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Ralph A. Stewart # 2280

✓ Dr. AUGUST SIEBERT, being sworn on behalf of the defendant, testified as follows:

EXAMINED BY MR. HOUSE.

Q. You are a practicing physician in this city, doctor?

A. Yes, sir.

Q. Whereabouts is your office?

A. No. 137 East 19th Street.

Q. How long have you been engaged as a practicing physician?

A. Since the 17th of April, 1887, 16 1/2 years.

Q. Do you know one Ralph D. Stewart, the defendant?

A. Yes sir.

Q. How long have you known him?

A. Since sometime in 1890.

Q. Do you recall where you first met him? And under what circumstances?

A. Yes, sir.

Q. Be kind enough to state in your own way?

A. I was called to the New York Hotel, Waverly Place & Broadway sometime in 1890 and I found Mr. Stewart in bed there and with a severe attack of

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sciatica due to neuralgia--he had been suffering from that for a week or thereabouts--He said I had been recommended to him, I believe. I took him and treated him and since then I have seen him about twelve or fifteen times, in my office, since 1890 until this Spring, when on a recurrence of the sciatic attack, the same as he had before, he came to me for treatment. Then I saw him in the office. I also treated him for a nervous affection--that is, he complained of a kind of insomnia--had hallucinations. He would go to bed and while there would hear voices that compelled him to get up and walk the streets at night. These symptoms gradually grew worse and I noticed that he was not the bright and intelligent man that he had been in 1890. He would get very excited at times and he attempted, within the last year and a half to convert me to believe in a certain medico natural science (Mesmerism) and several other things. I hardly ever paid any attention to him as he gave me the impression that he was, occasionally, suffering from intoxication, or chronic chloral habit. I told him so in his face but he always denied it.

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and as he was always very open with me it was evident to my mind that he was gradually developing paresis.

Q. Doctor, when you first came in contact with him, is it not true, as a matter of fact that he was an exceedingly bright, and quite a steady and active man?

A. Yes, he gave me that impression.

Q. And within the past year you have discovered to your mind evidences of insanity in him?

A. Yes--not within the past year but within the past two years.

Q. When you first came in contact with him did you notice whether his memory was good or not?

A. I can't say anything about that.

Q. How did his memory strike you within the last year and a half or two years.

A. That was one of the symptoms that he complained of--loss of memory. He would begin to write on a subject and then jump up and run away to look after his lost thoughts--that was one of the symptoms that he complained of.

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Q. Had he at any time spoken to you of certain things and when you would recall it to him deny it and says he had never made such statements?

A. I do not remember.

Q. What were the character of the hallucinations that he spoke to you about?

A. Well, in this form, he told me he was in fear of people living in Brooklyn who had him in their power and told him to go here and to do this. He told me that this was evidence that he was either mesmerized or hypnotized, that he believed in this power. He told me he was compelled at one time--that they told him to burn his hand on a gas jet. I did not treat him for this but I knew it was burnt. And he reported this as one of the arguments that he used to convert me.

Q. Did he say anything else that these people in Brooklyn compelled him to do?

A. I don't recall anything else--you see it is over six months since I ~~xxxx~~ have seen him.

Q. Did you talk with him about his statements regarding his being under this hypnotic and mesmeric

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power?

A. Yes, sir.

Q. And try to disabuse his mind of that fact?

A. Yes, sir.

Q. Were you successful?

A. No, not at all. He got excited and tried to convert me to his views.

Q. You are of the opinion now, doctor, that for the past two years he has been in a partial state of paresis?

A. Yes, he has for the past two years been developing a chronic brain disease that is interfering with his mental condition, and although I would not like to make a positive distinction, it is most like paresis.

Q. And is it true from what you have noticed of him during this time, that in your opinion, he is not responsible for his acts at times?

A. I took him for a man suffering from a brain disease and of course, not at all responsible. I thought he was suffering from a cerebral lesion.

EXAMINED BY MR. DRADLEY:

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Q. How long have you been treating him doctor?

A. Well, I first met him in 1890 and treated him from that time until last spring--I have not seen him since last spring.

Q. About how old is he doctor?

A. About forty.

Q. Are you acquainted with any of his family?

A. No, I only knew Mr. Stewart.

Q. Know anything about his family?

A. No sir.

Q. When you first met him did he show any symptoms of suffering from this cerebral lesion of which you spoke?

A. No, sir.

Q. What was the first time that you noticed these symptoms?

A. Well, I cannot tell exactly but I think within the last two years?

Q. And these symptoms seemed to grow worse?

A. Yes, after beginning, they gradually got worse--He was distinctly suffering from brain trouble--he began to get slovenly in his dress where he formerly was very nice looking and very proud of his outward

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appearance and he suffered from a chronic depression of the gastric functions etc.

Q. Did he speak of suicide at times and did he ever fail to bring his mental faculties into exercise?

A. They were present at all times he could converse intelligently on quite a number of subjects--It is a big mistake to think the lunatics are crazy on all subjects. He could converse as well as you or I on a great many subjects.

Q. But apart from these hallucinations he had in regard to these hypnotic and mesmeric influences, he appeared to be rational in them and irrational in others?

A. Yes, sir. Sometimes he would not eat because he said he could not and again he would have a peculiar appetite; he would eat certain things that other people would not eat. Sometimes he would say he could not digest the food.

Q. Would you take the fact that a man would not eat because he said he could not, or did not care to do so; take this as a symptom of insanity.

A. Together with others, yes; if you take one symptom away you take the diagnosis away.

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Q. Well, you take this as symptoms of insanity, together with others. What others?

A. The gradual loss of his intellect, his absolute impossibility to ~~attend to his business~~ attain his loss of memory and all these symptoms together, in my opinion, gradually grew worse.

Q. Judging from what you have seen of his case and from what you have heard of his conversations can you state whether at all times he was in full possession of his faculties and able to distinguish ~~right~~ right from wrong?

A. That is more than I can say; but at no time could he have been sane and at others insane; He was suffering from a cerebral disease at all times. I cannot say whether he could distinguish right from wrong.

Q. I want your opinion only?

A. I cannot give any.

Q. How long since you last saw him?

A. Six months.

Q. Where was he at that time?

A. In my office.

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Q. Have you seen him since he was arrested?

A. I have not see him since the Spring.

Re-direct Examination

By Mr. House.

Q. Now when you spoke of the disease as in your opinion being paresis; now one of the symptoms of paresis, is the loss of memory, is it not?

A. Yes, sir.

Q. One of the characteristics of paresis is laid down in books by writers that a man will imagine his business to be very extensive and he has schemes to make large sums of money. Is that one?

A. Some forms, I believe.

Q. The question has been asked you by Mr. Bradley as to whether this man had lucid intervals--Now is it not true that lunatics are absolutely insane on certain subjects and topics and ~~xxx~~ sane upon others?

A. Yes, sir.

Q. And in your experience with Mr. Stewart within the last two years, you would pronounce him to be a fit subject for an insane asylum?

A. Yes, sir.

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By. Mr. BRADLEY.

Q. Did you ascertain what business he was in?

A. I think he told me ~~was~~ he was in the advertising business or something like that.

BY THE COMMISSIONER:

Q. About his hearing voices of people?

A. When in bed, attempting to sleep, he would suffer from insomnia, he gave his symptoms, he would hear voices, thought he heard people talking and he would jump out of bed and think people were after him.

Q. Doctor, you state he would not at times eat--Did he refuse to eat?

A. Sometimes he did--he had a peculiar appetite--that was one of the symptoms

BY MR. HOUSE.

Q. Are you attached to any of the institutions in the City, doctor?

A. Yes, sir.

Q. Will you be kind enough to tell us what institutions you are attached to?

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A. I am the professor of diseases of children in the College of Medical and Visiting Physicians, St. Francis Hospital.

Q. From what you have noticed of Stewart for the past two years, his loss of memory and other things, what is your opinion now at the present time, would you say that the man was sane or insane?

A. Certainly insane.

Q. At the present time?

A. Yes, sir.

Q. Did you ever make any recommendation to place him in an asylum before?

A. You mean for him to go in an asylum?

Q. Either to him or anybody else that he should go in any such institution?

A. I knew none of his family--no friends--no one came to my office but him alone. If I was his family physician I certainly should have done so.

Q. Did you call his mental condition to the attention of any of his family?

A. No, I did not, because I never met any of them--I only met his wife once and that was on my first visit, at the New York Hotel and I have not seen

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her since.

Q. But you did know where his wife was subsequently?

A. No, I did not--he told me he was not living with his wife--then I never inquire into the private affairs of my patients unless it is necessary for professional purposes.

GEORGE E. LANE, being sworn on behalf of the defendant testified as follows:

EXAMINED BY MR HOUSE:

Q. Your name is George E. Lane?

A. Yes, sir.

Q. Whereabouts do you reside?

A. In New York.

Q. New York City?

A. Yes, sir.

Q. Your profession is that of a physician?

A. I am a physician.

Q. Are you a regular graduated physician?

A. Yes, sir.

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Q. What college are you a graduate of?

A. Boden college.

Q. How long have you been a physician?

A. Since 1876.

Q. Do you know one Ralph A. Stewart?

A. Yes, sir.

Q. When did you first meet him?

A. In 1873.

Q. Where?

A. Columbus, Ohio.

Q. Were you constantly in contact with him while in Columbus?

A. Yes, sir.

Q. Do you know at what place he stopped while he was there?

A. I do not.

Q. Where were you stopping at that time?

A. American House.

Q. While you knew him in Columbus did you notice that he was given to intoxication, that, is, drank to any extent?

A. Yes, sir.

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Q. Did you ever see him intoxicated at any time?

A. Not really intoxicated, he could navigate all right.

Q. While you knew him was he a heavy drinker?

A. Yes, I think he was.

Q. At any time while you were with him in Columbus, did he ever speak to you of schemes or projects that he had?

A. Yes, he always had schemes on hand.

Q. Did you see him from the time you knew him in Columbus until the time of his arrest?

A. There was some two or three years intervening until I met him in New York.

Q. You say he always had schemes on hand?

A. Yes, sir.

Q. Did he ever tell you what these schemes were?

A. He was always getting up schemes--One was to get machines and employ a great many people and to pay for the machines by taking in work and selling it and the next time I met him he had changed that for something entirely different. Once he asked me down to see him when he was with a publishing

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house on Grand Street and he described his office to me as being fitted up nicely and decorated and as a very elaborate affair--I went down there and it was in a loft--that was the way most of his schemes turned out.

Q. About that office, he described it as a very magnificent affair?

A. Yes, and he described his house when he lived in Brooklyn, when he was in the insurance business--he described the rooms etc. When I went over there it was a very ordinary affair. I think that when he stated these things he really believed it himself.

Q. Do you remember once when you called at his house in Brooklyn he was talking about an insurance scheme?

A. Yes, sir.

Q. What was it?

A. There was some firm in Rochester that had some new scheme to insure people and he was going into it, he had his office at the house and was going to open an office in New York--I did not see him again for some time. I went down to his

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office in Temple Court of the Potter Building and he only had desk-room there. After that I did not see him for some little time.

Q. Did you inquire if he was in the insurance business in this office?

A. He only had a table there--they did not know what he was doing.

Q. You never knew him to do anything in the insurance business?

A. No, sir.

Q. Do you remember going to him in 23rd Street the night he burnt his hand?

A. They sent for me and told me about it. It was about nine or ten o'clock in the evening, a gentlemen came over and asked Dr. Ryan if I was around--he was greatly excited and asked me if I knew Stewart; that Mr. Stewart had burnt his hand; I went over to see him and was told that he held his hand over the gas jet and burnt it. I took him over to the store--after he came down stairs he wanted to go back-- Dr. Peet was in the store and

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I asked him to dress the hand and he did--Stewart came to the store several times after that to have his hand dressed. At that time he was constantly talking about these spirits that directed him to do this:

Q. At that ~~immediately~~ time did you ask him what caused him to burn his hand?

A. He said the spirits.

Q. At that time where did he tell you the spirits commanded him to do it?

A. He told me in the room.

Q. And for some time after that whenever you came in contact with him, did he talk about these spirits?

A. That was a subject in which he seemed very much interested--he never seemed to tire talking about it.

Q. At any time after the burning of his hand, did he, when you came in contact with him, tell you about any woman who had him under hypnotic power?

A. He told me there was somebody controlling him.

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Q. Did he tell you that these people were in Brooklyn?

A. I do not remember.

Q. When did you see him last, doctor?

A. Well, I think about eight weeks ago--I met him down town somewhere.

Q. Taking into consideration all that you have told us--the different characteristics, his talking about schemes, the burning of his hand, the hearing of voices etc. What is your opinion, is he sane or insane?

A. Insane.

CROSS-EXAMINED BY Mr. BRADLEY

Q. How long have you practiced your profession, Doctor?

A. Four years at the Old Soldiers Home at Toledo.

Q. Since 1881, during the last twelve years, you have not practiced?

A. No, sir.

Q. And apart from the symptoms which he displayed of insanity, was there any other symptom that you noticed?

A. Only that he was talking about schemes etc. that first attracted my attention.

Q. How long ago since you were impressed that he was

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mentally unsound?

A. About four years ago.

Q. What was there about his condition at that time which impressed you that he was insane.

A. He would be talking to you for a moment about something and suddenly jump up and go away.

Q. Anything else?

A. Not that I remember.

Q. Did you notice anything about his person?

A. Always very neat.

Q. Would you state that as your opinion when you last saw him?

A. Yes, I think I would.

Q. Was there any other occasion when you saw him--upon ^{any} ~~such~~ occasion when he refused to eat the whole of a meal.

A. Yes, we dined together and would start in with apparently a good appetite and he would suddenly stop and refuse to eat.

Q. In what business was he engaged at the time of his arrest?

A. I cannot tell you.

Q. You say it was about six or eight weeks ago that you met him last, it cannot be six weeks ago, it is a little more than that. Can you fix it

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by reference to the time of his arrest?

A. I don't know the date of his arrest.

Q. He was arrested about eight weeks ago, give the best you can?

A. Let's see; I was coming from Brooklyn--I met him somewhere on the street--Broadway--It must have been ten weeks ago.

Q. And did his condition appear to be any different from what it had been previously?

A. I only spoke to him, I was in a hurry.

Q. Notice anything different about his personal appearance?

A. No, I don't think I did.

Q. You did not have an extended conversation?

A. No, sir.

Q. Did he appear to be of lucid mind as far as you know?

A. He did.

Q. Did you ever have any experience in the treatment of nervous affections?

A. In the Soldier's Home.

Q. Have you made any special study of the subject of insanity?

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A. No, only in the ordinary course of practice.

Re-Direct by Mr. House.

Q. Well, doctor, you know what a brain is don't you?

A. I think I can tell.

Q. After meeting this defendant for several years and being brought in contact with him and seeing him in the conditions in which you have seen him and the conversations that you have had with him--you can say that he is mentally unbalanced?

A. I think so.

Q. And the last several times that you saw this defendant left no doubt that he was insane?

Yes, sir.

Q. And you have since discovered nothing to change your mind?

A. No, sir.

Q. What impressed you the last time?

A. Nothing special.

Q. Appearance same? ~~xxxxxxxxxxxxxxxxxxxxxxxx~~

A. Yes, sir.

Q. And during while you were in the Soldier's Home in *Toledo* ~~Togas~~, you had treated the inmates confined there?

A. Yes, sir.

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Q. Is it not true that some of these inmates were in-
same and very frequently?

A. Yes, sir.

BY THE COMMISSIONER:

Q. What did he drink?

A. Whiskey.

Q. How many drinks a day was he in the habit of taking.

A. I don't know before he came to the New York
Hotel.

Q. Did he drink ten whiskeys a day?

A. I think six or seven.

Q. Take a little hooker before breakfast?

A. Yes sir.

RECHARD NEVINS, being sworn, testified as follows:
Examined by Mr. House.

Q. You are a resident of New York City?

A. Yes, sir.

Q. Whereabouts do you reside at the present time?

110 Street.

Q. How long have you resided in the City of New York?

A. Eight years.

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Q. Did you at any time reside at the hotel known as
The New York Hotel?

A. I lived there until it was shut up.

Q. Did the defendant, Ralph A. Stewart, reside there
at any time?

A. No, sir.

Q. Do you know the defendant?

A. Yes, sir.

Q. How long have you known him?

A. Since he was a baby--was at his mother's wedding

Q. And you were somewhat acquainted with the family?

A. Yes, sir.

Q. Do you know any of his grand parents?

Knew
A. Knew his grand father and his grand mother.

Q. Do you recall what his grand mother's name was?

A. Mrs. D. Adams.

Q. How long have you been acquainted with her, colonel?

A. Forty years

Q. You know many people that know her?

A. Yes, sir.

Q. Knew her in the community in which she lived?

A. Yes, sir.

Q. In your own way tell us how she was regarded by the

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people of that community?

A. Crazy at times.

Q. Did you frequently come in contact with her and notice her conduct and manners?

A. Yes, sir.

Q. What, in your opinion was her condition upon most of these occasions?

A. Flighty--crazy.

Q. Did you know anything about a sister--a sister who died in the lunatic asylum.

A. That was his aunt.

Q. Do you know how long ago that was?

A. During the war--her name was Mrs. Thomas Thew.

Q. Do you know anything about a sister Cynthia?

A. I do.

Q. How was she regarded in the community?

A. As an idiot.

Q. Did you ever notice anything about his grandmother, as we are speaking about her now, if she was a melancholy person?

A. Yes, sir.

Q. Have you noticed anything lately about this defendant that was peculiar?

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A. I thought him crazy

Q. You met him frequently during the past year?

A. He used to come to the New York Hotel.

Q. Did you notice anything peculiar about his eyes?

A. Yes, sir.

Q. What was that?

A. They were fixed and vacant like.

Q. Did he ever talk to you about any schemes?

A. I didn't waste any time with him--I thought he was lying. I saw him the day before he was arrested--I went down to my office and he was in the hallway and when I reached the office I made the remark that I had just left the crazy man--that was on Friday, I think..

Q. Did he ever talk to you about people having control of him?

A. No, sir.

Q. Did he ever speak to you of hypnotism?

A. No, sir.

Q. Taking into consideration all your experience with him and the fact of his relatives, his grandmother, and the sister, Cynthia, being regarded as they

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were and the fact that his aunt died in an insane asylum, is this man's condition, in your opinion, sane or insane.

A. I just said he was insane.

CROSS-EXAMINED BY MR. BRADLEY:

Q. What business are you engaged in, Colonel?

A. Commissioner of Accounts Office, Sir.

Q. Are you friendly with his family or relatives?

A. Well, I knew his mother before she was married, lived in that City.

Q. No relationship between you and the family?

A. None at all, sir.

Q. Did you ever notice anything in his conduct, excepting as you have stated, which led you to believe he was insane?

A. Nothing except as I have stated..

Q. How long since you first became impressed that he was out of his mind--insane?

A. About a year.

Q. You met him frequently before that?

A. Yes, sir.

Q. Although you met him frequently before that, it was not until a year ago that you became impressed

that

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that he was out of his mind--insane?

A. Yes, sir.

Q. It was his conversations and the appearance of his eyes, that you have spoken about, that gave you that impression during the past year?

A. Yes, sir.

Q. Was there anything in his personal appearance, outside of the appearance of his eyes that gave you that impression?

A. His appearance the day before he was arrested.

Q. What business was he engaged in at that time?

A. I do not know.

Q. Do you know of any business in which he was engaged during the past year?

A. I do not know of any--only what he told me.

Q. Did you know of any of his relatives in New York City?

A. No, sir.

Q. Is his wife still in New York.

A. Who?

Mr. Bradley Is he a married man?

Mr. House: His wife is in the next room.

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BY THE COMMISSIONER: Was Mr. Stewart's aunt
always insane, or did she gradually become insane?

A. Always insane.

Q. She was born insane?

A. Yes, sir.

Q. If you hadn't know that some of his family ~~were~~
had been insane, would you come to this same con-
clusion that this man was insane?

A. I would.

Q. Apart--outside of any connection with his family?

A. I would, from his acts of the past year.

Q. Have you seen Mr. Stewart since his arrest?

A. No, sir.

Q. Have you received any letters from him?

A. I received a letter from him asking me to go
and find some man newas to employ and I found that
no such man had ever been there.

THOMSON WILLING BEING SWORN TESTIFIED AS FOLLOWS:

EXAMINED BY MR. HOUSE.

Q. What is your business, Mr. Willing?

A. I am an artist and designer.

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Q. Where is your place of business?

No. 757 Broadway.

Q. Do you know Ralph A. Stewart?

A. I do.

Q. How long have you known him?

A. About five years.

Q. Was he at any time connected with the firm of

A. H. King and Company?

A. Yes, sir. .

Q. At any time Dr. Mr. Stewart come to your place of business and give you an order for a large amount of work?

A. He did, in the early part of last August. .

Q. Just state, in your own way, what the nature of the order was and what you discovered?

A. Mr. Stewart came in early in the morning and told me he had an order was getting up a catalogue for Stein Bloch and Co. I knew that he was not in favor with that firm and did not execute the order at once but sent over to that firm to see if it was all right and they told me that they hadn't given any orders whatever. On that evening Stewart

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came in to see if I had done anything. He told me he never remembered telling me that he had their authority and moreover that the order was not for any special firm that it would suit any firm.

- Q. During the last year or so that you knew Mr. Stewart how was he regarded among people with whom he associated, was he regarded as regular or irregular?

A. Very irresponsible.

- Q. And that is one of the reasons why you refused to execute that order when he gave it?

A. Yes, sir.

- Q. Do you recall that he stated that he had a number of paintings and pictures?

A. Yes sir.

- Q. What did he say about this, if anything.

He stated this to me, knowing that I was ^{found} ~~found~~ of such things and as he owed me a sum of money I suggested that he let me have one and he said all right and the next day he did not remember having said anything about it--said he never had any..

- Q. When you first became acquainted with him--he was a bright energetic business man?

A. Yes, sir.

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Q. And from that he gradually grew to be irresponsible?

A. Yes, his work was not nearly as bright as it had been and for the last months that I knew him it was frightful.

Q. Ordinarily it was very bright.

A. He was an exceedingly good man in his line.

Q. What line was that?

A. Writing advertisements for clothing houses.

Q. Did he ever say anything to you about going into an insurance scheme where he was going to make a large sum of money?

A. No, sir.

Q. When did you last see him?

A. The day subsequent to the day when he left the order in my office which I disregarded.

Q. Taking into consideration what you have noticed of the defendant, his manner of talking and his way of acting, ^{same} has he been within the past year, in your opinion?

A. No, sir.

Cross-Examined by Mr. Bradley:

Q. How long have you known Mr. Stewart?

A. Five years.

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A. Yes, he was with the Moss Engraving Company about six months--then he took commissions himself and placed them with various printers and after that he was with a trunk firm on Broadway--Liesiecki about No. 300 Broadway.

Q. How long was he employed by the latter firm?

A. About a month.

Q. Do you know whether his mental condition interfered with his business or not?

A. I did.

Q. Did he attend to business regularly?

A. No, sir, that was the reason for changing his positions so often.

Re-direct by Mr. House.

Q. You would not transact business with him, would you?

A. No, when he brought in an order I would always go and make a contract with the firm that gave the order.

Q. During the last year, from what you have discovered of this man, did you consider him to be a competent man?

A. No, sir.

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Q. Did he ever state to you, in any of the conversations that you had with him, schemes about making large sums of money?

A. Yes, sir.

Q. What was it?

A. One scheme was to get some mines out west and you would get \$25,000.

The Commission here adjourned until Friday
Nove. 10th 1893.

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Friday, November 10th, 1893.
Three PM.

Commission meets

Appearances as before.

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JOSEPH W. GIBSON, being sworn ~~and he~~ testified as follows:

Direct Examination by Mr. House:

Q... What is your business?

A. Publisher of magazines, 757 Broadway.

Q. How long have you been engaged in that business?

A. Fourteen years.

Q. IN this City?

A. Yes, sir.

Q. Do you know the defendant, Ralph A. Stewart?

A. I do.

Q. How long have you known him?

A. Over five years

Q. Can you recall about when and where you first became acquainted with him?

A. He was employed by A. H. King and Company, 627 Broadway.

Q. In what capacity?

A. When I first knew him he was writing advertisements.

Q. When you first became acquainted with Mr. Stewart, how did you regard him.

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A. He was supposed to be the brightest man in his line in New York City.

Q. How was he as regards personal appearance?

A. He was a very straight, haughty, supercilious man--very little to say to anybody?

Q. And you have seen him right along during the past five years?

A. Up to within six months ago.

Q. During that time, did you notice any change in him at all?

A. Yes, considerable.

Q. In what respect?

A. Well, I know he lost his talent of writing--I know he lost his memory--I know he lost his voice. He was referred to by men in the trade as being "off his nut"

Q. You have heard many people in the trade speak of him in that familiar way as being "off his nut"?

A. Yes, sir.

Q. During the last year, up to six months ago, you saw him frequently?

A. Yes, sir.

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Q. Came in contact with him very frequently?

A. Every week.

Q. And you took occasion to notice him?

A. Yes, sir.

Q. Watch him?

A. Yes, sir.

Q. And saw his actions?

A. Yes, sir.

Q. During the past year, taking into consideration all that you knew of him formerly, that he was the brightest man in his line in the city and a man of brains and that within a year he has lost his memory, failed to write as well as he used to, seemed to take no interest in his personal appearance, what, in your opinion, is the condition of his mind?

A. I was firmly convinced that he was out of his mind because I tried to find him employment and I kept him for a week or two but would not employ him because I thought he was crazy.

Q. Did he ever talk to you about schemes?

A. I would not let him, I told him to attend to business and he would make all the money he wanted.

Q. xXkHe would endeavor to draw you into conversation in regard to schemes?

A. Yes, I sell houses, fashion cuts, and one day he came into me and told me of a grand scheme--he has a catalogue of cuts--he said we would make a catalogue together and have a grand sale of cuts, when he knew I was in that business and that he had stolen some of my ideas to make his catalogue.

Q. Did he ever attempt to converse with you on the subject of hypnotic or mesmeric powers?

A. No, at lunch table--he very frequently came down to the same place that I did two or three years ago and on any subject of hypnotism, mesmerism or psychology he was very well informed--knew all about it.

Q. You say that last time you saw him was about six months ago?

A. Saw him frequently, Yes.

Q. IN your opinion, was he at that time, insane?

A. Yes, sir.

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Q. Did you see him about the time of his arrest or just before it?

A. I saw him since he was arrested.

Q. How did he strike you?

A. He has failed-withered like a flower--he has failed since I saw him in the Tombs two weeks ago.

Mr. Bradley

No Questions.

FLORENCE M. STEWART, being sworn testified as follows:

Direct Examination by Mr. House:

Q. You are the wife of Ralph A. Stewart, the defendant?

A. I am

Q. When were you married, Mrs. Stewart?

A. September, 24th 1890.

Q. And from that time you have lived with your husband up to the time of his arrest?

A. Up to nearly within a year..

Q. That was during the year past just before his arrest?

A. From last September until April.

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Q. What sort of a man was your husband regarding his business and general conduct at the time you married him?

A. He was very bright, exceedingly so.

Q. How long did he continue to be so bright after your marriage if you now recollect?

A. About a year and a half.

Q. When did you commence to notice any change about him at all?

A. He got nervous and very excitable. At home any little thing would make him very angry.

Q. When you first met him was he given to anger in that way?

A. No he was not.

Q. Always kind and even tempered?

A. Very, very kind to me.

Q. And within a year and half after your marriage you say he became very nervous and was quick to anger?

A. He was very unkind to me.

Q. Did you ever have any conversation with him about people he contended had influence over him?

A. Yes, I knew people had--last winter there was

some one who had influence over him made him go to some one in 23rd Street to be treated--that's what they call it.

Q. What was the nature of the treatment?

A. They called it Christian Science and ever since that my husband has been talking about hearing voices.

Q. What did he say about these voices?

A. He kept me awake nights telling me about these voices--all night long--sometimes they were telling him all the bad things he had done and that they had come back to him--people told him about some sins and that he was going in some business and was going to make a whole lot of money.

Q. Now, did you see him just before he was arrested, within a short time?

A. That morning at nine o'clock.

Q. How did he appear on that morning, what was his conduct--same as it had been for the last six months?

A. Very much worse all that week.

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Q. Week before he was arrested, very much worse?

A. Very.

Q. When you first were married what was your husband's characteristic in regard to his clothes?

A. Dressed very well. .

Q. Within the last year what has been his conduct regarding his personal appearance?

A. He has not cared very much, a great many times I had to speak to him about it.

Q. Do you recall the time he burnt his hand on the gas jet?

A. I met him the night he done it. I was coming from New York, I was living in Brooklyn and I saw him as I was going across the ferry. I met him coming over--a woman was with him-- I asked him what was the matter with his hand--he had it tied up--he was angry because I spoke to him and he said "Don't bother me, I am going to New York to have my hand dressed, I am nearly crazy, I burnt my hand on a gas jet"

Q. Did he give any reason?

A. He would not talk to me any more.

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Q. Did you see him after that--the next day?

A. I went to the house where he was living the next morning and asked about him--I wanted to find out how he was-- and the woman would not let me in -- would not tell me.

Q. After your husband was arrested, you visited him frequently?

A. Nearly every day.

Q. Q. When he was first incarcerated in the Tombs was he placed in the New Prison?

A. He has been changed about two or three times.

Q. Do you recollect asking any one why he had been changed and being told about some attempt he had made.

A. They didn't tell me first but he did--I went there and asked for him and they said he was in the hospital--they all looked at me strangely, but said nothing and then I questioned him--he did not tell me at first but afterwards he told me he had tried to kill himself and when I went out the Warden gave me a letter that they found.

Q. Have you that letter?

A. I have.

Q. Let us see it please?

A. Here it is (giving letter)

Q. Was that the letter he wrote you?

A. The letter he had that night.

Mr. House: I will offer it in evidence.

Mr. Bradley: No objection to it.

"My dear wife:

There is no use talking about it any more
I have given up all hope--I could never again get any-
thing to do--I am only a burden and a worry to you and
I am certain that I will never be able to help you--I
xxx have determined to end to-night a miserable worth-
less life--Let them do with my body whatever they
please--don't blame dear--I know you will be a good deal
better without me--God bless you keep you and make you
happy Good bye dearest forever

Your miserable husband

Ralph.

Monday night."

Q. Did you learn that your husband, the night before,
had attempted to take his life?

A. I did

Q. And that was the reason why they moved him from
where he was at first to where you found him when
you came that day?

A. Yes, sir.

Q. During the last year and a half you have had an
opportunity to observe your husband, and taking into
connection that you knew him as you did before you

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were married, his even temperament, active in business and the manner in which he kept himself personally and taking his actions within the last year and a half, what in your opinion is his condition, is he sane or insane?

A. Insane.

Cross-examination by Mr. Bradley:

Q. Has your husband had any physical ailment within the past year?

A. He is not as strong as he used to be--he was a strong healthy man about three years ago.

Q. Do you know this woman who was with him on the ferry?

A. I know her.

Q. Was she any relative of his?

A. No, a friend.

Q. How was his appetite during the past year?

A. Not as good as it used to be.

Q. Have you dined with him within the past two months?

A. Yes, he didn't seem to have the same taste that he used to have.

BY THE COMMISSIONER:

Q. During these nights that Mr. Stewart could not sleep

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would he walk about talking to himself?

A. Sometimes he would get up and dress and go out. The night before he done this he got up and was writing letters and he went out to take a walk and came back and brought a cat in the room-brought it from the street- and gave it a bath in the wash bowl and took it down to breakfast the next morning. I could not go in the dining room he was acting in such a way.

Q. Did he complain of pains in the head at that time?

A. I don't know.

Q. Did you notice that he appeared uncertain in his movements?

A. Of course, not so very much.

Q. I don't mean now but formerly?

A. No, I didn't notice it.

Q. Did you notice his memory failin and getting more so all the time?

A. Of course, not being with him all last winter. I don't know what he was doing.

Q. What were his habits in reference to drinking?

A. At times he drank very much and sometimes he

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would not for months.

Q. Come home intoxicated?

A. Not very often.

Q. As often as once or twice a week?

A. Not as often as that.

Q. Did he ever speak to you about this case while at the Tombs?

A. I don't know, sir.

Q. Did your husband, when you visited him ever talk with you about this case?

A. Yes, sir.

Q. What did he say?

A. At first he did not realize what he had done.

Q. Speak often with you upon the subject?

A. Yes, nearly every day.

Q. Ever say anything about signing a check?

A. Oh, yes, and the night he was arrested he sent me a check from Jefferson Market—he sent me another check and he called a messenger at the Tombs and told him he wanted some checks cashed.

By Mr. House:

Q. You say the night before he was arrested he appeared in a much worse condition than he ever had been

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before?

A. In a whole week before.

Dr. Siebert re-called:

Q. Have you examined the defendant this afternoon?

A. Yes, sir.

Q. What do you find to be his condition at present?

A. All his symptoms as far as one can see from his conversation and the examination that I have made have grown worse and another is present that was not present when I last saw him. There is quite a difference between the pupils, the left pupil is natural while the right one is not and reacts to the light. In standing with his eyes closed he is very unsteady and most important for the diagnosis of paresis is the absolute absence of reflexes; that certainly is of the utmost importance for the beginning of paresis--these were not present formerly and I think he is gradually growing worse. As to his mental condition, his answers are decidedly slow from what they used to be. I asked him why he was here and he told me forgery I asked him what did he forge and he said

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checks. I asked him more than one, he said "Yes, three" I asked him if he didn't know it was wrong to do that and he said he thought so. I think he is gradually going into the melancholy state of insanity.

Q. From your examination and from the experience that you have had with him before, what is your opinion as to his mental condition, is he sane or insane?

A. Insane. I would certainly pronounce him insane.

BY THE COMMISSIONER:

Q. Did he have this tremulous condition formerly?

A. No he never had that. I inquired if he used morphine, chloral or alcohol to any extent and he said no.

HENRY GOLDMAN, being sworn testified as follows:

Q. You are a salesman in the employ of Rogers, Peet & Co.

A. Superintendent.

Q. And it was upon your complaint that the defendant was arrested?

A. Yes, sir.

Q. On the eighth day of September, 1893?

A. Yes, sir.

Q. Did you know the defendant previous to that time?

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A. No, sir.

Q. From his conduct at that time and from his conversation did you form any impression as to his sanity or insanity?

A. Yes, I thought he was unbalanced without question.

Q. What did you notice about his conduct or conversation that was peculiar?

A. Well from his actions--in presenting a check in the first place signed with the name of a firm only a few doors above us where we could send out and find out about it.

Q. Did you send out?

A. Well the story is this-- I came in from lunch and the assistant superintendent handed me a check and said this gentlemen bought clothing and offered this check. I sent the check to A. H. King & Co. and they knew nothing about it and I told the salesman to go ahead and the defendant selected goods in a way, from what the salesman said, that made me think his mind was unbalanced.

Q. Did you have any conversation with him?

A. I had conversation with him when he came to the counter--he wanted money in change and of course,

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knowing the check was bad, I told him we couldn't give him any money but if he would leave his address we would mail him a check for the balance due him. In the meantime I had sent out for a policeman he insisted that he must have \$25.00 and I gave him \$25.00, marked bills, and he started to go out and the policeman arrested him.

Q. What did he say when he was arrested?

A. He said he was afraid it would kill his wife-- he was all broke up they had to almost carry him to the Station House-- He said he wanted the money to go to his mother in Cincinnati who was dying. In the opinion of the salesman in the house his mind is unbalanced from the way he bought goods, for instance he would not take the size to fit him but always wanted something else. He had our clothes on when arrested.

Mr. House:

Q. Did you say the firm of A. H. King & Co. by whom the check purported to have been drawn were only a few doors above you?

A. Yes, sir.

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RALPH A. STEWART, the defendant, being sworn
testified as follows:

BY THE COMMISSIONER:

Q. Do you appreciate why you are here, Mr. Stewart?

A. Yes, sir.

Q. Tell us why you are here to-day?

A. Because I committed a crime.

Q. When was this crime committed, Mr. Stewart?

A. September 25th.

Q. This present year?

A. Yes, sir.

Q. What was your idea in uttering this fraudulent
check did you think you could swindle these people?

A. I didn't think at all.

Q. Were you not afraid of being discovered?

A. To tell you the truth about that I went into a
saloon at Houston Street and Broadway and had a
bottle of champagne and when I came out it affected
me so I didn't know what I was doing.

Q. Did you formerly have business relations with Rogers
Peet & Co. and A. H. King & Co.?

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A. With A. H. King & Co.

Q. How long?

A. About three years ago--they sent for me twice to come back.

Q. Do you think you are capable of carrying on business now?

A. I think I could make myself so in a very little while.

Q. You could go back to your business and get right again?

A. Yes, sir.

Q. Have no doubts about that at all?

A. None.

Q. You could go out and solicit advertisements?

A. Yes, sir.

Q. Have you any headaches, Mr. Stewart?

A. I have one now.

Q. How old are you, Mr. Stewart?

A. Thirty-five years.

Q. When were you thirty-five years?

A. I was thirty-five the day I was arrested.

Q. Do you remember things that happened a year ago, pretty well?

A. Yes, sir.

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