<i>At a special term of this Court held at the city of Brooklyn, April 4, 1874.</i>
<i>Plff.,</i>		
<i>against</i>		
CHARLES J. GUILTEAU,	}	<i>Present: Hon. C. E. Pratt, Justice.</i>
<i>Def.</i>		

This action having been brought on to be heard upon the complaint herein and upon proof of the defendant's failure to answer, and upon the report of Levi A. Fuller, Esq., duly appointed referee in this action, from which it appears that the material facts alleged in the complaint are true, and that the defendant has committed the adultery charged therein, on motion of Warren G. Brown, plaintiff's attorney,

It is adjudged, That the marriage between the said plaintiff Annie J. Guiteau and the defendant Charles J. Guiteau be dissolved in pursuance of the statute in such case made and provided, and the same is hereby dissolved accordingly, and the said parties are and each of them is freed from the obligations thereof with fifty-one $\frac{5.5}{100}$ dollars costs of this action to the plaintiff, and the privilege to her of applying to the court at such time as she shall be advised for a suitable allowance for her support in the nature of alimony.

And it shall not be lawful for the said Charles J. Guiteau to marry again until the said Annie J. Guiteau is actually dead.

I do not think any application for alimony was ever made on my behalf; I did not make the attempt because it would have been impossible, in my opinion, to have obtained anything from

him. He agreed with Mr. Wood to pay the costs of the proceeding, amounting to about \$125, and I believe he gave his note for that amount, or made some arrangement of that sort, but he never did pay it, and Mr. Wood, as I understand, paid the money out of his own pocket, and has never been reimbursed by Guiteau even to this day.

TESTIMONY IN THE DIVORCE CASE.

I was not present at the hearing of the case and know of the testimony that was taken merely from information. I understand that Guiteau brought the woman Jennings to testify—the person with whom he was charged with having committed adultery. According to the law of the State of New York, there was no difficulty about obtaining the divorce, so far as residence was concerned, as he had been a resident there over a year, and so had I. He evidently was perfectly satisfied with the proceedings, and did not object to them in the slightest manner.

A REVIVAL MEETING USHER.

After the divorce was granted I did not see Guiteau again until the winter of 1876, at which time I met him in Chicago. I went one afternoon to the revival meetings that Moody and Sankey were conducting in Chicago that winter, and he was acting as usher. I had not known then where he was, but it seems that he, at that time, was or pretended to be very much interested in the work of Moody and Sankey, and as I subsequently ascer-

tained, he was a regular attendant at their meetings, apparently as enthusiastic in that work as he had been in politics.

They had different rooms in the building, where various meetings were conducted—for young converts, inquirers, etc.—and as I was coming out of the main hall, I happened to look up, and I saw Guiteau standing at the entrance to one of those rooms, distributing tracts, a bundle of which he held in his hand, to the persons who passed out, and inviting them to go into the prayer meeting. As I came out, I looked at him perfectly straight in the face, unconscious for the moment that it was he. I think he recognized me, for as soon as he got a glimpse of me he turned directly around the other way. I went down a few steps and turned for some purpose, and I noticed that he had gone into the room. I presume he did not wish to come in contact with me there.

SILENCED BY MOODY.

Those meetings were continued through the winter, and he was one of the most earnest workers. He used to address the meetings, and became so persistent, and pestiferous in his efforts to talk and converse with persons, that Mr. Moody at one meeting was compelled to publicly request him to keep quiet, so tired had they become of him and his interest in the work. I suppose they did not place confidence in him, and thought he was doing the cause more harm than good.

A CALL FROM GUTEAU.

I was living with some friends in Chicago, and one day, during that winter, I was informed that a stranger had called and wished to see me. I went down into the parlor and found it was Guiteau. When I entered he extended his hand and shook hands with me very pleasantly, inquired how long I had been there, and where I had been in the meantime. It was a very severe, cold day, one of the most bitter days of the winter, and I noticed as soon as I came into the room that he wore no overcoat and no gloves, his coat being a short business coat. I remember thinking that he certainly must be cold. There was a bright fire in the grate and I invited him to sit closer to the fire. He talked in a very affable and amiable manner, and I asked him what he was doing.

ASPIRING TO BE AN EVANGELIST.

He replied: "O, I have given up the law business altogether: I am working now for the Lord. I have changed my whole course of life, since I knew you, and I have laid aside all old things, and have been working very earnestly, for some time past, in company with Moody and Sankey, and I intend, very soon, to leave here and travel in Europe. They are going to such and such a place (mentioning several places) and I am going to work as an evangelist. I am going to do the same work that Moody and Sankey are doing here." I inquired, if Moody was going along

with him, and he said: "O, no. I am engaged to a lady of wealth. She is very good and very pretty, and beside all that, she is a very devoted Christian-woman," and he added, "she and I are going to work together in this cause—working for the Lord." He did not state who this lady was. I ascertained that he was doing no business whatever.

NOT FEELING THE COLD.

He several times afterward called at the house where I was staying, and every time he was in the same condition as to dress; and at one of these visits—I think the second one—I asked him why he did not wear an overcoat, and if he did not feel cold; he said no, he did not feel cold—that he did not notice those things; that his mind was not upon how he felt; that he was engaged in other thoughts—or something of that kind. I thought his manners were very strange, but nevertheless, did not think he was very different from what he was during my married acquaintance with him, for he was always peculiar and eccentric in many respects, and I thought it was merely a peculiar notion in not wearing an overcoat. Soon after that I learned that he had been boarding a few blocks from where I lived and was greatly in debt for board, and that the people had turned him out and kept all his clothes, and that was the reason he did not have sufficient clothes. He probably never was

able to get the clothes, as he never paid them his board-bill

AT MR. SCOVILLE'S.

Immediately following our meetings at my residence, I met Guiteau again at Mr. Scoville's. Mr. and Mrs. Scoville sent for me to come and see them. I had not been in Chicago for several years, and Mrs. Scoville, probably, wished to be informed as to how we had lived, and the cause of our separation, in addition to other matters, and I paid them a visit, and remained there a week. One day he called, while I was there, as he was accustomed to do. He would, sometimes, come to the house, and stay a day, or a night and then leave, and they would not see him again, probably, for two or three weeks. One day, as I have stated, he called; and still looked in the same condition—as if he was suffering for clothes, ragged, hungry and forlorn. It was Christmas time. I had spoken to Mrs. Scoville about the manner in which he was going about, apparently in need of all the comforts of life, and she felt a great deal of anxiety about him, and did not know what he was doing.

A STRANGE ACT.

I purchased a pair of gloves, and when he called that day, I gave them to him, and asked him to wear them. He thanked me, and accepted them, and seemed to appreciate the gift very much, but said: "They are of no use to me really, because,

I have no overcoat; I have no pocket to put them in." He took them, however, and after he went away, I remember that I spoke of the circumstance to Mrs. Scoville, and stated that it was a strange remark for him to make—that the gloves were of no use to him because he had no pocket to put them in. Mr. Scoville referred to this incident in his cross-examination, and asked me if I did not say that he must be insane or that the remark was that of an insane man. I said no such thing; I merely said that it was a strange remark, it was so foolish.

VISIT TO THE PRISON.

Since our meeting at the house of Mr. Scoville I never again saw Guiteau until the day I appeared on the stand as a witness at the trial, and I have had but one conversation with him. Upon returning from a drive to Arlington Heights, on the afternoon of Saturday the 17th of December, 1881, my husband suggested that we visit the jail before leaving Washington for our western home. Arriving at the jail, my husband expressed a wish to see the cell usually occupied by Guiteau. Warden Crocker then informed the prisoner of our presence, when he sent word that he wanted to see us both and our children. We were then very courteously conducted by Warden Crocker—first, to the cell usually occupied by Guiteau, and then to another and larger cell where the prisoner was writing. As we entered the prisoner advanced,

shaking hands with us both, receiving us very politely. I then inquired for his health, and remarked that he was looking much thinner and a great deal older than when I last met him. Guiteau replied that he was feeling well. He then asked the ages of my children and stooping, kissed my three-year-old boy, and then kissed my little girl, whom I held in my arms, and said they were nice little children. Some remarks were then made with reference to the climate of Leadville, Colorado, where we reside, and I then inquired if he had ever been in Colorado, and he replied that he had passed through there when he visited San Francisco some ten years ago. Mr. Dunmire, who had been standing near the prisoner, then said, addressing the prisoner in an impressive manner: "Guiteau, I am sorry to see you, or any other one, in the condition you are in," when Guiteau, smiling, sadly, said: "The Almighty will protect me." Mr. Dunmire then shook hands with him, and said: "Good-bye, Guiteau, it is not likely we shall meet again." The prisoner then asked me how I liked the West, and said he was glad to know I was well and comfortably settled in life, and said: "Annie, I wish you much prosperity; I wish you well." I then shook hands with him, and said: "I am exceedingly sorry to meet you under these sad circumstances," and then bade him farewell. We then quietly withdrew, leaving him alone with God. Our interview was strictly

private, no other visitors being present at that time.

HABITS OF DRESS, ETC.

Guiteau was always very proud and nice and particular about his dress and general appearance. He always dressed well, wore the best of everything. He would not think that a suit of clothes was fit to wear that did not cost at least sixty or seventy-five dollars, and he would not wear anything that cost less. He would frequently buy a suit and pay part of the purchase money and give his note for the balance and never pay it.

In having photographs taken he would be very fastidious in his directions, saying: "Now, I want you to be sure and take a good picture of me. Be sure you get the right expression of my face and eyes, and I think you had better not take a side view—my nose is so prominent." He always objected to his profile; he regarded his nose as too long and conspicuous, and as spoiling the rest of his face. We had our photographs taken shortly after our marriage, when he had a smooth face. One of them was produced at the trial and Guiteau at once noticed the change in his looks, remarking that he had had a hard road to travel since the taking of that photograph. When I married him he had side-whiskers and a moustache. He wore his hair long and heavy and was rather fleshy when in good health, and altogether he was rather good-looking—in strong contrast

with the haggard appearance which he presented at the trial.

UNTRUTHFULNESS OF GUITEAU.

Guiteau was by no means truthful; it was impossible to believe anything he said unless one knew it to be a fact from other information.

PLEA OF INSANITY.

Concerning the plea of insanity which has been interposed, I place no faith in it, and I hardly think Mr. Scoville has any confidence in Guiteau's insanity. Mrs. Scoville is probably the only one who has any sincere convictions in that respect, but she seemingly does believe, or pretends to believe, that her brother is insane and wholly irresponsible.

RELATIONS OF SCOVILLE AND GUITEAU.

Mr. Scoville is a good, honest man, and has acted with good intentions in the trial of the case. He, however, is controlled and influenced entirely by his wife; he has to obey her instructions implicitly. There has never been the slightest congeniality between Mr. Scoville and Guiteau, and Guiteau has been tolerated at Mr. Scoville's house only as a brother-in-law. The abuse that he has heaped upon Mr. Scoville at the trial is just what he has been accustomed to throw upon him all his life, and even while sitting at Mr. Scoville's table—often calling him an "idiot," "a consummate jackass," and using similar epithets in speaking

of him, both out of his presence and also when addressing him to his face.

WASTE OF MONEY.

As I have before stated, I do not think Guiteau ever made as much money as he pretended to make in his business, but I have no doubt that he spent a great deal of what he did receive in keeping lewd women, and in other improper ways, although I cannot say positively that he was in the habit of living in that manner during the time we resided in Chicago. But in the winter of 1871-72, when we went to New York, I learned that that was the way he was living, and from information obtained afterwards I was convinced that he had been in the habit of so living, almost continuously, all the time. And in this connection, to show his reputation in this regard, and his early character generally, I may refer to a communication which was published in the Washington *Evening Star*, of December 20th, 1881. I do not know the writer, but I have good reasons for believing that its statements, which follow, are true.

GUILTEAU'S BOYHOOD DEPRAVITY.

In the Washington correspondence of the New York *Tribune* of December 12th is a report of an interview with one of the insanity experts, in which the following passage occurs:

“What general consideration led you to believe him (Guiteau) sane?”

“Well, look at his career. From his birth until he was sixteen or seventeen years of age his life was that of an ordi-

nary, studious, quiet school-boy. He did not, during that time, develop any unusual traits of wickedness, and did not show that hereditary tendency to insanity which the defense has attempted to prove. * * * When he reached early manhood his system changed greatly of course. He has evidently been a man of strong passions, and that fact explains many things in his career. He did not smoke, chew, or swear. He preserved the outward moralities. He went at an early age to the Oneida Community, where he aspired to be a leader, which would mean that he would have exceptional liberty. Leaving the Community because his life did not suit him, he went to New York, and ever since that time has been tending toward criminality."

Mr. Scoville, in his opening argument for the defense, makes similar statements, and tries to give the same impression as to the boyhood innocence of the prisoner. He says: "His father was an intense religionist. He probably did not give that personal attention to the boy that he ought to have given, and yet the boy grew up bright, intelligent, gentlemanly, gentle, loving, with no wayward ways, habits or acts." This is the character Mr. Scoville gives him up to his going to Ann Arbor, and finally to the Oneida Community. Now, is it true that up to his joining the Oneida Community Guiteau had been the immaculate, gentle boy he is represented to have been in the above extracts? It is not true. Here are some facts on the other side, which paint a different picture of that boyhood. Soon after he went to the Oneida Community, his egotism and self-conceit, which were then of enormous proportions, subjected him to some severe criticism, one result of which was that he made a written confession of his previous life. This confession showed that he had from early years been *a very disobedient boy* to his father; that he had, while a clerk in a business house, sometime during the period from 1854 to 1857, *i. e.*, from his thirteenth to his seventeenth year, robbed his employer's money-drawer repeatedly of considerable sums of money; that he had fre-

quented brothels, and had had venereal disease, and that he had been addicted to self-abuse to the extent of seriously injuring his health.

In regard to his disobedience toward his father, he confessed that on one occasion, when he had been refused some request, he attacked his father, overpowered him, threw him upon the floor, and held him there till he yielded to the demand made upon him.

This attack upon his father was also described to me once by his father (whom I knew personally and quite intimately for a score of years). He represented his son as having a very angry spirit toward him, and that he yielded to the demand because he feared that Charles might kill him if he did not—he felt that he was dealing with a murderous spirit.

The testimony of Luther W. Guiteau as to his son's character was that he had been very disobedient from his early years; and I know that one of the great sorrows that the father carried with him to his grave was that he had found it impossible to secure obedience in Charles *during his boyhood*. First and last, he suffered more from his wicked son than President Garfield did. For more than a quarter of a century he carried burdens of heart and mind about that son, which saddened his life and made him old before his time. Happily he was "beyond the sorrow and the weeping," when his son's crowning act of disobedience came—disobedience to all that his father had taught him, disobedience to all authority and government, disobedience to God—in the murder of the President.

One of the objects of the attempt to make it appear that Guiteau's boyhood was a career of innocence up to the time of his joining the Oneida Community, apparently is to create the impression that his after career of criminality was the result of his sojourn in the Community. The insanity expert quoted by the New York *Tribune* gives that impression. The drift of all of Mr. Scoville's treatment of the prisoner's connection with the Community seems to give that

impression. Nothing could be more untrue. The truth is, that the six years which the assassin spent at the Community—with, perhaps, a brief period after that time—was the one oasis of comparative purity in his life since puberty—the one period when his passions were under wholesome restraint, when his selfishness was crucified, when he was not drifting in the direction of disobedience and “devilish depravity.”

T. L. P.

GROUNDS FOR DIVORCE.

The first that I knew of his being intimate with women was, as I say, during the time of our residence in New York. There was a woman living in the house where we boarded who represented herself as a widow of some lawyer from Chicago, and I was made aware of the fact that he was too intimate with her during our stay in that house. Throughout that year at different times I knew of similar goings on that occurred with other women in New York until some time in the fall of 1873—about September or October—when I made my application for divorce. I was then living in Philadelphia, and made the application through my friends in that city.

A SERIOUS ILLNESS.

In the summer of 1873, while I was living with him in New York city, he had a very long illness, that lasted some two months or more—between two and three months—resulting from his intimacy with improper women; and I nursed him and took care of him through that sickness, and no one else knew anything about it. He had no physician, and would

not have one because he did not want any one to know his condition. He said he would rather die than consult a doctor or have any medical advice, for fear that it might possibly get out among business men that he had been so "unfortunate" (that is the way he seemed to look at it) and injure his business. He was a very great sufferer and came very near dying. We were boarding at that time in a large boarding-house and I had a fearful experience with him. He was very much reduced on account of it, and in the worst stages of his illness he was entirely helpless. He was not able to attend to his business or anything else, and at times I was almost sure he would never recover from it. He had considerable business on hand at that time, and I had to go down to the office (which he then occupied with Mr. Shaw,) every day or two and get his mail, and get the gentlemen there to attend to his cases for him—matters that he ought to attend to himself.

AT SARATOGA.

After that experience, as soon as he recovered, I went to Lucerne, near Saratoga Springs, and spent the remainder of the summer with some friends who were living there, he remaining in New York. The latter part of the summer these friends gave me their consent to invite him to come there and spend a few weeks. I occasionally heard from him, though not very often, his correspondence being very irregular, and I

wrote, inviting him to come, thinking that it might benefit him. He came and stayed there about two weeks, and he then seemed to be very much better, and to be recovering in health, but still was not entirely well. While he was there, he was suddenly taken lame in one of his hips, and was badly crippled. He became so much worse that he wanted to go back to New York at once, his excuse being that he probably would get better if he could return to that city. I am very positive that the cause of his lameness was the trouble he had had.

SEPARATED FROM GUILTEAU.

He went back to New York. That was the latter part of the summer of 1873, the last of my acquaintance with him at that time; I may say, that that was the conclusion of our living together, for from Lucerne I went to Philadelphia, and remained there until 1874, having in the meantime obtained the divorce. The next time that I met him was in Chicago, as I have already explained.

GUILTEAU'S STATE OF MIND.

In connection with his illness, I might mention the state of his feelings during those weeks. By any one who has unfortunately ever been compelled to bear with his bad and uncontrollable temper and excited, irritable disposition, it can readily be understood what a trying ordeal I passed through. He would pace the room by

the half-hour at a time, and curse himself and the rest of humanity, and would say that as soon as he recovered he would shoot that woman who had placed him in this predicament. He never expressed any regret for his deed, only so far as being so unfortunate was concerned. He informed me that this woman was an utter stranger to him, as he never met her until the evening she accosted him on the street, and he admitted that he was not able to resist her inducements and blandishments. He never said to me, that he had committed that act in order to get rid of me, but instead of that, he seemed to deplore his inability to withstand such temptations. In fact, I never heard him assert at any time, until recently in court, that he committed adultery for the purpose of ridding himself of me, his wife.

LEFT TO SUPPORT HERSELF.

For nearly a year and a half previous to our final separation I was absent among strangers earning a support for myself, while he was living in good style in New York, boarding at expensive hotels and keeping women. He would tell me that his business would not enable him to keep me and that I must maintain myself. I therefore had to seek some employment, and if not with my friends I would have to go among strangers. Sometimes I was in Philadelphia, at other times at Saratoga Springs, and again at some other place. During these periods of separation, what I suffered

mentally words can never tell. I was a mere child in experience, having married at the age of sixteen and being naturally of a confiding nature, he was everything to me. I was true and earnest in my love for him and mourned with a true woman's intensity on account of his misconduct. I, however, could not conceal from my heart his corrupt, depraved nature, and I sought by every imaginable means to win him over to purity, beseeching him many times to live a better life. In reply to my entreaties he appeared amused at my earnestness and would say that, while he admired my principle and motive, still I was altogether too particular and conscientious for everyday life.

AN OCCASION OF TENDERNESS.

The only instance that he ever seemed really sensitive and interested in my happiness was immediately following a severe illness, when my life was despaired of and I was in profound grief at the loss of our only child, who died at birth, and whose death he knew was caused wholly by his brutal treatment of its mother. At that time he would occasionally display a spark of kindness by stroking my hair and pitying my thin, wearied appearance, and would study my comfort, and even bring me little delicacies and luxuries. He did at such times profess to regret his conduct, and promise, if I would only recover, never to act unkindly again.

HARD TO LIVE WITH.

During the time I lived with him, almost from the commencement of our married life, he was very peculiar, very eccentric in many things—so much so that it was nearly impossible for any one to live with him with any degree of comfort or happiness. Sometimes he was kind, and disposed to be gentle and pleasant and amiable, and then again he would be very morose and irritable, and just the opposite in every respect. He was intensely high-tempered, and became angry upon the most trifling provocation, or no provocation at all; and it would seem as if he would lose all control over himself.

NO SUSPICION OF INSANITY.

In regard to these peculiarities, I often thought he was exceedingly strange, and now understand exactly what kind of disposition he possessed. It never occurred to me that he was not perfectly sensible, or that his mind was affected in any respect whatsoever, or that he was in the least insane. In fact, I never heard of any of the family being affected with insanity; I never heard it mentioned, although I was intimate with his sister and the other members of the family, and had been with them at different times, I never heard anything of the kind referred to.

HIS EXCITED TALKS.

I did not know until after our marriage of his having lived in the Oneida Community. He never

broached the subject before, but he then told me all about his going there and how unfortunate it was for him that he ever did go there, and he would talk of that perhaps an hour or more at a time. He would get into that strain of talk and become very much excited. He reiterated over and over again that he blamed his father for all the difficulties and troubles he had experienced, for he attributed them all to his experience in the Community. He said it was the greatest curse that could have happened to him—his father's inducing him to go there, and blamed him altogether for it, repeatedly asserting that it would have been a blessing if his father had died before he himself was old enough to understand anything about those things. He stated that his father used to talk of the Community doctrine constantly in his family, and that Noyes was an intimate friend and visited them. That was at the commencement or organization of the society, I presume. He also stated that Mr. North, who testified at the trial, was an old friend of his father, and he has often said that his father took North's family into his house and boarded them with the means that he ought to have spent in sending him to college and giving him a good education, just on account of the fanaticism, as he always termed it, that so possessed his father at that time.

WORKINGS OF THE ONEIDA COMMUNITY.

He talked a great deal about the inner work-

ings of the Community and the dreadful feeling under which he labored during his life there; that he had lost all of what he called his "free-agency:" he said his "free-agency" was entirely destroyed during his association and connection with those people, and that he passed through a terrible ordeal in that place; that part of the time, he thought he would be lost, according to their teachings, if he left them, and that he was intensely unhappy; that he could not decide what was the right course for him to pursue, until finally he resolved that he would leave them. He claimed that he left them in the night, slipping away without letting them know of his intentions. His acquaintance with them he always characterized as the great misfortune of his life. He dwelt a great deal upon the meetings which they were accustomed to hold, wherein they would criticise each other. That was something, it seemed, that he could not possibly stand—when they would bring up himself and the other members and publicly criticise them for any improper conduct committed by them. He described that as the worst feature in the whole affair—the "terrible despotism" that Noyes exerted over the people; he said they had no will of their own in any respect, that they were just like children under the control of that man Noyes. He has publicly elaborated those matters, however, very fully in print and otherwise, so that I need not dwell upon them.

AN UNKIND HUSBAND.

His behavior and conduct toward me was exceedingly unkind during the greater part of our association together. There were times when he was very kind and genial, and would often tell me that he greatly regretted his treatment, but that if I would overlook the past he would never do it again. Those instances, however, were rare, that he expressed any feeling of remorse, or regret, or compunction for anything he had done, no matter how outrageous his misconduct may have been.

The reason for his acting toward me in that cruel way I cannot explain, because I have reason to believe that he loved me as much, probably, as he is capable of loving any one. But it seemed as if there was something in his disposition that was naturally ugly; he appeared to take a real delight in forcing persons to feel they were under his control, that he could exercise authority over them, and he always wanted me to learn that he was so far superior to me that I must not express or have an idea or a will of my own; that I must always live in complete subordination to him, and he would find a great deal of fault with me if I acted otherwise. He would say: "You have such a terrible will; your will was never broken when you were a child, and the sooner you know that you are in subjection to me, why, the better it will be for you."

I could mention many illustrations of his unkind treatment, which was incomprehensible. Perhaps in conversing with him about something, if I did not happen to agree with him in what he said or felt about the subject, or dared to express an opinion in the slightest degree antagonistic to his own, he would instantaneously become angry, and if I were to talk any longer he would become perfectly furious. Many times, while in such moods, when I have not knowingly offended him, he has taken hold of me suddenly (he had great strength in his arms and hands), opened the door perhaps, wherever we might be boarding, and kicked me right out into the hall and fastened me there. It made no difference who was out there, or who was passing along the hall; it would have made no difference if I had fallen down-stairs from the kick or push. I do not think he would have opened the door to have seen whether I had fallen down and broken my neck or not. At these times he seemed devoid of all sensibility.

During our residence in Chicago, one incident occurred which was repeated a number of times, where in the night, he actually pulled me out of bed and shoved me out into the hall. In one place where we boarded, there was a large closet in the hall belonging to the room occupied by us, which we used for the storage of our baggage and other articles, and on cold winter nights he would take me and push me out into that closet and keep

me there all night in the cold. Of course I did not dare to make any noise, because I did not want any one else in the house to know anything about it. I never wanted anybody to know these troubles. I had too much pride and preferred to keep them to myself. He would sometimes keep me in the closet until morning, and go back to bed and probably go to sleep and let me remain there, and when perhaps it suited his convenience, he would come and unfasten the door and let me return to the room again. And he did not seem to regard such conduct as in any wise out of the way, and when I would say: "Why, I don't see what you can think of it, acting in such a way, and treating me as you do! I certainly shall not live with you or continue to put up with it," he would retort: "Well, nothing would suit me better. When you make up your mind to find other quarters, the better it will suit me, for you are not the kind of a woman that I should have married any way. I want somebody who could help me. If I had married a girl who had money—whose father, for instance, or some one belonging to the family had means, and could have helped me—it would have been a different thing. But you are poor; you have no one who can help you, who perhaps, could give you a meal if you wanted it, and I have no business with a woman like you. You are good enough and kind enough, but I made a great mistake when I married you."

That was generally his excuse for his treatment. He had an idea that if I were out of the way, he could then marry some one who could help him. He said that he was destined to occupy a prominent position in life, and he wanted a wife who would be an assistance to him in that respect.

MARRIED LIFE MADE MISERABLE.

This conduct was repeated, time and time again, until I became mentally crushed ; my life was saddened ; I got into the habit of constantly feeling so distressed, and so unhappy, that I would rather have died than lived. Existence was a perfect agony to me, nearly all the period of our married relations. My acquaintance with him began, of course, when I was much younger than I am now, and I loved him a great deal, and I was willing to suffer anything, everything, rather than be separated from him ; I looked upon a divorce and separation as a terrible thing then, and I felt that it was my duty to live with him, and to bear these troubles just as long as I possibly could. Many times I used to think that the difficulties and sorrows to which I had to submit, were almost more than I could bear ; yet I felt that the time would come, when I would be released in some way. I knew that my unhappiness was something that I had not caused, that it was one of those mysterious things, that I could not explain. I, therefore, continued to endure it, and be as patient under it as I could.

I frequently had conversations with him on the subject, and talked with him about the way he was living, and told him that I thought there was much inconsistency in his life, that he was not acting according to his professions; for, all this while, he made a profession of religion. He was a constant attendant upon all the means of grace; he was connected with the Young Men's Christian Association, both in Chicago and in New York, and always referred to such matters with so much respect and feeling as to cause a stranger to think he was one of the most excellent and exemplary of men.

In talking with him, I often told him and warned him that I believed—in fact, that I was almost sure—that if he continued to live in the way in which he was living, something terrible would happen; that he would surely suffer for his conduct toward me alone, to say nothing of anything else; that I was confident that if he did not reform, he eventually would go either to the gallows or to the penitentiary—to one place or the other. He would invariably turn off all reference to this subject, as lightly as possible, and attempt to make some justification for what he had done, and say: "Well, I would not treat you as I do, or would not be as harsh as I am, if you would not be so self-willed; if you would be more submissive, and willing to be controlled by me, I would not treat you as I do." That was the sole excuse he would offer.

Whenever I talk about these matters the remembrance always works upon my spirits, and I cannot talk about my life with him, even to this day, without its affecting me, and my experience apparently changed my whole life; it had so depressing an effect upon my disposition that I never after it felt as I did before marriage. I used to be very cheerful, was naturally very buoyant and hopeful, and could undertake almost anything; but the systematic course of unkind treatment that I endured as his wife, completely changed and revolutionized my feelings, and I had no hope or desire for anything—but was utterly dejected and depressed.

DELIBERATELY WICKED.

With regard to his character in private life, I doubt, if there has ever been an instance of a man who was so wonderfully (I hardly know how to express it, other than as I have often thought and said that he used to be) possessed of an evil spirit. He was entirely conscious of what he was doing. He was never under the influence of liquor—he could not account for it on the ground of drunkenness. He was perfectly sensible and cool, and deliberate in everything he did, and I therefore think he could control himself whenever he wanted to do so.

CONDUCT AT THE TRIAL.

I do not know much about the proceedings of the trial except what I have read in the press. I

attended only when I was on the witness-stand, but from my observations, the days I was in court, I do not think there was anything in his conduct different from my personal experience with him. Whenever he would talk at a table and be contradicted, he would pound the table, and pound, and pound, and say: "It isn't so! It isn't so!" just as he does in court. As to the discrepancy between his conduct at the jail and his conduct at the court-house, he could change his behavior just as much, and just as quickly as that, when I knew him.

He has made the same remarks in court to Mr. Scoville, almost word for word, that I have heard him make at other times about that gentleman, and to his face. He has talked to him in that abusive manner before—perhaps not so violently as he has done at the trial, but just about the same way, in regard to his having no ability as a lawyer, and that he was a stupid and consummate jackass; and that was the way he was in the habit of talking to other persons about Mr. Scoville, with reference to his business qualifications. He would say: "he has not a particle of judgment—never had. He has no experience in law. He is no lawyer. All he is fit for is to examine titles to property and such things."

CONTEMPT FOR LABOR.

He never would work—that is, do manual labor; he looked upon persons who did so, as amounting to nothing at all. He thought it en-

tirely beneath the dignity of any man who professed to be a lawyer, or minister, or physician, to do any work at all, and that was one reason why he regarded Mr. Scoville with so much contempt. Mr. Scoville was very active and energetic, and about his house he would often do work that was necessary to be done, both inside and outside, if the family did not have help. Guiteau frequently referred to this and used to say that Mr. Scoville was of no account, or apply to him some contemptuous term.

Mr. Scoville excited Guiteau's animosity by trying to induce him to go into some other business, to get a clerkship somewhere or into any other pursuit where he would have a salary, and whether large or not, he would know what he had to depend upon. Mr. Scoville told him that he did not think that he would ever make a lawyer, and that would put him in a white-heat of anger—the slightest insinuation from Mr. Scoville that he never would succeed at the law, and that the sooner he came to that conclusion the better, as he had no legal ability and never could succeed in that profession. This was one of the causes of his bitter feelings against Mr. Scoville. But it was perfectly useless to attempt to induce him to go into any other business than that, for he would not think of accepting a position where he would be under the control of another; he would never consent to that.

NOT INSANE.

In view of all these facts that I know so well, when I have been asked so many times since the perpetration of this crime whether I thought him insane, it was impossible for me to answer any other way than in the negative, that I did not believe him to be insane, at least at the time I knew him. And now, since I have been in Washington and have seen him and become conversant with the manner in which he deports himself every day in court, and at other times when in jail, I do not see that there is any difference between his conduct now and his conduct when I lived with him. It may be that he is a little worse, if anything—more violent in his actions and demeanor, but that is probably due to the condition and change in which he knows he is placed, and also to fear. And I presume it exasperates him to have the witnesses on behalf of the prosecution brought up to him, face to face, where he knows so well that he must listen to their statements—statements which I have no doubt are strictly true. Many of those witnesses I have met and know personally, and also know of his having transactions with them that were not square and honest on his part. For instance, take the case of Mr. Shaw, the witness to whom I have several times referred, and upon whom the prisoner heaped especial abuse. I know that Mr. Shaw was probably one of the best friends Guiteau ever had in his life; he has given him

money repeatedly in sums of twenty-five and fifty dollars at a time, and sometimes more, which he never repaid.

I presume Guiteau does not know how much he does owe him, for money borrowed and due for office-rent during the time he shared Mr. Shaw's office with him.

WATCHFUL AGAINST VIOLENCE.

All the time he lived in New York he carried a cane—a small black cane with a large round head—one of those loaded canes. I remember when he purchased it. He brought it home and explained it to me, and said if a person were to strike another one, at a certain place on the head—the temple I presume—it would result in instant death. “But,” he added, “I am liable to a fine if it should become known I carried such a cane.” I asked: “Well, why do you want to carry such a cane?” and he answered; “Well, if I were to be attacked by anybody I could turn around and strike him and kill him, and I could disappear and no one would find it out.” I asked him if he had any apprehensions that he would be attacked, and he said: “I don't know but that one of those mean, dirty, low-lived whelps” as he termed his clients and other creditors, “might try to get even with me, and it is best for a man to be on his guard, so that in case of an attack at night by any one, I can turn around and give him a hit that will kill him.”

He never left the house without that cane; he habitually carried that cane back and forth between his office and the house. He was not accustomed to do so in Chicago, and I therefore concluded that he did it in order to protect himself. In fact he is a great coward and very easily frightened, and if he feels that he is in danger of having his bad deeds detected, he will instantly concoct some measure to save himself.

A COWARDLY MAN.

In illustration of his cowardice, I might refer to another circumstance which may not generally be understood. His violent threats in court to publicly abuse me if I testified against him, are no doubt notorious, and it may have been a surprise to many to learn that, when I did testify, his manners were diametrically opposite from what was expected. This was not owing to kindness of feeling or magnanimity on his part, but was the submission of abject cowardice, as the following facts will illustrate:

A few days before I came on the stand, it was circulated in the press, and elsewhere, that it would be quite an ordeal for me to pass through his fire of falsehoods and insinuations, and my husband, Mr. Dunmire, was asked by some one at the courthouse, in the presence of several persons, whether he did not dislike to have his wife subjected to such treatment. Mr. Dunmire, in a business-like manner, remarked that he knew the nature of the

prisoner, and that if the Court would permit him to stand at my side during the delivery of my testimony, with a revolver in his hand—loaded or unloaded—he would guarantee that Guiteau would not dare to say anything against me. His words were of no significance, merely an off-hand remark of what he would like to do, but that remark was communicated to Guiteau by a member of his family, with exaggerated additions. He was told that his former wife had married again, and that her present husband was a Western man who came from a place where a human life was regarded as of no consequence, and that he would be in attendance while his wife should be upon the witness-stand, and would see that she was subjected to no indignity or insult. This warning had its effect, and when I appeared on the stand with my husband standing by my side, Guiteau evidently appreciated the force of what he had heard, and abstained from the bombardment of exhortation which he had threatened against me.

CONCLUSION.

Truly, God leads us through ways which we would not choose and over rough and stony ground, but it is sweet to know and feel that His hand is leading us, and that all will be well.

THE TRIAL
OF
CHARLES J. GUILTEAU,
THE ASSASSIN OF
PRESIDENT GARFIELD.



J. A. Guayfield.

CHAPTER I.

INTRODUCTORY.

SATURDAY, July 2d, 1881, was as fair a day as comes with an American summer. Though the heat was somewhat noticeable in Washington, as in most cities, the sun that gilded the dome of the Capitol, and stole softly into the awakening streets, was not unkindly in its fervor. At the White House that morning the President was early astir. He had many matters that needed attention before he left the city, which he intended to do on an early train.

He was going to attend the commencement exercises of his *Alma Mater*, Williams College, Williamstown, Massachusetts. There had been arranged, in connection with this visit, a somewhat extended trip through Vermont, New Hampshire and Massachusetts. The President had looked forward to the trip with eagerness and delight, and in view of it had been in the best of spirits.

Breakfast was over, and Secretary Blaine had come to accompany the President to the station. A few last words, and the carriage started rapidly for the station of the Baltimore and Potomac Railroad, at Sixth and B Streets. The President was

in the best of humor, and chatted with many a light-hearted laugh. The station was soon reached and the carriage halted at the B Street entrance. As the carriage drove up to the door, the President asked Officer Kearney, who was on duty there:

“How much time have I?”

“About ten minutes, sir,” was the reply, whereupon the President and Secretary Blaine continued their conversation. After about five minutes they were warned that they must be moving. They alighted from the carriage and passed quietly through the door into the ladies' room.

There was no crowd about. There was nothing stirring, nothing of note, nothing to attract attention. Most of those who were to take the train were already on board. Of those in the room beside the railroad officials, there was a slender, light-complexioned man, about forty years of age, who walked up and down rather nervously, occasionally glancing out of the door in a vacant fashion, as if his mind was bent upon some strangely fascinating picture. This man was Charles Julius Guiteau. He had been noticed by the railroad employes, but his was not a face, or a figure, that would attract special attention.

He walked up and down with short, irregular steps. He had just reached the end of the room as the President entered arm in arm with his

Secretary. Guiteau turned about and inserted his hand within his pocket. The President passed beyond him, he advanced one step, drew a heavy revolver from his pocket, pointed it steadily and fired deliberately at the man he had come to murder.

The President made no sign that he was hurt, but turned with a surprised look to see from whence the bullet came. Secretary Blaine sprang to one side, Guiteau re-cocked his revolver and fired again. The President fell to the floor, the blood spurting profusely from a jagged wound in his side. Guiteau fled. The pistol was dropped and the smoke of the powder drifted upward to the ceiling.

A terrible deed had been done. Assassination a second time had stricken the Chief Magistrate of the nation. For an instant those nearest to him could not believe their senses. Then ensued a moment of terrible agony and confusion. Secretary Blaine sprang after the assassin, who, finding his way barred in one direction, turned in another only to run into the arms of the law.

By this time had gathered about the wounded man a horror-stricken crowd. Secretary Blaine, Secretary Windom, Secretary Hunt, Postmaster-General James, and others were busy sending hither and thither messengers and messages for doctors. A local physician was first to arrive. He came in breathless, in response to the awful

summons, just as a mattress was brought on which to lay the wounded man. The room being uncomfortably crowded with men—in whose eyes stood tears, gathered in the first pause of their terror to offer any, every aid in their power—it was decided to remove the President to the room above.

Within a few moments, Dr. Bliss and several other physicians arrived. A minute's inspection of the wound demonstrated that the President was terribly wounded. It was imperative that he should be removed to the White House, where he could receive every attention. An ambulance was speedily summoned. The President was brought down stairs, and laid within it. The doctors got in, and the horses started at a dead run for the Executive Mansion, which was reached in less than ten minutes. Then began the treatment with which the public became so familiar, but which, alas! failed to rescue its beloved object from the grave. Details of this treatment need not be stated here. Testimony concerning it will appear beyond.

The life and doings of the assassin are fully exposed in the narrative of the trial. A summary sketch of it, however, will enable the reader to start with a better understanding of the man. Charles J. Guiteau is about forty years of age, and of French descent. He is five feet five inches in height, has a sandy complexion, and is slender,

weighing not more than 125 pounds. He wears a mustache and thin chin whiskers, slightly tinged with gray. His sunken cheeks and widely-separated eyes give him a sullen appearance. Nominally, he is a lawyer, although it does not appear that he ever had any very desirable or extensive practice. His reputation was bad wherever he went.

The following letter was found upon Guiteau after his arrest:

July 2d, 1881.

To the White House :

The President's tragic death was a sad necessity, but it will unite the Republican party, and save the Republic. Life is a flimsy dream, and it matters little when one goes. A human life is of small value. During the war thousands of brave boys went down without a tear.

I presume the President was a Christian, and that he will be happier in Paradise than here. It will be no worse for Mrs. Garfield, dear soul, to part with her husband this way than by natural death. He is liable to go at any time, anyway. I had no ill-will toward the President. His death was a political necessity.

I am a lawyer, a theologian, and a politician. I am a Stalwart of the Stalwarts. I was with General Grant and the rest of our men, in New York, during the canvass. I have some papers for the press, which I shall leave with Byron Andrews, and his co-journalists, at 1420 New York Avenue, where all the reporters can see them. I am going to the jail.

CHARLES GUYTEAU.

The following letter was found on the street soon after Guiteau's arrest, with the envelope un-

sealed, and addressed, "Please deliver at once to General Sherman, or his first assistant in charge of the War Department:"

To General Sherman :

I have just shot the President. I shot him several times, as I wished him to go as easily as possible. His death was a political necessity. I am a lawyer, theologian and politician. I am a Stalwart of the Stalwarts. I was with General Grant and the rest of our men, in New York during the canvass. I am going to the jail. Please order out your troops, and take possession of the jail at once.

Very respectfully,

CHARLES GUTEAU.

Further light was thrown upon Guiteau and his terrible deed, by District-Attorney Corkhill, who, after a patient investigation, extending over several weeks, issued the following statement :

The interest felt by the public in the details of the assassination, and the many stories published, justify me in stating that the following is a correct and accurate statement concerning the points to which reference is made: The assassin, Charles Guiteau, came to Washington city on Sunday evening, March 6th, 1881, and stopped at the Ebbitt House, remaining only one day. He then secured a room in another part of the city, and had boarded and roomed at various places, the full details of which I have. On Wednesday, May 18th, 1881, the assassin determined to murder the President. He had neither money nor pistol at the time. About the last of May he went into O'Meara's store, corner of Fifteenth and F Streets, this city, and examined some pistols, asking for the largest calibre. He was shown two similar in calibre, and only different in the price. On Wednesday, June 8th, he purchased a pistol, for which he paid \$10, he

having, in the meantime, borrowed \$15 of a gentleman in this city, on the plea that he wanted to pay his board bill. On the same evening, about 7 o'clock, he took the pistol and went to the foot of Seventeenth Street, and practiced firing at a board, firing ten shots. He then returned to his boarding place and wiped the pistol dry, and wrapped it in his coat, and waited his opportunity. On Sunday morning, June 15th, he was sitting in Lafayette Park, and saw the President leave for the Christian Church on Vermont Avenue, and he at once returned to his room, obtained his pistol, put it in his pocket, and followed the President to church. He entered the church, but found he could not kill him there without danger of killing some one else. He noticed that the President sat near a window. After church he made an examination of the window, and found he could reach it without any trouble, and that from this point he could shoot the President through the head without killing any one else. The following Wednesday he went to the church, examined the location and the window, and became satisfied he could accomplish his purpose. He determined to make the attempt at the church the following Sunday. Learning from the papers that the President would leave the city on Saturday, the 18th of June, with Mrs. Garfield, for Long Branch, he, therefore, decided to meet him at the depôt. He left his boarding place about 5 o'clock Saturday morning, June 18th, and went down to the river at the foot of Seventeenth Street, and fired five shots to practice his aim, and be certain his pistol was in good order. He then went to the depôt, and was in the ladies' waiting-room of the depôt, with his pistol ready, when the presidential party entered. He says Mrs. Garfield looked so weak and frail that he had not the heart to shoot the President in her presence, and, as he knew he would have another opportunity, he left the depôt. He had previously engaged a carriage to take him to the jail. On Wednesday evening, the President and his son, and I think, United States Marshal Henry, went out for a ride. The assassin took his pistol and followed them, and

watched them for some time, in hopes the carriage would stop, but no opportunity was given. On Friday evening, July 1st, he was sitting on the seat in the park opposite the White House, when he saw the President come out alone. He followed him down the avenue to Fifteenth Street, and then kept on the opposite side of the street upon Fifteenth, until the President entered the residence of Secretary Blaine. He waited at the corner of Fifteenth and H Streets for some time, and then, as he was afraid he would attract attention, he went into the alley in the rear of Mr. Morton's residence, examined his pistol and waited. The President and Secretary Blaine came out together, and he followed over to the gate of the White House, but could get no opportunity to use his weapon. On the morning of Saturday, July 2d, he breakfasted at the Riggs House about 7 o'clock. He then walked up into the park, and sat there for an hour. He then took a horse car and rode to Sixth Street, got out and went into the depôt, and loitered around there; had his shoes blacked; engaged a hackman for \$2 to take him to the jail; went into the water-closet and took his pistol out of his hip-pocket, and unwrapped the paper from around it, which he had put there for the purpose of preventing the perspiration from the body dampening the powder; examined his pistol; carefully tried the trigger, and then returned and took a seat in the ladies' waiting-room, and, as soon as the President entered, advanced behind him and fired two shots.

These facts, I think can be relied upon as accurate, and I give them to the public to contradict certain false rumors in connection with the most atrocious of atrocious crimes.

CHAPTER II.

INDICTMENT AND PLEA.

THE Grand Jury for the District of Columbia was discharged on July 8th, the District-Attorney not presenting Guiteau for indictment at that time, because of the following letter from President Garfield's physicians, sent in answer to official inquiry as to his condition :

SIR: In reply to your inquiry as to the condition of the President, we would say that up to the present time he has done exceedingly well for one who has received so dangerous a wound ; but while we anticipate recovery, it is not yet possible to assert with confidence that his injuries may not terminate fatally.

Very respectfully,

D. W. BLISS,

J. K. BARNES,

J. J. WOODWARD,

ROBERT REYBURN.

These anticipations having been sadly disappointed by the President's death, the Grand Jury, on October 8th, found a true bill against Guiteau, and lodged with the District-Attorney, for "the murder of James A. Garfield, President of the United States, by wounding him with a bullet fired from a pistol in the hands of Charles J. Guiteau, at the Baltimore and Potomac Depôt, on or about the 2d day of July, A. D., 1881."

The indictment contains eleven counts, drawn

with great care and minuteness. A synopsis of the bill is appended :

The Grand Jurors of the United States of America in and for the county and district aforesaid, upon their oath present that Charles J. Guiteau, late of the county and district aforesaid, on the second day of July, in the year of our Lord one thousand eight hundred and eighty-one, with force and arms, at and in the county and district aforesaid, in and upon the body of one James A. Garfield, he, the said James A. Garfield in the peace of God and of the United States of America, then and there being, feloniously, wilfully and of his malice aforethought, did make an assault, and that the said Charles J. Guiteau, a certain pistol of the value of \$10 then and there charged with gunpowder and one leaden bullet, which said pistol he, the said Charles J. Guiteau, in his right hand then and there had and held, then and there feloniously, wilfully and of his malice aforethought, did discharge and shoot off to, against and upon the said James A. Garfield, and that the said Charles J. Guiteau, with the leaden bullet aforesaid, out of the pistol aforesaid, then and there, by force of the gunpowder aforesaid, by the said Charles J. Guiteau discharged and shot off as aforesaid, then and there feloniously, wilfully and of his malice aforethought, did strike, penetrate and wound him, the said James A. Garfield, in and upon the right side of the back of him, the said James A. Garfield, giving to him, the said James A. Garfield, then and there with the leaden bullet aforesaid, so as aforesaid discharged and shot out of the pistol aforesaid by the said Charles J. Guiteau in and upon the right side of the back of him, the said James A. Garfield, one mortal wound of the depth of six inches and of the breadth of one inch, of which said mortal wound he, the said James A. Garfield, from the said second day of July, in the year last aforesaid, until the nineteenth day of September, in the year of our Lord one thousand eight hundred and eighty-one, at and in the county and dis-

tract aforesaid, did languish, and languishing, did live; on which said 19th day of September, in the year of our Lord one thousand eight hundred and eighty-one, at and in the county and district aforesaid, the said James A. Garfield of the mortal wound aforesaid died.

The second count is precisely like the first, with the exception of the last clause, which reads, "of which said mortal wound he, the said James A. Garfield, then and there instantly died."

In the third count the last clause is varied as follows:—

Of which said mortal wound he, the said James A. Garfield, from the said 2d day of July, in the year last aforesaid, until the 19th day of September, in the year of our Lord, 1881, as well at, and in the county and district aforesaid as at and in the county of Monmouth, and State of New Jersey, did languish, and languishing did live, on which said 19th day of September, in the year of our Lord, 1881, at and in the county of Monmouth, and State of New Jersey aforesaid, the said James A. Garfield, of the mortal wound aforesaid, died.

The fourth count is identical with the third, except that it omits the last twelve words of the final clause and substitutes the following:—

To-wit, at and in the county of Washington and District of Columbia, the said James A. Garfield, of the mortal wound aforesaid, died.

The only variation in the fifth count is a change in the order of mention of the places where death is said to have occurred, the county of Washington and District of Columbia being put first.

The sixth count is like the third, except in re-

citing that the offence charged was committed in the Baltimore and Potomac Railroad depôt in the city of Washington, which building stands and at that time stood on ground belonging to and under the exclusive jurisdiction of the United States.

The seventh count repeats the recital of the sixth with regard to the place where the offence was committed and in all other respects is like the fourth.

The eighth count also repeats the recital of the sixth with regard to the place where the assault occurred, and is in all other respects like the fifth.

The ninth count is varied by the introduction of the recital that the district in which the offence charged was committed constitutes a judicial circuit of the United States, and that the county of Monmouth and State of New Jersey, where the said James A. Garfield died, form part of a judicial circuit of the United States, other than the judicial circuit of the United States consisting of the District of Columbia. In all other respects this count is like the third.

The tenth count recites that the district in which the offence was committed constitutes a judicial district of the United States, and that the State of New Jersey, within the limits of which the said James A. Garfield died, constitutes a judicial district of the United States other than the judicial district of the United States consisting of the District of Columbia. In all other

respects this count is like the one immediately preceding.

The eleventh and last count is a repetition of the third, with the following addition:—

And that thereafter—to wit, on the 21st day of September, in the year of our Lord 1881—the dead body of him, the said James A. Garfield, was removed from the said county of Monmouth and State of New Jersey and brought into the county of Washington and District of Columbia, within which last mentioned county the said dead body of him, the said James A. Garfield, lay and remained from the 21st day of September, in the year of our Lord 1881, until the 23d day of September, in the year of our Lord 1881.

Each of the eleven counts of the indictment closes with the following formal charge:—

And so the Grand Jurors aforesaid do say that the said Charles J. Guiteau, him, the said James A. Garfield, in the manner and by the means aforesaid, feloniously, wilfully and of his malice afore-thought, did kill and murder, against the form of the statute in such case made and provided, and against the peace and government of the United States of America.

On the morning of October 4th, Mr. George M. Scoville, the brother-in-law of Guiteau, arrived in Washington, and after a hasty breakfast proceeded to the jail where Guiteau was confined, and had an interview with him.

On October 11th, a copy of the indictment was served upon Guiteau by Deputy Marshal Williams, who also furnished the list of names from which twelve jurors were to be selected, and also the list of witnesses to be called by the Government.

Friday, October 14th, Guiteau was brought into court and arraigned on the charge of murdering the President of the United States. The fact that the arraignment was to take place this morning remained a secret. The accused was brought from his cell at ten o'clock to the Warden's office in the jail, where he was manacled, and then escorted by two officers to a hack in waiting and driven at a rapid rate over the broad commons and asphalt pavements, unobserved, to the District Court House. An eye witness thus describes the scene. "At a quarter past eleven o'clock the little door in the dark corner of the room is opened. The stalwart figure of Marshal Henry, leads the way, and behind him a sort of brigand, with slouch hat, collarless shirt and dark coat and pants, in the grasp of two men of nerve, is led rapidly to the upturned chair beside Mr. Scoville. The shining manacles on his wrists tell the story briefly. It is Guiteau. The brawny arm of the marshal pulls down the chair for the prisoner and a bailiff removes his hat, and another unlocks the handcuffs, and the prisoner repays the release with a gracious smile. The wild stare and nervous twitch which betrayed his feelings upon entering the court room in part disappeared when once seated. There was a shudder of apprehension in the audience until the District-Attorney arose, and in a voice hardly audible to any one but the Court he feelingly announced the presence of Charles J.

Guiteau, indicted for the murder of James A. Garfield."

Then followed the reading of the indictment. At its close Guiteau presented a paper containing a plea of "not guilty," upon the three grounds of insanity, malpractice and lack of jurisdiction. The substance of the paper, which was not then read, is as follows :

I plead not guilty to the indictment and my defense is threefold :

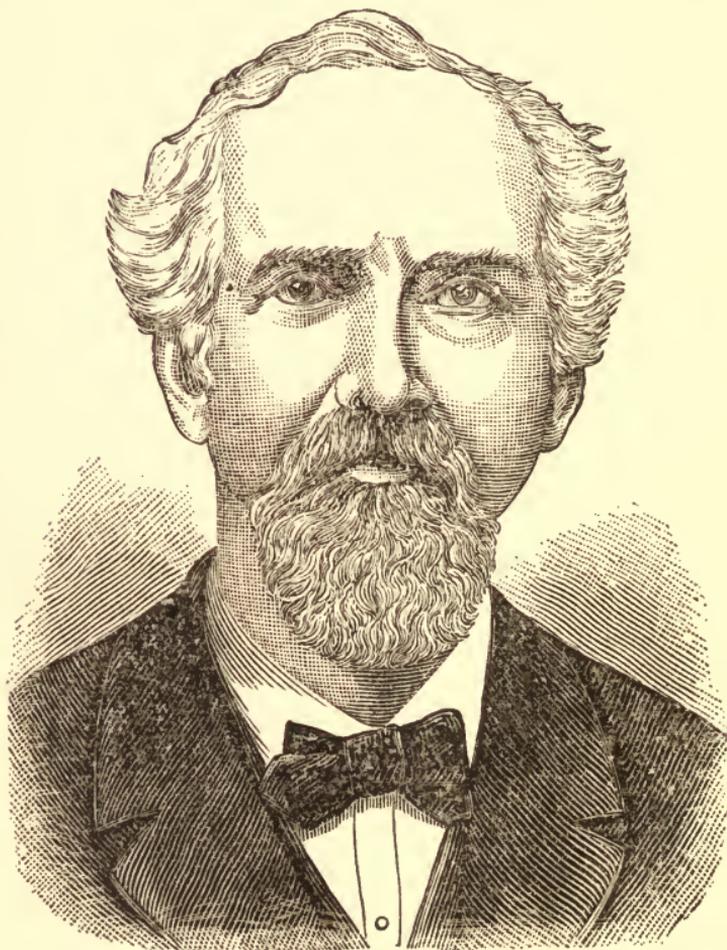
First—Insanity, in that it was God's act and not mine. The divine pressure on me to remove the President was so enormous that it destroyed my free agency, and therefore I am not legally responsible for my act.

Second—The President died from malpractice. About three weeks after he was shot his physicians, after a careful examination, decided that he would recover. Two months after this official announcement he died. Therefore I say he was not fatally shot. If he had been well treated he would have recovered.

Third—The President died in New Jersey, and, therefore, beyond the jurisdiction of this court. This malpractice and the President's death in New Jersey are special providences, and I am bound to avail myself of them on my trial in justice to the Lord and myself. I undertake to say that the Lord is managing my case with consummate ability and that He had a special object in allowing the President to die in New Jersey. His management of this case is worthy of him as the Deity, and I have entire confidence in his disposition to protect me and send me forth to the world a free and vindicated man. * * * The President would not have died had the Lord not have wished him to go. I have no conception of it as a murder or an assassination. I had no feeling of wrong-doing when I sought to remove him, because

it was God's act and not mine, for the good of the American people. I plead not guilty to the indictment.

Mr. Scoville then presented an affidavit outlining the proposed defense and designating



GEORGE M. SCOVILLE, COUNSEL FOR THE DEFENSE.

witnesses whose fees and expenses it was desired the Court should pay in such manner as witnesses for the government are paid. Further time for preparation was asked also.

As the time for the trial drew near arrangements were perfected by adding counsel on both sides, Mr. Leigh Robinson entering for the defense, and Mr. Walter D. Davidge for the prosecution. It was also decided to abandon the pleas on the grounds of malpractice and lack of jurisdiction. Mr. Scoville also issued the following card to the public:

The trial of Guiteau is fixed for November 7. The short time allowed makes this appeal to the public necessary. Will the press kindly copy it?

He attempted to lecture on religious subjects through several Northern states. It is believed there are many people in that connection who can, if they will, furnish evidence of his insanity. Will they not do so in the interests of patriotism, justice, humanity and mercy? Patriotism, because if he is hanged as a sane man it will be an eternal blot on our history; justice, so that it may not be said hereafter that he, being deprived by Heaven of the guidance of reason, was put to death, contrary to all law, human and divine, humanity and mercy, that should prompt the laying aside of passion and the dealing with this case in Christian charity.

If any person knows of facts bearing on this question will he not furnish me the information? No one will be called to testify unless it seems to be important to a just defence and a fair trial. Please communicate at once with

GEORGE SCOVILLE, Washington, D. C.

This card called forth many replies, some of them seemingly valuable, but more of them absolutely worthless. The day of trial was at last postponed to Monday, November, 14th.

CHAPTER III.

IMPANELING A JURY.

A VERY serious task was apprehended in the selection of a jury to try Guiteau. Mr. Scoville frankly said, beforehand, that all he wanted was candid, intelligent jurors, who would give an honest verdict on the evidence submitted, and that he would not object to a man simply because he had read the newspapers or formed an opinion.

The trial began Monday, November 14th, at 10 o'clock, a.m. In order to avoid the crowd, Marshal Henry had Guiteau taken from the jail at 8 o'clock, and he was securely lodged in the prisoners' room of the Court-house before the crowd had assembled. The assassin was escorted from jail by four mounted policemen, two of whom rode in front of, and two behind, the van. A guard of four men also rode on the van. Guiteau was handcuffed before leaving his cell, the irons being removed after he entered the courtroom. He looked in much better condition, physically and otherwise, than when he appeared in the same room to plead to the indictment. Still, he had the same restless expression which characterized him before.

PRISON VAN, WITH GUILTEAU, BETWEEN THE COURT-HOUSE AND THE JAIL.





There was a great scramble for front seats by the crowd, which hardly differed in character from that usually seen in a criminal court where any case involving local or public interest is being tried. A noticeable feature of the gathering was the large number of young persons. There were not over twenty colored persons among the spectators. A dozen or more ladies, including Mrs. Scoville, sister of the prisoner, were in the court-room. There was a marked absence of prominent lawyers, and but few men of note were present, outside those engaged in the trial. Mr. Smith, Assistant Attorney-General, was present as advisory counsel to the prosecution.

The District-Attorney Mr. Corkhill, Judge Porter, of New York, and Mr. Davidge, of Washington, who represented the government in the prosecution, and Mr. Smith had seats to the left of the table, facing the judge. Next were the counsel for the accused—Mr. Robinson, of Washington, and Mr. Scoville, of Chicago. Immediately to Mr. Robinson's right sat the prisoner. By his side were his sister, Mrs. Scoville, and then his brother, John Wilson Guiteau, of Boston. Between the attorneys' table and the railing to the forum were seats set apart for the press. On either side and immediately in the rear were those for the local bar. Further to the rear was the platform on which seats were arranged for the general spectators.

As soon as the main door opened there was a general rush for places, men climbing and pulling over chairs in their haste to get a good position whence they could hear the proceedings and better observe the actors. Outside of the building there was a comparatively small crowd anxious to get within, which was impossible as there was not standing room in the court. Along the halls of the building were detectives, policemen and special officers.

Proceedings began promptly, Judge Walter S. Cox on the bench. A surprising scene immediately followed between the counsel for the defence. Mr. Robinson stated that he had not consulted with Mr. Scoville for several days. When Mr. Scoville interposed his objection to a continuance of the case the fact was developed that Mr. Robinson had made the affidavit and selected additional counsel without Mr. Scoville's knowledge or consent. The result of this announcement was that Guiteau and his two lawyers tried to address the Court at the same time. Mr. Scoville was somewhat agitated. Mr. Robinson was cool and assured.

It was finally decided to proceed at once with the trial, and the impaneling of a jury was the first duty. Of the twenty-four jurors examined all save one, a mulatto ship-cook, had formed an opinion. Three said they were in favor of hanging the prisoner. One, a colored man, said his

opinion was such that no amount of testimony could change him. A good deal of merriment was caused by the interrogations and replies in the examination of jurors.



HIS HONOR JUDGE COX, OF THE SUPREME COURT, D. C.

Of the five jurors selected, three were reported to be Democrats. One is an ex-Methodist preacher. Three of them have never had a law-suit and none have ever served on a petit jury.

The following are the names of the jurors selected on the first day:

JOHN P. HAMLIN, restaurant-keeper.

FREDERICK W. BRANDENBERG, cigar-maker.

CHARLES G. STEWART, flour and feed dealer.

HENRY J. BRIGHT, retired from business.

THOMAS H. LANGLEY, grocer.

At the suggestion of the District-Attorney, an order was issued for the drawing of seventy-five additional names from the box.

On the second day of the trial, Tuesday, November 15th, the work of securing a jury was proceeded with. During the examination of talesman for the jury, Guiteau several times requested Mr. Scoville to ask certain questions, and frequently made suggestions which he deemed absolutely necessary. He especially objected to any one as a juror who believed him insane, and insisted that Mr. Scoville should challenge any person who held such an opinion. He said that he did not wish this to be made an issue, but preferred the trial to be on the merits of the case. Mr. Scoville humored the whims of Mr. Guiteau, and whenever he accepted a juror, consulted the prisoner before doing so.

Of the seventy talesmen drawn to-day from the box, the defense peremptorily challenged three and accepted four. The prosecution challenged

one, three or four were excused, and the rest were disqualified by reason of their opinions, which, they said, would render it impossible for them to give the prisoner a fair and impartial trial. The cross-examination of talesmen by Mr. Scoville was conducted ingeniously and excellently. Nearly every person examined made some remark that caused general laughter, and even Guiteau smiled several times at the witty answers. John P. Buckley said he could not do the prisoner justice, and was, therefore, declared disqualified. John Lynch, a white man, when asked by the Judge as to the character of the opinion he had formed on the matter said: "I think the prisoner ought to be hung or burnt. There is nothing in the United States to convince me otherwise."

Joshua Green said he was of opinion that the prisoner should be hanged. This opinion was also expressed by a colored man, Alexander Peterson. John Judd, being called up, said he thought the prisoner should be hanged, as he had swindled him out of fifty dollars. William F. Poulton said his opinion was such that no amount of evidence could change it. He believed the prisoner ought to have a rope put around his neck.

L. C. Bailey, a colored man, in defining his opinion, said he fully believed Guiteau was crazy. Much amusement was caused by the answers of Mr. Dade, a typical colored gentleman of the old

school. Dade wore a puffed bosom shirt, and across his right shoulder hung carelessly a gray toga. With thorough composure of manner, and a wooden toothpick in one corner of his mouth, he answered shrewdly and wittily every question propounded. He was the second colored man challenged to-day by the defense, the other being Mr. Howard, who was too ignorant to tell whether he had any opinion.

The four additional jurors accepted to-day are :

MICHAEL SHEEHAN, an Irish grocer.

SAMUEL F. HOBBS, a plasterer by trade.

GEORGE W. GATES, in the Government navy yard.

RALPH WORMLEY, a colored laborer.

For the third day another list of seventy-five talesmen was ordered. By a quarter to one the three remaining jurors had been selected from the sixty talesmen examined in Court. Out of this number four persons were excused, the Government challenged four, the defense seven, three being accepted and sworn, while the other forty-two were disqualified from serving because of their opinions. The examination was conducted with great shrewdness by Mr. Scoville, who, though not a criminal lawyer, has given evidence of superior judgment and unquestionable tact.

During the examination several incidents occurred worthy of mention :

The first challenge by the defense was that of Edward Thomas, who said he could not read and

had "never formed any opinion whatsoever." Mr. Scoville remarked that while this was such a person as the law qualified, the defense did not want him. The second challenge by the defense was S. H. Williams, a barber, who thought the act dastardly, but had "since modified his opinion on the subject." The next challenge by the defense was Thomas H. Barron, a carpenter, who twenty years ago had employed Mr. Davidge, now of Government counsel. John Hughes, a colored man, who could not read, was also challenged by the defense. Charles Hopkins, a bartender, who objected to serving on the case because he thought "the duty would be too confining," was challenged by the defense. Frederick C. Revels (colored) was challenged by the defense because he is employed under his father, a deputy marshal in the police court. One said, when examined as to his qualification by Judge Cox: "My opinion is such that no evidence whatever will change it." Another said: "There is nothing under the sun that can change my opinion." Again came the emphatic answer: "My opinion is unchangeable, and I know that no evidence will modify it." One person said: "I am satisfied of the prisoner's guilt and it will have to be proved that he is not guilty before I will change my opinion." Three talesmen were positive as to what disposition should be made of Guiteau. One said his opinion was such that nothing save the rope

should be used. Enoch Edmundson, upon being examined, said: "No amount of torture is too great for the prisoner." Allison Naylor, a livery stable keeper, said: "No amount of proof can remove my opinion but that the prisoner should be hung." Of course these remarks were made under oath, and in the presence of the jury, the court and the spectators.

As finally constituted, the jury was made up as follows :

JOHN P. HAMLIN, restaurant keeper.
FRED. W. BRANDENBERG, cigar dealer.
HENRY J. BRIGHT, retired merchant.
CHARLES J. STEWART, merchant.
THOMAS H. LANGLEY, grocer.
MICHAEL SHEEHAN, grocer.
SAMUEL F. HOBBS, plasterer.
GEORGE W. GATES, machinist.
RALPH WORMLEY (colored), laborer.
W. H. BRAWNER, commission merchant.
THOMAS HEINLEIN, iron worker.
JOSEPH BATHER, commission merchant.

The oath was then administered to the jury in these words :

You and each of you do solemnly swear that you will well and truly try and a true deliverance make between the United States and Charles J. Guiteau, the prisoner at the bar, whom you shall have in charge, indicted for the murder of James A. Garfield, and a true verdict give according to the evidence, so help you God.

With the impaneling of the jury and their oath, the proceedings of the third day closed.

CHAPTER IV.

THE PROSECUTION.

THE scene in and about the Criminal Court room, on the fourth day of the trial, Thursday, November 17th, was not materially different from that of the preceding days. Arrangements for preserving order were better, and possibly a better class of spectators was present. Mr. Scoville made a brief explanation of his relations with his colleague, Mr. Robinson, declaring that all was amicable:

This speech had the effect of bringing Guiteau to his feet and precipitating the first scene of the day. With flashing eyes, violent gestures and an excited voice the prisoner addressed the Court:

“May it please the Court,” he said, “I object to Mr. Robinson appearing in this case.”

The Court (severely)—“Take your seat, prisoner. I wish you to understand distinctly that your labors as counsel in this case, as you claim to be, shall be confined to consultation with the associate counsel in the case. If you disobey,” he continued, as the prisoner again jumped to his feet and commenced another wild speech, “the Court will be under the necessity of ordering

your removal from the court-room and proceeding with the trial in your absence."



HON. GEO. B. CORKHILL, U. S. DISTRICT-ATTORNEY, D. C.

Order being thus secured the District-Attorney proceeded with his opening speech. He said:

May it please the Court and gentlemen of the jury: The prisoner at the bar stands before you charged with the murder of James A. Garfield. Under any circumstances there rests a grave and responsible obligation upon every man who is

called upon in the discharge of his duty under the law to render a decision upon which depends the life of a fellow-creature, and while it is true that the offence charged in the present case is no greater in legal gravity and consequences to the prisoner than if by his act he had taken the life of the humblest and most obscure citizen of the Republic, still it is idle to overlook the fact that the eminent character of the man whose life was taken, his high official position and the startling effects of the commission of the crime, render the case one of unusual and unparalleled importance.

Murder under all circumstances and upon all occasions is shocking. The life, of which we know so little and which we hold by so fragile a tenure, is dear to us all, and when it is brought to a close, not in the usual order and course of nature, but prematurely by violence, no matter what may be the condition of the person, the human mind is appalled with terror. When a man holding a position of eminence and power falls a causeless victim to the murderer's stroke, we realize still more fully the awfulness of the deed which produces this result.

In a public *depôt* the prisoner at the bar, without warning, fires upon him with a pistol, inflicting wounds which result in his death. And to-day this, the greatest case ever presented to a court of justice, is entrusted entirely to you, who have been selected from the body of the community to weigh the evidence and the law and then to say upon your oaths whether the man charged with the crime is guilty. While this trial will attract unusual attention, while every stage of its progress will be watched with intense interest throughout the entire world, yet its final decision rests with you. You are to determine, after you shall have heard the evidence and the law, whether or not the prisoner at the bar is guilty of the murder of James A. Garfield. * * *

No words can faithfully depict the scenes of that fatal July morning. It was bright and beautiful, and as the morning sunlight gilded the dome of the Capitol its rays fell upon a city adorned with all the luxuriant loveliness of summer leaf

and flower. The President, wearied with official care was specially joyous at his approaching vacation. His official life had been one of anxiety and labor, but on this occasion he was bright with hope for the future. He was on his way to join a convalescent wife at Long Branch and then to visit the college from which he had graduated and to join with comrades of his student life in a reunion in the halls of his *Alma Mater*. It was to him an approaching season of great pleasure, and he started from the Executive Mansion, in company with the Secretary of State, for the depôt, buoyant and glad. Early in the morning of July 2nd, last, the prisoner at the bar made preparations for the murder. Breakfasting at the Riggs House he took the fearful weapon that he had previously obtained, and going to the foot of Seventeenth street, away from residences and beyond observation, he planted a stick in the soft mud on the river bank where the tide had gone out and deliberately practised his aim and tested his weapon. He intended there should be no failure in the accomplishment of the crime for which he had been preparing. Returning he took with him, a small bundle of papers and went to the Baltimore and Potomac Railroad depôt at half-past 8 o'clock a. m., an hour before the arrival of the President. After reaching the depôt he went the news-stand, and left certain papers with a letter addressed to Byron Andrews, a correspondent of the *Chicago Inter-Ocean*, and a package addressed to Mr. Preston of the *New York Herald*, and then went into the closet, carefully examined his weapon, placed it in his pocket, returned and went outside to the pavement, had his boots blacked, and then to avoid the swift vengeance of an outraged community, which he properly feared, engaged a carriage to take him, as he said, to the Congressional burying ground, this point being near the jail, and then entered the waiting-room to wait for his victim. All unconscious of this preparation for his murder, President Garfield, in company with Secretary Blaine, arrived at the depôt and for a few moments remained in the carriage in conversation. While thus

occupied the assassin stood gazing at them, waiting and watching for a favorable opportunity for the perpetration of the deed.

The President and Secretary of State alighted from the carriage. With his usual courtesy, President Garfield hesitated a moment on the step to acknowledge the salutation of the policeman at the door, and then entered the depôt. He had gone but a few steps when the assassin, lurking in the rear, stepped up behind him and, pointing his pistol with deliberate aim, fired at his back, the first shot no doubt doing the fatal work. The President shuddered, staggered and attempted to turn, when another shot was fired and he fell bleeding to the floor, unconscious. The horror that seized upon every one may be imagined, but no words can describe it. The ball from the assassin's pistol had entered the middle of the back of the President, about three inches to the right of the backbone, inflicting a fearful wound, which resulted in his death after nearly three months of pain and suffering, and here the story of this crime might legally end.

The unlawful killing of any reasonable creature by a person of sound memory and discretion, with malice aforethought, either expressed or implied, is murder. The motives and intentions of an individual who commits a crime are of necessity known to him alone. No human power can penetrate the recesses of the heart; no eye but the eye of God can discern the motives for human action. Hence the law wisely says that a man's motives shall be judged from his acts, so that if one kill another suddenly, without any provocation, the law implies malice. If a man uses a deadly weapon it is presumed he intended to commit murder, and in general the law presumes a man to intend the natural consequences of his act. Were there nothing more against the accused than the occurrences of the morning of July 2, the evidence of his crime would be complete, and you would be authorized to conclude that he feloniously, wilfully and with malice aforethought did kill and murder James A. Garfield. But crime is never natural. The man who attempts to violate

the laws of God and society goes counter to the ordinary course of human action. He is a world to himself. He is against society, against organization, and of necessity his action can never be measured by the rules governing men in the everyday transactions of life. No criminal ever violated the laws who did not leave the traces of his crime distinct and clear when once discovered. So in this case we can only add to the enormity of this offence by showing you its origin, its conception and the plans adopted for its execution.

One year ago the 11th day of the present month the prisoner addressed to Hon. William M. Evarts, then Secretary of State, the following letter:—

NEW YORK, *Nov. 11, 1880.*

HON. WILLIAM M. EVARTS:—

DEAR SIR:—I wish to ask you a question. If President Garfield appoints Mr. A to a foreign mission does that supersede President Hayes' commission for the same appointment? Do not all foreign Ministers appointed by President Hayes retire on March 4 next? Please answer me at the Fifth Avenue Hotel at your earliest convenience. I am solid for General Garfield, and may get an important appointment from him next spring. Yours very truly,

CHARLES GUILTEAU.

At this time, over a year ago, it will be seen he had in his mind an application for and expectation of receiving an office under the approaching administration. In pursuance of that hope the prisoner came to this city on the afternoon of the 5th of last March, no doubt believing that he would receive at the hands of an administration he supposed he had assisted in placing in power such recognition as, according to his own opinion of his merits, he deserved. He was outspoken and earnest in his demands, and in his various conversations seemed to feel confident of success.

From his own letters, it is evident that during October and January he had written to President Garfield, calling attention to his services in the campaign, and soliciting an appointment. On the 8th of March, he addressed a letter to the President, calling attention to his desire to be appointed to

the Paris Consulate. On the 11th of March, he wrote Secretary Blaine the following letter :

March 11, 1881.

Senator BLAINE :

In October and January last I wrote General Garfield touching the Austrian Mission, and I think he has filed my application and is favorably inclined. Since then I have concluded to apply for the Consul-Generalship at Paris instead of the Austrian Mission, as I prefer Paris to Vienna. I spoke to the General about it and he said your indorsement would help it, as it was in your department. I think I have a just claim to your help on the strength of this speech [a speech was enclosed] which was sent to our leading editors and orators in August. It was about the first shot on the rebel war claim idea, and it was the idea that elected General Garfield.

Mr. Walker, the present Consul at Paris, was appointed through Mr. Evarts, and I presume he has no expectation of being retained. I will talk with you about this as soon as I can get a chance. There is nothing against me. I claim to be a gentleman and a Christian.

Yours, very respectfully,

CHARLES GUITEAU.

He followed up this communication by persistent personal appeals, and by writing notes and letters, urging in various ways his claims for this position. Not only did he besiege the Secretary of State and the officers of the department, but the President and the officers of the Executive Mansion. Generally treated with courtesy and kindly dismissed, his wants and necessities became more persistent and determined. On the 8th of March, he commenced writing to the President, stating his reasons why the position should be given him, and urging in various ways his claims for the place. When his application reached the President he was politely referred, as were all other applicants for similar appointments, to the Department of State, the recommendation of which was usual for positions of the grade he sought. He frequently saw the Secretary of State, and had various conversations with Mr. Hitt, the assistant secretary, in which he urged his claims upon their attention. Wearied of his importunity, the Secretary of State on Saturday, the 14th of May, according to the prisoner's statement in writing, said to him :

“Never speak to me again about the Paris Consulship as long as you live.”

On the following morning, he wrote to the President, informing him of Mr. Blaine's statement and saying he was satisfied Mr. Blaine was endeavoring to run the State Department in the interests of his own candidacy for the Presidency in 1884, and appealing to the President direct for an immediate order for his appointment. During this time he continued to visit the Executive Mansion and urged and insisted on an opportunity to see the President.

Finally, it became necessary, in order to avoid his presumptuous intrusion, to prohibit his entrance into the White House. Soured and indignant at this treatment, disappointed and enraged, on the 23d of May he wrote President Garfield a letter in which, in the light of the fearful tragedy which followed, it needs no discerning eye to detect the threat of murder. It was as follows :

Private.

General GARFIELD—I have been trying to be your friend. I do not know whether you appreciate it or not, but I am moved to call your attention to the remarkable letter from Mr. Blaine, which I have just noticed. According to Mr. Farwell, of Chicago, Blaine is a vindictive politician and an evil genius, and you will have no peace till you get rid of him. This letter shows that Mr. Blaine is a wicked man, and you ought to demand his immediate resignation; otherwise you and the republican party will come to grief. I will see you in the morning if I can, and talk with you. Very respectfully,

CHARLES GUILTEAU.

May 23.

You see in these sentences his bitterness of spirit, inspired by the treatment he claims to have received at the hands of the Secretary of State, and the demand for his removal, and threat, if it was not done, what would result; yet we will find that, on the 21st of March, he wrote to Secretary Blaine: “I am very glad personally that the President selected you for his Premier. * * * You are the man above all others for the place.”

That is one chapter in the history of this crime. The let-

ter, standing alone and independent of any other circumstances, would not of itself attract attention to its peculiar and significant expressions, but it will be shown that among the papers left by this man for publication is found one dated the 16th of June, 1881, in which he uses this significant language: "I conceived the idea of removing the President four weeks ago."

He knew, and well knew, that he must hang some screen in front of the real motive for his crime. His heart was wicked enough to conceive from its own malignity the crime itself; but his shrewdness and vanity demanded that the public should not gaze upon his real motive. This will account for many of the extraordinary circumstances connected with the crime. This will explain many of his lofty and egotistical utterances

It is true, there was a period during this time when there existed dissensions in the party in power. It is a well-known fact that, as between the Executive and certain prominent and eminent men, there was a difference of opinion as to the course to be pursued and the policy to be inaugurated by the administration, then just in its commencement. It is true, there were grave differences of opinion and earnest expressions of sentiment on questions of great gravity and importance to the peace and welfare of the country, and, as attendant upon those, there were frequent utterances of bitterness by partisans on either side. To this man's wicked and revengeful mind it immediately occurred: "Here is the opportunity to commit this crime, to revenge myself, and shelter my action under the claim that it was the outgrowth of the present strife," and he systematically and cunningly prepared an apology and defense of his crime in accordance with this.

You will learn by the testimony that will be presented to you, that, from the time of his arrival in this city and until he had lost the expectation of favors to be received, and made up his mind to kill the President—a period of nearly three months—he was an earnest, so-called, Garfield man. He an-

nounced to the President, as will be shown by his own letter, his devotion and fealty to him. He desired constantly to impress upon the President that he was for him as against every one else. You will find him, on May 7, announcing to the President that in the contest going on he stood by him. But when he had lost all hopes of the appointment desired under the administration of President Garfield, and all expectation of official recognition from this source, he resolved to seize upon the pretext afforded by the situation to gratify his revenge, to kill the President and shield his real motives from the public. After this had been fully settled in his mind, with his knowledge of the world, with his experience of human affairs, with his observations of society, for he is a man of no ordinary ability in these directions, he carefully determined to make the situation of advantage to himself, and when he had fully conceived this idea, when it had fastened itself on his mind, he went to work to accomplish his purpose with a spirit of vindictiveness, with a cool determination, that has scarcely a parallel in the annals of crime. How many efforts he made to do this deed, or when and where he decided upon the exact method of its commission, no human mind can tell.

On the 8th day of June, he borrowed from an acquaintance in this city \$15, representing that he was out of money and desired the amount to pay his board-bill. After procuring this loan he at once visited the store of Mr. O'Meara, on the corner of Fifteenth and F streets, for the purpose of purchasing a weapon. In this, as in all other acts connected with the crime, he displayed the malignity of his determination and the wickedness of his motives. He asked for a pistol of the largest calibre and one that would do the most effective work, and was shown and purchased the pistol which he finally used—a weapon terrible to behold, carrying a bullet of the largest size; a weapon that was self-cocking in order that there might be no delay in its use when an emergency occurred. How for twenty-four days he carried that deadly

weapon, and how often he dogged the footsteps of the unsuspecting President ; how he watched his carriage ; how he made his arrangements at the church ; how he followed him from the residence of Mr. Blaine, watching and waiting for the fatal hour, he alone can tell. But on the morning of the 18th of June he ascertained from publications in the newspapers that the President would go to Long Branch, and he determined to kill him at the depôt. How he went there fully prepared for that purpose and was deterred from its accomplishment his own words best tell. Returning to his room he wrote :

WASHINGTON, Saturday Evening, June 18, 1881.

I intended to remove the President this morning at the depôt as he took the cars for Long Branch, but Mrs. Garfield looked so thin and clung so tenderly to the President's arm that my heart failed me to part them, and I decided to take him alone. It will be no worse for Mrs. Garfield to part with her husband this way than by a natural death. He is liable to go at any time, any way.

C. G.

And after this came another period of watching and waiting. It might be a story of thrilling interest to know how often the fatal danger threatened the lamented dead, and how often while buoyant with life the shadow of death haunted him. But, again, we are in the field of conjecture until we come to the morning of the murder, the occurrences of which I have already described, and this completes the story of this crime. This ends the recital of this national bereavement, for it cannot be forgotten that the effects of that fatal shot were felt throughout the land ; that not only one family mourned, but around every hearthstone and about every fireside there hung a shadow. And it is not surprising that many for a time forgot the law and doubted Providence, for it seemed so terrible that this man, in the full tide of his career of eminence and usefulness, should fall murdered without warning or notice.

No verdict of yours can recall him. He "sleeps the sleep that knows no waking," on the peaceful banks of Lake Erie, whose

limpid waters wash the boundaries of his native State, overlooking the city he loved so well, and beneath the sod of that State whose people had crowned his life with the highest honors. It is too late to call that husband back to the bereaved wife and fatherless children. For that waiting little mother, whose face will never fade from the nation's memory, there will be no relief in this world. The fatal deed is done, and its horrors and griefs must remain.

You have each been asked whether you were governed by religious convictions. Upon your oaths you have answered affirmatively. Eighteen hundred years ago it was written, by the pen of inspiration, as the law of that merciful God whom you revere: "Woe unto the world because of offenses, for it must needs be that offenses come; but woe to that man by whom the offense cometh: it were better for him that a mill-stone were hanged about his neck, and that he were drowned in the depths of the sea." And the honest, patriotic, law-abiding people of this country are waiting for your verdict, to see whether the man by whom this great offense was committed shall not suffer the just and merited punishment of the law.

The conclusion of the District-Attorney's speech was greeted with applause. Mr. Robinson stated that the defense reserved its opening, whereupon Secretary Blaine was called to the witness-stand, and having been sworn, he made answer as follows:

Q. What is your name and business? A. My name is James G. Blaine, at present Secretary of State for the United States.

Q. You were acquainted with James A. Garfield? A. I was acquainted with him from the year 1863 until the hour of his death.

Q. Are you acquainted with the prisoner at the bar; have you ever seen him? A. I saw him occasionally during the months of March, April and May; not so frequently in May as the previous months.

Q. Were you in company with the President at the time of the shooting? A. I was at his side.



HON. JAMES G. BLAINE.

Q. You met the President by appointment on the morning of the assassination? A. Yes, sir. On the night of July the 1st I was engaged with the President until near midnight on public business. On parting, he suggested that I had better call and see him in the morning before he left, because there might be some matters to which he desired to call my attention; I went to the White House, in the morning, reaching there at 9 o'clock, not later than three minutes past; I was detained some little time in conference with the President in the Cabinet room and library, a very few minutes; I then started with him for the depôt, he riding in the carriage in which I went to the White House, the State Department carriage in daily use by myself, following out of the White House grounds his own carriage, in which his children were carried, under the conduct of Colonel Rock-

well; we rode down the avenue without any noticeable incident and at a moderate speed; on reaching the depôt on the B street side (the ladies' entrance, commonly called), we sat a moment finishing the subject on which we were then conversing, and the President turned around to say good-bye; "No," said I, "I will escort you;" I thought it not proper that the President should go entirely unattended; "I will escort you," I said, "and besides I wish to see the gentlemen of the Cabinet who are going to leave with you;" with that he alighted; he had got in, of course at the White House, and that brought him on the side next to the pavement at the depôt, and as the carriage was a small coupe he got out first as a matter of convenience; he took my arm as we ascended the steps and turned on the left (he was on my left) to speak to some one—I think a police officer, the same officer who had told us that we had ten or twelve minutes' time remaining.

When he turned to speak to him our arms became disengaged, according to my impression, and as we walked through the ladies' waiting-room we were not arm-in-arm, but side by side; he had got two-thirds across the room, when suddenly, without any premonition whatever, there was a very loud report of a pistol discharge, followed in a very brief interval by a second shot; at the instant I first heard the report, it occurred to me that it was some trouble between persons

to whom we were in no way related, some such deed of violence, and I touched the President as though to hurry him on, as I thought there might be some danger to his person or my own; just as I did that the President kind of threw his hands up and said: "My God, what is this?" It seemed to have been almost between the shots that he said that; of course in so exciting and horrible a scene I can only give an impression, not an absolute statement; then there rushed past me a man; according to my recollection he passed on my right, though I am aware that this statement must be taken merely as my impression; I immediately followed after the man instinctively and went, I suppose, the distance of eight feet; I remember I stopped just outside the door which led from the ladies' waiting-room; then the shout came up, "We have got him;" I found that the President had quite sunk; he was sinking as I left; when I got nearly back to him (I was the first or second person who got back to him) he was vomiting, and I think at that moment was unconscious; of course, immediately a very large crowd surrounded him; and mattresses were brought, I think from a sleeping-car, and he was removed to an upper room in the *depôt*.

Medical aid was at hand as soon as possible, and an examination was made. He was returned to the White House, reaching there, I should say, in about fifty minutes or possibly an hour. I know

that I returned to my own room and wrote a dispatch to the public, especially to the European public, directing it to Minister Lowell, at London. In that dispatch I said that at "this hour—twenty minutes past ten, a. m.," the President being shot about twenty minutes past nine. That enabled me to identify the time at which the President got to the White House; he got there about the time I got to my house, possibly a little before. These are, in brief, the circumstances connected with my observation; when, in the upper room of the *depôt*, there was a gathering around of the Cabinet Ministers, who immediately repaired there from the cars; there had yet been no report made of whom it was, but I gave information that the man I saw run, and whom I went after, and whom I saw fall into the hands of the police was Guiteau; I recognized the man; I made that statement to the Cabinet, the attending surgeons and General Sherman, before the police had discovered the man. Of course, the shot being behind my back, I did not see him with the pistol in his hand; he did not in running have the pistol exposed.

The District-Attorney then produced a diagram of the *depôt* in which the tragedy occurred, and at his request the witness indicated the positions occupied by the President and himself at the time the fatal shot was fired; he also stated that, though the second shot was fired immediately after the

first, it did not follow it as rapidly as shots could be fired from a self-cocking revolver.

Q. How often have you seen the prisoner, to the best of your recollection? A. Very often; numerical statements are apt to be exaggerated when we are recalling a statement of this kind; according to my recollection he visited the State Department twenty or twenty-five times; it might possibly not be over ten, but eight or ten visits of that kind are apt to make the impression of twenty or twenty-five.

Q. You saw him personally? A. Yes, very frequently.

Q. Was he an applicant for an office? A. He was a very persistent applicant for the Consul-Generalship at Paris.

Q. Did you have any conversation with him on that subject? A. Several times; I never gave him the slightest encouragement that he would receive the appointment.

Q. Do you recollect ever having made use of any particular expression to him with regard to that appointment? A. I remember, after persistent and repeated visits that I told him that there was in my judgment no prospect whatever of his receiving the appointment, and that I did not want him to continue his visits; I wanted to bring them to an end and I told him there was no prospect whatever of his receiving it.

After the identification and reading of certain

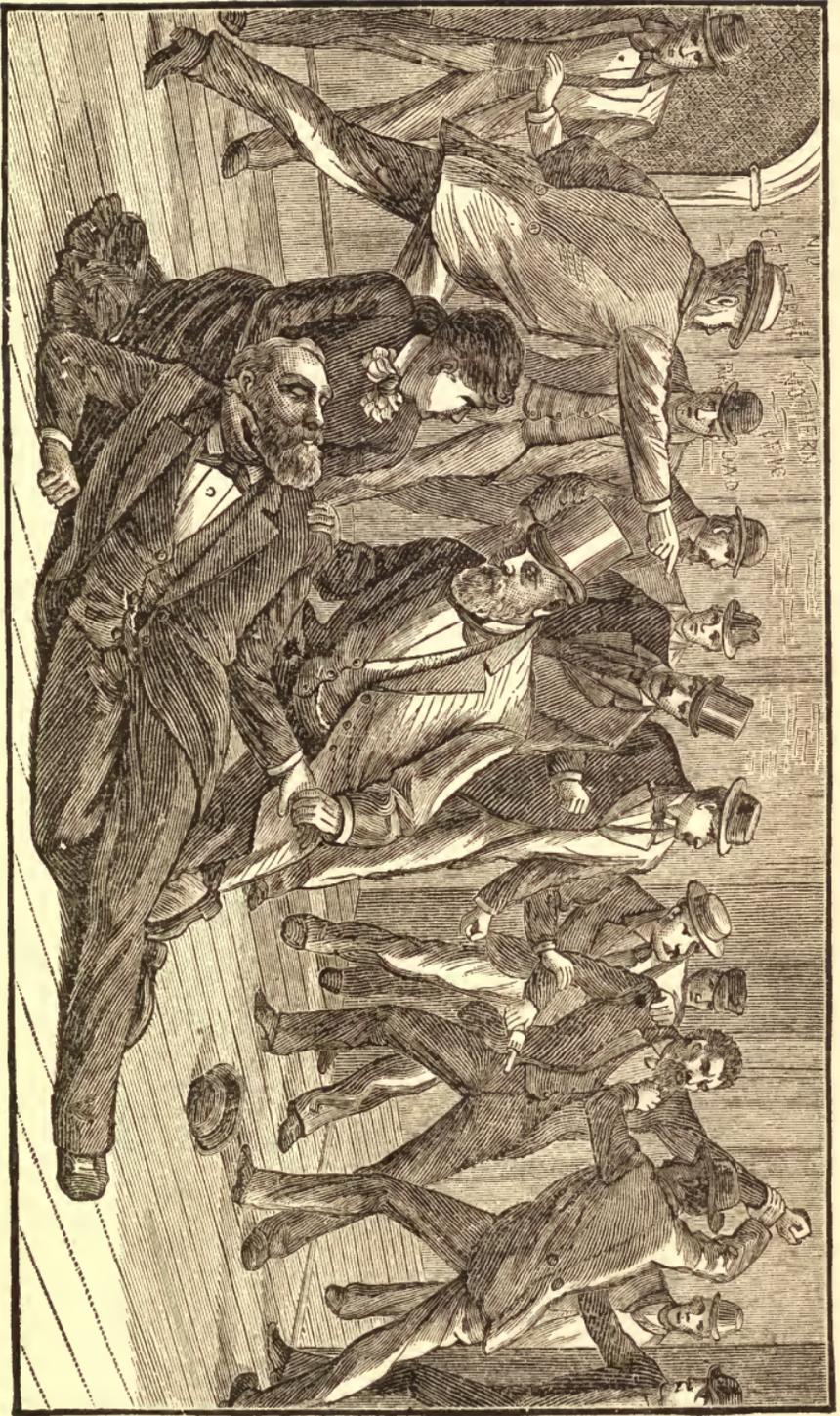
letters from Guiteau, pressing his application for appointment, the direct examination of Secretary Blaine ended. The cross-examination related to the position of the parties at the time of the shooting, the persistency of Guiteau on the appointment question, the principles upon which appointments were made, and the condition of the Republican party at the time of the shooting, with definitions of the terms "stalwart" and "half-breed," after which the noon adjournment occurred.

The next witness called was Mr. Simon Camacho, the Venezuelan Minister. Before having the witness sworn the District-Attorney stated that, under the law governing diplomatic relations, Mr. Camacho could not be subpœnaed or required to testify, but that his government had given him instructions to appear and testify just as any citizen of this country.

Mr. Camacho was then sworn and examined. He spoke with a strongly marked foreign accent, so that it was rather difficult at times to understand him. In reply to questions by the District-Attorney he testified, in substance, as follows:—

I was at the Baltimore and Potomac Railroad Depôt in this city, on the morning of the 2d of July last: while waiting there for some ladies whom I was to accompany to New York I saw a carriage, and in the carriage I saw Mr. Blaine

ASSASSINATION OF PRESIDENT GARFIELD.





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talking with a gentleman whom I did not then know to be the President; I went to take my place in the cars, and then came back to the waiting-room; I heard the report of a pistol and turned around and saw one man firing on another; the man who received the shot fell immediately, turning his face a little to the right-hand side as if to see who shot him, and extending his hands so as not to fall hard to the ground; immediately another shot was fired, with a very short interval between the first and second shots; then I saw Secretary Blaine run toward the door between the ladies' saloon and the gentlemen's saloon; I ran toward the B street door; the man who fired the shot had run toward that door, and he turned around again and I met him, and he ran toward the principal saloon; then I went to see the man who had been shot, and met for the first time President Garfield; I saw a lady putting his head upon her knee; I remained there until they brought a mattress and put him on it, and then I had to leave, because the ladies were waiting for me in the car; I saw the man who fired the pistol.

Q. Do you recognize the prisoner at the bar as that man? A. Indeed I do: that is the man.

Q. Describe how he was holding the pistol when he fired. A. He was holding it low, about three or four yards from the President's back; he fired in a diagonal position. [The witness rolls a sheet of paper and describes how the pistol was

held.] The second time that he fired the President was already down and the bullet passed.

The cross-examination related simply to the prisoner's hat and his style of wearing it at the time of the shooting.

The additional witnesses examined were Mrs. Sarah B. White, who was in charge of the ladies' waiting-room at the depôt at the time of the shooting; Mr. Robert A. Parke, the ticket agent who arrested Guiteau; Judson W. Wheeler, a young man from Virginia who was in the ladies' waiting-room; George W. Adams, publisher of the Washington *Evening Star*, and Jacob P. Smith, janitor of the depot. They related the facts of the shooting from their several points of view, but did not add any material points to the evidence already taken.

The next day, Friday, November 18th, was ushered in by a demonstration from Guiteau. As he entered the court-room, Mr. Scoville was making an explanation, when Guiteau, flashing with anger, cried out excitedly: "Mr. Scoville talks one thing to me in private and another in public. Last night he spent an hour in jail with me and showed a different spirit from now. That is his way. I do not propose to put my case in his hands. He is no lawyer and no politician. I want first-class talent in this business, and I am going to have it or there's going to be trouble. Mind your business," he continued, fiercely struggling with the

deputy marshals who were trying to suppress him.

Mr. Scoville: "Yesterday the prisoner told me that he had another communication he intended to give to the press."

"I do not care a snap about its going out," interjected the prisoner excitedly. "That settles it."

"Keep quiet," said Mr. Scoville, angrily. "I told him, in order to prevent its getting into the hands of the reporters, that I would see him in jail about it. I went to the jail and he kept it in his pocket."

"I gave it to you myself," broke in Guiteau.

"I went there," continued Mr. Scoville, "and spent an hour suggesting different points to prevent its getting out."

"You've got the document and you can keep it," exclaimed the prisoner.

"If you say you will not give it out?" began Mr. Scoville, inquiringly.

"I represent myself here," was the loud reply of the prisoner.

Mr. Scoville was evidently getting disgusted with the prisoner's conduct, and it was in tones of annoyance that he said to the Court: "I do not propose to be interrupted here by the prisoner every day, nor spend an hour or two at the jail every day to prevent the prisoner giving out communications."

Struggling with the deputy marshals Guiteau

exclaimed wildly, addressing to Mr. Scoville his remarks, which were uttered very rapidly: "You are no criminal lawyer, and I have no confidence in your capacity. I propose to get two or three of the first-class lawyers in America to manage my case. And I want to say a word upon the law," cried the prisoner, addressing the Court. "If you expel me from the court-room the Court in banc will reverse you. If the Court puts me out—confounded fools you," he cried, turning and struggling with the deputy marshals who were pressing him into his seat from which he had half-risen, "the Court will understand that he will be reversed in the Court in banc. Mind your business; you ain't got no sense," he said again, turning upon the deputies, with whom he continued to struggle violently for several moments.

The Court: "On several occasions in the courts in the United States the prisoner has been, on account of disorderly conduct, removed from court and the case continued in his absence.

The first witness sworn, after the prisoner had subsided, was Joseph K. Sharp, assistant train-master of the Baltimore and Potomac Railroad, who narrated what he had seen of the shooting of President Garfield. His testimony was not of special importance.

The next witness was Miss Ella M. Ridgley, a young lady who was at the depôt on the morning of the 2d of July. She had been standing at the

B street door waiting for a street car, when she saw the prisoner. A hackman came up to him and asked him where he wanted to be driven to; the prisoner said to the cemetery, and told him to wait there till he came out. This was about four minutes before the President and Secretary Blaine entered the depôt. Then she saw the prisoner in the ladies' waiting-room, with his right hand in his pocket; he drew out a weapon, and witness noticed the sunlight shining on the barrel, although she did not realize at the moment that it was a pistol. The first shot was fired, and then the prisoner took two or three steps nearer to the President and fired a second shot when about four feet from him. On the first shot the President threw up his hands and half fell back. He kept sinking all the time as the second shot was fired. She was not sure whether the second shot touched him at all. When prisoner fired the second shot he stepped to the B street door and witness lost sight of him, as her attention was directed to the President. When she next saw prisoner the officers were passing through the room with him.

Joshua Davis, who was present at the shooting, and Wm. S. Crawford, driver of a baggage wagon, gave their testimony, without presenting anything new or important. Then came John R. Scott, special officer at the railroad depôt. He was the first officer to reach the prisoner after Parke seized him; the prisoner said that he wanted to

go to jail and that he had a letter which he wanted sent to General Sherman; witness, however, did not see any letter in his hand; they took him out of the Sixth street door to the station-house, and when passing Sixth and B streets he looked up and said: "I am a stalwart, and Arthur is now President of the United States."

He kept repeating about the letter that he wanted sent to General Sherman, and he said: "I am a gentleman and a lawyer."

At the station-house prisoner was searched, and a packet of papers, some change and a revolver were taken out of his pocket. [Here the revolver was identified and exhibited to the jury, three of the chambers being still loaded.]

The cross-examination developed nothing new, and the testimony of the next witness, Edmund L. DuBarry was brief and unimportant. He was followed by Patrick Kearney, police officer, who gave a graphic account of the occurrence, speaking slowly and with a strong Irish brogue. His narrative was as follows:—

The first time I saw the prisoner was at five minutes to nine, on the morning of the 2d of July; I saw him standing with two hackmen, one white and one colored; they were both "bucking a job" from him—that is, soliciting him for a job; then I saw the President's carriage coming around from Pennsylvania Avenue to the B Street entrance; I went around and stood by the lamp-

post; the President's carriage stopped outside the curbstone, and the President had his hand on Mr. Blaine's shoulder; the President said to me: "How much time have I got?" I took out my watch and showed him that he had ten minutes; he made no reply and I went back to the lamp-post; after a while Mr. Blaine got out of the carriage and went into the depôt out of my sight; the President then got out and walked ahead; as he moved past I took up my hat and saluted him; he went up as far as the third step and then turned around smiling, lifted his hat to me and went in to the depôt out of my sight; then I was moving down Sixth Street, when I heard the report of a pistol; I turned back quickly and ran down to the B Street door, and then I heard another report and a scream.

I went to the door, and the first thing I saw was the prisoner coming against me; I grabbed him; said he, "I want to send this letter to General Sherman immediately;" "Hold up," said I, "there are two shots fired, and you are coming from the direction in which they were fired; I will hold you to know the result; if you are in the wrong I will keep you, and if not you can get off; but now I put you under arrest;" then I turned his back to the door; the first man that I saw was DuBarry (the last witness); he was right by my side; then I could see the smoke rising out of the carpet, and saw that I could not advance in that way with

him ; the prisoner jerked, and pulled me down toward the heater in the ladies' room, and I pulled out my club to hit him, but I thought of the Grand Jury—[Laughter.]—and not knowing what the man had done I did not hit him, but I gave him a good shaking and brought him along ; after that he went along with me ; when I stopped he stopped and when I moved he moved ; we went out of the ladies' room into the main room and stood by the indicator ; one or two men passed by and tapped the prisoner on the shoulder and said, " I arrest you ; " I said nothing, but I thought they were fools, because I had arrested him at the door and brought him back ; Parke was standing at the jamb of the door near the ticket office with a linen duster on him and his hands behind his back as mildly as now. [Laughter.] [The point about this is that Parke testified on the stand that he was the first to seize Guiteau, and that he held him until Officers Scott and Kearney came and took him in charge.] The prisoner passed Parke at the corner, and he and I went and stood by the indicator ; then Parke advanced toward the ticket office ; I was standing along with the prisoner, and there was a crowd in a circle around us ; I saw Lowry snatch the paper the prisoner held in his hand ; then Parke, the ticket agent, made a run and grabbed at Guiteau and threw his hat off. [Laughter.] I lifted the hat up and put it right on the prisoner's head again ; then Scott came from

the platform over to where I was with Guiteau, and got hold of his wrist and twisted it; Guiteau complained and asked him not to break his wrist; as he did not repeat the complaint I said nothing; after Parke made the grab at Guiteau he said, "That is the man who shot the President;" that was the first I knew of what had happened; I did not know until then that the President or any other man had been shot; I took the prisoner out of the Sixth street door, and when we came to the sewer trap in the street he said:

"I did it; I will go to jail for it. Arthur is President and I am a stalwart."

Scott and me took him along to Pennsylvania avenue and then we took an oblique direction eastward until we came to Mount Vernon House, and then we walked along until we got to Police Headquarters, on Four-and-a-half street; when I went in I sung out, "this man killed (or shot) the President;" Lieutenant Eckloff says, "You are giving us taffy." [Laughter.] I said "No;" then I took the pistol out of the prisoner's pocket and laid it on the table, and then two pieces of silver, and then when I went for these letters he kicked.

Q. He what? asked the District-Attorney, with a puzzled expression of countenance. A. He resisted, and I was going to throw him; then one of the officers caught him by the arm and held him till I got them letters from him; he said that

he wanted them letters to go to Byron Andrews, on Fourteenth street; Lieutenant Eckloff asked him if he had anything to say; "I have nothing to say," said he, "the papers speak for themselves;" I asked him what his name was; he said, "Charles Guiteau, of Illinois, a theologian and a lawyer;" after I got through his pockets I went to search him about the breast; he said, "Don't get excited; take your time; you have plenty of time to search me;" he was put into a cell for about ten minutes and then he was sent to jail; I never saw him again until I saw him here.

Mr. Scoville, in cross-examination, asked: Did Parke ever touch him until you brought him into the main room?

Witness, solemnly: Never, so help me God, never; it was up by the heater that Parke rushed at him, grabbed at him, knocked off his hat, and said: "I seize the assassin." [Loud laughter.]

All that I knew was that somebody was hurt; on the way to headquarters the prisoner spoke to me once or twice about his fear of being hurt, and I says to him: "Now, the quicker you and me get to headquarters the better for both of us;" I never had no trouble with him after that.

When Mr. Scoville closed the cross-examination, Guiteau said in his usual excited manner: "Allow me to examine the witness; he comes nearer the truth than any one else who has been on the stand."

Mr. Scoville succeeded in suppressing the prisoner, and then he further examined the witness as to whether he was much excited when he arrested the prisoner. No, said the witness; when I caught that man I did not know what he had done; I knew that there were two shots fired and that he was running from the direction where the shots were fired.

Prisoner: As a matter of fact I was standing still, and the witness came up and seized me by the wrist. I had just got my pistol put up, and you (addressing the witness) seized me simultaneously. I told the officer that I wanted to go to jail at once. I made no disposition to escape at all.

Witness: No; I will say that for you. After the difficulty in the corner of the room you gave up and went along with me and stood by me all the way to headquarters. Is not that so?

Prisoner: Yes sir. [Laughter.]

Thompson H. Alexander was the next witness, but nothing new or important was developed by his testimony. After the recess, Guiteau addressed the Court saying: I understand, your Honor, that Judge Magruder, of Maryland, is willing to assist in the defense. I hereby publicly invite him to meet me here on Monday at the trial. I do not know whether Mr. Scoville wants him or not. I want him here. The only way I can make that known to him is to make it public.

He has written a very fine letter. I have two or three other names I shall mention. Mr. Scoville is doing splendidly, but I want him to have help.

John Taylor (colored) was next called to the witness-stand. He was the hackman to whom Guiteau spoke about a week before the shooting in regard to what he would charge to drive him to Benning's Station, just beyond the Congressional Cemetery, and he gave an account of that conversation.

Another colored hack driver, Aquilla Barton, was the next witness. He was quite a character and elicited a good deal of amusement by his testimony. He was at the depôt on the morning the President was shot. The prisoner came along toward the hack stand, and he (witness) asked him if he wanted a carriage; the prisoner said that he wanted to see a man named Taylor; the witness said, "Mister, I pledge my word and honor that Taylor has not been here this morning; let me wait on you;" the prisoner said, "Hold on, don't get excited;" the prisoner then went into the depot, but presently returned and asked witness how much he would charge to drive him to the cemetery; he then engaged the carriage, telling witness that when he jumped into the carriage he wanted to be driven very rapidly; he said that he merely wanted to look around the burying ground; witness took particular notice of

the man when he re-entered the depot and knew him from the crown of his head to the sole of his foot; in about ten minutes witness heard two pistol shots and ran into the depôt to see what was the matter; he did not think of the man who had engaged him, but after he had heard that the President was shot he returned to his carriage; just then the prisoner was brought out and he (the witness) said, "Oh God! That is the man who wanted me to take him to the graveyard."

On cross-examination as to the prisoner's appearance at the time of the shooting, the answer was given that the prisoner was not excited.

A. Were you excited? A. Not at all; I was not, but I was bucking very strong for the job; he was a good deal in his senses; he was "flesher" than he is now. [Laughter.]

Prisoner, in a humorous manner: I may state here that I had the first square meal to-day I have had since the 2d of July. [Laughter.]

Byron Andrews was then called to the stand simply to identify himself as the correspondent of the Chicago *Inter-Ocean* and the New York *Graphic*. He had received no papers from the prisoner, and did not know him.

At this stage of the proceedings Mr. Scoville rose and said:

I give notice now that the defense in this case is insanity, and we will claim that the burden of

proof is on the prosecution. If they intend to introduce evidence on that point they must introduce it before they close.

Mr. Davidge: We think otherwise, and we will act according to our convictions of what is proper. The defense has made no opening.

Mr. Scoville: I give you notice now, before you close your proofs; I simply want to make it a matter of record.

Judge Cox: I understand.

Mr. Sevelion A. Brown, Chief Clerk of the State Department, was the next witness. He testified as to the frequent visits of the prisoner to the Department, and to the witness giving orders not to send any more of his cards to the Secretary, or let him see the Secretary.

On cross-examination he said he was quite sure the place for which Guiteau applied was beyond his reach. The prisoner did not look to be that kind of man who would be appointed to such a position. He had excluded his cards from the Secretary because it was hardly worth while to take up the Secretary's time; the Secretary had not ordered the exclusion of Guiteau's cards, nor did Guiteau know that they were excluded. Witness had also refused to permit the prisoner to make use of the library of the Department; he did not want to give him any excuse for being there; he wanted to rid the Department of him. He did not notice anything peculiar about him,

except that he was a nervous individual and that he seemed to have a reluctance to look one in the eye.

Guiteau: I looked in your eye, Mr. Brown.

Adolphus Eckloff, a police lieutenant, was called by the prosecution to identify the revolver.

In the cross-examination he detailed the manner of searching the prisoner when he reached the Police Headquarters; on taking the man to the jail he had appeared frightened, but there was nothing peculiarly wild about his face; in conversation with Detective McElfresh the man had stated that he was "a stalwart of the stalwarts," and that he shot the President to save the Republican party and the country.

Mr. J. Stanley Brown, private secretary to the late President, was the next witness. He testified to Guiteau's frequent calls at the White House and of his (witness') finally, about the 15th of May, telling the ushers that Guiteau must no longer trouble the office; he had told Guiteau himself and had reiterated it twice, that his application, being in the consular service, must go to the State Department; witness identified a large number of letters from Guiteau to the President, which the District-Attorney proceeded to read, as follows:—

[Private.]

March 8, 1881.

GENERAL GARFIELD—I called to see you this a. m., but you were engaged. In October and January last I sent you a note from New York touching the Austrian Mission. Mr.

Kasson of Iowa, I understand, wishes to remain, at Vienna till fall. He is a good fellow, I should not wish to disturb him in any event. What do you think of me for Consul General for Paris? I think I prefer Paris to Vienna, and if agreeable to you, should be satisfied with the Consulship at Paris. The enclosed speech was sent to our leading orators and editors in August. Soon thereafter they opened on the Rebel war claim idea, and it was this idea that resulted in your election.

Mr. Walker, of New York, the present Consul at Paris was appointed through Mr. Evarts, and I presume he has no expectation of being retained. Senators Blaine, Logan and Conkling are friendly to me, and I presume my appointment will be promptly confirmed. There is nothing against me. I claim to be a gentleman and a Christian. C. G.

[Private.]

GENERAL GARFIELD—I understand from Colonel Hooker, of the National Committee, that I am to have a Consulship. I hope it is the Consulship to Paris, as that is the only one I care to take, now that Mr. Phelps has the Austrian Mission, I think I have a right to press my claim for the Consulship at Paris. I think General Logan and Secretary Blaine are favorable to this, and I wish you would send in my name for the Consulship at Paris. Mr. Walker, the present Consul, I do not think has any claim on you for the office, as the men that did the business last fall are the ones to be remembered. Senator Logan has my papers and he said he would see you about this. Very respectfully,

March 26.

CHARLES GUILTEAU.

[Private.]

GENERAL GARFIELD—From your looks yesterday I judge you did not quite understand what I meant by saying “I have not called for two or three weeks.” I intended to express my sympathy for you on account of the pressure that has been on you since you came into office. I think Mr. Blaine intends

giving me the Paris Consulship, with your and General Logan's approbation, and I am waiting for the break in the Senate. I have practised law in New York and Chicago, and presume I am well qualified for it. I have been here since March 5, and expect to remain some little time, or until I get my commission. Very respectfully,

April 6.

CHAS. GUTEAU.

[Private.]

GENERAL GARFIELD: I wish to say this about Mr. Robertson's nomination. Would it not be well to withdraw it on the ground that Mr. Conkling has worked himself to a white heat of opposition? It might be done quietly and gracefully, on the ground that since the nomination many merchants and others in New York had petitioned for the retention of General Merritt. It strikes me that it would be true policy to do this, as Mr. Conkling is so determined to defeat Mr. Robertson, and the chances are he may do it. It is doing great harm all around. I am very sorry you have got Conkling down on you. Had it not been for General Grant and Senator Conkling we should have lost New York. The loss of New York would have elected Hancock. Mr. Conkling feels you ought to have consulted him about the appointments in his own State, and that is the reason he is so set against Mr. Robertson; and many people think he is right. It seems to me that the only way to get out of this difficulty is to withdraw Mr. Robertson, on the ground that since his nomination the leading merchants of New York have expressed themselves as well satisfied with General Merritt, who certainly is not a "Conkling man." I am on friendly terms with Senator Conkling and the rest of our Senators, but I write this on my own account and in the spirit of a peacemaker.

I have taken the liberty of making this suggestion to Mr. Blaine, and wish you and he would give it due attention.

Very respectfully,

CHARLES GUTEAU.

April 29th.

[Private.]

GENERAL GARFIELD: I am sorry you and Senator Conkling are apart, but I stand by you on the ground that his friends Morton, James, Pearson and the rest of them have been well provided for, and Mr. Conkling ought to have been satisfied.

Very respectfully,

May 7th.

CHARLES GUILTEAU.

[Private.]

TO GENERAL GARFIELD: I have got a new idea about '84. If you work your position for all it's worth you can be nominated and elected in '84. Your opponents will probably be General Grant and Mr. Blaine. General Grant will never be so strong again as he was just after his trip around the world. Too many people are dead set against a third term, and I don't think he can be nominated much less elected again. Two national conventions have slaughtered Mr. Blaine on account of his —

At this point the District-Attorney had some difficulty in deciphering the writing, but was helped out of his difficulty by the prisoner, who finished the sentence for him "of his railroad record and connections," The remainder of the letter was as follows:

The Republican party are afraid to run him. This leaves the way open for you. Run the Presidency on your own account. Strike out right and left. The American people like pluck, and in '84 we will put you in again.

White House, May 10.

C. G.

P. S.—I will see you about the Paris Consulship to-morrow, unless you happen to send in my name to-day.

[Private.]

GENERAL GARFIELD: Until Saturday I supposed Mr. Blaine was my friend in the matter of the Paris Consulship, but from his tone Saturday I judge he is trying to run the State Department in the interest of the Blaine element in '84.

You are under small obligations to Mr. Blaine. He almost defeated your election by the loss of Maine. Had it not been for Hancock's blunder on the tariff, and the decided efforts of the stalwarts, you certainly would have been defeated after the loss of Maine. You recalled Mr. Noyes for Mr. Morton, and I wish you would recall Mr. Walker for me. I am in with Mr. Morton and General Arthur, and I will get them to go on my bond. General Logan and Senator Harrison and the rest of my friends will see that it is promptly confirmed. "Never speak to me again," said Mr. Blaine, Saturday, "on the Paris Consulship as long as you live." Heretofore he has been my friend, but now his eye is on a "Blaine man" for the position that will help him in '84. Two National Conventions have slaughtered Mr. Blaine, and he ought to see that there is no chance for him in '84. I want to get in my work for you in '84.

I am sorry Mrs. Garfield is sick, and hope she will recover soon.

May 16.

CHARLES GUTEAU.

[Private.]

GENERAL GARFIELD: I hope Mrs. Garfield is better. Monday I sent you a note about the Paris Consulship; Tuesday, one about '84. The idea about '84 flashed through me like an inspiration, and I believe it will come true. Your nomination was a providence, and your election a still greater providence. Had Hancock kept his mouth shut on the tariff he would have been elected, probably, notwithstanding Grant and Conkling and the treachery of Kelly. Business men were afraid to trust a man in the White House who did not know "A" about the tariff, and this killed Hancock. You are fairly elected and now make the best of it. With two terms in the White House and a trip around the globe you can go into history by the side of General Grant. May I tell Mr. Blaine to prepare the order for my appointment to the Paris Consulship, vice George Walker recalled?

White House, May 13, 1881.

C. G.

Another letter was read, in which Guiteau refers to Secretary Blaine as a wrecked man, and which was read by the District-Attorney in his opening address yesterday.

District-Attorney, to the witness: These are all the letters from the prisoner that you found on the files of the executive office?

Witness: Yes.

Prisoner: They are all that I ever wrote.

District-Attorney: I propose to identify by this witness the letters left by the prisoner at the cigar-stand in the depôt.

Prisoner: Those letters are all correct, every one of them.

The papers were shown to the witness, and were identified as in Guiteau's handwriting.

The next witness was James L. Denny, who has charge of the news-stand at the railroad depôt. He identified the package addressed to Byron Andrews and co-journalists and left with him by the prisoner at the news-stand just before the shooting.

The District-Attorney proceeded to read the letters and scraps of various kinds contained in the package, all of which have been given already. He put them all in evidence, together with the book written by Guiteau, with the annotations its author has added to it.

The Court then, at about 3 o'clock, adjourned.

On Saturday, November 19th, the first witness

examined was George C. Maynard, who had been somewhat acquainted with Guiteau for some twenty years. On March 12th, the prisoner borrowed \$10 of the witness, and on June 8th, borrowed \$15 additional. It was from this latter sum that the pistol was purchased, with which the President was shot. On cross-examination, the following colloquy took place. Mr. Scoville asked:

Q. What was the last time you saw the prisoner before he borrowed that \$10? A. I do not know.

Q. You had not seen him recently before that? A. Once in the Riggs House reading-room, and I have had the impression since I made this unfortunate investment that it was about the time of the November election.

Guiteau, politely: I was in New York at that time. I came here in March.

Mr. Scoville: Did you notice anything peculiar about him? A. I did not notice anything peculiar—anything different from the man as I knew him before.

Q. Was there anything peculiar then? A. He had a peculiar manner, a peculiar attitude, a peculiar walk, what I should call a skulking manner.

Q. Describe his appearance on the 8th of June. A. He looked rather thin, and what I should call haggard.

Guiteau: That was from mental anxiety, not from lack of food.

Joseph M. Burkhart, clerk to the last witness, testified to handing \$15 to the prisoner on June 8th and receiving a note from him. On cross-examination he described the appearance of the prisoner at that time. The only thing peculiar about him was that he walked so quietly that his steps could hardly be heard; that he held his head bent forward and had very little to say.

The next witness was John O'Meara, keeper of a gun and cutlery store at the corner of Fifteenth and F streets. He testified that Guiteau came into his store about the sixth of June, looked at the show-case, pointed at the largest calibre revolver and asked to look at it. He examined it carefully, inquired as to its accuracy, made some common-place remarks, and then left, saying that he would call again in a few days. A few days afterward the prisoner called again, examined the pistol, inquired as to where he could test its accuracy, and was told that the river-edge would be a good place. He also inquired as to the force of the pistol, and the witness told him it was a very strong-shooting pistol. The prisoner paid \$10 for the pistol, a box of cartridges, and a lady's pen-knife.

The pistol was handed to witness for identification, and he was directed (to guard against an accident in the handling of the pistol) to draw the three remaining cartridges. While the witness was engaged in doing so, the prisoner said that he might as well take advantage of that opportunity to re-

quest John D. Townsend, an eminent lawyer of New York, Leonard Swett, a distinguished criminal lawyer of Chicago, and Mr. Trude, of Chicago, to appear for him next Monday, if the Court had no objection.

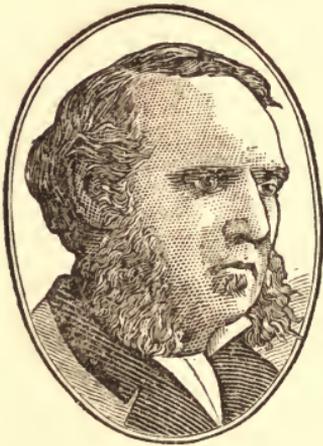
Judge Cox: I am certainly willing.

Prisoner: I have heard that Mr. Townsend is willing to assist. If it is possible for Mr. Swett to leave his business, he will assist. We have been expecting to hear from Mr. Trude for the last two weeks. I expect them all here on Monday morning with Judge Magruder, of Maryland. There is plenty of brains on the other side, and I desire to have an equal amount on this side, in the interest of justice. After a moment's pause, the prisoner again broke out. There is another matter, he said, in this connection. I understand that there are one or two disreputable persons hanging around this court-room intending to do me harm. The Chief of Police has very kindly furnished me with an escort, and I have a body-guard now. I want to notify all disreputable persons that if they attempt to injure me they will probably be shot dead by my body-guard. [Laughter.] I have no fears as to my personal safety. There has been considerable loose talk on this subject for a week, and I wish to let the public understand it.

The District-Attorney, to Mr. Scoville: Is your client through?

There was an affirmative nod from Mr. Scoville and then the testimony of the witness was concluded, with the statement that the pistol was known as a British bull-dog.

Col. A. L. Rockwell was the next witness. He proceeded to detail what he observed at the time of the shooting.



DR. D. W. BLISS.

The testimony of the witness was resumed. He was present at Mr. Garfield's death, and stated the time and place thereof.

General D. G. Swaim testified that he was the last person to whom Mr. Garfield spoke, his last words being "Oh, Swaim!" There was no cross-examination of either of these last three witnesses.

Dr. D. W. Bliss was the next witness. He pointed out on a portion of a human skeleton the course which the ball had taken and the manner in which death had been produced. The wound made by the ball was the immediate occasion of death.

The cross-examination was opened by Mr. Robinson, with the following comprehensive direction: State concisely, but accurately, what was observed on each date, from the time of the shooting until

the time of the death. Describe all the symptoms observed each day, and also what was done. Begin with the first day.

The witness proceeded to make the statement called for. He was interrupted by inquiries as to the medical consultations held prior to the arrival, on the 4th of July, of Drs. Agnew and Hamilton.

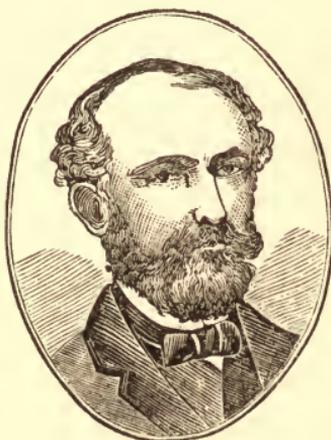
Then the witness was asked to describe again, minutely, the course of the ball. In doing so he made use of a section of the late President's backbone, showing the hole made by the bullet.

Mr. Robinson next inquired as to the position of the abscess, the incision into the pus-sac, the incision into the pus-track, the muscles or organs through which the ball passed, the inclination at which the ball struck the spinal column, its force, the fragments of bone that were found during life and at the autopsy, and the condition of the wound as discovered at the autopsy.

Mr. Robinson next went back to the consulta-



DR. D. HAYES AGNEW.



DR. F. H. HAMILTON.

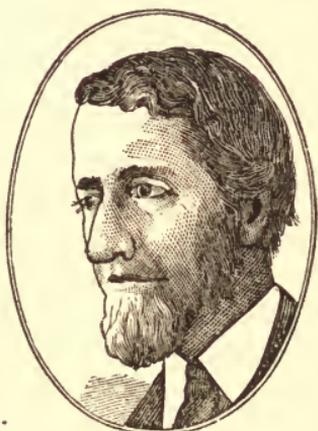
tions that were held up to the arrival of Drs. Agnew and Hamilton. He wanted to know exactly what was said by the physicians, Witness said that he could not give that information, but he could state the conclusions. Mr. Robinson called for them, and the witness proceeded promptly to state them.

Mr. Scoville then took up the cross-examination, and inquired minutely as to the formation, growth, and final rupture of the sac formed on the artery which had been cut by the ball. He also inquired as to who had authorized the witness to take charge of the case. Mr. Davidge suggested that that had nothing to do with the matter, but the witness answered by saying that the request had been made to him on the 3d of July by the President, no one else being present but Mrs. Garfield and the witness. Mr. Scoville also inquired minutely about the probing of the wound, about the supposed internal hemorrhage the first day, about the pus-cavity and the openings made to it, and about the quantity of morphine administered.

After the recess, the cross-examination of Dr. Bliss was resumed by Mr. Scoville. It ran upon the probing and washing of the wound, and the possibility of its having been thoroughly probed if the real track of the ball had been known from the first. To the question on that point the witness gave a negative reply. He was also

asked by what authority most of the doctors who had been originally in attendance were discharged, and he said that it was by authority of the President, given in the presence of Mrs. Garfield and the witness.

Then Mr. Robinson again took up the cross-examination, and asked the witness to reply in detail to the question as to the symptoms observed during the first four days. In order to do that it was necessary for him to refer to the data kept by Dr. Reyburn, and as there was some difficulty in reading the manuscript, Dr. Reyburn was sworn and stood beside him to aid him in the task.



DR. ROBT. REYBURN.

Mr. Davidge said he objected with great reluctance to the introduction of any evidence that, in the judgment of the counsel representing the defense, benefited in any degree the case of the prisoner; but it appeared to him that the reading of this record was not only not pertinent to the issue, but had no pertinence whatever to the examination-in-chief, which had been studiously confined to the character of the wound. * * * In order to save time, he suggested that the doctor's record could be handed to the counsel for the defense and by them examined. This suggestion

was acceded to by Mr. Robinson, who thereupon proceeded with the cross-examination of the witness. His questions were written upon two or three sheets of foolscap, and bore indications of having been drawn up by a medical expert. They related to the condition in which the organs of the President were found at the time of the autopsy. The answers were given in a clear and straightforward manner, and when Mr. Robinson had concluded, Mr. Davidge subjected the witness to a short re-direct examination, as follows :

Q. What elements of danger are there attendant on a wound such as you have described the President's to have been? A. The injury to the body of the backbone and the vertebræ in gunshot wounds is liable to produce blood-poison, and more especially so because the vessels that are running through it are surrounded by firm walls. The vessels, when torn, still remain open, and will take up the products of the pus that has formed, which is poisonous and produces septicæmia. The laceration of the splenic artery I should consider a vital injury ; that sooner or later the aneurism would give way, and death would ensue. The carrying of the débris, or the broken particles of bone through the spine—each one a point of suppurative inflammation—would be liable to produce blood-poisoning. These are three elements of danger, in my judgment, in an injury of that character.

Q. What was the character of the wound? was it a mortal wound? A. Yes, it was mortal.

This concluded Dr. Bliss's examination, and the Court, at 2.15, adjourned until Monday.

While returning to prison after this day's proceedings, Guiteau was shot at by an unknown horseman.

On Monday, November 21st, there was a great rush for places in the court-room. Guiteau's narrow escape on Saturday excited public interest and hundreds desired to see him. He seemed to realize that he was the central object of attraction and his demeanor was careless, and at times defiant. Immediately after Court opened Mr. Robinson arose and addressed Judge Cox, asking permission to withdraw from the case.

As soon as Mr. Robinson had finished, Guiteau, without rising from his chair, said: I want Robinson to stay in the case. He has made a sensible speech, and I agree with him in the most of it. Had he made it last Monday there would not have been any difficulty between us.

Mr. Scoville then made a short address, in which he said that Mr. Robinson had not even told him the name of the counsel he desired, nor the fact that he intended to withdraw, and added that he did not regard this as professional. When

Judge Cox, after hearing Mr. Scoville, said:

The thanks of the Court are due to Mr. Robinson for the promptness with which he responded to the request of the Court, and participated in

this defense at a great professional sacrifice, as I know, and nobody questions his professional ability and the sentiments which governed him throughout. I perceived from the start that he was placed in a position of unpleasantness, and I have felt recently that I ought, if he desired it, to relieve him from connection with the case, especially as I perceived that Mr. Scoville was thoroughly master of the case. I feel constrained to grant Mr. Robinson's application, and to grant him a most honorable discharge.

The medical testimony was now resumed. Surgeon-General Barnes, Surgeon J. J. Woodward and Assistant Surgeon D. S. Lamb, of the United States Army, gave their testimony for the government regarding the effect of Guiteau's shot. Dr. Barnes said: "The wound was a mortal wound and was the occasion of death." Dr. Woodward testified that "It was a mortal wound and the cause of the President's death." Dr. Daniel S. Lamb, the surgeon who made the autopsy, said the cause of death was a shot wound.

Dr. Lamb, by request of Mr. Corkhill, produced the bullet which Guiteau fired into the President. He opened a large envelope, sealed with red wax,



DR. J. K. BARNES.

which contained the following paper, the bullet secured to it by a wire :

I hereby certify that the within pistol ball was, in the presence of Surgeon-General J. K. Barnes, Surgeon J. J. Woodward, Robert Reyeburn, Frank H. Hamilton, J. Hayes Agnew, S. C. Boynton, D. S. Lamb (who made the autopsy,) General D. G. Swaim, Col. A. F. Rockwell and Mr. C. O. Rockwell, taken from the body of James Abram Garfield, late President of the United States, at the post-mortem examination held in Francklyn Cottage, at Elberon, N. J., during the afternoon of September 20, 1881.



DR. J. J. WOODWARD.

D. W. BLISS.

The bullet which is indented and partly flattened on one side and end, was shown to and examined by the jury. Guiteau was engaged in reading a paper, and did not appear to take any notice of the bullet. At this point the prosecution rested its case, having called and examined thirty-two witnesses.

CHAPTER IV.

THE DEFENSE.

IMMEDIATELY after the prosecution closed its case, Mr. Scoville suggested that the prisoner should be heard in his own behalf at this stage of the proceedings. The Court assented to this proposition.

The prisoner, without leaving his seat, then said: I was not aware that I was expected to speak this morning. To Mr. Scoville, who whispered to him to stand up, he said: I will not stand up. I am not afraid to, however, but I have only got a moment to speak. I do not care to say anything more than was published in my address last Monday afternoon in the *Evening Star*. That paper was addressed to your Honor and the public, and I presume that most of the jurymen have heard it. I have no set speech to make. So long as I appear, in part, as my own counsel, the best way is for me to make corrections as the case proceeds, just as I have done during the last three or four days. I mean no discourtesy to anybody in the case. I only want to get at the facts. If somebody says that I owe him twenty dollars and it is not true, I will deny it on the spot simultaneously with the false charge—and that as the case pro-

ceeds. Of course I will go on the stand at the proper time and be examined and cross-examined. My idea is, however, to correct a misstatement while it is hot, and at the moment the statement is made, and that disposes of it, instead of waiting a number of weeks till the matter is digested and misunderstood. A great deal of the bad feeling in this matter has come from enforced silence, or from the suppression of my papers. I think that the true way is to interject statements as the case proceeds. I have no set speech to make. I am much obliged to your Honor and my counsel for the courtesy of the invitation.

Mr. Scoville then proceeded with his address to the jury in a plain, easy matter-of-fact style, and without the slightest effort at oratory or sensationalism. He criticised the course of the District-Attorney in presenting the testimony so much in detail. The simple questions in the case were whether the prisoner had committed the act (which was not denied), and whether he was, at the time, in such condition of mind as that he should be held responsible for the act. On this point there would be a great deal of expert, and therefore contradictory, testimony. The jury should note carefully the expert witnesses, hear their testimony, see how they stand examination and cross-examination, and then come to the best conclusions they could arrive at. The difficulty would come when the jury came to weigh the

evidence on both sides. The jury should then consider that the experts on the part of the government are being paid \$100 to \$200 a day, and that even these scientific men have not reached that height beyond passion and feeling and love of money as that those things could have no influence whatever on their feelings or their judgment. On the other hand, not a single expert witness for the defense would be paid, and their testimony, if in favor of the prisoner, would expose them to condemnation and ostracism in the community where they reside. These were things to be taken into consideration in weighing the expert testimony. The popular feeling against the prisoner had been manifested in three separate attacks upon his life—the last one was being commended by the newspapers all over the country. That popular feeling would also show itself in the testimony of the expert witnesses. He contrasted his own inexperience in criminal cases with the experience and ability of the counsel for the prosecution, and in view of this disparity he asked the jury to be considerate and candid toward the defense. Still he did not ask for any odds when it came to questions of fact. He expected that the defense would erect an impregnable wall and fortress which all the power of the other side could not overthrow. If he came short in his law, he knew that he could rely confidently on the Court's learning, integrity and sense of justice.

With the array of facts which he would present to an honest jury and an upright judge, he felt that he was not entirely at a disadvantage.

At this stage of his address Mr. Scoville asked that the case should go over till to-morrow, and it was so ordered.

At the opening of the morning session of the Court (Tuesday, November 22d), Mr. Scoville took his stand in front of the jury, and in a deliberate and conversational tone continued his address. He called the attention of the jury to the defense set up—insanity. There was, he knew, considerable antipathy against that defense in criminal cases; but he asserted that it was put forward as a just defense quite as often as it had availed as an unjust defense. He expected the jury to treat it fairly and candidly, and to weigh it upon the evidence. The prisoner, since he had been in Court, had done many things which might have influenced the minds of the jurors. They might already have come to a conclusion as to what sort of a man the accused was. It was impossible for it to have been otherwise, but it was not exactly the proper thing to do. The jurors should keep their minds open, so that when the sworn evidence was produced before them they could weigh it and accept what was shown to be the fact. He proceeded to state the progress of the courts on this question of insanity, explaining the various kinds of insanity, and citing decisions on the subject.

It was the duty of the jury to ascertain the fact whether the defendant was trying to deceive or not, because if not he was entitled to the protection of the law. In the first place it was a very difficult thing to feign insanity so as to deceive experts. It would appear from the evidence that the defendant did not know anything about insanity; had never visited an insane asylum, and had never given the subject any thought or attention. Yet it was said that he was simulating, and the newspapers and a good many people in the community had been as hasty in passing judgment on this subject as on others. If the newspapers were correct, the District-Attorney himself had repeatedly said that the prisoner was only feigning insanity. It was absolutely impossible for a man who never knew anything about it to feign insanity so as to deceive an expert.

Mr. Scoville, continuing, said that, having been acquainted with the defendant since he was a boy, the first thing he had said when he heard of the act was, "He is crazy," just as many others had said—just as President Garfield had said, "What is the man doing; he is crazy;" just as Secretary Blaine had said, "Why was this done? the man must be crazy."

District-Attorney: Allow me to say that President Garfield never said such a thing, and Secretary Blaine never uttered such a sentiment. He said he was sane all the time.

Mr. Scoville: I only speak from newspaper reports.

District-Attorney: Secretary Blaine has stated on his oath that he believed the man was sane.

Having sketched the facts as to the prisoner's family history, Mr. Scoville narrated the facts of the prisoner's personal history, which need not be again detailed. Finally, the District-Attorney interrupted the narrative saying:

May it please your Honor, Mr. Scoville knows as well as your Honor that this testimony, if any such exists, can never be produced in this trial; that if there were any such letters they never can reach the jury, and this attempt to get into a public colloquy with this man is reprehensible. Let him confine himself to the testimony which it is proper to introduce to the jury, and let this man play his part when the time comes.

I am not playing a part (cried the prisoner excitedly and gesticulating wildly). I knew Scoville was lying.

Mr. Scoville: I understand that this evidence is coming. I understand that it is perfectly competent.

As a general thing, testimony obtained from lying is not competent, retorted the prisoner.

Mr. Scoville: I will not reply to Mr. Corkhill at present for his insinuation. When the time comes for the argument of this case he will get his answer.

The applause that greeted this declaration was so impetuous, so spontaneous and so unexpected that the District-Attorney and counsel for the government looked amazed, for they seemed to interpret it as the first triumph won by the defense. The District-Attorney could hardly believe his own ears as he stood there in anything but a pleasing mood. His associate counsel could conceal neither their vexation nor surprise. Mr. Davidge frowned; Mr. Smith looked a little startled; Judge Porter, of New York, grew more thoughtful in look. Every eye was directed to the government counsel. Judge Cox, unmoved, awaited further remarks, while the bailiff ordered silence.

I had considered (continued Mr. Scoville), that this evidence was competent.

Prisoner: You will not have any success from the Lord by lying. You lie. I've found you out. When a man lies to me once I never believe him again. You have lied to me once, and that is played out.

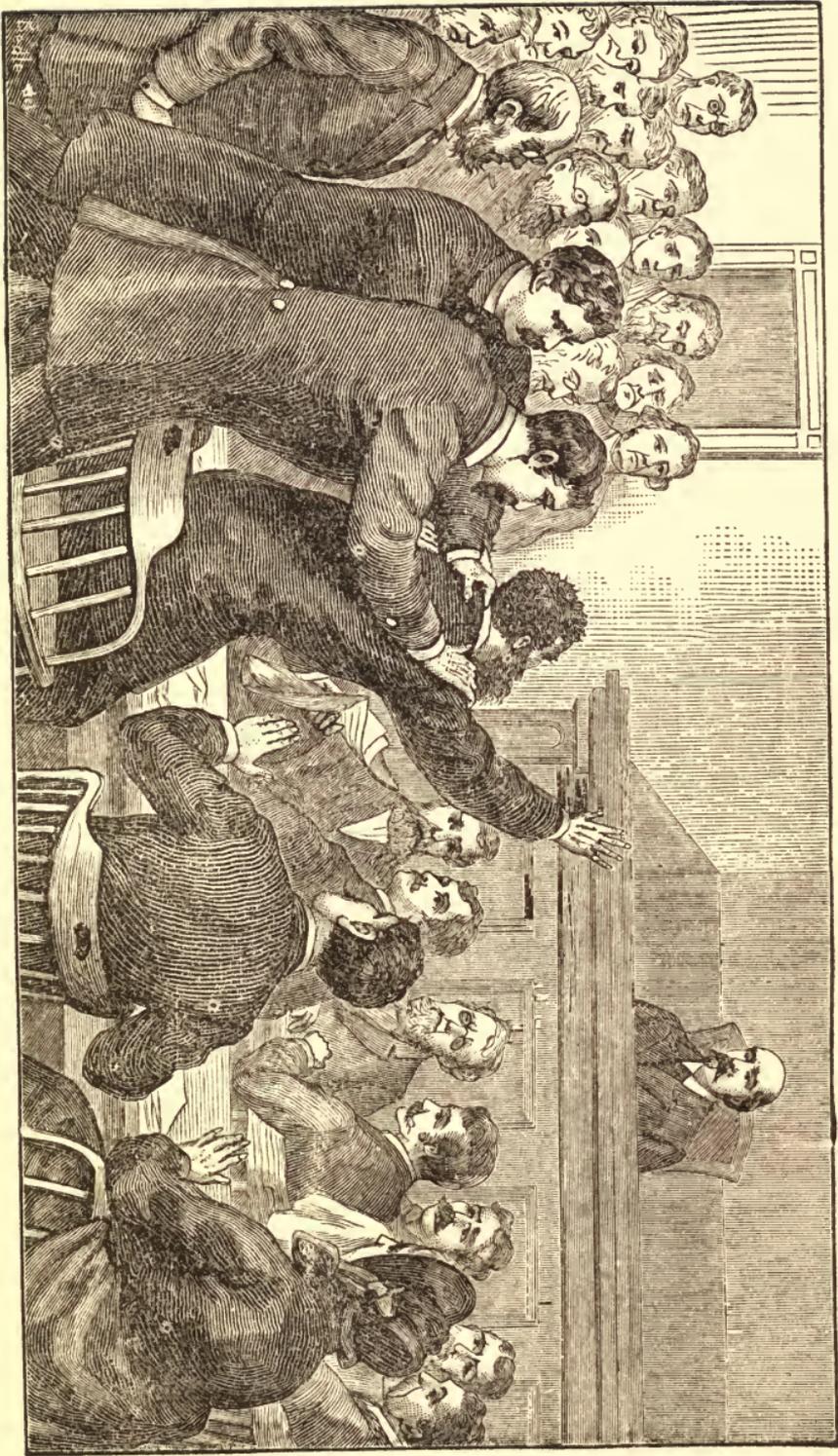
The prisoner in making this speech seemed to be convulsed with passion, and it was in vain that his brother and sister attempted to quiet him.

Mr. Scoville: All I want in this case is that the truth shall prevail.

Prisoner: That is what I want, and I am going to have it, too.

Mr. Scoville, to the jury: All I want is that the truth shall prevail. If there is any evidence

SCENE IN COURT—GUITEAU INTERRUPTING PROCEEDINGS.





brought before you, you have an opportunity to criticise it any way you please, and if you believe I produce an item of evidence for theatrical effect, without an earnest conviction that it is just and proper to be done, I want you not only to reject it, but to charge it against me with tenfold effect in your final verdict.

Mr. Scoville then proposed to read a bundle of letters written by the prisoner, dating back to 1858, as showing the bent of his mind.

District-Attorney: Do you propose to introduce these letters as evidence?

Mr. Scoville: Yes.

District-Attorney: As immediately connected with the crime?

Mr. Scoville: As showing the bent of the prisoner's mind, just as you read some of his letters in the evidence.

District-Attorney: The letters I read were immediately connected with the commission of the crime.

Court: I do not know that I can draw any distinction as to time. These letters are indications of the prisoner's mind.

Mr. Scoville thereupon proceeded to read the letters, most of them addressed to Mrs. Scoville and some to himself. Those of the earliest date, 1858, show nothing peculiar, but gradually they drift into a religious turn, quoting texts of Scripture and appealing to his sister to turn to God.

This feature of them is more marked after he has gone to the Oneida Community, the first letter from which is dated in February, 1861. In this he lays down and supports the doctrines of the Community. When this letter was read the prisoner said :

I forgot that letter. It is a very good representation of the influence under which I lived for six years. I was not aware that it was in existence.

The last letter from Oneida was dated October 12, 1866, and stated that his views had changed ; that he desired to leave the Community and go to New York to qualify for a position in some bank, and asking Mr. Scoville to send him \$50.

Prisoner: I was recovering from my insanity then, got up under their influence. I was getting my eyes open then, away from those miserable people. I had been six years subject to their fanaticisms.

Mr. Scoville explained that others of the prisoner's letters had been burned up in his office in the Chicago fire. These letters happened to have been kept at home. The next letters read were from New York and Brooklyn in 1867 and 1868. There were no striking peculiarities in any of these letters, except where they dealt with religious subjects.

At this stage of the proceedings the case went over for the day.

When the Court opened on Wednesday, November 23d, Mr. Scoville addressed the Judge and made a formal request for the newspaper extracts and papers which were taken from Guiteau at the time of his arrest, stating that they were material evidence for the defense, and, since the prosecution did not need them, he could see no reason why they should be withheld from him. The District-Attorney offered to furnish copies of the papers, but Mr. Scoville insisted upon his rights in the matter and asked for the originals. Pending discussion, Guiteau insisted upon being heard, and said: I can throw light upon this. At the time of my arrest I had forty or fifty editorial slips showing the political situation in May and June last. These slips show the action of one of the forces that impelled me on to the President. They are very important, as showing the gist of the whole matter. There were forty or fifty slips denouncing President Garfield. It was living on such ideas as these that I was finally impelled to fire on the President, with my inspiration. Colonel Corkhill interposed, saying: "If it will enable you to get through to-day I will send for them at once." Mr. Scoville then continued to read letters written by Guiteau years ago, to show the state of his mind at that time; and then, alluding to Guiteau's career as a politician, drew the conclusion that his intellect was deficient. This view aroused the prisoner at once, and he

began a series of interruptions, protesting against Mr. Scoville's conclusions as false.

Mr. Scoville proceeded to tell how Guiteau ran from one committee-room to another during the Presidential campaign, and said his speech, entitled "Garfield *vs.* Hancock," was but a jumble of ideas. No one but a crazy man would have imagined, as Guiteau did, that this speech possessed any merit. Yet he thought it a passport to the Austrian mission, and that he had only to present that speech to the President to get any office.

Prisoner: I did not think anything of the kind, and I protest very solemnly against your trying to make out that I was a fool. If you want to rest this case anywhere rest it on the true doctrine, that the Deity did this act, and I am with you. But if you say I am a fool I am down upon you.

Mr. Scoville: Some of the witnesses will express the opinion that the prisoner was a fool and others that he was crazy. You (to the jury) are to be governed by the testimony. The prisoner will also be sworn and you can give to his testimony what weight you please.

Prisoner: I say that the Deity inspired the act and that he will take care of it. You need not try to make out that I am a fool, because you cannot do that. I repudiate your theory on that point.

Mr. Scoville: I am stating what the witnesses will swear to.

Prisoner: Let them swear to it and we will meet them on the stand.

District-Attorney, interrupting: Is it necessary?

Prisoner: It is not necessary for you to make any remarks, Colonel.

The District-Attorney insisted that the prisoner's constant interruptions should be prevented by the Court.

Mr. Scoville, to the District-Attorney: I will join you in any proceeding to keep him quiet.

Prisoner to Mr. Scoville: You have got to speak the truth and I will keep still.

District-Attorney: This man knows very well that he should keep still.

Prisoner: Let him (Scoville) state the truth and I will keep still.

The Court to the Prisoner: You keep quiet.

Prisoner: I wish to make running statements on the proceedings; that will save me from making a long speech.

The prisoner attempted to proceed, but was severely ordered by the Court to be silent. "If you will not," continued the Court, "I will have to take the strongest measures to make you."

Prisoner: I shall keep quiet. I only want this thing to go out straight. I shall give the entire facts when I am on the stand.

Mr. Scoville then proceeded with his address, stating that in the matter of his application for office the prisoner had shown a total want of

reasoning power. He was continually fed with suggestions from newspapers. There were continual suggestions that, but for President Garfield, everything would be harmonious in the Republican party. These newspaper slips fed his morbid feelings, and the result was that, thinking about the matter with nothing to divert his mind, with his intense, unbalanced religious convictions, he was completely carried away. The evidence would show that the matter was always preying on his mind and it became his fixed and firm idea that his duty to his country and God required him to remove the President. He was impelled by an irresistible impulse to do that thing. There must be blame somewhere for the great crime. If this man were insane, if he were not responsible for his act, he could not be found to blame, and the question then recurred, where was the blame? From the necessities of the case certain elements—the political situation, the discords in the Republican party—must be brought in. He was not going to direct attention to any individual or any branch or faction of the party and lay the blame there, but he was going to say that this continual strife for office, this element of politics that had entered in during the last few years, had been made the question of the day. This crime owed its origin to that element of political contest and the blame for it must be located on modern politics. If the jury found by their verdict that this

man was insane the same verdict would say that the blame rested on the politicians of the present day. It could not be otherwise.

Mr. Scoville concluded his opening, and at the request of the District-Attorney witnesses for the defense were excluded from the court, except Guiteau and Mrs. Scoville. The first witness for the defense, H. N. Burton, was then examined. He heard Guiteau lecture at Kalamazoo, Mich., on the subject, "The Second Coming of the Lord." Mr. Scoville desired to prove by this witness that the audience on that occasion were unanimous in declaring Guiteau to be insane. Witness said: "I did not think him so deranged as to be irresponsible. I thought him not deranged, but very badly arranged."

Dr. John A. Rice, of Minton Wis., was called. He had been a practicing physician for twenty-six years. He first saw Guiteau in 1876, when he was requested by Mrs. Scoville to see the prisoner for the purpose of inquiring into his mental condition. The result of his examination was that he became satisfied that the prisoner was insane; that his insanity was of the emotions, rather than of the intellect. There appeared to be an impairment of the judgment, but not much, if any, impairment of the intellect. He displayed what might be termed a moral imbecility.

Frank L. Union, of Boston, spoke of circumstances attending Guiteau's lecture in Investigator

Hall, in the Paine Memorial Building, Boston, in September, 1879. The witness thought Guiteau was crazy.

Norwood Damon, of Boston, was present at Guiteau's Boston lecture, and thought him an insane man.

George W. Olds, of Michigan, was employed upon Mr. Scoville's farm at the time of Guiteau's visit in 1879. He detailed eccentricities on the part of Guiteau which led him (the witness) to think at the time that he was insane.

At this point the Court adjourned until Friday on account of the National Thanksgiving.

Friday, November 25th, was ushered in by another statement from Guiteau. He also read a paper without rising from his seat, but stating that he was not afraid to rise.

Some discussion between counsel concerning certain papers followed at this point, after which Guiteau again broke out saying: "I understand that my divorced wife is here. The fact is that I had no business to marry that woman; we have been unfortunate. If she comes into court to do me harm I will rip up her entire record."

The next witness was Joseph E. Smith, of Freeport, Illinois, seventy-one years of age. He had known Luther W. Guiteau (the prisoner's father) from 1846 to the hour of his death; he was a perfectly sincere man, who stood well in the community.

Charles H. Reed, a Chicago lawyer, was the next witness. He held the position of State's Attorney from 1864 to 1876. He related an incident, when the prisoner, having been assigned to the defense of a small larceny case, proceeded to deliver a rambling, wandering speech, full of vagaries and quite illogical. He introduced all sorts of subjects that were foreign to the case. He talked about theology and divinity and the rights of man. Witness saw the prisoner at the Riggs House, in Washington, upon the Tuesday preceding the shooting of the President. He desired to borrow from witness \$15, promising to pay it back when he obtained the Paris Consulship. He stated that Mr. Blaine was on his side, and that in a few days the papers would announce his appointment. Witness had seen him several times previous to that, and on each occasion he introduced the subject of the Paris Consulship, and he had become quite excited when witness suggested that he obtain some inferior office. Witness thought that he was off his balance.

Mr. Scoville: You had an interview with him in the jail a few weeks ago; what was that?

Witness replied that he had visited the jail in company with Mr. Scoville, and that he had found the prisoner lying on his couch. Witness asked him why he shot the President. He rose up to a sitting posture and began, in a very excited manner, a sort of speech, saying: "I did not do it;

the Lord did it. He used me as an instrument. It was necessary for the salvation of the country to remove the President."

In the cross-examination Mr. Davidge asked the witness whether, before his visit to the jail, he had ever considered the prisoner of unsound mind? A. Yes.

Q. To the degree of unsoundness as to render him irresponsible? A. For what?

Q. For crime?

Witness: That is a difficult question for anybody to answer in cases where a person is not a raving, wild maniac. I should not like to express an opinion.

The witness then responded to questions propounded by Mr. Davidge, again detailed the conversation at the Riggs House, but was interrupted by the prisoner with a positive denial. I do not want, he said, to contradict Mr. Reed because he is a good fellow, but there is not a word of truth in it. I spoke to Mr. Reed two or three months prior to July. I never spoke to Mr. Reed or any one else about the Paris Consulship for two or three months prior to July. I want the exact truth and nothing but the truth, and I don't care who hears it.

Mr. Davidge: We can dispense with these interruptions.

Prisoner, excitedly: We want the facts, Judge.

Mr. Davidge: You have been indulged altogether too much.

And it is right that I should be, retorted the prisoner. I appear as my own counsel,

The Court, severely: Be silent.

Mr. Davidge, firmly: You must keep quiet at least while I am cross-examining a witness.

But neither court nor counsel could repress the prisoner, who continued talking and struggling angrily with the deputy marshals. This conversation, he continued, occurred about two months prior to July. You are right as to the conversation, but wrong as to the date. I say that it was in May. With that correction your statement is true.

Mr. Davidge, to the witness: You have heard the interruption of the prisoner. What is your opinion about the time?

Witness: I am very certain that it was on that Tuesday.

Prisoner: That was the time I spoke to you about getting \$15. You said you did not have the money. That part of the conversation is correct. I don't forget anything. Anything that gets into my head sticks. [Laughter.]

Mr. Davidge, to witness: You said that he stated that you would see his name in the papers in connection with the Paris Consulship.

Prisoner: I never said that.

Mr. Davidge: Well, he says, Mr. Prisoner, that you did say it, and he has a right to his opinion.

The prisoner, in a persevering manner, declared that he had not said so. He also indignantly denied the witness' statement that he (witness) had not admitted him to the Bar in Chicago. He did not want any trickery about this case.

Court, impatient at the prisoner's constant interruptions of counsel and witness, in a stern and determined tone, said: If there is no other way of preventing these interruptions you will have to be gagged.

Well—, commenced the prisoner.

Keep your mouth shut! thundered the Judge, and don't interrupt during this trial. I do not desire it, but if the trial cannot go on without resort to gagging it will have to be done.

Even this threat, though it had a momentary effect upon the prisoner, could not entirely repress him, and he again denied the conversation detailed by the witness, who "was a very good fellow, but wrong there. I am going to have the facts in this case," he continued, "and nothing but the facts. I want the Judge and the jury to decide upon the facts, and upon nothing else. The witness is entirely erroneous in his memory."

Q. Did Guiteau say that you would see his name in the newspapers in a few days as consul to Paris, or that he would make a fuss? A. He said, "If I do not get it ——" (reflecting, I will find his exact language).

Prisoner, interrupting: It is absolutely false. I

never said any such thing. That has nothing at all to do with my intending to remove the President.

Witness: He said, in connection with the administration, that if he did not get the Paris consulate, he would either make a fuss about it or would do something about it in the newspapers.

Prisoner: I never said anything of the kind, and I never thought anything of the kind. That is the result of your own imagination, Mr. Reed. It is not true.

H. B. Hamerling, at present a lawyer in Williamsport, Pa., and who formerly resided in Freeport, Ill., was the next witness. He had known Luther W. Guiteau intimately; he (Guiteau) believed that in order to be healed all that was necessary was to believe in Jesus Christ. Witness related an incident as to the sickness of his wife, when Luther W. Guiteau advised her to turn out the doctors and put her faith in Jesus Christ; he also gave witness the same advice upon another occasion; he believed that the pocket-books of all persons should be open to every one, but that nothing more should be taken out than was right.

The cross-examination proceeded for considerable time, with more amusement than profit.

The next witness was Thomas North, a Chicago lawyer. He formerly lived in Freeport, Illinois, where he was intimately acquainted with Luther

W. Guiteau, and was Deputy Clerk under him when he was Circuit Clerk and ex-officio Recorder.

Q. What peculiarities were there in his religious views as to the union with Christ, perfectionism, etc? A. He was what is called a perfectionist. He believed in perfect holiness. He believed in vital union with Christ by faith. He believed in inspiration by the Holy Ghost. He believed that inspiration would be carried so far as to save him from theological error and to give him power over all diseases and maladies. He discarded doctors and would have nothing to do with them. He believed in immortality on earth, by vital union with Christ. I have heard 'him say, perhaps a dozen times, that he never expected to die. Once, his daughter Flora, six years old, was sick, and her mother had sent for a doctor. Guiteau came in and told the doctor to get out of the house, that he would attend to his own daughter's case. He then began to manipulate the child, and to command the disease to disappear, in the name of Christ. His manner was frenzied.

On another occasion, when a Mrs. Plummer was ill, and when two doctors were in the room with her, Luther W. Guiteau came in and went into a violent display, both of words and manner, so much so that he shocked all who were present into silence. He said to the doctors: "Get out of the room, and let every one who believes in doctors get out. This woman can be cured, and I

will proceed to try and cure her." He kneeled by her side, took her hands in his, and began to pray to God Almighty to command the disease to leave the woman. He ordered her in the name of Christ, to rise up, to take up her bed and walk. He went on in that way for five minutes.

Q. In your opinion was he, on either of those occasions, of sound mind? A. I do not think he was. His whole manner was unnatural.

At a later stage of the proceedings, Mr. Scoville asked the witness how the prisoner and his father compared, in regard to personal and mental characteristics. Objected to by the District-Attorney.

The objection being overruled, witness stated that the prisoner was an exaggerated fac-simile of his father.

Prisoner: I am a little larger than he was.

Witness: I should say that mentally there was a very marked resemblance.

Mr. Scoville: What do you mean by the phrase "an exaggerated fac-simile of his father?"

Prisoner: A chip of the old block. [Laughter.]

Witness: I used the word "exaggerated" in reference to his mental characteristics.

Q. From your acquaintance with the prisoner what have you to say as to his sincerity? A. I never saw anything in him that I thought hypocritical or dishonest. He was always like the father in that respect. His father was one of the most intensely sincere men that I ever knew.

The witness went on to narrate another incident that occurred one evening at the supper-table. Charles Guiteau, or Julius, as they called him, came to the table late and was spoken to by his father in a peremptory and offensive tone, and Charles, passing behind his father's chair, struck his father on his back or neck, and his father jumped from his chair, and the two clinched and struggled, until finally Charles surrendered, and then they withdrew from the table by themselves, talked the matter over, came back, and went on with their meal. There had been no previous quarrel between them, and this was a sudden outburst.

The witness said that Luther Guiteau's wife came to the front porch one evening, as the witness and Luther Guiteau were sitting there, and putting her arms around her husband's neck said, "Will you love me?" Luther jumped from his chair and said, "No. I never will love you until you submit to Jesus Christ." He had been trying to bring her to his way of thinking about the Oneida Community, and that was what he meant by that remark. One evening, at a meeting of the "circle," as it was called (a religious and social circle), an elderly gentleman and his wife were present, who had been investigating somewhat the doctrines of the Oneida Community. There seemed to be one serious family difficulty in the way of their joining the Community, and that was that their son, a young man from 20 to

25 years of age, was violently opposed to it. This couple went on and told their story, to which Luther Guiteau listened very quietly. At last he jumped from his seat and said, "I will tell you what to do. Take a knife and slay him as Abraham did Isaac." His manner was so exceedingly shocking that it paralyzed the tongue of every one present. Luther attended church occasionally; sometimes the Presbyterian Church, sometimes the Methodist.

Prisoner: His idea was that he was so good that he did not need to go to church. He was a church unto himself.

Mr. North's examination was continued on Saturday, November 26, but nothing of special interest was developed. He was followed on the witness-stand by Senator John A. Logan, of Illinois, whom, as he was sworn, the prisoner greeted with: "How are you, Mr. Senator. I am glad to see you," but his greeting met with no response.

The witness detailed two interviews which he had with the prisoner. The first was about the 12th or the 15th of March last, in the morning. The prisoner came to his room, uninvited. The first thing that the prisoner did was to pull a pamphlet out of his pocket and hand it to the witness, saying that it was a speech which he had delivered in the recent canvass and asking witness to read it. It was a speech entitled "Garfield against Hancock." The prisoner then said: "That

speech elected Mr. Garfield President of the United States." He then commenced talking about a position that he desired, saying that he had the promise of an appointment as Consul-General to France. He said he had seen the Secretary of State, who had promised him this appointment, provided he could get Senator Logan's recommendation. Witness said: "I do not know you and cannot recommend you." Guiteau then went on to say that he resided in Chicago and was a constituent of the witness', and that witness was under obligation to recommend him for these reasons.

Q. Was there anything particularly noticeable in his appearance? A. He was rather peculiarly clad for the season, there being snow on the street at the time. He had on his feet a pair of sandals, or rubbers or something of that kind. He had no stockings. He wore a light pair of pantaloons and a common ordinary coat. A day or two afterwards he came again to my room uninvited. He still insisted on my signing his recommendation, reiterating the same statement as before, of his having a promise of the place if I would recommend him. I again declined. I tried to dispose of the matter as quickly as possible. I said to him: "The first time I see the Secretary of State I will mention your case to him." I did not say that I would recommend him, but simply that I would mention his case; and I intended to do so,

but probably in a different way from what he supposed I would.

Q. From what you saw of the prisoner on those occasions, and from what was said and done by him, did you form any opinion as to his mental soundness or unsoundness? A. I am not an expert and do not know whether I should answer the question.

Court: You may give an opinion in accordance with your observation.

Witness: I thought there was some derangement of his mental organization, but to what extent I could not say.

The next witness was George D. Hubbard, a farmer of Oneida County, New York. He lived less than half a mile from the Community, but (indignantly) was never connected with it as a member. In 1863 he worked for three months for the Community, to which the prisoner at that time belonged. He worked in the same shop with witness. He was a nervous, quick-tempered man. If anything was said to disturb him he would "get riled" and gesticulate wildly and talk in a mysterious manner. He would sit for hours in a corner saying nothing to anybody. At other times he would be cheerful. On one occasion he told witness that he aspired to be the leader of the Community.

This witness was followed by Edward M. Smith, of Chicago. He had been clerk to the Republican

Central Committee in New York during the last campaign. Witness had seen the prisoner several times. He wanted to be placed on the rolls as a speaker. He did not appear to be able to put half a dozen sentences together, and witness did not think that he had received any assignment.

Prisoner: This gentleman was not in a position to know whether I did or not. He was only a clerk.

Mr. Davidge: That is what I thought.

Prisoner: Jewell was the fellow who did the business—Jewell and Hooker and Dorsey, and the rest of those fellows.

Mr. Scoville then read the deposition of J. W. Turner, of Dakota Territory, who deposes to having known Mrs. Maynard and Mrs. Parker, sisters of Luther W. Guiteau, and to having regarded them as insane. John A. Moss, a colored lawyer, who resides near the Government Asylum for the Insane, was the next witness. He had seen the prisoner at the Executive Mansion fifteen or twenty times during the months of May and June. He thought he was a crazy man when he first saw him. Witness had seen many crazy people, and this man appeared to him to be crazy. He had never heard the prisoner say anything.

Mrs. Frances Scoville, sister to the prisoner and wife to his counsel, was next called to the witness stand. She gave her age as forty-five. Her father was Luther W. Guiteau, of Freeport, Ill., and her

mother Jane Howe Guiteau. The prisoner is forty years old. He was about seven years old when her mother died. She remembered her mother from the time the witness was three years old. She was sick a very long time at the time that Charles was born.

Witness never saw her mother walk in the street after that. There were two children born subsequently; Luther Theodore, who died when he was two years old, and who was born with a crooked foot and limb, and Julia Catherine, who died when twenty months old—six weeks after her mother's death. Her mother's sickness was attended with a very severe pain in her head, and her hair never grew again. Her first recollection of Charles was that he was a troublesome child, because he was very active and smart. He was sent to school when quite young—about six years old—to learn to talk. He could make a noise, but could not talk. He used the word "ped" for "come," and the word "pail" for "quail." His father punished him for it, but that made no difference.



MRS. SCOVILLE.
Guiteau's sister.

Witness was married in January, 1853, while Charles was living with his grandfather. Subse-

quently, when he was twelve years old, he lived with witness for a year in Chicago, where he went to school. She recollected nothing peculiar about him then except that he was very affectionate and she was very much attached to him. Then he went to his father, and subsequently, when he was seventeen years old, he came again to live with witness at Oak Park, near Chicago. He attended school at the Commercial College, Chicago, and after that he went back to Freeport, and from there he went to Ann Arbor to attend school. She went to Ann Arbor to see him, as she had been informed that he was going on worse than her father had ever done. She found that he had abandoned his studies and was giving his whole time and attention to studying the publications of the Oneida Community. She argued with him for a whole evening, appealing to him to go on quietly like other young men, and to give up all that stuff. Her appeals had no effect upon him, however, and she made up her mind that he was crazy. She told her uncle, who lived at Ann Arbor, to pay no more attention to him, but let him go his own way, as he was "clear gone daft." She afterwards visited him at the Oneida Community, but could hardly have any conversation with him as they were not left alone a moment together. She noticed that he acted like a person who had been bewildered, struck on the head, or had partly lost his mind.

The witness went on to relate the prisoner's history, including his admission to the bar (at which she was very much surprised), his marriage and his separation from his wife, down to the time he visited her in Wisconsin in 1875. She noticed then a great change in his personal appearance. He was also very hard to get along with, and he used to get in a "hifalutin" state. He seemed willing to do anything that he was told, but got very much befogged and could not do it. She related the incident of his attacking her with an axe. She had given him no provocation, but had got out of patience with him. It was not the axe that frightened her so much as it was the look of his face. He looked like a wild animal. She retreated into the house and ran up to her daughter's room. Then she called Olds, the hired man, and said: "Here, take this boy and put him off the place." Olds took hold of him and brought him into the dining-room.

On Monday, November 28th, Mrs. Scoville's testimony was continued as follows: He visited her in Wisconsin in the summer of 1875. At this time he was full of wild ideas about establishing a great newspaper, buying the Chicago *Inter-Ocean*, etc. Then she described how the prisoner soaped the hickory trees, and insisted that, if they were not apple trees, they were certainly peach trees. He became very violent about it, but the witness was very much amused. The prisoner that sum-

mer spent most of his time reading the newspapers and a Testament which he kept in his pocket. He said he was preparing to go in with Moody and Sankey. Finally, the witness' son, Louis, would not stand any more nonsense from her brother, and put him off the place without her knowledge. She was very much worried about him, but a day or two afterward he rode past with a lady, and tipped his hat to the witness, as if to say he was all right. On his return she sent him to the cottage kept by the hired man, where he spent a couple of days.

The witness testified that in the summer of 1877, her brother Charles was still interested in some big scheme, lecturing. He denounced everybody who did not believe as he did, and said they were going to hell. He used to talk with one of the boarders at Beaver Lake—Mr. Burrows—on the subject of the second coming of Christ, until she told him he must not talk to her boarders. Her brother never bore any malice. It was remarkable that he never laid up anything against anybody. In this respect she thought he was silly. Her brother had always been in dead earnest about everything. She never knew him to do as other young men in regard to games, or swimming, or anything of that kind. In ladies' society he was always very polite and pleasant.

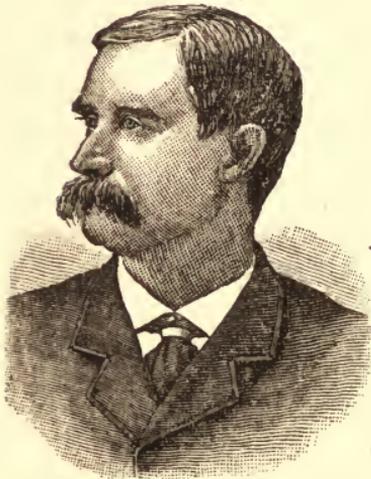
George T. Burrows was called to the stand. He became acquainted with the prisoner at Mrs.

Scoville's country place. The prisoner had often talked with him about his book on the second coming of Christ, till finally the witness stopped talking to him because the prisoner became violent. Witness also related an incident of the prisoner, at that time, dropping a puppy dog out of an upstairs window, breaking the dog's leg, and the prisoner saying that he did not think it would hurt the dog; he supposed the dog would strike on his feet just as a cat does; witness, from all these circumstances and from the general conduct of the prisoner, had decided in his own mind that the prisoner was either a fool or crazy.

Charles S. Jocelyn, of Lenox, New York, business manager of the Oneida Community, testified that he knew the prisoner when he was a member of that Community; he came there in 1860 and remained for nearly five years; excessive egotism was his peculiar characteristic; he was the most egotistical man the witness ever knew, so much so as to be eccentric and different from other men; he was absorbed in himself and had such a high idea of himself as to think himself a superior being, qualified to be a leader and manager of men; he never noticed any insincerity about him; he had a very strong religious bias toward exaltation and even fanaticism; he attempted to deliver lectures there, but they were mainly made up of ideas rehashed from former publications of the Oneida Community; there was nothing original

in them; they were not a great success as works of art or literary productions.

John W. Guiteau, of Boston, the prisoner's brother, was the next witness. He went over the prisoner's history so far as known to him, and related a conversation in which witness upbraided him for not paying Mr. Scoville \$500 or \$600 that he owed him; the prisoner said that he had paid



JOHN WILSON GUILTEAU.

it long ago; that he had given Mr. Scoville his note a year ago, which note Mr. Scoville could get discounted in a bank in Chicago, but that he was too stubborn and ugly to do it; he insisted that that was a discharge of the debt, and the witness thought that he was a fool or crazy.

Witness described the first conversation which he had with the prisoner in company with Mr. Scoville at the jail. The conversation was first carried on between Mr. Scoville and the prisoner, who said that the name of Guiteau would get honor instead of dishonor; that it would be "Guiteau, the patriot," instead of "Guiteau, the assassin;" he spoke very loud, louder than in any exhibition here; I said to him finally:

"I believe you are honest in your view."

"Now," I said, "are you willing to abide by the decision of the jury and suffer the penalty imposed by the Court, if they fail to agree to your views?"

He said: "I am."

I said: "They say that you are afraid of your life." "That is not so," he answered; "I do not care a snap for my life."

"Now," I said, "I think you are telling me the truth. Which would you prefer, to be hanged by the verdict of the jury or shot by the mob?"

"I do not want either," he cried, and he flew as quick as a flash into a corner and got behind a table; when he saw the ludicrousness of it he laughed at his sudden emotion, and we all laughed; his eyes looked wild; I became satisfied from that conversation that he was sincere as to his reason for shooting the President, and thoroughly believed in the inspiration; I believe him insane.

On cross-examination, the witness stated that his opinion as to the sanity of his brother underwent a change last October, when he received from Freeport, Ill., some of the prisoner's letters to his father. That changed opinion was confirmed by the interviews he had had with Charles since he came here.

Q. Did you state in conversation with John H. Barron, of Concord, N. H., that the prisoner was sane? A. I did not.

Q. Did you state that the act was the result of "pure cussedness?" A. I do not think I did in

the connection in which you use it; I believe that my brother's case was one of demonism—that he was possessed of the devil.

Q. And you stated that substantially to Mr. Barron? A. Yes, sir.

Q. Did you there state that the prisoner was not insane, but was responsible? A. I stated that I believed him to be responsible, but not insane; I stated that constantly and always until about the receipt of those letters; I said that I believed that before God he was responsible for his act—morally responsible—because I believed that some time in his past life he made a choice to follow the path of evil rather than of good; that so far as regarded his responsibility before the law, I could not determine that, because the law dealt with a man's body; the interpretation of the law as to insanity I was not to judge.

In response to questions on the subject of life insurance policies, the witness mentioned several that he had taken—the last in September or October, 1881—and admitted that he had replied in the negative to the usual question as to there being insanity, consumption or scrofula in the family.

The witness was then inquired of as to his putting the prisoner out of his office in Boston, and he related the circumstances. The prisoner called at the office and complained that the witness had told certain persons that the prisoner was worth-

less and would not pay his board-bills. Witness told him that he had never meddled with him by making any voluntary statement; but that when any one came to inquire about him he told the truth. My brother said (he continued) that I had no business to make any statement about him or his indebtedness; that I was no better than he was; that I was in debt (which unfortunately was true), and we had some strong talk; I told him that if he was honest in the publication of his book, and in his method of life, he should not continue to deceive people about his means of paying for his board.

Prisoner: I never deceived people about my board-bills.

Witness: He said that he wished to live as Christ did; that Jesus Christ went to a house and if the people received Him He blessed them; that he was working for God, and that he considered God, and not himself, responsible for his board; we had some further conversation, and I drove him to the wall, then his spirit of antagonism came up and he attempted to drive me to the wall by asserting that I was no better than he; at this time I told him he had better leave the office, and I caught hold of him and rushed him to the door; he was passing ahead of me and he said, as he went along, that I was a thief and a scoundrel; I slapped him on the side of the neck with the back of my hand and he turned round and gave

me one on the side of the face, for which I very much respected him.

The witness told again the story of insanity in the family, and then was subjected to a re-direct examination, in which he was asked as follows :

Q. What do you mean by saying your brother was possessed of a demon or a devil? A. The religious theory is that there are two forces in the universe, one under Satan or the devil and one under God or Jesus Christ ; my father held to the view that there were living in the world those who were seized of the devil or Satan, and of Christ or God ; he believed that those two forces were at war, one with the other, and that at present and since the fall of man Satan had, to a very great extent, dominion on the earth to possess himself of all those he could, and that he did possess himself of all those who were not absolute believers in the Lord Jesus Christ, as Saviour, and who had not been saved from the power of sin by a complete union with the Lord and Saviour Jesus Christ ; that all evil, all disease, all deformity, all infirmity was the result of sin or the admission of those who had a free will that they were under the dominion of Satan or the evil spirit, or of the evil nature. That was my father's theological view ; it was my brother's ; it was mine. And so I believe that, at some time in my brother's life, as he had a free will to choose good or evil, he must have, through his evil, through his

wilfulness, through his stubbornness, through his perversity of nature, allowed Satan to gain such a control over him that he was under the power of Satan ; that idea is the one on which I based my opinion that my brother was morally responsible to God, but perhaps not responsible according to human or legal responsibility, being in one sense insane.

Prisoner: You certainly have that thing wrong side up.

Witness: Perhaps I have.

Prisoner: That's very poor theology, and a very poor position for you to take.

The next witness was Mrs. Sarah W. Parker, of Chicago, the widow of Augustus, one of the sons of the prisoner's aunt Anna. Her husband died in the Insane Asylum at Elgin, Ill. He had become insane from disappointment in not obtaining a piano agency which he expected; she visited him several times at the asylum; her husband was the prisoner's cousin; the prisoner and his wife came to her house in Chicago; witness had then two children, a son and daughter, twelve and thirteen years old; she had requested the prisoner to cease visiting at her house, because he had proposed to educate her daughter so as to marry her. This was in 1876, soon after her husband became insane; he seemed to have fallen very desperately in love with her little daughter, and to want to marry her. Witness formed an opinion at that

time about the condition of the prisoner's mind; she thought him crazy.

The next witness was Fernando Jones, of Chicago, who, in 1878, had boarded at the same house with Guiteau in that city; for four years witness had been one of the Board of Trustees who had supervision over the Insane Asylum at Jacksonville; that was previous to the time he met Guiteau; he had formed an opinion as to Guiteau's mental condition, considering him to be of unsound mind, and what some authorities would call in a state of incipient insanity. At that time the prisoner was memorizing lectures on Mormonism and the second coming of Christ, and talked very incoherently.

The examination of this witness having been completed, a buzz of expectancy ran through the assemblage as Mr. Scoville asked that the prisoner be sworn.

The prisoner nervously proceeded to the witness-stand in the custody of two deputy marshals, and the oath was administered to him. He then whispered a few words to a policeman who was standing near the witness-box, and immediately the three deputies ranged themselves, shoulder to shoulder, behind the prisoner, who, apparently more at ease, said inquiringly to the Court, "I can sit down?" "Yes," replied the Court, and the prisoner seated himself accordingly, and seemed quite satisfied.

Mr. Scoville then stated he merely wished the prisoner to identify some letters.

Prisoner: I understand from Mr. Scoville that all I am to do is to identify some letters. I do not appear as a witness, aside from that..

Mr. Scoville then presented a number of letters dating from 1857 to 1868, which were identified by the prisoner, who made running comments upon his penmanship: "This does not look like my present handwriting; there is a decided improvement shown here; this is better than I can do now; this is as fine as steel-plate."

There were about twenty letters which had been written by the prisoner to his father, his sister (Mrs. Scoville), and his brother (J. W. Guiteau) and to Mr. Scoville.

The identification having been completed, the Court at 3 o'clock adjourned.

On Tuesday morning, November 29th, Guiteau was called to the stand again. He seemed nervous and unsteady. Several officers were stationed about him and he sat while on the stand. After considerable quibbling on the part of the prisoner as to what was expected of him at that stage of the proceedings, and after the reading of letters identified on the previous day, but which were of little interest, the examination of the prisoner proceeded. It covered in détail remembrances of his early life, school-days, Oneida Community, his father's peculiarities as to theology,

prayer, healing diseases, his own newspaper experiences, admission to the bar, arrest and imprisonment at New York, etc., all of which have already been given in full in this volume. His exact idea on the second coming of Christ was thus defined: "The second coming of Christ occurred on the destruction of Jerusalem, in the clouds directly over Jerusalem; that it was an event in the spiritual world, and that the destruction of Jerusalem was the outward sign of His coming; I hold that for all these eighteen centuries the churches have all been in error in supposing the second coming of Christ to be in the future!"

The witness then went on to relate his various failures in delivering his lecture in Chicago, Evans-town, Racine, Kalamazoo, Ann Arbor, Detroit, Ypsilanti, Toledo, Cleveland, Buffalo, Washington, Rochester, Syracuse, Albany, Troy and elsewhere. He frequently laughed as he repeated some of the humorous incidents of his failures; the various times that he was put off railroad cars for not paying his fare and arrested for not paying his board-bills. At other times he grew excited in the assertion that in all that he did he was, like St. Paul, engaged in the service of God, and that God was therefore responsible for his board-bills. On this latter point, he said: I did not give up lecturing because of my repeated failures; I stuck to my work; my idea was that, as I was working for

the Lord I would do my duty and let him take care of me as He felt disposed ; I went into that whole business to serve the Lord, not to make money ; success or failure was nothing to me ; I considered that the Lord's affair ; my duty was to continue with my work ; Paul had no success, because he had new ideas on theology ; I kept thinking of Paul all the time and how he stuck to his theology.

This line of testimony was resumed on Wednesday, November 30th, it appearing among other evidences of ill-success that he had sold less than fifty copies of his book. Proceeding with his narrative, Guiteau said :

That brings us down to January 1, 1880. I had no money, but got on the best way I could, and made up my mind that I would go into politics. [At the word "politics," the audience, which had been listening in a listless way, became suddenly silent, and paid the strictest attention.] I had a great interest in General Grant's nomination. The Chicago Convention came on and I watched the proceedings with great interest. Finally, General Garfield was nominated. I was in Boston at the time, but decided that I would go to New York and offer my services to the National Committee and take an active part in the election of General Garfield. I left Boston on the 11th of June. I was on the Stonington when she struck the Narragansett, and thought my time had come then,

but it hadn't. I was in New York about two weeks. I had my speech "Garfield against Hancock" in manuscript.

Q. How long were you at work upon that speech? A. A couple of days. The speech as originally prepared was quite a different affair. I remodeled most of it in New York. I called upon General Arthur at his house two or three times, but he was not at home. I called upon him at his office in relation to that speech and to my taking part in the campaign. I went to Poughkeepsie and advertised the speech, but it did not draw. I went to Saratoga and tried to deliver it there, but no one came, as usual. [Laughter.] I came back, and saw General Arthur and other prominent men at the Fifth Avenue Hotel. Of course they knew me, and were glad to see me, and all that. Grant and Conkling and that kind of men were there. I sent my speech, which was printed on the 5th of August, to all the men connected with that conference, also to the leading editors of New York.

Q. Did you get any assignment to speak? A. I was only actually assigned once, some time in August.

Q. What place was that? A. I think in Twenty-Fifth Street, at a colored meeting.

Q. What was the result there? A. I delivered part of the speech and gave the newspaper men the rest. I didn't exactly like the crowd.

The witness then detailed his interviews, attempted interviews, correspondence with, and letters to various prominent men, including President Garfield, Secretary Blaine, etc., and bringing his narrative up to about May 1st, 1881, about which time, he ceased to press for the Paris consulship. The examination then proceeded thus:

Q. After you gave up applying for the office, what employed your mind mostly? A. I was thinking about the political situation more than anything else. I kept reading the papers and kept being worried and perplexed, and in a great state of mind about the future of the country. I think that that was the prevailing thought in my mind after I saw the President and General Grant and that kind of men were wrestling and at loggerheads. I saw the Nation was going to wreck, (emphasizing the sentence with a bang on the railing.)

Q. You have spoken of inspiration. What do you mean by that? State when it came first to your mind, and the circumstances connected with it. A. Inspiration, as I understand it, is where a man's mind is taken possession of by—by—by a superior power, and where he acts outside of his own natural—outside of himself.

Q. State the circumstances of the commencement of that inspiration with you. A. It came to me one Wednesday evening, the evening Senators Platt and Conkling resigned. At this time there

was great excitement in the public mind in regard to the resignations, and I felt greatly perplexed and worried about it. I retired about 8 o'clock that evening, greatly depressed in mind and spirit over the political situation. / Before I went to sleep the impression came on my mind like a flash that if the President was out of the way the difficulty would be all solved. The next morning I had the same impression. I kept reading the papers, and had my mind on the idea of the removal of the President. This idea kept working me and working me and grinding and oppressing me for about two weeks. All this time I was horrified, and I kept throwing off the idea, and did not want to give it my attention at all. In fact, I shook it off, but it kept growing on me and growing on me, until at the end of two weeks my mind was thoroughly fixed as to the necessity of the President's removal. As to the divinity of the inspiration (excitedly), I had not the slightest doubt about the divinity of the inspiration from the 1st of June to the present moment. I felt just as confident as to the divinity of the inspiration as I do now.

Q. Did you talk with any one about it? A. I never mentioned it to a soul at any time.

Q. After the idea took full possession of your mind about the 1st of June, what did you do with reference to that subject? A. I kept praying about it, and praying about it, and praying about it.

Q. What was the substance of your prayer?

A. The substance of my prayer was that, if it was the Lord's will I should not remove the President; He would in some way, by His providence, interrupt it. That is always the way I have found the Lord. When I feel a pressure upon me to do anything, and when I feel doubt about it, I keep praying to the Deity that he may show it in some way, if I am wrong.

Q. Did you get any information from the Deity as to whether you were right or wrong in answer to your prayer? A. (in a loud voice and excited manner): I never had the slightest shadow of a doubt on my mind as to the divinity of the act and as to the necessity for it to the great American people (with a bang on the railing).

Q. Wherein did it seem to you necessary for the good of the American people? A. To unite the factions of the Republican party, which were then in a most bitter and deplorable state.

Q. Did you consider that necessary to the good of the American people? A. Most decidedly.

Q. Why? A. Because in the way that things were going on last spring, another war was going to break out.

Q. How would that result be reached? A. It would be reached by the destruction of the Republican party.

Q. State how it was necessary, in order to avoid war, that the breach in the Republican

party should be healed. A. The idea was, if the disruption of the Republican party was to continue as it was going on last spring, the Democrats would have taken entire possession of the Government, and by the mismanagement of finances, would precipitate the country into another war. That was the central idea that was talked of in the National Republican Committee, and on the stump, and by all the leading Republican papers in the canvass—that the safety of the Republic depended upon the Republican party continuing in control; that the Democratic party and the rebel element were not yet sufficiently civilized to take possession of the national finances.

Q. Did you believe it? A. Most emphatically! more than I believe that I am alive.

The prisoner was then questioned regarding his interviews in the jail with medical experts, detectives, and the District-Attorney and his stenographer. As he was showing signs of fatigue, and said he was not well, and that he always felt better after dinner, a recess for an hour was taken. After the recess the prisoner again took the stand, and was questioned by Mr. Scoville as to his experience with special providences.

Witness: I have always believed in special providence. There are four distinct times in my life when I claim special inspiration: first, when I went to the Oneida Community; second, when I left the Community to go to New York to estab-

lish a theocratic paper, to be the organ of the Deity in this world ; third, when I left a good law business in Chicago to go out lecturing and working for the Lord ; the fourth time, I claim special Divine authority when I attempted to remove the President. Those are the four distinct times when I claim inspiration.

Q. On what special occasion before you were arrested were you protected by special providence? A. I think the preservation of my life at Newark was one, when I jumped from the train which was going thirty-five miles an hour. Another was when I was on the Stonington, when we were all in momentary expectation of going down. Since my arrest, it has been my constant feeling all the way through. When I was shot at and missed, and when last Summer a mob was howling for me. I had no anxiety for myself, and (excitedly) I have no anxiety as to the result of this trial.

Q. What was the first instance of Divine interposition after you went to jail? A. When that keeper attempted to shoot me and put his pistol within eight inches of my head. He denied the whole thing, but I am satisfied that I am right. General Crocker said it was all a mistake, and he hushed it up. I do not care to discuss it, but the fact is, that man came into my cell deliberately to shoot me, and the only reason he did not is that I happened to be awake. The witness here de-

scribed in detail the manner in which he had seized the keeper and pinioned his arms. The special providence here was, that the man had 10 or 12 seconds in which to fire, but that the Lord stopped him.

Q. What was the next interposition? A. I claim a certain interposition when Mason fired at me.

Witness then described this incident at length. He was standing in a cramped position. If he had been standing up, the ball would have gone through his heart, just what Mason aimed for.

Q. Has there been any special providence since? A. I think Jones's failure to shoot me was providential. I was standing directly behind the driver of the van. I was in a quite happy frame of mind. I had a fine jury and was pleased with the Court, and I was pleased with the way everything was going. I was praising the Lord for all this. Just as we got to the Capitol I saw a flash, and in a moment I saw another, and then the horses began to run away. I thought that my guard was killed and that the horses were running away. I said to my guard. "Ed, are you shot?" "No," said he, "are you?" The providence was that the ball struck me here (pointing to his torn coat-sleeve). It did not strike my arm, but the concussion made my arm sore. If it had gone two or three inches to the right it would have gone through my heart. It was a good shot, consider-

ing the fact that the van was going and that he was moving; I should say it was an exceedingly good shot. The Lord saved me from that.

Q. Had you any ill-feeling against the President? A. Decidedly not. I considered him as my political and personal friend. I never had the slightest ill-will toward General Garfield in any shape. I simply executed what I considered the Divine will for the good of the American people, to unite the two factions of the Republican party, and prevent another war. I undertake to say that the people of this country, when they know that another war has been prevented, instead of saying "Guiteau, the assassin," will some of these days say "Guiteau, the patriot."

Q. What was your idea as to the removal of the President? A. It was established in my mind about the 1st of June, and I never doubted from that moment to this about the divinity of the act, and the necessity of it.

Q. Were you easy in your mind? A. I was under a great pressure, and that is why I looked gaunt and thin. I could not eat well. I was ground and ground, and pressed and pressed, and I could get no relief until it was actually done. I felt greatly relieved when the thing was over. I felt happy. I had not felt so happy for weeks as I did when I was in the cell on the 2d of July, and I thanked God that it was all over.

Q. Have you a distinct recollection of the

occurrences on the 2d day of July? A. Oh, certainly.

Q. Do you remember who was with you going to the police-office? A. Those two witnesses who were on the stand. Officer Kearney was the first man that seized me. I was in the act of putting up the pistol when the officer came up. He was very much excited. He said: "You have shot the President of the United States." I said: "Keep quiet, my friend; I want to get to the jail." I wanted first to get away from him, but when I saw I could not, I said I wanted to go to jail. As soon as I said "jail" he cooled down. We started from the depôt at once.

Q. Have you supposed since you have been in jail that you have influence with President Arthur? A. I have not had any occasion to test it. He was my friend last spring and fall.

Q. Have you written any letters to him? A. I have addressed several letters to him. I don't know whether they were delivered or not. From the way I have been treated in other matters I suppose not. I presume Arthur is my friend, but I have never asked any favor of him since I got into this trouble, though I am the man that made him, through my inspiration.

Q. How? A. (apparently amazed) Why, my inspiration made him.

The examination proceeded from this point, on the lawsuit with the *Herald*, Guiteau's aspirations,

to the Presidency, his search for a wife and other minor matters.

The direct examination of the prisoner here closed, and the cross-examination was begun by Mr. Porter, who put his questions to the prisoner with great deliberation, pointedness and solemnity of manner.



PRESIDENT ARTHUR;

Q. Mr. Guiteau, I think you are about forty years of age? A. Forty on the 8th of September last, Judge.

Q. Are you conscious of being a man of con-

siderable ability? A. I would not express an opinion on that, Judge.

Q. Are you a man of truth? A. Most decidedly, Judge, I am in dead earnest in anything I do.

Q. I think you were converted at the age of seventeen, or thereabout? A. Yes, sir.

Q. From that time on you have been a man of truth, have you not? A. Yes, sir.

Q. And, as you believe, a Christian man? A. I hope so, Judge.

Q. You have hated all shams? A. Most decidedly.

Q. And you do now? A. I do.

Q. You have had no bad habits? A. I think not.

Q. Did you pass through the ordeal of the Oneida Community and maintain your virtue? A. Well, not absolutely.

Q. I thought you said yesterday that you did? A. I said, or intended to say (although misreported), that I had been mostly a strictly virtuous man. They left out the word "mostly." That is what I intended to say. As a matter of fact, I had to do with three distinct women. But there is no pleasure in that kind of business there. Aside from that, I was strictly virtuous.

Q. Did you believe in the doctrines of the Oneida Community while you were there? A. I did. I thought that the Community was the commencement of God's kingdom on earth.

The prisoner was then cross-examined in regard to his business as a lawyer in Chicago and New York, the result of it all being that he only had some collection cases in Chicago, and a similar kind of business in New York, mixed up with some stray jobs in connection with getting prisoners out of the Ludlow Street Jail, for which jobs he paid a commission to a prisoner in the jail, who was a big talker and who would recommend him to other prisoners. He admitted that he was behind in his office-rent in New York, and, perhaps, in some of his collections, but thought that \$1,000 would pay all those debts, together with his board-bills.

After these subjects had been disposed of the cross-examination proceeded as follows:

Q. You have always been a very persistent and persevering man? A. Yes.

Q. Have you been a man of a good deal of force of will and determination? A. (with a laugh): Some people think so.

Q. That has been a characteristic of yours from boyhood, has it not? A. I have been very earnest in what I undertook.

Q. You determined to kill General Garfield, did you not? A. I decline to answer that. That is a very strong way to put it (with some excitement). I consider myself the agent of the Deity in the matter; I had no personal volition in the matter.

Q. Did General Logan say to you that he would endorse your application for the Paris consulship?

A. I understood him to say so.

Q. Did he say so? A. Yes; he did say so.

Q. Then when General Logan swore he did not say he would recommend you, he did not tell the truth? A. I would not like to say that. One evening, at the boarding-house, I asked him to sign my application, and he said he had no pen just there to do it with, but told me to come up in his room next morning and he would do it. Next morning he had changed his mind. I do not want to make any reflections upon General Logan, but that is the way all these politicians do.

Q. Did Secretary Blaine promise you the Paris consulship if General Logan would recommend you? A. No, sir; he did not.

Q. Did you say to Officer Scott, on leaving the depôt after the murder of the President, "General Arthur is now President." A. I decline to answer that.

Q. Why do you object to answering that? A. I suppose I did say that (then he added excitedly); I want it distinctly understood that I did not do that of my own personal volition, but on the inspiration of the Deity. I never would have shot the President on my own personal account.

Q. Who bought the pistol, the Deity or you? A. I said the Deity inspired the act, and the Deity would take care of it.

Q. The question is: Who bought the pistol?
A. The Deity furnished the money with which I bought the pistol. I was the agent.

Q. I thought it was somebody else who furnished the money. A. It was the Deity who furnished the money with which I bought the pistol.

Q. He furnished you all the money you ever had on earth, did he? A. I think so.

Q. From whose hand was it that you were furnished the money with which you bought that murderous weapon? A. It is of no consequence (somewhat flurried and excited). Mr. Maynard swore he loaned me \$15.

Q. Did he? A. Yes, he loaned me money.

Q. What did you do with that money? A. I used it for several purposes.

Q. What were they? A. I have no objection to stating frankly that I got \$15 from Maynard, and that I used \$10 of it to buy that pistol with.

Q. Did you deny, when he was on the stand, that that was the money with which you bought the pistol? A. No, Sir; I never denied it, because that is the truth, But it is of no consequence whether I got the money from Maynard, or whether I pawned my coat for it.

Q. Were you inspired to borrow \$15 from Maynard? A. No, sir; Mr. Maynard did not know what I wanted the money for.

Q. Were you inspired to buy that British bulldog? A. I do not pretend that I was inspired to

do that specific act. But I claim that the Deity inspired me to remove the President, and that I had to resort to my own means to accomplish the Deity's will.

Q. Were you inspired to remove him by murder? A. I was inspired to execute the Divine will by murder, so called.

Q. You did not succeed in executing the Divine will? A. I think the doctors finished the work.

Q. The Deity tried, and you tried, and you both failed, but the doctors succeeded? A. The Deity confirmed my act by letting the President down so gently as he did.

Q. Do you think it was letting him down gently to let him suffer that torture, over which you professed to feel so much solicitude, during these long months? A. The whole matter was in the hands of the Deity, and (impatiently) I do not want to discuss it any further. I appreciate the fact of the President's long sickness as much as any person in the world, but that is a very narrow view to take of the matter.

Q. What time did Senator Conkling resign? A. About the 15th of May, I should judge.

Q. That was Monday, and you had no inspiration on that day? A. No, sir.

Q. Had you any inspiration on Tuesday? A. No, sir.

Q. On Wednesday night you went to bed at 8

o'clock, and then came the inspiration? A. It came between 8 and 9 o'clock.

Q. Did you believe that it was the will of God that you should murder the President? A. I believed that it was His will that he should be removed and I was the appointed agent to do it.

Q. Did He give you a commission in writing? A. No, sir.

Q. Did He give it in an audible tone of voice? A. He gave it to me by His pressure on me.

Q. Did He give it to you audibly? A. No, sir.

Q. He did not come to you as a "vision of the night"? A. I do not get my inspirations in that way.

Q. It occurred to you, as you were lying on your bed, that if President Garfield were dead it would solve the whole difficulty? A. Yes.

Q. Did it occur to you that you were the very man to kill him? A. Not at that time. My mind was unsettled.

Q. Who did you think then was the man to kill him? A. I had no thought on the subject. The mere impression came on my mind that if the President were removed everything would be well.

Q. Did you contemplate his removal otherwise than by murder? A. No, sir (petulantly). I do not like the word "murder."

Mr. Porter: I know you do not like the word "murder;" it is a hard word, but it is there.

Prisoner: I do not recollect the actual facts in that matter (excitedly). If I had shot the President of the United States on my own personal account, no punishment would be too severe or too quick for me; but, acting as the agent of the Deity, that puts an entirely different construction on the act; and that is what I want to put to the Court and the jury, and to the opposing counsel. That is the idea I want you to entertain, and not to settle down on the cold-blooded idea of murder, because I never had the first conception of murder in the matter.

Q. Do you feel under great obligations to the American people? A. I think the American people may some time consider themselves under great obligations to me.

Q. My question was whether you felt under great obligations to them? A. I do not know why I should be

Q. Were you under great obligation to the Republican party? A. Not that I know of.

Q. Did the Republican party ever give you any office? A. I never held any kind of political office in my life.

Q. And never desired one? A. I had some thought about the Paris consulship. That is the only office I ever had the slightest thought about.

Q. That was the one that resulted in the inspiration of murder? A. No, sir. My getting it or not getting it never had the slightest effect upon

my mind in attempting to remove the President.

Q. You never desired the removal of Mr. Blaine? A. No, sir.

Q. And never suggested it to anybody? A. No, sir.

Mr. Porter: Allow me to read to you your letter, written on the 23d of May—four days, according to your account, after you made up your mind to remove the President. Let me refresh your recollection as to whether you desired at that time to remove Mr. Blaine also.

Prisoner: I never had the slightest thought of removing Mr. Blaine. I had not made up my mind to remove the President on the 23d of May, nor until the 1st of June. For two weeks after I got the conception I was shaking it off. My natural feelings were all against it. But the pressure continued pressing me and pressing me, so that at the end of two weeks, and about the 1st of June, I had made up my mind as to the inspiration of the act, and as to the necessity for it.

Mr. Porter: That reminds me of another very deliberate utterance of yours, made on the 16th of June, the day on which you intended to murder the President.

Prisoner: I intended to remove him under Divine pressure—never to murder him.

Q. Oh, certainly. On the 16th of June, in an address to the American people, which you in-

tended should be found on your person after you had shot him, you said: "I conceived the idea of removing the President four weeks ago." Was that a lie? A. I conceived it, but my mind was not fully settled on it. There is a difference between conceiving a thing and actually fixing it in your mind. You may conceive the idea of going to Europe in a month, and yet you may not go. That is no point at all.

Q. Let me return to the subject of Mr. Blaine. You say in your letter to the President: "Mr. Blaine is a wicked man, and you ought to demand his immediate resignation. Otherwise, you and the Republican party will come to grief." A. Political grief, not physical grief. Every intelligent man will see that I meant political grief.

Q. Was that after Wednesday night, when you conceived the idea of removing the President? A. That was a mere flash, which had not taken shape or form in my mind, and did not take shape or form for over two weeks. All that time I was resisting the idea.

Q. Then there was no inspiration in May? A. No; it was a mere flash, an embryo inspiration, a mere impression which came into my mind that possibly it would have to be done. My mind was fully made up about the 1st of June.

Q. You say "about the 1st of June." Was it on the 1st of June? A. I say in about two weeks from the 16th of May. During that time I was

resisting it with all my might, all my strength, and all my prayers. At the end of that time my mind was fully fixed in regard to the necessity and divinity of the act.

Q. Then the question was not whether you should obey the inspiration, but whether it was an actual necessity? A. I was finding out during those two weeks whether it was God's will or not. At the end of two weeks I made up my mind that it was His will, and that it was for the best interests of the American people. That is the way that I get inspirations.

Q. Your making up your mind was not His act? A. Yes, it was.

Q. While you were praying and professing to be in doubt, were you in doubt? A. For two weeks I was in doubt, but I never had any doubt since that time.

Q. What occasioned the doubt? A. Because I wanted to know whether it was the Deity that inspired me. I kept praying that the Deity should not let me make any mistake about it, and the Deity has not made any mistake about it.

Q. Why did you have doubts about it? A. Because all my natural feelings were opposed to the act.

Q. You regarded it as murder, then? A. So called, yes. It was not murder for me. All my natural feelings were against it.

Q. Why were your natural feelings against

murder? A. I cannot make myself any better understood than I have done.

At this point in the cross-examination, which the prisoner bore with considerable self-possession, although he occasionally got flurried and excited, the court adjourned.

On Thursday, December 2d, Guiteau seemed very nervous and excitable. He was put on the witness-stand at once, and Judge Porter proceeded with the cross-examination. It turned, first, upon the sense in which Guiteau claimed to have been inspired to remove the President by his murderous shot.

Judge Porter then asked: Was Mason guilty of a murderous assault? A. Most decidedly.

Q. Was Jones? A. Most decidedly.

Q. Do you think it was wrong? A. Without they can show they acted as the agents of the Deity, it was wrong; if they can show that, it was right; anything the Deity does is always right.

Q. How do you know they did not act as agents of the Deity? A. I have no knowledge of it.

Q. But if you knew they did? A. I know nothing about them, and care nothing about them.

Q. But you did care about them yesterday. A. I never saw the men; I care nothing about them; I have no doubt they should be punished; I expect that the Court and the American people demand that they should be punished.

Q. Why should they be punished? A. Because

they made an assault on a citizen of the Republic, without it was the action of the Deity.

Q. You do not know whether it was or not?

A. Without they can show that they acted as agents of the Deity, they ought to be punished; but if they were executing the Divine will, they should be set free.

Q. Why do you think they should be punished for shooting at you? A. Because they have no right unless they can show it was the act of the Deity; the Deity's action supersedes man's law.

Q. What law did they violate if they shot at you? A. (impatiently and impertinently): What law did they violate if they shot at you?

Q. That's what I ask you? A. I ask you.

Q. Persistently: What law did they violate?

A. They violated the law on the statute-book of this District; the only way they can mitigate that violation is showing that they acted as agents of the Deity; the Deity's law supersedes the law of any man.

Mr. Porter: Do you think it was wrong for Mason to shoot at you?

Prisoner, angrily: I am not an expert, and I decline to answer any more questions on that point; I am not afraid of you, Judge Porter; I know bigger men than you; I have seen you shake your finger before, in New York; I am not afraid of you.

Mr. Porter: If Mason shot at you with in-

tention to take your life without trial, would he have done wrong?

Prisoner: I decline to answer.

Mr. Porter: Are you afraid that your answer would criminate you?

Prisoner: I decline to give an opinion about Mason or Jones; they are in the hands of the law and let the law take its course; let these men defend themselves in the best way they can. I care nothing for them.

Q. Do you believe in the Ten Commandments?

A. Yes.

Q. Have you higher evidence that the Supreme Ruler of the universe said to you "Thou shalt kill," than you have that He said "Thou shalt not kill"?

Prisoner, excitedly: I do not entertain the idea that there was any murder in the matter; no more murder in removing General Garfield than it was to kill a man during the war, and who would contend that the shooting of a man during the war was either murder or homicide? I do not want to discuss this matter with you; it is altogether too sacred a matter to make light of it, and I will not have it.

Witness was closely questioned about the purchase of the pistol, and was asked why he bought the one with an ivory handle instead of a plain one. He replied, "Because I thought it worth a dollar more."

Judge Porter: Did you not say that it would look better in the Patent Office?

Witness admitted that he might have believed or thought that the pistol would sometime be placed in the State Department. Shortly afterward, Guiteau became very indignant at Judge Porter's use of the word "murder," and shouted fiercely, "You seem to delight in the use of the words 'kill' and 'murder.' There's no use of your whining in that way. The mere outward fact of how I removed the President has nothing to do with this case."

Mr. Porter: After you had bought the revolver, being unused to firearms, did you practice with it?
A. I went down to Seventeenth Street and fired it off over the river.

Q. What did you shoot at? A. I shot at a sapling.

Q. Why did you want to shoot at a sapling; you had no divine command for that? A. I wanted (and here the witness hesitated for some time) to fire it two or three times; I knew nothing about a weapon; I expected to have to use it and familiarized myself with the outward use of the weapon.

Q. You did not know how to fire a pistol, but this was the work of the Deity? A. (apparently in a violent passion and gesticulating wildly): There is no use of your whining in this kind of way; you might as well rest; you are making entirely too much talk about the outward act of

the Deity; I say you have to go back and look at the motive.

Q. The motive was to kill——. A. (interrupting excitedly): To remove the President for the good of the American people.

Q. When did you begin watching the President's movements? A. About the time he and Mrs. Garfield went to Long Branch.

Q. Did you not go to the White House grounds to see when he went out? A. I did not go near the White House grounds, or if I did it was in the latter part of June; I used to sit in the park opposite the White House.

Q. For the purpose of observing him and watching your chance? A. I wanted to execute the Divine will, and to obviate all this loose talk I will state that I would have removed the President any time from the middle of June until I shot him, if I had had an opportunity; at any time I would have executed the Divine will from the middle of June until the time I actually did shoot him.

Q. Where were you on the morning of June 16, when you wrote your address to the American people? A. That was prepared at the Arlington.

Q. In this address you say, "I conceived the idea of removing the President four weeks ago?" A. (impatiently): Oh! that is the great point you tried to make yesterday; I meant that the first impression came upon me about the 16th of May, and in about four weeks it became a fixed neces-

sity to remove him ; I went to work after the 1st of June to prepare myself, in an orderly way, to do the act ; that is all there is in this whole case.

Q. (reading from the address) : "Not a soul knows of my purpose" ? A. That is correct.

Q. Then you did "purpose" it for four weeks before ? A. That is not literally true.

Q. (reading) : "I killed the President because he proved a traitor to the men that made him, and thereby imperiled the life of the Republic ? A. That was the idea ; that was the cause under Divine pressure.

The witness was then asked whether, if he had been appointed consul to Paris, he would have killed the President, and in reply repeated his answer of yesterday that he would not have accepted the Paris consulate after June 1st.

Q. If General Garfield had sent your name to the Senate you would have laid in wait and murdered him ? A. I would have sent it right back after the 1st of June ; my whole heart and mind and inspiration were in removing him.

Q. Do you think that it would have been a grateful return to President Garfield for appointing you to the consulship ? A. I would not have accepted the office.

Q. Did you have any malice ? A. (interrupting) : I repudiate you for making that allusion ; you know as well as I do that I never had any malice ; he was my personal and political friend.

Witness then explained that his personal friendship with President Garfield consisted in speaking with him once, and his political of belonging to the same political party. He did not consider it necessary to be a man's bedfellow to be his friend.

Q. (dramatically, and modulating his tone at the close of the question: And you had no ill-will?

A. (imitating and mockingly): I had no ill-will against him.

Q. And no ill-will against your sister when you raised an axe against her? A. I never raised an axe against her.

Q. You had no ill-will against your brother when you struck him? A. I never struck him.

Q. You think that General Garfield was to blame in appointing Mr. Blaine Secretary of State?

A. I think most decidedly that it was a very unwise thing; I say that it was an open insult to General Grant and Conkling for General Garfield to appoint their worst enemy; I think that that caused all the harm (with a bang on the railing): it made it so bitter for Grant and Conkling and Arthur that they would not go to the White House; I say that (with more banging of his fist on the railing) to the American people and to the jury and to this Court.

Q. Is this what you said in your note to Mr. Blaine, "I am very glad personally that the President selected you for his Premier?" A. I said that.

Q. Was that true? A. It was true at that time.

Q. You were glad? A. I was glad; (after a pause) that needs modification, however.

Q. What modification does it need? A. The modification is that at that time General Garfield had not insulted Grant and Conkling by Robertson's appointment and Merritt's withdrawal.

The witness then related how he met General Logan in New York and Washington, and told of his final interview with Mr. Blaine on the Paris consulship, as stated on the direct examination. He was asked whether at the time of his last interview with Secretary Blaine he gave the latter to understand that he would support him for the Presidency. He replied in the negative. Upon Judge Porter's reading, however, a paragraph from a letter of Guiteau to Secretary Blaine saying that he (Guiteau) hoped to get back from Paris in time to be of service to him (Mr. Blaine) in the Republican Convention of 1884, the witness modified his previous answer and admitted he had some such idea.

About this time, the prisoner, who had been speaking very rapidly, showed signs of considerable exhaustion, and Mr. Porter had got tired of standing and was occupying a seat. At the suggestion of the District-Attorney the Court therefore took a recess for an hour.

After the recess, the prisoner was again con-

ducted to the witness-stand, looking very haggard and worn, and his cross-examination proceeded. It ran upon political subjects, of interest in the main for the keen questioning and answering it evolved.

Q. Did you intend, as you said in that letter, to remain in Washington until you got your commission as consul to Paris? A. At that time I did. I was pressing my application for the Paris consulship during the months of March and April. You ought to make a broad distinction in the position between the time prior to the first of May and the time after that.

Q. Did you write on the 7th of May to President Garfield, whom you afterward shot, "I am sorry you and Senator Conkling are apart, but I stand by you?" A. I wrote that; that was the time I was trying to bring these men together; I was acting the part of a peace-maker.

Q. Did you write to President Garfield on the 10th of May: "I have got a new idea about 1884. If you work your position for all it is worth you can be nominated and elected in 1884. * * * Run the Presidency on your own account. Strike out right and left. The American people like pluck and in 1884 we will put you in again"?

A. I wrote that letter.

Q. Did it express your then opinion and intention? A. It expressed my opinion; I had no special intention about it.

Q. You added a postscript: "I will see you about the Paris consulship to-morrow, unless you happen to send in my name to-day"? A. That is the way I felt and talked, but that was long before this political disruption.

Q. Did you think that President Garfield, after reading this letter, would give you the Paris consulship? A. I had no special thought on the subject.

Q. After that, on the 16th of May, did you write to President Garfield a letter marked ("Private"), saying: "Until Saturday I supposed Mr. Blaine was my friend in the matter of the Paris consulship, but after his tone on Saturday, I judge he is trying to run the State Department in the interest of the Blaine element"?

Prisoner, with a violent bang on the railing: Yes, and that is the truth about it; I hit him square there, and that is the reason why Blaine went back on me; because I was a Grant man, and he thought he would put a Blaine man in the Paris consulship.

Q. Were you ever inspired with the idea that President Garfield would be re-elected? A. I did not have any inspiration on that subject at all. It was a mere casual thought of my own. I did not need inspirations for that kind of work.

Q. How came you to write to Mr. Garfield on the 13th of May: "The idea of 1884 flashed upon me like an inspiration and I believe it will come

true"? A. All these letters were written prior to General Garfield's disrupting the Republican party, and it is mean and unfair in you to distort my letter. After he disrupted the Republican party by bringing Grant and Conkling down on him there was a very different condition of affairs.

Q. You said in this letter that the idea of 1884 flashed through you like an inspiration? A. But Mr. Garfield killed the idea by his disruption of the Republican party.

Q. On the 2d of July you wrote a letter to "The White House People." Whom did you mean by the White House people? A. I meant all the inmates of the White House.

Q. Including Mrs. Garfield? A. Of course—the entire White House family.

Q. You stated in that letter that the President's tragical death was a sad necessity? A. Certainly—a political necessity.

Q. Did the Deity tell you that? A. That did not require any telling.

Q. You say "It will unite the Republican party." Who told you that? A. It did not require any telling (with excitement), and that is exactly what it did do, too; that shows that the inspiration was correct.

Q. Who told you it would save the Republic? A. My own judgment told me so, and it proved to be correct.

Q. You say that Mason fired at you while under

the protection of the law. Did you esteem that to be a crime? A. Of course that was a crime.

Q. Did it occur to you, then, in the language of your letter to Mrs. Garfield and the White House people, that "life is a fleeting dream, and it matters little when one goes"? A. Those are my sentiments.

Q. Does it matter much to you when you go? A. (coolly): I have got no great fear of death; you are liable to die in five minutes, and so is every one in this court-house; the only question is whether you are ready to die.

Q. Did you say in your letter to the White House people, "I presume the President was a Christian, and he will be happier in paradise than here"? A. I did, and I am sure the President is a great deal happier at this very moment than any man on earth.

Q. You have no doubt that when you killed him he went direct to paradise? A. I believed him to be a good Christian man.

Mr. Porter, solemnly: And you believe that the Supreme Being who holds the gates of life and death wanted to send him to paradise for breaking the unity of the Republican party, and for ingratitude to General Grant and Senator Conkling?

Prisoner: His Christianity had nothing to do with his political character? His political record was very poor, but his Christian character was

good, because he was a good man, so far as I know, although they did tell very hard stories about him in connection with the Credit Mobilier and such things.

In reply to a question why it required a special inspiration to shoot General Garfield, he said: It required special directions from the Deity to me; I suppose there were a thousand men in the Republican party who would have shot General Garfield if they had had the chance and had got the nerve, and the brain, and the opportunity to do the work.

Q. Did it occur to you that there was a commandment, "Thou shalt not kill"? A. The Divine authority overcame the written law.

Q. Was there any higher Divine law than that spoken on Sinai? A. Indeed there was.

Q. When you pointed that pistol at General Garfield and sent that ball into his backbone, you believed that it was not you but God that pulled the trigger? A. That I was simply executing the Divine will; He used me as the agent in pulling the trigger; I had no option in the matter; I would have done it if I knew I was to be shot dead the next moment; the pressure was so enormous I could not resist it; put that down.

Q. Did you walk back and forth in the depôt watching for him? A. Yes; I was working myself up, for I knew the hour had come.

Q. Working yourself up? Was it necessary

to do that to obey God? A. It was all I could possibly do to do the act anyway, and I had to work myself up to it; I had to obey God Almighty if I died the next second.

Mr. Porter then asked if the prisoner had written a letter stating that he would have killed the President on June 18, if it had not been that Mrs. Garfield was with him leaning tenderly on his arm. The prisoner stated that that was correct and thought it spoke well for his heart. "My heart would not allow me to remove him in the presence of Mrs. Garfield."

Q. What objection would she have? A. A decided objection; she was a sick lady, and the shock might have killed her; that was my reason for not doing it; I only had authority for removing the President.

Q. And did not intend to kill Mrs. Garfield? A. Decidedly not; I felt very sorry for her, remarkably sorry for his children, and for everybody; I was grieved that it was necessary to save the Republic from another war.

Counsel then branched off and asked the prisoner the necessity of requesting General Sherman to send troops to the jail to protect him for having obeyed the Deity? A. I would have been shot and hung a hundred times if it had not been for the troops at the jail.

Q. Any harm in that? A. That is a matter for the law to pass upon; (impatiently) I will not

have any more conversation with you on this sacred subject ; you are making light of a serious matter and I will not talk about it.

Q. Did you think it wrong to remove President Garfield without a trial? A. I decline to discuss the matter.

Q. Did God tell you that he ought to be murdered? A. That he ought to be removed.

Q. When did He tell you so? A. I decline to discuss that.

Q. Would it criminate you? A. I don't know whether it would or not.

Going back to the letters, Mr. Porter read that in which the prisoner stated that Garfield's nomination, election and "removal" were acts of God, and then asked: Who nominated him? A. The Chicago Convention.

Q. Was that inspired?

The prisoner hesitated and seemed about to dodge the question, when Mr. Porter stopped him with an impatient "Now, now, now."

A. mockingly: Now, now, now ; I thought that Grant or Blaine, would be nominated, and when Garfield was nominated on the thirty-sixth ballot, it was an act of God ; the facts surrounding his election would sustain the position that it was an act of God, and the facts surrounding his removal would sustain the same position.

Q. Was the Chicago Convention inspired? A. In a certain sense it was.

Q. In the same sense that you were? A. No, sir; I had a positive and direct inspiration.

At this point of the testimony the prisoner complained of being fatigued, saying he was not used to speaking five hours at a time, and the Court, at a quarter of 3, adjourned.

This days proceedings were quite unique. Frequently Guiteau and Judge Porter were talking at the same time, the former eliciting laughter by his comments on the the latter's style of interrogating him and by his objections against what he deemed the unfair method. In explanation of his letters, Guiteau, with a great flourish, repeated a large portion of their contents. When Judge Porter once said, "No, no, no," by way of stopping the circumlocution of Guiteau's response, the latter with enraged mockery replied, "Naw, naw, naw." One-half of Guiteau's answers to the cross-examination was a running parody on the interrogatories. Altogether the scene was shocking to decency. It is impossible to give anything like an exact report, for the "Hold on, Judge," and "Wait now," of Guiteau were intermingled with Judge Porter's questions and utterances of "No, but answer this," etc.

Friday, December 2d, the prisoner was again on the witness-stand, seemingly more excitable than ever. Judge Porter's deliberateness and pointedness were very marked. Guiteau opened proceedings by saying: I desire to say to you,

Judge, and to this honorable Court, that I decline to answer any more questions by a repetition of what we have already had. If you have anything new I am ready to answer, otherwise not, unless by special direction of the Court.”

The cross-examination was then continued as follows:

Q. Was it one of your purposes in killing the President to create a demand for your book? A. One of the objects was to preach the Gospel as set forth in my book.

Q. Have you read a good deal about Napoleon? A. No.

Q. When you wrote “The President’s nomination was an act of God: his election was an act of God; his removal was an act of God,” did you have Napoleon’s bulletins in your mind? A. Apparently gratified: That is the way I express myself—sharp, pointed, sententious; if you want to see a specimen of that kind of style, look through my book.

Mr. Porter: I think you have remarkable power of brain, and whatever your brother-in-law may think, I appreciate your ability.

Prisoner, highly pleased: I thank you Judge, for your good opinion.

Mr. Porter, significantly: I think that is the opinion of every juror.

Prisoner, excitedly: I take my chance before this Court and the jury on the fact that the Deity

inspired the act. I am not a fool, and the Deity never employed a fool to do His work. He put it into my brain and heart and left me to work it out in my own way.

Q. You believe in the doctrines of predestination. A. Most decidedly; I claim that I am a man of destiny; you spoke of Napoleon, he thought he was a man of destiny though he had different work from me: I am a man of destiny as much as the Saviour, or Paul, or Martin Luther, or any of those religious men.

Q. And your destiny was to kill Garfield? A. It was my destiny to obey the Divine will, and let Him take care of it; I put up my life, and I have not been hung or shot yet.

Mr. Porter went on to cross-examine the prisoner, with the object of showing that the pretended inspiration in regard to a theocratic daily, to the book called "Truth," to the lecture on the second coming of Christ, etc., were merely borrowed from the ideas of Noyes and that portions of the book and lecture were plagiarisms from the book called "The Berean."

Q. Do you not think that you ever had a devilish delusion? A. No, sir; I do not have devilish delusions; Noyes believed in devilish delusions; the devil and the Almighty are fighting it out according to him; I believe in a personal devil; there is an article in my little book about it; it is good reading, Judge.

Mr. Porter: I have read it with a good deal of pleasure.

Q. Do you believe the devil tempts men? A. Most decidedly; he tempts them to do evil, and that is the reason, when pressed to do a thing, I first question whether it is the devil or the Deity.

Q. And that was so when the question came up about killing the President? A. For two or three weeks I entertained the proposition, praying the Deity not to let me make any mistake; and the confirmation of the fact came to me in the fact that the newspapers were denouncing Garfield, and I saw the necessity of his removal for the good of the American people; if the political situation had not existed, then I should have said that it was the inspiration of the devil; but the political situation required the removal of the President for the good of the American people, and that is the way I knew it was the Deity and not the devil.

Q. And it was in view of the political situation that you made up your mind to murder—

Prisoner, interrupting excitedly: Don't use that word "murder;" you are entirely too free with the word.

Mr. Porter: Are you not on trial for murder?

Prisoner: So it is said; can't you use the proper word, "removed?"

Mr. Porter: I can use the word "remove," but it is as repulsive to me as "murder" is to you.

Prisoner, insultingly: I presume you have a

big fee for this, Judge. You are working on conditions I see.

Q. (suddenly): What is your theory of your defense? A. I stated it very frequently; if you have not the comprehension to see it by this time, I will not attempt to enlighten you.

Q. Your defense is that you are legally insane and not in fact insane, is it? A. The defense is that it is the Deity's act and not mine.

Q. Are you insane at all? A. A good many people think I am badly insane; the Oneida people thought so, my father thought so, and my relatives thought so, and still think so.

Q. Did you expect at the time you shot the President to be tried for it? A. I had no expectation about it; my only thought was to execute the Divine will and let Him take care of me; I would not have been deterred from the act if I had known I should be shot in five minutes.

The examination then proceeded upon the facts of Guiteau's watching for and following the President, which developed nothing new. In many of his answers the prisoner was exceedingly sarcastic and cutting. He imitated Mr. Porter's tones, repeated his phrases, and grinned and sneered at him in a most malicious way.

After the recess Mr. Porter questioned the prisoner as to his visit to the jail made prior to the day of the shooting. The prisoner stated that that visit had been made after the inspiration had

first seized him, and that its purpose was to see where he would go under human law. The examination was then addressed to the occurrences of the night before the shooting, when the prisoner followed the President and Mr. Blaine. The prisoner stated that he had not shot that night because it was hot and sultry. He was then retorted upon by Mr. Porter as follows :

Q. And you were afraid you would make Mr. Blaine sweat? A. No, sir.

Q. Did you think it would make you hotter to pull that trigger? inquired Mr. Porter, raising his arm and making a motion as if shooting with a pistol.

Prisoner, contemptuously: Oh, don't put on so much style with the trigger.

Q. Did you think so? A. (imitating): No, sir; I did not think so; it was extremely hot, and I did not feel like it at that particular time.

Q. You felt like it when you did shoot? A. Under extraordinary resolution and pressure I did it; I had to do it.

Q. There was a remonstrance against the murder in you all the time? A. No, sir; I never had a conception of it as a murder; I have no idea of it as a murder. (Impatiently): You have gone over this two or three times.

Q. You never had a remonstrance after the 1st of June? A. Never.

Q. In your own conscience? A. In my own

conscience, it was simply a question of opportunity.

Q. Did the Deity tell you that? A. The Deity told me to remove him whenever an opportunity occurred.

Q. That was His language? A. In substance it was.

Mr. Porter then called the prisoner's attention to the fact that he had made arrangements to go to the jail, and inquired why he had done so.

The prisoner replied that he was afraid of being mobbed before he could explain his views to the people. They would say that he was a disappointed office-seeker, and would hang him up. That was the only possible motive they could concoct for the act.

Mr. Porter then put some questions as to the occurrence of the 18th of June, when the prisoner refrained from shooting the President on account of Mrs. Garfield's presence, and finally asked, if Mrs. Garfield had been with the President on the 2d of July, would you have shot him? A. No, I should not have shot him in her presence. I did not know what the effect might be on her.

Q. Then it depended entirely on your will? A. It depended on whether I had a suitable opportunity.

Mr. Porter inquired why he would not have shot in Mrs. Garfield's presence.

Prisoner: If your head is so thick that you can't get the idea in I won't try to pound it in; don't try to ask your questions in that mean, sickly sort of way.

Mr. Porter pressed his question, whereupon the prisoner quietly took up a paper, and adjusting his eye-glasses, began to read, paying no attention whatever to the counsel.

Mr. Porter: What are you reading?

Prisoner, without raising his eyes: I am glancing over the New York *Herald*.

Mr. Porter: Don't you think that the time of the Court and jury is of some value?

Prisoner: Not in the way you are interrogating the matter. It has been discussed and repeated over and over again. And the prisoner settled himself back in his chair to read.

Mr. Porter: I suppose you have no objection to answering what you did on the day that you killed him?

The prisoner then gave an account of his actions on the morning of July 2. He had slept the previous night at the Riggs House, had risen early and sat in Lafayette Park some time before breakfast. After breakfast he went to his room and put his revolver in his pocket. A little before 9 o'clock he went to the depôt and had his boots blacked.

Mr. Porter: Did you want to be in full dress when you killed him?

Prisoner, drawing: No. I didn't want to be in full dress. I don't want to be interrupted.

Q. And I don't want to be interrupted. A. Then keep quiet.

The prisoner then proceeded with his story. Blaine and the President drove up in a single horse carriage, and not in the White House carriage, which showed how much the President was under Blaine's influence; Blaine was blowing and blowing, and the President was listening; they were on the most intimate relations; Blaine got out of one side of the carriage and Garfield out of the other; they walked into the depot and passed within a few feet of the prisoner, who drew his weapon and fired twice and hit him once.

Q. You shot him in the back? A. I did not fire at any particular place.

Q. Did you not fire for the hollow of his back? A. My intention was to shoot him in the back.

Q. Did you think that if he got two balls in his back it would remove him? A. I thought so.

Q. And you intended to put them there? A. I did.

Q. (in a solemn manner): And from that hour to this you have never felt regret or remorse? A. I regret giving pain or trouble to any one, but I have no doubt as to the necessity of the act or the divinity of the act.

Q. You have never hinted at any remorse? A. My mind is a perfect blank on that subject.

Q. Do you feel any more remorse about rendering his wife a widow and her children fatherless than about breaking the leg of that puppy dog?

A. I have no conception of it as murder or killing.

Q. And you feel no remorse? A. (in a low and almost inaudible tone): Of course I feel remorse so far as my personal feelings are concerned; I feel remorse as much as any man and regret the necessity of the act, but, raising his voice——

Mr. Porter: The cross-examination is closed.

But, continued the prisoner excitedly, my duty to the Lord and the American people overcame my personal feelings. If the Lord had not inspired that act it would not have been done.

After a few questions from Mr. Scoville, in re-direct examination, the prisoner was conducted from the stand looking completely worn out.

Dr. Alexander McNeil, of Columbus, Ohio, was next examined, and then, at half-past 2 o'clock, the court adjourned.

Proceedings began on Saturday, December 3rd, by calling to the stand Colonel J. O. P. Burnside, disbursing officer of the Post office Department. He testified that he had lived at Freeport, knew the prisoner's family and that the prisoner's mother was an invalid.

Charles C. Allen, of Missouri, testified that he lived in Freeport in 1839 and 1840 and knew the

Guiteau family. Mrs. Guiteau was in feeble health, and before the birth of the prisoner was for some time confined to her bed.

Emory A. Storrs, of Chicago, was the next witness. He knew Guiteau in Chicago as a young lawyer. He saw Guiteau perhaps a dozen times at the National Republican committee rooms during the late Presidential canvass. Witness never saw Guiteau doing anything at the committee rooms other than reading the papers. Mr. Storrs continued: I saw him in April, 1881, in the Riggs House; I observed nothing peculiar in his dress; his manner might be called one of exultation; my recollection is that he told me he was going to have the Austrian Mission, though it might have been the Paris Consulship. I do not think he asked me to see Mr. Blaine, but seeing that the conversation was tending to that point, and as I did not wish to see Mr. Blaine on that business or any other relative to appointment to office, I rather forestalled what he had on his mind by saying that my hostility to Mr. Blaine was so active politically that I thought that any advocacy of mine would be a serious damage to Guiteau; that I apprehended that if Mr. Blaine knew of my promoting his claims it would be a sure way of defeating him. From that time he never spoke to me. He seemed to be rather discouraged.

Q. Did you form any opinion as to his mental condition? A. There was nothing in his conver-

sation about the headquarters in New York that would lead me to form an opinion. Altogether I had formed an opinion about as to his mental size.

Q. You can state what your conclusion was.

A. My impression was that he had an illy-balanced judgment and an illy-balanced mind and did not have what the average man would call good common sense.

Witness was asked in relation to the political status just prior to the shooting of President Garfield, and was asked if there were not elements of discord in the Republican party which threatened to disrupt it? The reply was: "I think the Republican party a pretty difficult one to disrupt, and while there were elements of discord my belief in the good sense of the rank and file is such that I think it would have held together." The cross-examination then began, as follows:

Mr. Davidge: Did you see anything in his conduct to indicate any want of capacity to determine between right and wrong? A. No, sir. I have never seen anything in Guiteau which led me to believe that he could not distinguish between right and wrong.

Q. Nothing that came under your observation made you doubt the knowledge and appreciation of the prisoner for what is called crime? A. I never saw anything in the conduct of the prisoner that led me to believe that he could not distinguish

and did not know the difference between guilt and innocence, and did not clearly know just what crime was.

Edward Daniels, of Virginia, the next witness, had met Guiteau at the Young Men's Christian Association rooms in this city. He thought the prisoner's movements and conversation somewhat peculiar.

Senator David Davids next took the stand. He was questioned about the political situation at the time President Garfield was shot.

Q. Was there not such a breach in the Republican party that it bid fair to destroy it? A. The Republican party has not been destroyed, and it has had a good many breaches in it. The Republican party is an extraordinary organization. I don't believe it will die until the Democratic party does.

Mr. Scoville: From your knowledge of the parties, do you not think the success of the Democratic party would endanger the Republic?

Mr. Davis: I don't think the success of any political party would endanger the Republic.

The prosecution had no questions to ask and Senator Davis, with an air of blank wonderment, said: "Can I be excused? I told the officer who came for me that I never saw the prisoner, and knew nothing about him, except what I had read. I couldn't, for the life of me, see why I had been summoned."

Mr. Scoville: You will learn the reason, Senator, from the arguments.

Edmund A. Bailey, stenographer, was called, and was closely questioned in regard to the shorthand notes he had taken of Guiteau's conversations in the jail and his disposition of them. Guiteau made quite a noisy demonstration, and accused the witness of deceiving him by pretending to be a *Herald* representative. Witness pronounced Guiteau's statement in the matter absolutely false. "You sold it afterwards to the *Herald*," Guiteau said, "and I suppose you got \$500 for it." Witness explained his connection with the matter, and stated that the *Herald* had paid him \$500 for the report.

Guiteau, excitedly: I told you so. I'm always right, though I was only guessing then.

Guiteau availed himself of a pause to announce that he desired to have subpoenas issued for President Arthur, General Grant, Governor Jewell, Ex-Senators Conkling and Platt, Collector Robertson, Secretary Blaine, Ex-Senator Dorsey, James Gordon Bennett, Whitelaw Reid, George Jones, Charles A. Dana, William Henry Hurlburt, George C. Gorham and Stillson Hutchins, as the gravamen of his offence depended upon showing the state of political feeling in the country in April, May and June. No attention was paid to his modest request. The Court then adjourned.

On Monday morning, December 5th, Dr. James

G. Kiernan was called to the stand, and testified that he has been a practicing physician for eight years: he is now managing editor of the *Chicago Medical Review* and lectures on mental diseases in the Chicago Medical College; he has made a study of mental diseases since 1874.

Q. Assuming it to be a fact that there was a strong hereditary taint of insanity in the blood of the prisoner at the bar; also at about the age of thirty-five years his own mind was so much deranged that he was a fit subject to be sent to an insane asylum; also that at different times after that date during the next succeeding five years he manifested such decided symptoms of insanity, without simulation, that many different persons conversing with him and observing his conduct believed him to be insane; also that in or about the month of June, 1881, at or about the expiration of said term of five years he became demented by the idea that he was inspired of God, to remove by death the President of the United States; also that he acted on what he believed to be such inspiration, and as he believed to be in accordance with the Divine will in the preparation for and in the accomplishment of such a purpose; also that he committed the act of shooting the President under what he believed to be a Divine command which he was not at liberty to disobey, and which belief made out a conviction which controlled his conscience and overpowered his will as

to that act, so that he could not resist the mental pressure upon him; also that immediatly after the shooting he appeared calm and as if relieved by the performance of a great duty; also that there was no other adequate motive for the act than the conviction that he was executing the Divine will for the good of his country—assuming all these propositions to be true, state, whether in your opinion, the prisoner was sane or insane at the time of shooting President Garfield? A. Assuming these propositions to be true, I should say that the prisoner was insane.

Q. Have you any doubt about it? A. No, sir.

On cross-examination it appeared that the witness is thirty years of age; does not believe in a future state of rewards and punishments; is a graduate of the medical department of the University of New York City; has never been superintendent of an insane asylum, but had been connected with a department for the insane on Ward's Island; had been assistant physician there at one time and practically assistant physician for the greater part of the time; was apothecary to the asylum from 1875 to 1878; was dismissed for refusing to sign a paper in a case of violence and for discussing a medical subject; Dr. MacDonald was then superintendent of the asylum.

The testimony in reference to some of the prisoner's relatives having been summarized the witness was asked whether, in his judgment, that

evidence made out a strong hereditary taint of insanity in the blood of the prisoner. His answer was: Taking all that into consideration I should certainly say the case was one of hereditary insanity.

Q. Are you a disciple of the school of moral insanity? A. Yes, I believe in moral insanity.

Q. Suppose a man told you that he had a grand inspiration—say to slay a ruler—and suppose you watched his conduct and behavior, and it turned out to be that of a vulgar criminal all the way through, what would you think of his statement that he had a Divine commission?

Prisoner: There is no vulgar criminal in this case; please leave the “vulgar” out.

Mr. Scoville objected to the question, because witness’ opinion of what was vulgar might differ from the counsel’s.

Prisoner: Nothing vulgar about this case; it is all high-toned.

Mr. Davidge, to the witness: Assume that a man says to you, “I am commissioned by God to slay a ruler,” and you follow the conduct and behavior and operations of that man for six weeks and find them to be those of an ordinary sane man what weight would you give to his declaration?

Witness: If I am to assume the conditions of things which you state, I have to answer I would not have given any weight to his declaration.

Various other points were dwelt upon, such as the physical effects of insanity, inequality of the two sides of a head, the proportion of insane persons in a community, the witness affirming that it was his supposition that one in every five individuals sooner or later become inmates of insane asylums.

After a recess Richard J. Hinton, a Washington newspaper man was called. He testified to having seen the prisoner frequently last summer at the rooms of the National Republican Committee in New York; he had also read his speech "Garfield against Hancock," but not until after the assassination; he thought it ill-jointed and utterly inconsequential. At the Republican headquarters the prisoner was a laughing stock where he was not an annoyance.

The next witness was Dr. Charles H. Nicholls, of New York. He stated that he is superintendent of the Bloomingdale Asylum for the Insane; he has been connected with insane asylums since 1844, and had during all that time made a study of mental diseases; he was first connected with the New York State Lunatic Asylum at Utica, then with the Bloomingdale Asylum, then with the Government Hospital for the Insane for the District of Columbia, and lastly with the Bloomingdale Asylum. The propositions in the hypothetical question, as previously given, were read to the witness, and he was asked whether, in his opinion,

the prisoner was sane or insane when he shot President Garfield.

Witness: Taking that hypothetical case to be true, I should think the person described in it was insane.

The next witness was Mr. Charles Folsom, of Boston, who testified that for the last nine years he had given a large portion of his time to the study of mental diseases; he was in the McLean Asylum for about a year and a half from 1872; he spent a year in Berlin and Vienna, and since then has been in Europe three times; for the last three years he has been instructor in mental diseases in Harvard University. The proposition laid down in the hypothetical question was read to the witness, and he was asked: "Leaving out of view your own opinions or anything that you may draw from anywhere else, and taking the facts as stated in the hypothetical question as proved to be true, what, in your opinion, was the mental condition of the prisoner at the time of his shooting President Garfield?"

Witness: On the assumption that those facts are true, in the same way as I use language, I should say he was unquestionably insane.

Mr. Davidge: That opinion is based on the assumption that each of the facts stated in that paper is true?

Witness: Yes; it is based exactly on that paper.

The next witness was Dr. Samuel Worcester, of Salem, Mass. He stated that he graduated in 1868, but was engaged in practice previous to that time in the Insane Asylum in Providence, R. I. He had made a special study of mental diseases for the last fifteen years. The hypothetical question was read to the witness, who said that before answering it he should like to know the qualifications which the prisoner's friends had for forming their opinion at the time in relation to his insanity, and also what interpretation was to be put upon the word "inspiration."

Mr. Scoville, to the witness: I have endeavored to use plain, common words in this question.

The witness insisted on a precise interpretation of the word "inspiration," and was told by Mr. Scoville, with some asperity of manner, that if he did not understand the question he might stand aside.

The next witness was Dr. William W. Golding, superintendent of the Government Hospital for the Insane, of Washington, D. C., and connected with insane asylums since 1875. The hypothetical question was read to the witness and his reply was: In my opinion he was unquestionably insane.

Mr. Davidge: You do not undertake to pass upon the truth or falsity of those propositions?

Witness: Not at all; I assume them as if they were proven to be true.

The next witness was Dr. James H. McBride,

of the Insane Asylum of Milwaukee, and who has been connected with insane asylums since January, 1874. The hypothetical question was read to him and his answer was: Assuming these propositions to be all true, I would say that he was unquestionably insane.

The next witness was Dr. Walter Channing, of Brookline, Mass. He had made a special study of mental diseases for eight years; he had been connected with the asylum for insane criminals at Auburn, N. Y., and with the State Insane Hospital at Danvers, Mass.; also with a small private asylum at Brookline, Mass. The hypothetical question was read to the witness and his answer was: Taking all those propositions to be the exact truth I should say the man was insane.

The next witness was Dr. Theodore W. Fisher, of Boston. He had made a specialty of mental diseases for twenty years and had been connected with the Boston Lunatic Asylum as Assistant Superintendent and Superintendent. The hypothetical question was read to the witness, and his answer was: "I should dislike very much to be confined to that statement of facts, but if I am obliged to answer that question I should say he was insane."

The remainder of the day was spent in the reading of various extracts from Guiteau's book, and in sundry explanations and announcements.

Court was opened promptly on Tuesday, De-

ember 6th, and Charles B. Farwell, a member of Congress, from Chicago, was the first witness to take the stand. He stated that he knew the prisoner slightly; he came to witness' office in Chicago about six years ago, said his name was Guiteau, and handed him a roll of papers that he said were editorials for a newspaper he proposed to establish; he wanted witness to lend him \$200,000 to start the paper, and said he would make him President of the United States.

Prisoner: I am very sorry to contradict you, but I never said so.

Q. In that conversation did the prisoner appear to be addressing you sincerely or jokingly? A. I never met him before. He said he would call again, and he did so a few days after. He desired me to read those leading editorials, and I did so.

Prisoner: That part is correct, but that about the \$200,000 is not. I wanted you to lend me some money when I was trying to establish the *Inter-Ocean*.

Witness: I examined the articles he had brought and when he came back I said that I did not care to engage in the enterprise; I saw him twice since that, at the Arlington Hotel, in March last; he came in with a paper in the form of a recommendation, unsigned, and asked me to sign my name to it; it was asking the President to appoint him to the Austrian Mission or possibly to the Paris consulship.

Q. Did you have any other interview with him?
A. No, sir.

Q. Did you form any opinion as to his mental condition?
A. I never thought him a sane man in those two interviews.

The next witness was Mr. George C. Gorham, editor of the Washington *National Republican*. He stated that he had taken an interest in politics ever since he had been able to read the newspapers; he had never read the speech of the prisoner entitled "Garfield against Hancock." The aim was to get the judgment of this gentleman upon the speech, but nothing very decided was gained. Considerable discussion followed on the question of Guiteau's intimacy with leaders of the Republican party, and on the propriety of summoning the chief men of them as witnesses. After a brief recall of John W. Guiteau, merely to fix a date, and the reading of posters, handbills, etc., on the prisoner's book and lecture, the case was closed for the day, and Court adjourned at noon.

At the reassembling on Wednesday, December 7th, the prisoner and counsel indulged in a desultory discussion about the desired testimony of President Arthur.

CHAPTER VI.

REBUTTING TESTIMONY, ETC.

OTHER witnesses for the defense not being present, the direct testimony of this side was closed. The rebuttal on the part of the government began its work by calling to the stand William T. Sherman, General of the Army of the United States. He identified the letter of the prisoner, which was handed to him at five minutes to twelve A. M., on the 2d day of July at his office in the War Department. The witness stated that the four companies of artillery which then constituted the garrison of Washington were called out by him on the first intimation to him that the President had been shot; the shooting of the President under the circumstances, as reported to him, had given rise to an apprehension that it was part and parcel of a conspiracy prevailing throughout the country and therefore he had promptly called out the troops.

Q. Did you make an examination to ascertain the facts? A. I did; I went to the depôt and saw the Secretaries of State and War, and learned from them and others the principal facts; I then sent Colonel Kidball to the depôt with troops; I

then went to the War Department and there received the letter which I hold in my hand.

Q. After you ascertained that there was no conspiracy did the army still remain in charge of the jail? A. The



ROBERT T. LINCOLN,
Secretary of War.

army did not take charge, but assisted the civil authorities in the execution of their duties; a guard was sent to the jail at the request of Major Brock.

Cross-examination by Mr. Scoville. Q. You said something about a conspiracy? A. I said that when I first learned that General Garfield had been shot down in the depôt my mind jumped to the conclusions that it must have other connection resulting from a conspiracy.

Mr. Scoville: Did you have any other foundation for that opinion than your own suspicion?

Witness: None.

Mr. Scoville: Did you ever have?

Witness: Never.

Mr. Scoville: Did you investigate the subject?

Witness: Yes.

Mr. Scoville: What conclusion did you arrive at?

Witness: I came to the conclusion that it was the act of one man, and one man alone.

Prisoner: I'm much obligè to you, General, for sending troops to my protection at that time; I

should not have been here if it had not been for you and General Crocker, and Major Brock.

The next witness was Edward P. Barton, a lawyer of Freeport, Ill., who testified to having known Luther W. Guiteau very well from 1856 until the day of his death; he had the character of a very reliable, honest, clear-headed, straightforward business man; he was intelligent to an unusual degree, and kept posted in the current literature and politics of the day; his mind was a peculiarly logical one.

A. T. Greene, a collector of Freeport, Ill., testified his belief in the sanity of the whole Guiteau family, and the cross-examination failed to shake his testimony.

Gardner W. Tandy, a boot and shoe dealer, of Freeport, Ill., also testified to the sanity of such members of the Guiteau family as he had any knowledge of.

Benjamin T. Buckley, a practicing physician of Freeport, Ill., was the next witness. For some years he had been the doctor of L. W. Guiteau's family; had always regarded Mr. Guiteau as a man of fine intellect, with a clear, logical mind; he was a public-spirited man, a man of benevolence, always interested in the cause of education and temperance; witness never saw the slightest indication of mental trouble in the man.

Smith D. Atkins, editor of the *Freeport Republican*, was the next witness, and testified as to the

sanity of the Guiteau family. He was questioned as to the character of Messrs. North and Amerling, witnesses for the defense, and stated that North had been excluded from the Methodist Church for lascivious conduct, and that Amerling was such a man as Luther W. Guiteau would not associate with.

At this point a recess was taken. The first witness after the recess was J. S. Cochran, a lawyer, of Freeport, Ill. He had resided there since 1858; knew Luther W. Guiteau intimately up to the time of his death; never saw in him any indication of mental disturbance, however slight; knew also Abram Guiteau; never saw any evidence of insanity in him; never had any reason to suppose that any member of the family was of unsound mind.

George W. Oiler, a Justice of the Peace, of Freeport, Ill., was the next witness, and testified as to the sanity of the Guiteaus. He was then questioned by the District-Attorney as to Mr. Amerling, and stated that he had received a letter from that gentleman before the trial asking him to look up the eccentricities of the Guiteau family; he thought that the letter was written for the purpose of getting him to manufacture —

District-Attorney: So I thought.

Mr. Scoville started up angrily.

District-Attorney: That is irregular; I admit it.

Mr. Scoville: Then don't do it. You first do it and then admit it.

Anson A. Babcock, a farmer of Freeport, Ill., testified that he had lived there forty years; never saw anything in L. W. Guiteau or his family indicating insanity.

Mr. David H. Sunderland, State Senator from the county in which Freeport is situated, and formerly a schoolmaster of the prisoner, then took the stand. He had never seen any symptoms of insanity in the Guiteau family. In cross-examination he stated that when the prisoner went to school to him he was six years old, and had great difficulty in articulating and giving the right pronunciation to words; L. W. Guiteau had taken great interest in education, and his name was inscribed upon one of the public schools in Freeport.

Horace Tarbox, capitalist, of Freeport, testified to the sanity of the Guiteaus, and stated that L. W. Guiteau was the third smartest man in the county. He mentioned the names of men who were smarter, upon which the prisoner smilingly said that those two men were dead and so the father must have been head of the county.

At 3 o'clock the Court adjourned.

On Thursday, December 8th, Julia M. Wilson was the first witness called. She was a niece of L. W. Guiteau and a cousin of the prisoner. Her mother was Mrs. Julia Maynard, who died in 1856,

and in whose conduct there was no trace of flightiness

Q. Did you ever hear in your father's family, during your mother's life, or after her death, that she was insane? A. No.

Witness then gave a description of her sister Abby's character, showing her to be imbecile rather than insane, or, as witness stated it, "a childish mind in an old body;" in none of the family had she ever seen any indication of insanity.

On cross-examination Mr. Scoville inquired whether witness had any prejudice against insanity being shown in the family. A. I may have, in view of the influence on children and others, not on myself; if I thought I had nervous children I should dislike to have them constantly feeling that they were subject to insanity.

Witness stated that her sister Abby was now in the State Asylum for the Insane.

The testimony of this witness provoked quite an animatd family quarrel in which the lawyers also joined.

The next witness was Mr. George C. Maynard, of Washington (the same gentleman from whom the prisoner borrowed the money with which he bought the pistol and who had already testified in the case). He is a cousin to the last witness and knew her mother, Mrs. Maynard, very intimately for years; she was his aunt; she was a woman of

intelligence and cultivation, decidedly strong in character, clear-headed and even-tempered and of very superior ability ; he had never seen in her any indication of mental disturbance ; he also knew Abby Maynard as a bright, intelligent, good-tempered amiable girl ; she was timid and diffident, and appeared like a woman of thirty with the ways of a girl of eighteen ; aside from that she was as smart as any of them ; he also knew her father, who was a man of great prominence in Ann Arbor ; he never knew any indication of weakness of mind in him.

The noon recess then occurred. After the recess Frank Bartlett, of Chicago, was called to the stand. He knew Mr. and Mrs. Scoville, and had a slight acquaintance with the prisoner.

Prisoner : You met me at Mr. Scoville's summer resort in 1876 ; that's all you know about me. It cost the Government \$200 to get this man down to testify to that. That is the way you wasting the Government money, Corkhill

The witness stated that he knew the prisoner in 1878.

Prisoner : It was in 1878. You're right.

Q. Did you see anything in his conduct that would indicate that he was of unsound mind? A. Nothing whatever.

Prisoner : What has that to do with the condition of my mind? From the middle of May till the 1st of July I had a chance to go crazy a hun-

dred times. [Laughter]. That shows the very stupid work on the part of the prosecution. If you had to pay the money, Corkhill, you wouldn't do this, but the taxpayers have got to pay it.

Florence L. Bartlett, the wife of the last witness, then took the stand and was questioned as to the incident of Guiteau's throwing a dog down stairs. The testimony was unimportant and the spectators seemed to agree with the witness when she said her opinion was that "it was a good deal of talk about a very small matter."

The cross-examination failed to shake the witness' testimony, and the prisoner interjected the remark, "We've had enough of this dog business."

Howard C. Dunham, acting secretary of the American Peace Society, of Boston, then took the stand. The testimony was upon minor points and was accompanied with considerable discussion by the prisoner and counsel.

The next witness was John Palmer, proprietor of the Circular Street House, Saratoga Springs. The substance of his testimony was that the prisoner spent a week at his house in July, 1880, and left without paying his bill.

Mr. Scoville then read to the Court the answers of President Arthur to the interrogatories sent him. To the first and second questions whether he knew the prisoner, and how often he had seen him, the President replied that he knows him, that

he has seen him at least ten times, and possibly twenty times. To the question as to whether he had ever conversed with him he replied, "Never, excepting to return the ordinary salutations of the day, and once or twice in answer to his request to be employed in the campaign as a speaker by the Republican State Committee, of which I was chairman." To the question what political services the prisoner had rendered to the Republican party during the last Presidential campaign, the answer is, "None that I know of." The fifth question was, "Whether there was anything in the prisoner's relations to himself, or to General Grant, or Senator Conkling or any other leader of the Republican party, socially or politically, to furnish him with any ground for supposing that he would receive any political preferment." The answer is "No."

Prisoner: That is a matter of opinion.

The last question was: "Did you ever give him any reason to think he could have any political or personal influence with you?" The answer is, "I never did."

Prisoner: He never had occasion to.

The President adds to his answers the following: I have been requested by counsel for the defense to produce a letter written by the prisoner since his indictment. That letter was received by me in October last, and was not preserved. I do not recollect its contents particularly, excepting

that it contained some claim of his having rendered some important services to the Republican party during the Presidential campaign, and an appeal for the postponement of his trial to give him time to prepare for the defense.

Prisoner: That is all that there was to it.

The next witness was Rev. R. S. MacArthur, pastor of the Calvary Baptist Church of New York. As soon as he was sworn the prisoner remarked: "I know Dr. MacArthur very well. He is a nice, fine fellow; very high-toned in every way. I owe him \$95." In answer to the question when, where and under what circumstances he had known the prisoner, the witness said: In the latter part of June or the early part of July, 1872, the prisoner introduced himself and his wife to me at the close of one of the Sunday morning services; he presented at the same time a letter of dismissal from the First Baptist Church, of Chicago, of which Rev. W. W. Evarts was then pastor; this letter dismissed him and his wife honorably from that church and recommended them heartily to the watchful care and fellowship of the Calvary Baptist Church, of which I was then and am now pastor; with the letter was also his business-card, Charles J. Guiteau, Attorney and Counsellor at Law, at such a number, Broadway; he stated to me at that time that in Chicago he had had a lucrative practice of law, but that owing to the disasters following the fire his practice had entirely

or in good part gone, and that now he and his wife had come to New York to start life afresh. I received him with cordiality.

At our first regular business-meeting, in September, 1872, the prisoner and his wife were received into the fellowship of our church; the wife came to me one Saturday, late in July or early in August, with a letter from her husband stating that he was in great distress for money; the money was most urgently asked for by his wife; I gave the money; that fall we were entering on a political campaign; during the early part of the fall the prisoner used to attend our meetings and to participate in our prayers and remarks; he was always welcome; during this campaign he was not seen at our meetings so often, and the reason assigned by him was (using the phrase which he used) that he had gone to some degree into politics and that he expected an office as the result of these political excitements.

During the year 1872 and the early part of 1873 we saw him at the meetings less frequently; now and then there were remarks made in newspapers reflecting somewhat on his character in the management of some business affairs, but in conversation with me he gave what he deemed a satisfactory explanation, and there seemed to be no sure ground on which proceedings of discipline could be instituted against him.

I remember that he was^e arrested and thrown

into Jefferson Market jail because of some difficulty with a hotel, and that from the jail he wrote to me, saying that I was the only one to whom he could apply and that he was absolutely helpless; I put myself out very considerably to go to the jail and see him; I saw the Judge, and the Judge kindly offered to attach importance to any suggestion that I might make to him; I informed him, however, that I wished the law to take its course; in the meantime it came to the knowledge of the officers of the church that he had been guilty of gross immorality.

Prisoner: That was the time that I committed adultery so that I might get a divorce. That was all there was in it. I was not going to live all my life with a woman I did not like. I had no business to marry her at all.

Witness, ignoring the interruption: And about the 13th of April, 1875, he was summoned to appear before the Advisory Committee to answer to the charge of gross immorality; I was chairman of that committee; there were three counts in the charge; the first was that he took money which his wife earned by working in a hotel in the country and which was remitted to him to assist in supporting him.

Prisoner, interrupting: That is absolutely false, Doctor. I never heard the story before.

Witness, still ignoring the interruption: And spent it in improper relations with other women.

Prisoner, with excitement: That is absolutely false. If my wife told you that, she told a lie.

Witness, continuing his narrative: The second and third counts charged that he had been guilty, by frequent acts, of violation of his marriage vows.

Prisoner, again breaking in: I only married that woman on ten hours' notice, and that is reason enough why I could not live with her.

Witness: Those charges were recited to the prisoner by myself in the presence of the committee.

Prisoner: That is erroneous. I beg to differ from you.

Witness: I recited those charges to the prisoner, and he acknowledged the truth of every one of them.

Prisoner, in spite of all Mr. Scoville's efforts to repress him: I remember this. I take back my contradiction to what the doctor said, because upon thinking it over I find it is correct. The men on that committee said that they had been in the same boat themselves and for that reason they felt sympathetic. They thought that if a man had been unfortunately married he had a right to get out of it.

The witness proceeded to tell of Guiteau's final exclusion from the church. A decided sensation was made when the District-Attorney said: We present this testimony because we want to show

that what the defense calls insanity is nothing more than devilish depravity.

The District-Attorney, to the witness: From your observation and from your conversations with him did you ever consider him in any sense an insane man?

Witness: It never occurred to me for a moment that he was other than sane.

After cross-examination, in which the prisoner was constantly interrupting proceedings, the Court adjourned.

Dr. MacArthur resumed his testimony on Friday, December 9th. The re-direct examination was conducted by the District-Attorney, but developed nothing new.

The next witness was W. S. Caldwell, of Freeport, Illinois, a physician. He attended the prisoner's father in his last illness and noticed in him no indications of unsoundness of mind.

The next witness was George W. Plummer, of Chicago, lawyer. As soon as he was called the prisoner blurted out:

"I owe Plummer \$20 and it will cost the Government \$100 to prove that fact." To the District-Attorney: "How many more of these money-men have you got, Colonel? Public attention should be called to the way you are spending the public money. You will make this trial cost \$200,000."

The witness stated that the prisoner had ob-

tained desk-room in his office in Chicago and had got out some business cards, on which he described himself as "Late of New York City."

The witness went on to speak of the *Inter-Ocean* negotiations, which the witness did not think at all irrational, considering the first-class men whom the prisoner mentioned as backers.

Prisoner: I had the brains and they had the money.

The next witness was Granville B. Hawes, one of the Judges of the Marine Court of New York. He testified to the fact that the prisoner in 1874 occupied a desk in the outer room of his office, and said that he had never noticed anything in him indicating that he was of unsound mind.

The next witness was Mr. Stephen English, of New York, editor and proprietor of the *Insurance Times*. He detailed all the circumstances connected with the prisoner procuring bail for him while he was in Ludlow Street jail on a charge of libel. He was interrupted at every step of his narrative by the prisoner ejaculating: "That is not true;" "Confine yourself to the facts, English;" "He got me arrested by actual perjury;" "That is absolutely false;" "I can convince you that you are lying;" "There is not an insurance president in New York who does not know that you are a first-class fraud;" "That is the biggest lie you have spoken;" "Why, I would not spit upon you in the street;" "You old scoundrel;"

“The insurance presidents of New York would not believe you under oath;” “You’re an old fraud.”

In reply to the question whether he had any doubt as to the sanity of the prisoner, the witness said: Never; on the contrary, he appeared to be a man of remarkable keenness of intellect, because he completely outwitted me. [Laughter].

Prisoner; He had a half dozen lawyers trying to get him out and they failed. I was the only man who dragged him out of that hole.

Warren G. Brown, attorney-at-law, of New York, was counsel for Mrs. Guiteau in obtaining her divorce from the prisoner. Witness saw and talked with the prisoner several times during the four months that the case was pending, and never saw anything to indicate that the prisoner was not as rational as any other man.

Guiteau, excitedly: I want to know, Corkhill, what all this kind of evidence has got to do with the real issue. Who fired the shot that killed Garfield, the Deity or I? I think it devilish mean to rake up my character in all its details.

Charles H. Wehle, a lawyer of New York City, was then called to the stand. He was acquainted with the prisoner and had met him in 1873. Saw him twice, once in prisoner’s office, once in his own. On those occasions the purpose was to get money from him which he had collected from witness’ clients and not paid over.

Witness presented a book, showing the contract which he had with Guiteau to collect money, and read a number of claims which were to be collected for Mr. Emil Haas, one of witness' clients.

When he concluded the prisoner declared that he would not give ten cents a bushel for all the claims, and demanded to know the amount of claims which he had collected.

Witness: The items collected amounted to \$585.12.

District-Attorney: From those interviews with him, was there anything in his actions or conversations to indicate that he was of unsound mind?

Witness: Nothing. On the contrary, I considered him very sharp and keen, and as rational as you or I.

Prisoner: That was eight years ago. It has a great deal to do with this case, hasn't it, Colonel (in an ironical tone to the District-Attorney)? You produce those notes (he shouted wildly to the witness), or else get off that stand a disgraced man. If you came to slobber over me you must produce those notes or you show yourself a liar.

On the cross-examination, Mr. Wehle was asked: Did you ever have any conversation with the prisoner on the subject of religion? A. No.

"No," echoed the prisoner, contemptuously; "he is a Jew, and a dirty one at that."

The next witness was Benjamin Harrison, United States Senator from Indiana. He testified

that he had met the prisoner after the inauguration in Washington, Guiteau wanted assistance in his application for office. The witness saw nothing that raised the question of insanity.

D. McLean Shaw, a New York lawyer, was called. The prisoner rented an office-room from him at 59 Liberty Street, in 1872. Prisoner had declared his purpose to become notorious, even if he imitated Wilkes Booth. Witness never had any doubt of Guiteau's sanity. The prisoner was particularly abusive of this witness.

Mr. Scoville, angrily: I would like an opportunity to cross-examine the witness.

Prisoner: I can examine him in two or three words better than you in a half an hour.

Q. Who was the first person to whom you related this conversation? A. I don't recollect stating it to anybody until after the assassination.

Prisoner: You kept it to yourself. That shows that you are a liar, you whelp, you.

Q. Whom did you first inform of it? A. Some of my friends and associates.

Prisoner: I just want to state about Shaw that I went from his office to Judge Hawes' office. I called round to see Shaw one day and he said: "You have to thank me for that," as much as to say that I got into Judge Hawes' office on his commendation.

With the consent of the District-Attorney, Mr. Scoville called to the stand Judge Granville B.

Hawes, who had been occupying a seat beside Judge Cox. He did not recollect whether the prisoner had come into his office on Mr. Shaw's recommendation or not.

The Court then adjourned until 11 o'clock, Monday.

On Monday, December 12th, Mr. Scoville called to the stand, with the consent of the prosecution, Dr. E. C. Spitzka, of New York City. He stated that he had followed the medical profession for eight years, and for six of those he had made a specialty of nervous and mental diseases; he had studied in Vienna and this country; he had been called as an expert in insanity cases twenty-five or twenty-six times; he had written articles upon the subject and had received the international competitive prize in 1878 for an essay on insanity. He was questioned fully as to an examination made the previous day to determine whether Guiteau was insane. He pronounced the prisoner unquestionably insane, and expressed the conviction that he had been more or less so all through his life.

Q. State the particular phase or character of the insanity in this case, as observed by you. A. That would be very difficult to render clear to a jury not composed of experts; I simply say that the marked feature of this man's insanity is a tendency to delusive or insane opinion and to the creation of morbid and fantastical projects; there is a marked element of imbecility of judgment,

and, while I had no other evidence than the expression of his face for this, I have no doubt that he is a moral imbecile, or, rather, a moral monstrosity.

The cross-examination dealt with the definition of insanity, degrees of insanity, etc.

In reply to further questions, the witness said that he had never had charge of an insane asylum, he had never been professor in a medical school, but was Professor of Comparative Anatomy at the Columbia Veterinary College.

Q. What sort of a college is that? A. A college where physicians are instructed in the art of treating the lower animals.

Q. Horse, mainly, I suppose? A. Yes; the branch which I treat is the branch pursued by such men as Thomas Huxley, Baron Huguët, Hæckel and others of our most eminent scientists. I have no reason to be ashamed of it.

Mr. Davidge: All these doctors, and the doctors belonging to this college are called "horse doctors," are they not?

Witness: I never have treated any lower animal except the ass, and that animal had two legs [laughter], I therefore cannot consider myself a veterinary surgeon.

Q. But you are a veterinary surgeon, are you not? A. In the sense that I treat asses who ask me stupid questions I am. [Laughter.]

After some questioning about his relation to the

pending case, the witness gave very fully his reasons for thinking Guiteau insane.

The afternoon session was opened as usual by the prisoner, who, thumping the table with his fist, cried: "There are a good many poodle dogs in the newspaper business, and I want to express my utter contempt for some of those poodle dogs. I am glad to notice that the high-toned, conscientious papers are saying almost with one voice that it would be a stain on the American name for the jury to hang a man in my condition on the 2d of July, when I was precipitated upon the President."

Hardly had he ceased speaking, when a voice from the most crowded corner of the court-room exclaimed, "Shoot him now!" The prisoner glared around in a frightened manner, while there was a good deal of suppressed commotion among the spectators. The Deputy Marshal endeavored to discover the offender, but was unsuccessful.

The cross-examination proceeded upon the shape of the prisoner's head and other congenital evidences of insanity.

Q. You base your opinion as to his moral monstrosity on the shape of his head? A. Only incidentally; I base it upon his expression taken in connection with the abnormal shape of his head; it proves the congenital character of the trouble; if the man only had the mean face he has, I should say he might be a depraved man, but when I add to that the defective shape of his skull I am

strongly of the belief—as strongly as science permits us to come to a conclusion—that he is a congenital monstrosity.

Q. You refer to the shape of the head and the inequality of the facial muscles and the deviation of the tongue to the left, as indicating that the lack of moral sense is congenital and not acquired? A. Yes; among the other physical evidences I noticed was a defect in his speech.

Q. What do you mean by an unequal facial development? A. On one side the facial folds, when he was laughing, rose higher than on the other.

Q. His smile was a one-sided smile? A. A lop-sided smile.

Q. In your practice have you met with many lop-sided smiles? A. It is the characteristic of those insane whom we term “primary monomaniacs.”

Q. Taken alone what would it amount to? A. Absolutely nothing.

Prisoner: Dr. Spitzka is one of the most scientific men in America. He studied in all the high-toned colleges in Europe, and he is not to come here and be insulted by this little bit of a scamp. To the District-Attorney: Why, Corkhill, he would not even condescend to spit on you.

District-Attorney: I understand that this witness, over a month ago, wrote an opinion upon the subject of this prisoner's insanity, and criti-

cised the whole case. I want to show that he did not come here with an unformed opinion.

Witness: Nor did I claim to do so.

Court: There is nothing wrong in that.

On being questioned further the witness admitted all that was asked about this printed article to which the District-Attorney replied ;

So that when you came into this case you had not only expressed your opinion as to the sanity or insanity of the prisoner, but you had criticised the law officer in charge of the case, and said that it would be disgraceful to hang the prisoner, and that the case ought never to go to a jury. Now do you pretend to say that you came here an unbiassed witness ?

Witness, indignantly: I mean to say that I am an honest, scientific, unprejudiced witness, and if you will say—restraining himself. I will not go any further.

On Tuesday, December 13th, Dr. Spitzka resumed the stand, and the District-Attorney conducted the cross-examination. It elicited nothing new, and a re-direct examination followed, which was conspicuous chiefly for the personalities and ill-temper it occasioned.

Dr. Fordyce Barker, physician and surgeon, of New York, was next called as an expert witness on behalf of the prosecution. He was examined by Mr. Porter. He stated his professional experience, and that he had carefully investigated and

studied the subject of insanity ; he defined insanity to be a disease characterized by an alteration of the mental faculties and a perversion of the normal actions of the individual ; in cases of insanity either a change of substance—and that wrought by disease—or a change in the healthy performance and functions and duties that belong to some part of the body is always found, either one or both.

Q. What is moral insanity? A. Moral insanity is wickedness ; it is a term not found in medical science, as involving a form of insanity ; it is a term loosely used to excuse or palliate conduct which is on any other theory indefensible.

Q. Is the habit of boasting of intimacy with persons holding high positions and possessing influence and power—where there is no such intimacy—proof of an insane delusion? A. It is not, because it is not the result of disease, and insanity is a disease ; it is the result of vanity and self-conceit and love of notoriety, and these are vices and not diseases.

Q. In your judgment as a scientist, would a man's assertion that he was the chosen instrument of God and was in direct and immediate communication with Him as a trusted agent be evidence of an insane delusion? A. It would not, for several reasons ; it might be asserted as an excuse for crime ; where it exists as one of the symptoms of insanity it is susceptible of proof. If the

act were inconsistent and contrary to the previous habits and normal character of the individual it would be a strong presumptive evidence of insanity. For example, if a man who has always been a hard working, industrious man, of correct habits, moral, affectionate, fond of his wife and children, should cut the throat of his child, and give as his reason that he was directed by the voice of God, that would be almost a sure proof of insanity; whereas, where a man has been always a tyrant to his wife and children, utterly reckless in his conduct, of bad impulses, regardless of the laws of God and man, such an excuse would not be a defense, and would not be any evidence of delusion.

Prisoner: That suits my case exactly, Doctor. I have been always a Christian man, and I have been strictly virtuous for years.

Court, to the witness: State to what class of subjects insane delusions generally relate.

Witness: That depends upon the existing cause of the insanity.

Court: Do they always relate to something affecting the individual himself or his relations with other persons?

Witness: Insane delusions are false beliefs as to facts; absurd and extravagant opinions are governed by differences in the intellectual powers of different individuals; some are buoyed up by extravagant hope and confident belief in success,

while others are depressed and inclined to take a dark view of every question.

Court: Is an insane delusion ever the result of a process of reasoning?

Witness: No.

After further questioning, Mrs. Scoville for the first time ventured to take part in the examination of a witness, against the earnest protest of the prisoner, who told her to mind her own business. She said to the witness: "Doctor, can a person be born insane from malformation of the brain?"

Witness: That produces idiocy and imbecility, not insanity.

Mrs. Scoville: Can it develop into insanity?

Witness: A person with a malconstructed brain may be more liable to insanity.

Mrs. Scoville: That is what I wanted to know. I am much obliged.

At the afternoon session, L. S. Gobel, of Newark, N. J., testified that the prisoner had offered him some life insurance applications, and had borrowed money on several occasions.

The next witness was William P. Copeland, a Washington journalist, who picked out the newspaper scraps that were found on the prisoner and indicated the various papers from which they were cut, several of them being from the *Brooklyn Eagle*.

The next witness was H. T. Ketcham, of Brook-

lyn, attorney and counselor-at-law, who had been law clerk to Mr. Hawes at the time the prisoner had a desk in the office. He testified that he had several conversations with the prisoner, and particularly in reference to a patent which the prisoner said he had for the use of rouge by jewelers; the witness' father, who is a jeweler, told him when he mentioned the matter that there might as well be a patent for the application of bread to butter; the witness had occasionally lent him small sums of money.

The next witness was Henry Wood. As soon as he came to the witness-stand the prisoner exclaimed, "That is the man who knew my wife before I did." The witness testified that he is a resident of Philadelphia, and a railway manager; he first met the prisoner in 1872; the prisoner called at his house at that time to thank his family for some friendliness they had shown to his wife; he had subsequently seen him several times in connection with his divorce proceedings; the last time he saw him was when the prisoner attempted to deliver a lecture in a Presbyterian Church in Philadelphia on the Second Coming of Christ; the prisoner spoke for about fifteen or twenty minutes and then stopped, saying that his book would soon be out, and that everybody could then see what he thought on the subject; he then passed around his hat for a collection, which was his only compensation.

Prisoner: I got fifty cents, and twenty-five cents of it came from the witness. [Laughter.]

To the question whether the witness had seen anything in the prisoner to indicate unsoundness of mind, the witness replied, I did not; quite the contrary; he always appeared to me as a man of more than ordinary intelligence, but wholly wanting in principle.

The next witness was Simon D. Phelps, broker, of New York. He testified that he had practised law in Chicago, where he was a member of the firm of Reynolds & Phelps; the prisoner had engaged that firm to bring a suit against the Oneida Community for \$4,000 or \$5,000, which the prisoner claimed to have deposited with the Community; after some time he found that the prisoner had lied and he told him so.

Wednesday, December 14th, opened with the Rev. Dr. John L. Witherow, of Boston, on the stand. He is pastor of Park Street Church, where Guiteau attended when in Boston. His testimony related to Guiteau's habits in the devotional meetings of the church, and his opinion was that he was "not the least" insane, but "a very acute man."

The next witness was Charles A. Bryan, city clerk of the Equitable Life Insurance Company, of New York. He first saw the prisoner in February, 1881, when he called to inquire what commission would be allowed for obtaining applica-

tions for insurance; he brought in an application, and asked for a loan or advance. He persisted in his appeals and finally got an advance of \$15.

The witness produced two letters written to him by the prisoner from Washington, and said that he had received quite an avalanche of letters from him. He had never seen anything in the prisoner indicative of unsoundness of mind, but thought him a very shrewd sort of a fellow.

Henry M. Collyer was next called, who testified to Guiteau's transactions in the collections made for Reese Brothers & Co., after which, on account of the serious illness of a juror, the Court adjourned for the day.

On Thursday, December 15th, Mr. Collyer was re-called. He always regarded Guiteau as "perfectly sane."

J. M. Justice, a lawyer of Logansport, Indiana, was the next witness. He testified to having been acquainted with the prisoner in Logansport in 1878; saw him nearly every day for three weeks; he was boating at the house of William Jones. He was stoutly contradicted by the prisoner all the way through, but his testimony was not important.

The Rev. Dr. Shippen, pastor of All Souls Church, in Washington, was next called upon, and testified that that he and the prisoner boarded at the same house of Mrs. Grant, and became casually acquainted; the question of the prisoner's

sanity never occurred to him; he (Guiteau) seemed a little peculiar—that is, nervous and quick of speech—but witness thought him as “straight” as any one; there was nothing about him to suggest insanity.

Dr. Wilson Noble, of Washington, physician to the jail in which Guiteau is confined, was then called, and testified that the prisoner had suffered a little from malaria during his imprisonment, but had otherwise been well; his pulse, temperature and respiration were perfectly normal; some time after the President's death, witness had a talk with the prisoner about the “removal” of the President, as the prisoner called it, and asked him why he did the act; he said he was inspired to do it; but (said the witness), what was very remarkable was, that he qualified the inspiration by saying that if the President should die he would be confirmed in his belief that it was inspiration; witness had never thought of the prisoner's insanity at first, but after that question was publicly agitated witness examined him in regard to it, and, for the last three weeks before the trial, witness was specially observant of any physical changes that might occur, and he saw none.

District-Attorney: From your conversations with, and your observations of, the prisoner, what is your opinion of his sanity or insanity?

Witness, with a smile of incredulity: He is a perfectly sane man; as bright and intelligent a man

as you would see in a summer day; bright, quick and intelligent; I never saw anything in him that savored of insanity; he is of nervous temperament, a very quick, impulsive man, a little impatient of restraint, sometimes demanding a little more than is usually allowed to prisoners; but there never was any evidence whatever to my mind of insanity.

In the course of cross-examination the prisoner gave his version of the interview detailed by the witness. He said: "The question came up, 'Suppose the President recovers?' I said, 'If he does, it is because the Lord has countermanded His order, just as He did in the case of Abraham.' But, as a matter of fact, the President died; therefore the Lord confirmed the act."

The next witness was Joseph A. Reynolds, a lawyer, of Chicago. He detailed his acquaintance with the prisoner when he first came in May, 1868, as a law-student in his office, and afterward, in May, 1875, when he occupied a desk there. He visited the prisoner in jail on the 14th of July, and made a memorandum of his conversation, which, after objection on the part of Mr. Scoville, he proceeded to read. The memoranda of the first interview covered his political work, and his expectation of liberty at no distant day. In this interview, Guiteau used the term "assassination" and not "removal." The second interview of the witness with the prisoner was on July 15th. When

this point was reached the prisoner broke in excitedly, saying :

I want to ask the General if he was in the employ of Corkhill at that time. He pretended to be my friend. If he came in disguise as a detective I want the fact shown to the American people. That only shows the trickery of this prosecution from the start. Corkhill is the man that did it and the Lord Almighty will curse him for it. Mark my word for that, man !

The second interview dealt with the political situation also. The third interview was on July 18th. At this time the prisoner seemed amazed that the "stalwarts" denounced him. He pronounced this fact "most astounding." He said : "The idea of General Logan saying I was insane; I am not any more insane than he is;" he then asked for pen and paper and wrote his Address to the American People.

Prisoner, contemptuously : You were a pretty sharp detective, weren't you, General? You'll probably get some more business in that line. You came there as a personal friend and got that information. I don't care a snap about it, gentlemen of the jury.

A fourth interview occurred July 19th. At this time he was very much more calm than the night before, but he seemed dispirited and considerably dejected ; he said that he thought that when the President had entirely recovered, if he did recover,

there would be a great change in the public mind in regard to his act; he said that the people would not be so violent against him, and that his friends could and would come cautiously to his assistance and make the people see the act in the right light; that it arose from patriotic motives, and not from malice or anything else.

After considerable angry discussion between prisoner and counsel, the cross-examination was proceeded with. Mr. Scoville questioned the witness closely as to the cause of his coming to Washington, and he stated that he came here on indefinite information that the Attorney-General and Secretary Kirkwood desired to see him.

Prisoner: You told me you came to settle up an old Treasury claim. That is the kind of a man you are. Why didn't you tell me that? What did you want to sneak into my cell for? You're a nice specimen of humanity. You have proved yourself a low, dirty scoundrel. You are trying to hang me, if you can. You must have a high opinion of yourself. A nice record you will have in Chicago, Reynolds, when you get back. Not one word Reynolds has said I wish to withdraw, but I do not like the mean, dirty way in which they got the information. It is contemptible.

In reply to further questions by Mr. Scoville, witness said he made no misrepresentations to the prisoner; he was asked to go to the jail to see him by the Attorney-General and Secretary

Kirkwood; he went as a matter of curiosity to some extent—that is, to see whether the prisoner had changed any since he saw him last; he received no pay except \$83 for his expenses; he shook hands with the prisoner; said he was glad to see him and expressed solicitude for him.

Q. You were admitted as a gentlemen who would not betray confidence? A. I suppose so.

Prisoner: He gave me his personal honor that these conversations should never be mentioned again, and he has come and blown the whole thing out.

Q. Did you ever act as a spy before? A. I never did, nor since; nor at that time.

Q. Have you not told persons in Chicago that you considered Guiteau insane? A. No, sir.

The Court here adjourned for the day.

At the opening of the Court on Friday, December 16th, the District-Attorney called to the stand George D. Barnard, Deputy Clerk of the Supreme Court of Kings County, New York. He produced the original record in the case of Annie J. Guiteau against Charles J. Guiteau, application for divorce, which was read in full.

General Reynolds being recalled to the stand, was subjected to a searching cross-examination as to his visits to the jail, and Guiteau continued to heap upon him the vilest abuse.

The District-Attorney proceeded to read newspaper extracts which the last witness had brought

to the jail and read to the prisoner. They comprised telegraphic despatches from Senator Conkling expressing abhorrence of the prisoner's act; also reports of interviews with Fred. Grant, Senator Logan and others; also editorials on the assassination. The reading of them by the District-Attorney was interrupted by exclamations from the prisoner, of which the following are types: "That is false; General Grant was always very kind and polite to me. He liked the ring of my speech." "That is what Fred. Grant says. He is a nice youth, is he not? He is too lazy to get a decent living. He is a dead beat, not I." "I used to be a member of Beecher's Church. He was supposed to be a virtuous man then, and perhaps he is now." "I used to go up to Logan, pat him on the back, and say, 'How are you, General?' and he would say, 'How are you, Guiteau?' He thought I was a good fellow. Then they all turned against me, just as Peter did when he denied the Saviour when he was on the cross and in trouble. But they have got over it now and they are coming up like proper men. My life would have been snuffed out at the depôt that morning, if God Almighty had not protected me." In reference to another newspaper extract, speaking of Guiteau's boast that, if he got the Austrian Mission, he would fill the position with dignity, he said: "That part is true." [Laughter.]

Mrs. Ellen C. Grant, of Fourteenth Street,

Washington, was called as the next witness. She testified that the prisoner had boarded in her house forty-one days, leaving on the last day of June. "That was," said the District-Attorney, "two days before the murder of the President."

"The doctors did that," said the prisoner; "I simply shot at him."

The witness stated in response to questions by the District-Attorney that she never noticed in the prisoner anything indicating unsoundness of mind.

Mrs. Annie J. Dunmire, the prisoner's divorced wife, was next called to the stand. Guiteau denounced the District-Attorney in the severest terms for summoning her. Her examination was very brief, and her full story was but a confirmation of what is already familiar. When she was dismissed from the stand Guiteau said, "I know nothing against this lady's Christian character; I know her well and have much respect for her."

After an hour's recess, the Court reassembled and the District-Attorney called, as an expert, Dr. Francis D. Loring, of Washington, a physician. He stated that he had made a specialty of diseases of the eye and ear; he has been in the habit of examining the eyes of patients for the purpose of determining whether or not the appearance of the eye gives indication of disease of the brain; he examined the prisoner's eyes at the jail on the 30th of November and 5th of December, and had found

nothing in them indicating an affection of the brain; the pupils of both eyes contracted and expanded naturally; there was some inequality in the strength of the muscles moving the eyes, which, after constant reading, sometimes produced something like a squint, but that had no connection with disease of the brain.

The next witness was Dr. Allen McLean Hamilton, of New York, physician. He stated that for the past nine years he had made a special study of mental and nervous diseases and had written extensively on the subject. He had made three personal examinations of the prisoner and proceeded to state the points. He found him to be a man of spare build, five feet five and three-quarter inches in height, of nervous temperament, with mixed gray hair, with no apparent physical deformity, of 135 pounds weight; he found nothing whatever indicating any congenital defect; the head was slightly asymmetrical or irregular, but that was a very common thing; he found an appearance of flatness on the top of the head, but it was owing to the way the hair was cut; he had taken measurement of the prisoner's head (which he exhibited in a diagram), and said there was no irregularity of contour; the face was thin but symmetrical; the lines on either side of the nose were perfectly regular; the lips were regular, so were the teeth; in cases of idiocy and imbecility it often happens that the teeth are irregular; that there

are, perhaps, two rows or some peculiar development and he had examined the prisoner with that view; there was nothing wrong with the roof of the mouth; the mouth was perfectly symmetrical and round; the hands were regular in shape: there was no trouble with the nails, as is generally noticed in certain kinds of congenital trouble; the fingers were symmetrical and the hands were of like size; the skin was well nourished and moist and had none of the appearances which characterized the skin of insane persons; there was nothing to indicate any trouble with the circulation; he had examined the eyes and found that there was no trouble with them; the tongue was turned slightly to the left; but he did not attach any importance to that, because the prisoner had apparently perfect control of his tongue; there was no atrophy in the tongue, as is often found in cases of congenital disease; there was no paralysis, no loss of power of any kind, nothing indicating any disease of the brain—either that originating before birth or afterward; during the examination the prisoner's manner was perfectly quiet, and he answered politely and rationally the questions asked him; the whole circumference of the head was twenty-two inches—the measurement being taken lower than it is taken by hatters; the latter measurement of the prisoner's head was seven and one-eighth inches, which is the average-sized head; the head was perfectly symmetrical with the

exception of a slight bulging on one side; there was no evidence of a bony growth on the skull and no ridges or protuberance in the occipital process; it was a very fair-sized head.

District-Attorney: And you did not find in the prisoner any external evidence of mental or physical disease?

Witness: I did not.

The witness went on to state there was great difference between the conduct of the prisoner in jail and the court-room. In the jail he was remarkably quiet and self-possessed, offering the doctors every chance to examine him. His manner and behavior in court made witness think that he was "playing a part."

I never "play a part," Doctor, said the prisoner. I go "on the square." You and Spitzka do not agree. Spitzka is a much bigger man than you in the business. You are nothing but a "sub."

After some further unimportant cross-examination the Court was declared adjourned till Monday. The reassembling on Monday was saddened by the fact that in the interval Mr. Hobbs, one of the jurors, had lost his wife. After consulting with Judge Cox, District-Attorney Corkhill, referring to the death of Mrs. Hobbs, said that, while the situation was a serious one, yet the instincts of humanity demanded that the juror have the opportunity to give proper attention to the memory of his deceased wife. Mr. Scoville

concurred in this, and, moreover, suggested that the Court grant Mr. Hobbs ample time and dispense with the attendance of an officer. The Court accordingly made such an order, and then adjourned until Wednesday morning.

The Court was called to order at 10 o'clock, Wednesday, December 21st, promptly, all the jurors being in their seats. Dr. A. McLean Hamilton, of New York, was recalled to the stand for the purpose of cross-examination. The questioning was upon the witness' training for his profession, upon his understanding of "inspiration," about "spiritual agencies," will power, etc.

Mr. Scoville questioned the witness as to his acquaintance with Brown, Maudsley and other writers on insanity, and whether he regarded Maudsley as an authority. The reply was that he thought Maudsley's views too loose in relation to moral insanity; he, the witness, did not believe in moral insanity; that was a term used by Maudsley and others, to excuse acts committed as the result of ungovernable anger and lust.

Dr. Worcester, of Boston, whose examination on the part of the defense was commenced some days ago, and closed abruptly, because he insisted on Mr. Scoville defining what he meant in one of his questions, by the word "inspiration," was called to the witness-stand on the part of the prosecution. He stated, in reply to questions by the District-Attorney, that he had examined the

prisoner at the jail, and that he had been also in daily attendance at the court-room for several weeks past, and had carefully watched the prisoner's conduct during that time and heard what he said; he thought he was sane.

After a rehearsal of the prisoner's career in several hypothetical questions, the witness again unhesitatingly pronounced his conviction that the prisoner was sane.

A little later the prisoner broke out vehemently against Mr. Scoville, saying: It is an outrage on justice for this man to come here. He has had no experience in criminal matters, and he is compromising my case. I here require him publicly to get out of the case. I would rather take my chances, even at this late hour, with Charlie Reed, who is a first-class criminal lawyer, than with this idiot, who is compromising my case all the time. He has no wit, no sense, and between Corkhill and him I have a pretty hard time. [Laughter, which seemed to put the prisoner in better humor, and in which he joined.]

After further outbursts against Mr. Scoville, and some incidental testimony of no great consequence, the Court adjourned.

On Thursday, December 22d, Dr. Theodore Dimon, of Auburn, N. Y., was the first witness called. He stated that he had been summoned to testify for the defense; for two years up to last year he had been superintendent of the asylum for insane

criminals at Auburn; he had made a personal examination of the prisoner; had noticed the prisoner in court and had heard his testimony.

Q. From your personal examination and from your observation of the prisoner, what is your opinion as to whether he is sane or insane? A. It is my opinion that he is sane.

Mr. Scoville: Does that include the judgment of the witness upon the evidence?

Witness: It includes my examination and my observation of the prisoner.

The District-Attorney then propounded to the witness a hypothetical question, assuming to be true all the evidence brought forward by the prosecution, and asked the opinion of the witness as to the sanity of the prisoner at the time of the shooting of President Garfield.

Witness: It is my opinion that he was sane.

In the cross-examination the witness was asked: What is your opinion as to whether he has been playing a part in the-court-room? His reply was: I do not think he has—a part in simulating insanity; he has been acting a part natural to his circumstances and character.

Mr. Scoville recounted to the witness the circumstances attending the prisoner's attempt to establish the *Theocrat*, and asked, assuming all facts stated to be true, what would they indicate as to his mental soundness or unsoundness? A. I do not think that, by itself, that would be suffi-

cient to determine the question whether it was fanaticism or insanity.

In reply to a further question by Mr. Scoville, he stated that the fact that Dr. Rice had come to the conclusion, at the time of the last incident referred to, that the prisoner was a fit subject for an insane asylum, was no evidence to his mind of the unsoundness of mind of the prisoner; he did not consider Dr. Rice as a competent observer, as his only experience was in sending insane persons to asylums on certificates.

Mr. Scoville then alluded to the first letter written by the prisoner to President Garfield applying for the Austrian Mission, and the witness stated that it might be an evidence of insanity, but could not say positively, as he did not know sufficiently the ways of office-seekers.

After some further unimportant testimony, the Court at half-past 12, took a recess for half an hour. On re-assembling, the cross-examination of Dr. Dimon was resumed. Mr. Scoville called the witness' attention to Mr. Corkhill's hypothetical question, and he, while contending that, the facts tended to show that the prisoner was sane, admitted that many of them taken individually were not inconsistent with the existence of an unsound mind. He said that many insane persons had good memories and were capable of laying and following plans of action.

Q. Suppose a person acted under what he con-

sidered a divine command, and, in obedience to that command, he should kill the President, and suppose he honestly believed that the people of the United States, as soon as they were informed of his motive, would not only excuse him but applaud him for the act, in your opinion would that be any indication of unsoundness of mind? A. I think it would—an honest belief, a sincere belief; the domination of his will by that belief is what I mean by this answer.

On redirect examination, the witness was asked the reason for his conclusion that the prisoner was sane. Mr. Scoville objected, and the prisoner asked the District-Attorney to pay the witness his \$500 and let him go home.

The Court overruled the objection, and the witness stated that his conclusion was based upon his examination of the prisoner, and on his testimony. Witness saw nothing in the prisoner that was not the result of his natural character, early training and the life he had led.

The Court at 3 o'clock, adjourned.

On Friday morning, December 23d, it was announced that Mr. Charles H. Reed, of Chicago, would openly act as counsel for the defense. Mr. Scoville then read a letter from Dr. Samuel Worcester, of Salem, Massachusetts, and also one from Dr. Spitzka.

William A. Edwards, of Brooklyn, was then called to the stand, and was greeted by the pris-

oner with, "That is a clerk Shaw used to have in his office ten years ago. I have not seen the fellow since."

The witness testified that he was a clerk in a law office; that he had known the prisoner from October, 1871, up to April, 1872; saw the prisoner every day. He had heard the conversation to which Mr. Shaw testified as to the assassination of President Lincoln.

Q. What did you hear? A. The conversation was between Mr. Shaw and the prisoner; I did not pay much attention to the first part of the conversation, until they talked about President Lincoln; the prisoner said to Mr. Shaw, "Well, what about Booth? Booth's name will be notorious as long as Lincoln's." Shaw said, "Yes, notorious, but in what way? Lincoln's a statesman and patriot; Booth an assassin." The prisoner said that he would be notorious too. Mr. Shaw said, "If you are notorious in that way you will be hanged."

The cross-examination was somewhat lengthy. The prisoner made frequent interruptions. "This whole thing is an absolute lie," he declared excitedly. "What is the use of wasting any time? The whole thing is a lie. Call things by their right names. This man got \$8.00 or \$9.00 a week in Shaw's office. The whole thing is a farce and the Court ought to kick this man out. We are making too much of him. Give him a kick and

let him go. He was nothing but a little sub. He is no lawyer. He hasn't got brains enough after ten year's effort to be admitted. Let him go. It only shows the extraordinary lying of the prosecution. There is not one word of truth in what this man says." These remarks, interjected at various points gave rise to a good deal of noise and confusion, which was increased by the many acrimonious disputes between counsel. The re-direct and re-cross-examination elicited nothing of importance.

The next witness was Dr. S. H. Talcott, of Middletown, N. Y., physician.

In reply to questions by the District-Attorney the witness stated that he has made a special study of insanity about seven years; he is Medical Superintendent of the State Homœopathic Asylum for the Insane at Middletown; he is a regular practitioner of medicine according to the laws of the State of New York. He is a member of county, state and national medical organizations; he is president of the Orange County Medical Society and of the State Homœopathic Medical Society of New York; he is also lecturer on insanity in the Hahnemann Medical College of Philadelphia; he has been chief of staff in the homœopathic hospital on Ward's Island, medical superintendent of the State Asylum for Inebriates and medical officer in charge of the Soldiers' Retreat of New York State; he has treated over a thousand cases of insanity; he has

had some patients who had attempted murder under the insane delusion that they had instructions from the Lord; the characteristics of such persons are those of great excitability; those whom he had charge of had not only insane delusions, but also hallucinations of sight or hearing, and they have spoken of their intentions before attempting their murderous work.

Insanity is a disease of the brain, characterized by derangement of the mind; he made an examination of the prisoner on the 30th of November and 4th of December; he has been present in court at the trial since the 29th of November; heard the testimony of the prisoner and watched his movements and noted his remarks.

District-Attorney: Assuming his testimony on the stand to be correct, was he not sane on the 2d of July, when he murdered the President?

Witness: On the assumption that he was telling truth, so far as he knew, with regard to the actual transaction, and on the assumption that the record of his life as given by himself embodied the main facts of his life, I should be of the opinion that, on the 2d of July, when he murdered the President, the prisoner was sane.

Prisoner: That opinion will bring you \$500, Doctor.

After a protracted cross-examination which elicited nothing of importance, Dr. Henry P. Stearns was called to the stand. He had been

a practising physician for twenty-three years; was superintendent of the Hartford, Connecticut, Retreat for the Insane, and from eight hundred to one thousand cases had come under his care; he made four examinations of the prisoner, in jail, in regard to his physical and mental condition; those examinations were made on November 26th, 27th and 28th, and on one day last week.

The witness described carefully the examinations he had made of the prisoner in company with Drs. Earl, Collender and others.

District-Attorney: Did he, in those interviews, say anything about his having committed the murder under the inspiration of the Deity?

Witness: He did; he said that, having done the act under the belief that he was inspired by God to do it, he was entitled to an acquittal if the jury believed he was inspired; I could not take the statement of an individual under indictment for crime, in itself and by itself, as an evidence of insanity; from my observations and examinations I think the prisoner is sane; in the propositions laid down in the hypothetical case put by the District-Attorney I see no evidence of insanity.

Further cross-examination failed to shake the witness up to the time of adjournment.

Dr. Stearns resumed the stand on Saturday morning, December 24th. Counsel at once fell into wrangling. As the examination proceeded, Mr. Porter spoke of Guiteau as "the crimi-

nal," to which the prisoner replied excitedly: I am no criminal. I am no more of a criminal than you, Mr. Porter. I am more thought of on the outside than you are. The English papers are saying that I am a bigger man than old Porter, and it is true.

Mr. Porter: I suggest, if these interruptions are continued, to have them heard from the dock.

Prisoner, defiantly: From the dock, hey! the dock! Try it on.

The next witness was Dr. Jamin Strong, superintendent of the Insane Asylum at Cleveland, Ohio. He stated that the average number of patients in that asylum is six hundred and twenty-five, and that he has treated, in all, over two thousand insane persons; his definition of insanity was mental disturbance from disease; he made a personal examination of the prisoner in jail, and observed him closely in court since the 5th of December; in the jail examination he had found the bodily condition of the prisoner good.

"I will save you trouble, Doctor," the prisoner said, "I am in excellent health and am not insane."

Witness, sarcastically: Yes; I agree with you in that respect.

Here followed an extended discussion on the question of placing the prisoner in the dock, but the Judge held the case under consideration. The witness then described the evident will-power of

the prisoner, and pronounced it as "entirely incompatible with insanity."

On re-direct examination the witness testified that a delusion, in witness' judgment, that would culminate in an act of homicide on the 2d of July, would imply a degree of profound mental disturbance which would manifest itself after the commission of the act.

Prisoner: You and Dr. Stearns do not agree on that. It was not an insane delirium. I only claim that my free agency was destroyed.

Witness: A vicious propensity will neutralize free agency.

Dr. Abram M. Shaw, superintendent of the Middletown (Connecticut) Hospital for the Insane, was the next witness. From his examination and observation of the prisoner, it was his opinion that he was sane, and, assuming to be true the facts stated in the hypothetical question of the prosecution, in his opinion the prisoner was sane on the 2d of July.

Witness did not think that the prisoner had in Court feigned insanity, but had merely acted out his natural impulses; the fact that an overt act of crime was committed by a person supposing he was doing God's will would not necessarily furnish evidence of unsoundness of mind; it would indicate a delusion, but not an insane delusion.

The next witness was Dr. Orpheus Evarts, of College Hill, Ohio, medical superintendent of the

“Sanitarium,” a private hospital for the insane. He had treated in the neighborhood of four thousand insane patients and he gave instances of persons who believed themselves inspired; this inspiration extended to the general acts of the person; the fact that a man believed that he would live for ever was no indication of insanity; he attributed no significance to the shape of the head, because no two insane persons that he ever met had heads shaped alike. From his examination and observation of the prisoner, the witness had formed the clear opinion that he was sane on the 2d of July.

On re-direct examination the witness said: The prisoner seemed to be exaggerating his own peculiarities.

Re-cross-examination.—Q. Suppose he, from day to day, in court, does things which are entirely inconsistent with what a sane man would do under the same circumstances, what would that indicate?

A. If he had a motive and was smart enough to do it, I should think it consistent with sanity; he has been exaggerating his own peculiarities.

Q. What are his peculiarities? A. Egotism, sharpness, smartness, vulgarity, ingratitude.

Mrs. Scoville was called to the stand for a few moments on minor points, and the Court, at a quarter to 3 o'clock, adjourned until Tuesday. As the hand-cuffs were being placed upon the prisoner, he broke out with “To-morrow is Christmas. I wish the Court, the Jury and the American peo-

ple, and everybody else, a happy Christmas. I am happy." So closed the sixth week of the trial.

Proceedings were resumed on Tuesday morning, December 27th.

Dr. A. E. Macdonald, Medical Superintendent of the New York City Asylum for the Insane, was the first witness called. He gave a detailed account of his experience with insane persons, and stated that more than six thousand cases had come under his care. After considerable questioning, he was asked about moral insanity and said: I do not believe in it; I have never seen a case of it; moral insanity is another name, and has been since its invention, for wickedness or craft; it was first used at the time of the French Revolution to excuse the slaughter that took place.

Telling of his personal examinations of Guiteau, the witness said: He had already told me that it was the act of God. I asked him why he did not leave the execution of the act to the Almighty; he hesitated for a moment but finally answered that the Almighty did not make all the arrangements for the execution of acts, but left some of the details to be carried out by the persons who performed them; I asked him what his expectation as to the outcome was; he said he gave himself no concern, that the Almighty had taken care of him so far, and would do so throughout the trial; I asked him why he should have arranged for the detailing of troops at the jail; then

again he hesitated and flushed in the face; he went on to say that some details were left to him; he said he had no doubt that he would be acquitted on the ground of insanity; he said he had been looking up the subject of insanity, and while he was not medically insane, he was legally insane, and would be acquitted on that ground; I asked him what disposition would be made of him; he replied that he would be sent to an asylum; I inquired whether he would like to stay there all his life; "Oh, no," he said, "I have been looking up the law and find that, after being there a short time, I can apply for a commission to examine me; of course that commission will find that I am not insane and then I will be discharged." I found no evidence of insanity in the shape of his head or in the appearance of his face.

District-Attorney: From your personal examination of the prisoner and your careful observation of him during the trial, is he in your opinion a sane or an insane man?

Witness: I believe him to be a sane man.

District-Attorney: Do you think that he has been feigning and playing a part, or that he has been acting out his natural character?

Witness: In my judgment, the man has been playing a part all the time in court; I base that opinion on my observation of him in the jail and his conduct during my visits to the jail, as contrasted with his conduct here.

As to his conduct in court, I think that, an insane person showing such excitement and making such interruptions, would not have so much method or so much deliberation in the selection of the time and nature of these interruptions; they would be made simply when the impulse came upon him, without reference to what particular phase of the trial was in process, and without regard to whether the evidence that was being was for or against him; the prisoner has not the same frankness as you find in insane persons; I notice that when the evidence was in his favor he made no interruptions whatever; for instance, on the direct examination of his brother, when the evidence appeared to be in his favor, there were no interruptions; but on the cross-examination of his brother as to the question of his father's sanity, when some testimony was given that told against the prisoner, he broke out in interruptions. In a general way, I would say that the conduct of the prisoner in court was not such as my observation of insane persons would lead me to expect as the conduct of an insane person; in short, witness believed the prisoner to be sane now, and to have been so on July 2d.

On Wednesday morning, December 28th, the cross-examination of Dr. Macdonald was resumed.

Q. You said yesterday: "In my judgment the man has been playing a part all the time in court." Do you mean feigning insanity? A. I believe

that he has been feigning what he believes to be insanity—not insanity really. [Applause.]

Q. Your opinion is that he has been attempting to the extent of his ability to appear insane? A. Yes, sir.

The next witness was Dr. Randolph Barksdale, physician-superintendent of the Central Lunatic Asylum of Virginia, located near Richmond. He has made insanity a special study since 1873. He visited the jail and made a careful examination of the prisoner; he had also observed him in court since the 21st of November; from his observation and examination, his opinion was that the prisoner was sane. To the question whether the prisoner was acting out his natural character in court or was feigning, the witness replied that he was feigning; he thought so from the marked contrast between the prisoner's behavior in court and his behavior in jail. To the first and second hypothetical questions, the witness replied, that in his opinion the prisoner was sane on the 2d of July.

The next witness was Dr. John H. Collendar, of Nashville, Tenn. He has made insanity the subject of special study some twelve years. He is, and has been for the last twelve years, superintendent of the Tennessee Hospital for the Insane. He made a personal examination of the prisoner in the jail on the 25th of November. His opinions as to the prisoner's sanity were the same as those of his immediate predecessors. An exciting discus-

sion here arose between counsel, in which the prisoner took an active and abusive part. The prosecution thereupon insisted that he be placed in the dock. After considerable controversy and strong language, Mr. Porter closed the appeal of his side most pungently, saying: "The assassin of the President will assassinate no more forever, and the voice which is not silenced now will be as dumb as that of his victim when the end of the law is reached. [Applause.] No man, sane or insane, is permitted to say that the arm of the law in his presence is nerveless."

Judge Cox then rendered his decision, consigning the prisoner to the dock, and to the dock he was at once removed. Proceedings were then resumed and the plaster cast of the prisoner's head was handed to the witness, and he was asked whether there was any marked peculiarity in the head.

He replied that the cast presented a more shapely and symmetrical head than he had expected it would, but placed no importance on the shape of the head as indicating sanity or insanity.

On re-direct examination, the witness stated that he did not think the prisoner had been feigning insanity in the court-room; he had merely been exaggerating his characteristics of self-conceit, impudence, audacity and insolence.

Prisoner: In other words, when I am assaulted I talk back.

The court then, at 3 o'clock, adjourned, the prisoner, as he was passing his counsel, expressing his contentment with his new position as affording him more pure air.

Thursday morning, December 29th, the prisoner was placed in the dock, which is simply a railed enclosure on the south end of the room, in which criminals are seated awaiting trial. It is about eight feet long by four wide, and its furniture consists of three chairs—two cane-seated chairs for the bailiffs, one wooden-seated for the prisoner.

Dr. Collender was recalled and cross-examined on incidental points, one being the appeal of Guiteau to Senator Cameron for money, which the witness did not think indicated unsoundness of mind.

Dr. Walter Kempster, of Winnebago, Wis., was the next witness. He testified that he is the superintendent of the Northern Hospital for the Insane, and has been for nine years; for five years he had been associate editor of the *American Journal of Insanity*; he was satisfied that there is no special form or shape of the heads of the insane; he had examined the head of the prisoner, and had thought that the deviations in it were more marked than was shown by the plaster cast; there was a slight deviation in the head of the prisoner from a symmetrical head.

Q. Did you ever find an insane man who said that he had a command from God to do a certain

act, but that the details of the act were left to him? A. No; that would be utterly preposterous; the details of the killing are matters of no consequence to him; he seizes the first object he can put his hands on to do the act; no one can realize the intensity, vigor and zeal which insane men put into their acts; it is proverbial among those having charge of the insane that a stroke of a madman is like a stroke of lightning—it cannot be avoided.

Q. Have you ever met an insane man who paraded in public his insanity as an apology for the commission of a crime? A. No, sir, I have not; I have had under my care quite a number of persons who had committed murder; as a rule they are not apt to talk about it, but when spoken to they would talk of it in a bold and fearless way.

Q. Suppose you should hear a man state that there was no question of right or wrong in his act, but the only question was whether the Deity fired the shot or not, would you consider him as laboring under an insane delusion? A. I should not; it would lead me to the conclusion that nothing of the kind existed in his mind.

The witness did not believe in “moral insanity.” It was a term applied to a person who had committed an outrageous act of some kind, and for whose behavior there was no other excuse.

In answer to the hypothetical questions of the

prosecution, the witness gave it as his opinion that the prisoner was sane on the 2d of July.

District-Attorney: From your observation of the prisoner in court, do you think that he is acting out his character naturally or that he is feigning?

Witness: My impression is that he is feigning. My reasons for that belief are these—

Prisoner: I am not feigning, so you need not give your reasons. I go straight.

A serious and extended disagreement between counsel occurred at this point, which was finally stopped by the Court.

Dr. Kempster resumed the witness-stand on Friday morning. The prisoner was so noisy that proceedings were slow, and nothing of special importance was elicited. Some aspersions having been cast upon the medical experts who had testified for the prosecution, the District-Attorney said: They are men who adorn their profession in the States where they live. They are men who are recognized throughout the Christian world as authorities on the question about which they speak. They are men whose counsel and advice are taken by representative men of their States on that question. They are men to whom are intrusted the unfortunate insane of their States. It comes with poor grace from the gentleman (Mr. Scoville) to say, in the presence of these distinguished men, who must be silent, that they have been meeting nightly to weave meshes around the criminal. He

has woven them around himself, and it comes with still poorer grace when it is known that the only two men in this country who dared to go on the stand and say that the criminal is insane were two spawns of the profession, who were unable to say that they believed in a God.

Dr. John P. Gray, of Utica, N. Y., the last of the expert witnesses for the prosecution, was then called to the stand. He stated, in reply to questions by the District-Attorney, that he is medical superintendent of the New York State Lunatic Asylum, and has been connected with that institution since September, 1850; he has had under his immediate control and observation an aggregate of about 12,000 insane persons, embracing all classes of society, all occupations and professions; he defined insanity as a disease of the brain, in which there is an association of mental disturbance, a change in the individual, a departure from himself and from his own ordinary standard of mental action, and a change in his way of feeling, thinking and acting. Here the witness was interrupted by the prisoner shouting out: "That is my case; I shot the President on the 2d of July, and I would not do it again for a million dollars." The witness went on to define and illustrate the distinctions between delusions, illusions and hallucinations, and was again interrupted by the prisoner shouting out: "You are a very learned man, doctor, but you forget the Abrahamic class—the class

that I belong to." The witness said he did not believe in moral insanity and had not for years; that term was intended to signify a perversion of the moral character, leaving the intellectual faculties still sound.

District-Attorney: If a man is a habitual liar and cheat would these qualities indicate insanity?

Witness: No, sir; they would indicate depravity.

District-Attorney: Has insanity any tendency to make men criminals?

Witness: No; no more than neuralgia or dyspepsia, or anything else; it is only a disease; it does not put anything new in a man; it only perverts what is there.

Witness described fully his personal interviews with the prisoner, conversations, examinations, etc., occupying the time till the adjournment.

On Saturday, December 31st, Dr. Gray was on the stand all day. Nothing new was elicited. The witness was of the opinion that the prisoner was sane at the time of the shooting. The cross-examination extended up to the hour of adjournment. The Court adjourned till Tuesday, January 3d.

Court reassembled on Tuesday morning, January 3d. Dr. Gray was again called to the stand. Witness did not believe in what is termed by some writers "emotional insanity," or "moral insanity." "Kleptomania" he considered simply thieving;

“dipsomania,” drunkenness, and “pysomania,” incendiarism. Their designations were simply convenient terms which had been invented to cover certain crimes.

Insanity (said witness) is never transmitted any more than cancer. I never knew any one to be born with a cancer. A susceptibility to insanity is undoubtedly transmitted from parents to children, but insanity does not necessarily follow, except from some profound physical disturbance.

The examination progressed with tedious detail. In the effort to extract something favorable to the defense, counsel renewed the attack upon the witness again and again; the prisoner meanwhile had observed a marked decorum, at intervals gazing out of the window, but most of the time he appeared to be busily engaged in writing his autograph upon cards, which were handed up to him from the audience by the attendants.

Mr. Scoville desired to put in evidence certain tabulated statements from the annual reports of the witness. From these it appeared that, of the fifty-four cases of homicide by insane people, seven of them were by persons acting under the insane delusion of divine authority for their acts. At the request of the District-Attorney, witness described briefly these cases, and added, “each case was one of marked insanity independent of the homicidal act.”

After recess, Dr. Gray was asked a few more

questions by Mr. Scoville, when the District-Attorney announced the conclusion of the evidence on the part of the Government.

Dr. Bowker, of Kansas City, was then called by Mr. Scoville, in sur-rebuttal for the defense. Witness met Mrs. Dunmire at Leadville, Col., and conversed with her. She said she had entertained grave doubts as to the mental condition of Guiteau at the time she obtained her divorce, and thought at the time, perhaps, she had better defer the divorce proceedings, and await some further developments in his mental condition.

Clark Mills, the sculptor, was called to identify the plaster cast of Guiteau's head.

John W. Guiteau was again put upon the stand, and questioned in relation to Guiteau's letter to Senator Cameron, and after some discussion on technical points the Court adjourned.

On reassembling on Wednesday, January 4th, Mr. Scoville presented a petition to be allowed to introduce new witnesses. Permission being granted, Dr. Beard, of New York, took the stand but the admission of his testimony was objected to and he was set aside.

The next witness called by Mr. Scoville was J. J. Brooks, Chief of the Treasury Secret Service. Witness visited the prisoner at the jail the night after the shooting. Guiteau was in bed at the time. He arose in great anger and excitement, and wanted to know what I meant by disturbing

his rest and quiet at that hour of the night. I said it ill became him, a murderer, to speak in that manner; that he had disturbed the rest and quiet of a whole nation. He replied that he was no murderer, but a Christian and a gentleman; that he had been moved to do the act as a political necessity, and for the good of the country.

Witness detailed at some length his conversation at that time, but without disclosing anything new or important.

Mr. Scoville introduced a letter written by the prisoner's father, in which he expressed an opinion that the prisoner was insane.

Guiteau called out sneeringly, "Was the object of reading that letter to show that my father was a crank, or that I am? You are the biggest jack-ass, Scoville, I ever saw. If you can't learn any sense, I shall have to rebuke you in public."

Mr. Davidge, on behalf of the prosecution, then requested that the defense make known the law-points upon which they desired the ruling of the Court.

Mr. Scoville replied, that his time had been so occupied he had not been able to arrange them in proper form. If, however, it was the practice in this Court to settle the points of law before going to the jury, he would like a little time for the proper preparation of this part of the case.

CHAPTER VII.

ARGUMENTS OF COUNSEL, ETC.

MR. DAVIDGE, on behalf of the prosecution, here presented the law-points on which that side relied. He read them as follows: First, The legal test of responsibility, where insanity is set up as a defense for the alleged crime, is whether the accused at the time of committing the act alleged knew the difference between right and wrong in respect of such act; hence, in the present case, if the accused at the time of committing the act charged knew the difference between right and wrong in respect of such act, that is, if he knew what he was doing, and that what he was doing was contrary to the law of the land, he is responsible.

Second. If the accused knew what he was doing, and that what he was doing was contrary to the law of the land, it constitutes no defense, even if it were true, that when he committed the act he really believed that he was thereby producing a public benefit or carrying out an inspiration of Divine origin or approval.

Third. Insanity would, however, constitute a defense, if, by reason of disease, the accused at the time of committing the act charged did not know what he was doing, or, if he did know it, that what he was doing was contrary to law.

Prisoner: I had no choice in the matter.

Fourth. The only evidence in the present case tending to show an irresistible impulse to commit the homicide is the claim of the accused that his free agency was destroyed by his alleged conviction that the death of the President was required for the good of the American people, and was divinely inspired, but such conviction, even if it really existed, could not afford any excuse when the party knew what he was doing, and that it was contrary to law. No mere delusion or error of judgment, not even a fixed belief that what is prohibited by the law is commanded or approved by Divine authority [Prisoner: "God's law is higher than man's law"] can exempt the accused from responsibility for breaking the law. To have such effect, the commission of the act charged must have been the result of an insane delusion, which was the product of disease and of such force as to deprive the accused of the degree of reason necessary to distinguish between right and wrong in respect of the act, so that at the time of committing the act he either did not know what he was doing, or, if he did, that the act was wrong, or contrary to the law of the land.

At Mr. Scoville's suggestion, the Court was then adjourned until Saturday morning.

The time of the Court was occupied on Saturday, January 7th, in the presentation and argument of the legal instructions which the two sides respectively, wanted the Judge to give to the jury. The presence of the jurors was not necessary and after the usual recess they took a carriage drive instead of returning to court.

Messrs. Reed and Scoville were early at their desks in consultation, but the Government counsel were somewhat tardy in entering. The Judge himself was late and it was not until 10:15 that the crier announced the arrival of his Honor. When the prisoner was conducted to the desk Mr. Reed stepped over to talk to him and an animated colloquy ensued, emphasized by the prisoner by blows of his fist upon the dock rail.

The Judge soon announced that he was ready to hear arguments as to the prayers on the part of the prosecution and defense, and Mr. Davidge opened on the part of the prosecution. He recalled the fact that on Wednesday last he had submitted to the Court four simple, brief prayers for instructions to the jury.

The first of those prayers asked his Honor to declare that the test of responsibility in respect of human intelligence is the power to distinguish between right and wrong.

The next prayer declared that if any human

being, possessed of that degree of intelligence, commits a crime he is responsible for it—in other words, that degree of intelligence makes him responsible for the control of his own moral nature, his passions, his emotions, his intellectual nature, his beliefs whatever they may be, in short, for his entire conduct.

In the third prayer he asked his Honor to define just what legal insanity is—to wit, that it is the product of a diseased mind, and in the last of these instructions he asked his Honor to lay down for the guidance of the jury what is the law in respect of what is called delusion. In the present case the only irresistible impulse was the so-called inspiration.

In this last prayer he asked his Honor to say that, if the inspiration was the product of the man's depraved and wicked nature, it afforded no shadow of excuse; and that, to be an excuse, it must be the product of an insane delusion. In order to shut the door upon controversy in respect of those prayers, he proceeded to read them again. He then argued the points with great fullness. During the argument, counsel had several tilts. At one time the following passage occurred:

Mr. Davidge: There is a man (indicating the prisoner) who, it is contended for the defense, is imbecile.

“Is what?” said the prisoner, Mr. Davidge hav-

ing laid the emphasis on the second syllable of "imbecile."

"Now listen to him," continued Mr. Davidge, "and see what a farce has been acted here for these many weeks. He not only knows the difference between right and wrong, but he knows the law of the case."

"I do not pretend to be any more insane than yourself, Mr. Davidge," said the prisoner, "and I have not been insane since the 2d of July. It was transitory mania that I had; that is all the insanity that I claim."

Mr. Davidge: He knows the principles of law applicable to the case as accurately as any lawyer.

Prisoner: I do not pretend that I do not. My head is as good as yours or as Porter's. I am no fool. The Lord does not employ fools to do His work.

Mr. Davidge: Mr. Scoville has said that this man was a fool for three weeks.

Prisoner: Scoville is a fool himself. (To the Deputy Marshal) Keep quiet. Let me alone. I repudiate entirely Scoville's theory of the defense. I do not even want him to address that jury. I will do that business. Two hours' speech to the jury will settle the question.

Mr. Porter: The Court has heard the prisoner long enough. Now let Mr. Davidge be heard.

After summing up the law asserted by the prayers of the prosecution, Mr. Davidge said: Such

I understand to be the law in the District of Columbia. I submit the prayers of the prosecution, merely adding that those propositions of law ought to be read together, and when so collated I think your Honor will come to the conclusion that they completely cover the legal requirements of the case.

After a recess, Mr. Reed addressed the Court in reply to Judge Davidge, and confined his argument to the consideration of two questions, first, the definitions laid down in the revised statutes of murder and manslaughter, under which, if malice be not proven, he contended the crime would be manslaughter; second, the application to this case of the question of reasonable doubt in connection with the plea of insanity.

Colonel Reed concluded his argument at a quarter past 2, with a peroration, in which he made a glowing allusion to the latitude of liberty and the far-reaching impartiality of the law under free institutions. It would be monstrous and shocking, he said, to the sense of justice of any man that an accused person should be condemned to the gallows about whose sanity any reasonably fair man could have any question. Send a lunatic to the gallows in America? Whether he is a lunatic or not is a question to be decided by the jury. When they consider the evidence in the seclusion of the jury-room they may say: Well, this man committed an awful crime, atrocious, indescribable, unparalleled in history. Yet we are

not quite certain that he knew that he was doing wrong. Is it not the doctrine of humanity to give the man the benefit of that doubt and hesitation and for the Court to say to the jury, if you have a reasonable doubt, it is your duty to give the benefit of it to the accused?

Mr. Scoville arose to close the argument in support of the prayers asked by the defense, but first commented on the absence of the jury, which had availed itself of the privilege given by Judge Cox this morning, and had not returned to the courtroom after the recess. He said that he did not complain of it, but it was one of the incidents of the trial which he could not help noticing. The jury had heard the arguments of the prosecution and it was hardly fair not to hear the defense.

A lively tilt between the opposing counsel followed this remark, but Mr. Scoville denied casting any reflections. It was only one of the accidents by which the defense suffered. He then went on to argue that the Court should not take from the jury the right to pass upon the question whether the 'prisoner would have committed the act if he had been of sound mind.

Without concluding his argument, the Court at 3 o'clock, adjourned till Monday.

The ninth week of the Guiteau trial opened Monday, January 9th, a crowded room giving proof of the interest still existing. The prisoner appeared rather nervous and his countenance in-

dicated anxiety. When he had taken his seat in the dock he glanced around stealthily over the audience and immediately began a harangue, evidently intended for the jury.

"I have received," he said, "some eight hundred letters, a great majority of them from ladies. When I get time I shall attend to them. I want to send my greetings to the ladies of America and thank them for their sympathy. They don't want me to be hanged. Public opinion is fast changing. I received Saturday a check for \$1000 from the Stalwarts of Brooklyn, and another for \$500 from the Stalwarts of New York. I want this jury to understand how public opinion is on this case."

Mr. Scoville resumed his argument in support of the prayers for the defense, taking it up at the point where he left off on Saturday. He proceeded without interruption for one hour, and his remarks were listened to with marked attention. He laid stress upon the propositions that insane men often know the difference between right and wrong, and for that reason conceal their plans; that the benefit of the doubt should attach to the plea of insanity, when raised, with the same force as when urged in connection with the commission of the crime. His allusion to the decision of Judge Davis, "who went out of his way," he said, "to pass upon something not involved in the case he was then considering," brought Judge Porter to

his feet with an indignant reply that the charge was false.

Mr. Scoville retorted that the opinion of a man who sat on the same bench with a Barnard and a Cardozo should not be received with much consideration.

Judge Porter, with even more vehemence, reiterated that the charge of counsel was absolutely false; that Judge Davis never sat on the bench with either of the gentlemen named.

Mr. Scoville insisted that, when the style of proceedings best suited to a police court was introduced here by the prosecution, he should comment upon them as he deemed fitting. He should not be frightened by the tragic utterances of Judge Porter. He had heard the same notes years ago from the owls at night in the woods of Ohio.

Mr. Davidge protested that not five minutes had been devoted to the proper scope of the argument, and the Court warned counsel that they must abstain from personalities.

Mr. Scoville concluded his argument at 12 o'clock, and in conclusion desired to make a few remarks of a personal character. Alluding to his controversies with Judge Porter, he disclaimed any intention of transgressing the bounds of propriety or the rules of practice, but he should criticise the conduct of counsel when it merited criticism, and the threats of the prosecution would not intimidate

him. Citing the custom of counsel upon the other side of bowing to the Jury upon entering, Mr. Scoville said: Sometimes it is three bows all around: sometimes more, never less than three. It has never been done by counsel upon this side, and I do not hesitate to criticize its propriety."

Judge Porter: The gentlemen is simply instancing his lack of politeness. If he has no apology to offer, I shall certainly not apologize for him.

Recess was then taken.

After recess, Mr. Corkhill stated that he had not expected to speak on the legal points, relying upon the assurance of the defense that the question of jurisdiction would not be raised; but as the last two prayers of the defense distinctly made that issue, he felt it to be his duty, as the prosecuting officer of the Government, to address the Court upon a question to which he had devoted much careful consideration. He then proceeded to read from printed slips an exhaustive argument upon the subject of jurisdiction. The argument occupied the attention of the Court for one hour.

Mr. Davidge then addressed the Court upon the general propositions contained in the prayer.

He discussed seriatim the prayers of the defense and pointed out "their sophistries and inconsistencies." "The object of the prosecution," he said, "is to obtain from your Honor, a plain, clear and direct ruling upon four distinct propositions. The apparant object of the defense has

been to befog all that may be clear in this case, in the vain hope that they may get to the jury with some uncertainty attached, in some way, to the case upon which to build up a plea for acquittal."

Mr. Davidge concluded his argument at five minutes to 3 o'clock. The Court then adjourned.

On Tuesday morning, January 10th, the courtroom was densely crowded. Mr. Porter proceeded at once with the argument of the prosecution upon the prayers presented by the defense. His opening was a keen reply to some strictures upon himself, after which he addressed himself to the question of malice. He said his friend, Mr. Davidge, had planted himself solely and squarely—in regard to the question of malice—on a statute of the United States which assumed the fact that there might be a homicide without malice. There had been many such homicides, but the murder of Garfield was not one of them.

Four days after he formed his decision of murder he gave Mr. Garfield one last chance, and wanted to know whether he was or not to have the consulship at Paris. Blaine had rejected his application with contempt.

Prisoner: He never rejected it.

Mr. Porter: He demanded of the President the removal of Mr. Blaine, and added that if the President refused it, "you and your administration will come to grief." He did; his administration did not. The President died; the government lives.

It is under the control of a President who will do illustrious honor to the long line of Presidents, and the man who murdered his predecessor is brought to justice by him under the law—by him and by his authority—and we demand in behalf of the government that this assassin shall not be spared under false pretenses.

Prisoner: You were employed by Mr. Arthur under a misapprehension, and you had better get off, Mr. Porter.

Mr. Porter: Under the misapprehension that the law was stronger than the prisoner. The prisoner thinks that Guiteau is stronger than the law and Scoville thinks with him.

Prisoner: I think the Almighty mightier than the law.

Mr. Porter: He will come directly before the Almighty and he had better postpone his argument, if he has any, until then. He will feel soon what he never has felt before, a divine pressure and in the form of a hangman's rope.

Prisoner: We will see about that. The Lord has the law fixed.

Mr. Porter, continuing his argument: Guiteau, through Mr. Scoville, asks you to charge that the question is whether he was unsound in mind? He then proceeded to cite from the case of the *Queen vs. Davis*, already cited by the defense, to show that it was not a parallel case to the present.

Mr. Porter, passing on to the question of "rea-

sonable doubt," presented a compilation of authorities on that point which showed, he said, that in the eighteen States from which the authorities were collated, the courts had reached the conclusion that the burden of proof was on the prisoner to establish insanity; and not only that, but if it be left in reasonable doubt, that does not avail the prisoner. He must demonstrate that he could not distinguish between right and wrong. But let us suppose that he really believed that the Almighty Father of us all, in looking for an appropriate agent to perform a mission such as he gave to the Apostle Paul, though that was no mission of murder, had gone to the stalwart committee rooms in the city of New York to hunt out some worthless vagabond like him, and that on examining him He found that he had qualified himself for the crime by a life of imposture, of swindling, of beggary, of breach of trust, of wrong, of adultery and of syphilis; and that He had selected him in the interest of the great Republican party, in which he would represent the firm, to which he claims to belong, of Jesus Christ & Co. Suppose that to the junior member of that firm there had been committed by divine authority the power and duty of midnight murder, of church murder, of depôt murder, of murder everywhere. Suppose that he was inspired. He was inspired in both ways. He was told by the written commandment of God that to do the act would be to do murder; and he swore in his

answer to my last question that he did feel personal remorse. Now what is the law of irresponsibility? First, the jury must be satisfied by the oath of an honest man that he believed he was inspired. Every man on that jury knows that there is no honest man's oath to lead him to that conclusion, and that the only oath they have in support of it is the oath of the murderer struggling for his life against the scaffold which is his doom.

"Struggling for truth and vindication" exclaimed the prisoner. "It is for vindication that I am struggling."

Mr Porter went on to argue that even St. Paul, with his Divine inspiration, had no immunity from stripes and scourges and death, but that he bowed his head to the Roman sword and suffered that doom by the permission of that same being whom this man impiously invoked as his protector and in whose name he had menaced even the Court and jury.

Mr. Porter concluded his argument by reading President Garfield's letter complimenting the Judge who laid down the doctrine of responsibility in connection with the defense of insanity in the Jones-Gallatin case. He added that Mr. Garfield little thought that that letter would first make its appearance in black lines expressive of the popular grief at the act of the murderer who was now before this Court for justice.

Judge Cox, at 11.45, began the reading of his decision.

He occupied fifty-five minutes in reading that portion touching the question of jurisdiction. He reviewed the progress of opinion, and cited all the important rulings from the early days of the common law in England, and decided against the prayer of the defense. He summed up the question: "The jurisdiction is complete in the place where the wound is inflicted; consequently this Court has full cognizance of the offense."

Judge Cox then proceeded to consider the first and second prayers of the prosecution in connection with the third, fifth, sixth and eighth prayers of the defense.

The first instruction asked for by the prosecution, namely, that "the legal test of responsibility, where insanity is set up as defense for alleged crime, is whether the accused at the time of committing the act charged, knew the difference between right and wrong in respect of such act," he regarded as correct. He said: If the jury find that the defendant committed the act charged, and at the time thereof knew what he was doing, and that what he was doing was contrary to the law of the land, it constitutes no excuse, even if it is true that when he committed the act he really believed that he was producing a great public benefit, and that the death of the President was required for the good of the American people;

nor would such excuse be afforded by the fact that in the commission of the act he was controlled by a depraved moral sense, whether innate or acquired, or by evil passions or indifference to moral obligations.

At the reassembling of the court on Thursday, January 12th, Mr. Davidge took a position in front of the jury, and opened his argument.

Whatever disorder or levity might have characterized the trial there was but one sentiment in respect of the conduct of the jury. All commended their dignified deportment and close and patient attention to the evidence, and he could not doubt that, as they had received the commendation of all in the past, they would continue to deserve it in the future by their decision of the question before them.

There is here, gentlemen, he continued, but a single point for discussion and consideration—the subject of insanity. The Court will tell you that in this land of law it is not allowable for a man coldly and deliberately and treacherously to slay another and then to say he had no malice. The Court will tell you, when it comes to charge you, that to constitute the crime of murder the existence of malice is wholly unnecessary, and that, indeed, the crime committed is infinitely worse in the absence of that element than if it was present.

In the progress of the trial very many vague and general expressions have crept into the cause.

We have heard of crazy men, of men off their balance, of insane men, and hence it was necessary to apply to the Court for a clear and perspicuous definition as to what is insanity in a legal sense. The medical experts have defined insanity from the standpoint of medicine and it was necessary to have it defined from the standpoint of law. Even if a man be deficient in intelligence it does not follow that he shall be permitted to commit murder with impunity. It takes one degree of intelligence for a man to make a contract, another to make a will and another to do any other act. But when you come to crime, such a crime as we have here, murder—"murder most foul and most unnatural"—the law requires a very slight degree of intelligence indeed.

Here Mr. Davidge read Judge Cox's instructions, No. 1 and No. 2. In comment on these Mr. Davidge said: That is, gentlemen of the jury, if any human being has any degree of intelligence which enables him to understand the act he is doing, and if he has sense enough to know, and does know that that act is in violation of the laws of the land, or wrong, then no frenzy, no passion will afford any excuse whatever; then no disease of his moral nature will constitute any excuse whatever; then no belief, however profound, though a man through reason and reflection may reach the conclusion that the act is the suggestion of and commanded by Almighty God, will afford

any excuse whatever for the perpetration of crime.

Thus you will see that a man may be here who has been styled a crank or off his balance and even partially insane and yet may be abundantly responsible for crime. What is the act committed here? Murder, murder, murder by lying in wait—what is commonly called assassination. How great a degree of intelligence does it take to inform a man that that is wrong? What degree of intelligence was necessary to make a lawyer know that it was in violation of the law of the land to kill? What degree of intelligence was necessary to make a religious man to know that the everlasting edict had gone forth from Almighty God—“Thou shalt commit no murder?”

My learned brethren on the other side do not assert that this man did not know what he was doing. The defense is two-fold. Mr. Scoville says that the intelligence of this man was of such a low order that he did not know that it was wrong for him to commit the murder. The prisoner supplemented that assertion with another equally false, and he acted wisely. He said he was no fool and we all know he was no fool. He knew perfectly well that no defense could stand before this or any other jury resting on the foundation of his counsel, Scoville, so he supplemented it with another to the effect that he had the degree of intelligence required by law, but that he acted under

an insane delusion, the product of disease; that he was commanded by Almighty God to slay the President of the United States. He says that in consequence of this pressure from above he perpetrated this vile deed. Scoville acted for the best and did all that could be done, though Heaven knows that all was not much, but that was the fault not of him, but of the material that he had to use. I have no doubt that Scoville did his best, but in this case the shrewdness and intelligence of this prisoner showed a full appreciation of the situation. He knew that it was impossible to run the gauntlet of this trial as an imbecile, but that he would be stripped both in respect of his intellectual and moral character. Then he had his choicest invention—the so-called inspiration.

I have said it was murder. It is more than murder. It is the murder of the head of the nation—the chief magistrate of 50,000,000 of people. It is said that there is a divinity that doth hedge in a king. We have no king, but we have a Republic presided over by a President, who, without royal robes or trappings, would inspire respect equal to that inspired by king or kaiser. That is the crime—the political crime—the murder of the head of a great Republic. * * * I have told you the crime. I have told you the victim. Now, who is the prisoner? In the beginning we did not know who he was. We could not have entertained a very good opinion of him. In the begin-

ning, but for a little while, he passed quite current as an imbecile—a fool. He has since been uncovered. Indeed, he readily uncovered himself. He went on the stand. After that nobody any longer doubted the degree of intelligence of this man. What has been shown about the prisoner? It has been shown that this man, who has been represented to you in Mr. Scoville's opening speech as weak, incapable of talking coherently, imbecile, is a man, one of the vilest of the human race, of gigantic schemes, all his life showing a tendency in the direction of schemes that would startle the ordinary mind.

As a mere boy, entering the Oneida Community, he wallowed in the filth of that association for six years—a lawless enterprise—leaving it to establish a paper in New York called the *Theocrat*, which was to overturn all religions, all churches and, it may be, all governments. Then he embarked in the *Inter-Ocean* enterprise, of which you have heard so much. He was a man prone to all those great and daring undertakings that are so fascinating to those who possess the profound love of notoriety which distinguishes so lamentably this prisoner. He is no longer a fool, an imbecile. Nor can it be doubted that he possesses the nerve and resolution to execute as well as the mind to conceive. If I were to sum up the moral and intellectual qualities of this man I would say that he had the daring eye of the vulture com-

bined with the heart of the wolf. Such is the crime, such is the victim, such is the slayer.

Mr. Davidge then took up the history of the case, beginning with the prisoner's coming to Washington in pursuit of the Paris consulship, and coming down to the 16th of May, when, after being ordered by Mr. Blaine never to speak to him again about the Paris consulship, this man lay in bed canvassing in his own mind what would be most for his interest. The thought then flashed across his mind, that the death of the President would solve all the difficulties in the Republican party.

Now look at the political situation. Two warring factions and a little political life—a little life between one of these warring factions and power! What a thin partition it was! The idea occurred to this man, why should I not extinguish that little life. Why should I not batter down that partition and make myself the great benefactor of the stalwart element of the Republican party? Hell-born, awful, I admit, but, before God, the truth!

He tells us when this conception came. It came, gentleman, in the night, for I do not think that in the sunshine such an idea could enter the soul even of this wretch. The next day it occurred to the prisoner again, and he went on from day to day, and absolutely devoted two weeks to the constant contemplation of this new scheme. For two weeks he carried in his breast this viper.

He lay with it at night, he ate with it, he drank with it, he moved about among men with it. He lived and moved and had his being with that awful sin his constant companion. He carried it, he nursed it, he dallied with it for two weeks. On the 23d of May he felt that it would perhaps be better for him to forego this wicked scheme. He said to himself, "Perhaps I can get this office, and if I can, how much better it would be to keep my hands clean and not incarnadine them." He made another effort on the 23d of May with a view of getting that office.

Listen to this letter, which this man wrote to General Garfield on the 23d of May. Mr. Davidge here read to the jury the letter in question, in which the prisoner spoke of Mr. Blaine as being a vindictive politician and the evil genius of the President, and said: You ought to demand his immediate resignation, otherwise you and the Republican party will come to grief. Does not every man know that when he wrote that letter he was agitating in his own mind the subject of secret assassination? He got no answer to the letter. He goes on considering this fearful subject.

Prisoner: I was praying about it, to find out the Deity's will. I was praying for two weeks prior to the 1st of June.

Mr. Davidge: He went on balancing, this man without intelligence, but who had intelligence enough to stop as this terrible flower was unfold-

ing its petals; intelligent enough to stop to give his victim a chance. He got no reply, and on the 1st of June he made up his mind that he would put out that little light, which no man in the world could ever relight—the light of life.

Mr. Davidge then went on to refer to the purchase of the pistol, the fact of the prisoner's practising by the river side and to his dogging of the President. * * * He contemplated the propriety of turning the house of God into a house of slaughter, of spilling blood, as it were, on the very altar of the great God of us all. He was armed that day. Referring then to the prisoner's visit to the jail and to his apprehension of the mob, Mr. Davidge said: He did not fear you or the ministers of the law. He thought: "I will break through the meshes of the law as if they were so many threads, but I fear that terrible thing, the mob." * * * Referring to the statement that the prisoner had attempted to kill the President two weeks prior to the time of the shooting, and had been deterred by the presence of Mrs. Garfield, Mr. Davidge remarked that the only thing, so far as he knew, that could be said in favor of the man was that at the sight of a woman his heart failed him. He could not shoot the President in the presence of so much weakness and love and tenderness.

Mr. Davidge then quoted from "Macbeth" the lines setting forth that Duncan

Hath borne his faculties so meek, hath been
So clear in his great office, that his virtues
Will plead, like angels trumpet-tongued, against
The deep damnation of his taking off;
And pity, like a naked new-born babe,
Striding the blast, or heaven's cherubim, hors'd
Upon the sightless couriers of the air,
Shall blow the horrid deed in every eye,
That tears shall drown the wind.

As Mr. Davidge recited these lines, the tragedian Rossi, who occupied a seat at the Government table, nodded approvingly.

Let us hope, continued Mr. Davidge, that a similar sentiment to that attributed by the great master of moral nature to Macbeth stirred, to some extent, the heart of this devil.

Mr. Davidge then described the efforts of Guiteau to nerve himself up to the act. This lunatic had to screw up as with a jackscrew "his courage to the sticking point." He fired, continued Mr. Davidge, at the back of your chief and my chief. He fired at the back of that man, from his British bulldog pistol, the bullet that went clear through the spine. "The falcon, towering in his pride of place, was, by a mousing owl hawked at and killed." This gentle, kindly, illustrious chief, who had bared his breast to the bullets of the enemy, lived to die by a bullet fired treacherously into his back. The prisoner was afraid of the mob. What is a mob? It is simply the outward expression of the passion and sentiment of the people. I am no mob man, but I never yet knew the mob, however

much to be apprehended, that had not behind it the highest form of human passion and human sentiment.

Prisoner; I went to jail to protect myself until I had a hearing. I am getting a hearing now, and the people are satisfied.

There never was a time, continued Mr. Davidge, when, if the sentiment of this country and of other civilized countries had been given full vent, it would not have torn this wretch into shreds and atoms.

The Court at this point took a recess.

After the recess Mr. Davidge continued his argument. He claimed that he had established beyond controversy the sanity of the prisoner. He claimed to have established such sanity by the consideration which the prisoner had shown for Mrs. Garfield, by his preparations for the execution of the crime, by the execution itself and by the measures adopted by the prisoner himself to secure his personal safety, first in respect of the mob, and next in respect of the tribunal of justice by the interposition of the defense of insanity.

It seemed to him almost a mockery to discuss the question of insanity in respect of the prisoner, but he wished that in the future when this man had met his doom, no human being should be able to say that there was any question in respect of his guilt or of the propriety of the punishment inflicted upon him. He then proceeded to criticise

in detail and ridicule the evidence offered by the defense to prove the existence of insanity in members of the Guiteau family. He commented on the fact that in jail the prisoner was quiet and well behaved—the exception being that when a man went there who was to become a witness in the case the prisoner found it convenient, in view of of the exigencies of the case, to appear to be a madman.

Prisoner: I never appeared to be a madman. I never claimed to be any more insane than you are. I never have been since the 2d of July.

In the course of his further argument, Mr. Davidge alluded to the prisoner's wonderful memory, saying that he had a memory of brass, of which metal his other qualities seemed also to be composed.

Prisoner: That is the first pun you have made to-day, Davidge; you had better repeat it.

Mr. Davidge proceeded to analyze the testimony connected with the prisoner's attempt to deliver a lecture in the Paine Memorial Hall, at Boston: also that in connection with the prisoner's dropping a little dog over the stairway at Mr. Scoville's summer house; also as to the opinions expressed by some witnesses that the prisoner was crazy or was a fool, and he asked whether a man was to be excused for crime, and such a crime, because somebody thought him a fool or crazy? Then he came to what he called the family

branch of the testimony, referring to the raising of the axe by the prisoner upon Mrs. Scoville and connecting that with the prisoner once striking his father on the back. A more uniform life had never come under his observation. Its last crowning and culminating act of wickedness was but the verification of what the Scripture says: "As thou sowest so shalt thou reap."

Extended discussion followed at this point upon permitting the prisoner to address the jury in closing his case, in the progress of which Guiteau interrupted saying: The American people will read the speech, and they are greater than this Court and Jury. Do not forget that, Mr. Court and Mr. Jurymen! The American people are trying this case, and will, I think, do me justice. The American people will get my speech from the *Herald*. It reads like an oration of Cicero's. It will go thundering down the ages.

Judge Cox: I would have no objection to the prisoner's being heard if he would conduct himself as any other man or counsel would, in conformity to the rules of propriety. The prisoner has so abused his privileges heretofore, that I do not anticipate that he will confine himself to the rules of propriety.

Prisoner: That is because I have been abused, I had to defend myself. I could not lie down and allow these men to trample on me.

At this point the crier, by order of Judge Cox,

announced the adjournment of the Court; but the prisoner continued to shout, "I stand here as a man. I am here as the agent of the Deity. Do not forget that God Almighty will take care of me too."

As soon as the prisoner had been placed in the dock, on Friday morning, January 13th, he broke out with the following speech: "In justice to the Court, to myself and to Mr. Davidge, I want to say that I was mistaken in my remarks against him. I received a letter severely denouncing Mr. Davidge, but on inquiry I find that Davidge is a high-toned Christian lawyer, and I withdraw any injurious remarks I made against him. I still maintain my opinion of Corkhill. I am told that I am right about Corkhill and wrong about Davidge."

Mr. Davidge then arose and proceeded with his address to the jury, first referring to the testimony as to the purchase of the pistol. Passing on to the question whether the prisoner, at the time of the act had intelligence enough to know that murder was against God's law, nature's law and the law of the land, he analyzed the testimony as to the eccentricities and peculiarities of the prisoner. He might comment upon the testimony of Mrs. Scoville with some degree of severity, but he was not capable of it. He recognized her relations to the prisoner, and he therefore passed her testimony as he had passed it by when he declined to cross-examine her.

He proceeded, however, to analyze the testimony of John W. Guiteau. He testified that the prisoner was so bereft of reason that he was actually unable to draw up a chattel mortgage. If that were a test of reason he, Mr. Davidge, could not pass it, for, after his long practice of the law, he would also have to ask guidance in the drawing up of a chattel mortgage in Richmond or New York. He quoted some of the answers of this witness in cross-examination; that he believed the prisoner's case was one of demonism, that he was possessed of the devil, that before God he was responsible for his acts. He also read and commented upon the testimony as to the quarrel between witness and the prisoner in the witness' office, in Boston, and brought out again with great effect the explanation given by the witness, in reply to Mr. Scoville, of what he meant by saying that he believed his brother was possessed by the devil.

This Guiteau family is a respectable family, a family of tone and character. They have made their mark wherever they have gone. The mistake committed by the family is in undertaking to protect and defend this man. All families are liable in the course of nature to produce bad men and wicked men, and bad women and wicked women, and the course—the Roman course—that this family ought to pursue would be to denounce this wretch as having sinned against law, against

God, against nature itself, and offer him as a sacrifice on the altar of his country.

Mr. Davidge characterized the evidence of the defense as vague and sloppy rubbish, but declared that some strange beams of light had filtered through the darkness in respect to the prisoner's moral nature. It had crept in incidentally that he had, at the age of eighteen, struck his father behind his back, and that at the age of thirty-five he had raised an axe against a woman, and that woman his sister, and that sister his hostess, whose hospitality he was enjoying at the time.

Right here the most remarkable incident of this trial took place. The prisoner was put upon the stand because the theory on which I have been commenting had absolutely broken down. What was the result? No man in this court-room and no man out of this court-room who read his testimony entertains any longer, if he entertained before, the slightest doubt in respect to the absolute sanity and responsibility of this man. There is no longer any darkness.

Mr. Davidge, in the course of his address, speaking incidentally of the horror, disgust and loathing with which the assassination of the President had been regarded by all Christendom, the prisoner exclaimed: "That was true in July, sir; but it is not true now. It is just the other way." So an allusion to the prisoner's lecturing for money brought out the denial: "That is false. I

took to lecturing to serve the Lord." And a reference to Moody as a theologian led him to exclaim: "Moody was an evangelist and I was a theologian. There is no connection between the two offices." Referring to the testimony of Rev. Dr. MacArthur and to the incident of the prisoner's being supplied with money by his wife, who was then at service, the prisoner said: "That is false; she was never worth a cent." He also contradicted several other points in Dr. MacArthur's testimony, which led Mr. Davidge to say to the jury: This rascal says he did not do this. Which do you believe, the man of God, the minister of the Holy Gospel, or the prisoner in the dock?

Mr. Davidge went on in the further analysis of the testimony and said: He was sane enough for all purposes. It is only when his hand is red, when his fingers are dripping with blood, and when the law claims him as a sacrifice on the altar of justice that we first hear any claim whatever of his insanity.

Alluding to Shaw's testimony as to the conversation about Wilkes Booth and the assassination of Mr. Lincoln, Mr. Davidge said that the prisoner had the ambition of the youth who fired the Ephesian dome, and who outlived in fame the pious fool who reared it.

This wretch, too, he said, was after immortality, and he had secured for himself an evil eminence and an evil immortality. Referring to the pris-

oner's *Inter-Ocean* scheme Mr. Davidge treated that as a proof of his sanity.

"Yes," said the prisoner, "they have been running that paper on my brains ever since, and they have got rich on it, too. The paper was not worth a cent until I put my brains into the concern."

Mr. Davidge continued: What we have mainly to do with in that enterprise is the audacity of the undertaking. This crime is in keeping with the *Inter-Ocean* enterprise; in keeping with the Oneida Community; in keeping with the *Theocrat*; in keeping with the idea that he could "star" the country as a lecturer, because Moody and Sankey could do the same thing; in keeping with the idea that Providence specially protected him when the Narragansett was burned on Long Island Sound; in keeping with the idea that he was led by inspiration to go to the Oneida Community; in keeping with the idea that the great God inspired him to leave that Community; in keeping with the grand idea that on this earth there is but one grand central figure, and that his name is Charles J. Guiteau.

"Thank you, sir," shouted the prisoner; that is the best thing that you have ever said. That is what the American people are beginning to say too." If you saw some of the letters I am receiving you would say so too. I am the brain of this business. I am running this thing here. And I say that, too, without any egotism at all."

Mr. Davidge then adverted to the testimony of Mrs. Dunmire, the divorced wife of the prisoner, commenting on the fact that the defense had not cross-examined her as to the incidents which led her to the belief that the prisoner was sane.

Mr. Davidge then referred to the testimony of the medical experts, first taking up the evidence of Dr. Spitzka. Spitzka, the moral insanity man, had said that the prisoner was a moral monstrosity; but, further, that he had no doubt that the prisoner apprehended the difference between right and wrong. Spitzka's testimony brought the prisoner within the reach of law and punishment.

In alluding to Dr. Spitzka's statement that the prisoner's tongue deviated to one side, Mr. Davidge related the fact that the medical experts at a meeting at Willard's hotel examined each other's tongues, and it was found that of the half-dozen present only two could put their tongues out straight.

There had been upward of twenty medical experts summoned on the part of the defense, men whose names were household words, who were noted in the particular department of science to which they had elevated themselves. They had come here, had stayed here day after day, and examined the prisoner in the jail and had sat in the Court-room with note-book and pencil to hear him testify. Strange as it may appear, all these experts, after the examination of the prisoner, had vanished

like ghosts before the dawn of day. Not one of them had taken the stand to testify that this man was insane. But as the failure to call any of them would have been too glaring a confession of weakness, the defense had resorted to the very transparent device of putting some of them on the stand and interrogating them in respect to a hypothetical case which meant nothing.

He commended the testimony of the expert witnesses for the prosecution and predicted that for all time that testimony would be resorted to as indicating the character of the disease of insanity.

Mr. Davidge continued: We have uncovered his moral nature. We have shown that in religion he is a hypocrite, in law a pettifogger and a shyster, and in all things a swindler, an impostor and a cheat. Then came the light of science, and science brands on his forehead, so that the whole world may see it, and read it, and know it, the word "Sane." I have now done with the first department of this case. The second department is that it was in consequence of what this prisoner calls a Divine pressure that he committed this act. Where he writes the word "God" we know that the word "Devil" ought to be written, and where he writes "Divine," if we write what his own brother says ought to be written, "Santanic," it is true. Let me read from James I., 14, 15, 16:—"Let no man say, when he is tempted, I am

tempted of God, for God cannot be tempted with evil, neither tempteth he any man; but every man is tempted when he is drawn away of his own lust and enticed. Then when the lust has conceived, it bringeth forth sin; and sin, when it is finished, bringeth forth death." This is a sufficient comment!

Mr. Davidge went on to quote from the prisoner's own testimony bearing on his so-called inspiration, prefacing it with the remark that it was enough to make a man's blood curdle. "At the end of two weeks," the prisoner had testified, "my mind was thoroughly fixed as to the necessity of the President's removal and the divinity of the inspiration."

Prisoner: Making up my mind was the result of my prayers.

Mr. Davidge: Let me go on. I will hang him by his own testimony. The doctors have all told you that an insane delusion does not come from within, but from without; that the insane person hears a voice or sees a spectral finger on the wall, but here you have the germ of crime within the mind of the man. You have the act originating within and not forced upon the party from without.

Mr. Davidge went on to quote from the testimony of Mr. Reynolds, narrating his interview with the prisoner in the jail on the 14th of July. He dwelt particularly on the use by the prisoner of the word "assassination." This the prisoner

denied, as Mr. Davidge was reading it, and said he had always spoken of it as a "removal," not an "assassination." When Mr. Davidge read the remark by the prisoner to the effect that Conkling, and Grant, and Logan, and such men would make themselves known as his friends, the prisoner said, "Yes, and they are my friends to-day."

Another quotation was: "I thought my friends would come to see me by hundreds." When that was read the prisoner added: "Yes, and they are coming to-day, sir."

In concluding his comments upon his testimony, Mr. Davidge said: Now, one word, and a very short word. I told you in the beginning that I did not come here to make a set speech; I told you that I came here to help as far as I could, and to help honestly, a jury of my country in the discharge of an important and solemn duty. I began my remarks without an exordium, and I close them without peroration, except to say to you that your countrymen and Christendom are waiting for your verdict. I thank you, gentlemen, for the attention you have given me."

Prisoner: And I thank you, Mr. Davidge. That is a very light speech. I hope Porter will go light, too. You had better see General Arthur, Mr. Porter, before you begin to talk. I wrote him a note on this matter the other day.

The Court at 5 minutes past 3 o'clock adjourned.

The morning's proceedings on Saturday, Janu-

ary 14th, were opened by the prisoner, who, as soon as he had entered the dock, exclaimed: "I signed twenty-five checks yesterday made payable to my order representing \$15,000. I suppose that some of them are good. I do not wish any one to send checks that are not good. We have received two or three that are worthless. Let the people send good checks or none. I do my own banking business, and I want the checks made payable to my order.

The Court stated that he had been informed that the prisoner was preparing an address to the jury. He would be loath, in a capital case, to deny any prisoner an opportunity to present a proper argument in his own behalf. But he was persuaded that any address from this prisoner would partake of the character of his former testimony and interruptions; that it would be a rehash of his testimony. No person had a right to do that. It would be grossly improper to permit such testimony to go before the jury.

Prisoner, wildly: I represent myself, and I take exception to that ruling. Let the record show that I appear as my own counsel, and I propose to address the jury. I say it is an outrage on American jurisprudence, and after I have been heard and my speech published your Honor will see that it is. I have an encomium upon your Honor in my address to the jury. I hope that it will not be necessary to withdraw it. If it is neces-

sary your Honor will go down to future ages with a black stain upon your name, and I tell you so to your face.

Mr. Reed then rose to address the jury on behalf of the prisoner. He commenced by paying a compliment to the jury for the seriousness, solemnity and care which had characterized it during this long trial—a trial unparalleled in the history of criminal jurisprudence. He should not endeavor to make any statement of the evidence or to draw a gilded picture of any scene, but he would simply talk with them as between neighbors.

The story of this awful offense, this offense, unparalleled for atrocity could have been told to the jury in ten minutes. No one connected with the defense, no friend of the prisoner—and he had two or three friends left on the face of the earth—

“Yes,” the prisoner broke in, “and the American people are coming over solidly every day. Do not forget it.”

—would dispute or had disputed, Mr. Reed continued, the fact that he fired the fatal shot. The story could, therefore, have been told to the jury in ten minutes, and yet Mr. Davidge had occupied two days trying to convince the jury that when the prisoner fired the fatal shot, reason was enthroned on her accustomed seat.

When, on that dread morning of the 2d of July, a being in human form, having ears to hear and eyes to see, lounged about the depôt waiting for

his victim, got behind him and fired two bullets into the President's back, the country was startled—nay the civilized world—and the first expression was "Horrible!" The next thought was, "The man cannot be sane; it must be the act of a lunatic."

The dead President was his—Mr. Reed's—friend. He knew him well, and loved him well. No eulogy of him could be too glowing, no panegyric too great. He would say "Amen" to it all, for he knew him and he loved him. Mr. Porter had read to the jury very impressively the letter written by Mr. Garfield to Judge Payne, of Cleveland, complimenting him on his charge in the trial of a case where insanity had been set up; but he, Mr. Reed, believed that if the spirit of the dead President could appear before the jury to-day he would tell them in language more glowing and more eloquent, because it would be from above, "Set him free; he cannot have been sane."

He reminded the jury of the act of Charlotte Corday in poniarding in his bath Marat, then the chief man of the French nation, and how she was guillotined in four or seven days afterwards. The picture of that fair French girl could be seen in the Corcoran Art Gallery, looking through the bars of her prison, appealing to posterity, insane. Her execution had disgraced the name of the French nation. He also referred to the cases of Lawrence who had fired at President Jackson;

Hadfield, who had fired at George III. of England, and Oxford, who had fired at Queen Victoria; in all of which cases the prisoners had been found not guilty by reason of insanity, and had been sent to insane asylums. He drew a parallel between the case of Oxford and the present case. Oxford, like Guiteau, had bought a pistol and practised with it. He had been deliberate, his intention had been fixed, yet he had been acquitted. He also pointed out the similarity existing between this case and the case of William Lawrence, who shot at President Jackson.

Branching off to the discussion of the instructions of the Court, Mr. Reed called the attention of the jury to the wording of the instruction defining the test of responsibility for an act to be "whether he knew the difference between right and wrong in respect of that act." Mr. Davidge, he asserted, had repeated and repeated that the test was "whether he knew the difference between right and wrong," and had failed to quote the remainder of the instruction.

You twelve men, continued Mr. Reed, sitting there to day on the facts and the evidence are superior to all powers on the earth. * * You and you alone are supreme on the question of fact. You and you alone are to say what the evidence is, what witnesses shall be believed, what disbelieved and what weight shall be given to the testimony of one witness or another. Your con-

sciences, under your oaths to your God, are to be your only guide. If any one man among you, when he shall have seriously and solemnly considered this case in the jury-room, shall feel within himself, "I have a fair, honest doubt whether this man was sane at the time," it is the duty of that juror before his Maker to say, "I cannot find him guilty." If one man so feels the other eleven have no right to dictate to him.

Lunatics were found in Jerusalem eighteen hundred years ago. It is no new thing to find a man a lunatic, to find him an object of the deep, continuing pity of his fellow-men. When your Saviour and mine was on earth to save men, they brought to him those who were sick of all manner of diseases—lunatics, those possessed of devils. What did he do? Did he say, "Hang him, kill him, put him to death?" No, but the Divine compassion took them to Him and healed them. He healed them, but this prosecution would say, "Put him to death."

Mr. Reed then went into an exhaustive review of the prisoner's life, picturing him as a good, Christian youth. He referred to the testimony of Mr. North as to the quarrel between Charles Guiteau and his father, when the former, who was eighteen years of age, struck the old man in the back. That striking of his father in the back, Mr. Reed proceeded, was not from depravity, but from disease for which he was not responsible. That

was the only instance of violence on the part of the prisoner down to the incident of raising the axe on his sister.

“And that does not happen to be true,” said the prisoner.

Mr. Reed: Even his own sister——

“That is all bosh, too,” said the prisoner.

Mr. Reed: When she testified that he raised the axe at her it was charged by him, while she was on the stand, as being in substance a lie. Why was that? Because at that time memory had strayed away and left him for the moment. It came kindly back again. Does any man, living to be thirty-seven years of age, leading a blameless, irreproachable life, become bad, violent, immoral, corrupt, depraved, unless from disease here? (tapping his brow).

Mr. Reed went on to quote from the testimony of Hubbard, who knew the prisoner at the Oneida Community, and who said that when anything was said which he, the prisoner, did not like, it would “rile” him, and he would gesticulate wildly, talk in a mysterious manner and sit for hours alone. Mr. Reed argued that this was one of the commonest forms and evidences of insanity.

Mr. Reed then proceeded to read and comment upon the letter written by the prisoner to his father when he left the Oneida Community sixteen years ago, in which he says: “I came to New York in obedience to what I believe to be the will of God,

* * * with the Bible for my text-book and the Holy Ghost for my schoolmaster, I can pursue my studies. * * * I will do all that in me lies to extend the sovereignty of Jesus Christ by placing at his disposal a powerful daily paper. * * * I claim that I am a member of Jesus Christ & Co., the very ablest and strongest firm in the universe. * * * Therefore I say boldly that I claim inspiration." Such expressions as these are to all candid men unmistakable evidence of insanity.

He went on to argue that, since the prisoner shot the President, he had daily declared that the power of God was around him and would protect him from harm. Was that a new idea in his mind, was it manufactured for this case? No; he wrote it sixteen years ago.

The Court then at half-past 12 took a recess for half an hour.

After the recess Mr. Reed proceeded with his argument, reading the letter written by the prisoner to the Oneida Community, at the time he separated himself from it, and calling the jury's attention to the expression made use of in the document, that he was "driven by God." What sane man, asked Mr. Reed, would make use of that expression? Suppose that letter had been presented to the gentlemen composing the jury when the man was not on trial for any crime, and their opinion had been asked, would not every one

of them have said that the man was crazy to have written such a letter?

Mr. Reed, then passing on to a review of the expert testimony, commented on the fact that the government experts had disagreed on the very vital point as to whether the prisoner had been feigning or not. If the experts differed on so vital a point as that, what was their opinion worth as to whether there was derangement in the brain?

Visit the State prisons of this country and you cannot find in the entire number of convicts one such face as he has; one such eye. If you can, then it is not the eye of a criminal, but the eye of a wreck along the pathway of life, which he certainly is. It needs no expert to prove that he is insane to-day. Brain gone! gone! gone! gone!—reason leaving him never to return. I predict that if he is put into an insane asylum within twenty-four months he will be a miserable, driveling idiot. [A laugh from the prisoner.]

The impression has gone abroad that he is one of the keenest men on the face of the earth—a marvel of keenness and intelligence. I tell you that he is a total intellectual mental wreck on every other subject except this. All the faculties of reason that are left to him are centred in the one idea that he is the agent of God, and whenever anything touches his case it is like applying a match to a powder magazine. He goes off. He explodes like a rocket. He cannot talk connect-

edly. If you turn him from that one subject, that he is the agent of the Almighty, he is a failure and a wreck.

Mr. Reed went on to argue that, after all, the matter of the prisoner's sanity was only a guess or an opinion of the doctors, and that, after what the public had learned of the value of such opinions when the President was lying wounded and dying, no man should be sent to the gallows on their opinions. He also quoted from the letter of the prisoner's father, written in 1875 to Mrs. Scoville, in which he says, speaking of the prisoner, "to my mind he is a fit subject for a lunatic asylum." Mr. Reed then proceeded to review the testimony of the witnesses who had considered the prisoner insane. Taking the testimony of John A. Logan and Charles B. Farwell in connection with the appearance of the prisoner, could the jury under their oaths say that they had no fair, reasonable doubt of his sanity at the time he shot the President? Mr. Reed then proceeded to comment upon the fact that Detective McElfresh had been summoned by the prosecution, but not examined, and that Bailey, the District-Attorney's stenographer, who had taken down the utterances of the prisoner had destroyed his notes. These facts gave ground for grave suspicion that McElfresh's testimony and Bailey's notes would have spoken in thunder tones in behalf of this man.

Mr. Davidge said, continued Mr. Reed, that the

prisoner's family ought to have deserted him as a wretch—that they should have cast him aside as a rotten branch. A sister desert a brother whom she believed, years before, to be a weary, wandering boy! Desert him and let him go to the gallows? Never! Shame on you (alluding and pointing at Davidge) for such a statement! I say that, not only in this life but in the life to come, God will bless her for her sisterly love and fidelity. Desert him! Would you? Would any man of you desert the brother or sister who was in trouble, whom you believed to be insane? The proposition is simply monstrous and inhuman.

Mr. Davidge the day before yesterday praised the sentiments of a mob. He said that the mob generally represented the best of human passion and sentiment. I deny it. The most illustrious incident in history is one with which you are all familiar, when the meek and lowly Jesus was on trial before Pilate, and to the mob Pilate said, "I find no fault in the man; I wash my hands of this innocent man's blood," but the mob cried, "Away with him; away with him; crucify him; crucify him."

A sane man would have reasoned that if he killed President Garfield his successor would certainly not give him any office. What motive could he have had? No man committed crime without a motive. Did the prisoner have any motive that could make a sane man think of such a thing?

Mr. Reed then referred to the evidence given by Special Agent Brooks. Mr. Brooks stated that, when he visited the prisoner on the morning after the shooting, the prisoner declared that he had enjoyed the best night's rest he had had for weeks. Was that the declaration of a sane man? The poor, weary soul, who had been struggling between reason and insanity up to the commission of an act, had committed it and then been at rest. Referring to the testimony of Mr. Reynolds, who had visited the prisoner in his cell on the 14th of July, he spoke of his insinuating himself there in the character of a sneak and a spy—as a Judas, coming and kissing him as a friend. And he asked whether any sane man would say that he expected Senator Conkling, General Grant and General Logan would interfere and save him from the gallows, especially for the murder of a President?

Mr. Reed also referred to the fact that the prisoner still believed that he would be acquitted, and he said that, if he were sane, it would not be possible for him to believe it.

In conclusion, Mr. Reed said: Gentlemen of the Jury, you all said when you were sworn that you would be governed by the evidence and stand up to it without regard to the effect it might have upon you and your business. I adjure you keep that oath. Falter not in the performance of a duty which shall save you and this fair land from

eternal disgrace. I assert that the conviction of this man to the gallows, and his execution, would be an infamy beyond description—an indelible stain on American jurisprudence and American juries. Think of the scene if you condemn him to the gallows. Though not present in body to see the sight, you cannot but be there in mind. If such a day shall ever come, and I do not believe it ever can come under this evidence, think of this man brought out from his cell, with the same pale face and the same weary, wandering eyes, the officers of the law gathering around him, pinioning him, binding him with cords, so that his muscles stand out, covering him with the black hood, shutting out the light of day from him and leading him to the scaffold.

Prisoner: I would rather go that way than be smashed up in the railroad cars, as some poor fellows were last night.

Mr. Reed, continuing: Think of him, a lunatic condemned to the gallows—a lunatic whom the Saviour, if he were on earth, would heal. The picture is not overdrawn. I am very much obliged to you for your attention. I only ask you, pray do that which shall not in after years bring the blush of shame to your cheeks.

Prisoner: Reed is a good fellow; but I would not give a cent a bushel for his rubbish. If I could only have a talk with that jury I would give them the right theory.

The Court then, at 10 minutes past 3 o'clock, adjourned.

Under date, January 15th, Guiteau gave to the Associated Press his speech, the delivery of which to the jury was refused by Judge Cox. It is a lengthy document, much of it being a repetition of former publications.

The first part of it is almost identical with his Christmas address to the people. He says he is a patriot. Washington and Grant were patriots. By their valor and success they won the admiration of mankind. "To-day," he continues, "I suffer in bonds as a patriot because I had the inspiration and nerve to unite a great political party. Admitting that the late President died from the shot, which I deny as a matter of fact, still the circumstances attending the shooting liquidate the presumption of malice either in law or in fact. Without the Deity's pressure I never should have sought to remove the President. This pressure destroyed my free agency. In shooting the President I deny that I violated any law, human or divine."

Guiteau says he is pleased with Arthur, and quotes from the New York *Herald* that, if the first two months of Garfield's administration under the inspiration of Blaine, be compared with the first two of Arthur's, the comparison is in Arthur's favor. He speaks of the attempts made upon his life, but the Deity protected him. He then

sketches his life, using the sketch contained in his Christmas greeting, and says: "I have always been a lover of the Lord, and whether I live one year or thirty I am his."

"I presume I shall live to be President. Some people think I am as good a man as the President now. General Arthur is a good man every way. I happen to know him well. I was with him constantly in New York during the canvass. So with General Grant, Conkling and the rest of those men. They have not taken an active part in my defense because it would not be proper."

The speech next sketches the life of the Saviour and St. Paul, and adds: "For eighteen centuries no men have exerted such a tremendous influence on the civilization of the race as the despised Galilean and his great Apostle. They did their work and left the result with the Almighty Father. And so must all *inspired* men. * * * Take my own case. When the pressure to remove the President came on me, I spent two weeks in prayer to make sure of the Deity's will. Thus far the Deity has fathered the act to my entire satisfaction. I put up my life on the Deity's inspiration, and I have not come to grief yet, and I have no idea I shall, because I do not think I am destined to be shot or hung. But that is a matter for the Deity to pass on, and not me. Whatever the mode of my exit from this world, I have no doubt but my name and work will go

thundering down the ages ; but woe unto the men that kill me privately or judicially." * * *

Guiteau then goes on to tell of the hard time he had in serving the Lord and preaching the gospel and continues: "I spent three years in this business and received nothing but poverty and contempt for my services and trouble. But I expect the Deity will take care of me hereafter on that account."

Taking up the political situation, Guiteau details his well-known views about the danger of civil war. Things seemed to be going from bad to worse under Garfield's leadership, and Guiteau foresaw another civil war. After two weeks of earnest prayer, he decided that the Deity called him to remove the President, and he began preparations. An opportunity came and he shot him. There was a special providence in his dying in New Jersey, for, says Guiteau: "Should this jury condemn me to be hung, which is hardly possible, in view of the facts appearing in this trial, the Deity has probably fixed the law so that their verdict cannot be legally enforced."

"Providence and I saved the nation, and why should not I be a hero and the equal of Washington and Lincoln and Grant?"

"If there be in this assembly any dear friend of Garfield's, to him I say that Guiteau's love to Garfield was not less than his. If, then, that friend demand why Guiteau removed Garfield, this is

Guiteau's answer: Not that Guiteau loved Garfield less, but he loved his country more. Had you rather that Garfield were living and die in war than that Garfield were dead to live in peace? No; as Guiteau loved Garfield, Guiteau weeps for him; as he was fortunate, Guiteau rejoices at it; as he was a good man, Guiteau honors him; but by the Deity's inspiration Guiteau removed Garfield for the good of his country.

"The prosecution have introduced certain disreputable witnesses—to wit, one Reynolds; to wit, one Shaw; to wit, one English, and others like them." These witnesses, Guiteau says, are hardly worth his notice. He then goes on to review some of the evidence, and calls the interview with Detective Brooks a special providence in his favor. "The issue is: Who fired that shot—the Deity or me? Had I fired it on my own personal account, no punishment would be too quick or too severe for me, and this is why I protected myself by going to jail and having the national troops ordered out."

The prosecution, Guiteau says, made a great flourish with their experts. "The only insanity in this case was what these experts call transitory mania, *i. e.*, the Abraham style of insanity. There are thirty-eight cases of Abrahamic insanity in the Bible, *i. e.*, of illegal killing resulting from the possession of transitory mania by Divine authority.

"I am in receipt of a large mail," Guiteau con-

tinues, "representing the progressive thought of the nation." He then gives selections from his correspondence, leading off with a telegram from Boston :

"All Boston sympathizes with you. You ought to be President.

"A HOST OF ADMIRERS."

A Chicago lawyer, under date of December 30, writes: "The American people delight in so striking an evidence of pluck and sagacity, and will surely sustain you." A letter from South Pueblo, Colorado, contains this sentence: "Ten thousand citizens of the Centennial State hail you as a martyr to the cause of human freedom." One from Wisconsin says: "What a pity that a republican form of government allows you to suffer for an act you surely intended for its benefit."

"On June 16th, two weeks before the President was shot, I used these words in an address to the American people:

"'In the President's madness he has wrecked the once grand old Republican party and for this he dies.' When I wrote these words I had been in a mania for thirty days. I was in a reverie or trance. In the same address I used these words: 'I cannot render my feelings as Booth or Jefferson could, but I will do it in my humble way.' I am supposed, for the moment, to recover from the mania. I think what the public will say when they find the President is shot, and I reel and stagger under the

thought I am about to remove the President. But God's will, and not mine be done.'

"On June 20th, in the same address, I used these words: 'The President's nomination was an act of God. The President's election was an act of God. The President's *removal* is an act of God.' And now I say I expect Him to vindicate me.

"I now call attention," says Guiteau, "to a remarkable letter, entitled 'A Genuine Christian on the Guiteau Case.' The letter calls upon Mr. Scoville to abandon the theory of insanity, and continues in this way: 'That it was His will Garfield should die is already proven. Had the bullet missed would it not have been providential? As it hit, was it not equally providential? Who but an infidel would say God had not the power to stop the leaden messenger? All Christians agree, if God willed it otherwise, it would have been otherwise.

"Rev. Mr. Morgan, in Church of Heavenly Rest: 'God had refused to prolong the life of our beloved President. He had refused it deliberately and because it was best to refuse it. Let Christians be sure of that. Let them know that God was always right.'

"Henry Ward Beecher, in prayer: 'Thou, Lord, hast laid Thy hand heavily upon this nation. Thy servant Thou hast taken to Thyself in a way that fills us with shame and horror. We believe that Thou art anointing this great people, and by this great sorrow raising us to a higher plane.'

“Rev. Dr. Crawford, Forty-second Street M. E. Church: ‘Garfield’s loss was a great one to the nation, but the wisdom of God could not be questioned, as He did all things for the best.’

“Dr. Talmage: ‘Garfield’s death accomplished more than his life in setting forth the truth that, when our time comes to go, the most energetic and skillful opposition cannot hinder the event.’

“Rev. Dr. Bellows: ‘Already blessings manifold had followed the shooting of the President and the effect of that good influence was seen throughout the whole nation. Sublime confidence in God was reached when we could say from the heart: ‘Though He slay me, yet will I trust in Him.’ God did not permit His ways to be placed under our microscopic inspection.’

“Beware, ye nations of the earth who incur the wrath of the Almighty! The French nation incurred the wrath of the Deity and it came to grief. The bloody French revolution devastated that nation like a tornado of fire and blood. The old Roman Empire, the greatest government on earth for centuries, incurred the wrath of the Deity and it, too, was swept out of existence. The Jewish nation, God’s favored nation for two thousand years, incurred the wrath of the Deity when they crucified the despised Galilean and it, too, went down in war and desolation. Beware, ye Americans, that you do not incur the wrath of the Deity by dealing unwisely by me, for I tell you

truth, and lie not, when I say I am here as God's man. He inspired the President's removal and has taken care of it, and I expect He will vindicate me, even if this nation rolls in blood. Put my body into the ground if you will; that is all you *can* do! But thereafter comes a day of reckoning. Beware, ye Americans, beware! American slave owners put John Brown's body in the ground, but they paid for it during the war, in blood and desolation!

“ ‘ John Brown's body lies mouldering in the grave,
But his soul went marching on.’ ”

Guiteau says he is fortunate that his case has been tried before so able a Judge. “ In general,” he says, “ I am satisfied with your Honor's proposed instructions, but I would humbly suggest that the jury be charged as follows: That if they believe that I believed it was right for me to remove the President, because I had special Divine authority for so doing, they will acquit on the ground that I was overpowered by the Deity, *i. e.*, that I was suffering from transitory mania.” He asks the jury to give the case the most solemn and prayerful attention and he has no doubt that the verdict will be “ not guilty,” as found in the indictment. “ To hang a man in my mental condition on July 2nd, when I fired on the President, would be a lasting disgrace to the American people, and I am sure you so understand it.”

“ The mothers and daughters of the Republic

are praying that you will vindicate my inspiration and their prayers, I expect, will prevail. A woman's instinct is keener than man's, and I pray you listen to the prayers of these ladies. How would your mother and wife and daughter vote on this case? Have you any doubt but they would vote for an acquittal? And why should you not do likewise?

“Physical death has no terrors for me. Suppose it possible that I should be sentenced to be hung in thirty days? I may die in twenty-four hours. I have always been a praying man, and I think I stand well with the Deity. I am sure I do in this case. And now, gentlemen, I leave this case with you. At the last great day you and all men will stand in the presence of the Deity crying for mercy and justice. As you act here so will be your final abode in the great hereafter. I beg you to not get the Deity down on you by meddling with this case. I beg, for your own sakes, and for the sake of the American people, and for the sake of generations yet unborn, that you let this case alone. You cannot afford to touch it. Let your verdict be that it was the Deity's act, not mine. When the President was shot, his Cabinet telegraphed to foreign nations that it was the act of a ‘madman,’ and it will be far better every way that it be officially decided that it was the act of a ‘madman.’”

On the opening of the Court on Monday, Janu-

ary 16th, Mr. Scoville proceeded at once with his address to the jury. He thanked them for the patience with which they had listened to the evidence. He appealed to the jurors to divest their minds wholly of any preconceived opinions on the case. That was all that the defense asked. He would not attempt to appeal to the sentiments of the jury; if the question was to be decided by emotion, by passion, by prejudice, by fear, then the defendant was lost—the defendant would be hanged.

What was the issue? It was whether or not the prisoner was insane on the 2d of July last when he shot the President. He characterized Mr. Davidge as a fair, honest man, but stated that insensibly he had not in all cases given the jury a fair, full, strict, honest statement of the evidence. Neither had he given them a full, fair, honest statement of the law. He had not, as Mr. Davidge told the jury he had, characterized the prisoner as a fool. He charged that in this case there had been a conspiracy on the part of the District-Attorney, Mr. Porter, Mr. Davidge, and the expert witnesses, Drs. Hamilton, Macdonald, Kempster, Gray and Worcester, and the object of the conspiracy was to hang the defendant.

Mr Scoville proceeded to criticise some of Mr. Davidge's propositions in his argument to the jury, complaining of misrepresentations of the law. One of these propositions was that the case

must turn on "the iron rule whether the man knew the difference between right and wrong." That was not the rule here, Mr. Scoville said; it had been the rule in England 250 years ago, where, if a man had sense enough left to know more than a wild beast, he must be executed. It had been well termed "the wild beast rule." As to the power to discriminate between right and wrong: he argued that, from the prisoner's standpoint, from his diseased view of it, the act was not wrong; it was right, and so Mr. Davidge's proposition was not a correct proposition of law. The inmate of an insane asylum, when he attacked another inmate or an officer of the institution, knew that he was committing a crime, knew the difference between the right and the wrong of the act; but nobody ever heard of one of these insane people being held to account in a court under this "iron rule of law." If the prisoner was on that morning overpowered by the consciousness (coming through his diseased mind) that the Lord was requiring him to do an act for the good of the country and to save the nation from war, then it was the result of a diseased mind, and the act was, in the prisoner's view of it, right.

Commenting upon the fact that the prosecution had raked up every little act in the prisoner's life, on which the jury were asked to convict and hang this man, he said there was only one thing in his history for which he should hide his head, and that

was the crime of adultery. But clearly, even that crime was not one which would justify the hanging of this man; and he recounted the incident of the woman taken in adultery, and how Christ treated her.

At this stage the Court took a recess for half an hour.

After the recess, Mr. Scoville proceeded with his argument, pointing out several places in Mr. Davidge's address in which he alleged there was a misapprehension of the testimony.

Referring to the testimony of Shaw and his clerk as to the conversation in which the prisoner said he would imitate Wilkes Booth, Mr. Scoville declares his belief that in that matter both these witnesses had perjured themselves. Shaw wanted to bring this man to the gallows. He, Scoville, could honor Mason, McGill and Jones as compared with Shaw. They were willing to take their lives in their hands, if necessary. They were willing, at least, to stake their personal liberty on the issue. But Shaw sought to hang this man without assuming even the risk of a prosecution for perjury.

Then, as the Court was declared adjourned, at 3 o'clock, Guiteau said, "I ask Your Honor to read my speech this evening, because I want to talk to you about it to-morrow morning."

At the opening of Court, on Tuesday, January 17th, Guiteau addressed the Court in a brief stilted

speech, concluding as follows: "I ask your Honor, in the name of justice, in the name of the American judiciary, in the name of the American people, to allow me to address that jury of my countrymen, in a case where my life may be at stake. If a man upon that jury has a doubt as to his duty to acquit me, my speech will probably settle it in my favor. Therefore, in, the interest of justice, it is of the greatest importance that the jury should hear me in my defense."

Judge Cox: I will take the matter into consideration.

Prisoner: Thank you, sir.

Mr. Scoville then proceeded with his argument. He criticised very severely the conduct of the District-Attorney in sending experts to the jail to make up a case for the government. When the District-Attorney knew that the question was as to the condition of the prisoner's mind on the 2d of July, it was his duty as an officer of the law to make such an investigation of the mental condition of the prisoner as would satisfy a jury on this subject. He complained that the District-Attorney had suppressed all the evidence of the state of the prisoner's mind for the first two weeks since his confinement.

The District-Attorney denied the statement, and reminded Mr. Scoville that the prosecution had put upon the stand Dr. Young, the physician of the jail, who had seen the prisoner on the 2d of

July, and every day thereafter. He also said that Mr. Scoville himself was at the jail on the 4th of July and subsequent days.

Mr. Scoville admitted the fact, but complained that the short-hand notes of the conversation with the prisoner, which had been taken by the District-Attorney's stenographer, had been purposely destroyed. He complained also that Mr. Davidge had misrepresented the testimony of Dr. Spitzka, and that all the counsel for the government had sought by ridicule to belittle Dr. Spitzka and to do away with the effect of his open, manly, scientific statement.

Referring to the failure of the prosecution to put on the stand Detective McElfresh, who accompanied the prisoner to the jail on July 2d, and to the subsequent objection of the District-Attorney to allow the defense to call McElfresh, he said that, while calling him at that point of the case might be contrary to the rules of law, it was not contrary to the rules of eternal justice.

Mr. Scoville then ran on in a long string of personalities concerning Mr. Porter and the District-Attorney, after which he proceeded to give the theory of the defense. He thought that the prisoner was affected with chronic insanity and that the commencement of it was when the prisoner was a boy of about nineteen years of age, or before that. The incident related by Thomas North of the prisoner's striking his father in the back,

was perhaps the first instance of the cropping out of the disease. He believed that he had the seeds of the disease at his birth. He believed that it was only the regular, systematic, continuous labors of Luther W. Guiteau as County Clerk and cashier that had saved him from a madhouse, and that if he had been left, like his unfortunate son, a wreck and a waif, without anything to occupy his mind, he might have had such an inspiration as the son had.

Here the Court took a recess for half an hour.

After the recess Mr. Scoville resumed his address to the jury. He attributed to transitory mania the incident of the prisoner's raising an axe against his sister, and the circumstance of his denying it, because such sudden attacks of transitory mania were frequently accompanied by total forgetfulness. He spoke of his intense study at that period of his life to keep up with his lectures, to make up for lost time, while at the same time he was studying the Bible and the works of the Oneida Community, with which his father supplied him, and said that at that time the prisoner's reason tottered on its throne.

Mr. Scoville proceeded with his review of the prisoner's career until he came to 1875, the time of the *Inter-Ocean* scheme, at which time, he said, the prisoner was a fit subject for an insane asylum. Then he traced him through his lecturing period in 1877-8-9, and declared his belief that during

that period the man was insane. He was simply a peripatetic madman. Coming down to the prisoner's connection with the political canvass of 1880, he adverted to his egotism as a proof of his unsoundness of mind.

Referring to the speech prepared by the prisoner with the title of "Garfield against Hancock," and remarking that it had first been prepared with the idea that Grant would have been the Republican candidate for President, the prisoner said: "I had to work it over and make it fit Garfield." Mr. Scoville spoke of the prisoner's application for the Austrian mission, and of his letter to Mr. Garfield saying that he would marry a New York lady, and that between them they would represent the United States in Vienna with dignity and grace. If the man wanted the Austrian mission, and if he had the sense of a child would he have undertaken to act in that way?

Mr. Scoville read to the jury some portions of the speech "Garfield against Hancock," although the prisoner told him that, in doing so, he was killing his theory, because it was a good speech. Mr. Scoville characterized it as the idle vaporing of a diseased imagination.

Mr. Scoville reviewed the political situation in the spring of 1881, and the effect of it upon the prisoner's mind, leading him to believe that the Republican party would be defeated at the next election, that the Democratic party would seize

the government and that civil war would ensue. He had got the idea from a man high in party council—Senator Chandler, of Michigan—that another civil war would come, in which millions of men would be sacrificed, and the thought came to him, “Can that calamity be averted?” That thought was supplemented by another, “Yes, it can be averted by the removal of the President. If the President were out of the way these troubles would cease.” His next idea was, “Perhaps I am the divinely appointed agent to accomplish it.” Then, entirely consistently with his whole life, he immediately goes to the Lord in prayer to find out whether the suggestion was a good one or an evil one; whether it came from God or whether it came from the devil.

Of course a sane man would have known that the Lord would not prompt him to kill another man; but no one could judge as to the workings of an insane mind. After two week’s prayer he had become convinced that the Lord required him to do this act. And then he went on day by day deliberately to do what he believed the Lord required him to do.

On Wednesday morning, January 18th, Mr. Scoville proceeded with his address, commenting on the testimony of Dr. Gray, of the Utica Asylum, and citing cases of insanity, stated in tables made out by him as superintendent of that asylum, to show that persons committed homicide under in-

sane delusions and soon afterward sustained a reaction and could converse intelligibly.

Dr. Gray was hired to come here to help to hang this man. He was one of the co-conspirators of which the District-Attorney was chief, and his part of it was to swear as to his opinion; and he did it boldly, but fortunately he has left the footprints here by which I can contradict him out of his own mouth. Mr. Scoville then proceeded, undertaking to show by Dr. Gray's tables that in cases of homicidal mania the patient was not always past recovery. Dr. Gray had testified that it might be the delusion of an insane man that he was lost forever. Was it not a delusion for the prisoner to believe that instead of being condemned of God, he was placed on a par with the Deity, and was selected by Him as the special instrument to carry out his will? The opinion of the experts was substantially that the prisoner was not feigning in the court-room. It was true that Dr. Hamilton had stated it to be his opinion that the man was playing a part. The rest of the experts had stated substantially the same thing. They had evidently talked it over, and come to the conclusion as to what they would say.

Mr. Scoville here turned again to the question of politics as connected with the case. He said: If there were no reasons back of this prosecution, this man arraigned here before you, gentlemen, would never have been brought into this Court.

I say, and I say it without fear, that the movers of this prosecution are those politicians who seek to hide their own infamy by casting the blame on this insane man. I say that such men as Conkling and Grant and Arthur—those who made war without justification on that dead President whom they have since lauded to the skies—instituted that state of things and manufactured that degree of public excitement, and political feeling, that preyed on this insane man until reason left its throne and he did that which he considered to be perfectly in accordance with their counsel and their conduct.

I have come to the conclusion that I shall not spare these men who fomented this strife, and permit them to make a scapegoat of this insane man, so that they shall be still revered and honored in public estimation. Do you believe that this crime would ever have been committed if Conkling and Platt had not resented the nomination by President Garfield of Judge Robertson to be Collector of the Port of New York? Here is a President whom since his death all say to be one of the noblest of the land. I say it because I believe it and because I had that opinion of him before his death. But these men, who since his death have been so profuse in their admiration of him, who have said so many things in laudation of his character and his high motives, were ready before the 2d of July last to trample him in the dust if

they had had the opportunity. They were ready to degrade and disgrace him with his country. They were ready to see him go down in obscurity and disgrace to the grave if it could be done without the aid of an assassin's hand.

I admit that Mr. Conkling is (imitating Mr. Porter's style of declamation) "one of the first Parliamentarians of the age;" that he is a great statesman, I admit also; and Mr. Conkling, with those qualities, had no right, had no business, to engage in a petty squabble about a petty office. He waged a war on the chosen representative of the American people in the Presidential chair. Mr. Conkling shall not shirk, shall not avoid, shall not escape the condemnation of the American people, if I can fasten it on him, for that disgraceful conduct.

Neither shall General Grant, honored as he is by his country, honored as he has been by the suffrages of the people, honored as he has been for twenty years in my own heart—neither shall General Grant escape that condemnation to which he justly subjected himself when, coming from Mexico, leaving his duties and coming with undue haste, he threw his own name and influence into that petty quarrel about a small office in the Republican party, and sought to foment the difference which had sprung up. General Grant stands a nobleman only as he stands in the hearts of his countrymen. We have no Lord Grant; no Duke of Galena; we have only General Grant, and as

long as he maintains his high character, his devotion to his country, so long and no longer will he maintain that place which he has obtained in the hearts of his countrymen. It is more noble for General Grant to say what he has lately said in relation to General Porter—that his conduct toward him eighteen years ago was a mistake; that he did a wrong, and that it should be corrected—it was more noble, more manly in him to take that position than to do anything which he has accomplished during the course of his long life. But there is another step for him to take and another step for the President to take if they would redeem themselves in the opinion of their countrymen.

When the Vice-President of the United States left his high position and went to Albany and prostituted his place and his talent and his influence toward the fomenting and spreading of this quarrel and controversy in the Republican party, he deserved the condemnation of every citizen of this Republic. And that conduct sticks to him yet, and will until he and General Grant and Senator Conkling, in all their pride, in all their ambition, shall come out openly and plainly before the public, through a letter or declaration of some kind and say that this warfare, which they waged on President Garfield, was unwarranted, and was disgraceful to them as citizens of the Republic, holding the high positions which they held. I am not going to see the shortcomings and the misdeeds

of these men, though high in place and power, visited on the head of this insane man, if I can help it. And I tell you it would be done, if you find a verdict of guilty. This is the reason which has prompted all this expenditure of power and force on the part of the administration to hang this man. It is not for the purpose of vindicating President Garfield. It is not for the purpose of doing justice. But if it can be made to appear by the verdict of a jury that this act was the act of a sane man, a man who was responsible for his conduct, by a man who could control his action, a man who should be judged by the same standard by which we judge ourselves—what then? Why these men can say and will say, “We are not responsible for what a sane man has done; we are not responsible for that. It is true we had a quarrel. It is true we had a difference, but no sane man had a right because of that to shoot the President.” And that reasoning is perfectly correct. Therefore if you find this prisoner guilty these men are sheltered, secured, almost vindicated from public opinion.

But, on the other hand, suppose you find this man not guilty by reason of insanity, what is the result? The people say: “This is the man whose mind was preyed upon by supposed impending evil, who was led to believe that there was another war coming, and that a million lives were to be sacrificed. Under that delusion he shot the Presi-

dent of the United States." That will be the first conclusion. What will be the next step?

Somebody must be to blame when an act of this kind has been done. Who induced this poor lunatic to do this act? Recollect those slips cut from the newspapers and stating what Conkling said, what Conkling did; what Arthur said, what Arthur did; what Grant said, what Grant did. When the people make up their minds they will fix the blame somewhere. Where will it rest but upon the heads of, and hearts of, these men who waged this unjustifiable war against the dead President, and these men will rest forever with that opprobrium upon them; forever, and they will go down to their graves with the contempt and reproach of their fellow citizens, unless they do the only thing that can be done—what Grant has done in relation to Fitz John Porter—come out and say as American citizens, "We did wrong." Let them write a letter to the desolate widow at Cleveland, and say to her: "It is true we are sorry, it is true we mourn with you, but we feel that this terrible calamity was in some degree the outgrowth, the legitimate result of this unjustifiable war which we waged against your dead husband, and we pray you to forgive us." When these men do that, they will show their claim to the regard of the American people, and it is the only thing they can do to save their names from merited oblivion.

The Court then, at 12 o'clock, took a recess for one hour.

After the recess Mr. Scoville commented upon the fact that the prosecution had objected to Dr. Beard, of New York, testifying in sur-rebuttal. He then resumed his review of the evidence, asserting that the testimony of Secretary Blaine must lead every mind to the conclusion that the prisoner was either a fool or a crazy man. He referred to the interviews which General Reynolds had with the prisoner, dwelling at some length on the statement made by the latter that "when the President died he would go abroad."

Mr. Scoville, continuing, stated that in any ordinary case, while possibly not sufficient to convince the jury that the man was insane on the 2d of July, the testimony presented by the prosecution would be sufficient to bring them into that condition where they would be obliged to say, "We have a reasonable doubt whether he was sane," and on that "reasonable doubt" a verdict of acquittal must be brought in.

The Court then, at 5 minutes past 3, adjourned.

The prisoner opened the proceedings of Thursday, January 19th, by a flattering reference to a recent decision of the New York Court of Appeals, whereby the burden of proof in an insanity case is declared to rest upon the prosecution, which must prove that a criminal is sane at the time of committing the deed charged.

Mr. Scoville then resumed his position opposite the jury-box, and again addressed the jury in behalf of his client. He quoted from the testimony of Officer Kearney, who arrested the prisoner, to show the incidents which followed the shooting of the President. These incidents, Mr. Scoville claimed, showed that the prisoner was perfectly composed at the time of the arrest, and entirely free from excitement—a state of mind which was inconsistent with the idea of sanity. He also quoted from the testimony of Officer Eckloff, who, with Detective McElfresh, had taken the prisoner from police headquarters to the jail, in order to call attention to the statement of the witness that during the ride the prisoner had held a whispered conversation with Detective McElfresh. Mr. Scoville then read the letter addressed by the prisoner to General Sherman, and asserted that it could not have been written by a man of sane mind, neither could a sane man have written the letter to the White House. Mr. Scoville, after extended and bitter controversy between counsel as to the affirmed mutilation of a letter, asserted that there was not a minute from the time that the prisoner had been nineteen years of age up to the 2d of July last that he had not been an insane man, but his allusion to the prisoner's brain as "feeble" drew forth the ironical remark from the latter, "I know my brain is very feeble, Scoville."

Mr. Scoville further said that he was speaking

not so much for the purpose of saving this man's life, as for the purpose of preventing an injustice being done here that should stand forever a lasting, permanent, unendurable disgrace to the American people and the American judiciary.

The Court, at half-past 12, took a recess for three-quarters of an hour.

After the recess Mr. Scoville held a whispered conversation with the prisoner, and then resumed his argument. If the prisoner had planned in his own mind that he would feign insanity as a defence he would have manifested his intention while in jail. It was perfectly absurd to suppose that he had it in his mind to feign insanity, and yet that he had not attempted to carry out the feigning at the jail. Coming down to the time of the killing, Mr. Scoville argued that in the circumstances connected with the shooting, the prisoner's former life, his life in jail, the facts clustering around that fatal 2d of July, the facts that had been discovered immediately following the shooting, there was an abundance of evidence to show that the act was that of an insane man. But when the prisoner's own evidence was added to these facts could not the jury see without leaving the box that that man was insane on the 2d of July? Could the prisoner's motive have been revenge? He (Scoville) went on to argue that the prisoner had no possible ill-will toward the late President, and had no motive for shooting him. It might be

claimed that the prisoner had committed the act for the purpose of gaining notoriety? He defied Judge Porter to show the jury a single case where a sane man had committed such a crime merely for the purpose of notoriety. A sane man would know that he would go down to posterity steeped in infamy and iniquity, and would be classed with those who had crucified the Saviour and with no others on earth.

The Court then, at a quarter past 3, adjourned.

On Friday, January 20th, Mr. Scoville resumed his address, this being his fifth day. He announced his purpose to confine himself to the testimony of the experts. He began with the evidence given by Dr. Hamilton, in order to show that the witness was strongly prejudiced against the defense. He read from the testimony of Dr. Hamilton that the prisoner's head was perfectly symmetrical, and declared that it was not often that a compass and rule could demonstrate that in giving his opinion a man was telling a lie. But Mathematics show that the difference between the two sides of the prisoner's head is three and a half cubic inches.

Mr. Scoville then referred somewhat at length to the shape of the prisoner's head, illustrating his remarks by an examination of the cast which had been placed in evidence.

District-Attorney once or twice interrupted Mr. Scoville, and on one of these occasions Mr. Dav-

idge sarcastically exclaimed: "Don't interfere with Mr. Scoville. I am afraid he will stop if you do. Don't stop, Mr. Scoville."

Mr. Scoville resumed his argument, criticising the testimony given by Dr. Gray, of the Utica Asylum, whom he characterized as the big gun which the prosecution had reserved until the close of the case, supposing that he would carry the jury by his grand, round, well-proportioned, overwhelming declarations. Quoting the case of an insane man who was thriftless in his family affairs, Mr. Scoville said he supposed that Colonel Corkhill would call it a case of devilish depravity. "Yes," cried the prisoner, "Corkhill is authority on the devil. Gray is a big gun with a big mouth. I will mark him."

The Court then, at fifteen minutes past 12, took a recess for forty-five minutes.

After the recess, Mr. Scoville, addressing the jury, said that he would dwell no longer on the facts of the case, but would simply mention some considerations which should be called to their attention. Human laws were made for sane people. Laws were enacted to reward or punish people who were clearly of sound mind. It was true that a man who committed murder ought to be punished even if he were over the border line that separated sanity from insanity; but it was not true that he should be punished precisely as the man who stood on the right side of the line.

Mr. Scoville predicted that Judge Porter, in his closing address, would lay stress upon the fact that the prisoner had refrained from shooting the President when he was accompanied by Mrs. Garfield, and would attempt to show by that fact that the prisoner could not have acted under an irresistible impulse. Mr. Scoville contended that the very fact of the prisoner's restraining his hand went to prove that he was acting under delusion; for, had his act been one of depravity, as the prosecution claimed, he would not have needed another night to allow that depravity to be developed in his heart. He would have acted at once, without hesitation.

Mr. Scoville next entered upon a flattering discussion of the jury system and its benefits, and closed his address by saying: It is requisite that you have honest hearts, cool heads and a disposition to do what is right. But above all, you should have moral courage, stability of character, moral stamina to determine that what may come, what may be said, you will do what is right and just toward your fellow-men, and in the sight of your God. You should not be influenced by any personal motives, by any motive outside of a sincere desire to decide this case according to law and evidence; and, when you have reached a conclusion in your own mind, I ask that you will render a verdict without fear or without hope of favor or reward, and I believe, gentlemen, that you will do

it. I leave the case with you, thanking you for your careful attention.

The District-Attorney then arose and called the Court's attention to the desire of the prisoner to address the jury. At the time that the application was made he had opposed it very earnestly. The case had now occupied seventy days, and he did not desire a repetition of it. He did not intend that any error should get into the record upon which there was any possibility that a new trial should be allowed, and he, therefore, on behalf of the government withdrew all objection to the prisoner's being heard.

As to the question of the prisoner's right to speak that was a matter, Mr. Reed said, to be decided by the Court. That he might make a poor speech was no reason that he should not be heard. Many lawyers made poor speeches, many lawyers made rambling speeches; some made speeches outside of the record. [Laughter.]

Judge Cox stated that some of his brethren had very serious doubts whether, in a capital case, the prisoner could be denied the right to address the jury. He, therefore, would permit the prisoner to speak.

After further parley about the time to be consumed by the prisoner's speech, the Court adjourned for the day.

The announcement that Guiteau would address the jury on Saturday, January 21st, drew an im

mense crowd to the court-room. He was placed in the witness-stand where he sat down saying: "I am going to sit down because I can talk better. I am not afraid of any one shooting me. Shooting is on the decrease." Then, adjusted his glasses and taking up a roll of manuscript, he read the speech already published, prefacing it with a paragraph on the question of his insanity, another parading himself as "the greatest man of this age," and a third expressing his thanks to his counsel and his keepers generally.

He read his speech in a declamatory manner, holding the paper in one hand and with the other gesticulating and emphasizing his utterances. The words "Rally round the flag, boys," he repeated in a sing-song tone, waving his arm in the air above his head. "And for this I suffer in bonds as a patriot," he quoted in an oratorical manner, and then repeating the sentence, allowed his voice to tremble so that the words were nearly inaudible. The trembling in his voice continued till he spoke about his mother and declared that he had always been "a lover of the Lord," when he broke down completely, and applying his handkerchief to his eyes wiped away the tears which, naturally or forced for the purpose of exciting sympathy, coursed down his cheeks. He immediately recovered, however, and in his usual tone of voice proceeded with his address.

When he came to his description of the attempts

made upon his life by Mason and Jones he stood up for the purpose of more vividly pointing out to the jury the narrow escapes which he had had. With something of pride he held up his arm and showed the rent made in his coat by the bullet fired by Jones. A laugh ran through the audience as the prisoner read and re-read his declaration that it would be perfectly safe for him to walk the streets of Washington and New York.

Reaching that portion of the speech where an abstract from his address to the American people is inserted, he folded up the paper, took off his glasses, and squaring himself in his chair, proceeded to repeat the extract from memory. In doing this he assumed his most oratorical style, modulating the tones of his voice and using both arms to aid him in emphasizing his dramatic utterances. When he reached the quotation from "John Brown's body," he threw back his head and sang a verse from that old song, much to the amusement of the spectators. He read from his speech: "Put my body in the ground if you will; that is all you can do; but thereafter comes a day of reckoning. The mills of the gods grind slow, but they grind sure, and they will grind to atoms every man that injures me," and supplemented it with the remark: "As sure as a hair of my head is injured, this nation will go down in the dust, and don't you forget it." He then read his speech to its conclusion without any noteworthy inci-

dent, and at 12.10 the Court adjourned until Monday.

An immense crowd gathered at the court-house on Monday morning, January 23d, the opening of the eleventh week of the great trial. After a few words of self-laudation and of warning to opposing counsel from Guiteau, Mr. Porter proceeded to address the jury. He was evidently quite ill. After a few apologetic words, he said: Thus far in this case the trial had been practically conducted by the prisoner and his counsel, Mr. Scoville. Everybody had been arraigned, everybody denounced, everybody interrupted and silenced at their will.

The jury had heard the evidence—much of it over two months ago. They had heard it amid clamor, objections, interruptions, vituperation and blasphemy. The jury were compelled to rely upon their memory for the points of that testimony, which covered two thousand five hundred pages closely printed in double columns, equal in ordinary print to five thousand pages. Of course the jury could not recall every point made at the time. In the address of Mr. Scoville, there had been an attempt to carry out the plan of misrepresentation and perversion of testimony. It was deliberate, designed, cunning, done by subterfuge and indirection. He (Mr. Porter) wished to recall the jury to the case as it really was.

My relations to this case, he continued, are

simply those imposed on me by the Government, and most cordially accepted by me, because I believed that the interests of public justice demanded that the cold-blooded and deliberate assassin of President Garfield shall not leave this dock until he is under sentence of death. He in the meantime invokes the mercy of that God who spares even him who spares not. He did not spare Garfield, though he said he was a good man whom he was transferring to Paradise; he did not spare that wife who, by her leaning on Garfield's arm, saved his life on one occasion. He swears that if she had leaned on the President's arm on the 2d of July it would have saved him. He did not spare that aged mother whom the son so loved. He spared no one.

This man who appeals to you in tears and with such pathos through his counsel for dew-fallen mercy—this man showed his idea of mercy to others when on one occasion he turned to you and said that that God whose name he has so often blasphemed would interfere to strike down one of your number before you should be able to convict him. This is the man who invokes the tender and merciful consideration of his case. A man brutal in his instincts, inordinate in his love of notoriety, eaten up by a thirst for money which has gnawed at his soul like a cancer, a beggar, a hypocrite, a canter, a swindler, a lawyer who, with many years' practice, never won a case. A man

who has left his trail in various States, a man who has lived on other people's funds and appropriated them to his own use in breach of every trust, a man who is capable of aping the manners of a gentleman, a man who, as a lawyer, had this notion of morality, that when he had taken debts to collect and collected them by dunning the debtor held them against his client and chuckled over the success of his scheme, a man who sold oroide watches or pawned them to get money through falsehood and misrepresentation. A man who was capable of endeavoring to blast the name of the woman whom he acknowledged as a virtuous wife, who was capable of fawning himself off on Christian committees and Christian churches as a pure and moral man, who spent six years in fornication at the Oneida Community. A man who afterward, when he wished to get rid of that wife, consulted the commandments of God and read, "Thou shalt not commit adultery," and went out straightway into the public places and committed it with a street prostitute.

Proceeding with his speech he eulogized Mr. Garfield as a soldier, a lawyer and a statesman, and said that so high was his reputation he had been elected to the Presidency by a vote so clear and so strong that all the people said "Amen." And that was the man, he said, against whose life this prisoner had been plotting for six weeks, plotting (without malice, as he said), plotting, with no

counsel except the fiend of darkness, who had prompted the crime.

“Praying is the word!” the prisoner exclaimed.

Mr. Porter: This man professes to believe that the God who spoke to Moses and the Christ who spoke to Paul in order to replace Judas, who had been false to his trust, inspired this murder. But he tells you on his own oath that he (Guiteau) meditated the means, contrived the vindication, prepared the papers which were to vindicate him before God and man. Mr. Porter then reviewed the history of the case, the purchase of the pistol, the prisoner practising by the river side, the various occasions when he was deterred from the murder, etc.

As to his being restrained from the murder by the presence of Mrs. Garfield. He had been restrained by nothing but cowardice on all such occasions. He knew that if he had murdered the President in his wife’s presence no military force could have prevented the people who were around tearing him limb from limb.

Mr. Porter also referred to the spirit of vanity which made the prisoner choose a white handled pistol rather than a black one, that it might bear his name and fame “thundering down the ages” and be more conspicuous in the Patent Office. He rehearsed the scene at the railroad depôt and said that after Guiteau fired the bullet he turned to run. Run where? Run to the jail? He was

careful, in the very last moment, of his own safety. He held aloft his letter to General Sherman, asking him to summon instantly to his (Guiteau's) protection that military force which had not been present to protect the murdered President. This man had appealed to the Court to give him every right, every constitutional right, freedom of speech, perfect impartiality (which would consist in making all decisions in his favor.) He had been dictating to the Judge the charge which he proposed the Judge should make to the jury. He had shown himself averse to sitting in the dock, which was a disparagement to a lawyer, a theologian, a politician, a man of God, a man of prayer, a patriot, a man whose name is to go on through the ages.

Commenting on the intimations in the press that there would be a disagreement of the jury, he remarked that all the struggle of counsel for the defense had been to lead one of the twelve jurors to differ with his fellows. If there should be such a division it would be very unfortunate.

How would the case stand if there were such a division of the jury? It would stand about thus: Here is a man who swears he is guilty, and here is a juror says, "I swear that he is not." The prisoner calls it an assassination over his own signature, and the juror says it is no assassination. Oath to oath opposed. Prisoner, "guilty." Juror, "not guilty." Prisoner, "sane." Juror, "insane." The only consequence of that disagreement, gen-

tllemen, would be (under the charge which the Judge will deliver to you) to call the attention not only of this country, but of mankind, to the only human being who is ready to stand by and shield the cowardly assassin of the President of the United States. But what would be accomplished by it? Is it supposed that the government is not strong enough to press the case to a conclusion?

There are in our government only two representatives of the American people. The one is the head of the government, the President of the United States; the other is the jury of twelve men to whom, in the last resort, all rights, whether they be of life, liberty or property, come for protection. For that purpose, and under the operation of our law, you twelve men stand to-day as the representatives of the American people. In such a case I deny that any man can ignore the fact that, just as all other men loathe and abhor such crimes, so should you. This prisoner has been blatant in claiming from day to day that the people of this country were on his side; that he was receiving letters and telegrams and contributions expressing sympathy with him; that the newspapers which he professed to be reading (while he was looking over the top of them and watching the progress of the case) were containing expressions in his favor. While all this has been going on, you might very well have wondered how it was that neither of the counsel for the de-

fense dared to refer to the general judgment of the city of Washington, of the District of Columbia, of the United States or of manhood. They had yet to see the first newspaper published in America that ventured to defend this criminal.

Extended discussion followed at this point, upon the propriety of permitting statements as to the contents of papers and letters, pending which the Court adjourned at 1 o'clock, because of Mr. Porter's evident illness.

Mr. Porter, seemingly in much better health, resumed his speech to the jury on Tuesday morning, January 24th. After some preliminary remarks, he said: I endeavored to show you yesterday that this defense was one founded on shams and impostures; on brazen falsehood, which was supposed to acquire force and strength by perpetual reiterations. The disciples of the school of Guiteau have great confidence in a maxim of Aaron Burr that falsehoods are to be verified by persistency and reiteration. I showed you how the prisoner had belied, by his acts, his professions; the character given to him by his counsel; how this gentleman, this prayerful man, this moral and Christian man, was a liar, a swindler and a murderer in heart from the beginning. That this man has grown worse every year that he has lived, we all see and know. That he was a disobedient child, that he was lawless and ungrateful to his father, that he was an unkind brother, that he

stung every man who was a benefactor to his youth, that he had inordinate desire for unholy notoriety, that his vanity was boundless and that his malice was still more unbounded, we all know. All this he was in early life. And I shall now call your attention to some of the evidences that he was growing worse and worse until his career culminated in cold blooded assassination. There is a self-propagating property in sin and vice and crime until the man becomes (not by disease, but by culture) what Dr. Spitzka calls a "moral monstrosity."

"That is bosh, and you know it, Porter," the prisoner exclaimed.

After some further discussion Mr. Porter went on with his argument. He asked who it was that killed President Garfield.

"The doctors," shouted the prisoner.

Mr. Porter: "The doctors," responds the prisoner.

Prisoner: That is what most people think about it.

Mr. Porter: Has not the defense that the doctors killed him been abandoned?

Prisoner: The Lord allowed them to confirm my act: They were the immediate cause of his death.

Mr. Porter: I am afraid the prisoner has not the latest intelligence from heaven, for he said that the inspiration left him an hour after he killed

the President. Who killed Garfield? The prisoner says "Secretary Blaine." He says, in his testimony, "Secretary Blaine is responsible for the murder of President Garfield."

Prisoner: I said, "morally responsible," sir.

Mr. Porter: Who else is responsible for the death of Garfield? Mrs. Garfield; because the prisoner swears that when he saw that honored lady leaning on her husband's arm her presence on that occasion saved his life; and so if she had been with him on the 2d of July the prisoner would not have shot President Garfield.

Referring to Mr. Reed's suggestion about Mrs. Garfield praying in behalf of the prisoner, Mr. Porter said: Imagine what sort of scenes these are that counsel thus brings up. Imagine the aged mother of the President coming before you draped in black. Imagine, according to the old custom of the English laws, this trial taking place in the presence of the corpse of Garfield, mutilated by the murderer, wrapped in white linen, through which it was supposed the mere approach of the murderer would start the blood to flow. Imagine Garfield lying there, not one of the sections of his backbone, but the whole man, cold in death, with the death-sweat not yet dry on his brow, with the expression of agony which this prisoner put there and with the cowering assassin yonder shrinking from approach to the body which was required by the old process of bier-rite. Im-

agine the aged mother, who had looked to that son to close her eyes in death, bowing with grief at the coffin head with Mrs. Garfield, whose lips were the last that touched the cold lips of the President, sitting at his feet in dust and ashes. If in such a scene Mr. Charles H. Reed stood up and said, "The woman who seems to you to be kneeling only to God in her sorrow is kneeling to God in prayer that this murderer shall be dealt with leniently," what would you think of it?

Who else killed Garfield? John H. Noyes, says the prisoner. He killed Garfield. Who else killed Garfield? The prisoner's father?—that father whom he struck from behind when he was eighteen years of age? Who else killed Garfield? The mother of this prisoner, who was guilty of the inordinate atrocity of having a temporary attack of erysipelas just before he was born and leaving him an inheritance of congenital monstrosity. Who else killed Garfield? This prisoner's drunken and dissolute uncle Abraham who, although he was never insane himself, transmitted insanity to the prisoner, though he was not his father, nor his mother, nor his grandfather, nor his grandmother. Who else killed Garfield? The prisoner's cousin, Abby Maynard.

Prisoner: If all these people killed General Garfield you had better discharge this indictment.

Mr. Porter: Who else killed Garfield? All these do not seem to have been enough to kill

him. Who else killed Garfield? The Chicago Convention which nominated him for the Presidency. The prisoner says: "His nomination was an act of God, and if he had not been nominated and elected I could not have killed him." The prisoner claims that he was appointed by God to kill him—he, with his swindling record—he, a liar from the beginning—he who struck his father, who lifted an axe against his sister, who struck his brother—he was commissioned to correct the act of the Convention and of the people by murdering the President. These are the defenses put forward by this praying prisoner, and by his praying counsel in order to divert your attention from the fact that the man who killed Garfield sits there (pointing at the dock), and although Garfield is dead, the prisoner speaks and has spoken on the witness-stand those words which prove him to be not only the assassin, but the meditating, deliberate, sane and responsible assassin of the President.

But that is not enough. The press killed Garfield. The press is solemnly indicted by the murderer and his associate counsel—indicted without the formality of a grand jury, accused by the oath of the murderer, found guilty by the murderer, charged with responsibility by the murderer. But fortunately he no longer holds the "bull-dog" pistol in his hands, and the press is only to be convicted of the murder of Garfield by the bad

tongue of a murderous liar. This man slaughtered Garfield as he would have slaughtered a calf.

"The doctors did that," said the prisoner, and having disposed of him in that way, in comes his counsel and charges with the crime those who occupy too lofty a position to notice the vipers that said it, and who would have degraded the dignity of their office by noticing it. One of them is a distinguished American Senator, who, at this moment, (except that he was too proud and too lofty to accept the office), would be sitting as the Chief Justice of the Supreme Court of the United States. Such a man is to-day arraigned before an American jury, and arraigned not by the criminal, but by the criminal's defender ("Without my knowledge," interposed the prisoner), as responsible for the murder of Garfield.

Another of those whom he arraigned is a man more honored in the Confederate States than any American, save their own cherished leader, General Lee; a man who is honored in the Northern States for services rendered—first in war and afterward in reconciling the difficulties which grew out of the war; a man elevated to conspicuous position, the successor of Washington and Jefferson, Jackson and Lincoln; one who, after he left that place, was welcomed in every European and Oriental land as one of the noblest men of the Nineteenth Century. That man is arraigned by the lawyer of Guiteau ("But not by Guiteau," in-

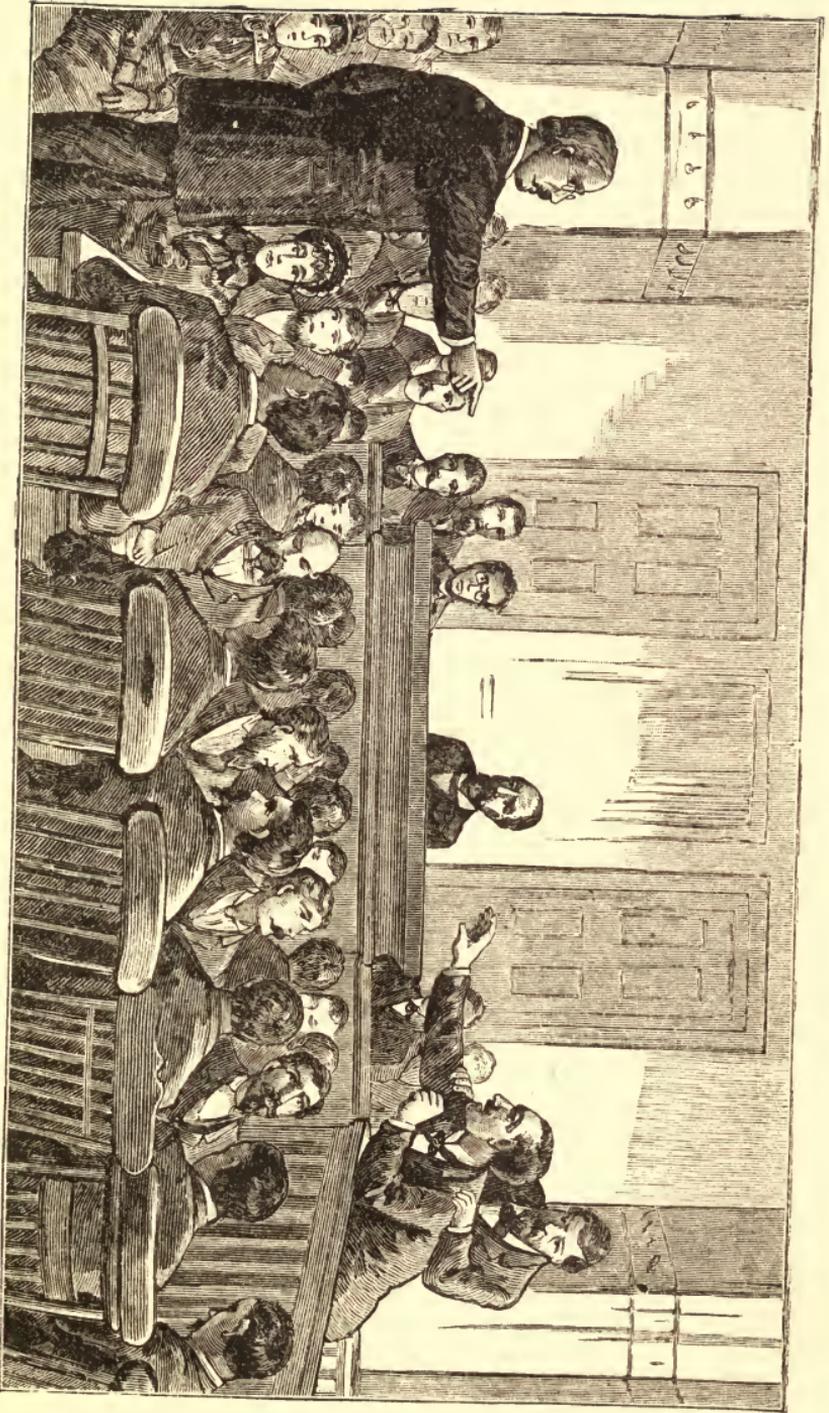
errupted the prisoner) as responsible for the murder of General Garfield. More than that, we have the President of the United States —

Prisoner: Made so by the inspiration of Guiteau. Don't you forget that, Mr. Porter. You do not represent him here either.

Mr. Porter: The successor of Garfield and Hayes and Lincoln and Jackson and Jefferson and Adams and Washington, elevated to that position not by an assassin, but by the voice of his countrymen. And when this creature says, "I made Arthur President," he forgets that General Arthur was made President by the voice of his countrymen, by that very voice which made Garfield President. This man told you in his speech last Saturday that Garfield might have died from any other cause; that he might have trod on an orange peel and received an injury which might have caused his death, or that he might have trod upon a rattlesnake whose fangs might have pierced his heel. Was it the orange peel or the rattlesnake that made Arthur President? ("Neither," said the prisoner). Both—because the prisoner has shown himself all his life as slippery as the orange peel and as venomous as the rattlesnake.

Prisoner: That is false and you know it.

Mr. Porter: But in one respect meaner than the rattlesnake, for Providence has provided in respect of that reptile that there shall be a warning at one end, but the venom at the other. This



MIR. PORTER ARRAIGNING THE PRISONER.



was a rattlesnake without the rattle, but not without the fangs, and when he tells you that he made General Arthur President of the United States he made him President in just the same sense in which the rattlesnake might have done it by introducing into President Garfield's veins that venom which in eighty days would bring him down to the grave.

Passing on to criticise Mr. Reed's argument, and his illustration as to Christ casting out devils and healing lunatics. Mr. Porter said: The Saviour made a distinction between the sick, the lunatic and those possessed of devils. The claim here is that this man was so enormously wicked as to be, in the language of Dr. Spitzka, a moral monstrosity. He represents the class of which the Saviour spoke, not lunatics, but possessed of the devil. A man who was possessed by the devil once came to the Saviour and prayed to be delivered. The Saviour granted his prayer and commanded the devil to say who he was. "My name," said the devil, "is Legion." And he prayed to be allowed to go into a herd of swine, because even devils go through the form of prayers.

"Then it is time for you to pray," said the prisoner.

Mr. Porter: The Saviour consented. What became of the swine after Legion had entered the herd? "They rushed down a steep place into the

sea and were choked." Whether the devil that possesses this man is or is not to be choked by the law you are to determine. But the destination of diabolism such as his, was thought by the Saviour to be fittingly the swine, and the ultimate destination even of the swine was to be choked in the water.

Prisoner: If you don't stop drinking wine the devil will choke you. You will go into a drunkard's grave yet.

Mr. Porter: I shall not further discuss these collateral issues. I desire you to recollect though, that it is a mistake to suppose that you are (as in one of those weak and feeble arguments you have been told you were in a spirit of obsequious flattery) twelve kings and emperors. You are no more kings, gentlemen, than Messrs. Scoville and Reed are kings. If that had come from Scoville, I would say it had a cheating purpose; but as it came from Reed, I will only say that they did not teach him his lesson well. What was the purpose? The purpose was to lead you to suppose that you can override the Judge and the law; that you are at liberty to override the instructions of the Court and to find your verdict, or refuse to find it, on the ground of speculative doubts not warranted by the evidence, but based on your own view of the prisoner, or on evidence which has not been submitted.

Here the Court took a recess for half an hour.

After the recess Mr. Porter resumed his argument. Referring to the prisoner's desire for notoriety he said that he had made himself illustrious by having his hand stained by illustrious blood. That man undertook to award immortality to the jury, or immortality to the Judge, and he had, through his counsel, told them that their names would go down blackened unless they violated their oaths, and that his (Mr. Porter's) name was to go down blackened unless he came to the rescue of the prisoner.

Prisoner: I never said so.

Mr. Porter: He tells you that even the President and the great men of the country must take heed, that even God Almighty must take heed how He acts towards him. He tells you that, at all events, he is satisfied so far with what the Almighty has done, and that he expects before the trial is done that if it is necessary the Almighty will take one of you, gentlemen, or will take me, or will take each one of us rather than that he shall be struck down. The drama is well played, gentlemen. This man is an actor. While in jail he has borne his natural part, but here he has been constantly on the stage posing for you and carrying out the suggestions of his counsel. This man is neither a crowned nor an uncrowned king. Although he has sworn to you repeatedly that he was prepared to meet his God there is not a soul in this vast assemblage who shrinks

with such abject cowardice from confronting the Deity.

Prisoner: That is absolutely false, Porter, and you know it. You are an infernal scoundrel, and God Almighty will put you down below, too, with Corkhill (snappishly, to the bailiff at his side: "You mind your own business, sir.") Such a miserable, stinking whine as that is!

Mr. Porter then went on to discuss the points of law as laid down by Judge Cox. After that he took up again the question of the responsibility of the prisoner. What household, he said, would be safe, what church would protect its worshippers, if this man were to escape on the plea of irresponsibility? Is it true that any man who has had an insane cousin, an insane uncle, an insane aunt, or an insane ancestor, and who is not himself insane, but knows perfectly that murder is legally and morally wrong, is to escape punishment? May he stab, or shoot, or waylay, or murder in any form by day or by night, and then claim in his vindication, not that he is insane himself, but that somebody else was? If so what is human life worth?

Nay, more, if it were true that every insane man, no matter in what degree, no matter whether from melancholia, or from any of these casual or occasional aberrations of mind, is at liberty to commit burglary, to fire your dwelling houses, to set the city of Washington on fire when the frost

shall stiffen the water and when fire is destruction, to ravish your daughters, what security is there?

Nay, more. The insane of this country (I mean the undoubted insane, who are inmates of lunatic asylums) are to learn from the verdict in this case, if the theory of the defense shall be sustained, that each of them is at liberty to murder the keeper who restrains him; that they are all at liberty to confederate to open the gates of the asylums and to go out, knife and torch in hand, and spread ruin and conflagration in every direction, and although the law forbids it an American jury can be found that will sanction the act.

Prisoner: That is very fine, but it is all bosh.

Was this man insane on the 2d of July? If he was not you have but one duty, and that is to convict him. I aver that he never was insane, and certainly not on the 2d of July. On that point the principal claim by the prisoner and his counsel is the atrocity of this particular act. I do not deny his claim of being the most cold-blooded and savage murderer of the last six thousand years, But he is not alone, as he will find when he comes to those realms where murderers are consigned. The first born of the human race murdered the second born.

Murder has existed in all ages. Four thousand years ago there was inscribed on tables of stone the command to all people:—"Thou shalt not kill." But Guiteau says that life is of small con-

sideration. He says in one of his letters of consolation to the widow:—"Life is but a fleeting dream. His death might have happened at any time." As he told you the other day Mr. Garfield might have trod on an orange-peel or trod on a rattlesnake. But the Lawgiver of the universe entertained different views on the value of human life when he said, "Whoso sheddeth man's blood, by man shall his blood be shed."

Prisoner: That was three or four thousand years ago. We have new laws since then.

Mr. Porter: And that man in the dock tells you that the same God that placed that value on human life placed no value on the life of James A. Garfield, and that as to that life, it was but of small value—it was a "fleeting dream." We have had the gospel of Guiteau, and he thinks that jury will indorse his gospel.

I do not deny that there are hereditary tendencies to insanity. There is one order of insanity called by this prisoner "Abrahamic," called by him at other times "temporary mania," and called by Dr. Spitzka "moral insanity." That moral insanity, according to Dr. Barker, consists in wickedness, and is inherited, not from a natural parent, but from another source. That is the insanity which this man has inherited. The man is a liar as well as an assassin and he was instigated not by the Almighty, but by the devil.

Mr. Porter went on to refer to the prisoner's

life in Washington, living at first-class boarding houses at the expense of the keepers of the house, punctual at breakfast, at dinner, at tea; careful to take baths, punctual at night, sleeping well, eating heartily, rising early and spending the day at Lafayette Square, or in making preparations to murder the President when he should have a favorable opportunity. Was this, he asked, temporary mania? Gentlemen, if I went no further, do you believe this man's brain was diseased? I deal with nothing else now. Was his brain diseased? And did the disease come and go according to whether President Garfield went out alone, or went out with his wife, or went out with his children, or went to the Soldier's Home, or went to the railroad depôt? Do you believe that the right remedy for a disease of the brain is to make six weeks' preparation for an assassination, and that shooting another man through the spine is a cure for the disease? That is the case as the prisoner makes it out.

Prisoner: If I were the President of the United States and had ruined the Republican party as Garfield had I ought to be shot. That is my opinion about that, and it is the opinion of a great many people, too.

Mr. Porter went on to argue against the claim of the prisoner's insanity. Referring to the testimony of Mrs. Scoville, he paid her a compliment as a sincere woman and said that she had never

noticed insanity in the prisoner until the time when he raised the axe upon her, when he was thirty-five years of age.

Prisoner: That never occurred.

A further reference by Mr. Porter to the incident of the axe brought from the prisoner this remark: "It was a very stupid thing for Scoville to bring in that axe matter at all. He might have known the use the prosecution would have made out of it. That is about as smart as the Scoville family are. The whole thing is bosh from beginning to end."

Mr. Porter went on to criticise the testimony of Reed, of Amerling and of North. He said that it would take a thousand Norths to make him believe that Luther W. Guiteau, that calm, quiet, religious man, ever said to an old father and an old mother who had an only son that did not want them to go to the Oneida Community, "Take a knife and slay him, as Abraham did Isaac."

Wednesday, January 25th, was the third day of the eleventh week of the famous trial, and it was conceded to be the stormiest day, so far as interruptions and brutality on Guiteau's part were concerned. He made an opening statement as usual, after which Mr. Porter proceeded with his address. He touched upon the testimony of Dr. North and of John W. Guiteau as of no weight in determining an insane condition of the prisoner.

During much of this discussion Guiteau was answering Mr. Porter, sentence by sentence in the most insolent manner, as for example :

Mr. Porter, referring to a copy of a handbill of one of Guiteau's lectures, read therefrom "Hon. Charles J. Guiteau."

Prisoner: That is the way my letters come now.

Mr. Porter: I pass that with no words of comment.

Prisoner: You haven't brains enough to comment on it.

In the course of his review of John W. Guiteau's testimony Mr. Porter exclaimed, sarcastically, quoting a remark of the prisoner, "The Lord murdered Garfield!"

Prisoner: Yes, and he will murder you.

Mr. Porter then went into an exhaustive review of that portion of J. W. Guiteau's testimony which refers to a quarrel between his brother and himself.

Prisoner, excitedly: Porter thinks I am a man of depravity, who fought with my brother and my father and tried to kill my sister. That's all bosh. It only shows the mean, dirty spirit of this man Porter. A saint from heaven could not stand it to be abused by this man Porter, and I can't stand it. I will relieve my mind and tell what I think about it. I have always been a peaceable man and I never quarrelled with anybody. It is a

perfect outrage for you to come and bulldoze that jury by saying I am a fighting man. It is a lie.

Mr. Porter: It is on the authority of his brother's oath.

Prisoner: He is no brother of mine; we were not on speaking terms. It is mean for you to come and put that man up as my brother. I would not have spoken to him at the Fifth Avenue Hotel last spring. I don't like his style or my father's style. My sister sympathized with me and my brother sympathized with my father.

Comments on the trial, by the English press, were next touched upon, also the prisoner's fight with his father and his objection to his father's second marriage, during all of which there were constant interruptions, the prisoner finally shouting to Mr. Porter: You do not represent the Attorney-General. He was on the bench yesterday and he did not condescend to notice you. He has nothing but the utmost contempt for you, Porter. He thinks you a low, dirty dog, and that is the opinion of the American people, and mine, too.

Mr. Porter, alluding to an insulting reflection on one of the witnesses as a Jew, said; It is no dishonor to any man to be the countryman of the Redeemer of mankind. The one who sings from week to week in the church the songs of David of Israel, the one who consults the wisdom of Solomon, the man who honors the name of Saul, the

one who professes to reverence—as this man does—Abraham, the progenitor of Christianity——

Prisoner, interrupting: That is very fine. But the Lord and the Jews had a falling out at the destruction of Jerusalem, and He has been down upon them ever since. True, nowadays they are a good sort of people. The Jews are all right.

Mr. Porter: But it is convenient for the purposes of the defense in this case to cast discredit on this witness Edwards, and so Mr. Scoville, with the decency of his client, circumcises Edwards in the presence of this court.

After further exciting discussion on unessential points, Guiteau cried out: Porter has kept up an extraordinary storm of abuse against me, and a saint from heaven would swear at the unmitigated abuse which he has put forward this morning. He does not represent the President or the Attorney-General, or anybody else except Porter. He is here for blood-money, and he is trying to fool the jury, but he cannot do it.

The testimony of Drs. Kiernan and Spitzka were then reviewed, Guiteau constantly interjecting the most abusive remarks.

Commenting on Mr. Reed's allusion to Charlotte Corday Mr. Porter said: The world had lived since the year of the French Revolution in ignorance of the fact that the beautiful Charlotte Corday was insane. It was left to Mr. Reed to announce that fact. She cannot turn in her grave

to belie it; but there are some of us who know something of the history of that wonderful woman's true patriotism, which led to an assassination that was justified if ever an assassination was justified.

Prisoner: You would have hung her if you had been there.

Mr. Porter: She was no sneaking coward. She left the house in which she was reared to deliver France, to stay the hand of revolutionary slaughter, to lay her own head beneath the guillotine, in order to save the effusion of blood. She believed it to be her duty to the France she loved, and she made her way with deliberate preparation, sane in mind and devoted in purpose, ready to die that others might live, and she succeeded in finding her way to the man who had in his right hand the lives of millions of Frenchmen, and who by jotting a mark of blood opposite the name could hurry men into a dismal, dark dungeon, from which there was no escape except through the guillotine. She devoted herself to the work, not after providing for her own safety, not with the idea of securing rewards from others——

Here the prisoner broke out into wild exclamations, of which only the following were intelligible: "God Almighty will follow you up, Porter. Those are my sentiments about this murder; I am not afraid to die. God Almighty will smite you and curse you. You are a liar."

Mr. Porter: This prisoner and his counsel made

the discovery at the Corcoran Art Gallery that Charlotte Corday, who will live immortal in history as one ready to give her own life for the country——

Prisoner, interrupting: That is me and don't you forget it, you old whelp.

Mr. Porter (finishing the sentence)—was insane. Forsooth, Mr. Reed would place this murderer by the side of that girl who gave her life that others might live.

Prisoner, ferociously: God Almighty will curse you, Porter; (to the Deputy Marshal, who attempted to restrain him)—Sit down and mind your own business. If you lay a finger upon me a pistol will fix you. I will talk as much as I please. Porter knows that he is lying every word he says. He is trying to make out that I am not a patriot. I am willing to die to-morrow if necessary, and God Almighty will revenge my death. This nation will roll in blood if a hair of my head is harmed, and that man Porter will be ahead of the crowd down below.

Mr. Porter, to the jury: Do you think that that was the way that Charlotte Corday talked?

Prisoner: You know nothing about it, you old, dirty whelp.

Mr. Porter: When she was called to execution she rose from her knees with a crucifix clasped to her breast. The case of Booth was next reviewed by Mr. Porter, who concluded as follows:

True, Booth shot from behind, but he felt that he was putting his life in peril, for he was in a crowded audience, and yet with the instincts of manhood and believing or feeling that he might be justified by his countrymen, he leaped upon the stage, mounted his horse and rode for life or for death—he rode to death—and within the blazing flames of the building in which he was penned, as God pens murderers, he still presented the lion front of a brave man, and although crippled in body he died like a stag at bay. But this man ——

Prisoner: I shot my man in broad daylight.

Mr. Porter, continuing: This coward, this disappointed office-seeker ——

Prisoner: You are a liar and you know it.

Mr. Porter, finishing the sentence: This malignant, diabolical, crafty, calculating, cold-blooded murderer, providing for death to his victim, and for safety to himself; would you compare him with Wilkes Booth?

Prisoner: I should not. The comparison is in my favor. You are a nice orator. Booth and you will go down together, both of you below.

Mr. Porter: The leading spirit of the man has been, first, greed of money and the greed of reputation. When Horace Greeley was a candidate for the Presidency this man was at his heels, an applicant for the mission to Chili.

Prisoner: That is false.

Mr. Porter: If Mr. Greeley had been elected

and the Chilean mission had been refused to this man he would have got a bulldog pistol and sent a cartridge into the back of Horace Greeley.

Prisoner: You know that that is an absolute, wicked, venomous, devilish lie.

Mr. Porter next dwelt upon the opinion of the experts that the prisoner never was insane.

The Court here took a recess, and after reassembling, Mr. Porter resumed his argument. He proceeded to analyze the testimony, the various interruptions and the speech of the prisoner to the jury, commenting on various sentences as he went along. He was met by constant interruptions and virulent remarks by the prisoner. At times counsel and prisoner were both speaking at the same time. Mr. Porter quoted from some scenes in "Othello," between Iago and Roderigo, in order to show that the prisoner had found in Shakespeare the idea of softening down the name of murder into "removal," but the prisoner repeatedly denied that he had ever consulted Shakespeare on the subject.

Passing on to the theory of transitory mania, Mr. Porter read from one of the prisoner's exclamations: "I repudiate the theory of Mr. Scoville. I am not insane now, and I never pretended that I was." Here the prisoner shouted, "I was insane on the 2d of July."

Almost every other sentence that was uttered by Mr. Porter was retorted to by the prisoner,

until finally Mr. Porter proceed to close his argument, which he did as follows:

Gentlemen, the time has come when I must close, The government has presented its case before you, and we have endeavored to discharge our duty to the best of our abilities. His Honor has endeavored to discharge his. I know that you will be faithful to your oaths and discharge yours. So discharge it that, by your action at least, political assassination shall find no sanction to make it a precedent hereafter. He who has ordained that human life shall be shielded by human law from human crime preside over your deliberations, and the verdict which shall be given or withheld to-day will be recorded where we all have to appear. I trust that that verdict will be prompt, that it will represent the majesty of the law, your integrity and the honor of the country, and that this trial, which has so deeply interested all the nations of the earth, may result in a warning—to reach all lands—that political murder shall not be used as a means of promoting party ends or political revolutions. I trust also that the time shall come, in consequence of the attention that shall be called to the considerations growing out of this trial, when, by an international arrangement between the various governments, the law shall be so strengthened that political assassins shall find no refuge on the face of the earth.

CHAPTER VIII.

CHARGE OF JUDGE COX.

JUDGE COX, at fifteen minutes past three, p. m., proceeded to deliver his charge to the jury. He commenced by saying that the Constitution provides that in all criminal prosecutions the accused shall enjoy the right of a speedy and public trial; that he shall be informed of the cause and the nature of the accusation against him; that he shall be confronted with the witnesses against him; that he shall have compulsory process to obtain witnesses in his favor and that he shall have assistance of counsel in his defense. Those provisions were intended for the protection of the innocent from injustice and oppression. With what difficulty and trouble the law had been administered in the present case the jurors had been daily witnesses. It was, however, a consolation to think that not one of those sacred guarantees had been violated in the person of the accused. At last the long chapter of proof was ended, the task of the advocate was done, and it now rested with the jury to determine the issue between public justice and the prisoner at the bar. Before proceeding further he wished to notice an incident which had taken place pending the recent

argument. The prisoner had frequently taken occasion to proclaim that public opinion, as evinced by the press and correspondence, was in his favor. Those declarations could not have been prevented except by the process of gagging the prisoner. Any suggestion that the jury could be influenced by such lawless clattering of the prisoner would have seemed to him absurd, and he should have felt that he was insulting the intelligence of the jury if he had warned them not to regard it. Counsel for the prosecution had felt it necessary, however, in the final argument to interpose a contradiction to such statements, and an exception had been taken on the part of the accused to the form in which that effort was made. For the sole purpose of purging the record of any objectionable matter he should simply say that anything which had been said on either side in reference to public excitement or to newspaper opinion was not to be regarded by the jury.

The indictment charged the defendant with having murdered James A. Garfield. Murder was committed where a person of sound memory and discretion unlawfully killed a reasonable being in the peace of the United States with malice aforethought. It had to be proved, first, that the death was caused by the act of the accused, and, further, that it was caused with malice aforethought. That did not mean, however, that the Government had to prove any ill-will or hatred on the part of the

accused toward the deceased. Wherever a homicide was shown to have been committed without lawful authority and with deliberate intent it was sufficiently proved to have been done with malice aforethought, and malice was not disproved by showing that the accused had no personal ill-will to the deceased, and that he killed him from other motives—as, for instance, robbery or through mistaking him for another, or (as claimed in this case) to produce a public benefit. If it could be shown that the killing occurred in the heat of passion, or under provocation, then it would appear that there was no premeditated attempt and therefore no malice aforethought, and that would reduce the crime to manslaughter. It was hardly necessary, however, to say that there was nothing of that kind in the present case. The jury would have to say either that the defendant was guilty of murder or that he was innocent.

In order to constitute the crime of murder the assassin must have a reasonable sane mind—in technical terms he must be “of sound mind, memory and discretion.” An irresponsibly insane man could not commit murder. In the first place every defendant was presumed innocent until the accusation against him was established by proof. In the next place, notwithstanding this presumption of innocence, it was equally true that a defendant was presumed to be sane, and to have been so at the time the crime was committed. As

insanity was the exception, and as the majority of men are sane, the law presumed the latter condition of every man until some reason was shown to believe to the contrary. The burden was, therefore, on the defendant, who set up insanity as an excuse for crime, to produce proofs in the first instance to show that that presumption was mistaken, so far as it related to the prisoner.

Crime, therefore, involved three elements—the killing, malice, and a responsible mind in the murderer. After all the evidence was before the jury, if the jury while bearing in mind both those presumptions—that is, that the defendant is innocent till he is proved guilty and that he is sane till the contrary appears—still entertained what is called a reasonable doubt on any ground or as to any of the essential elements of the crime, then the defendant was entitled to the benefit of that doubt and to an acquittal.

It was important to explain to the jury what is a reasonable doubt. As to the questions relating to human affairs, a knowledge of which is derived from testimony, it was impossible to have the same kind of certainty that is created by scientific demonstration. The only certainty that the jury could have was a moral certainty, depending on the confidence which the jury had in the integrity of witnesses and in their capacity and opportunity to know the truth. If, for example, facts not improbable in themselves were attested by numer-

ous witnesses, credible and uncontradicted, and who had every opportunity to know the truth, a reasonable or moral certainty would be inspired by that testimony. In such a case doubt would be unreasonable or imaginary or speculative. It ought not to be a doubt as to whether the party might not be innocent in the face of strong proofs of his guilt, but it must be a sincere doubt whether he had been proved guilty. Even where the testimony was contradictory and where so much more credit should be given to one side than the other, the same result might be produced. On the other hand the opposing proofs might be so balanced that the jury might justly doubt on which side, under all the circumstances, the truth lay, and in such case the accused party was entitled to the benefit of the doubt. All that a jury could be expected to do was to be reasonably and morally certain of the facts which they declared to be their verdict.

With reference to the evidence in this case, very little comment was required by the Court, except upon one question. That the defendant fired at and shot the deceased President was abundantly proved; that the wound was fatal had been testified to by the surgeons, who were competent to speak, and they were uncontradicted; that the homicide was committed with malice aforethought—if the defendant was capable of criminal intent or malice—could hardly be gainsaid. It

was not necessary to prove that any special or express hatred or malice was entertained by the accused toward the deceased. It was sufficient to prove that the act was done by deliberate intent, as distinct from an act done under a sudden impulse, in the heat of blood and without previous malice. Evidence had been exhibited to the jury tending to show that the defendant admitted in his own hand-writing that he had conceived the idea of "removing the President," as he called it, six weeks before the shooting; that he had deliberated upon it, and come to a determination to do it, and that about two weeks before he accomplished it he stationed himself at certain points to do the act, but for some reason was prevented. His preparation for it by the purchase of the pistol had been shown. All these facts come up to the full measure of the proof required to establish what the law denominated malice aforethought.

The jury would find little difficulty in reaching a conclusion as to all the elements that made up the crime charged in the indictment, except, it might be, as to the one of sound mind, memory and discretion, but that was only a technical expression for a responsible, sane man. The defense of insanity had been so abused as to be brought into great discredit. Nevertheless, if insanity were established to a degree necessary, it was a perfect defense for an indictment for murder, and must be allowed full weight. It would

be observed that in this case there was no trouble with any question about what might be called total insanity, such as raving mania, or absolute imbecility, in which all exercise of reason is wanting and where there is no recognition of persons or things or their relations. But there was a debatable border line between sanity and insanity; and there was often great difficulty in determining on which side of the line a party was to be put. There were cases in which a man's mental faculties generally seemed to be in full vigor but where on one single subject he seemed to be deranged. Those were cases which for want of a better term were called partial insanity. The jury would bear in mind that a man did not become irresponsible by the mere fact of his being partially insane. Such a man did not take leave of his passions by becoming insane. He might retain as much control over them as in health. He might commit offences, too, with which his infirmity had nothing to do. He might be sane as to the crime he committed, might understand its nature, and might be governed by the same motives in relation to it as other people, while on other subjects having no relations whatever to the crime he might be the victim of delusion. Whenever this partial insanity was relied on as a defense, it must appear that the crime charged was a product of the delusion or other morbid condition and connected with it as effect with cause, and that it was not

the result of sane reasoning which the party might be capable of, notwithstanding his limited and circumscribed disorder. Assuming that that infirmity of mind had a direct influence on crime, the difficulty was to fix the character of the disorder which fixed responsibility or irresponsibility in law.

It would be well to say a word to the jury as to the kind of evidence by which courts and juries were guided in this difficult and delicate inquiry. That subtle essence called mind, defied, of course, ocular inspection. It could only be known by its manifestations. The test was as to whether the conduct of the man and his thoughts and emotions conformed with those of persons of sound mind, or whether they contrasted harshly with it. By that a judgment was formed as to a man's soundness of mind. And for that reason evidence was admissible to show conduct and language that would indicate some morbid condition of the intellectual powers. Everything relating to his mental and physical history was therefore relevant, because any conclusion on the subject must often rest on a large number of facts, and letters spontaneously written afforded one of the best indications of mental condition. Evidence of insanity in the parents was always pertinent, but juries were never allowed to infer insanity in the accused from the mere fact of its existence in the ancestors. When, however, there was evidence tending to show insane conduct on the part of the accused

evidence of insanity in the ancestors was admissible as corroborative of the others. Therefore it was that, in this case, the defense had been allowed to introduce evidence covering the whole life of the accused, and reaching also his family antecedents. The true test of criminal responsibility, where the defense of insanity was interposed, was whether the accused had sufficient use of his reason to understand the nature of the act with which he was charged, and to understand that it was wrong for him to commit it.

As the law assumed every one at the outset to be sane and responsible, the question was, what was there in this case to show the contrary as to this defendant? Perhaps the easiest way for the jury to examine into the subject was first to satisfy themselves about the condition of the prisoner's mind for a reasonable period of time before any conception of the assassination had entered it, and also at the present time, and then consider what evidence exists as to a different condition of mind at the time of the commission of the act. He should not spend any time on the first question. It was enough to say that, on the one side, this evidence was supposed to show a chronic condition of insanity before the crime, and, on the other side, to show an exceptionally quick intelligence and decided powers of discrimination. The jury would have to draw its own conclusions.

Was the prisoner's ordinary, permanent, chronic

condition of mind such that he was unable to understand the nature of his actions, and to distinguish between right and wrong in his conduct? Was he subject all the time to insane delusions which destroyed his power so to distinguish, and did those continue down to and embrace the act for which he is on trial? If so, he was simply an irresponsible lunatic.

On the other hand, had he the ordinary intelligence of sane people, so that he could distinguish between right and wrong as to his actions? The jury must consider these questions. If the jury were satisfied that his ordinary and chronic condition was that of sanity—at least so far that he knew the character of his own actions and how far they were right or wrong, and that he was not under any permanent insane delusion which destroyed his power of discriminating between right and wrong—then the remaining inquiry was whether there was any special insanity connected with this crime. The reliance of the defense was the existence of an insane delusion in the prisoner's mind which so perverted his reason as to incapacitate him from perceiving the difference between right and wrong as to this particular act.

The subject of insane delusions played an important part in this case and demanded careful consideration. The subject was treated, to a limited extent, in judicial decisions; but more was

learned about it from works of medical jurisprudence and from expert testimony. Sane people were sometimes said to have delusions, proceeding from temporary disorders and from mistakes in the senses. Sometimes they speculated on matters beyond the scope of human knowledge, but delusions in sane people were always susceptible of being corrected and removed by evidence and argument. On the contrary, insane delusions, according to all testimony, were unreasoning and incorrigible. Those who had them believed in the existence of facts which were either impossible absolutely or impossible at least under the circumstances of the individual. A man might, with no reason for it, believe that another was plotting against his life, or that he himself was the owner of untold wealth, or that he had invented something which would revolutionize the world, or that he was the President of the United States, or Christ, or God, or that he was inspired by God to do a certain act, or that he had a glass limb—and those were cases of insane delusions. Generally the delusion centered around the patient himself, his rights or his wrongs. It came and went independently of the exercise of will and reason, like the phantasm of a dream. It was in fact the waking dream of the insane in which ideas presented themselves to the mind as real facts. The most certain thing was that an insane delusion was never the result of reasoning and reflection. An

insane delusion was the coinage of a diseased brain which defies reason and ridicule and throws into disorder all the springs of human action.

Before asking the jury to apply these considerations to the facts in this case he wished to premise one or two things. The question for the jury to determine was, what was the condition of the prisoner's mind at the time when this project was executed. If he were sufficiently sane then to be responsible, it mattered not what might have been his condition before or after. Still evidence had been properly admitted as to his previous and subsequent condition, because it threw light prospectively and retrospectively on his condition at the time. Inasmuch as these disorders were of gradual growth and of indefinite continuance, if he were insane shortly before or shortly after the commission of the crime, it was natural to infer that he was so at the time. But still all the evidence must centre around the time when the deed was done.

Naturally the jury would look first to any explanation of the act that might have been made by the defendant himself at the time, or immediately before or after. Several papers had been laid before them that had been in the prisoner's possession and that purported to assign the motive for the deed. From these papers the Judge quoted the familiar claim that there was a political necessity that Garfield should die. His verbal

disclosures to Brooks, Reynolds and others, were to the same effect.

Judge Cox proceeded to quote from the address to the American people, which was written and given to Mr. Reynolds, "I now wish to state distinctly why I attempted to remove the President. I had read the papers for and against the administration very carefully for two months before I conceived the idea of removing him. Gradually, as the result of reading the newspapers, the idea settled on me that if the President were removed it would unite the two factions of the Republican party and thereby save the Government from going into the hands of ex-rebels and their Northern allies. It was my own conception, and, whether right or wrong, I take the entire responsibility."

The jury had now, His Honor said, before it everything emanating from the prisoner about the time of the shooting. And now he would pass to consider the import of all this. The jury would consider, first, whether this evidence fairly represented the feelings and ideas that governed the prisoner at the time of the shooting. If it did, it represented a thing which he (Judge Cox) had not seen characterized in any judicial utterance as an insane delusion. They would consider whether it was evidence of insanity, or whether, on the contrary, it showed an ample power of reasoning and reflection on the arguments and evidence for and

against, resulting in the opinion that the President had betrayed his party, and that, if he were out of the way, it would be a benefit to his party, and would save the country from the predominance of their political opponents.

When men reasoned the law required them to reason correctly, so far as their practical duties were concerned. When they had the capacity to distinguish between right and wrong they were bound to do so. Opinions, properly so-called, that is, beliefs resulting from reasoning, reflection and the examination of evidence, afforded no protection against the penal consequences of crime. A man might believe a course of action to be right, and the law might forbid it as wrong. Nevertheless he must obey the law, and nothing could save him from the consequences of the violation of the law except the fact that he was so crazed by disease as to be unable to comprehend the necessity of obedience. The prisoner seemed to have gotten the idea that, in order to unite the Republican party and to save the Republic, whatever means were necessary would be justifiable; that the death of the President by violence was only a proper and necessary means of accomplishing it, and was therefore justifiable; and that, being justifiable as a political necessity, it was not murder.

There was undoubtedly a form of insane delusion, consisting of a belief by a person that he

was inspired by the Almighty to do something—to kill another, for example—and this delusion might be so strong as to impel him to the commission of crime. The defendant in this case claimed that he labored under such a delusion at the time of the assassination. The law allowed a prisoner to testify in his own behalf, and therefore made his sworn testimony on the witness-stand legal evidence, to be received and considered and given such weight as it deserved. No verdict, however, could be safely rendered on the sole evidence of an accused party under such circumstances. Otherwise, a man on trial for his life could secure his acquittal by simply testifying that he had committed the crime under a delusion or inspiration or irresistible impulse.

He would say a word about the characteristics of that form of delusion. The idea of being inspired to do an act might be either a sane belief or an insane delusion. A great many Christian people believed not only that events were providentially ordered, but that they themselves received special providential guidance and illumination in respect both to their inward thoughts and their outward actions. But this was a mere sane belief. On the other hand, if a man sincerely, though insanely, believed that, like St. Paul, on his way to Damascus, he had been smitten to the earth and had seen a great light and had heard a voice from heaven warning and commanding him

to do a certain act, that would be a case of imaginary inspiration amounting to an insane delusion. The question was whether the case of this defendant presented anything analogous to that.

The theory of the government was that the defendant committed this homicide in full possession of his faculties and from perfectly sane motives; that he did the act from revenge, or perhaps from a morbid desire for notoriety; that he calculated deliberately on being protected by those who were to be benefitted politically by the death of the President; that he made no pretense of inspiration at the time of the assassination, nor until he had discovered that his expectations from the so-called stalwart wing of the Republican party were delusive, and that then, for the first time, he broached this theory of inspiration and irresistible pressure to the commission of the act. Whether this was true or not the jury must determine from the evidence.

Judge Cox went on to say that the question for the jury was, whether, on the one hand, the idea of killing the President first presented itself to the defendant in the shape of a command or inspiration of the Deity, in the manner in which insane delusions of that sort arose; or whether, on the other hand, it was a conception of his own, and whether the thought of inspiration was not simply a speculation, a theory, or theoretical conclusion, of his own mind. If it were the latter, it

was nothing more than one of the vagaries of reasoning, which he had already characterized as furnishing no excuse for crime. He had dwelt upon the question of insane delusion simply because the evidence relating to that was evidence touching the defendant's power or want of power (from mental disease), to distinguish between right and wrong as to the act done by him.

There were a great many things in the defendant's conduct which could not be expected of a sane man, and which were only explainable on the theory of insanity. Whether they were really indications of insanity or could be accounted for by his ignorance of men, by his exaggerated egotism or by his bluntness of moral sense, it might be difficult to determine. The only safe rule, however, was for the jury to direct its attention to the one test of criminal responsibility, namely—whether the prisoner possessed the mental capacity, at the time the act was committed, to know that it was wrong; or whether he was deprived of that capacity by mental disease. There was one important distinction which the jury must not lose sight of, and they must decide how far it was applicable to this case. That was the distinction between mental and moral obliquity, between the mental incapacity to distinguish between right and wrong, and the moral insensibility to that distinction.

In conclusion he said: From the materials pre-

sented to you, two pictures have been drawn to you by counsel. The one represents a youth of more than average mental endowments, surrounded by certain immoral influences at the time his character was being developed, commencing life without resources, but developing a vicious sharpness and cunning, conceiving "enterprises of great pith and moment" that indicated unusual forecast, although beyond his resources, consumed all the time by insatiate egotism and a craving for notoriety; violent in temper, selfish, immoral and dishonest; leading a life of hypocrisy, swindling and fraud, and finally, as a culmination of his depraved career, working himself into the resolution of startling the world with a crime which would secure him a bad eminence.

The other represented a youth, born, as it were, under malign influences—the child of a diseased mother and of a father subject to insane delusions, reared in retirement and imbued with fanatical religious views; subsequently his mind filled with fanatical theories, launched on the world with no guidance save his own impulses, evincing an incapacity for any continuous employment, changing from one pursuit to another—now a lawyer, now a religionist, and now a politician, unsuccessful in all, full of wild, impracticable schemes for which he had neither resources nor ability, subject to delusions, his mind incoherent and incompetent of reasoning coherently on any subject, with a

mind so weak and a temper so impressionable that he became deranged, and was therefore impelled to the commission of a crime the seriousness of which he could not understand.

It is for you, gentlemen, to determine which of the portraits is the true one. And now, gentlemen, to sum up all I have said to you, if you find from the whole evidence that, at the time of the commission of the homicide, the prisoner was laboring under such a defect of his reason that he was incapable of understanding what he was doing, or of seeing that it was a wrong thing to do—as, for example, if he were under the insane delusion that the Almighty had commanded him to do the act—then he was not in a responsible condition of mind, but was an object of compassion and should be now acquitted. If, on the other hand, you find that he was under no insane delusion, but had the possession of his faculties and had power to know that his act was wrong, and if of his own free will he deliberately conceived the idea and executed the homicide, then whether his motives were personal vindictiveness, political animosity, a desire to avenge supposed political wrongs or a morbid desire for notoriety; or if you are unable to discover any motive at all the act is simply murder and it is your duty to find a verdict of guilty as indicted. Or (after a suggestion from Mr. Scoville to that effect) if you find that the prisoner is not guilty by reason of insanity, it is

your duty to say so. You will now retire to your room and consider your verdict.

The delivery of the Judge's charge was completed at twenty minutes to 5 p. m. The jury immediately retired and many of the spectators left the room.





LEAVING THE COURT-HOUSE AFTER THE VERDICT.



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CHAPTER IX.

THE FINDING OF THE JURY.

AFTER the jury had been out about twenty minutes a recess was taken until half-past five o'clock. The prisoner, at his request, had been allowed to retire to the little room he has occupied since the trial began as a waiting-room.

Within ten minutes after the recess had been taken the jury called to the bailiff in waiting that they were ready with their verdict. They were informed that a recess had been taken and that Judge Cox had left the court-room, so they remained in their room until the court re-assembled.

The musty, antique court-room is devoid of gas, and the score or more of candles which had been placed upon the desks of the Judge, counsel and reporters, imparted a weird and fancifully unnatural aspect to the grim, old place. The shadows thrown upon the dark background of the walls seemed like flitting spectres to usher in the sombre procession of those who held in their hands the destiny of a human life.

First came the prisoner with quick, nervous steps, and as he seated himself in the dock the

light of a solitary candle fell full upon his face and disclosed its more than usual pallor. Not a tremor of the limbs or a movement of the muscles of the face was observable as he threw back his head and fixed his gaze upon the door through which the jury were to enter.

Judge Cox soon afterward took his seat. The crier called "Order!" and the jury at twenty-five minutes to six filed slowly into their seats.

Every sound was hushed save the voice of the clerk as he propounded to the foreman the usual inquiry as to whether the jury had agreed upon a verdict.

Clear and distinct came the reply, "We have."

"What is your verdict, guilty or not guilty?"

With equal distinctness came the reply, "Guilty as indicted."

Then the pent-up feelings of the crowd found expression in uproarious demonstrations of applause and approval.

"Order," "Order," shouted the bailiffs.

Mr. Scoville and counsel for the prosecution were simultaneously upon their feet. Mr. Scoville attempted to address the Court, but the District-Attorney shouted, "Wait till we have the verdict complete and in due form of law."

Order was at length restored, and the clerk again addressing the jury said: "Your foreman says 'Guilty as indicted.' 'So say you, all of you?'"

“We do,” they all responded.
Another demonstration of approval followed this



GUITEAU IN THE CORRIDOR OF THE JAIL.

announcement, but not so prolonged as the first.

Mr. Scoville, still upon his feet, demanded a poll of the jury, which was granted, and each

juror was called by name, and each in a firm voice promptly responded "Guilty."

As the last name was called the prisoner shrieked:—"My blood will be upon the heads of that jury; don't you forget it."

After some words of inquiry from Mr. Scoville and reply from Judge Cox, Guiteau called out in desperation, "God will avenge this outrage."

Judge Cox then turned to the jury and said: Gentlemen of the jury, I cannot express too many thanks for the manner in which you have discharged your duty. You have richly merited the thanks of your countrymen, and I feel assured you will take with you to your homes the approval of your consciences. With thanks, gentlemen of the jury, I dismiss you.

With this announcement the Court was declared adjourned, and the trial which has absorbed the public interest and attention for more than ten weeks was ended.

The crowd quickly left the court-room, and the prisoner gesticulating with his manacled hands was led out. As he passed the reporters' table he leaned over and called out to an acquaintance, "The court in banc will reverse this business."

As the prisoner was conducted to the van, an immense crowd of men and boys shouted themselves hoarse crying after him, "All America is with you," and other jeering expressions.

NEW TRIAL ASKED.

As was expected, counsel for the defense were prompt in filing a bill of exceptions, and asking a new trial. This appeal was argued on Friday, February 3d, and the next day was fixed for the decision and sentence.

At a few moments past 10 o'clock on Saturday morning, February 4th, the prisoner was brought in and took his seat at the counsel table and the Court was formally opened.

Judge Cox then proceeded to render his decision upon the appeal made for a new trial. He said that the motion to set aside the verdict and grant a new trial had been based on various grounds, only two of which were made the subjects of discussion and needed to be considered by the Court. The first ground in substance was that certain newspaper matter calculated to prejudice the minds of the jury against the prisoner was found in one of the rooms assigned to the jury and passed under their examination and inspection. The first testimony relied upon in support of this alleged ground was the affidavit of Snyder to the effect that a certain paper was found by him in one of the rooms occupied by the jury. To the mere fact that in the absence of the jury a paper, of whatever character, was found in the vacant room, the Court could attach no significance or weight, for the reason that it was within the power of anybody to place the paper there.

It was in the power of any friend of the prisoner to do so. It was in the power of the affiant himself to do so. He might have placed it there and afterward found it, and that fact would not be inconsistent with the truth of the affidavit. As for the handwriting there were circumstances that made it improbable that the jurors wrote their names on the paper. The jurors swore that they did not do so, and that no such paper was in the room at all. They swore that they had not read any paper. He had not the slightest ground for suspecting the integrity or veracity of these gentlemen, who made the statement.

So far as the discovery of new evidence is concerned, the evidence to be introduced is as to the prisoner's manner and appearance prior to the assassination. If there had been no evidence introduced upon this subject, there might be some force in the request, but a dozen or more witnesses testified on the trial as to his manner and appearance covering the period of time from March until the commission of the act. The evidence now sought to be introduced would be merely cumulative and would not affect the verdict.

It was further alleged that the defense might be able to prove that one of the expert witnesses had admitted since the trial that his opinion was different from that which he had given at the trial. It was a general rule that newly-discovered evidence going to impeach a witness was not a

ground for a new trial under any circumstances, but least of all when it went to admissions of a witness after the conclusion of the trial. That would place it in the power of any witness to set aside a verdict founded upon his own testimony after the trial was over. No evidence of that kind could be considered by the Court in regard to a new trial. He had considered all the matters which had been presented and was compelled to overrule the motion for a new trial.

Prisoner: I don't desire any advantage shall be taken of me. I expect to have my lawyers procured in ten days, and they will come and take hold and pull me through in the court in banc.

Mr. Scoville: I have till the first of March to file my bill of exceptions?

Court: Yes.

Mr. Scoville: If I can do it in a week I will. (To the prisoner). - Keep quiet.

Prisoner, violently: I am going to talk, too, and I don't propose to leave this matter to you. I have my opinion of you as a lawyer. You have been doing well, but your theory is wrong. Your theory is too small. You convicted me with your jackass theories and consummate nonsense. I don't propose to have your theory prevail. (To the bailiffs, who were endeavoring to suppress him), I will not be still for you nor for anybody else.

Mr. Scoville, angrily: Keep quiet.

Prisoner, wildly: You keep your mouth still. I

am doing this matter myself. You convicted me by your wild theory and consummate asinine character all through. If the case had been kept entirely away from you I would have had two of the best lawyers in America, and there would have been no conviction. I had letters from them and could have had them last October. I care nothing about your intentions, I want brains and experience. Your intentions were good, but you are deficient in brains and theory. Let me alone and I will pull out of this. You got me into this trouble.

District-Attorney: The duty is now imposed upon me to ask the Court to pass sentence in accordance with the verdict.

Prisoner: I ask your Honor to defer that as long as you can.

Court, to the prisoner: Stand up. (The prisoner rose.) Have you anything to say why sentence should not be pronounced?

Prisoner: I am not guilty of the charge set forth in the indictment. It was God's act, not mine, and God will take care of it, and don't let the American people forget it. He will take care of it and every officer of the Government, from the Executive down to that Marshal, taking in every man on that jury and every member of this bench, will pay for it, and the American nation will roll in blood if my body goes into the ground and I am hung. The Jews put the despised Gali-

lean into the grave. For the time they triumphed ; but at the destruction of Jerusalem, forty years afterwards, the Almighty got even with them. I am not afraid of death. I am here as God's man. Kill me to-morrow if you want ; I am God's man, and I have been from the start.

SENTENCED TO DEATH.

Judge Cox then proceeded to pass sentence, addressing the prisoner as follows :

You have been convicted of a crime so terrible in its circumstances and so far-reaching in its results that it has drawn upon you the horror of the whole civilized world and the execrations of your countrymen. The excitement produced by such an offense made it no easy task to secure for you a fair and impartial trial, but you had the power of the United States Treasury and of the government in your service to protect your person from violence and to procure evidence from all parts of the country. You have had as fair and impartial a jury as ever assembled in a court of justice. You have been defended by counsel with a zeal and devotion that merit the highest encomium, and I certainly have done my best to secure a fair presentation of the defense. Notwithstanding all this you have been found guilty. It would have been a comfort to many people if the verdict of the jury had established the fact that your act was that of an irresponsible man. It would have left the people the satisfying belief

that the crime of political assassination was something entirely foreign to the institutions and civilizations of our country; but the result has denied them that comfort. The country will accept it as a fact that that crime can be committed, and the Court will have to deal with it with the highest penalty known to the criminal code to serve as an example to others. Your career has been so extraordinary that people might well at times have doubted your sanity. But one cannot but believe that when the crime was committed you thoroughly understood the nature of the crime and its consequences—[Guiteau: I was acting as God's man]—and that you had moral sense and conscience enough to recognize the moral iniquity of such an act.

Prisoner: That's a matter of opinion.

Your own testimony shows that you recoiled with horror from the idea. You say that you prayed against it. You say that you thought it might be prevented. This shows that your conscience warned you against it, but by the wretched sophistry of your own mind you worked yourself up against the protest of your own conscience. What motive could have induced you to this act must be a matter of conjecture. Probably men will think that some fanaticism or a morbid desire for self-exaltation was the real inspiration for the act. Your own testimony seems to controvert the theories of your counsel. They have main-

tained, and thought honestly, I believe, that you were driven against your will by an insane impulse to commit the act, but your testimony showed that you deliberately resolved to do it, and that a deliberate and misguided will was the sole impulse. This may seem insanity to some persons, but the law looks upon it as a wilful crime. You will have due opportunity of having any error I may have committed during the course of the trial passed upon by the Court in banc, but meanwhile it is necessary for me to pronounce the sentence of the law that you be taken to the common jail of the District, from whence you came, and there be kept in confinement, and on Friday, the 30th of June, 1882, you be taken to the place prepared for the execution, within the walls of said jail, and there, between the hours of 12 M. and 2 P. M., you be hanged by the neck until you are dead. And may the Lord have mercy on your soul.

As the last solemn words fell from the Judge's lips the prisoner echoed them, but in a far different tone of voice, for it was in a voice of passionate hatred that he cried out: "And may God have mercy on your soul. I had rather stand where I am than where that jury does or than where your Honor does. I am not afraid to die, Confound you, (he cried, violently struggling with the Deputy Marshals, who were endeavoring to repress him), leave me alone. I know where I stand on this business. I am here as God's man,

and don't you forget it. God Almighty will curse every man who has had anything to do with this act. Nothing but good has come of General Garfield's removal and that will be posterity's idea of it. Everybody is happy here except a few cranks. Nothing but good has come to this nation from his removal. That is the reason the Lord wanted him removed.

Mr. Scoville took an exception to the judgment and sentence of the Court; and while this was being noted the prisoner sat tapping nervously with the tips of his fingers upon the table. Then he broke out again wildly :

I'd rather a thousand times be in my position than to be with those devils who have hounded me to death. I will have a flight to glory, and I am not afraid to go. But Corkhill and the others are. There is no let up on Corkhill, the scoundrel. He has a permanent job down below. I will go to glory whenever the Lord wants me to go, but I will probably stay down here a good many years and get into the White House. I know how I stand on this business, and so does the Lord, and he will pull me through with the help of two or three good lawyers, and all the devils in hell can't hurt me.

The Court then, at 11.45, adjourned, and Guiteau was hurried into the van and off to the jail.



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