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COURT OF GENERAL SESSIONS OF THE PEACE  
IN AND FOR THE COUNTY OF NEW YORK

----- x  
THE PEOPLE OF THE STATE OF NEW YORK : B e f o r e :

-against-

:HON. JAMES T. MALONE,

IDA VON CLAUSSEN : Justice,  
----- x

New York, Tuesday, December 23rd, 1913.

THE DEFENDANT IS INDICTED FOR VIOLATING SECTIONS  
856, 551 PENAL LAW.

INDICTMENT FILED OCTOBER 30th, 1913.

A p p e a r a n c e s :-

GEORGE Z. MEDALIE, ESQ., Assistant District-Attorney,

For the People.

PH. M. NEWMAN, ESQ.,

For the Defendant.

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Q Where do you live? A 629 West one hundred and thirty-eighth street.

Q You are a stenographer? A Yes, sir.

Q And you are employed in the office of the District-Attorney of the County of New York? A Yes, sir.

Q Do you recall that on the 5th day of November, in my office, in this building, you took certain minutes of an investigation made by Doctor Carlos F. MacDonald and Doctor William Mabon? A I do.

Q Have you correctly transcribed all that occurred at that time? A Yes, sir.

Q And did you see Dr. MacDonald and Dr. Mabon sign their names to this report prepared by you (handing paper to witness)? A Yes, sir.

MR. MEDALIE: I offer that report of the examiners in evidence.

THE COURT: Received.

(Received in evidence and marked People's Exhibit No. 1).

MR. MEDALIE: Your Honor, counsel and I will agree to dispense with the preliminary proof concerning the proceedings had before Mr. Justice Morchauser, and that all that occurred there, as indicated by the report which my adversary hands me, is conceded to have occurred at that place, and we consent that it be mark-

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ed in evidence.

THE COURT: Received.

(Same received in evidence and marked Defendant's Exhibit A, of this date.)

MR. MEDALIE: And I understand that it is conceded by Mr. Newman that no objection is made to the copy of the case or the record in the Bloomingdale Hospital in the case of this defendant at the time she was confined there on the ground -- no objection is made on the ground that the form of the evidence is not the form prescribed by law.

MR. NEWMAN: I have no objection to this going in as to its form, provided Mr. Medalie will state to the Court that is a correct transcript taken from their books, and that it can be used for what it is worth.

MR. MEDALIE: I am informed the transcript is correct. I have received it from the stenographer of the Bloomingdale Hospital.

THE COURT: I will receive it.

(Received in evidence and marked People's Exhibit No. 2, of this date.)

MR. NEWMAN: I offer in evidence the report of Dr. Gröte, of Godesberg-on-the-Rhine, made on the 15th of October, 1913, which certifies as to the condition of Ida von Claussen, or Frau von Claussen, so-called

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at that time, which I stated to your Honor some time ago that I would offer.

MR. MEDALIE: We make no objection to the form of the evidence.

THE COURT: It will be received.

(Received in evidence and marked Defendant's Exhibit B, of this date.)

THE COURT: That is in German, is it?

MR. NEWMAN: Yes.

THE COURT: Have you a translation that you will agree on as a faithful translation?

MR. NEWMAN: I will be glad to have the Interpreter of the court read it on the record, or I will accept Mr. Medalie's translation.

THE COURT: Perhaps you can offer something else in the meantime.

MR. MEDALIE: That is all, your Honor. I think the burden properly shifts to the other side now.

MR. NEWMAN: I desire to examine the specialists who have made their reports, Dr. Mabon and Dr. MacDonald. I understood they were to be here, so I could examine them.

MR. MEDALIE: They will be here at four o'clock, your Honor. They are engaged in another trial in this building.

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THE COURT: Perhaps you can occupy the time meantime with something else.

MR. NEWMAN: A great deal would depend upon the cross-examination of those specialists. In the meantime, if in your Honor's discretion you think it wise, I should be glad to put the defendant on the stand, for the purpose of examining her, or I would suggest this, if I may: I ask the Court to send for the matrons and keepers in the Tombs prison who have had charge of the defendant since her incarceration, they being, in my opinion, best qualified to testify as to what in their minds may be the mental condition of the defendant, she having been confined in the Tombs, the City Prison, for the last two months. I can give the names of these witnesses, I think. Miss Kelly, Miss Laherty, Miss Nally, Miss Slattery and Dr. McGuire.

(Following is a translation of Defendant's Exhibit B:)

"Translation from the German  
by E. J. Rosenthal, Interpreter.

Dr. Grote

Godesberg, 15 October 13.

Reinhalle 21

Medical Certificate

I certify hereby that in the Spring and Summer

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1913 I have treated Mrs. von Claussen for serious nervous disturbances for the heart. Besides, the nervous system in general was also affected. In psychical regard, Mrs von Clausen was and is perfectly well and in the full possession of her mental powers and faculties.

Dr. Grote

Nerve - physician."

THE COURT: Is that a satisfactory translation ?

MR. NEWMAN: I believe so.

THE COURT: What do you think about it, Mr. Medalie?

MR. MEDALIE: I have read it. I think the translation is correct.

THE COURT: I want a thoroughly satisfactory translation of that letter.

MR. NEWMAN: The translation is satisfactory.

THE COURT: Mr. Newman, is there something else you have that you want to offer ?

MR. NEWMAN: I think all I want to offer is the German Specialist report, and, if I remember correctly, the testimony taken before Justice Morehauser, and also I will offer later on various letters that I have received from Mrs. von Claussen during the course of the past two years, while representing her.

THE COURT: Do it now, so the time can be occupied.

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MR. NEWMAN: I have somany of them that it would take time to separate them.. I will see if I can gather a few. In the meantime I will put Mr. Ware on the stand.

THE COURT: Very well.

FREDERICK A. WARE, called as a witness on behalf of the defendant, being first duly sworn, testified as follows:

DIRECT EXAMINATION BY MR. NEWMAN:

Q What is your name ? A Frederick A. Ware.

Q Where do you live ? A Present residence, Freeport, Long Island.

Q Are you an attorney-and-counsellar-at-law? A I am.

Q And have been for how long ? A Twenty-five and one-half years.

Q And have you had occasion to visit the City Prison at various times in the past two months ? A Frequently.

Q To see various clients you have there ? A I have.

Q And on how many occasions while you were in the Tombs Prison have you seen the defendant here ? I don't know whether I should call her "defendant", or not.

THE COURT: You may call her by her name.

Q (Continuing) Have you seen Ida von Claussen ?

A Probably three or four times within the past month.

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Q Have you spoken to her ? A Never.

Q Have you seen her conversing with other people ?

A I have.

Q Have you listened to the conversations ? A I have.

Q And what would you say, from listening to those conversations, regarding her mental status ?

MR. MEDALIE: Well, your Honor, I don't think he is qualified to testify to anything other than whether her conduct impressed him as being rational, or irrational.

A I think it would be well to qualify me.

MR. MEDALIE: A lay witness, I understand, your Honor, may testify without other qualification that conduct impresses him, or conversation impresses him as rational, or irrational.

THE COURT: Perhaps you will put it that way. That, I understand, is the extent to which a layman can go.

MR. NEWMAN: As I understood the idea of this proceeding, we were to have as much latitude as possible, that we were not going to be very strict, but if Mr. Medalie wants to confine me strictly to the rules of evidence, I suppose I would have to submit to it.

MR. MEDALIE: I have no objection to his going into it, but an expert on the subject is an expert, and a lay witness is a lay witness, and can only testify

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to facts. We will never get through if every lay witness is to be deemed an expert.

Q What is your opinion as to whether she is rational, or irrational? A From the conversations which I have heard and the observations which I have made, and from a somewhat large acquaintance with alleged insanity, I should say that she was absolutely rational in all my observations.

Q You have had a number of years' experience in various insanity cases? A I have, and I have testified as a lay expert in insanity cases.

Q Among others, you have had the case of Chandler, have you not? A Chaloner, Luke Pennington, Mary Elizabeth Lewis and others.

Q Do you think that she is in such a condition that she can, from your observation -- that she is capable of understanding proceedings on the indictment herein? A Absolutely.

MR. MEDALIE: I think we ought not go into that with a lay witness.

THE COURT: You may get an opinion from him as to what he has seen and observed, as to whether Mrs. von Claussen is rational, or irrational.

MR. NEWMAN: The only reason I ask the additional question, if the Court pleases, is on account of the fact that that is the reason this examination was being

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had, as to whether she is in such a state of idiocy, imbecility, lunacy or insanity so as to be incapable of understanding the proceedings on said indictment, and from his observations, I wanted to ascertain his opinion.

THE COURT: So far as he can go, he has already given you a judgment, namely, that she is rational, in his judgment.

THE WITNESS: Might I add, your Honor --

THE COURT: No, you need not add anything.

THE WITNESS: It was altogether accidental.

THE COURT: No, stand down.

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A N N A K. D A N I E L, called as a witness on behalf of the defendant being first duly sworn, testified as follows:

DIRECT EXAMINATION BY MR. NEWMAN:

Q What is your name ? A Anna K. Daniel.

Q Where do you live ? A 1476 Broadway.

Q Mrs. Daniel, I am just going to ask you a few questions, and I just want you to answer my questions. How long have you known Ida von Claussen ? A I have known her ever since she first contracted with her husband --

Q What ? A Ever since she was first getting a divorce from her husband.

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Q How many years ago, about ? A 1903 or '4.

Q And you have seen her at various times during that period ? A She has lived in my house from time to time.

Q You have seen her at various times during that period ? A Yes, sir.

Q And did she reside at your home ? A She resided at my home from time to time.

Q Where was that ? A 128 West Eighty-second street.

Q Did you come in daily contact with her ? A In daily contact with her, from time to time. On other occasions, too, where she lived elsewhere.

Q And you have visited her at various places when she did not live at your home ? A Yes, sir.

Q And you have had various conversations with her ?

A Yes, sir.

Q From your coming in contact with her and your relations with her and your various conversations with her, would you consider her rational, or irrational ? A Every time --

Q Rational, or irrational ? A Rational.

Q You have also visited her in the Tombs Prison ? A Also, yes.

Q During the past two months ? A Yes, sir.

MR. NEWMAN: That is all.

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CROSS-EXAMINATION BY MR. MEDALIE:

Q This is a letter you sent to the District-Attorney,  
isn't it? (Handing paper to witness). A Yes, sir.

MR. NEWMAN: I object to any letters being offered  
in evidence which were sent by the witness here to the  
District-Attorney or anybody else. It has no relevancy  
here whatever. I simply asked her as to her conversation  
and her acquaintance with the defendant, Ida von Claus-  
sen. It has no weight here.

THE COURT: The objection is overruled.

MR. NEWMAN: I take an exception.

THE WITNESS: That is my signature.

Q What is that? A That is my signature.

MR. MEDALIE: I offer that letter in evidence.

MR. NEWMAN: I object to it, upon the ground it is  
entirely irrelevant.

THE COURT: I will receive it.

(Received in evidence and marked People's Exhibit

No. 3, of this date.)

THE COURT: If it has no bearing, Mr. Newman, I  
shall allow it to have no influence.

MR. NEWMAN: Yes, I understand that, your Honor.

I just wanted to preserve the record.

Q You sent this letter to the District-Attorney?  
(Handing letter to witness)  
A Yes, that is my signature.

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MR. MEDALIE: I offer that in evidence, too.

(Received in evidence and marked People's Exhibit  
No. 4, of this date.)

THE COURT: Have you seen the letters, Mr. Newman?  
Perhaps you might want to ask some questions.

MR. NEWMAN: I just have one question.

RE-DIRECT EXAMINATION BY MR. NEWMAN:

Q From her conduct during the various times you have  
met her, would you consider her rational, or irrational?

A Absolutely rational.

MR. MEDALIE: I think the only thing which can be  
asked is whether the conduct or conversations impressed  
one as being rational, or irrational, not whether the  
person impressed one as rational, or irrational.

THE COURT: Oh, I will take her opinion.

Q And did she impress you, from her conduct and her  
conversations with you, as being rational, or irrational?

A Absolutely rational.

Q In sending these letters, Mrs. Daniel, to whomever  
they were addressed, in one instance to "My dear Mr. Whitman"  
and the other just the same, "My dear Sir", you had the in-  
terest of Ida von Claussen at heart; is that correct? A  
I was directed by all these different letters --

Q I ask you a question. Please answer my question.  
I asked you if you had the interest of Ida von Claussen at

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heart when you sent these letters? A, I certainly had the woman's interest at heart.

MR. MEDALIE: That is all.

MR. NEWMAN: I desire to offer in evidence, if your Honor pleases, a book of which Ida von Claussen is the author, entitled "Forget it if you can".

MR. MEDALIE: No objection.

(Received in evidence and marked Defendant's Exhibit C, of this date.)

MR. NEWMAN: And also a pamphlet entitled "Co-operative Profits in Capital's Progress", also written by Ida von Claussen, which was edited in 1913.

(Received in evidence and marked Defendant's Exhibit D, of this date.)

MR. NEWMAN: The book "Forget It" was edited in 1910.

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L I L L I A N F L A T T E R Y, called as a witness on behalf of the defendant, being first duly sworn, testified as follows:

DIRECT EXAMINATION BY MR. NEWMAN:

Q What is your name? A Lillian Flattery.

Q Where do you live? A 232 East Fifty-second street.

Q Are you employed by the City of New York? A I am.

Q And in what capacity? A Matron.

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Q Where ? A At the Tombs.

Q Are you the day, or night, matron ? A I am the day matron now. I have been on night duty.

Q Have you been night matron for the past two months ?

A Yes, I have, last month.

Q So that during the past two months you have been day and night matron both, at various times ? A Yes, sir.

Q Within the past two months, from the 30th of October, we will say, 1913, up to the present moment, has Ida von Claussen been an inmate there ? A She has.

Q Have you come in daily contact with her during the nights ? A Yes, sir.

Q Now, have you spoken to her at various times ? A I have.

Q And can you state from what you have seen of her and your conversations with her during the time she had been there, whether her conduct impressed you as being rational, or irrational ? A I should think she was rational.

Q How long have you been a matron ? A I have been a matron seventeen years, almost eighteen years.

BY THE COURT:

Q In the prison ? A Yes, sir.

Q In the City Prison ? A Yes, sir.

BY MR. NEWMAN:

Q How long have you been a matron, did you say ? A

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About eighteen years. I was under the title of orderly.

Q I beg pardon ? A I was under the title of orderly also, but I have been doing matron's work ever since I have been there.

Q During the time you have been over there in the Tombs, you have met quite a number of people M A Several.

Q Have you known Miss von Claussen outside of the Tombs?

A I knew Miss von Claussen when she was a child. I seen her once in her grandmother's house. I have never laid my eyes on her since until I saw her in the Tombs.

Q And have you also known her family ? A I know of her family, yes, but I have not seen any of her family in years.

Q In your opinion, from your long acquaintance with her and your conversations and her conduct, her conduct impresses you as rational, does it ? A As rational, yes, sir.

MR. NEWMAN: That is all.

CROSS-EXAMINATION BY MR. MEDALIE:

Q Did she tell you much about herself ? A Well, nothing very much that I could consider anything about her life or anything.

Q Did she tell you what she thought was the cause of her troubles ? A Well, no, she did not. She simply said she thought she was locked up in prison, but she didn't know why she was kept there.

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Q Did she tell you anything about the people who wanted to do her any injury? A No, I haven't heard of anyone specially that she was interested in in any way.

Q She has not told you anything at all about her case?  
A She simply talked about things in general, to anybody, not to me specially or privately.

Q Did she tell you why she was arrested? A No, sir.

Q Anything about her past life? A I don't remember of anything, just now.

Q Then, you have not had very much to do with her?

A Not very much. When I open her cell, I ask her if she is all right, if she is going to the office, or anything, where she is going; if there is any messages for her, if she wants to see people, to go out and see them; if she is sick I have to attend to her.

Q But you have no conversations with her? A No conversations.

Q Except when you open or close her cell door? A I think there might have been once or twice.

Q What was it about, do you remember? A I can't just place now what it was.

Q As a matter of fact, you have not spoken to her much at all? A Very little.

Q You have not spoken much to her? A I see her the same as I see all the others.

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Q But you have not spoken to her ? A Only in that way.

MR. MEDALIE: That is all.

RE-DIRECT EXAMINATION BY MR. NEWMAN:

Q You see her every day ? A Yes, as a prisoner, but not as a matron.

Q And you have spoken to her every day ? A Yes, every day.

Q And you have seen me there ? A Yes; you are her lawyer, I believe.

Q You have seen me talking there to her ? A Yes.

Q You have seen her talking to other people ? A Yes.

Q And from the conversations you heard with other people and with me, would you consider her conduct rational, or irrational ? A I would think it rational.

Q Do you know of any insanity in her family at all ?

A No; they are very bright and nice people.

MR. NEWMAN: That is all.

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MARY LEAHY, called as a witness on behalf of the defendant, being first duly sworn, testified as follows:

DIRECT EXAMINATION BY MR. NEWMAN:

Q What is your name ? A Mary Leahy.

Q Where do you live ? A 1688 Second avenue.

Q Miss Leahy, are you employed by the City of New York?

A Yes.

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Q In what capacity ? A I am a matron in the Tombs .

Q Matron in the Tombs ? A Yes.

Q Day matron, or night matron ? A Well, I do both, in turns.

Q Does it alternate ? A Yes, sir.

Q Some days you are on at night and some days in the day time ? A Yes, sir.

Q And have been on both day and night duty since the 30th of October, at various times ? A Yes, sir, at various times.

Q Where are you employed ? A In the Tombs.

Q City Prison ? A City Prison.

Q And is Ida von Claussen an inmate there ? A Yes.

Q And has been since about the 30th of October, 1913?

A Well, I don't know the dates. A couple of months.

Q Have you during that time seen her daily and nightly ? A Well, some times; I have not seen her daily.

Q Beg pardon ? A Sometimes; I have not seen her daily

Q But you have seen her on a number of occasions ? A

I have seen her quite often.

Q Have you spoken to her at various times ? A Several times.

Q Have you seen her talking to other people ? A Yes.

Q Seen her talking to me ? A Yes, sir, I have listened to her conversations on various occasions.

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Q Beg pardon? A I have listened to her conversation on various occasions.

Q From what you have seen of her and from your talks with her and the talks you have overheard, or talking with other people, would her conduct impress you as being rational, or irrational? A Well, I don't know.

Q Beg pardon? A Well, I do not think the woman is insane.

Q What? A I would not think her conduct is irrational. I don't think the woman is insane. I would not believe the woman is insane.

Q You don't believe she is insane? A I would not say she is insane. She has given us no trouble whatsoever.

Q What? A She hasn't given us any trouble. She has behaved herself in every way.

Q You would not think she was insane, would you? A Well, she has behaved herself just as good as any other prisoner while she is in the Tombs, as far as I can see.

Q I mean, from what you have seen of her there? A Yes, sir.

Q What is your opinion of her? A Well, she is under the care of doctors, and the doctors have given their opinion, and I am not a nurse nor a doctor.

BY THE COURT:

Q Madam, have you seen over there persons who are thought

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to be insane? A Yes, sir.

Q How long were you there? A I have seen persons that were adjudged --

Q How long have you been in the Tombs? A I am there since last April, but I was six years off and on there, and I am thirteen years in the department of Corrections.

Q Over on Blackwells Island? A Yes, on Blackwells Island, and I have had about six years experience among the insane.

Q Among the insane? A Among the insane. I have been an attendant in asylums.

Q You have seen a great many insane persons? A Yes.

Q Insane women? A Yes, sir, your Honor, thousands of them.

Q During the time that you were employed in the Department of Corrections? A Yes, sir.

BY MR. NEWMAN:

Q Does Miss von Claussen resemble any of the people you came in contact with while you were in the insane ward on Ward's Island? A No, sir.

Q She does not? A No.

Q And do you think her conversations are -- A She would talk a great deal about her own business, but I suppose if we had trouble we would all do the same. I don't know anything about her else.

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THE COURT: The opinion of Miss Lahey is that Miss von Claussen is sane, that she is rational.

Q She has been sick on several occasions? A Yes, sir.

CROSS-EXAMINATION BY MR. MEDALIE:

Q You met lots of people in the insane asylum who gave you no trouble and who behaved themselves? A Yes, sir.

Q You don't know whether those people are sane or insane? A Yes, you can very easily know it, from their actions.

Q You can tell those things? A Yes, sir.

Q Did Miss von Claussen tell you anything about herself? A We don't have time to listen to much. I don't have time to listen to much of her conversation.

Q You didn't have much time to spend with her? A Well, sometimes.

Q When you had much time, what would she tell you, do you remember? A Yes.

Q Well, now, tell us what she told you? A I have seen her writing a good deal. She wrote to several people.

Q What did she tell you?

MR. NEWMAN: I object to what she said, except as to how it impressed her. I think I was confined to that myself by Mr. Medalie, as to how the witness was impressed.

MR. MEDALIE: That is only as an opinion. Now I

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ask for facts.

THE COURT: You may inquire.

Q What did she tell you ? A She said several times she would like to be out of prison, that she was wrongfully detained there, and all that, and I didn't listen much to it.

Q You did not listen much to it ? A I didn't stay there long.

Q Do you remember what she told you about her past history ? A I do remember it thoroughly. I am not short of memory at all.

Q Tell us about it ? A She didn't tell me anything of her past history, not very much. She told me that she was wrongfully arrested and detained in the Tombs, that she should be out, and she spoke about her child whom I think she said was in Germany.

Q Did she tell you anything about President Roosevelt?  
A Yes, sir, I believe she spoke of Roosevelt.

Q What did she tell you about him ? A Oh, I don't know what she told me.

Q Didn't you pay attention ? A Not very much; sometimes; we cannot stop like that.

Q You don't remember what she said to you on that subject, do you ? A I know she spoke of Roosevelt, but I hadn't time to wait until she finished her conversation.

Q Did she tell you anything about the King of Sweden?

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A Who?

Q The King of Sweden ? A No.

Q Did she tell you anything about her business interests ? A Well, I don't know.

Q You don't remember what she said to you about these things, do you ? A In fact, at times during her conversation we were called away to our own duties. When she would commence a conversation, we could not stop like that; we are called away to our own duties, and we can't stop.

Q You have not had much conversation with the defendant ? A Well, sometimes she told me she was illegally detained in the Tombs, and that it was a conspiracy; I don't know if it her brother and Mr. Strauss wanted her -- her money, or something of that kind.

Q Who else was in the conspiracy ? A Well, I don't know did she speak of anybody else. I know she spoke of Mr. Strauss and she mentioned her brother.

Q Those are the only people she mentioned ? A I believe so.

Q You did not have very much conversation with her on that subject, because you don't remember it ? A On her own business we had a conversation several times; she would speak about her food and her parcels and letters and special deliveries and all that. We merely confined ourselves to our duties.

Q And those are things which you conversed with her

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about, and not other things? A I listened to her about other things. She spoke of her baby several times.

Q Did you have any conversation with her at any great length? A From five to ten minutes, sometimes.

Q Never more than that? A Well, I couldn't say now.

Q That is about how much you spoke to her? A Yes.

MR. MEDALIE: That is all.

RE-DIRECT EXAMINATION BY MR. NEWMAN:

Q What did she say about her baby? A She said she would like to have her baby for Christmas.

Q Beg pardon? A She said she would like to have her baby for Christmas, and not to be detained in the Tombs.

Q Did she talk a whole lot about her baby? A Yes, sir, she spoke a great deal about her baby, several times.

Q Does she read a good deal while there? A Yes, sir.

Q Does she read Emerson's essays? A I believe so.

Q Does she do a lot of writing? A Yes, sir.

Q Writing poems and other stuff? A A good deal of writing.

Q And while there did she help other prisoners?

A Yes, sir.

Q Financially and with food? A She has been very kind to other prisoners.

Q And gave them whatever assistance she could? A Yes.

Q Did she use the word "conspiracy", or did you just

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get that idea yourself ? A I don't know.

Q What ? A I don't rightly know. She may not have used the word.

Q You don't know whether she used the exact word "conspiracy", or not ? A She spoke of Mr. Strauss and she spoke, I think, of her brother and a few others, that they wanted to send her to an asylum.

Q From the conversation you gathered you thought it meant a conspiracy; is that the idea ? A Yes.

MR. NEWMAN: I move to strike out the word "conspiracy", then.

THE COURT: Oh, let it stand.

Q You would not know yourself and of your own knowledge, from the conversation you had with her, as to whether there really was a conspiracy, or whether there was not ?

A I don't know anything about her business.

Q You would not know one way or the other ?

MR. NEWMAN: That is all. The only two others I am going to call are Miss Kelly, who is off duty today, and Dr. McGuire, who is not in, so I suggest that the matter go over until tomorrow, so we may have Dr. McGuire and Miss Kelly here.

THE COURT: Have all the witnesses here at half past ten tomorrow morning.

MR. NEWMAN: The only trouble is I have another

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hearing on tomorrow at eleven o'clock.

THE COURT: This case will have to go on.

MR. NEWMAN: Very well.

THE COURT: Is there anything else you have to offer while we are waiting for these witnesses?

MR. NEWMAN: No, I except I wish to cross examine Dr. MacDonald and Dr. Mabon. I have not produced any experts because Miss von Claussen refused to pay for them; she could not afford to pay the money. She would let the experts examine her if the State provided them and paid them.

THE COURT: Dr. Mabon and Dr. MacDonald were assigned by the Court to represent the Court, not either party to the proceeding, not the people of the State nor Mrs. von Claussen, but to represent the court.

MR. MEDALIE: May I ask whether Mr. Newman's experts examined his client?

MR. NEWMAN: Two physicians called upon Mrs. von Claussen and spoke to her for a few minutes each.

MR. MEDALIE: I understand it was an hour each.

THE COURT: I think the witnesses have arrived, and if you wish to ask any questions upon the subject matter of their reports, you may do so now. Both of these physicians were assigned by the Court to represent the Court and nobody else, to determine whether

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this person is sane or insane. Now, you may have an opportunity to ask them questions.

MR. NEWMAN: I was to have several experts, and I stated at that time I did not know whether my client would pay for them, and she informed me she would not.

MR. MEDALIE: We will call my adversary's experts if he desires.

MR. NEWMAN: I simply ask the Court, in the interest of my client, if the Court can pay for the experts that she may desire, so we may have them here for her protection.

THE COURT: Don't you see, Mr. Newman, the position that we are in? Both of these physicians, these gentlemen that I have asked to make a report, are representing the Court, to aid the Court in reaching a proper judgment. They are not representing the District Attorney any more than they are representing Mrs. von Claussen.

MR. NEWMAN: That may be true, but still they are paid by the State -- by the city.

THE COURT: They are paid by my order, in the interest of the administration of justice. You might say that that would apply to the Court just as well as to these gentlemen. I am supposed to hold the scales

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between both sides, and I think I can do it, and I know that these gentlemen can do it, and I assigned them because of their standing, their character and their experience. Now, you have an opportunity to examine them. Are they here ?

MR. MEDALIE: Yes, your Honor.

MR. NEWMAN: Before the doctor goes on the stand, I want to make one other motion, or suggestion, if I might. I ask the Court, in view of the ~~fact~~ nature of the various evidence given here by lay witnesses and also experts, that under Section 836 of the Code of Criminal Procedure, under which this proceeding is being instituted, that the Court will direct that a jury be empaneled for the purpose of passing on the question (as to whether Ida von Claussen is sane, or insane, or whether she is in such state of insanity, idiocy, imbecility or lunacy so that she cannot consult with counsel or understand what the indictment against her is.

THE COURT: If I deem it to be necessary, I shall call a jury. I do not at this time deem it to be necessary to do so.

MR. NEWMAN: All right.

CARLOS T. MACDONALD, called as a witness, being first duly affirmed, testified as follows:

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BY MR. NEWMAN:

Q What is your full name ? A Carlos F. Mac Donald.

Q Where do you live ? A Centtal Valley, New York.

MR. NEWMAN: May I have it noted on the record that Mr. Ware is assisting me in certain respects, and that he be allowed to cross-examine Dr. MacDonald?

I am here at the invitation of the Court, and if your Honor will extend that invitation to Mr. Ware also I will appreciate it.

THE COURT: I will do it if it is going to be helpful to you.

MR. NEWMAN: Yes.

THE COURT: Very well.

MR. WARE: Now, do I understand, if your Honor pleases, that Dr. MacDonald --

THE COURT: You may ask any question you desire of Dr. MacDonald on the subject matter of his report.

BY MR. WARE:

Q Doctor, your name is Carlos MacDonald ? A Carlos F. MacDonald.

Q Carlos F. MacDonald, and you are a State examiner in Lunacy ? A Yes, sir.

Q And you have been an examiner in lunacy for how long ?  
A Ever since the law went into effect requiring physicians to register as examiners in lunacy.

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Q And how long is that, about? A Well, I should say perhaps twenty-five years; I don't know precisely.

Q Are you a graduate of any college besides the Bellevue Medical College? A Not of any medical college.

Q Of the Buffalo Business College? A No, sir.

Q What college? A I am a graduate of Iron City Commercial College.

Q That is a business college? A Yes, That was before I studied medicine.

Q And outside of the -- Iron City what? A Iron City Commercial College.

Q Outside of the Iron City Commercial College, you hold a degree from what college? A I hold an honorary degree of A.M. from Union College Schenectady.

Q You did not take any course at Union College? A No, sir.

Q You have acted as an examiner in lunacy in a great many cases, haven't you, doctor? A Yes, sir.

Q About how many? A Well, as an examiner in lunacy, I don't act very often in the capacity of examiner in lunacy; that is, under the statute which requires a physician in order to qualify to make a lunacy certificate and make out commitment papers. Any physician can become an examiner in lunacy who ~~has~~ is a reputable physician of three years' standing.

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Q Would you mind talking just a little louder ? A But in my examination of other cases, civil and criminal cases, and so forth, and examination of patients in institutions, already committed I was not acting in the capacity of an examiner in lunacy in the sense in which I stated. Any physician without any experience in mental diseases if he is a reputable physician, if he can get a certificate from a court to that effect, from a judge to that effect, can become an examiner in lunacy.

Q You have testified as an expert in a great many cases ? A Yes, sir, I have.

Q And you have been paid for those services, have you not ? A Usually, not always, I am sorry to say.

Q But have you ever, doctor, testified against your retainer ? In other words, when you have been employed to testify to the lunacy or insanity of anybody --

THE COURT: I think, Mr. Ware, that I will not ask Dr. MacDonald to answer that question. Dr. MacDonald was appointed by me to make an examination and make a report. He was appointed by me after a good deal of consideration, and you may ask him now about this report, but I shall confine you to that. Otherwise I should be --

MR. WARE: Might I ask one or two general questions of him?

THE COURT: I should judge it not fair to him and not

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fair to myself.

MR. WARE: This is as to his knowledge of alleged insanity.

THE COURT: I have passed upon that. I have selected him to represent the Court, to aid the Court in this work, and a report has been submitted which is now in evidence. I will permit wide scope into the matter contained in the report, but I shall not allow you to take up time on anything else.

MR. WARE: I don't think your Honor will object to the next question, which is very short and to the point.

THE COURT: I will not allow you to go into the subject of his qualifications and standing as an expert in these matters.

MR. WARE: No, sir, I am familiar with that.

Q Doctor, you are occasionally mistaken, are you not?

A Is this cross-examination, your Honor?

MR. WARE: I can show from the Doctor's own testimony that he is.

THE COURT: You seem to misunderstand me, Mr. Ware. This witness has not been called here by the District-Attorney. He is called here by me, representing Mrs. von Claussen and representing the body of the people, to report on the case. He has made a report. Now, take up that report and sift it out, if you de-

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sire to.

MR. WARE: Now, if your Honor pleases, we contend, with the greatest respect to the Court and to Dr. MacDonald, that no one is capable of testifying as to the sanity or insanity of anybody else, and I don't know but what Dr. MacDonald might agree with me.

THE COURT: Don't go very far in this proceeding with that theory, counsel. You have a report before you.

MR. WARE: Sir? This is the first time I have seen it. May not I ask the doctor particularly as to his acquaintance with other insanity experts, and what insanity is? Surely, your Honor's appointment of the doctor on your commission does not endow him with absolutely infallible knowledge.

THE COURT: You have the report. Now, take up that matter and go into an examination of it.

Q Now, Doctor, you have reported that "upon the examinations and investigations above referred to which we have made, we are clearly of the opinion that the said Ida von Claussen is insane and a proper subject for detention as an insane person." Now, Doctor, will you kindly tell me what insanity is? A Insanity is a disease of the brain.

Q You have read Lombroso, I presume? A Yes, sir.

Q He says that everybody is insane, doesn't he, prac-

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tically? A No, I don't think he says that.

Q In effect? A But Lombroso, you know, his theories, are practically obsolete today.

Q He is a very recent authority, isn't he, doctor?

A No, he is not a recent authority. His work on Degeneration is twenty or twenty-five years old.

Q Sir? A His work is twenty or twenty-five years old in which he describes what he calls the stigmata of degeneration, but that is practically all exploded now. It is not accepted by alienists today at all, because you can find in any individual, what he characterizes as the stigmata of degeneration. There is not perfectly symmetrical body; that is, symmetrical according to scientific measurements.

Q In other words, there is no absolute perfection in anything physical? A No, I don't think any human physique is perfect.

Q In other words, there is no perfect mentality? A That depends on what you mean by perfect mentality.

Q Don't you think one is liable to be guided by his own standard in judging others? A Yes, sir, every person has his own standard of mentality.

Q Therefore, one person might say Mrs. von Claussen was insane while another from his or her standpoint would say she was sane? A Certainly; people can differ in opinion. Is this cross-examination, your Honor?

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THE COURT: Well, you may answer those questions.

THE WITNESS: Yes, I am quite willing to.

Q Do you recollect testifying in the case of Mary Elizabeth Lewis ?

MR. MEDALIE: I object, your Honor, to anything tending to --

THE COURT: Objection sustained.

MR. WARE: I take an exception.

Q Well, briefly, you have testified that people were sane who were afterwards declared to be insane ?

MR. MEDALIE: That is objected to.

THE COURT: The objection is sustained.

MR. MEDALIE: I think his qualifications have been established, and I might suggest that Dr. MacDonald is here for the convenience of the defendant while attending another trial, and it is a great inconvenience to be here, and his time is being wasted unnecessarily.

MR. WARE: The liberty of Mrs. von Claussen is of great importance to her, and that means possibly many years instead of many minutes, and I am very sure the doctor will give what time he can.

Q You say the form of insanity from which she has suffered for several years past and from which she still suffers is a continuing and progressing one which has now reached a stage which renders her a menace to the public peace

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and safety. Isn't that practically the definition of paranoia? A No, I would not say that is a definition of paranoia, to say her insanity is a continuing one and it has now reached the stage where she is a menace to the public peace and safety. That does not define paranoia; it does not define any particular form of insanity. It might suggest something in the way of a form.

Q You realize and you admit there are several varieties of insanity, are there not? A Yes, there are forms of insanity.

Q Which form of insanity in your opinion do you say Mrs. von Claussen suffers from? A She is suffering from paranoia, otherwise known as chronic delusional progressive insanity.

Q But you did not say anything about paranoia in your opinion, did you? A No, sir.

Q And that is the question I just asked you? A And I have just answered it.

Q Now, you say she is suffering from paranoia? A In my opinion, she is.

Q Isn't that a well-known form of mental disease?  
A Yes, sir.

Q May I ask, Doctor, therefore, if she was suffering from that disease, why you did not incorporate it in your opinion? A I did not deem it necessary. I was only asked

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to pass on the question of her sanity.

Q Doctor, do you know what apendemetis is? A What?

Q Apendemetis? A No, sir, I don't.

Q Did you ever hear of the apendema? A I never heard of the apendema.

Q Did you ever hear of the apendema? A I don't know what you refer to.

THE COURT: What is the purpose of this?

MR. WARE: Does your Honor hold that I am not privileged to ask the doctor about cases in which he has testified and has been found to be mistaken by others, or whether other experts as well-known as himself have testified on one side and he on the other?

THE COURT: That would be a matter of argument for lawyers; but you take his report and examine him upon the report.

Q Now, Doctor, what examination did you give Mrs. von Claussen? A I gave her three examinations, if I remember right, with the aid of a stenographer who took down all the questions and answers which she made. I could not go into the details off-hand from memory unless you let me have the record there, the stenographer's minutes.

Q Did you give her any physical tests, doctor? A No

Q Isn't it usual in examining -- A Yes, we did give her physical tests. We examined her pulse, looked at her

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tongue, but we did not make what would be called a thorough physical examination, because we did not deem it necessary. Her mental symptoms were so apparent that it was not necessary to do it in order to reach a conclusion.

Q Did you ever make an examination before in regard to Mrs. von Claussen? A No.

Q Didn't you, some two years ago -- weren't you called on to render an opinion in this case? A No, sir, I never saw Mrs. von Claussen until I saw her lately.

Q And you never were employed before in any case in which Mrs. von Claussen was interested? A No, sir. She might have been interested, but not to my knowledge. I never saw her or knew anything about her except what I read in the newspapers.

Q Do you recollect that yourself and Dr. Mabon were ever called before a sheriff's jury, about two years ago? A No, sir.

Q In a case in which Mrs. Von Claussen was the subject? A No.

Q Now, Doctor, don't you always give physical tests before you testify as to a person's sanity or insanity?

A I do where I deem it necessary to aid me in reaching a conclusion. It depends on the case entirely.

Q Do you mean to say from a conversation you can decide a person's sanity or insanity? A From a conver-

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sation extended enough, a sufficient mental examination, and noting the patient's not only declarations, but manner and appearance. In a great many cases it is perfectly ample.

Q Do you mean to say from Mrs. von Claussen's appearance you would state that she was insane? A Not by simply looking at her, but by examining her and talking with her for hours and noting her manner and appearance and declarations.

Q You did not test her reflexes? A No, didn't need to.

Q Or her orientation? A No.

Q Doctor, isn't it a well-known fact among alienists, so-called, that a physical examination is just as necessary as any mental deductions you may make from a conversation? A No; in certain cases it may be, but in many cases it is not necessary at all.

Q Will you kindly state to us what there is about Mrs. von Claussen, or what you noted ~~in~~ in her conversation that made you conclude that no other examination was necessary except your conversation? A Well, we made more than examination/that. We examined a great many of her writings, her letters that were written sometime previously and written during the hearings that were going on, letters she addressed to the Court day after day, letters she addressed to us, all of which ~~were~~<sup>are</sup> on the record there, copies of which are on the record, letters manifesting -- showing the most manifest delusions of persecution and exaltation.

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Q What is a delusion ? A A delusion, in a general sense, is a false belief. In a medical sense, it is a belief due to disturbance or disease of the brain, which has not foundation in fact; a belief which would be incredible to the individual who expressed it when in a state of health, and out of which the individual cannot be reason either by his own judgment or that of others. That is, roughly speaking, a definition of an insane delusion.

Q Then, there are sane delusions and insane delusions ?

A I said, in a general sense, a delusion is a false belief, but not in a medical sense.

Q When everybody thought a few years ago that the world was flat they were not all insane, were they ? A No, I don't think they were. That was founded on ignorance and superstition.

Q And yet that was a false belief ? A Yes, certainly it was a false belief.

Q Assume that Mrs. von Claussen's so-called delusions are actual truths, would she then be insane, in your opinion ? A No; if these were all true they would not be delusions.

Q Have you investigated to find out whether the things which you believe are delusions are true, or not ? A They are so manifestly untrue and delusional that it hardly requires an alienist to determine that.

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Q Will you kindly tell us, Doctor, how you in your own opinion decide for yourself that a so-called delusion is manifestly untrue when you have never investigated to find out whether it was true or not? A Well, I know it is untrue that the President of the United States -- ex-President Roosevelt, ex-President Taft, the American Minister to Sweden and all of the lawyers excepting, possibly, the two now who are representing her, that she has ever had, are all in a conspiracy against her. I know it is a delusion when she declares judges all have hired alienists, by paying them a yearly salary, to railroad people to asylums, and statements of that kind, they are so manifestly delusional that it does not require any medical skill to determine it.

Q You have represented the courts and the district-attorney in a great many cases, haven't you? A I have served on special commissions by appointment of the courts and governors of this State, many of them, in a good many cases, and I have testified for district-attornies and also for defendants.

Q You have actually testified as to the sanity of people?

A I have.

Q Not often, Doctor? A Yes, frequently.

Q Rightly or wrongly, if a person came to the conclusion that you were in a conspiracy, we will say, to send them to an asylum, and gathered from your history, and I mean

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your professional history, that you had represented the state or the judges or the authorities in a great many -- on a great many occasions, would you consider that that was a delusion on their part, if they were mistaken, if they had been misinformed, would that be an insane delusion? A Won't you repeat that question again?

Q (Question read by stenographer, as follows: "Rightly or wrongly, if a person came to the conclusion that you were in a conspiracy, we will say, to send them to an asylum, and gathered from your history, I mean your professional history, that you had represented the state or the judges or the authorities in a great many -- on a great many occasions, would you consider that that was a delusion on their part, if they were mistaken, if they had been misinformed, would that be an insane delusion?")? A Well, I would not say it was an insane delusion. It would be a false belief.

Q And if they could be convinced and were convinced that that was a false belief, why, they would be sane, wouldn't they, doctor? A Well, I would not say that. It would not be a delusion if it would not, if they could be reasoned out of it.

Q Did you have some books given you, doctor, regarding the King of Sweden, I believe, that she gave you? A Well, she sent me a book, a bound book and a pamphlet.

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Q Did you read them, Doctor? A I glanced over them.

Q Well, did they impress you that she was a person of insane mind? A Yes.

Q You have read a good many other books, Doctor, I presume, haven't you? A I have read some books, yes.

Q You have read Edgar Allen Poe and Milton?

THE COURT: I would not go into that.

MR. WARE: Those were men who were supposed to have been mentally unsound, but they were a great addition to mankind.

THE WITNESS: I never had an opportunity to examine either of those men with reference to their mental condition, so I have no opinion to express.

Q Did you ever go to see anybody that she claimed was in a conspiracy against her, so you could -- did you go to see any of these people, to confirm or to confound the statements that had been made in regard to them? A No.

Q Did you ever make any efforts, Doctor, to see them?

A No, I didn't need to. I would not, for instance, ~~xxx~~ insult the dignity and intelligence of Judge Malone by asking him if he had experts in his employ, paid by the year to railroad people to asylums, and the various other judges that she mentioned, practically every judge. She said all the judges and she could prove it. She said District-Attorney Whitman was a crook and a criminal and she was going to prove that

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and put him behind the bars.

Q Now, doctor, didn't she say anything that seemed susceptible of proof to you at all? A None of those things seemed susceptible of proof. They are so manifestly delusional that they did not need any corroborative evidence in my opinion.

Q Do you remember any statements she made which you might have proved? A (No answer.)

Q Do you remember Mrs von Claussen asking you to get any documents in regard to the Ansonia Hotel, and that you refused to go and see them? A No, I did not refuse to go and see them, and she did not ask me to go and see them. We gave her the opportunity, and suspended the meeting, the opportunity to produce them.

Q Don't you remember her asking for an order that they be brought here? A Yes, I do.

Q Do you know, Doctor, why that order was not procured?

THE COURT: Just take up this report, Mr. Ware.

A You ought to know, as a lawyer, that we as examiners could not make an order to that effect.

Q You could have investigated this for your own benefit, couldn't you? A We could not make any order.

Q But you could have made an investigation? A Her counsel wanted us to make an order to let her go up there

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and get those documents. She said they were in trunks up there.

Q You yourself could have gone, to satisfy yourself as to the truth or falsity of these statements, couldn't you?

A I could and would have gone if I deemed it necessary.

Q You did not deem it necessary? A No, sir.

Q So, you don't know whether her statements are false, or true, delusional, or otherwise? A Yes, I do know a great many of her statements are delusional.

Q How do you know that if you did not go there?

A I don't know what was in those papers. Certain papers she wanted produced, and I think Mr. Medalie, if I remember, arranged that she might do it; that is my recollection. I might be mistaken; but I told her and told her counsel that that was a matter for the Court.

Q You are familiar with her history? A I am familiar with her history as we gathered it in those hearings we gave her, and also by newspaper reports.

Q And that history you got from the authorities at Bloomingdale? A We read the hearing, the proceedings in the habeas corpus -- the testimony in the habeas corpus proceedings at White Plains, before Judge Morchauser.

Q And you did not testify in those proceedings, did you?

A I did not.

Q But you read the evidence of your co-alienists? A No co-alienist whatever. I read the testimony through, the

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whole of it.

Q Now, was that testimony to the effect that she was sane, incompetent? A There was testimony offered on both sides there.

Q By well known alienists? A No.

Q Or experts? A By two general practitioners, as I recall it, possibly three, and on the other side by one of the physicians in Bloomingdale, an alienist.

Q Which way did the Bloomingdale physician testify?

A What say?

Q In what manner did he testify?

THE COURT: Do you think it worth while to go into that?

MR. WARE: I do.

THE COURT: I don't think so, and I must ask you to confine yourself to the report.

Q Now, Doctor, you mean to say that this lady is in such a state of idiocy, imbecility, lunacy or insanity so as to be incapable of understanding the proceedings on said indictment? A Lunacy and insanity, using the terms synonymously, she is in such a state of insanity as to be incapable of rationally understanding the proceedings.

Q What is the difference between understanding the proceedings and understanding them rationally? A Well, she knows there are proceedings going on, but I don't think she has a rational appreciation of their import.

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Q Do you mean to say, Doctor, that at this moment, this lady does not understand what these proceedings are, or is that a delusion? A I do think she does not rationally understand it. She regards this as a great conspiracy against her.

Q Then, if you are convinced she knows exactly what is going on, and that this is not a conspiracy against her, are you willing to assume you were mistaken in your first hypothesis? A I am not. I have a positive, unqualified opinion that she is a paranoiac with delusions of conspiracy and of persecution and of grandeur regarding herself.

Q And you are sure, Doctor, there are no possible conspiracies --

THE COURT: Don't take that up again. You have been over that subject.

MR. VARE: Yes sir, but it seems to me it is somewhat material.

THE COURT: No, I don't think so, in view of the answers that have been given to the questions already put to the doctor.

Q Haven't you ever read over this indictment with this lady? A Only as we talked with her during the hearings.

Q Did she tell you what it was about? A She said that it was a conspiracy to deprive her of her liberty and put her in an asylum.

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Q Did Mrs. von Claussen talk to you about the facts of the case, about what she was charged with? Did she tell you she knew what she was charged with? A Well, I don't recall without referring to the record specifically what she said on that point.

Q But you had a conversation with her to see whether she was in such a state of mind as to rationally understand what was going on, didn't you? A Yes, we did.

Q And do you mean to say from your conversation with her that she did not know what she was going to be put on trial for or what she was charged with? A I mean to say that in my opinion, based upon my conversations with her, upon her manner and appearance and upon her writings that she did not rationally comprehend, she does not rationally comprehend her situation to-day, her legal relations, nor anything else.

Q She knew what you were there for, didn't she, doctor? I mean, as to making an examination of her mentality?

THE COURT: You need not answer that. Put another question.

Q Didn't she agree to be examined? A She prepared a report for us to sign, declaring her sane, and saying that she never should be apprehended again. She expected us to sign that before we finished the examination.

MR. WARF: I asked whether she knew, in his opinion, what they were there for?

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THE COURT: Put it that way.

Q Doctor, didn't she indicate from her conversation and manner that she knew what you were there for and who you were? A She knew who we were. I told her who we were, and what we were there for, in the beginning as I always do.

Q And she knew then what your conversation with her was for, did she not? A I told her we were there under an appointment of the Court to examine her with reference to her mental condition.

Q And you did so examine her? A Yes sir.

Q Now, you are sure that she understood from what you have just told us what you were there for? She was not crazy in that instance, was she, doctor? A We told her so.

Q Didn't she by her answers convince you that she had knowledge of her own on that subject? A By her answers she convinced us that she was saturated with delusions, insane delusions.

Q Now, we get right back to where we started from; and those delusions you never made any investigation of your own, to find out whether they were delusions or truth?

A Well, we didn't need to make investigations; they were so manifestly delusional that it did not require any corroboration. You would not pretend to say that forty five or fifty lawyers with whom she has had relations from time to time were all in a conspiracy against her, all sold her out, all unfaithful to her, that all the judges in this

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State were corrupt and that the President of the United States --

Q Wait one minute please. Now, all that you are telling me now you knew before you called on her, didn't you? A No.

Q When did you discover that? A When she told us about it.

Q Do you mean to say before you called upon her your mind was a blank? I mean to say, was an open book? A Absolutely open.

Q And you knew nothing about her case and knew nothing about her. A I had a vague recollection of some newspaper notoriety she had some time ago.

Q You knew she had been committed to Bloomingdale as insane? A Yes, I think I recall something about her escaping from there, but I knew nothing about her mental condition.

Q Do you mean to say the fact that she escaped from an Insane Asylum or the Psychopathic Ward of Bloomingdale Hospital -- A It is a branch of the New York Hospital.

Q That made no impression upon you as to her sanity, or insanity? A None whatever.

Q You have committed a number of people to the Psychopathic Ward at Bloomingdale? A Not many, I don't make many commitments.

Q You have made a great many? A No, I can't say I

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have made a great many. I don't suppose I make two lunacy certificates a year.

Q Are you connected with the New York Hospital in any way? A No sir.

Q You have been retained by them as an expert? A Never. Now, Mr. Ware, you know perfectly well if I were connected with the New York Hospital I would not make a certificate to commit any one there, because it would be a clear violation of law.

Q It was not a delusion on her part that she knew you were examining her, or about to examine her, as to her sanity, was it? A It was a fact which we told her.

Q She realized it and appreciated it? A I don't think she appreciated it in a rational way.

Q She had a report already for you to sign? A Yes, she assumed we could not help but sign her sane, that she was perfectly sane, and she prepared this ridiculous report. If you read it you will think so yourself.

Q That report stated she was sane? A It stated more than that. I would like to have it read, if his Honor has not heard it, which she prepared for us to sign. No intelligent lawyers could say that that was a rational document.

BY THE COURT:

Q Is reference made in the report to it? A Yes sir, and all the letters were put in the record.

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BY MR. WARE:

Q Wasn't there a clause in that report providing in case it met with your approval and agreed with your ideas?

A (No answer)

BY THE COURT:

Q Will that be submitted to me? A Yes, and these threatening letters, in which she threatened to kill Mr. Strauss to shoot him on sight, and threatening letters to others, showing plainly she was a dangerous person.

BY MR. WARE:

Q Doctor, you have heard of people who made threats who never carried them out, haven't you? A Yes sir.

Q Did you ever see this letter to Mr. Strauss, doctor?

A Yes, saw the original.

Q Do you know whether or not Mrs. von Claussen wrote it or not? A It was in her handwriting.

Q You are not a handwriting expert also? A No sir; I am familiar with her writing; she writes a great many letters.

Q Did you compare the letter to Mr. Strauss with any other handwriting which was admittedly hers? A Yes sir.

Q And in your opinion the letter to Mr. Strauss was written by Mrs. von Claussen? A Yes.

Q Did you ever have any -- take any steps to find out whether that hand writing was identical with those two letters? A It was the same handwriting, the letters she

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wrote to me, wrote to Judge Malone, several of them, and to others. There are a large number of letters there that she wrote, and every one of them can be characterized as insane letters.

Q Now, doctor, one more question. At this hearing, or this examination, of Mrs. von Claussen you realized did you not, that, representing the Court, you represented Mrs. von Claussen's interests as well as those of the people who were complaining against her, did you not? A I realized that my function under the appointment of the Court was to determine, if I could, what her real mental condition was.

Q Weren't you representing her? A Not there to find for her nor against her.

Q Yes, but you were equally for her as against her, were you not?

THE COURT: He has told you how he took the matter up.

A I was representing the Court, I was the agent of the Court.

THE COURT: He was assigned by the Court to aid the Court in determining the truth of the matter.

Q Then, doctor, realizing that you represented the Court, didn't you feel that it was incumbent upon you and part of your duty to the Court and to Mrs. von Claussen and to every one concerned to find out whether any statements that she made were true, or untrue? A No, I did not.

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Q Or delusional? A It was incumbent upon me to reach a conclusion, if I could, as to her mental condition, and report my conclusion to the Court.

Q Without knowing whether her statements were delusional or facts? A I knew so many were delusional that they didn't need any corroboration.

Q Then, you did not look up any of them to find out whether they had any actual foundation? A So many were so manifestly delusional.

Q Please answer the question?

THE COURT: You have had an answer.

~~MR. WARE:~~ I would like to know whether he investigated any statements of Mrs. von Claussen.

THE WITNESS: Letters she wrote to me, Doctor Mabon and myself, charging us with giving an opinion to the public of her condition before we had finished out examination of her, charging us with being in a conspiracy against her.

Q And you were somewhat prejudiced by a charge of that kind, weren't you, doctor? A Not the slightest.

Q Why didn't you look up to see whether any other charges she made were true, or not? A It was not necessary.

Q She may have been mistaken? A Her letters were so manifestly insane that it was not necessary to look it up.

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Q Did you read this book (Indicated Defendant's Exhibit C)? A No, I did not. I looked at it.

Q You did not read it? A Only glanced over it.

Q Mrs von Claussen would like to --

THE COURT: No, you may inquire.

Q Have you any letters from Mrs. von Claussen, doctor, in your possession? A I think I have at my office. Dr. Mabon has received one within two or three days, addressed to both of us, care of Charley Whitman. Dr. Mabon may have it in his pocket; I don't know.

Q Will you produce any letters that you have that were sent to you by this lady? A Will I what?

Q Will you kindly produce them? A I will if I have any.

Q If you can find them and send them here tomorrow.

You don't mean to say, doctor, that any letters which this lady has written to you during the course of your examination as to her sanity, that you did not keep those letters? A I think I have. We left a lot of letters there with the record there; we incorporated -- We referred in our report to the accompanying testimony -- transcript of Stenographer's notes, copies of letters, and so forth.

Q Have you received any, doctor, since you made your report? A Yes?

Q Where are they? A Doctor Mabon will you let me have that letter, please? Have you it with you?

(A letter is handed to the witness)

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This is post-marked December 13, addressed to Doctors MacDonald and Mabon, Criminal Court Building, care of Charley Whitman, City. I don't know how Dr. Mabon got it, he showed it to me. Shall I read it, your Honor?

Q Yes, doctor, if it was addressed to you? A It was addressed to both of us. "December 12th, 1913, Doctors MacDonald and Mabon. Mrs. Daniels' letter to you is keenly witty. I have laughed until tears are falling. What is the source of wisdom but the under current of fun, and the farce in the letter is a scream. I hope you have enjoyed it as much as I have. I have been very ill and should not be abused like this. The act is most cowardly, but I am in America, where the 'men don't love me', quite evident, but, as you see, I have pined away for them, like pussy when she sees dogs after her. She gets up a tree and throws back her kisses."

THE DEFENDANT: Hisses.

A (Continuing) "throws back her kisses, pronounced like the English pronounce their vowels. Now, when you get finished playing with me please let me go home. I am too decent to be treated this way. No one accomplishes anything, only I am made more wise than necessary. Whoever needs prayers and repentance and the 'old boy' gotten out of him. Tell him to take a man the next time. Take a Teddy Bear or a Bull Moose or an Elephant, it is in his class, but to use malicious brutality in intelligence it is

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like harnessing up a thoroughbred to an omnibus. She may not be able to get off it, but she can turn around and 8shew! it. He ought to know this by now. Fighting never accomplishes anything. Your attitude in the Court the other day proved you to be my railroad ticket to Mattewan. I saw it and I was mild and magnanimous with you when I disappointed you, so cheer up. I will call on you some day and take tea with you, or a hypodermic. When will I have the pleasure of seeing you again? Very truly, Ida von Claussen."

Q Doctor, does that letter impress you as the writing of a person who is mentally absolutely irresponsible?

A It does, decidedly, and it impresses me that she does not rationally appreciate her circumstances.

Q In that letter she compares herself to a cat that is up a tree, and you and the other expert as the dogs that are barking up that tree? A Yes sir.

Q Isn't that a somewhat, although not complimentary, a somewhat proper simile? A No, it is absolutely irrational.

Q From her point of view? A From her insane point of view.

Q She being the defenseless cat and you being, for the sake of argument, the dog that is barking, there is a certain amount of rationality about that comparison? A The

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letter is insane from beginning to end, and you know it, Mr. Ware, as well as I do.

MR. WARE: I ask that the letter be stricken out.

THE COURT: Yes, strike it out. Anything further? Any other question?

MR. WARE: I don't think so, your Honor.

WILLIAM MABON, called as a witness, being first duly sworn, testified as follows:

DIRECT EXAMINATION BY MR. NEWMAN:

Q What is your name? A William Mabon.

Q Where do you live? A Ward's Island, New York City.

Q Dr. Mabon, you are a physician? A I am.

Q Of how many years standing? A Thirty two.

Q How many? A Thirty two or thirty three.

Q A graduate of what college? A Bellevue Hospital Medical College.

Q Is that all? A That is all. My preliminary education was received from my father.

Q A graduate of any commercial college? A I am not a graduate of any commercial college, no.

Q Business college? A No business college.

Q Where did you take your course of study regarding the examination of nervous diseases so as to take up the question of being qualified as an alienist? A Where did

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I take up my course of study?

Q Yes? A First at the Morris Plains, New Jersey, Hospital for the Insane, in 1885, and I followed it up ever since.

Q And you are now located on Ward's Island? A Ward's Island.

Q What Institution? A Manhattan State Hospital.

Q And have been for how many years? A Been there for seven years, nearly eight.

Q You are in daily contact with various people? A A great many.

Q Insane and sane both? A Insane and sane both.

Q But your specialty is taking care of insane people?

A Yes sir.

Q Are you a State examiner in lunacy? A I am.

Q And also a paid employe in connection with the institution at Ward's Island? A I am.

Q Did you examine Ida von Claussen? A I did.

Q On how many occasions? A I think on three occasions.

Q Where did those examinations take place? A In the room of Mr. Medalie, an Assistant District Attorney.

Q In this building? A In this building, yes sir.

Q How far apart was each examination? A Two or three days.

Q And how long did each examination take, about? A On the 5th of November, it was about two hours, or perhaps a

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little more. On the 7th of November practically about the same, and on the 10th of November much less, because there was an interim when you and Mr. Medalie went to appear before his Honor, Judge Malone.

Q That is, on that day we asked you to direct that an order be made, if I remember correctly, regarding the production of certain papers that I da von Claussen desired you to inspect in connection with your examination? A At the Hotel Ansonia.

Q Is that correct? A That is correct.

Q And thereupon Mr. Medalie and myself went before the Justice to find out --

MR. MEDALIE: That is in the report.

Q On that day, Miss von Claussen had asked you, did she not, to allow her to go to the Hotel Ansonia to get certain records to assist you in the examination? A She did.

Q And did you or Dr. MacDonald make any effort to get those documents, to assist you in that examination? A We had nothing to do with that whatever.

Q I am asking you whether you or Dr. MacDonald did, to your knowledge? A We told you that it was up to you. We had no objection to your going to the Court for the order.

Q I ask you if you made any effort to get them? A We did not.

Q If you had got those documents, would they have been of any assistance to you, do you think? A I can't predict what

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they would have been, because I don't know what they were.

Q You examined Ida von Claussen on each of these occasions? A Yes sir.

Q Dr. MacDonald took the position of the chairman, did he not, in doing most of the examining, and you sat there doing most of the listening? A I did a great deal of the listening, yes.

Q Is that correct? A That is correct.

Q And you stated at those meetings that you delegated the authority to Dr. MacDonald to do the talking for both of you? A No, I don't think I said that.

Q What? A I don't think I said that.

Q Something to that effect? A No, I said Dr. MacDonald would lead in the examination.

Q And you off and on interpolated to ask a question or two? A I interpolated to ask a question, yes sir.

Q Did you make physical examinations? A No.

Q Did you attempt to make any? A No.

Q She did not refuse to answer anything, did she? A I think on the 3rd occasion she said she would not be willing to go on with the examination.

Q At the direction of whom? A At the direction of counsel, I think.

Q That was the time she wanted these papers produced to help in the examination? A Yes sir.

Q And you thereupon suspended the examination, didn't

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you? A I think you walked out.

Q That day you suspended the examination? A After you walked out, or started to walk out, yes.

Q Didn't you, after I walked out of the room with Mr. Medalie, examine Ida von Claussen for possibly half an hour, while counsel were away? A Not after the examination was suspended, no sir.

Q If I show you the record, will you correct yourself in regard to that? A If it shows the examination was suspended, yes, I would.

Q This is a correct transcript of the record (Handing document to witness)?

MR. MEDALIE: Bottom of page 128, where it appears that Mr. Newman and I left the room, and on the top of page 129 it appears that after a pause Mrs. von Claussen said something to you (Handing document to witness)

THE WITNESS: In the first place, that is not the time that I had reference to, in the first place.

Q I asked you, doctor, a moment ago, whether that examination was suspended, and you said not at that time. I ask you if you did not conduct an examination of Ida von Claussen after Mr. Medalie and I left the room, without counsel being present, and you said "no"? A In order that the Court may be enlightened, and you be enlightened, and I put myself in a proper position, I had reference to the last

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day --

Q I am asking you a question. Please answer it?

THE COURT: No, you may answer it. Go ahead,  
Doctor.

THE WITNESS: I had reference to the last day.

Q That is the day I am referring to, doctor? A It was not at this time that I had reference to the thing being suspended or being terminated. It was when the examination was terminated that I had particular reference to.

Q That is the same day? A It might be the same day, but not at the same time; but you came back afterwards, and the thing was terminated.

Q Then you started to examine her after I left the room with Mr. Medalle, while nobody was there to look after her interests? A That I don't know. After a pause the following ensues. Mrs. von Claussen spoke first. Have you got the letter to Judge Malone here? Dr. MacDonald said "I can't say".

Q Then you went ahead. Then you continued right along until we returned; is that correct? A Yes, we continued until you returned to the room.

Q Doctor, during the course of this examination, you had quite an opportunity to observe Mrs. von Claussen; did you not? A I did, yes.

Q And you examined her in all, I believe you stated, according to your record, about five hours? A I should

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think about five hours.

Q Is that sufficient time, Doctor, to examine a person in for the purpose of passing upon their sanity sufficiently?

A Sometimes it is more than sufficient.

Q More than sufficient? A Yes sir.

Q Would you say, doctor, that a person who has come in daily contact with a person, day in and day out, week, in and week out, would be better qualified to testify as to the rationality or irrationality of a person than an alienist who has examined her for an hour or two or four or five hours? A From the view point of the alienist, if the alienist is able to qualify upon the state of sanity or insanity. The interpretation of what takes place to the alienist is a scientific determination. To the layman or others it is merely a matter of a lay observation.

Q Do you think laymen may not as well qualify -- you say a layman is not as well qualified as an alienist in that respect? A To pass upon questions --

Q As to rationality? A It depends on what the act in question is.

Q When I say that, I mean, from conduct and conversation and papers, as to whether that person in their opinion would say that their conduct seemed rational or irrational, impressed them as such? A I hardly think you thought her conduct was rational, did you mean to stop her. think you

Q What? A I hardly thought her conduct was rational

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when you had to stop her.

Q I am asking you a question, and I wish you to answer it. A Please read the question.

Q (Question read by stenographer, as follows: "Q When I say that I mean from conduct and conversation and papers, as to whether that person is their opinion would say that their conduct seemed arational or irrational, impressed them as such?")? A I would have to know the case before I would express any opinion on it.

Q What? A Have to know the individual case before I would express an opinion on it.

Q Wouldn't that happen with any person? A No.

Q Do you mean to say you would have to know the identical? A How can I pass an opinion on a case unless I know about it?

Q You would have to have a retainer in each case before you would pass on it, to give me an opinion?

THE COURT: You need not answer that question.

Q Do you mean to say -- do you mean by that that you would have to know the history of the subject? A I would have to know the facts in the case.

Q You mean by that the history of the subject? A Not necessarily the history. The acts in question.

Q You would have to know the facts and the acts? A Not only the acts, but the picture in which they are set.

Q Would you have to know the acts before you examined

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Ida von Claussen, before you could pass your opinion? A I observed many of her acts right there.

Q Had you ever observed her before you examined her?

A How could I?

Q I don't know. I am asking you. A I never had.

Q Had you ever heard of Ida von Claussen? A I had, indirectly, yes, when she got out a writ of habeas corpus at Bloomingdale.

Q How did you hear that then? A I saw it in the newspapers, I think.

Q Were you ever subpoenaed or called upon or requested or asked to come in contact with a Sheriff's jury, some two years ago, in connection with Ida von Claussen? A In what matter?

Q In connection with Ida von Claussen? A I have no recollection of having heard Mrs Von Claussen's name until I saw it in the papers in reference to the writ of habeas corpus.

Q Did you ever make a scientific test in the case of Ida von Claussen? A I certainly did.

Q Beg pardon? A I certainly did.

Q Physically? A Physically is not necessary.

Q Please answer my question? A I have answered it.

Q I ask you whether he did or did not? A He told you that he did not.

Q What kind of a test did you make? A A mental test.

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Q Is that a scientific test? A Yes.

Q What kind of mental test did you make? A We let her tell her story, we heard the things that she had to say; we knew whether she knew where she was, whether she orientated, the conditions in which she was, what she was charged with, and all those things, in reference to the case.

Q Did you hear Dr. MacDonald say she did not orientate?

A I did not hear Dr. MacDonald.

Q If he said that, he is mistaken?

MR. MEDALLIE: That is not the testimony, your Honor. I object.

THE COURT: The objection is sustained.

Q Did you test her as to her orientation? A I did.

Q Did Dr. MacDonald? A In a general way, yes.

Q Did he? A Yes.

Q What kind of tests did he make? A The test was questioning her there, together as to where she was, what she was there for, and the whole thing. The examination is a test as to orientation.

Q Did she know what she was there for? A She knew who we were.

Q Did she know what she was there for? A She knew she was there --

Q Did she know what she was there for? "Yes" or "no"?

A I take it yes.

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Q Did she know who you were? A After we introduced ourselves.

Q Please answer. Did she know who you were? A When we went in?

Q Yes? A I haven't any way of knowing.

Q Didn't you introduce yourself? A I did. I said that, and you refused to let me say it.

Q You introduced yourself? A Yes sir.

Q Dr. MacDonald introduced himself? A Yes.

Q You both said you were two physicians sent there by an order of the court to talk over the matter with her?

A And determine what her mental condition was.

Q And she did not dispute that you were not Dr. Mabon?

A No.

Q She did not dispute that Dr. MacDonald was not Dr. MacDonald? A No.

Q Was she willing that you should talk to her? A She was.

Q And did you tell her what you were there for? A We did.

Q Did she understand that? A She did.

Q And she very freely gave you what information you wanted, did she not? A She gave us a great many things, I would not say very freely. In some things she was very spontaneous. In others, not.

Q She was willing to answer? A Yes, hard to keep her

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back.

Q Were those the acts of a rational or irrational person? A The acts of an irrational person.

Q Knowing what you were there for, knowing who you were, were they the acts of an irrational person? A You are not putting it right.

Q That is what I am asking you about? A No, you are not. Please repeat the question.

Q Was it the act of a rational person, or an irrational person, that she understood who you were, that she knew what you were there for, and was willing to answer your questions?

A It might be the act of a rational or an irrational person.

Q Then, every person may be rational or irrational?

A I didn't say that, but that is possible also.

Q Is it possible that I, standing here before you, may be rational, or irrational, when I am asking you these questions? A I am not passing upon your mental condition.

Q I would like to get, in an abstract form, for my own benefit, just now, in the course of this examination --

THE COURT: No, you need not take up the Court's time with that inquiry.

Q Then, if that is right, then her orientation was correct, was it not? A She was correctly orientated.

Q And that was the only scientific test you gave her?

A No.

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Q It was not? A No.

Q What other scientific test did you give her? A Tests of memory, tests of clearness of intelligence, tests in regard to her delusions, tests in regard to her experience, all those tests were mental tests.

Q Did you ask to examine her physically? A We did not.

Q Is it proper to examine a person physically as well as mentally in the course of an examination? A It is proper, yes.

Q Why didn't you do it? A What is that?

Q Why didn't you do it? A Not necessary.

Q What? A Not necessary.

Q Why didn't you do it? A It was not not necessary.

Q You did not think it was necessary? A No, it was not necessary.

Q She told you lots of things in the course of that examination? A Yes sir.

Q Told you about Charles Strauss and about the King of Sweden? A Yes sir.

Q And about President Roosevelt? A yes sir.

Q Did she tell you that she wrote a book about that?

A yes sir.

Q Did she show you that book? A I think she showed me the book, yes.

Q Did she give you a book? A No.

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Q Did you ever see this book before? A Yes sir.

Q Did she also show you a book called "Co-operative Profits in Capital's Progress"? A She did.

Q Did you take it home with you? A I have a copy, yes.

Q Did you read it? A I did.

Q And did you read "forget it if you can"? A No, I didn't read "forget it".

Q What? A I didn't read "forget it".

Q Didn't try to? A No, it was not handed to me.

Q In examining a person as to their sanity or insanity, it is always only proper and fair that every leaway should be given to the subject; is that correct? A Fair what?

Q Every leaway should be given to the subject in examining as to the --

Q Every effort should be made to assist you in the proper method or hypothesis or whatever you may call it, that you are going to arrive at? A I don't understand that.

Q I will repeat it. In examining a person as to their sanity or insanity, when you -- you use every effort in your power to find out whether the facts that the subject has given you are correct, or not, don't you, if it is within your power to find out? A I try to satisfy myself about it.

Q Wouldn't it be right to try and find out, or is it fair to misjudge the person when you have an opportunity

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ty without exercising that opportunity after. A Do you mean to say I misjudge, Mr. Newman?

Q (Question repeated) A I don't understand the use of the word "misjudge" there, Mr. Newman?

Q Well, eliminate the word "misjudge". Take it anyway you want? A In making a mental examination, it is necessary to become satisfied as to one's mental condition, and not to express an opinion until you are satisfied in regard to that condition. Now, if it is necessary to confirm some of the evidence that should be done. If the condition is such a manifest one that it is not necessary, then it is uncalled for.

Q Will you kindly first tell me what a delusion is?

A A delusion is a false belief.

Q What is an actuality? A An actuality is an existing condition.

Q Had a delusion a foundation or a basis? A It may have, and it may not have.

Q What is paranoia? A Paranoia is a disease of the mind characterized by a certain amount of systematized delusions, exaltation of manner and pronounced egotism, and which finally results in a change of personality.

Q Do you mean to say because a person is egotistic he is a paranoiac? A It is a ground work.

Q Have you ever heard that Ex-President Roosevelt was a paranoiac? A I believe it was in the papers once, but I

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did not believe it.

Q Isn't paranoia a very rare disease as far as the institutions are concerned? A Paranoiac conditions are rare. If you would like me to distinguish between paranoia and paranoia praecox and those various conditions, I will do it, but for legal purposes the underlying condition is the same.

Q The disease of paranoia is very rare as to institutions, for treatment? A Paranoiac forms of dementia praecox are rare.

Q What is the distinction between paranoia and paranoia praecox? A Paranoia praecox is a form of delusional insanity, and eventually the person becomes very much dejected, and their ideas are systematized, they believe they are people being persecuted and that have conspired against them.

Q Is an ordinary paranoiac a dangerous person? A Yes, sir.

Q An ordinary paranoiac? A An ordinary paranoiac is always a dangerous person.

Q And a paranoiac praecox are they dangerous? A They are dangerous.

Q More dangerous? A Some are more dangerous, but you can never tell until you see the individual face and know the conditions.

Q What is the difference between originality and excentricity? A That is Mrs. von Glaussen's. Originality

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is something that rises within a person; it is original with the individual. Excentricity is a twist in mental characteristics.

Q You would not say a person who had excentricity was insane, would you, A No sir.

Q Or that a person who had originality was insane?

A No sir.

Q Do you think that Ida von Claussen has any originalities or excentricities? A I think she has marked excentricities and I think her originalities are egotism.

Q But an egotist is not an insane person? A Not by itself.

Q What is your idea, doctor, as to what Ida von Claussen's -- You found a report here, with Dr. MacDonald, that -- You have made a report here, with Dr. MacDonald, that Ida von Claussen is insane and a proper subject for detention as an insane person; is that correct? A Certainly.

Q And that the form of insanity from which she has suffered for several years past, and from which she still suffers, is a continuing and progressive one, and which renders her a menace to public peace and safety, is that correct?

A That is correct.

Q What form of insanity would you call that? A She is suffering from a form of insanity known as Paranoia.

Q And you say she has been suffering from that for several years last past? A I do.

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Q What do you base such a contention on? A I base my contention on her own stories of conspiracy, with the letter which she wrote us, showing a bad judgment, her ideas that she has been poisoned, and her delusions generally.

Q If all those statements made by you, doctor, were true, would you still say that she was a paranoiac? A If all those statements made by me were true, I would say --

Q No, made by her to you and Dr. MacDonald were true statements, would you still say that she is a paranoiac?

A If all the statements she made to me and Dr. MacDonald were true, would I still say she was a paranoiac? Is that the question?

Q Yes? A I don't know that I would say she is a paranoiac, but I would say from her attitude and manner that she was not sane.

Q If a person made all the statements that you claim she made, and they were true statements, actualities, absolute facts that could be proven, would you still say that that person was insane or sane? A I might say that person was insane, if she reacted to those things, even if they were true, if she reacted to them in an insane way I would still say she was insane.

Q Doctor, that does not seem very plausible, does it?

A Perhaps not to you.

Q Would it seem plausible to any person other than an alienist?

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THE COURT: You need not answer that.

MR. NEWMAN: I don't mean any disrespect in that?

THE COURT: You need not answer it.

Q Aren't you rather imbued, doctor, with the subject of insanity? A Rather what?

Q Imbued with it? A With the subject of what?

Q Insanity? A In general?

Q Yes? A Naturally.

Q Beg pardon? A Naturally.

Q You have charge of a number of subjects? A Yes; 4500 or more.

Q How many, A 4800.

Q And you naturally would be a little bit prejudiced, would you not, in view of that fact? A Prejudiced? No, I don't think so.

Q Let me ask you, are all these 4800 people insane?

A Yes sir.

Q Have you examined every one of them? A No sir, it is a physical impossibility.

Q What do you base your ideas of their insanity on, then

A I have to depend very largely on assistance, naturally, in a case of 4800 people.

Q Might those assistants make mistakes? A They might make mistakes, yes sir.

Q Such mistakes have been made? A Mistakes will be made.

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Q Nobody is infallible? A I don't think so.

Q Mistakes may be made in this case? A In this case?

Q Yes? A I don't think so.

Q Why not? A Because it is a very plain case to me.

Q Because you have made up your mind no mistake could be made? A No, the case is very clear to me.

Q You say she has been insane for several years past?

A Yes sir.

Q Do you think -- you say in your report also, Doctor, that you have read the testimony taken at White Plains? A Yes.

Q In 1912, January? A Yes.

Q And proceedings brought by Ida von Claussen Homan against the Bloomingdale Hospital, A yes sir.

Q Do you think any of those physicians there were mistaken? A I do.

Q You think they were all mistaken? A No.

Q Which ones do you think were mistaken, the ones who testified for her? A I think one or two testified for her who were absolutely mistaken.

Q I beg pardon? A I don't think they had the basis or knowledge to examine mental cases.

Q Repeat that again, please? A I don't think they had sufficient knowledge to form an opinion on mental cases.

Q They saw as much as you did? A They have not had the experience I have had.

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Q Just because they did not have as much medical experience as you, they were not as well qualified as you?

A And training, yes sir.

Q So, if they had as much medical experience as you and were as well qualified as you and had testified the same way as these other physicians did, would you say they were not mistaken? A I would still have paid very little attention to their part of it, if they had no more experience than they testified to as to their qualifications.

Q Doctor Thackery is an older physician than you, isn't he? A He may be older than I am.

Q And he has had more experience than you?

THE COURT: I am not going to ask the witness to sit in judgment on the qualifications of other witnesses called in another proceeding.

MR. NEWMAN: If the Court pleases, Ida von Claussen liberty ---

THE COURT: I shall not permit you to go any further on that line, counsel. You may act on that suggestion.

MR. NEWMAN: I take an exception. May I ask one or two questions in connection with that?

THE COURT: Not another question on that subject.

MR. NEWMAN: In connection with the White Plains matter?

THE COURT: If it be not asking the doctor to

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weigh another witness. I am not anxious to know anything about that.

Q Doctor, if Judge Morschauser discharged Ida von Claussen in that proceeding, in January, 1912, as a sane person, then she would not have been, according to your report, insane for several years last past?

THE COURT: You need not answer that question.

MR. NEWMAN: I take an exception.

Q Now, doctor, in the course of the examination upon which you based your report, you found Miss von Claussen made a great many statements to you, did she not? A Yes sir.

Q And she referred to a great many people in the State of New York, did she not? A yes sir.

Q People like Mr. Whitman? A Yes sir.

Q People like Mr. Strauss? A Yes sir.

Q People like Judge Greenbaum? A Yes sir.

Q Judge Herbert? A Yes sir.

Q Judge McCall? A yes sir.

Q Judge Cornell? A I think so. Judge Harris, Judge Herbert.

Q Various lawyers? A yes sir.

Q Her brother, Matthew B. von Claussen? A yes sir.

Q L. Laflin Kellogg, A yes sir.

Q Dr. Homan? A Yes sir.

Q And others? A Yes sir.

Q And told you quite a number of statements in con-

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nection with all these people? A Yes sir.

Q Did you try to verify the truth or the veracity of any of them? A I did not think it was necessary.

Q I beg pardon? A I didn't think it was necessary.

Q I ask, you did you try to verify the truth of those statements? A I did not.

Q And the reason you did not was because you did not think it necessary? A Yes sir.

Q So that, you were willing to make a report of insanity against Ida von Claussen although you had the opportunity of verifying the statements, you believed those statements to be false and untrue and delusions and hallucinations without attempting to find out whether they were true, or untrue? A No, I could eliminate a great many of them and still form an opinion that she was insane.

Q Why don't you answer my question? A I think I have answered it.

Q What? A I think I have answered it.

Q You think you have answered it? A Yes sir.

Q Don't you think, doctor, it would be proper when you examine a person who in your mind has delusions to try and find out, if it is within your power, whether they are delusions, or not? A If it is necessary, yes.

Q I beg pardon? A If it is necessary.

Q Why do you say "If it is necessary"? A Because time would not be long enough to go into all of these ques-

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tions of verifying delusions.

Q Didn't the Court give you as much time as you wanted to make this examination, in your discretion? A And I took enough time to make it, too.

Q You did not make one investigation, did you? A One investigation?

Q Yes? A We were perfectly satisfied in regard to the--

Q You did not make investigation, did you? A We were told to inquire into this woman's mental condition, and know whether she was sane or insane, and we reached the conclusion that she was insane.

Q Without making any effort to verify the facts that Ida von Claussen told you as to whether they were delusions hallucinations, or facts? A On the surface of them, they were evident.

Q They were? A Yes sir.

Q Charles Whitman, the District Attorney, is in this building? A yes sir.

Q Did you make an effort to see him? A I did not. I would not take his time.

Q You had an opportunity if you wanted to? A yes sir.

Q You had an opportunity of seeing Charles Strauss, if you wanted to? A Yes, I would say yes.

Q Did you do it? A No.

Q You did not try to? A I did not, no.

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Q You made up your mind from your conversation with her that the statements she made could not be true? A I did not say anything of the kind. I made up my mind from the examination that she was insane.

Q Even although all those statements she told you had been the absolute gospel truth, you still would claim that this woman, from your observation, was still an insane person? A If she reacted to things the way she reacted at the time of our examination.

Q Whether they were true or not, she would be insane? A Insanity does not depend upon truth or falsity. It does not depend upon truth or falsity. It depends on conduct mental process and other things.

Q Didn't she act very nicely in the room? A What is that?

Q Didn't she act very nicely in your presence? A Well, I don't know what you call "nicely".

Q When she came in that room on the first occasion, and you got up and Dr. MacDonald got up and said "Miss von Claussen, we have been sent here by the Court to examine into your -- to examine you so we can make a report to the Court as what we think your condition is, as to whether you are sane or not", didn't she bow to you very nicely, and say to you "I would be pleased to go ahead"?

A She said "Yes".

Q Was her conduct the not proper? A Any things in

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her conduct that day were evidence of mental trouble.

Q Tell us what you mean by her condition? A Her actions, her manner.

Q Tell us about that? A Well, she laughed over very serious things, didn't have a sense of appreciation of what it was, laughed and giggled in the midst of very serious questions, and her attitude indicated that she did not appreciate the position she was in.

Q Does she talk German? A She says she does.

Q Does she talk French? A She says she does.

Q Did she say she writes music? A I think she said so.

Q Did she say she wrote an opera? A I questioned her about an opera. I don't know whether she said she wrote that, or not.

Q Did she tell you she was a Spiritualist? A I don't recollect that now.

Q Did she tell you she wrote books? A Yes.

Q Now, those being facts, was she flippant about that? A She was flippant, yes.

Q Would the idea of flippancy be a basis of insanity?

A What?

Q Is flippancy a basis of insanity? A No one thing is a basis of insanity, Mr. Newman.

Q I know it, but, taken in conjunction with all the things you are enumerating, it would be; is that correct?

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A It would be, yes.

Q So that, because she felt jolly, and full of jollification, and seemed to pass lightly upon some matters, you thought she was insane because she did that? A Yes, in connection with the letters she wrote me, too.

Q Did you ever feel jolly? A Yes.

Q Or do you always feel sober? A No, our moods change.

Q Did you ever laugh heartily? A Yes sir.

Q Did you ever flippantly pass a subject? A Not under serious conditions.

Q You would not because Dr. Mabon acted this way or the other way that he was crazy? A No, but I think if my mental condition was being inquired into I would not act that way.

Q You would control yourself? A If I was sane, I would control myself.

Q What? A If I was sane, I would control myself.

Q Do you mean to say by that that a person who is about to undergo an examination should prepare for the proper control of her faculties and demeanor? A A sane person, yes.

Q Then, some people, if they have proper control of themselves that way, could very readily pass themselves off as sane, if they were able to control themselves while being examined, is that correct? A I said a sane person

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would control himself.

Q Could an insane person -- A I said, a sane person would control themselves under those conditions.

Q A sane person would not? A A sane person would control themselves.

BY THE COURT:

Q They would not be flippant, in other words, under such circumstances? A If a sane person was being examined for a mental condition under the charge that he was insane, that he would not be flippant under those conditions.

BY MR. NEWMAN:

Q But could an insane person control her faculties and demeanor physically so as to properly palm themselves off upon alienists as being sane? Could that be done?

A Could what? An insane person?

Q Yes? A So control their faculties?

Q Yes? A It depends on the form of insanity.

Q Could it be done? A Yes sir.

Q So, quite a number of insane people could be passed off as sane? A I wouldn't say that.

Q Some would? A Some might.

Q So, alienists might make mistakes? A I acknowledged that in the beginning.

Q Wouldn't some of the symptoms you have been talking about be caused by a torpid liver, or something of that

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character? A I don't know. A torpid liver would result in depression rather than exaltation.

Q Wouldn't a person confined in prison, not being used to being incarcerated, be different than a person who was at liberty and about to be examined? A They might be different in their spirits.

Q And it might affect your examination? A I should not think so.

Q Do you say, doctor, that a person who had been with Ida von Claussen day in and day out for years, if she said her conduct impressed her as being rational, would you say they were mistaken? A I would say so, yes sir.

Q What is that? A I would say so, yes.

Q Although you only examined her a few hours? A Yes sir.

Q Doctor, did you tell her that she was under indictment? A I think we told her that we were there appointed by the court to find out what her mental condition was. I would have to refer to the notes. I couldn't tell now. My impression is we did.

Q And you told her she was under an indictment for blackmail and sending a threatening letter? A Something about a threatening letter, yes.

Q Did she understand what you were telling her about? A yes sir.

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Q She knew she was indicted for that? A Yes sir.

Q Did you show her the letter? A I am not certain. I think she said that she was in a dazed state, or had a fever, at the time she wrote it.

Q That she had no knowledge that she wrote it? A That if she wrote it it was during a fever; she had no recollection of it, she said.

Q Did you ever see the letter, doctor? A I think I did, yes sir.

Q Do you know whether she wrote it? A My belief is she did.

Q That is your impression? A Yes sir.

Q How do you get that impression? A Comparing it with other letters which I received.

Q So, she understood all about the indictment; is that correct? A She understood she was indicted, yes.

Q And she also understood what you were there for?

A Yes sir.

Q And what Dr. MacDonald was there for, A Yes sir.

Q And, understanding what the -- And understanding about the indictment, and understanding what you were there for, do you claim that she is incapable of understanding the proceedings under that indictment? A Understanding in a sane way the proceedings under that indictment, yes.

Q In a sane way? A In a sane way.

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Q You knowing in your own heart, doctor, you knowing in your own heart that this lady knew that she was charged in an indictment with blackmail and sending a threatening letter, also knowing that you were sent there under an order of the Court for the purpose of examining her with Dr. MacDonal as to the condition of her health in connection as to whether she was insane or an imbecile or a lunatic or an idiot, understanding all that, doctor, do you mean to tell this court that you do not think that this woman understands the indictment against her and the proceedings in connection with it? A She understands that she is indicted; she understands that she is subject to trial; but she does not understand the proper relations that she stands in in court.

Q Did she seem to impress you as being able to consult with Mr. Newman, that is, myself? A She did not.

Q Why? A Because she was entirely too flippant in her answers, she wanted to dominate in many instances where you had to check her; she made requests to the Court and to the District Attorney and so forth, in reference to her defense, which could not be taken up by a reasonable or sensible lawyer.

Q But I seemed very patient with her? A You did seem rather patient.

Q I stood through it all; is that correct? A Well, you looked provoked once or twice.

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Q Do you, doctor, think that Miss von Claussen is in such a state of idiocy, imbecility or lunacy or insanity as to be incapable of understanding the proceedings on the indictment? A I do.

Q You do? A Yes sir.

Q Although she knows all about it, you still think she does not know what she is doing; is that the idea?

A Yes, I do, in a rational way.

Q Oh, in a rational way? A Yes.

Q If doctor, Miss von Claussen's health had been affected in any way while incarcerated in the Tombs, would that affect it very much on this testimony? A If what?

Q Her incarceration in the Tombs, owing to ill-health while there, would that have much effect upon her in the examination before you? A I think the conditions existed so long, not.

Q I beg pardon? A The mental disease having existed for so long, that it would not have had much effect on it.

Q Doctor, if I were to tell you that Ida von Claussen was a woman of wealth, that she had a certain income which was subject to her order as to distribution, that she advised with her bankers, and instructed the payment of her moneys from time to time, payment of interest on mortgages the payment of various debts, all in a collective manner, that she had a child, an adopted child, that she had abroad,

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and being taken care of by two frauleins, and able to properly direct the care and custody of that child, the education of it, all her estate matters and everything, would you say that that person was sane, or insane? A She might be sane, or she might be insane. The premises you have given are not sufficient to form an opinion as to the mental condition.

Q Then, doctor, anybody might be insane who knows how to properly take care of their estates and their children and their homes? A You have given very few facts, Mr Newman. You have given no facts upon which to predicate an opinion on mental conditions.

Q Why have you made in this case, then, in view of all those facts, doctor, such a decided opinion, when you know that the lady understood all about the indictment, understood all about the order under which she was being examined, why do you say that she does not understand the indictment against her? A In the first place you ask me if she knew about the indictment. I said yes. Now you say "All about the indictment", and you ask about the order. Now you say "all about the order". You asked about the procedure. Now you say "all the procedure". It is questionable in my mind whether she has a clear appreciation of all these things. As I said before, she may have a rational appreciation of some of them. She knew she was indicted. Any one may know that in a general way and be far from sane.

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Q And still be insane? A And still be insane.

Q By looking at Ida von Claussen would you say she was insane? A I would not say by looking at any one that she was sane or insane.

Q Then why didn't you examine her physically to see if there were any defects that might indicate indanity?

A Because the only mental disease that requires a physical examination is paresis, and she presented no symptoms of paresis, nor did she present any appearance of senility. Those are two forms of mental disease which require a physical examination.

Q And would also require insanity in the family? A Yes sir.

Q Isn't it customary, doctor, for an alienist in the examination of a subject, when they first come in a room or a place for the purpose of that examination, to immediately examine the eyes, the pupils. A No sir.

Q It is not? A No sir.

Q Take the pulse? A No.

Q Is it natural to take the pulse? A It may be, it is not necessary, and very often is not done. In the majority of cases, it is not done.

Q You simply made your report from your own observations that you in your opinion thought it sufficient to make that report on? A Yes sir.

Q What one thing, in her demeanor impressed you as insane?

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A I don't characterize any one thing as evidence of insanity. It is what we get together.

Q Simply because she told you a lot of things that in your mind you thought were delusions but which might have been facts and which you might have been able to prove to be facts, you base your report of insanity on that?

A She told me, for instance, that the attorney at this time had a great effect on the campaign.

Q If you were before a jury you would not be allowed to do that (Question read by stenographer as follows: "Q Simply because she told you a lot of things that in your mind you thought were delusions, but which might have been facts and which you might have been able to prove to be facts, you based your report of insanity on that?")?

A I cannot answer that question "yes" or "no".

Q You cannot? A No.

Q Then, explain it? A I formed no opinion on a basis of that kind. I formed my opinion on the whole examination that we made, including things that she told us and which were so manifestly delusional and it was unnecessary to go into them; among other things, her coming at this time was a political event, on account of the relationship of Judge McCall to her case before, and Mr. Whitman.

Q Was it a delusion on her part that told you that she came to America solely for the purpose of going to South America to negotiate some business deals? A I did

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put any weight on that one way or the other. That was negative.

Q Would you consider that a delusion of hers? A I would not, no.

Q And did she tell you of the magnitude of those deals?

A No, she did not.

Q Didn't she tell you they amounts to millions, and did she tell you who she represented? A She told me about two things here in New York, one involving about two million dollars, which she would not speak of in detail, and the other one \$500,000.

Q You asked her all about that? A Yes sir.

Q And she told you about that? A Yes.

Q And her explanation was not a delusion, was it? A I don't know whether it was or not.

Q Did she also tell you about her child? A About what?

Q About her child? A I think she said she had a child, yes sir.

Q Did she tell you about it? A She said something about the child, yes sir.

Q Did she also tell you about the fact that she --

A She said she wanted money for the child. She did not care for money for herself, but she would like to see her child well looked after and provided for.

Q Did she tell you if she died her child would be

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unprovided for, because her estate would go to her brother?

A I believe there was something of that kind, Mr. Newman.

Q That was not a delusion? A No.

Q Was that a rational statement? A Yes.

Q So, she made a great many rational statements? A Oh yes, everything does not have to be irrational in an insane person.

Q Did she tell you also about the fact that she had some trouble with the United States Mortgage & Trust Company, as a result of which she had a fight, and a few days later they turned over to her some \$30,000 of accrued income? A I think something was said about that.

Q That was rational? A I would not characterize that one way or the other, because I did not know the circumstances about that.

Q Did you try to find out the circumstances? A No, because it was given in the narrative of her life. That had no weight upon me one way or the other in regard to her mental condition.

Q Quite a number of things she said had no weight with you? A Certain things.

Q You could have found out from the United States Mortgage & Trust Company whether they turned over \$30,000? A I suppose I could have.

Q You made no effort to? A I said it was not necessary.

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Q Is it your opinion that she made such manifest statements that in your opinion they were so manifestly false that they did not require investigation? A Did I say "Manifestly false", or "delusional"?

Q Manifestly delusional or manifestly an hallucination, that it did not require an effort on the part of you gentlemen sent by the Court to a person to find out the truth or untruth of it? A I don't think I used the word "hallucination" whatever in this case.

Q You used the word "manifest"? A Yes, but you mentioned hallucinations just now. I spoke of the matters in regard to Judge McCall, in reference to Judge Whitman, in reference to Judge Malone, the letters also that she wrote me.

Q What did she say to you about judge Malone? A The letters she wrote to Judge Malone.

Q What did she say about judge Malone? A Let me see the report.

Q What did she say about Judge Malone? A I will have to refer to it now in the report. I think it was something about a thousand dollar fine, or something like that, if a writ of habeas corpus was not issued. Here is one in reference to Judge Malone, the very first one; "Judge Malone, will you be so kind as to marry me this afternoon to Mr. J. Russell Buckley, and arrange the details and permit me to get my divorce certificate to present to the

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license bureau? I cannot allow any one to get these papers but myself, as I cannot tell them just where they are. I am afraid they could not find them. I could go with an officer and procure them, and then go to the license bureau, or to your chambers. I must ask this favor before proceeding with mental examination; so if you can send up to get the papers at once, at one or two, at one or one thirty, I can be back in time to meet the doctors. This is my legal right, so please see this is not refused me." Then enclosed in an envelope addressed to "Judge Malone or any Judge of the Supreme Court"-- The letter reads "James J. Malone, or any presiding Judge of the Court. I hereby formally demand a writ of habeas corpus, returnable in two hours. Failing this I will call your attention to the law and a fine of \$1000 attached to such refusal. I also demand a writ of habeas corpus to produce me in Court at once to pass upon my sanity. I have been nine days illegally incarcerated on a fraudulent charge, without even a preliminary hearing and without even a chance at self-defense. Now, I demand that hearing now and at once, under the penalty of the law. If you refuse my request, please return this letter to the boy."

Q What is wrong, doctor, about those two letters?

A What is wrong about those two letters?

Q Yes? First take the one about marriage. Isn't every one entitled to marriage? A No.

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BY THE COURT:

Q Those are two matters you considered in connection with a great many other matters? A yes.

BY MR. NEWMAN:

Q Are those letters written by a rational, or irrational person? A I should say by an irrational person, particularly the one letter -- her mental condition is being inquired into, and she wants to come in and get married that day at once before one o'clock.

Q Now, if you take those letters and tell us they are written by a person of irrational mind, then you must have had a preconceived idea, or must have prejudged the person before you ever examined her.

THE COURT: You need not answer that.

A I never knew the person before.

THE COURT: You need not answer the question.

Q Do you know of your own knowledge whether there is a penalty attached to a refusal of a writ of habeas corpus?

A I have not made reference to the refusal of the writ of habeas corpus excepting the circumstances --

Q I ask you a question. Please answer it? A I do not.

Q Then you don't know whether it is a rational or an irrational, statement? A There is something more in that letter besides the writ of habeas corpus.

Q Is a person entitled to her day in court? A Certainly.

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Q Then, that is not an irrational statement? A No, certainly not.

Q If the person feels she has been illegally incarcerated, and wants her day in court, and asks for it, is that a statement of an irrational person? A It depends on the circumstances under which it is asked.

Q Is it irrational to be asked to be married? A To what?

Q Is it irrational to ask to be married? A No.

Q Is it irrational to ask for a license, when the law requires one? A No.

Q Is it irrational to ask the Judge to see that she gets a marriage license, while the person is confined in the Tombs, because the marriage clerk refuses it unless the Court consents to it? A When she is being examined as to her mental condition, yes.

Q Would she have been in a better position if she had been married, with a husband back of her to assist her?

A I don't know.

Q Isn't all her troubles principally based upon the fact of a certain divorce proceeding of herself and Dr. Homan?

A That seems to be the starting point.

Q What? A That seemed to be the starting point of many things.

Q Do you think that is the day from which her insanity

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started? A I think that it became more manifest at that time.

Q When do you think the insanity started? A I rather think that she had that make up early in life, at the time she was a school girl; I think her actions then would indicate from what she said, when she said, in a proud way, that she had been married, divorced, and married again before she was twenty one.

Q If every statement made by Ida von Claussen to you and to Dr. MacDonald can be verified and borne out, to be an actual fact, are you still of the opinion that she is unable -- of the opinion that she is insane? A If every act and statement that she made can be borne out, am I still of the opinion that she is insane? Haven't I answered that before? That from her actions and attitude in regard to the situation, that I was and I am.

Q Of the opinion that she is insane? A Yes sir, there is something more besides delusions about insanity.

Q And would you also say, if those statements are all true, and there is a foundation for them, that she properly understands the proceedings on this indictment? A That she properly understands them? I did not say she properly understood it. I said she understood it, but not in a rational way.

Q If they were all true, do you think she would be capable of understanding the proceedings on the indictment?

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A I can't predicate an opinion without knowing what the setting was at the time.

MR. NEWMAN: That is all.

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(The Court then took a recess until tomorrow,  
Wednesday, December 24th, 1913, at 10:30 A. M.)

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THE PEOPLE, ETC. vs. IDA von CLAUSSEN.

New York, Wednesday, December 24, 1913.

HEARING CONTINUED

MR. NEWMAN: I want to offer in evidence, as I stated sometime ago to your Honor, in Part Two, the opinion of R. Newton Crane, of London, in connection with her divorce action, in which Newton Crane, in connection with Lumley & Lumley, had advised her that this divorce obtained in South Dakota upon the state of facts presented to them, which I also have here, made that divorce illegal, simply to bear out statements that she had made to the physicians.

THE COURT: Very well, I will take it.

(Same marked Defendant's Exhibits E and F, respectively, of this date.)

MR. NEWMAN: I also desire to offer in evidence various correspondence received by me from Ida von Claussen during the year 1913, prior to her indictment and arrest, that I received from Europe.

THE COURT: Very well, I will take them.

MR. NEWMAN: Do you desire me to read them into the record?

THE COURT: They ought to be referred to. Are they long letters?

MR. NEWMAN: Some are very short. There is only

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one really long letter.

THE COURT: Go ahead.

MR. NEWMAN: The next letter is a twenty-four page letter. Here is one of the letters I received in connection with the book "Co-operative Profits in Capital's Progress", that was offered in evidence yesterday. This letter is headed No. 4 St. Clair Road, Kensington West, September 5th, 1913.

(Same received in evidence and marked Defendant's Exhibit G, of this date.)

MR. NEWMAN: This letter reads as follows: "No. 4 St. Clair Road, Kensington West, September 5th, 1913, London, England. My dear Mr. Newman. If you can print and publish this for me, I will give you half of my profits in it. Let me hear from you. They have gone like hot cakes here, and have attracted the King's notice. Sincerely, Ida von Claussen."

I offer this letter in evidence.

(Received in evidence and marked Defendant's Exhibit H, of this date.)

(Mr. Newman reads exhibit. See page 234.)

THE COURT: What is the date of that letter?

MR. NEWMAN: The date of that is May 28th, 1913.

The reason I referred to that letter is because that is about the time that letter was sent. In the examination

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before Doctors MacDonald and Mabon she testified she had been ill for months. This letter seems to bear out that statement. In that letter, she enclosed me a clipping in connection with two marriages which were annulled; and also another letter dated May 30th, which was written two days afterwards, but inclosed in that same letter which was addressed to George Robinson.

I also offer this letter in evidence.

(Same received in evidence and marked Defendant's Exhibit I, of this date.)

(Mr. Newman reads said exhibit. See page 247 .)

MR. NEWMAN: I also offer this letter in evidence.

(Received in evidence and marked Defendant's Exhibit J, of this date.)

(Mr. Newman reads exhibit. See page 247 .)

MR. NEWMAN: I offer this letter in evidence.

(Received in evidence and marked Defendant's Exhibit K, of this date.)

(Mr. Newman reads exhibit. See page 249 .)

MR. NEWMAN: I also offer this letter in evidence.

(Same received and marked Defendant's Exhibit L, of this date.)

(Mr. Newman reads Exhibit L. See page 253 .)

MR. NEWMAN: I offer this letter in evidence.

(Received in evidence and marked Defendant's Exhibit M, of this date.)

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(Mr. Newman reads Exhibit M. See page 254 .)

MR. NEWMAN: I offer this letter in evidence.

(Received in evidence and marked Defendant's Exhibit N, of this date.)

(Mr. Newman reads Defendant's Exhibit N. See page 255.)

MR. NEWMAN: I offer this letter in evidence.

(Received in evidence and marked Defendant's Exhibit O, of this date.)

(Mr. Newman reads Defendant's Exhibit O. See page 259.)

MR. NEWMAN: Day before yesterday, I caused subpoenas to be served upon Charles Strauss, Dr. Homan, L. Lafflin Kellogg, George Robinson, and Mr. Homan agreed to have her brother, Mr. Matthew B. Claussen, here. None of the gentlemen have appeared. I excused Mr. Kellogg on account of engagements he had in court, by agreement over the telephone, but I should have had Mr. Strauss, Dr. Homan and Mr. Robinson and Mr. von Claussen here.

MR. MEDALIE: Were they actually served?

MR. NEWMAN: They were served by my representative.

MR. MEDALIE: May I ask when they were served?

MR. NEWMAN: Day before yesterday, to be here yesterday. I only want my record here to show that I

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am making effort to get everyone here. They were all here the other day when I got my writ, except Robinson and Strauss. Whether I will need them I don't know; it is according to how your Honor thinks things may develop.

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I D A v o n C L A U S S E N, the defendant herein, called as a witness in her own behalf, being first duly sworn, testified as follows:

DIRECT EXAMINATION BY MR. NEWMAN:

Q What is your name ? A Ida von Claussen.

Q Where do you live ? A Tombs.

Q Miss von Claussen, where are you stopping at the present time ? A Tombs Prison.

Q Are you also known as Ida von Claussen Homan ? A Yes.

Q Where did you get the name Homan from ? A From my marriage with Dr. William Francis Homan.

Q Were you married to him ? A Yes, sir.

Q Did you in the year 1905 go to Sioux Falls, Dakota, for a divorce ? A Yes, sir.

Q Against Dr. Homan ? A Yes, sir.

Q Was that divorce obtained there ? A Yes, sir.

Q While that divorce proceeding was pending in Sioux Falls, did you return to New York ? A Yes, sir.

Q And did you go to reside with your husband ? A Yes.

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Q And then returned again to Sioux Falls ? A Yes, sir.

Q Where did you reside with him when you returned, while that action was pending ? A At the Sherman Square Hotel, Seventy-first street and Broadway.

Q Did you go to Sioux Falls for that divorce by an agreement ? A Yes, sir.

Q Where was that agreement made ? A In Charles Strauss' office.

Q The agreement was made between whom ? A Charles Strauss, Barto S. Weeks, and myself.

Q Was Dr. Homan present ? A No.

Q Will you kindly state to the Court as briefly and concisely as you can the subject of that agreement, what induced you to go to Sioux Falls for a divorce, and what the grounds of that divorce were to be ? A I would rather produce that paper in evidence, which I can easily do.

Q Have you got the paper ? A Yes.

Q With you ? A No.

Q Where is it ? A It is in my trunk.

Q Your trunk is where ? A Ansonia Hotel.

Q And have you a copy of that agreement ? A Yes, sir.

Q In the trunk ? A Yes, sir.

Q Which you are willing to have brought here ? A Yes, sir, my attorney in England handed it to me before I left and asked me to produce it as evidence.

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Q Did you know Leo Schlessinger ? A Yes.

Q Was he President of the Mechanics and Traders Bank ?

A Yes, sir.

Q Was he the Trustee in connection with this matter ?

A Yes, sir.

Q Had you previous to this agreement referred to started any proceedings in connection with the divorce against

Dr. Homan ? A Previous to the South Dakota decree ?

Q Yes. A Yes, sir, with Howe & Hummel, in the office of Howe & Hummel, with Mr. Kaffenberg.

Q And what was the ground of that ? A Adultery.

Q With certain ladies ? A Yes, sir, three co-respondents.

Q Did you name them ? A Yes, sir.

Q And as a result of that did Dr. Homan then get you to agree with Mr. Strauss to go West, to save notoriety ? A Yes.

Q And not have the question of adultery brought up?

A No, I don't think I had any option. I think I was driven into it.

Q Had you previous to that loaned Dr. Homan any money ?

A Yes, sir.

Q How much ? A About ten thousand dollars.

Q And was that money to be paid back to you ? A Yes, sir; it was only a loan.

Q And was it paid back ? A No.

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Q You had previously to that time adopted a child, had you not? A Yes, sir.

Q Known as --? A Grace Busson, of German parentage.

Q What name did you afterwards call that child? A Natalie.

Q Did Dr. Homan agree that that child should be supported as his own child? A Yes, absolutely. The papers are on record.

Q Where? A In the Surrogate's office, I believe.

Q In this county? A Yes, sir.

Q Did Dr. Homan support this child? A No.

Q Who has been supporting this child? A I have.

Q How old was the child when it was adopted? A Seventeen months old.

Q How old is the child now? A Twelve years.

Q Where is that child at present? A In Godesberg, on-the-Rhine.

Q In the care of anybody? A Yes, two splendid women, ladies, I should say.

Q Which you call Frauleins? A Yes, sir.

Q You are paying for their support? A For the child's support.

Q How much do you allow that child per month for support? A About one hundred or one hundred and fifty dollars a month.

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Q How old were you, Miss von Claussen, when you married Dr. Homan? A How old was I?

Q Yes. A I don't know. 1908, wasn't it?

Q Had you been previously married before you married Dr. Homan? A Yes, sir.

Q At what age were you married to your first husband?

A I think I was married when I was nineteen. I was married to my first one at seventeen.

Q What age were you, about, when you married your first husband? A About seventeen or eighteen; I can't remember.

Q And did you get a divorce from your first husband?

A Yes, sir.

Q And were you ill after that? A Yes.

Q And Dr. Homan treated you as your physician? A Yes.

Q And it was as a result of that treatment in his professional capacity that you became acquainted with him? A I knew him long before I was married, for the first time.

Q It was after that that you married him? A Yes, sir.

Q Will you tell us what Dr. Homan told you the first night of your marriage, if you remember? A He said he never could be a husband to me.

Q Was Dr. Homan addicted to drugs? A Yes, sir.

Q What drugs? A Cocaine.

Q And did he have certain intervals when he did not take

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it? A I don't know. May I say something here?

Q He was habitually addicted to cocaine? A Yes, sir. I believe the District-Attorney had him down in the Jefferson Street Police station one night to find out if this statement was true, and I think he found out it was true.

Q And did he tell you it was on account -- A At least, that is only hearsay. I heard that from a prisoner.

Q Did he tell you it was on account of his cocaine habit that he could not be a husband to you? A No, he said he met with an accident two years before, a bicycle accident.

Q Did he neglect you and leave you quite a lot? A All the time.

Q That was the reason, wasn't it, that you adopted this child? A Yes, sir.

Q So as to have a companion? A Yes, sir.

Q Where did you live with him here in the city when you first married? A Sherman Square Hotel.

Q Did you reside there during all the time of your marriage to him? A Yes, sir.

Q Did you keep -- did he keep a diary? A I don't know whether he did. -- I did.

Q Did you? A I kept a diary.

Q Have you got the diary? A Yes.

Q Where is that diary? A It is in my possession.

Q He knew various women, did he not? A Yes, that

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was his specialty.

Q Among them was Maude Ives Park ? A Yes, I will explain that.

MR. MEDALIE: I am perfectly willing the witness tell her own story in her own way, and that counsel does not do more than ask questions, and the witness can tell her own story in her own way. I suggest that you don't lead.

THE COURT: Go right ahead.

Q Among them was Maude Ives Park ? A Maude Ives Park, yes.

Q And he afterwards married Maude Ives Park ? A Yes.

Q Do you know who furnished the money -- how much money was put up at the time you went to South Dakota ? A Three thousand dollars.

Q Did you know who furnished that money ? A So Mr. Strauss told me.

Q Who did he tell ? A He told me Mr. Hobart Park had paid three thousand dollars to Dr. Homan.

Q And Hobart Park was whom ? A The father of Maude Ives Park.

Q And he afterwards married Maude Ives Park ? A Yes, sir.

Q Was Mr. Strauss your attorney ? A Yes, sir.

Q Had he also represented other relatives of yours ?

A Yes, he represented the interests of the Byrnes Estate.

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Q The Byrnes estate is the estate of Matthew Byrnes ?

A Yes, sir.

Q What relation is he to you ? A My grandfather.

Q Do you receive an income from that estate ? A Yes, sir.

Q Who else receives an income from that estate ? A My brother.

Q Matthew B Claussen ? A Matthew B. Claussen.

Q And who else ? A Joseph Byrnes, my uncle and the two Malley children.

Q How many altogether ? A I think there are eight.

Q About eight ? A Yes, sir, I think.

Q What does that estate consist of ? A The Lorraine, Forty-fifth street and Fifth avenue.

Q And the income you derive from that particular fund is about how much a year ? A It is now \$425. a month, with extra dividends. That is outside of extra dividends. I don't know the definite sum.

Q And who has charge of that fund ? A The United States Mortgage & Trust Company.

Q And they pay you the money each month ? A Monthly, yes, sir, on the 16th of every month.

Q If you should die, Miss von Claussen -- A I feel like it.

Q (Continued) -- what would become of your income ? A It goes to my brother.

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Q So that your child would be unprotected? A Absolutely unprotected.

Q You brought a divorce action, did you not -- after you obtained this divorce in South Dakota, did you come back to New York to live, or did you go to Europe? A I went to Europe directly.

Q And you have been living in Europe on and off for how many years? A Eight years now.

Q Have you a villa in Godesberg? A I am anticipating buying one. I have been living in this one all the time, ever since I have been in Godesberg.

Q And have you made negotiations for the purchase of it?

A We have been talking it over. In fact, I think the lady intends to leave it to my child, anyway, because she is devoted to the baby, and that is probably the only reason why I have not closed negotiations with her.

Q You came to New York, Miss von Claussen, when? A On the 28th; I arrived on the 28th of October.

Q At the time you arrived in New York did you make any declarations to the Port authorities? A Yes, sir.

Q As to where your residence was to be? A Yes, I said I belonged in Germany; I have lived in Germany, and I claimed Germany, notwithstanding they cross-questioned me very thoroughly, and I said I was on my way to South America, and they treated me very courteously at the port; they hardly bothered my baggage at all. If they had recognized me as

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belonging to New York they would have torn everything to pieces, as they have done on every previous occasion.

Q Were you on your way to South America ? A Yes, sir.

Q For what purpose ? A On a question of a visit to a friend, business matters.

Q A couple of business matters ? A Yes, sir.

Q Involving quite a lot of money ? A Yes, sir, involving a question of three million dollars.

Q You were employed by certain people abroad to negotiate certain transactions for them ? A Yes, sir. These men are very prominent, and their names are well-known.

Q Do you want to mention their names ? A No, not now. Another thing, I have papers to show that these men have commissioned me.

Q Those papers are where ? In the Ansonia Hotel ?

A Yes, sir.

Q Do you remember when you were examined by Dr. Mabon and Dr. MacDonald ? A Yes.

Q Did you at that time request them to allow you to get these papers ? A Yes, I begged them.

Q And did you tell them that they would be of assistance to them ? A I said they would be absolutely necessary, to prove my case.

Q They did not get them ? A No.

Q Although you were willing they should have them ?

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A Yes, sir.

Q Do you remember being confined in Bellevue Hospital, in 1911 ? A Yes, sir.

Q Under an order of the court? There was an order of court under which you went to Bellevue ? A I don't know.

Q You were there how many days ? A Seven.

Q You have learned how many days is the proper time for observation ? A There was an order for five days, I remember now.

Q You afterwards went to Bloomingdale ? A The order was given by Judge Herbert.

Q While in Bloomingdale you obtained a writ of habeas corpus, or a writ of habeas corpus was obtained for you while you were in Bloomingdale ? Was a writ of habeas corpus obtained in your behalf ? A Yes, sir, a little previous --

Q Just answer the question ? A Yes, sir.

Q And then a hearing was had before Justice Morschauser, in White Plains ? A Yes, sir, but you have not got when I was sent to the court from Bellevue. I was sent on the testimony of two doctors, the written testimony; that is, the written -- not testimony -- written signatures.

Q The two doctors who signed the report in connection with Bellevue, had they both seen you ? A In Bellevue ?

Q Yes. A No.

Q How many had seen you ? A Dr. Gregory had seen me.

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Q Had the other doctor who signed the report seen you ?

A The first doctor had not seen me at all. He came in and said, "How do you do?", the first day, but not professionally. The second doctor -- that signature was on the commitment paper, and I called Dr. Gregory's attention to it the day I was sent to court, I said, "Doctor, that don't belong --" I said, "who wrote that signature? That man has never seen me." He took the paper away again and had Dr. Holmes put his name on it, and I said "Even that man has only seen me two minutes". I said, "The law provides I am to be examined daily for five days by two physicians", and he said, "oh, well", and then the paper was presented to Judge McCall, and then I told Judge McCall that that was fraudulent, and yet he committed me to Bloomingdale.

Q Then you went to Bloomingdale ? A Yes, sir.

Q And you were there a few months ? A Yes, sir.

Q Then a writ of habeas corpus was obtained ? A Yes.

Q And you had a hearing before Judge Morschauser ? A Yes.

Q And you were paroled ? A Yes.

Q After your parole expired -- A Two months.

Q Then you were brought again before Judge Morschauser ?

A Yes, sir.

Q And you were discharged ? A Yes, sir.

Q Then you went to Europe ? A Yes, sir.

Q You went to Europe about May, 1912, was it ? A No,

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June, 1912, or the end of May.

Q You were discharged by Judge Morschauser in April, 1912 ? A April? I think it was June, 1912; I think it was June 16th I sailed.

Q Were you ill while abroad ? A Very ill.

Q For how long a period ? A Oh, covering a period of - I was violently ill covering a period since, I think, March some time.

Q Were you ill around Easter, 1912 ? A Oh, very ill.

Q Around Easter, 1913 ? A 1913 I thought is what you meant.

Q Can you state to us what one of the illnesses was that you had ? A Well, I was down with a break-down, because I remember Easter Sunday I went to St. Peter's church, and I was so ill I had to go out, and the cabman came up the steps to me and carried me down and put me in the carriage, and I was ill all Easter, violently ill, in bed.

Q Were you ill with gall stones while abroad ? A Yes.

Q For how long a time ? A The direct illness was a year and a half, but I have had trouble ever since.

Q Did that make you very ill? A Very.

Q Did you pass quite a number of gall stones ? A Yes.

Q Hundreds of them ? A Hundreds of them. It is almost incredible to believe. That is the reason I did not mention it to Dr. Mabon, because I didn't think his powers of

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conception --

Q Some were very large, and some very small ? A Yes.

Q As far as you have been told by your physicians ?

A Yes, sir.

Q Do you know that you have been indicted ? A Yes.

Q Do you know what you are indicted for ? A Yes.

Q What ? A Blackmail.

Q And what else ? A And sending a threatening letter, I think.

Q To whom ? A To Charles Strauss.

Q Do you know when you were supposed to have sent that letter ? A They say I sent it on Easter.

Q Have you any recollection of having sent it ? A None whatever. I read it for the first time in the prison cell; and, what is more, the part of the letter you showed me in the courtroom I never recognized as belonging to that letter. The first day I remembered the letter, I certainly would have remembered there was a second part to the letter, wouldn't I? I never saw that second part until the day I was in the Supreme Court.

Q At the time that letter is supposed to be dated, were you very ill, Easter ? A Yes, I was very ill, Easter.

Q Do you know why Dr. Mabon and Dr. MacDonald saw you in Mr. Medalie's room ? A Oh, yes.

Q Why ? A Because they think I am insane.

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Q How did they come to examine you ? A They were appointed by the Court.

Q And did you freely give them whatever information they wanted ? A Perfectly freely. I am glad always to have my mentality tested.

Q Do you know that under this indictment you would have to have a trial ? A Yes, sir, I want a trial, and I have asked for one.

Q And do you know what the consequences would be if you were found guilty ? A Yes.

Q What would be the consequences ? A Locked up, I presume. I am getting it on the installment plan now.

Q I beg pardon ? A I am getting my punishment on the installment plan now.

Q That is because you are confined in the Tombs ? A Yes, before they even find out whether I am guilty. I have no recollection of the letter, and I don't know why --

Q Have you been ill while in the Tombs ? A Did it ever dawn on you that that could be a forgery ?

Q I beg pardon ? A Did it ever dawn on you that that may be a forgery ? It is not the first instance where my signature was forged. There is a case in the Supreme Court here that Mr. Whitman withdrew from trial that would have proved I was blackmailed, and Mr. Whitman has taken my poison certificate to hide and crush that case, at his instance.

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Q You had quite a number of papers in connection with various matters of yours ? A Yes, sir, and they have all gradually disappeared, nearly all of them, and my baggage or my belongings were examined while I am under lock and key.

Q Have you ever written any books ? A Lots of them.

Q Among those books, have you written one about "Forget It If You Can" ? A Yes, I would like to forget that.

Q I beg pardon ? A I would like to forget that.

Q Have you also written a book called "Co-operative Profits" ? A "Co-operative Profits in Capital's Progress".

Q Regarding that book, "Co-operative Profits in Capital's Progress", did the Chancellor of England see that book ? A Lord Gray, Lord Earl Gray, a member of Parliament, sent me his recognition and his compliments, in return for my book, and a book of his, showing me what his opinions were. I have that; I will produce that in evidence.

Q Did you attend a meeting of the strikers in London ?

A Mr. William Jennings Bryan also sent me a letter acknowledging the receipt of my book, and since then I have seen in the papers that Mr. Wilson, Secretary of the Labor Union, has brought out theories that I have incorporated in my book. He has brought them out as his own, and I know that my book has been in his possession; that is, in Mr. Bryan's possession.

Q That book was written this year, was it ? A Pub-

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lished September 1st.

Q Have you ever written an opera ? A No, but I have written music. I know nothing about music, and yet I can write music. How do you account for that?

Q Have you ever written poems ? A Yes, sir.

Q Are you a believer in spiritualism ? A Absolutely.

Q And a great many of your thoughts you get from spiritualistic ideas ? A One calls them spiritualistic ideas.

Q Did you ever study music ? A No, not to speak of.

Q Did you ever take lessons in ~~the~~ connection with the writing of music ? A No.

Q Where do you get your ideas for the writing of music ?

A I don't know. The inspiration comes. I sit at the piano and pick it out with one finger, and send for a professor, and he gets the melody, and he writes the music while I give him the air.

Q You get some one to assist you ? A It is not assistance at all. It is clerical work. If I did not give him the time and the theme and the music, and he would not be able to write it. It is like this gentleman here before you (indicating official stenographer).

Q Do you know George Cowie ? A He puts this down in shorthand. I know nothing about shorthand, yet I am telling you the story, do you see ? That is the only relative

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position that a musician has with me, with my work.

Q You can write in the dark, too? A Absolutely, with no light.

Q Write on perfect alignment? A Yes; I brought my books to show you; they are all written in the dark, or with my eyes closed.

Q Do you know George Cowie? A Yes, sir.

Q You have met him, have you not? A Yes, sir.

Q He is an assistant Corporation Counsel? A Yes, sir.

Q How did you come to meet him? A He called me up on the 'phone one day and asked if I would come down to his office, or if he could come to see me, in the Ansonia Hotel, and I asked him what his business was, that I did not know him, and he told me that there was a prisoner in the psychopathic ward that knew me and wanted me to protect them, or they were down here in the Tombs, I don't remember which, and I said, well, if he would come up I would talk to him about it. He came up, and his object was to get my book from me. There was no -- he really didn't have any idea of having me go down to see about this woman, so after I gave him my book he asked me to come and see him, I think about three days later or four days later.

Q Where? A In his office.

Q The Corporation Counsel's office? A Yes, sir.

Q Did he ever tell you there was an effort to have you

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incarcerated in an asylum? A Absolutely, he told me the plan was out and dried and it would land me either in the Spring or in the Fall.

Q Did he tell you any way out of which it might be prevented? A Yes, he did. He told me if I would --

Q He told you what? A I don't like to say that. It might as well go in evidence, though, because he told me I could buy my freedom if I just loved him a little.

Q Did you refuse his proposition? A I told him I preferred the insane asylum, and I gave him the devil in the meantime.

Q You wrote a book in 1910, or had it published in 1910, Miss von Claussen, in connection with certain episodes in your life. Did you ever meet the King of Sweden? A Yes.

Q Where did you meet him? A At Weis Baden.

Q Germany? A Germany.

Q Did he invite you to visit the Court of Sweden, at Stockholm? A Yes, sir, he gave me my passport with his signature which he said everybody would recognize.

Q Did you ask the American Minister, Mr. Graves, at Stockholm, to have you introduced at the Court of Sweden?

A I only called on the minister and his wife as a matter of courtesy, to give them option, the diplomatic option of presenting me at court. The arrangements had already been made through Baroness Dolman of the court, a Swedish lady,

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to present me, and as the honor had been so pronounced I thought it would be only courtesy for me to give the option, as I said, to the American Minister and his wife, which they promptly refused, and sent me abusive letters.

Q Mr. graves refused to introduce you; is that correct?

A Yes.

Q Did you cable to President Roosevelt ? A No -- I did -- he said to me -- shall I put this evidence in ?

Q Yes. A When I asked Mr. graves to present me, he said "Madam, this is going to cost you a great deal of money"; and I said, "Mr Graves, it is not going to cost me anything, because I have already met the King; I have already my invitation; every arrangement is made, and I am very sorry, but I am not paying graft." He said, "Well, we will see". He said, "You will never be presented", and I said, "oh, I have the King's signed photograph." He said "The King has been known to give his pictures to chambermaids", and with that I left the room with a great deal of indignation.

Q Did you cable to President Roosevelt ? A I cabled to President Roosevelt, and asked him if his Minister could insult me and ruin my name in this way.

Q What did the President cable back ? A That his ministers were non persona grata, and I cabled back "With everybody except Ida von Claussen".

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Q What did you mean when you said to Mr. Graves about graft ? A He meant for me to pay. He said it would cost me a great deal of money to be presented, and I told him it was not going to cost me anything, because the King had already invited me; that he had already planned out a marriage with his son Eugene, and that marriage was to be arranged by Parliament, and this was the reason Mr. Graves evidently had some object, I don't know what the object was, to get --

Q You did not care about a title, did you ? A No.

Q You have the title of Countess ? A I have two titles.

Q Where did you derive your title of countess ? A From my father's family.

Q On the German side ? A Yes, sir, but I think my own name is just as good as any.

Q What ? A I think Ida von Claussen is just as good as anything.

Q You very seldom use the title of Countess ? A I use it in Europe a great deal.

Q But not here ? A No, it is a protection.

Q Have you met any of the other crowned heads of Europe ?  
A Many of them.

Q Tell the Court some whom you have met and spoken to ? A No.

Q Go ahead ? A No.

Q Who ? A I don't care to at all.

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Q Did you meet the late King Edward ? A No. King Edward invited me to meet him. King Edward wanted to meet me. I don't like to go into these personal things. I will tell you the episode about King Edward. I do this under -- well, I don't like to bring my personal matters into evidence. I was in Berlitz when King Edward was there, the Summer before he died, and the King had made many advances in the gardens to try to meet me, and I didn't like the idea of being met in that way, so one day he sent his Aid-de-Camp, Mr. Cain, to ask if I would like to know him, and I said, "If the King wants to know me he knew how to be presented -- at least, for me to be presented to him, I should say; and so the Aid-de-Camp smiled, and he said "Well, what credentials have you?", and I gave him all the credentials I had, and he came back with the word -- he said "Will you kindly see that your new President has you presented at my Court?" I said, "That is more like an invitation, the way I should be received by a king; so I wrote immediately to Mr. Taft, not because I was so anxious to be presented, but because I had been invited, and I thought it was just as well to let Mr. Taft know the situation; so I wrote to Mr. Taft, and Mr. Taft ignored my letter, notwithstanding I had given Mr. Cain's address, and asked him to call on him to verify the proof of what I said. I was invited also to another king's dinner, a birthday dinner, and I believe there are records

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in the archives of the newspaper department about two or three engagements with princes -- silly -- false alarms.

Q Did I ask you how many days you were in South Dakota ? A Forty-seven days.

Q That was the time you got your divorce ? A Yes.

Q Do you know how long the legal period of residence is ? A Six months and then after that the divorce can be granted.

Q Did you tell your attorney that you were not there sufficiently long ? A Oh, yes, absolutely; he knew it. He ordered me away.

Q What school did you go to, Miss von Claussen ? A I went to the Sacred Heart Convent when I was seven, right after my mother died, and I stayed there until I was eleven, and from eleven until twelve I went on the Hudson, St. Vincent, and from twelve to fourteen I went to Emmetsberg, Maryland, and from fourteen to fifteen or fifteen and a half I went to the Sacred Heart Convent again. That is the time they told me to return home and wait, because I had, by skipping school, notwithstanding that it is ~~unusually~~ otherwise, I seemed to double the classes. And another thing I will say here: From early life I showed a tendency to write.

Q How old were you, Miss von Claussen, when your mother died ? A Seven, I think; I don't know; it was between five and seven; I don't remember.

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Q How long is your father dead ? A Two years.

Q Were you present at the time of his death ? A Yes.

Q Did he at that time -- A He dropped dead at my side.

Q Did he at the time of his death talk to you regarding your brother, Matthew ? A Yes, sir, he was afraid to go because he told me my life was in danger in that man's hands.

Q Had your brother been very friendly to your father ? A No, brutal, I am sorry to say.

Q And did your brother, after your father's death, ~~say~~ was he friendly with you ? A No, no, never has been.

Q How often have you seen your brother, Miss von Clausen, since the time you left for Europe, in 1912 ? A I have not seen him at all, except in the hallway, after the court proceedings one day; I didn't speak to him.

Q After you were committed to Bloomingdale, how often did you see him? A I think twice he came to see me. Once he came and offered me my freedom if I would get out of politics; I was in the garden, in Bloomingdale asylum, and he told me to stop writing and get out of politics, give up all my ambitions, stop working for the poor, and get out.

Q And at the time you were committed to Bloomingdale, was he appointed the committee of your estate ? A Yes, sir.

Q Was he ever discharged from that committee, do you know ? A Not that I know of, although Mr. Adams has notified

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me by letter that he was; he said he was discharged; it is only hearsay.

Q Has he ever made an accounting? A No, he gave me an itemized statement here and there of different moneys.

Q What did Barto S. Weeks have to do with your case?

A The same as Charles Strauss.

Q In what capacity did he represent you? A Dr. Homan -- he was Dr. Homan's lawyer.

Q Charles Strauss was your attorney? A Yes, sir.

Q Had Charles Strauss before that made any dicker with you regarding fees in connection with the estate matter? A Yes, he told me if I brought the heirs into his office, that he could make more out of the combined sum than he could out of my income, and he would have the same trouble, so he said he would handle my legal work free.

Q You hired George Robinson to bring a divorce action for you? A Yes.

Q That was how long ago? A That was almost three years ago now, I think.

Q What did you pay him? A A hundred and seventy-five dollars.

Q What was he to do for you? A For \$250. he was to get the decree, on installments that I was paying out of my income.

Q Did he get the decree? A No, and not only that,

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but he laid a trap --

Q He brought an action ? A Yes, sir.

Q Was that action discontinued with your consent ?

A No; he brought me back on a telegram --

Q When did you first know that action was discontinued ?

A After I left Bloomingdale.

Q That action of yours was on the calendar for trial, was it not ? A It was my day in court.

Q Did you receive a telegram to come to New York ?

A Yes, sir.

Q Where were you at the time ? A At the Congress Hotel, in Chicago.

Q What did that telegram tell you ? A To come immediately. I telegraphed back, I could not the case be postponed, because it was Saturday, or Friday evening, and I had no money, that it would take me time to telegraph to the bank here to get the money, and so I really had to borrow the money to come on such short notice, but I telegraphed back to Mr. Robinson "Will you postpone the case?", and he telegraphed back, "no, the case will be discontinued"; and I thought that was quite illegal, because the Court does not expect impossibilities.

Q Did you go to Pittsburgh then ? A No, I telegraphed to Pittsburgh to Kahl, in the Frick Building, I think 1050 Frick Building, Pittsburgh, and he telegraphed back "I will

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meet you in court Monday"; so he was taking the night train from Pittsburgh while I was taking the night train from Chicago, and we met Monday morning in court.

Q. Before you get to that, before you got to New York, did you send a telegram to Judge Greenbaum? A. Yes, sir.

Q. Do you know what that telegram contained? A. Yes, sir.

Q. Tell the Court what it contained? A. "Liberty and justice is all I ask. If foul play marks your decision, God help you." I explained that in my testimony on the stand very satisfactorily to everybody in the court except to Mr. Greenbaum.

Q. What did you mean by "God help you"? A. I hoped God would help him to decide. My whole life has been one of prayer. You know my life, don't you?

Q. Do you believe in evil? A. No, I don't. I have entirely different beliefs from most people, understand? That is my religion, and it is a thing that absolutely should not be questioned in America above every place.

Q. You always believe in everything that is good, do you? A. Yes, sir, and I think that is the only way you get good results.

Q. When you got to court on that morning, what took place?

A. May I say another thing? I mean that you retrograde if you don't strive to achieve what you want. What I do, you understand, I have an aim and an ambition and an object in,

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and any good general is not going to lay his whole hand down and his whole map of campaign down, and the things I hold back I am always willing to explain to anybody that will listen to me without skepticism.

Q Now, on that morning that you got to court, what took place regarding the telegram that you had sent to Judge Greenbaum? A Judge Greenbaum -- I thought Judge Greenbaum, with all due respect, I thought Judge Greenbaum had been drinking, I give you my word. We got up and he shook the telegram in the air, and everybody in the court was dumbfounded, I was not the only one, and I got up and I says "Your Honor--" He says "Sit down". I sat down. Then he began to distort the telegram, and I said "Your Honor". He says "Sit down" -- the most melodramatic position I have ever been in in my life. Everybody began to snicker then. Then the third time came and I said, "Your Honor, that is my telegram, and I am going to read it, and if you want to distort it after I have read it to the Court that is your lookout"; and I demanded to be put on the stand, and I described the telegram. That is all in evidence. He asked me questions which were manifestly ridiculous and silly.

Q It was after that you were committed to Bellevue?

A Yes, sir.

Q You were arrested that day? A On the very same day, but that was in the Fall, and according to Mr. Cowie's pro-

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position -- at least, his declaration -- in the Spring the bomb, as he said, would fall, either in the Spring or in the Fall.

Q And did George Robinson tell you anything about the telegram that he sent you to come to New York ? A He said -- he didn't say anything about the telegram, I didn't have very much opportunity to talk to Mr. Robinson. I only saw Mr. Robinson twice after that.

Q When had you sent that telegram to Judge Greenbaum? The day the case was on, or some days before ? A No, I telegraphed him the night before. I think I telegraphed him on Sunday, before I started on the trip.

Q Now, what did Mr. Whitman have to do with your case, or your troubles, at any time ? Did you ever go to see him ? A He refused point blank systematically --

Q Did you go to see him ? A Yes.

Q What for ? A To adjust the divorce and to adjust the baby's case, and he was going into his office at the time, if I am not mistaken it was District-Attorney Whitman, because his office -- there are two offices together, and you have to go through one to get into the other, but he was going on his way to his office, and I said "This thing must be stopped; it must be arranged; I don't seem to be able to get a lawyer. My time is being wasted"; and he was really brusque and disagreeable, and he sent me to another lawyer, another

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attorney who was sitting at the desk. He said "Take this case over", and that gentleman took all my evidence, and he says "You go to Mr. Rice." I went to Mr. Rice, and told him everything. He says "You have the law on your side, you are entitled to support and maintenance for that child, but we can't do anything for you."

Q You have hired lawyers at various times? A Oh, numerous.

Q Have your dealings with lawyers been very pleasant?

A Very unpleasant. In fact, I have complained to the Bar Association, and Mr. Chrystie never even took any notice of my letters. He must have been accustomed to complaints like that.

Q Have you paid moneys to lawyers who have never done anything for you? A Yes, sir, many of them.

Q And that is the reason you have lost faith in them; is that correct? A Wouldn't you?

Q I beg pardon? A I wouldn't you? A burnt child dreads the fire, you know.

Q Are you perfectly satisfied with the way I am conducting your interests? A Yes, very. You are very brave and noble against the odds.

Q Now, let me ask you, Miss von Claussen, while you were in the Tombs, did you have any dealings with a young man nam-

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ed Buckley ? A Yes, sir.

Q Did you give him any moneys ? A \$270., or two hundred and seventy-five.

Q What was he to do with those moneys ? A Keep it for me, and he was to get a bond for me, and by my food and dis-  
pense it according to my instructions.

Q How much money did you give him for the specific purpose of a bond ? A I gave him two hundred and seventy-five dollars -- no, \$250 for the purposes of a bond, because that is what he said it would cost, and the other money was at different intervals.

Q Have you demanded the return of your money from him in connection with the bond ? A Oh, yes.

Q Where was he to put that money for the bond ? A In a trust company.

Q Did he do it ? A Let me tell you. There was -- there is a correction. There was a hundred and twenty-five dollars for the bond, but it was uncertain, and he said the bond would cost more; that is the reason I gave him these different orders, and that is how he happened to collect. Of course, those other orders are on record.

Q And he refused to return that money, has he not ?

A Yes, sir.

Q Do you remember stating in your testimony that the -- do you remember yesterday having heard read a letter to Judge

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Malone, the Justice presiding, in which you referred to the fact that you wanted the Judge to see that you should get a marriage license? A Would you mind repeating that question, please?

Q (Question read by stenographer). A Yes, sir.

Q You wanted a marriage license for the purpose of marrying who at that time? A Mr. Buckley.

Q What was the object of your desire to marry Mr. Buckley when your contention right along was that you were never properly divorced from your husband? A Because I have never been able to get a divorce here, and in order to test my divorce the easiest way was to find out whether they would refuse me a license. Then, if they refused me a license, it proves conclusively to my mind that I am not divorced from my husband, because why should any court refuse me a marriage license?

Q If you had got that marriage license and you had married Buckley, what was the intention then on your part?

A Deserting him. No, I don't mean that. I meant to simply let him bring a suit against me to annul the marriage on the ground that I am still Dr. Homan's wife. If you can't kill a goose one way, you can cook him another.

Q That is, to bring an action to annul the marriage on the ground the Dakota divorce is illegal? A Yes, sir.

Q And then it would be determined once and for all

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whether you are really divorced, or not? A Yes, sir.

Q If the courts had determined that you were not the wife of Dr. Homan, that you had a divorce in Dakota, then you would have been bound to Mr. Buckley; is that right? A Yes, but don't you see the court would never have allowed me a marriage license, knowing the condition and the situation?

Q I mean that, if the court in that annulment action had determined that you were not the wife of Dr. Homan, that you were single? A I would be married.

Q If it was shown that you were the wife of Dr. Homan, what then? A It would show that Mr. Buckley was not my husband, wouldn't it?

Q We have taken up Barto S. Weeks, we have taken up Mr. Strauss, we have taken up Dr. Homan, we have taken up Mr. Buckley, and we have taken up Judge Greenbaum -- A Will you tell me why the District-Attorney refused to let Mr. Buckley return my money to me?

Q Regarding that, the Court thought it best, Miss von Claussen, while these proceedings were pending, to let that matter lie in abeyance? A I have got to pay for my food. I need my money. Why should that interfere? I am not so insane that I don't know he has my one hundred and seventy five dollars.

Q Well, I have endeavored to get it, but I have been unable to take any steps in that direction yet. A Why not? Haven't you any law?

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Q There is no use going into that now. A Why? Haven't we got the law? If there is law for one person in America, why isn't there law for me?

Q The District-Attorney's office thought it best to let the matter rest. A Why should he have a thought on the subject at all? He is there to prosecute criminals, and that man has stolen my money from me. Why doesn't he prosecute him?

Q Well, we will discuss that in a minute. A Well, honor is honor, even if it is dealt out to Ida von Claussen -- I should have said even if it is not dealt out to Ida von Claussen. Here are two documents (handing papers to Mr. Newman) that when they are typewritten and corrected I would like to produce as evidence.

MR. MEDALIE: I have no objection to their going in now, Mr. Newman.

THE WITNESS: It is to show why Dr. Mabon's testimony yesterday is unfounded.

MR. MEDALIE: Let us receive that, Mr. Newman.

THE WITNESS: It is a scientific definition of why Dr. Mabon and Dr. MacDonald are not capable of judging of my mentality.

Q You offered both those doctors every opportunity they wanted? A Yes, sir.

Q Did you refuse to be examined by them physically?

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A No, sir.

Q Did you ever refuse to allow them to make any test they desired? A Never.

Q Mental, or otherwise? A No.

Q Did Dr. Mabon tell you you were an unusually bright woman, during that examination? A Yes, sir, he did, and it was left out of the minutes. I called the stenographer's attention to it at the time; I said to put that down; but he left it out, beautifully left it out.

Q And you thoroughly understood what that examination was for? A Yes, sir.

Q That examination was for the purpose of going into the question of whether you were sane or not, in connection with whether you were to go to trial on your indictment? A Yes. What will you do with those?

Q I will look these over during recess, and I will talk to you about it as soon as I have read it through. A And then I am to go on the stand again?

MR. NEWMAN: I don't know. I don't know whether the District-Attorney desires to question you, or whether the Court does.

THE COURT: Do you desire to ask any further questions?

MR. NEWMAN: I am through.

THE WITNESS: If those papers meet with your ap-

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proval, will you produce them as evidence ?

MR. NEWMAN: Oh, yes.

THE COURT: I think we will take a recess now until two o'clock.

MR. NEWMAN: I will decide during recess whether I wish to ask any further questions. May I ask the Court to take a recess until a quarter past two ?

THE COURT: Yes.

MR. NEWMAN: Or half past two ?

THE COURT: No; 2:15.

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(The Court then accordingly took a recess until 2:15 P.M.)

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A F T E R    R E C E S S  
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F R A N K        A.        M c G U I R E, called as a witness on behalf of the defendant, being first duly sworn, testified as follows:

DIRECT EXAMINATION BY MR. NEWMAN:

Q What is your name ? A Frank A. McGuire.

Q Where do you live ? A 74 West Eighty-fifth street, Manhattan.

Q Doctor, you are a physician ? A Yes, sir, and have been since 1877.

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Q Are you in charge of the City Prison, known as the Tombs ? A I am one of the physicians. I am visiting physician to the City Prison, sometimes known as the Tombs.

Q Doctor, do you know Ida von Claussen ? A I do.

Q Have you seen her on several occasions while visiting the Tombs Prison ? A Possibly, all told, four or five times.

Q Have you conversed with her ? A I have.

Q Have you treated her at all ? A I have not. The house doctor has looked after that.

Q Doctor, from your conversations with her and her demeanor towards you, are you able to state how her conduct impresses you, as to whether it is rational, or irrational, or normal, or otherwise ? A My observations of this defendant have been too limited to draw any conclusion.

Q Been too limited ? A Yes.

Q So, you would not desire to express any opinion ? A I should not, on the limited degree of observation and examination.

Q Do you think, that a person in order to pass upon one's sanity or rationality should have more sufficient opportunity of examination than the mere hour or two occasionally ? That is to say by that I mean this: You say you have seen her half a dozen times all told ? A Four times, possibly.

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Q And that your opportunity was too limited to base an opinion on it ? A Yes, sir.

Q Would you consider a person who has seen her, say, during three visits off and on were able to qualify to sufficiently pass upon the sanity of a person ? A I am simply passing upon my own observations, not anybody else's, only my own.

Q Do you think, Doctor, a person who is in daily contact with one day in and day out, week in and week out, are in a pretty good position to judge of a person's rationality ? A A person who is qualified.

Q More qualified than so-called alienists who have seen her only for an hour or two ? A I am not passing upon the question of alienists.

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I D A v o n & L A U S S E N, resumes the stand.  
DIRECT EXAMINATION (CONTINUED) BY MR. NEWMAN:

Q Miss von Claussen, while you were in Godesberg, in the month of October, 1913, or just prior to your departure for America, did you receive from one Dr. Grote a certificate in connection with your health and mental status. "Yes", or "no"? Did you ? A Yes, sir.

Q You had been treated by Dr. Grote, had you not ? A Yes, sir.

Q On various occasions ? A Yes, sir.

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Q What was your object, Miss von Claussen, in obtaining such a certificate from Dr. Grote in connection with your health and your mental status, before coming to America ?

A Because the police of Germany warned me that, as they said, a plot existed to incarcerate me upon my landing here in America in a mad house for life.

Q So that you thought it best, in your opinion -- A I went to Dr. Grote and asked him what protection I had against such a condition, and I said, "My estate is here in America; there is a mortgage coming due; I have got to go back; I must see about that; I must see about some personal affairs, on my way to South America. What protection have I?". He said "The protection of the doctors of Germany who have seen you, not only myself but others, and if it is necessary I will get the others to certify".

Q So that is why you got that certificate ? A Yes, sir.

Q Miss von Claussen, did you hear me ask Dr. Mabon yesterday if they had at any time been subpoenaed or called or suggested to come in connection with any sheriff's jury, in connection with your condition, mental or otherwise, some two years ago ? A Yes, I have heard that.

Q Do you know anything about that, Miss von Claussen, as to why I was prompted in asking such a question ? A Yes, because my brother told me that one or both of these gentlemen were on the sheriff's jury that was to have tried

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my sanity when I was in Bloomingdale. I came down on the 15th of November to the sheriff's jury, and if I am not mistaken, if I have a very good recollection, as I have of other previous occasions, I think I recognized Dr. MacDonald, as I spoke to you about it the first day I met him, I said, "Doctor, I think I have seen you before", and that was not put down in the minutes.

Q That was simply an oversight, possibly; that might have been in the course of our conversation, so that the stenographer might not have taken it? A May be. My brother told me this, you know.

Q Have you ever been arrested for any crime? A Not that I know of.

Q Have you been arrested at any time for any assault upon any person? A No, not that I know of. In fact, I courted an arrest when the United States Mortgage & Trust Company were stealing my money.

Q I was just coming to that. You had an argument with the United States Mortgage & Trust Company, did you not?

A Yes, sir.

Q Regarding certain accured income? A Yes, sir.

Q Amounting to how much? A Amounting to between thirty and fifty thousand dollars.

Q And you went to the Trust company and raised a hula bloe about it? A I raised more than that. I raised the

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money.

Q As a result of your going there and your talk with these officers, you got your money ? A Yes, sir.

Q How much did you receive ? A The shares that were due me at the time, my accrued income, which is on record.

Q And the amount involved was between thirty and fifty thousand dollars ? A No, we didn't get that much back, because they held some of it as principal, but there was not very much principle in holding it, was there ?

Q Were you at any time sued in an action that was termed a blackmail action ? A What is that ?

Q Were you at any time sued by a person and that action was termed a sort of blackmail action ? A Outside of Mr. Strauss ?

Q Didn't you at one time have an action ? A Oh, yes, but they were blackmailing me.

Q That is what I mean, yes. Tell us about that action.

A You frightened me to death. I was taken to the Embassy under drug influence, as proved by two certificates. I am cutting this story as short as possible, your Honor, because it is not necessary to go into the details of it.

Q Go ahead. A Aman by the name of Mr. Lindberg, and this man Mr. Lindberg I was engaged to be married to, in Sweden. After Mr. Graves refused to present me at the Court, I immediately opened the doors of society to myself

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by engaging myself to this Mr. Lindberg, and everybody said then I had no intention of marrying him, and I said I knew I had not, and I believed the gentleman himself knew I had not any intention of marrying him, but I had no body to protect me, so I didn't propose to have any scandals if I could avoid them; so Mr. Lindberg was very angry to think that he was not going to marry me, because he heard I had a very big estate; so when I broke off with him he said he had taken counsel at the American Embassy about arranging a business proposition. Well, I paid no attention to it at all. He communicated with me by letter two or three times, and finally he forced himself on my presence, down in Godesberg. I met him at the station -- I met his sister at the station. His sister was visiting me at the time, in Godesberg. She went to the station and she brought her brother back, and I said, "you can't stay here", and he said "all right, I will go elsewhere". I went out for a little while. When I came back I found another man, a strange man, by the name of Waldstedt and himself ensconced in one of the apartments in this lady's household where I was stopping. From that day on there was a physical change in my -- in me, I should say. I went to the doctor, and he said "What are you doing? are you taking drugs?" I said "go on, I never took drugs in my life." He said "You have got very much the symptoms of drugs," and I had a very good color, I had a very

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high color, and two days after they arrived I was as white as a ghost. Well, the next thing I knew I was in Cologne and in the Embassy in Cologne what transpired in that Embassy

I have not the faintest idea of. I remember a paper being handed to me to read. I held it this way, (Illustrating), and they took it out of my hand again and turned it upside down, and told me to sign it. I asked for a drink of water, and I staggered. I don't remember anything more.

When I came out of this, my doctor found me on his sofa, unconscious, or semi-unconscious, from poison, and he told me then that those men had poisoned me. The symptoms, the surroundings, the circumstantial evidence is three different people's houses pointed that these men had taken these papers, which afterwards I had found out, because they were told by the lawyer, or some lawyer, to leave duplicate copies with me, to make it legal. However, I went immediately to the Embassy and asked for these papers to be recalled; that I knew nothing about them. I was -- a period of three months went by, and the papers expired, evidently. They came down to Milan, these two men, again put in an appearance, and they said "You must sign these papers." I said, "I haven't the faintest idea of signing any papers, and if you don't get out of town I will have you arrested." I said, "You are following me around, you are annoying me, and you are trying to get money out of me when I don't owe you anything. So I was sitting in the parlor of the Hotel

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DeLouville, in Milan, and I was thirsty; it was a warm day; so I ordered a glass of lemonade. In the meantime, they said "Go and get the contract you have with me". I said, "I have no contract with you." They said, "The papers we left with you", and I went upstairs to my room, got the papers, came down, sat at the desk, was reading them, and I drank the lemonade. I offered it to both of these men, and in a joking way I tried to force the lemonade down Mr. Lindbergh's mouth, and he refused it. The same way with Mr. Waldstedt, although I did not know him as well, I didn't take quite as much liberty with him; and it did not dawn on me until I had swallowed the last drop out of that glass why did they refuse so point blank not to touch the lemonade. I left the room, violently ill, I went to the front door. I spoke to the contiergerie. I said, "I am going upstairs". I went upstairs. Those men did not know where I lived, and did not know anything about it, How they found their way to my room, whether they pushed the door in, I don't know whether I locked it or not; they dragged me semi-conscious from the bed; they put something in my hand and said I have got to sign that. I said "I won't, you cowards", and my head dropped. Those papers were brought here. They tried to blackmail me in Paris. They handed it to the hands of a third party, Mr. Landergrin. I went for protection to the Secretary of police, in Paris, Mr. De Gauvehan, I think it is, something of that order,

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the Secretary of police; he called Mr. Landergrin to him; and Mr. Mandergrin unmercifully debauched the truth and lied. So, one month afterwards, Mr. Landergrin suddenly -- after he had instituted proceedings in this way. Shall I tell it?

Q Well, if you would like to? A Three or four men of the law came in and asked me to pay this note. I said, "I don't owe that note. I have never seen it before, but", I said, "I can easily explain that, and I can bring my papers to the Court." So I immediately got up, and in the meantime they had taken an inventory of all my belongings, while I was still in bed; and I went to the Court, and tried to get a lawyer, but it was too late; they didn't give me time; I barely had a moment to get down there. I asked the Judge, in my broken French at that time, if he would give me ten minutes to get a lawyer. The Judge said no. "But", I said, "Your Honor, I don't know anything about that." He gave orders, without my being represented -- think of it -- prosecuted by Senator Rathay, one of the leading diplomats of Europe to-day, in the French Embassy, French ministry. He refused to give me any moment. He told them something in French which I did not understand, and Mr. Rathay met me in the hall, presented his card and said, "If you come to my bureau we will settle this thing amicably." I went to his office, sat there an hour and a half with my friend, and when I came home I found everything gone, and my letters and

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baggage and King's picture all gone and kicked around on the floor, and they were looking for these papers. Fortunately, that day I left my Muff, and I put these papers under my arm and went to the Court. If they had found those papers I would have been in a French prison to-day without any redress. I brought that case to the Supreme Court here in New York. You see, I have had to tell you this to get the gist of it. I said "If I owe you that money I will pay you every cent of it". It was a question of sixty thousand dollars, but the immediate question was a question of fifteen thousand, three notes. So I said, "If I owe that fifteen thousand I will pay you every cent." So my father went to Mr. Masse and engaged Mr. Masse. He wanted \$200. I paid him \$100 on account. He said, "You are very foolish not to pay \$250 and get your fifty thousand." But I said, "I am paying you to defend me. I don't owe the money. I have been persecuted, and why should I pay? Let the Courts decide." So Mr. Masse, I believe, has a relative of Mr. Whitman in his office. Suffice it to say that I was very much provoked at Mr. Masse, coming up in the elevated train one night, and I told him if he could not defend my interests any better than that, that he better get out of the case and let somebody else take charge of it. I said I would not pay unless the courts said I had to pay. The day of trial, that case was withdrawn from the courts, and Mr. Masse tells me to look for my poison certificate in Mr.

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Whitman's office, poison certificate from two expert doctors, to look for them in Mr. Masse's office -- not Mr. Masse's, in Mr. Whitman's office, because, if that case had gone on, Mr. Roosevelt would have had to be subpoenaed to answer why his Embassy in Cologne allowed an American woman -- allowed \$50,000 to be taken from her without even telegraphing to find out if that woman had the money to give.

Q You never had to pay a cent of that? A Never, but I did not recover my thousands of francs worth of clothes.

Q When you got the certificate, it was when you believed you were under the influence of drugs? A Yes sir, they found me in a semi-conscious condition. Maybe some medical man here can describe it. I would know I was in this spot, but how I got there I did not know; and then I would find myself there, and I would realize I was there, and I would not know how I got there; and a doctor by the name of Van Orden, in Hamburg, in Germany, said -- I went to see him, and he said I was suffering from a combination of drugs. He said he could not place exactly what it was, but it was a combination, and he said the dilation of my pupils indicated absolute poison, and he was the one that gave me the poison certificate.

Q So the reason you base those facts is that the doctors told you that? A I didn't know I was poisoned. I didn't know the condition. They made the assertion. They volunteered it. In fact it was a surprise to me.

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Q You heard Dr. Mabon give his definition of paranoia yesterday? A Yes.

Q And you heard him also testify to the fact that he had 4800 cases under his care? A Yes. Did you read that paper, though?

Q What is your definition of paranoia? A A repetition of some old self-centered or something -- I don't know exactly, except the repetition of something that is on your mind.

Q That really has no existence? A To tell you the truth, I don't know what paranoia is? If I am a subject of it, I would like to know the definition of it.

Q Do you think a person who is coming in contact daily with the subject, for instance, like Dr. Mabon does, 4800 people would be rather imbued with the idea of insanity more than he would be against it? A He can judge insanity, yes, but can he judge sanity?

Q I am asking your opinion? A My opinion is that Dr. Mabon and Dr. MacDonald did not give a scientific definition of my case at all. I think they gave -- talking about flippancy, If they are in the medical profession, and can't learn English any better than they learned it on the stand, or gave definitions of it on the stand, yesterday, I think that they are really disqualified to judge my mentality.

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Q What would you say regarding your mentality? A I think if they would let me alone, I think I would be a very happy woman.

Q You have not any desire to wound anybody, have you?

A Oh, silly, no.

Q You have never attempted to harm any person? A No.

I pick up worms and put them back in the grass so people wont step on them.

Q It is your desire to adjust your affairs here and go to South America? A Exactly. This question is absolutely a question of law. The opinions of law have been substantiated by experts. I am here on the advice of the greatest expert we have, representing the American Embassy. I am not here on my own advice. Didn't you see from those letters I sent you that I did not want to come to this country? I was afraid I was going to lose the job.

Q But you had to come here? A I had to come here.

What was I to do?

Q You want to get out as quick as you can? A I would be most delighted to. I have not had very much of a pleasant reception, have I?

Q How long were you here before you were incarcerated?

A Two days. I would like to put just one verse of a poem

that is in his book, for the benefit of relaxation. I

remember it "Light up the religion of the soul; so a just--"

This is speaking about --

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Q Get that poem first? A This is speaking of my flag.

"Alone I stand, disrobed of thee; a faith in thee I vow.

Come gently to my rescue, dear, for I do need thee now.

Let freedom speak from thy fair folds, let treason be

replaced by justice listening to they voice, in Courts that

thou has graced. Light up thy golden chamber, seek justice

on her throne. Wave gently oer the land that is free

when I am coming home." I was in prison two days after

I arrived.

Q They treated you better at the pier than they did

here? A That seemed to be a prediction. That is three

years ago. That was written three years ago.

Q When you left here the last time, after you left  
Bloomingdale, they did not expect you to come back, did they?

A They told me to get out.

Q And stay away? A Yes. Is this a free America,  
or is it incorporated?

Q You possibly would not have come back, or tried any  
business ventures, if it was not for your projected marriage  
in Europe? A Yes, and to transact this business.

MR. NEWMAN: I think, Mr. Medalie, I will turn  
Miss von Claussen over to you.

MR. MEDALIE: May I ask Mr. Newman for the papers  
Miss von Claussen delivered to him this morning?

THE WITNESS: No, it is not necessary. That is no  
necessary.

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MR. NEWMAN: It is something I have not had an opportunity to read over carefully.

THE COURT: You need not hand them over.

MR. NEWMAN: To tell you the truth, I have not read them. I have not had time.

THE WITNESS: All I would say about that is, that is a scientific definition.

MR. NEWMAN: Just a minute.

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CROSS EXAMINATION BY MR. MEDALIE:

Q What do you want to say about it? A I will answer that.

Q Yes, do. A I think I answered it before, when Mr. Newman asked me whether I thought Mr. MacDonald and Mr. Mabon were capable of judging my mentality and I have given a reason which, if Mr. Newman sees fit, after he has read the papers and has thoroughly comprehended them himself, or turned them over to an expert in that particular line upon which I have been writing, then I would be better prepared to give that in evidence, and then we will call the experts on the question of science, which you will probably find in John Hopkins University, to pass upon that very paper I have given him.

Q Any time you want us to read the paper, just say so and we will read it? A What is the reason of your reading it if you don't understand it?

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Q We may understand it? A You have not been able to understand me up to date, and you have been trying for years.

Q Do you think Judge Malone would understand the paper if we gave it to him? A I think he would.

Q Suppose we give it to Judge Malone, without my looking at it? A After Mr. Newman has had it typewritten.

Q What do you consider your occupation? A Trying to get law, order, and justice in my particular case in the United States Courts or in the Courts of America.  
n't

Q Have you a more general occupation than that? A I would like to have the occupation of being happily married to the man I like, but I have not got that yet.

Q At present, what are you engaged in? A In answering you.

Q Apart from litigation? A Apart from litigation, spending my times in the Tombs.

Q That is a part of litigation? A Oh, is it? I have not found that out yet.

Q Are you engaged in writing? A Haven't you received many of my letters?

Q I want all this on the records? A Will you produce that letter?

Q I will produce all of them. You are an authoress, aren't you? A Would you call it that?

Q I am asking you? A I don't know. I have not been

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pronounced anything as yet. I have not been able to get a publisher to publish my book in America. I have had to pay. I don't consider myself an authoress until somebody volunteers to publish my books.

Q You have written books? A You have read them.

Q The Judge does not know these things unless you tell him so, and the way the Judge knows these things is by me asking the questions and your answering them. A Yes sir.

Q The questions are really for the Judge's benefit, not for mine. A Do you mean to say Judge Malone don't know anything about my affairs?

Q Judicially, he knows nothing, unless it is on the record. We want to get it on the record. Don't you? A I don't know. Do you?

Q You have written books? A Yes sir.

Q How many books have you written? A One, two, three, four -- about five.

Q Does that include pamphlets? A Yes; I have written two pamphlets.

Q What are those? A What are they? One is "Co-operative Profits in Capital's Progress".

Q What is the other one? A "The Pen is Mightier than the Sword".

Q What is the other one? A I don't know whether I gave it a name, or not.

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Q "Anti-Roosevelt"? A "Anti-Roosevelt", that is right.

Q That is this little pamphlet here (Exhibiting pamphlet)? A Yes. Now, do you want me to read you something in that?

Q We will have this pamphlet in evidence, so his Honor can read the entire pamphlet? A I would like to put a mark on a paragraph that I would like his Honor to take particular notice of.

Q Since I introduced it in evidence, I will have to do that? A About how the emigration authorities tried to find the American flag.

Q You have written poetry? A Yes, by the yard.

Q In fact, you have sent us some of your poetry? A How did you like it?

Q Now -- A Answer, answer. It is a fair proposition. I want that on the record.

Q You want to know my opinion of your poetry? A Yes. Are you capable of judging?

Q No, I am too prosaic? A I thought so. Then, that disqualifies you.

Q I am not passing on your poetry. Did you send a poem to the District Attorney Whitman entitled "A word to the Wise is Sufficient". A Did he accept it?

Q Did you send it to him? A I don't know. Let me look at it.

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Q Here it is, (Handing paper to witness)? A Yes, I sent that. Would you mind reading that to the Court?

Q Yes? A Would you mind letting me read it, because you might not give it the right pronunciation.

Q Certainly? A That is on account of the bad writing, your Honor. The name is "A Word to the Wise is Sufficient by Countess Ida von Claussen." "You have locked me in grief and in shame, in a prison without a name, and you have heaped disgrace that you can never efface on one that was born to fame." How do you like it? "But you are the traitor who first did make her appeal to her country and laws in vain. Now, what was your game, and who was to blame. You have pocketed truth and exploited the uncouth, and you know I respect you no more. This makes you sore. You say I am a bore. One by one your emblems fly, that make the honest Christian cry with shame to think that a man like you would wink at the things you do on the sly, fi, fi." How do you like it? It is quite to the point. The crimes of the prison are sizzling and sizzling while you (witness reads)).

MR. MEDALIE: I offer it in evidence?

(Received in evidence and marked People's Exhibit #5, of this date.)

Q That was sent within the last month, wasn't it?

A Yes sir.

Q Now, you are actively interested in certain economic

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reforms, aren't you? A Yes, according to my book.

Q And the particular reform you have in mind is giving labor a greater interest in whatever it produces? A No, I am interested in giving labor a future in capital's progress.

Q Exactly what do you want labor to get? What is your particular plan which you said Secretary Wilson got from your pamphlets which were sent to Mr. Bryan? A I said I think you had better read that over more definitely. I did not make the direct assertion. I said Mr. Wilson had come out in an article -- I think my answer on that subject ought to be taken from the preceding notes.

Q Anything you want to tell now we will have that taken down. The stenographer takes down everything you say?

A My book speaks for itself on the face of it.

Q I don't know what it is you refer to that Secretary Wilson wrote about? A You don't know? Don't you read the papers?

Q Wont you tell us? A He said there is two hundred million dollars in the past ten years that the laborers should have had and that he has not had. I read that article, I think it was in the World, about a month ago.

Q Is that the idea which you had expressed in your pamphlet? A Well, practically, because I considered this way: That if men would equalize their wealth now, in ten years there would not be a poor man in the country, as is practical.

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ly shown by Mr. Wilson's statement that this money had been practically taken from the laborer, and that they should have it.

Q And that you believe he got from the pamphlet which you sent to Secretary Bryan? A I can predict a lot of things, but how am I to know whether he got it from the pamphlet? I said that that idea was incorporated, practically incorporated in the pamphlet which I sent to Mr. Bryan, and I don't think Mr. Bryan is on such bad terms with Mr. Wilson, especially since I have written to both gentlemen and implored them to accept my pamphlet. Don't you think Mr. Wilson would, under those circumstances, at least look at the pamphlet?

Q The probabilities are that he did? A If I am not mistaken, I think I heard that he had.

Q How did you hear that? A I don't know.

Q Recently? A No, that was in England. That is not certain, I don't give out any statements unless I can substantiate them. That may have been through others, or through some source, but it only strikes me that I have a faint recollection now that Mr. Wilson has seen my book.

Q About how recently did you hear it? About? A Well it could not have been very far away, because the book was not out until the first of September.

Q It was within the last few months? A Yes.

Q You sent it to various prominent statesmen on both

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sides of the Atlantic? A Yes sir; not so many here, but mostly in England, and I received recognition from nearly all, and I received Mr. Graves pamphlet and his compliments, and I offer also Mr. Bryan's letter in evidence. I have done most of the correspondence, but sometimes he answers me, and this time when I sent him this pamphlet he answered. Just what was in that letter, I have not attached enough importance to it to know now.

Q You have those documents in your trunk? A Yes, if Mr. Buckley has not gone through my trunk and taken them out; and I want to tell you something. I am not sure that he has not taken some papers out, from what I have heard.

Q What have you heard? A I will soon find out when I open my trunk. He has taken my money, and I would not trust him to take anything. I mean I would not trust him not to take everything. He would take everything he could get his hands on.

Q You prepared some economic scheme for the regeneration of Sweden? A Regeneration? Is that what you call it?

Q I am not flattering you. I want to see what you think about it? A Ask the Prime Minister what he thinks about it.

Q We can't subpoena him. We must rely on you? A Do you mean to say you are not in communication with the Minis-

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ters in Sweden? Sweden is only ten days from here, and I have been two months in the Tembs.

Q Do you think we are deliberately avoiding communicating with the Prime Minister of Sweden? A I don't think you would avoid communicating with such distinguished people, no.

Q Why don't you tell us what your plan was? We want your idea of it? A My dear sir, I have written on that, a matter of and it is history. Are you trying to get the subject in using my memory as a basis for paranoia?

Q No, no, I want to know what your idea is about Sweden? A My idea has been expressed so many times it makes me tired to have to repeat. Put some ideas in your head and progress and forge ahead, and see what I have really got in my head. Don't retrograde all the time. Depend on that. If you had any intelligence at all, you would not ask such questions.

Q Did you write a book on the regeneration of Sweden? A No, I did not write a book on the regeneration of Sweden, but I would like to write one on yours.

Q Won't you tell the Court what your idea is about Sweden? Didn't you have a financial idea about Sweden? A I don't think that is necessary for this meeting or whatever you call it, examination.

Q The Judge is the best judge of that? A Well, he has got it all in the evidence. I have given that all to

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Dr. Mabon.

Q Don't you want to tell the Judge? A I don't care about repeating things over and over again, and the sooner you find that out the better I would like it.

Q However, you wrote out your plan and delivered it to the Prime Minister? A No, I was invited to come and see him and lay the plan before him.

Q And you did lay it before him? A And what did you do when I get here to America?

Q Don't you want the Court to get the information? A I am asking you for information. I don't know what happened to them.

Q How did the information come here? A I don't know anything about it. you know more about it, Mr. Medalie, than I do.

Q You mean I am in communication with somebody who knows? A With the archives in Washington. Why did they confiscate my documents in the archives in Washington, where I have my letters, which would prove many things and enlighten you more than me.

Q Did those relate to financial ideas you had about Sweden? A They were on various subjects.

Q Did it cover that? A I don't remember.

Q Do I understand that the Prime Minister of Sweden appropriated your idea to himself? A Now, how do I know?

Q You have expressed an opinion about that before?

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A That is my private opinion; that is not in evidence to-day, because I have not any documentary proof, because you have got all my papers somewhere, somehow, at some time, and you have made a systematic search for what you could not find, and I have proofs of that.

Q Do you feel that papers concerning your financial ideas have been stolen from you? A They have disappeared, I don't know what has happened to them.

Q Whatever documents you have had on this financial proposition for Sweden have disappeared in some way? A Yes sir.

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Q Probably stolen, but, they have disappeared without your knowledge or consent? A I will give you one example which may interest you very much. I was in Washington, and a lady by the name of Miss Emory, Ida Emory, came to see me, and she said she would revise my book -- that was that little red covered thing there -- and she asked me for documentary proofs of the facts that I stated in that book, and I said I would be pleased to give them to her, and I gave her all my papers, with her receipt, knowing that I had the Courts of America to come back on to get my papers back from her, but, unfortunately, when she refused to give me my papers back, I went to the Courts and they told me they would not touch the case at all, and she has my papers to-day, in Washington. Now, maybe the plan of this Swedish enterprise was in that -- with those papers. Now, I know

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the whole -- I can figure out this whole proposition. You put me on the stand to find out exactly what I know, what I am going to do, and everything, every single thing about it, and question me on it. Now, there is a new proposition for you to find out about. You can get those papers.

Q Do you think I want to get the information so as to use your own financial schemes? A No, you would not have sense enough to do it; that is my opinion.

Q Do you think anybody wants to do that? A If anybody had brains Mr. Lindberg had, they would be pleased to use them, because my plans were part of the plans that Germany wanted to get hold of.

Q Concerning Sweden? A No, concerning the mines.

Q What mines are those? A Oh, that is for me to know.

Q Were they mines in Sweden, or in Germany? A Oh, that is for me to know.

Q But, wherever those mines were, you had an idea concerning their development? A Yes sir.

Q And much money could have been made out of them?

A Yes, sir.

Q Many millions? A I would not be a bit surprised.

Q And you communicated those facts to Mr. Lindberg?

A I put them in writing to Mr. Lindberg.

Q And, so far as you know, he has never given you credit for that, publically? A No, he has not given me any

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credit.

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Q He has practically appropriated your ideas ? A No, no, don't go so fast.

MR. NEWMAN: I object.

THE WITNESS: I mean you should be careful with your questions, because I don't care for your assertions to be put on the record of a foreign government, when my own government knows they have taken my papers out of the archives of the State department in Washington.

Q First you drew up a paper concerning certain improvements, which you submitted to Mr. Lindberg ? A No, I did not submit it to Mr. Lindberg. I submitted it to the Prime Minister, at his request, and he said "if your plans are as good as I think them, they ought to be a tremendous success", and he said, "I am going to invite you now personally to speak before Parliament". I said, "I can't speak your language". He said "It makes very little difference, we all speak English here, and if you plead your case the way you have spoken it to me and laid it before me, you will win, and you will have our gratitude forever"; and I have some sort of modesty about me, and I said "No, I prefer to go and get the money first", and I had high ideas for my country, I was very proud of my country, and the men has made me ashamed of it today by the way I have been treated, and I was going to come over here and get the money and amalgamate the true interests and

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bring back the Swedish-American people to manipulate the mines, because that was the King's request, and by pleasing him I certainly ought to have pleased my own country, should not I, because it was a financial interest to my country, that is my country then, until it drove me out of it.

Q How much money did you intend to raise in America ?

A I don't know. As much as I could.

Q Many millions ? The plan was big enough to be worth many millions ? A Yes; do you suppose I can manipulate mines without millions ?

Q That is why I suggest many millions ? A Yes.

Q And you thought American capital could properly be used for that purpose ? A Yes.

Q You came here to get American capitalists interested ? A Yes, sir.

Q And you also tried to interest the State department, and in that way they would help you ? A Did I? I didn't do anything of the kind. Why don't you put your questions frankly.

Q What question do you want me to put to you frankly, if you say this question is not frank ? What is the fact ? If I am wrong, I want the facts. I am asserting nothing. I know nothing about these things. A Then, why do you cross-question me ?

Q I am not cross-questioning you. I want the facts.

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Don't you want to give them to me? A Certainly.

MR. NEWMAN: I don't think Mr. Medalie should argue with the witness. Let him put his questions, without arguing.

Q Tell us what they are. I have no notion of mine on these things. If you don't tell me, I have to grope in the dark.

MR. NEWMAN: I object to his arguing with the witness.

BY THE COURT:

Q Do you appreciate what Mr. Medalie is asking about?

A I don't care to answer that question at all. I don't think it is appropriate.

BY MR. MEDALIE:

Q However, how was Germany to use your idea? In Germany, or in Sweden? A Don't you think you could acquaint yourself with the facts before you start to question?

Q I don't know the first thing about it. A That is a closed book long enough. Now, why don't you let it stay closed? They have done me wrong. You know it better than I do. I am the loser. Let it go. If you have not done me wrong, then I don't want to do you an injustice.

Q You feel a wrong has been done you by this country in that connection? A I feel nothing of this kind. I am absolutely living in the present. I am locked up in the Tombs

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I am accused of being a paranoiac, which I have no idea what it means. I thought it was a Bird of Paradise, or something like that, when they first talked about it.

Q Don't you want to tell us something about yourself?

A Am I so interesting as all that?

Q You are, Mrs. von Claussen. This inquiry is as to you. A I am not half as interesting <sup>to</sup> ~~as~~ myself, as you think I am. I absolutely refuse to answer such questions as that. You ask me questions that bear on this case, that show exactly where I stand today, mentally or physically, or any other way, and I am perfectly willing to answer you. You are going back four or five years ago. I might have had the measles then and forgotten about it.

Q If you have forgotten anything, say so, and I won't ask you about it, but if you feel there are things you want to tell us about, particularly, your ideas or your achievements, you can see that will help the Court in arriving at a conclusion.

MR. NEWMAN: I have asked my client on all the subjects I wanted to bring out.

MR. MEDALIE: I am not bound by what Mr. Newman wants to bring out. I am conducting an inquiry.

MR. NEWMAN: You are not conducting a proper cross-examination, and I take exception to it.

THE WITNESS: I have been telling you things for two

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months. Don't you think my source of information ever runs out ?

MR. MEDALIE: I think not.

THE WITNESS: What does that mean? Is it a tribute to my brains, or my endurance?

Q Both. We want to know about your brains, and we want to know all about you mentally, about your ideas. You have written books, you have written pamphlets, you have written poetry ? A If I have written books, why have they been stopped ?

Q I don't know. I want to ask you about those things, and I want you to tell frankly everything about those ? A I would like to have Mr. Cloyd subpoenaed in this case.

MR. NEWMAN: He is of the Broadway Publishing Company.

THE WITNESS: He might be able to tell you why he has had to pay four hundred dollars, and abuses and tears as my books are not acceptable, notwithstanding my own friends have a hard time to buy it.

Q I want to ask you a few questions about this, which you are at liberty to answer, or not ? A All right.

Q The purpose of the inquiry is to find out whether or not you are of opinion that he thinks is a sound opinion concerning you ? A Yes, sir.

Q You realize that is the purpose of this proceeding ? A Yes, sir.

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Q And you want to meet this proceeding in the frankest kind of way ? A Yes, sir.

MR. NEWMAN: Now, if your Honor please --

THE COURT: Go ahead, Mr. Medalie, and let Mr. Medalie conduct his inquiry, and I will give you an opportunity, if you desire, to ask anything further, at the end of his examination.

MR. NEWMAN: I only desire to object when I think it is necessary and when I think it is proper. I don't think that last statement of Mr. Medalie's is called for at all in the line of cross-examination.

THE COURT: Miss von Claussen can answer or not as she sees fit.

THE WITNESS: There is another witness, the priest, he has seen me very often (indicating).

Q Now, if there is anything about this that you don't want me to inquire about, tell me so, and I won't ? A Not a thing.

Q You want to be frank with the Court as to this ? A Absolutely.

Q And as to your own achievements and as your own ideas, don't you ? A Yes, and how do you count achievements ? Do you count them by facts that are on record ? That is the only thing I could count as achievements.

Q Now, if you want to be frank with the Court, and

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want your own words for these things. That is why I want you to answer these things fully, if you care to? A What are they

Q You have refused to answer some of my questions? A No, I have refused to have you trip me up on statements that I have never made.

Q That is not my purpose? A Then, make your questions more simple.

Q Let me make this plain to you. I am not asking you about things you have said before. I am asking you about what you want to say now about any of these things under discussion, and I want your own view of these things? A Yes,

Q And there is no inquiry back of what you say on those things so far as I am concerned. A All right.

Q Now, let us both be frank on this thing, and if any question of mine is not a fair one, tell me so, and I will stop you and ask one that is fair. A How did you happen to turn around so pleasantly since the last meeting?

Q What was the trouble at the last meeting? A I think it is on record what I thought about you.

Q You did not think I was fair to you, did you? A I don't know. It is on record. It is all down once. Repetition - brevity is the source of wit.

Q So, I am along now. A Yes.

Q Do you know anything about Germany having made use of your own name? A No, I do not know anything about it.

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making use of my ideas. They have so many smart people there they would not need me.

Q Do you know anything about Germany using any idea of yours about the development of mines? A No, I told you that in the last question. Now, what do you repeat it for?

Q Are you interested in any business matters now? A Yes, very much so, and I have been stampeded and stoppped from transacting them.

Q Did you come to America for the purpose of carrying out certain business plans? A Not only here, but in South America.

Q I understand that you had one realty proposition here in New York? A Which I placed before Mr. Adams, of the United States Mortgage & Trust Company, and which he asked me to put in writing, to be presented to his president -- the president of the company, I should say.

Q Were you raising capital for that idea? A No, I was not raising anything. I was not even --

Q Just interesting the United States Mortgage & Trust Company in that? A No, not particularly. I was seeking more advice where to go to place this particular piece of property.

Q Something in New York? A No, no, in Paris. Now, are you going to go over there to find out what that is?

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Q. Are you afraid that is what I am going to do? A I only ask you. You are so enterprising here in America; you keep me locked up in the Tombs, and you get all the information you possibly can, and when I go back the property has already been sold, don't you see?

Q Do you think the purpose of my inquiry is to get at your property? A No, I don't give you any ulterior purpose. I don't think you are deep enough for that.

Q What was the other idea besides the real estate idea? A That is a proposition that I don't care to give forth, because it is too important. It is a question involving two million five hundred thousand dollars, that could have been established two months after I arrived here, on the simple recognition of a plan which was very easy.

Q By whom?

MR. NEWMAN: I object to that.

A No, let me say it. Mr. Whitman and the city officials. It was a municipal question.

Q Was that the bus company? A How did you know?

Q You told me? A I am glad you remember it.

Q What was the amount involved there? A Two million, five hundred thousand dollars.

Q To run the bus there? A Oh, that is another thing. I refused to tell at the trial, at the inquiry trial.

Q You didn't and you told me, didn't you? A No.

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Q You have interested certain people in that? A Naturally, on the other side I was commissioned a payment, a cash payment of one hundred thousand dollars if I transacted that business.

Q Who commissioned you? A That is, half of that would have been in stock and half in cash.

Q Who commissioned you? A One of the biggest men in England.

Q Whose name you don't wish to give us now? A No; I have got his letters, which I will be very pleased to submit to the Court.

Q They are in your trunk at your apartment in the Ansonia? A If Mr. Russell Buckley has left them there.

Q We assume that. Have you any other business propositions pending now? A Yes.

Q How many others? A I was told to finance my way out of the Tombs. I wonder if it is a question of financing, or what do you think about it yourself?

Q How many other ideas have you apart from your financial ideas that are pending? A I don't know. I think that is big enough for one woman's brains; don't you think so? -- what I have just told you -- that is, temporarily? That crowds out paranoia, anyway, for the moment, don't it?

Q Do you believe that President Roosevelt was in any way -- A Oh, yes, certainly. But I don't know.

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must be as sick as I am to hear his own name.

Q Do you believe he was connected in any way with those poisoning incidents ? A Why did Mr. Whitman withdraw the poison certificates from Masse's office, and refuse to put Mr. Roosevelt on the jury -- not jury; I mean on the stand to testify why I was poisoned in his Embassy while he was President of the United States? Now, if I can be put on the stand and cross-questioned, and you expect me to be frank and nice and lovely and sweet and gentle and everything that belongs to the female sex, why can't Roosevelt, with the constitution he has got, be put through a course of sprouts? if it is up to him to explain why his Embassy allowed sixty thousand dollars of my certificates to be taken from me under drug influence? And, by the way, they said that the Minister was not there. I inquired of the Minister afterwards, and he said he was not there, it was a substituted minister.

Q Who told you that ? A I heard that through the Minister himself.

Q Who was he ? A I don't remember at the time. A very nice man.

Q Did you tell Mr. Whitman that Mr. Roosevelt, if subpoenaed, could testify to these facts, or give some information on them ? A No, I don't think I did. May I have a little air in here? It is so warm.

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Q Do you feel all right? A Yes, it is simply the heat.

Q If you want to stop at any moment, just tell me.

A Oh, no, I am very much interested in this myself.

Q If you did not tell Mr. Whitman about the necessity for subpoenaing Colonel Roosevelt who did, if you know? A If I did not tell Mr. Whitman about subpoenaing Mr. Roosevelt? Mr. Masse, I should judge, because Mr. Masse was the one who told me to go and look in Mr. Whitman's office for my poison certificate.

Q Did you ask anybody for those poison certificates?

A Oh, yes, I asked Mr. Masse.

Q And did you ask Mr. Whitman or anybody connected with his office? A I have not had very much time, have I?

Q What I want to get at is whether or not an effort was made to subpoena Colonel Roosevelt, at your request, or whether your request was denied? A No, no, no, I didn't try anything, because I was not given a chance.

Q As a matter of fact, you did not have an opportunity to make a request to subpoena Colonel Roosevelt? A No, I had an opportunity with Mr. Masse, in going over the case, you understand, but I didn't -- my case never went to trial. I was not given the opportunity of any witnesses. I was not prosecuted for the fifteen thousand dollars, although I said if -- this is the word I sent to Mr. Masse the last time I saw him: I said, if -- if this case comes to trial, and I am going to give the papers to you, and I should

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pay the money, I will pay every cent of it, but if I don't owe the money you will all go to jail", and I don't see why they did not take the chance if they were innocent. Why did they withdraw the case from trial? I was willing to go on with it. I paid my money to go on with the case.

Q What documents -- did you transmit any documents to the State department? A Lots of them. Letters. Do you call documents letters?

Q Concerning any financial ideas you had? A No, I don't remember that; that is so long ago; I didn't think it was necessary, by the way, because I think I had heard they had already received them the week after I arrived. It was over my head, by the next steamer.

Q Do I understand you commenced an action against Colonel Roosevelt? A Yes, I believe I did.

Q What was the action for? A Simply to re-establish the name that he had robbed me of in Sweden by his refusal to allow me to go on with my social duties, or my social position.

Q Did you sign a complaint in that case? A Yes. I don't care about Mr. Roosevelt's money. I simply wanted him to apologize or put me right with the world. Do you think it is right for any man to take a woman's name so ruthlessly away from her and make her a laughing stock, or insult her?

Q Did he have any ulterior purpose? A I never set

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eyes on Mr. Roosevelt. Yes, I did. I was in a street car one day, and I saw him, and he saw me, and he got out.

Q Did you ever intend to do personal violence to Mr. Roosevelt? A Oh, don't be silly. I wouldn't hurt a fly; I wouldn't kill a mosquito on your hand.

Q Did you ever threaten him with personal violence?

A Never, never threatened anybody.

Q Did you ever do any personal violence to any officials of the United States Mortgage & Trust Company? A I slapped two or three of their faces, to get my money. My idea from the beginning to the end is to make the court assume their responsibilities in my case, to give me the law and the justice that I know I should have, that is my right, that is the right that every American born citizen is entitled to, and when I go to the courts and they throw me out bodily, and when I go to the courts and plead and beg for my cases to be heard, and they give me nonredress, and my estate is in jeopardy, and I have no redress except to go down and punch the men, do you suppose I hesitated one minute? No, I would lick everything in sight, and they got all behind the gratings, and I came back to give them the rest of it, and I promised it to them the next week, and I got my money.

Q How many did you punch? A Four or five. I found four on the floor.

Q You knocked them out? A I used the Jiu-jitsu on them. They didn't know where they were until they were on

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the floor.

Q How long ago was that? A I don't know what I was doing with my teeth. I was using my hands, my feet, my teeth and everything, and I got my money. The result is there.

Q You mentioned something before about -- A Excuse me, before you finish that. If the United States Mortgage & Trust Company did not owe me the money, why did they pay me? Why didn't they have me arrested? Why didn't they prosecute me for assault and battery and everything else that you would call it under the circumstances?

Q You did get your money? A Yes. Then, why did they cheat me? You say these are false ideas and delusions.

Q No, I didn't say a word about that. A No, but the doctors do. Now, we will just take up that thread of the conversation for a minute. If that is a delusion, what is a reality?

Q Mr. Newman addressed that question to the doctors, and they answered the questions with definitions. If you want to define them, we will be glad to have your definitions. A Of what?

Q Anything you want in that connection. A So, you are most gracious today.

Q Do you want to define those things? A What things?

Q Delusion and reality. A Well, reality is an easy

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enough thing to substantiate, and a delusion, well, I had a delusion about you at one time.

Q Now, let me understand. You wrote a book called "Anti-Roosevelt". A Are you satisfied with that definition?

Q That is your book, your pamphlet? A Yes, but the second one was much better printed. That was printed in England. You see, I could hardly get a printer here, and that is a nice proposition for a woman like me to turn out. Now, look at what was printed in England, by unbiassed minds. Now, isn't that a far better looking pamphlet than this? (indicating)

Q "Co-operative Profits in Capital's Progress" was printed in England, wasn't it? A Yes, sir. Now, look what I do today, here in America.

MR. MEDALIE: I ask that these pamphlets be marked in evidence.

(Same received in evidence and marked, respectively, People's Exhibits Nos. 6 and 7, of this date.)

Q Now, your pamphlet entitled "Anti-Roosevelt" contains what purports to be a letter signed by you? A Don't you think that is a very antiquated --

Q Addressed to Theodore Roosevelt, and dated September 26th, 1910. A What grounds have you got against Theodore Roosevelt?

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Q Is that a fact? Does this pamphlet contain such a letter? A That letter was written in Saratoga Springs, at the time of the convention.

Q That is, the Republican State Convention of 1910?

A Yes, sir, and what are you, a Democrat?

Q Now, you say in that letter to Mr. Roosevelt, "One good thrashing I will gladly give you". Did you mean to beat him?

A Thrashing? That is not the kind of thrashing I give people.

Q What did you intend to do? Just write something about him? A I wrote a book about him, I gave him a tongue thrashing.

Q You did not intend, when you said "thrashing", to indicate to him that you intended to beat him, did you? A Oh, no; that was before I knew I was capable of doing it.

Q You say further in this letter --

MR. NEWMAN: If your Honor please, I think, in going back as far as we have, as far back as the Bloomingdale matter, in view of the report of these specialists of several years past standing, the only object here, according to the order of the Court, is whether the defendant is of such a mentality that she understands the proceedings on the indictment, and I think it is stretching the point too far to ask the lady the meaning of public remarks, when they read for themselves,

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and the Court and judge can judge for himself. I think it is going too far. Two years, as I understand --

THE COURT: The object is to help me to form a judgment as to the mental condition of Mrs. von Clausen. Any questions that are directed to that letter I shall receive.

MR. NEWMAN: As I understand the law, two years is the limit.

THE COURT: Go right ahead.

MR. NEWMAN: I take an exception.

Q Earlier in this letter you say, "I notify you in this letter that it will give me the happiest moment of my life to meet and administer to you the treatment I bestowed upon the officers of the United States Guarantee & Trust Company for their corruption." Now, did you mean by that that you intended to thrash Colonel Roosevelt, or do him violence, or simply that you were going to write a book about him? A Well, really, that is two years ago.

Q What is your present memory about that? A I have no memory about it at all. I have forgotten the man.

Q Do you recall this thing in that letter, a little later, "I have already proved my ability to whip with my two little scientific fists two other gurs, so don't hesitate to let me at least try to punish you as you deserve". Did you want Colonel Roosevelt to get the impression that you were going to beat him? A My God, isn't he big enough

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and fat enough to look after himself? Afraid of a woman?

And a President of the United States, to run a nation, and scared of me? Well, say, I think you better put Roosevelt on the stand for insanity, and not me.

Q What I want to know is whether it was your intention to do any violence to Colonel Roosevelt or not? A No, I don't fight like that. The pen is mightier than the sword. My object and aim in life is to bring around cleanliness in our government affairs, to give the poor a chance, and give them a future in capital's progress. It is the simplest theory in the world, and if the people would help me instead of being antagonistic toward me, and listen to one or two of my ideas -- they may not be worth anything, but if they are worth anything they might adopt them and put them into practice, and make the country proud of your courts and your laws, and make the people respect them. I wrote something which is appropriate at the moment -- "No country safe where courts are bought, no land is free where trouble is wrought and shame tarnishes the very glory of our name." That is the situation exactly. You are paid by the city to treat people right, to give them justice, and to give them the law. If you treat everybody like I have been treated, they are not getting their just rights, and they are not getting their constitutional rights, and they are absolute slaves, as I have said in my pamphlet, slaves to

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conditions, slaves to a few handfulls of men that say "We will give them justice", or "we won't give them justice, and to tell me to finance here my way out of the Tombs.

Q Who told you that? A The doctor. And he told me he got it from Whitman.

MR. NEWMAN: I have a letter to that effect, also.

THE WITNESS: We have the letter, your Honor, in evidence.

MR. NEWMAN: No, not in evidence. I have the letter.

Q Is this letter at the end of your pamphlet labeled "Anti-Roosevelt" a genuine letter written by you? A I said that is so long ago, and it is outclassed; two years is the limit, according to my lawyer. I refuse to answer it. I refuse to go into that pamphlet any further, except the fact about the American flag, if you wish to bring levity on the Court. I think you better scratch that out.

Q Let me ask you this. Are you under the impression that Judge Greenbaum and Judge McCall and Judge Barto S. Weeks, Judge Herbert and Judge Cornell, together with George Cowie, Assistant Corporation Counsel, have combined together for the purpose of doing you an injury and depriving you of your rights? A No, but the facts exist.

Q That they have combined against you? A No, but the fact exists that I have had injuries at the hands of each of these particular gentlemen.

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Q Do you think they are working together ? A I don't know anything about it. I don't know whether they believe in a trust.

Q Do you think they are influenced to any degree by Colonel Roosevelt or any prominent American statesman ?

What is your opinion ? A - In fact, I have forgotten it.

Q Did you once have an opinion on that subject ? A I may have. If I had I certainly expressed it, and it is too bad you were not around.

Q Don't you want to tell us what your opinion is on that ? A I have none at all.

Q Look at this letter and tell me if you recall having sent that to Mr. Whitman (handing paper to witness) ? A That looks like my letter, my signature. I guess you have got them all listed, anyway. What are you going to do with them?

MR. MEDALIE: May it be marked in evidence, your Honor ?

THE COURT: I will receive it.

MR. NEWMAN: I object to those letters going in evidence, because they are dated at the time when Mrs. von Claussen was confined in Bloomingdale Asylum, presumably insane; therefore, they are not relevant evidence.

THE WITNESS: No, they are White Plains. Why

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didn't you call my attention to that ?

MR. NEWMAN: At that time, she was presumable insane, according to an order of the Court, but later discharged on the ground she was sane.

THE COURT: What is the date ?

MR. MEDALIE: December 27th, 1911, and it apparently comes from the Bloomingdale Institute, White Plains, New York.

THE COURT: Do you object to it ?

MR. NEWMAN: I do.

THE COURT: I won't take it.

MR. MEDALIE: May it be marked for identification?

MR. NEWMAN: I object to its being marked for identification.

THE COURT: Just mark it for identification.

(Paper marked People's Exhibit No. 8, for Identification, of this date.)

THE COURT: I am concerned with the present condition of the mind of Mrs. von Claussen, not what her condition was two years ago.

MR. NEWMAN: The point is, how she is now, whether she understands where she is now.

THE COURT: That is it.

THE WITNESS: I always seem to get a Christmas present of an insane asylum or a prison. The Christ-

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mases of mine have been spent incarcerated illegally.

MR. NEWMAN: All right; I am awfully sorry; I can't help it.

THE WITNESS: It is wrong, you know.

Q Did you have an interview with the District-Attorney of Washington concerning your case? A Yes.

Q What, if anything was the substance of that conversation? A That was so long ago I don't remember. I was incarcerated in an insane asylum since then, and I am supposed to have had a period of non compos mentis.

Q You say, however, you were sane at that time? A I don't say anything. It was the court that said that.

Q What is your own opinion? You were sane when you spoke to the District-Attorney in Washington, weren't you?

MR. NEWMAN: Oh, just a minute.

THE COURT: You may answer it.

A I don't want to go into that at all.

MR. NEWMAN: I object, upon the ground that that question is far too remote from the issue.

THE COURT: She need not answer it if she does not want to.

Q Has Senator Henry Clay ever attempted to injure you in any way? A I don't know.

Q Did you ever express yourself as thinking that he intended to injure you?

MR. NEWMAN: I object to, on the ground the test-

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ions are too remote; secondly, they are taken from letters offered for identification.

THE COURT: You may answer the question.

MR. NEWMAN: I take an exception.

A I know one thing; the press has not treated me squarely, and I also know that Henry Cabot Lodge is the -- he was at one time, I believe, President of the Associated Press, and if you think the papers have been square in my case, and have given me just write-ups and put my motive before the world and have tried to save my name, elevate my name, instead of what they have done, prepared the world to receive the fact that Ida von Claussen is insane.

Q Well, do you feel that Senator Lodge was connected in this in any way and responsible for this condition?

A I don't know. You are a lawyer. You ought to be able to ascertain that. You are a prosecutor.

Q We want your opinion? A I don't know. If I make statements, I stand by them.

Q Has ex-Judge Alton B. Parker ever attempted to do you an injury? A No, Alton B. Parker refused my case. He said "You are a very grievously wronged woman, but I can do nothing for you".

Q Did he tell you why? A Yes, sir.

Q What did he tell you? A Politics.

Q Did he say, -- "I am a politician and I am not going to do

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you, an injury? A No, but he refused to give me justice when I appealed to him for the benefit of my little girl.

Q Did he decline to hear your case? A He declined to hear my case. He said "I can't do anything for you, Mrs. von Claussen, I am very sorry."

I have received that beautiful quotation on every corner, from the Bar Association, from Mr. Barnes to Mr. Strauss and from Mr. Strauss to the rest of the leading lights.

Q Did Magistrate Herbert ever attempt to do you an injury? A If he did, it is on record.

Q Well, what is the fact? We want the facts from you?

A I don't care to go into it. If antiquated history is a species of paranoia --

MR. NEWMAN: Just a minute, Miss von Claussen.

Q I understood you to say that you believed in spiritualism? A Very much so. I call it spiritualism for the want of a better word. Maybe it is part of my Catholic religion, the communion of saints, would you like me to instruct you?

Q I just want to ask you one or two questions which you can answer, or not. Have you had any experiences recently which convinced you of the soundness of that belief?

A Material evidence, you mean?

Q Any evidence at all? A All these books there -- the books -- are evidence of it, stuff looking in the dark, about it, and so on, and so on, in a general line,

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and a perfect metre, in poems.

Q Do you mind showing us some of the things you wrote in the dark in that way ? A Yes, sir.

Q May we see them ? A Yes (witness produces several note-books).

Q How many volumes of books have you there ? A Seven.

Q Most of them are full, are they ? A Most of them, yes, sir.

Q And they were written in the dark ? A Most of them.

Q The greater part of them ? A There is an evidence (indicating). I don't write as well as that in the daylight.

Q You write better in the dark than in the daylight ?

A With my eyes closed, spiritualistically, one would say.

Q How often do you do that ? A Whenever I want to find out anything.

Q Is that a way of getting information ? A I have some of my information a week in advance. The dates are on all the papers.,

Q In other words, by just closing your eyes and looking at the proper time you are able to get information as to what is to occur ? A Yes, and all you have to do is to think of something and I will tell you what you are thinking about.

Q And you have had various evidences of that ? A Yes, sir. The first was on the witness stand at the trial, and I have had many others since.

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Q From whom do you usually get the information? You see, I know nothing about these things? A Inspiration?

Q Yes, inspiration; from whom do you get that? A You know, I am going to charge money to keep people. I am not giving a free lecture today.

Q It is for the purpose of establishing your own ability?

A My own ability is very well established by now, and if it is not, you are not capable of judging Ida von Claussen.

Q Do you mind giving us that little additional information? Has anybody ever appeared to you under those conditions? A Pleasantly, or unpleasantly?

Q Anybody at all? A I am not at liberty to say. When I have fully equipped myself with the powers that my writings have promised me, and when I have advanced far enough to be able to teach, I will probably have some society where I will invite you cordially to come.

Q Are you prepared to publish your investigations on that subject shortly? A No; it is part of my religion.

MR. NEWMAN: I guess Mr. Medalie does not understand that spiritualism is in a rather --

THE COURT: No, just answer the question.

MR. MEDALIE: Listen to this. This is the type of -- that I write.

Q Under these conditions? A Under these conditions.

Witnessed and sworn to, etc. "I am not at liberty to say."

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brilliant sights has not defined the causes that breaks the bark that floats ashore, nor makes the mighty losses; the elements and their sophistry, the sun and moon and stars, control this very little world even behind these bars."

Q Are you able to tell us the source of the inspiration for that poem? A I will tell you another thing.

Q Yes. A Would you be surprised to know that I knew five years ago that I would be in prison today? I have that documentary evidence in a trunk in White Plains.

Q You got that information in the same way? A No, some one else knew it.

Q Tell us about that? A It came through another man that is practically in the same line of thought, a man named Meyer, and he wrote my horoscope, and in that horoscope I saw on such and such a day and such and such a day I would be incarcerated, and lots of other things that have transpired, but that paper is on record; and when I was arrested I was not so awfully surprised. In fact, I left my little dog in Europe because I sort of expected to be arrested, not that I knew what I was going to be arrested for, but the police in Germany told me a year and a half ago I would be arrested if I put my foot inside of America again, and they said you have got the letters you arrested me on, don't you? What was the letter? — the letter was, "What was the letter?" — the letter was, "What was the letter?" — the letter was, "What was the letter?"

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Q What was it ? A Why would the police of Germany tell me this? --- What was up your sleeve then ?

Q How did you know that ? A I want to tell you something. There is not a thing that you do that I don't know. Don't think the American Government are the only people that know things in the diplomatic circle or the political world. I know everybody and nearly everything of importance that is connected with me from day to day.

Q Oh, you are able to predict? When did you get that inspiration ? A No, that is a different thing. If I was to be arrested, we will say, a year and a half ago, according to the police of Germany, what was the charge then ?

Q I don't know what was in the minds of the German police. Do you know ? A Oh, yes, they told me they got their information from New York.

Q And what information did they tell you they got ?

A That is for me to know and for you to solve and find out, as the District-Attorney, to have an American woman's life bothered and threatened and fussed with an annoyed and molested, even on the other side, then she is running her own business strictly. Now, what is up?

Q I don't know what you have in mind. Will you tell us?

A I haven't anything in mind except what the police told me, that if I returned to America I would be incarcerated.

Q How did you get this information ?

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A. They gave me the facts that it came from New York.

Q It was not more specific than that? You don't want to tell us for the present? A No, but why did you lay for me a year and a half, and land me on what I think is a forgery? In my honest mind, I don't believe I wrote such a letter, because every letter that has been put in evidence belies the thought that I would write a threatening letter. My whole make-up, my mind, my life, has been such that gentleness, kindness, benevolence, the highest motives of my soul, have been brought forth even in the dirty prisons I have been thrown into, into the maniac's dens, and even with it all I smile and take my fate as God has given it to me, and to think I wrote a letter like that. You know I did not write it. The man who stole the poison certificates and other things probably knows the source of that letter. It is a marvellous thing that my mind, in the keen, alert way, that remembers everything, why I should happen to forget a letter like that, as important as that; and I would not tell a lie for any man living on earth.

Q I was interested, for a moment, Mrs. von Claussen, in your ability to make these notes in the dark, with your eyes closed. Now, what I wanted to ask you about is this: When did you first become conscious of that power? A Oh, it was about 1880, for about, we will say about seven or eight years.

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Q Within the last seven or eight years ? A Yes, one night I was sitting in 128 West Twenty-eighth street, Mrs. Daniel's home, with a Mrs. Ray, I think, and Mrs. Ray had this power, and she took a pencil and she wrote, and said, "give the pencil to Mrs. von Claussen". I took the pencil from her, and I wrote five to seven pages, just as quickly as I could, clear, concise messages, that I had no more power of stopping than you have of stopping asking me questions.

Q From what source did you get those messages ? A I don't know. The fact remains it was a beautiful message. I received scientific messages. I received definitions of culture. My whole book is filled with -- I have one prose and one poetry on the two relative positions -- relative connections of the mind with the soul. I will have to look at my books to read that.

Q Before you look, do you get an inspiration for music in the same way ? A No.

Q How do you get that ? A I don't know. I simply sit down at the piano.

Q I mean, how do you get the composition itself ?

A With my fingers.

Q Just from the piano ? A Yes.

Q In the dark ? A Yes, anyway.

Q Can you do that without the piano ? A No, I have not tried it, because I have no talent for music, that is, to

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play, and there is not much inspiration in the tunes, is there ?

Q I mean, the minute you touch a piano, you get that inspiration and can compose something with your fingers which you remember and give a musician? A Yes, sir, and a funny thing, my music has been accepted.

Q Who accepted it ? A Rennick, but I took it away from him again because there was a question.

Q What was that ? A There was a question of whether the power came through Mrs. Ray, and, not knowing definitely at that time who the power was through, I postponed it; so when I was in Germany I received the music all by myself, so I was convinced that it was mine.

Q What was the name of the composition ? A "For Everyone A Kiss, Love", talking about the stars, though.

Q Was the poetry that went with that also a part of the same inspiration? A Yes, sir.

Q Received under similar conditions ? A Yes, sir.

Q Able to write that down in the dark, with your eyes closed ? A Yes, sir, very quickly; I don't have time to think of the metre.

Q In fact, most of the poetry read to us today you received in the same form of inspiration ? A Yes, sir.

Q How often do you get those inspirations?

MR. NEWMAN: I am going to object to any further

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questions along this line on spiritualism. That is not a basis of passing on the sanity or insanity of a person, because it is a question of religion and something that is well-recognized by thousands and thousands of people, professors on well-known subjects in America and elsewhere. It can have no bearing on the issue here. For that reason, I object to any further question along the line of spiritualism.

THE COURT: Objection overruled. Go ahead.

MR. NEWMAN: I take an exception.

Q You understand, I give it no particular name. I don't know what it is. I want ~~you to~~ tell us how frequently you get these inspirations for the writing either of poetry, or music, in this way? A I was there six weeks, and there is the evidence.

Q Practically, everything in those books came in that way? A I think everything came in that way.

Q Do you mind reading us one of the messages, if we are not violating confidence? If we are, tell us so.

MR. NEWMAN: Objected to.

THE COURT: Objection overruled. If you desire to, you may answer, and if you do not desire to, you need not.

MR. NEWMAN: As entirely, irrelevant and immaterial.

THE COURT: Objection overruled.

MR. NEWMAN: I take an exception.

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Q Any message at all that you care to read? A Do you know, did Mr. Strauss have a boy, a son?

Q I don't know Mr. Strauss. A Do you know what his name was?

Q I do not. A I got the name Eugene, belonging to Mr. Strauss' boy, and I was wondering whether that was true, or not.

Q You got that in the form of one of these messages?

A Yes, sir.

Q Do you care to read us any particular message? A It is not interesting. You are so prosaic, how on earth can you possibly stand for my poems?

Q I have enjoyed them. Have I indicated a lack of enjoyment as to anything you have written or recited? A I am beginning to think you are a sort of good fellow.

Q Now, read us something. I won't trouble you much more. Anything you feel does not violate personal confidences? A There is nothing to read.

MR. ALPHIAN: You don't have to, Miss von Clausen, if you don't want to.

MR. MADALL: No, I don't want to intrude on anything that is private.

MR. ALPHIAN: I would suggest not to satisfy his curiosity.

MR. MADALL: If I had any more appropriate for you, Mr. Madall, I would be pleased to read it.

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Q Now, don't be modest. Anything is appropriate.  
Read us something? A Are you making a fool of me?

THE COURT: If you say you don't care to, that will  
dispose of it.

THE WITNESS: I don't care to.

Q When did you get your very last inspiration in this way  
A When did I?

Q Yes, an inspiration which enabled you to take down  
some message that you received in this manner and which you  
wrote in one of these books? A I would not be surprised  
if it was yesterday, or day before yesterday.

Q That was very recently? A Yes, sir.

Q And they come on most every day? A They are not  
spells.

Q I did not refer to it in that way. I referred to  
them purely as inspirations. A Whenever I take my pen to  
write I think it counts for or against me, I don't know  
which.

Q Could you do that now, if it is not an intrusion?

A Oh, go away.

Q I mean, if you are inclined to? A Do you know what  
it reminds me of?

Q Just tell us? A There was a picture in the New  
York American last week where a man was running after his  
child, so he thought, and he found a monkey hanging on the

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side of a trapeze, and he was sure it was his child, and he nearly killed three men in trying to get to this child.

Q That is not a bad comparison, but I am neither a child nor a monkey. A No.

Q And there is no trapeze here. If you don't feel you can be safe just now, I don't want to press that. Have you recently written any poetry? A Yes, I have recently written a great deal of poetry.

Q In the form of an inspiration? A All inspiration.

Q You are unable to tell who gives you that inspiration? A Oh, yes, sometimes I know.

Q Do you mind telling us?

MR. NEWMAN: That is objected to.

A I can't verify it.

Q What is your impression as to who gives you that inspiration?

MR. NEWMAN: That is objected to.

THE COURT: The objection is overruled.

THE WITNESS: I object.

MR. NEWMAN: The witness objects, so I don't press it.

THE COURT: Anything further, Mr. Newman?

Do you want to ask any further questions?

MR. NEWMAN: No further questions.

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M A R Y        A.        K E L L Y, called as a witness on behalf of the defendant, being first duly sworn, testified as follows:

DIRECT EXAMINATION    Y. MR. NEWMAN:

Q    What is your name ?    A    Mary A. Kelly.

Q    Where do you live ?        A    720 East One hundred and sixty-first street.

Q    Miss Kelly, are you employed by the City of New York ?

A    Yes, sir.

Q    In what capacity ?    A    I am a matron in the Tombs.

Q    City Prison ?    A    City Prison.

Q    How long have you been employed there ?    A    Since the first of November, 1913.

Q    Are you on day duty and night duty alternatively ?

A    Yes, sir.

Q    At various times ?    A    Yes, sir.

Q    Have you got a person in the Tombs by the name of Ida von Claussen ?    A    Yes, sir.

Q    Does she come under your observation at any time?

A    Yes, sir, at night she does.    I am on night duty.

Q    Have you talked with her at various times ?    A    Well, I have, yes, sir.

Q    About various things ?    A    Yes, sir.

Q    Now, from your observations of her and your various talks with her, how does her conduct impress you as to

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whether she is rational, or irrational ? A Well, I think she is rational enough.

Q You did ? A Yes, sir.

MR. NEWMAN: That is all.

R A N D O L P H M. N E W M A N, called as a witness on behalf of the defendant, being first duly sworn, testified as follows:

DIRECT EXAMINATION BY MR. WARE:

Q What is your name ? A Randolph M. Newman.

Q What is your address ? A Thirty-seven Liberty street.

Q Mr. Newman, what is your profession ? A I am an attorney-and-counselor-at-law.

Q And how long have you been an attorney and counsellor?

A For the past thirteen or fourteen years.

Q Practicing in New York State ? A I do.

Q Do you know the defendant, Mrs. Ida von Claussen ?

A I do.

Q How long have you known her ? A For a period of about two years.

Q Do you know other people who know her ? A I do.

Q Have you had frequent conversations and dealings with Mrs. von Claussen ? A I have.

Q Have you discussed her case with her ? A I have.

Q Have you discussed other matters besides that in-

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timately, connected with the subject matter of her case ? A I have.

Q From all these conversations and from all your acquaintance with Mrs. von Claussen -- and I presume you are also familiar with her writings ? A I am.

Q Both published and letters ? A Yes, sir.

Q From all this information, have you made up -- have you any opinion as to whether Mrs. von Claussen is rational, or irrational ? A I have.

Q What is that opinion ? A She is absolutely rational.

Q Have you ever discussed or determined in your own mind whether she was a menace to the community or to yourself ? A I have.

MR. MEDALIE: That is objected to.

THE COURT: The objection is sustained.

MR. WARE: I take an exception.

Q From your acquaintance with Mrs. von Claussen, what is your opinion as to whether she is incompetent, by reason of insanity, to take care of herself and her own affairs ?

A I consider her absolutely competent in every way, shape and form.

Q From your acquaintance with her, do you consider her competent to advise with you as to the conduct of her case ?

A Absolutely.

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Q And as to the transaction of her business or her money affairs? A Absolutely so.

Q Has she discussed her various business and legal relations with you intelligently, and with a ~~seeming~~ comprehension of everything that was going on? A On various occasions she has. I found her to be very intelligent.

Q Is there anything further that you desire to say bearing upon the subject matter of this inquiry?

MR. MEDALIE: That is objected to.

THE COURT: Isn't that a pretty broad question?

MR. WARE: Yes, but I have had no conversation whatever with Mr. Newman in this matter, and it seems to me he ought to be allowed a little latitude, because I presume in a narrative way he could say anything he pleased.

THE COURT: I think you have covered what you want Mr. Newman for.

MR. WARE: You think it has been covered?

THE COURT: ~~I think so.~~

MR. NEWMAN: I could make a short statement.

THE COURT: Go ahead.

MR. MEDALIE: Suppose he asks himself questions?

BY MR. NEWMAN:

Q Mr. Newman, how often have you seen Miss von Clausen since the first day of November, 1918? A I have seen

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her practically nearly every day except Sundays and holidays, sometimes on two or three occasions a day.

Q Have you had lengthy conversations with her --

THE COURT: You need not put questions to yourself. Just state it in narrative form.

MR. NEWMAN: I thought Mr. Medalie was going to object.

THE COURT: No, just state what you have to state.

THE WITNESS: On these various occasions, I discussed with her the question of the indictment, the question of this examination regarding her mental condition, the question also of various business enterprises, the question of her estate, her monthly allowance and accrued income, and discussed with her in general quite a number of subjects. On several occasions she retained me to represent other inmates of the Tombs, at her own expense, to defend them, and I have on two or three occasions appeared in the court of Special Sessions representing people who were incarcerated in the Tombs, at the request of Miss von Claussen and at her own expense. I have also prepared an answer for her in a civil litigation entitled Black vs. von Claussen, in the Supreme Court of New York, Westchester County, which I drafted and upon which I was able to prepare the case. I have also discussed with her

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the case of Buckley vs. von Claussen ~~xx~~ ax being a lady who was injured by her automobile prior to her departure for Europe, which action was brought immediately upon her return here. She furnished me with data and information that I was able to verify, records, insurance policies, in connection with the car, as to liability, and upon facts furnished me by her I served a notice of appearance upon the attorneys in that case, Wing & Wing. She also furnished me with other data in connection with the case of herself vs. Buckley, regarding certain moneys which she had paid to Mr. Buckley to hold for her for the purposes of a bond, which was to be deposited for her use and benefit. I saw Mr. Buckley. He admitted he had the money, he was holding it for that purpose, but refused absolutely to turn it over, although I had a power-of-attorney for it. I went into the question of the indictment, the question of this letter with her. She told me she had no knowledge of it. I went into the question with her of this insanity proceeding here, and advised with her, took suggestions from her, prepared certain data, and, on the whole, developed a lot of evidence and facts or information that I received from von Claussen showed that she was absolutely rational, of sound mind, normal mind, and was able to conduct herself, and knew what she was about,

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knew what she was about to defend, in every way, shape and form, and I prided myself upon being able to have a client who was as bright as keen as she was and being able to give me the facts in such a concise way that I received from her.

THE COURT: Is there anything further?

MR. MEDALIE: No questions.

MR. NEWMAN: Now, I do not know if your Honor desires me to make any argument or summing up in connection with this matter. I simply want to say I think your Honor has had every opportunity and has been very fair in giving me every opportunity in connection with this proceeding. There have been certain witnesses I would have liked to have had here, whom I have been unable to get, some of whom were served actually with subpoenas, and some of whom subpoenas were left at their offices. Miss von Claussen desired me to subpoena Mr. Adams, the treasurer of the United States Mortgage and Trust Company, in connection with this examination, but I have not had an opportunity to do so. If the Court thinks that I should, in justice to Miss von Claussen, give any additional evidence that might be of any value in assisting your Honor, I should be only too glad to do so.

THE COURT: I should think, Mr. Newman, that I would

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have quite enough to enable me to pass judgment in connection with what I have heard here from the witness chair. I have not, of course, seen the report, and know nothing about the matter, except the conclusions indicated in the testimony of some of the witnesses, and other matters that have been put in evidence I know nothing about, but I have heard a great deal of testimony and I should think with what I have not examined I would have quite enough. If I shall find I need more, you may rest assured that I will see to it that you are notified to that effect, and open the matter for further inquiry and investigation.

R. NEWMAN: At the beginning of this proceeding, I asked for a jury trial. Your Honor in your discretion stated that if during the course of these proceedings you thought it would be necessary to have a jury trial, you would so direct. If your Honor finds, after wading through all the testimony and all the facts and data and exhibits, that have been submitted here, that a jury trial is necessary in order to remove any question of doubt that might arise, I presume your Honor will call a jury trial for that purpose.

JUDGE: If I have any doubt on the matter, I will give this man the benefit of it. There won't be any question about that, Counselor. I will

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have the benefit of any doubt I have on the subject, unless the case is clearly made out. You may rest upon that suggestion.

MR. NEWMAN: I also wish to say this, if I may: If your Honor should decide, no matter which way you may decide, I would like to have the opportunity of knowing what that decision may be so that I may be guided accordingly as to what steps I might desire to take for the benefit of my client in connection with it. That is to say, if you should decide against us, for the purpose of argument, I would then desire to get out a writ, according to the statute, for the purpose of reviewing with a jury trial, which I would have to do within ten days after your decision, and do it here rather than elsewhere in the City of New York; so that I have spoken with the District-Attorney's office in connection with that, and they assured me they would have no objection on their part, if there was no objection on the part of the Court, to allow me any time necessary for the preparation of any documents that we might have to prepare.

THE COURT: Oh, I will give you every opportunity. Anything that appears as I will do in the interest of justice.

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case that I have produced witnesses who have been in daily contact with her where she has been incarcerated in the Tombs, people who are absolutely disinterested. They are people whom I positively have never spoke with regarding this case in any way, shape or form. I had not opportunity to know whether they were going to testify for or against Miss von Claussen. I took a gambler's chance in putting them on the stand, because I believed they would tell the truth, and they have all testified that in their daily contact with her she was absolutely rational. I consider their testimony far more superior to any expert or alienist that can be produced. Take Dr. Mabon. He said he did not believe the testimony of the doctors at White Plains because they were not old enough, they did not have as much experience as he had. From all the ideas that Dr. Mabon had under my cross-examination, I would consider that practically everybody would be a paranoiac or an insane person. He made a statement here that was very hard to digest, that he would not pass upon anybody's sanity, or pass any opinions, unless he first had an opportunity of having the facts before him in each identical case. Now, I don't know whether he knew that that he had been informed of the case, or whether he was in White Plains before he went to see her or not. It may be

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that he got those facts together before he examined her, sonafter he had them he was able to judge better than he would have been otherwise. Suffice it to say, the experts testified; you have heard their evidence. They are experts, they are alienists, who have seen the defendant on three occasions, practically five hours all told. If their evidence is of more weight than people who have come in contact with the defendant day in and day out for two months, also people who have come in contact with her for a period of years, one who has known her since childhood, all well and good. I don't want to take up any more of your Honor's time. You have heard the evidence. I hope your Honor will take the matter and weigh it, as I know you will, very seriously, because the life of this woman is at stake. She came to this country, was here a day, and was incarcerated upon a letter presumably sent by her, a letter she has never been able to see to tell whether it was a forgery or not, a letter which was presumed to have been sent on Easter Sunday, this year, but held in abeyance for indictment purposes until Mr. Strauss knew Ida von Claussen reached New York City, on the 28th of October, when on that day or the following morning he had her indicted, for the first time bringing the matter to the attention of the District Attorney, presumably, and then

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she was indicted, and on information presumed to be furnished by her brother to Mr. Perkins an order of the Court is made to examine into her sanity. She has been confined ever since. She has been confined every since, with no opportunity, even in view of the fact that when she came to this country she made the declaration that she was a non-resident, that she was a citizen and subject of the country known as Germany - -

THE COURT: I won't go into that subject. I am concerned with the inquiry as to whether she is sane, or insane. That is the only matter that I consider important now.

MR. NEWMAN: I want to state this, your Honor, just as if I was on the stand: That I verified the fact that her declaration when she arrived in New York was that she was a resident of Germany, on her way to South America. I verified that in the Emigration Department at Washington, whose inspector called at my office and informed me that that was correct, and also saw Miss von Claussen in the Tombs. I make that as a statement that I have been able to verify, so that it might not also be a delusion so considered by these specialists, because she made the same statement to those specialists. Mr. Ware desires to make one statement.

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MR. WARE: I desire to respectfully submit that not only must your Honor be satisfied as to the sanity or insanity of this lady, but that you must be satisfied, and I respectfully make this point, that she is incompetent by reason of insanity to understand these proceedings or take care of herself and her own affairs; not merely insanity, but incompetency by that reason.

THE COURT: Do you desire to be heard, Mr. Medalie?

MR. MEDALIE: No, your Honor. If your Honor desires any aid on any proposition of law or any questions looked up, I suppose both sides will render what assistance they can.

THE COURT: No, I simply desire to examine some of the exhibits which have been offered in evidence, which I know nothing about, and then I will decide the matter as quickly as I can.

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H E A R I N G      C L O S E D.  
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People's Exhibit No. 3 reads as follows:

"New York Nov. 16th 1913

My dear Sir

I am writing you to please let Mrs von Claussen out for when I saw her she looked very pale and she is only just over a severe illness. and mixing with the class of people in the tombs is not good for her. They fill her head with nonsense and she is much better away. She said she would not harm anyone. I often thought her funny but I found when she got satisfaction she changed and if she gets satisfaction through an honest attorney she will be satisfied. She told me she wrote the letter just after an illness. I know she was very ill abroad I know that she is better in the Park where she can get her health back, and when there is no code to hold her there I wish you would let her have her freedom because she is so pale. and can give bail I will promise to look after her. She wanted to marry to get out of the clutches of all but I explained we would appeal to you, as you were a good man. and would give her her freedom if you were convinced. I am worried since I saw how pale she is. There must be some organizations for the protection of women who would help her and be responsible

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for her if I would not suit you, and you can try her later. All the outrages of her life she harps upon are "real". She left my house to marry that man. He seen her passage and wrote her the most beautiful letters and her being committed before ruined her when the family found out and they made her divorce an excuse. She has always trusted lawyers. and none of them have given her any results but taken her money. She had remarkable way of making any lawyer walk back money. If they did not treat her square but I am sure she is not dangerous. She is full of fun. If her troubles were imagined and not real she would be in different position. She has not been educated as she should have been, and she inherits her grandfather's cunning but I have been so fooled in her case. If some lawyer with moral courage got her justice she would get well. and have satisfaction

You will not regret if you let her out.

I was once a great Specialist on dope and Insane cases and she will be with me.

Anna T. Daniel."

(People's Exhibit No. 4 reads as follows:)

"New York Nov, 27th, 1913

My dear Mr Whitman,

I am very worried because I want to see that

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commission taken off the body of Ida von Claussen before she goes to trial for insanity. The commission is appointed by the Court and have found her insane and the Court is bound by the finding of the two affidavits.

My heart is bleeding for her because I feel it is such an outrage that she is now legally insane.

Her outrage comes now to me, because in Canada, I had my rights of legal counsel by me. I was fighting.

There were two powerful and so kind so they had been in the country of England. And before my father died, I was in a town called New York through the bank which that made my mother complicit. My father was a man who owned and controlled the banks and when the chart banks came into the country he closed down, paying every man every cent or one dollar. He loved honesty. and held the highest position in the Country and was vice President of the American Banking Association A Trust Company. The foreclosure on the home I was born on, a place I loved on account of all the past. I hired lawyers to carry the foreclosure to the highest Court. and they failed.

My father had the lawyers had good ideas, and he had many other sisters and had advanced my mother in the bank which I purchased checks

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the various interests and it made many sides to the situation.

Now I retained these ideas and I hired a lawyer to advance my ideas, without interfering with the others and one Judge wrote all pages about my idea. Unholding unthrashed legal objections which were never thrashed under the English law. But there my original idea. Now this had grown of itself as continued the evil against my mother to bring about her ruin and my mother needing money to put ~~the~~ <sup>her</sup> ~~affairs~~ <sup>affairs</sup> through the University went under in the strain and her estate fell into my hands.

My fathers persecutors became a continuation upon me. and they got two acts of Parliament directed against me, and my mother I felt the judiciary came before the acts and I hung on.

Pretty soon I had <sup>the</sup> a whole bench against me and I had to run down the bench, and got an awful run. In the middle of all my sanity was attached and to my dying day I shall never forget how I felt. My bankers deserted me. and I cried unto God in my soul and He heard me. He sent a thought. and that was to contest my mothers outrage by testing her affairs on putting up security.

The history of my outrage to that point I never want to let dwell on my mind. I had found no straight men, One who was straight got teid up by the

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others and I found one honest Judge in single Citting  
Chief Justice Moss now dead, He gave me special sittings  
and retromanded everyone.

I reached the Court of Appeals in safety and I had  
the crook-d work called over and my rights established,  
I often felt like horsewhipping my chief enemies,  
but I never did so I wrote that effect, I often spoke  
of it however.

The crook-d work strain was so great  
as the moon in driving, I safety tested.

I like to see my enemies fall politically and  
financially and I have wished. They had even con-  
spired to do so for the money the 21 page conclus-  
ion gave me. I from the first judgment of the first  
suit I had. Lawyers and Judges became units. and the  
law was my world. but no world of choosing.

I mention this fight to make you realize that every  
woman who has the crooked work of men to fight re-  
quires her liberty and While I was gone a net work of  
crooked work was done on me here. I took a couple  
in my house, a lawyer and wife giving them good fees  
clothes and food and they conspired against me to send  
me in the Appeal Courts legally dead. Facing the  
situation I had a helpless case. but I will continue  
to work and a recent judgment of Pendleton J helps me.  
I understand your office attack me and I attack you

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doing what you are doing to Ida von Claussen. I despise your methods in the case and denounce you.

I not only despise your work but my whole heart bleeds for your subject in pain and distress.

I was outraged by the Court in 1904, and the Prison walls she occupies are a familiar sight to me.

This was not as great as the shock of trying to take my brains away in Canada.

A building was stolen from me. I am convicted the 18 years. The building Everything is in shape. I live on life, hook and proceed. The dream of my life was to feel we had a good district Attorney and the shock of your downfall to me is a great deal. I am a prisoner at large from an outrage pitched so you could not discern the true facts. I was under eight false arrests. I defended alone until the last one when I was tired and due in Canada and I got a lawyer. A job was put up on me in your Court and I will explain it all to you. but that was only taking a house and outraging the human body, but they never attempted to take my brains away. The brain is the gift of God and Ida has the brains and more than the average woman. Is she any worse than the politician who stands up and promises all to the people and gives nothing. but cheats them. or is she half as bad? and I want to know why she cannot live in

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in the Country and have her ideas. She is very lovely to live with and very amiable. She has different ideas than the ordinary people and she is very clever. and filled with merriment and ambition. When I brought a doctor I used to nurse for she was not allowed to have him go in. She wants German Specialists. and the reason she is wise in this is because many funny things have happened to her abroad and they will understand the things because they understand the Country. She wrote me she believed she should be the one to have all the doctors she wished and it was a joke not to let her be consulted in freedom. Is she right or wrong?

I have nursed for the Prison Doctor before he was appointed and he can tell you it is alright to let her out in my care.

I am writing the Mayor and telling him about the dreadful thing done to me and asking him to save her. I explained my outrage down there more fully to him. In the name of Johnstone I passed the examination for police matron, She wants to go in my charge. and I will take care of her for you. and bring her down and report as often as you wish.

She was always good to me and I would work free. She mended all my clothes for me and often when she was tired out and ran in the auto to oblige me She

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often paid my fare to Canada and I often loaned her money too. I got her abroad because the work of Judge Greenbaum harmed her--. Her beau abroad had written her for years and he wrote burning letters and I persuaded her to go, and got her off. There was another in her life she loved and he threw her down when she got committed and she was unhappy.

Take that commission off her body. and put her in my care under bail. I have arranged another bond. I will write the story of her outrage, and you will feel sorry I wanted the Doctor to review the matter before the Judge on a rehearing so she would not have a foolish expensive trial. She is tied up and has not the means to be tried. The trial is so expensive. and with the commission on her body it is a joke. Her right to bail should be pushed. I got her Mr Newman and he will help her. He is a good little fighter and he can get the Judge mandated to take bail. If you are satisfied I will take care of her free special for you. My clothes need mending and she is splendid. She and I were very good friends always. and money never entered into the deal. although she was always square with me. She does not want to be robbed or be insane. She handles her money very schrewd I often noticed her sharpness and wished I had

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Taking away her brains will take her from her child and the scheme is so horrible, I am worried so about it I am aged. and I hope you will not hurt her any more.

Very Sincerely Yrs.

Anna K. Daniel

I wonder if the Suffragettes could save her. She asked me to write to them. I never met them. You could help her and prosecute her case instead of harming her."

(The following is People's Exhibit No. 5:)

"A Word to the Wise is Sufficient

by Countess Ida von Claussen

You've let me in the grief and in shame,

In a ~~very~~ ~~short~~ ~~time~~ ~~period~~.

And you've brought disgrace.

That you have no other;

On one place the board is "Tame."

but you're not. And that's why

Who killed the President?

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Appeal to her country and Laws in Vain

Now what was your game ?

And who is to blame ?

3

You've pocketed truth,

And exploited the uncooth

And you know I respect you no more,

This makes you sere,

You say I'm a hoar.

4

One by one your Emblems fly

That makes the honest Christian cry

With shame, to think

That a man like you'd wink

At the things you do on the sly. fie! fie!

5

The Crimes of the Prison

Are sizzling and sizzling

While you are so hoary serene

And all of your pie & ice cream

But all is what has been.

The future is held in the light

The future is held in the night

The future is held in the light

The future is held in the light

The future is held in the light

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There's we will find "your sand"

Ida Von Claussen."

(Defendant's Exhibit E reads as follows:)

CASE FOR THE OPINION OF COUNSEL.

HEREWITH are sent:-

Type-written copy of what purports to be Records  
of the South Dakota Circuit Court: Ida M.

Honan v. William F. Honan.

Typewritten copy of what purports to be Agree-  
ment of the 1st of May, 1905, between Ida M.

Honan and William F. Honan.

Mrs. Ida Von Claussen, otherwise Ida M. Honan,  
now residing in England at the Piccadilly Hotel, Pic-  
cadilly, W., has called upon Messrs. Lumley and Lumley,  
and states that she is engaged to be married to an  
English subject. She informs Messrs. Lumley and  
Lumley that she was divorced from her former Husband,  
Mr. William F. Honan, by the Circuit Court of the State  
of South Dakota, in the County of Minnehaha United  
States of America, by the said Court of the  
24th of January, 1906. She claims that she was  
married to William F. Honan, of New York,  
in the County of New York, in the City of New York, in the  
Year 1900.

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that there was no issue of the marriage, but there was an adopted daughter.

Mrs. Von Claussen has handed to Messrs. Lumley and Lumley the enclosed type-written copy of what purports to be Records of the Circuit Court in the State of South Dakota in the proceedings of Ida M. Honan v. William F. Honan, and the attention of Counsel is particularly called to page 3, which appears to be a copy of a decree for Dissolution of the Marriage between the parties. She has also handed Messrs. Lumley and Lumley a type-written copy of what purports to be a Memorandum of Agreement of the 1st of May, 1905, between Ida M. Honan of the first part and William F. Honan of the second part. Both these documents are sent herewith for the perusal and consideration of Counsel.

Mrs. Von Claussen states that, after the Decree of the Court dissolving the marriage, Mr. Honan married again in the State of New York.

Mrs. Von Claussen states that she took proceedings in the State of New York with reference to the maintenance of the adopted child, and a copy of these proceedings is enclosed. Mrs. Von Claussen has been in the State of New York and has been officially recognized as the mother of the child and the Agreement, which was made in New York, is being filed.

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and she is in communication with her representative in New York to obtain these documents.

Counsel, will please advise Mrs. Von Claussen whether the dissolution of marriage is legal and binding according to American Law, and whether she can now legally marry, so that such Marriage shall be valid according to the English Laws."

(Defendant's Exhibit F reads as follows:)

Re MRS VON CLAUSSEN

#### OPINION

In a letter accompanying the instructions Mrs. Von Claussen speaks of "her Divorces", and refers to a Divorce in Chicago and proceedings pending in New York with regard to a Divorce in addition to the Divorce in South Dakota. I have no information as to these Suits and can give no opinion upon them.

The proceedings in South Dakota are regular in form, and if the Court had jurisdiction of the parties, the Decrees would be valid in that State, and elsewhere in the United States would be regarded as valid by the courts. In my opinion, the South Dakota Court had jurisdiction of the parties. The Law of the State of South Dakota, at the time Mrs. Von Claussen was married, contained the

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following provision:

" A Divorce must not be granted unless the Plaintiff, in good faith, has been a bona fide resident of the State of South Dakota for at least six months next preceding the commencement of the Action and in no case shall a divorce be granted without personal service of the summons within this State, or personal service of the Summons and Order of publication in case of a non-resident defendant until the Plaintiff shall have been a bona fide resident of this State for one year next preceding the granting of such a divorce."

In her evidence in the proceedings taken on commission, Mrs. Von Claussen stated that she first went to reside in South Dakota in the first week in April, 1905, and that her husband was a resident of New York. As the Decree of Divorce was granted on the 31st of January, 1906, it is evident that Mrs. Von Claussen's residence did not comply with the requirements of the Statute, as she had not been a resident of the State, bona fide, for one year next preceding the granting of such a divorce.

But even if a full year had elapsed between the date when Mrs. Von Claussen first came to reside in South Dakota and the date when the divorce was granted, she would still,

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in my opinion, fail to comply with the Statute. The words "bona fide resident" have been judicially construed to mean something more than residence for the Statutory period. There must be not only actual residence, but also a residence under such circumstances as to constitute a domicile. It is true that in

America the Wife may have a separate domicile from her husband in cases of martial offenses, but the party, whether husband or Wife, seeking dissolution of the marriage, must have an actual domicile within the jurisdiction of the forum in which relief is sought. It is apparent from the papers before me that Mrs. Von Claussen resorted to South Dakota for the purpose of obtaining a Divorce, and that when it had been granted she left the State, and that she never acquired a domicile in South Dakota.

I am therefore of the opinion that Mrs. Von Claussens divorce is invalid, and that she cannot, relying upon the decree obtained in South Dakota, contract a marriage which will be valid according to English law.

I have, therefore, in the circumstances, considered it necessary to grant the decree of May 1st, 1906, between Mr. and Mrs. Von Claussen.

W. H. R. E.

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Temple, E. C.

10th September 1912.

Messrs. Lumley and Lumley,  
37 Conduit Street,  
Bond Street, W. "

(Defendant's Exhibit G reads as follows:)

"4 Sinclair Road - Kensington W -

September 5th 1913 - London.

Enc. -

My dear Mr. Newman

If you can print & publish this for me I  
will give you half of my profits in it. Let me hear  
from you; they have gone like hot cakes here & have  
attracted the Kings notice

Sincerely Ida Von Claussen."

(Defendant's Exhibit H reads as follows:)

"Villa Putz Godesberg am Rhein

Germany, May 28th 1913.

My dear Mr. Newman

I have not mentioned it to you in my  
letters but now I am going to tell you that I have  
been lying between life & death for a long time known or  
commonly referred to as a "broken heart". The  
nerves of my heart have out and for a few weeks now

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no one has expected me to live. The doctor only yesterday pronounced me out of danger but it will be months before I recover. This is all due to one trouble after another which I have gone through. The question of insanity was never a legitimate charge but, a conspiracy, formed and arranged by the high officials to get rid of me for political reasons. George Cowie told me this himself and made all the arrangements to incarcerate me. This beautiful piece of deviltry is more of a compliment to me than you imagine. Judge Greenbaums wife was attended by Dr. Thackery and she told Dr. Thackery it was all arranged to incarcerate me for life - "that I never would get out" so they proceeded in every illegitimate way possible. They "George Robinson" telegraphed me to Chicago (where I went to get an unbiased lawyer) to return immediately (this was Friday night) that my divorce was to be tried Monday and would be dismissed without a hearing if I did not come. So I called this Pittsburg lawyer and we arrived only to find no opponents and a Judge which waved a telegram which I had sent him requesting a serious hearing (as my case had been jostled from one to another for two years) This same Judge Greenbaum behaved like a maniac over the bench until I was all over him with my antics that I requested to be allowed to present my testimony

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taken. He shrieked again "Did you say you mean to kill me", I replied - oh! No Honorable Judge Greenbaum I only meant to execute the law -- with this the whole Court laughed at the "Joke" and he said "are you crazy and I replied "if you have any doubt I implore you to have us both examined and the truth verified - with this the Court room laughed outright again and he then tried to distort my telegram - I said if he couldn't read I would do so for him and politely relieved him of my telegram which he was waving madly in the air I relieved him just against his will. This was all a sham to avoid a trial of a divorce. I saw it and called his attention to it, saying by law, he could not rob me of my day in Court -- and he says, says he to me As the trishpan would have it -- "We'll see"! and so I was told to return at 2 - and I did. An officer met me and told me I was arrested & I said whats the "crime" and he says to me - "you laughed at the judge" and says I to him - well I wasn't the only one and so I was taken before Judge Herbert who promptly dismissed the case with a reprimand to Judge Greenbaum but Greenbaum's lawyer pleaded for a return of the case the next day and then the next day Judge Greenbaum left his mighty seat of Justice & threatened Herbert that unless I was thrown into a maniacs den in P'ghkee'se he would send me to the

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island in stripes - This is American freedom -- Bosh! --  
with American Justice. So notwithstanding I

have money & should have been sent home under parole  
if they were honest or ~~xxx~~ charitable I was confined  
in Pelvue for seven days instead of 30 - and starved  
out - and the 3rd degree of prevention from sleeping  
was used. I laughed at the crime and really en-

joyed the "monkey shines" of those poor maniacs.

But here is the result - I was ~~broken~~ ~~broken~~ down.

Now, so you can understand the case I am writing  
at length. I had no chance at self-defense when

my case came up before McCall -- but, myself, told  
the Judge I wanted another fair examination & to  
please send me to Bloomington. There I was de-

serted by my lawyer George Robinson - who without my  
consent withdrew my divorce case from the calendar.

Dr. Monan was then free to live in adultery with the  
woman who had usurped my home & cast my child & my-  
self penniless into the streets years ago unless I agreed  
to give up the divorce I started in N.Y. state

naming Miss Clarence Jones and two other co-respondents  
& go West and obtain on the simple grounds of desertion  
my Western decree. I was not deserted but, this

was the fictitious plea. Dr. Pringle of Bloomington

and Miss Dunn the nurse can tell you the crimes they

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perpetrated against me for asking for a legitimate divorce depriving me of even a "habeas corpus" & "fixing" the Sheriff's Jury. No, no language is too strong for my brother had no right to abuse me so one month after I nearly died from the shock of my father's death -- This is a black chapter in American Law (outlaw) I was parolled but, obtained a complete discharge in March as I was never adjudged insane -- but on the contrary as possessing one of the cleverest keenest minds that ever was up for examination in Alcatraz -- I wrote a definition which you will not find in their text books the difference between "originality" & "excentricity" They didn't seem to have the least idea of the scientific differentiation.

My German has ruined my English spelling\* - but excuse it.

At my insanity or sanity trial, Judge Vorscheuser recommended me my divorce - said I had a perfect legitimate right to ask for it and told the lawyers to get it for me that I was still married to Dr. Honan who was living in adultery. So if I'm in danger of being locked up according to Robinson for asking for Justice I think Judge Vorscheuser and Newton Crane the English authority on International Law will have to go to the Insane Asylum with me. also Lumley & Lumley attorneys and George Cowie who told me I had every

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right to a divorce but, that they intended I should not get one - and I replied - then you mean to swindle me & he said "it looks like that" because Dr. Honan must pay me damages and support all these years & he prefers to pay lawyers and judges etc. -- Baby's case was never tried but, thrown out of court on a technicality which Robinson never rectified before presenting to the judge when he was substituted - this was crooked work -- It seems to me now, like yourself can make matters pretty warm for the colonists - my brother included - Robinson had no security from me to discontinue the case, he said in advance for a divorce, a trial and result. He deserted me in Bloomingdale when he was appointed by Judge Forschauser who appointed a man over Robinson's head to give me a "habeas Corpus" proceeding -: I was only in So Dakota 47 days - therefore the Court had no jurisdiction - I was threatened and by duress on my death bed they took testimony which I was never allowed to see before signing - I told my lawyer I was only there 47 days and he said "oh, that is alright." Robinson is not honest - I am entitled to my papers and you'll never get them because they have been distorted - so don't waste your time - Commence a new and separate action against Robinson

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the fee I paid him for my divorce. I went to Bloom-  
 ingdale by request for I was not satisfied with the  
 crookedness of that Belvue decision - Remember I am a  
 writer and I wished the world to be thoroughly posted  
 as to my "mental status" I wrote to Cowie and  
 told him I'd make it hot for him if he didn't straight-  
 en up and see that I got some legal standing. I have  
 lost a marriage of wealth in England because I'm not  
 divorced - Now, to your legal mind don't it sound  
 ridiculous to say if I ask the law to right my wrongs  
 either by a decision for or against me, then the in-  
 sane authorities will get after me" -- Silly crooked  
 talk and unworthy of a lawyer but look at his previous  
 work and then judge his opinions -- Rest assured facts  
 as I state them please bring a new proceeding to get  
 me in a position to marry legally -- My brother he's  
 when he says he had nothing to do with the case -- They  
 committed me on his signature & what is more he allow-  
 ed me to go to a public institution when I should have  
 had care. I was far from crazy but my heart was  
 broken after my father's sudden death for he died  
 blaming my brother for the way he abused and ill treated  
 him when he was so ill. This I only know too well  
 and my brother made a threat that if my father should  
 die he'd commit me for I was disgracing him by my efforts

0368  
 CASE # 1803

to reform conditions in politics -- well -- suffice it to say you have me to thank or blame for your new administration and if I had not some power they would not have "incarcerated me for life and sent my brother to me to offer me my freedom if I promised to quit the country & get out of politics. I promptly refused & my brother never came to see me again for two months. He deprived me of my woman friend & my letters - notwithstanding I was only there under a two weeks mental examination. That was foul work.

The Rockwood referred to is Ash Rockwood -- formerly Judge of Saratoga County but who practices in New York under the firm of Rockwood Kovelvey & Knight. He lives in that big apt house 75 & 76th St or 77 & 79th West side of M'way -- The building takes up a whole block His offices are I think in Nassau St. about 35 -- My attorney in Pittsburgh never advised Robinson to discontinue the action for divorce. You can send the papers here for me to sign. I cannot return to New York now I am too ill. You can get the minutes of my trial at White-Plains - I will not change attorneys if you treat me squarely as I have every reason to believe you will - but then I think I have had four leading attorneys and all have scolded me one or another, naturally I am anxious to see your results - There is enough money involved to satisfy the most ex-

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pentant lawyer.

Mrs. Daniels knows my case

thoroughly.

Mme. Elsa Gregory will explain fully her address is 15 East 26th St. care of Co-operation Bank. If you commence damage proceedings against my brother you will see how quickly he will help you with my divorce -- also your friend George Cowie -

Your 2nd letter has just come I am taking days to write the letter ~~but~~ hope it will understand ~~xxx~~ ~~xx~~ the case. I will send you a photograph.

My brother sates I am "a real one in a blue" my opinions are the same as ~~the~~ ~~case~~ ~~user~~ according to clipping enclosed and Charles Strauss drew up the agreement and forced me to go West for a divorce. He used his power of attorney which he held on my affairs & told me to take his terms of a Western decree or go penniless in the streets for three years with an infant 2 years old as he would confiscate my income. I refused - he did confiscate my income & then I went on Wall St. & made money - returned and shook the stubs under his nose & the bank president Schlessinger & after three days they sent me my money & I signed the papers to go West where I thought I was the complainant I received no consideration financially. This is not legal - but on the contrary I lost 7 thousand dollars actual cash I had lent Monan - About the one great affair of

0370

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my life - well if you can straighten out that you will make me the happiest woman in the world. I have the world at my feet from princes down but a curious enfatuation has enthralled me with this man. It is spiritual and if I could explain everything you would not leave a stone unturned. You are very kind in your assurance of doing all you can for me and I send you an order, though small, I hope will be renewed as often as is absolutely necessary - but if you can get by replenish the money I paid to the lawyer which he took under false pretences for it was to pay for a decree and in good faith I paid him in advance so that money is mine except for the actual cost of drawing papers that have been of no service to me which are not even returned to me. You are welcome to this money - if you can get it -

My courteous regards

Sincerely

Edw. von Claussen.

Don't forget So Dakota had no jurisdiction as I did not remain more than 47 days & was sent by "duress" to bring suit for alienation of affection against Mrs. Ives Park (the present Mrs. Jones) you'll see a "brain storm" that will help you. I have worried so ever

03711

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my marriage with Mr. Davis when I loved Guinle  
that I have broken down and doubly so because Crane  
tells me I have no right to marry any one & they can  
lock me up in England if I do. Must my life be  
lonely always ?

Ida."

(Newspaper clipping referred to in Exhibit H,  
reads as follows:)

"Two marriages void by annulment of J. Sterry's  
wedding.

By a decision of Supreme Court Justice Newburger  
two marriages are rendered void today. He ruled  
that Mrs. Elizabeth Stevens Sterry was not legally  
the wife of James W. Sterry, millionaire member of the  
Weaver & Sterry drug firm, because she was never law-  
fully divorced from Albert J. Rennie, of Elgin, Ill. In  
directly this will invalidate Rennie's second marriage.

Mrs. Sterry sued Sterry for a separation alleging  
that he had treated her cruelly and abandoned her.  
She testified he was fond of drink and amused him-  
self by squirting seltzer water over waiters.

Sterry did not deny the charges on which she  
asked a separation, but he attacked the validity of  
her divorce decree of Rennie. He contended that the  
divorce was invalid because neither Mrs. Sterry nor

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Rennie had lived in Illinois the time prescribed by the divorce statute."

(Defendant's Exhibit I reads as follows:)

"Villa Putz Godesberg -

Germany May 30th, 1913

Mr. George Robinson

Kindly turn over to Mr. Randolph Newman 37 Liberty St all my papers in the divorce proceedings and the expert opinion of Mr. Newton Crane of England that Mr. Jaffe of 170 Broadway gave you. Also please return to me through Mr. Newman the sum of \$175. minus the actual expenses of the drawing of such papers that you place in Mr. Newman's hands as your Substituted Attorney and oblige

Ida Von Claussen

Failing to comply with my request Mr. Newman has my authority to proceed to collect same.

Ida Von Claussen."

(Defendant's Exhibit I reads as follows:)

"Villa Putz

Godesberg - Germany

May 30th 1913

Dear Mr. Newman

There is one thing that might help you in my divorce action and I - the District-Attorney.

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went to him and he refused to help me, notwithstanding I had explained how the lawyers & judges had deprived me of my ordinary legal rights. He and George Cowie also Corporation Counsel, told me plainly that I had the law on my side I was entitled to everything I asked for but "they intended to swindle me" the very words George Cowie used. Now, I have written this last gentleman and I advise you to see him. If he dares to threaten you as he has others take the necessary steps to force an issue. You have every legal point and these points are backed by Judge Morschauser and a decision of Judge Newberger in Feb. of this year. Its a terrible position to be in without the rights to legally marry. Mr. Brown should be punished for this and Charles Brown & Barto S. Weeks who first perpetrated the fraud - Cash Rockwood - I forget his address, a lawyer in N. Y., went West and knows more about the case than anyone else - he will help you. Cash Rockwood - he borrowed my money after he had held the case a year and he told me he was lending himself to defrauding me.

Mr. S. Brown of New York Springs was made

member of my committee and he said even he can't

see Cash Rockwood's side of the case. I hope you

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will be able to fathom it. I hope you can straighten out my difficulties for I am weary, so tired of all this unhappiness. Ever since I can remember -

from the time I was seven years old. Is it possible there is not one man - not even my own brother that will stand by me and see that the law of our country is dealt out to me. I am asking no more than this - The part my brother played last year on top of the shock & death of my father - was criminal - I am still doctoring for the shock which left me almost a wreck - then I had to stand a mental trial in the crisis when I only asked for what was my right, the right guaranteed me under our laws and I was backed by expert opinions; but, they thought it easier to get rid of me in a mad house in preference to seeing justice and the law dealt out to me. Now, are you brave enough to carry this case through? It means much to you -- much more than you realize -- Especially if Mr. Guinle still loves me and you can straighten out these affairs. Now I have suffered -- I am now or I might be even braver than to let -- collapse -- I trust to you -- Let us see how you come out. Sincerely (Countess) Ida von Claussen."

(Defendant's reply reads as follows:)

"I am sorry Mr.

Idellere

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Germany July 31st 1913

My dear Mr. Newman

I am sorry there has been a misunderstanding but I had to cable as I did and momentarily forgot that the assignment was made for any particular month and if I am not mistaken the month was not mentioned for I did not think you could prepare the case. Send them papers to me for signature & have them returned much before the middle of August. So you

see I did not intend to trouble you by any counter-order to the trust Co. But My dear Mr. Newman

I am not in a position to allow the public to laugh at my unbounded confidence in lawyers. They, the colleagues of your profession, one and all, have swindled me unmercifully if you force me to tell you the naked truth and this is why I have been wary about paying out more money without first having the result. It

is a shame you could collect the \$175. from Robinson - he has no more money than a stranger

and the judge would force him to reimburse me and also to produce the papers - until you take some definite action -

Showing me you intended to fight & fight hard - you

cannot expect me to waste my money.

Remember I have been legally proved as "a false claim" and that ought to convince you that I am not a liar.

Yours faithfully,  
J. Edgar Hoover

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the ocean and develop the case myself. I have taken up harder problems than this. Well now to business.

I will give you the date. Ida von Claussenquestion

one - que 2 -- January 12 1898 - I left him by agreement. We prepared with Carles Strauss a quiet

So. Dakota Divorce where no scandal as to his alliance both Mrs. Clarence Jones - a Mrs. A. P. Riker of

200 W. 70 th St. in 1903 and Miss Maud Ives Parks whom

he told me he deserted every night returning to his home

the Sherman Sq. Hotel after 2 or 3 A.M. nearly every

morning. He said he was also visiting Hobart Park

who I have learned paid Dr. Honan \$3000 to help send

me West to get the Divorce. Leo Schlesinger

knows about this transaction.

The date I left for

Sioux Falls was April 1905.

Even the lawyers were

engaged beforehand for me by my husbands lawyer.

The date of So. Dakota decree Jan. 1905, but I returned

and lived and cohabited with his lordship Dr. Honan

after the divorce was commenced. He begged me not to

mention this.

He got the decree for desertion

when in reality

deserted him.

He never de-

serted me.

He lived together as late as July

1st - 1905

I was in his presence during my husband's absence

from home in Dr. Honan's house every night nearly

for a year and a half before the divorce. I was

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practically put out of my house by abuse to allow Dr.

Honan to marry Miss Park this is his own confession.

The first meeting with Miss Park was as far as I know

about 1904 or perhaps earlier. Her married her -

3 years ago this coming September. I have answered

all your questions and am sending you also Mr. Newton

Crane, the expert's opinion. I received no considera-

tion for myself or my baby and as Dr. Honan owed me 10

thousand dollars cash at the time he arranged to pay

\$ 3000 of this money providing I would go West. This

money was used for my lawyers and travelling expenses

and as the contract said the money was to be returned

to Dr. Honan before January 1st, 1905 providing the

decree was not placed in Leo Schlesinger's (the fund

trustee) hands by that date. Does this not prove col-

lussion - and even blackmail for that was my money and does

it not also prove a broken contract for the decree was

not given into Leo Schlesinger's hands before Jan 10th-

and the time the contract called for it was Jan 1st --

the child was not provided for and no guardian ad litem

was appointed.

Very truly,

John Claussen.

Please ask Mr. Adams if he is to be trusted and

go with the child if you justly."

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(Defendant's Exhibit L reads as follows:)

"Regine Hotel Blumlisalp

July 23rd 1913

My dear Mr. Newman

I have not heard from you. If you are sincere with me you would have long ago sent me the papers to sign.

It is a very simple matter to bring a divorce under the present conditions - backed as you are by "expert International lawyers and Judge Morschauser's opinion. Please let me know what you intend to

do. I am in a most disagreeable position. My wedding is broken off and the Chap angry. I wonder why I should stand the brunt of the blame when I was blameless from beginning to end.

We all know that the Constitutional rights have been denied me and I have been brutally treated and men calling themselves men stand by and "grin" I am a good woman but how long this state of affairs will last before I lose courage I don't know. If the law has refused to hear me then I'm no longer under law and I advise the authorities to put this fact on record. I shall again demand my rights and don't dear Mr. Newman

yourself on record as one who also fails to help

America will not let this Scandal sooner or later

CASE #1803

and the punishment will come for the transgressor.

Write me that you have the papers under way for me to sign.

Sincerely

Ida von Claussen .

I am broken hearted about O. Guinle. Tell me sincerely his attitude to you - Did he deny the fact that he loved or loves me. I hear from strangers he adores me ~~what the~~ is the matter with him. Go to see him again."

(Defendant's Exhibit M reads as follows:)

"My dear Mr. Newman

Please write me soon. Enclosed is a copy of a letter I sent Honan some months ago.

Mr. Bayard L. Peck 26 Liberty St. who arranged the adoption of my child will help you for the child's sake and he has a letter which he will show from England proving I am still Dr. Honan's wife

Very truly

Ida von Claussen.

Please write me soon concerning Mr. G. I am anxious to know how things stand one way or the other.  
Villa Putz

Godesberg - Germany

June 14th 1911."

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(Defendant's Exhibit N is as follows:)

"Villa Pu tz - Godesberg am Rhine

Germany June 24th 1913.

My dear Mr. Newman

As you know I am only too anxious to pay you for any work you do, yet, I must not in justice to myself do as I did in the Robinson case. You write

very friendly and as you know you have a fortune in your hands for collection which will more than recompense you. The papers must be found and you can

enforce this in the police court. No man, I'm speaking of Mr. Robinson, can take my money & papers and abuse my confidence without redress and as you are the lawyer its up to you. Can't you see this. My

divorce papers can be obtained from Sioux Falls with little or no cost. I sent Mr. Jaffe Mr. Newton. Crane's opinion which he said he gave to Robinson.

Robinson discontinued the case without my consent notwithstanding I had never been "judged insane" or even had a trial -- where did he get his authority. "Are

we in the days of anachism or civilization? and where is your pluck? Charles Strauss drew up a contract

which on the face of it did not dare to attack his name because he made him sign away Natalie's interests without even appointing a guardian "ad litem" and

the conspiracy around obtaining my divorce is sufficient

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and land that rascal behind the bars but what hope have you of bringing him to justice when Jay now is his friend. Dr. Honan married Maud Ives Park about September 1910 - he will be married three years this September. He was living at Hotel Regent 70th St. & B'way. and is now living at 15 W 73rd St. & Mathewson Hotel Narragansett Pier July and August. I was married about Jan. 13th 1898. In the Church of the Blessed Sacrament 70th St. & B'way. (on a rainy day) I lived with the rascal, the drug fiend and physical incompetent for about six years. He planned out my divorce and by abuse drove me into it - Telling me himself that he passed all his spare time with a far more interesting woman Miss Parks than I ever thought of being - but I only found out why she was so interesting she, I mean her father helped him to pay his debts and to make a \$3000 deposit in the bank (Mechanics & Traders Bank Froome & B'way.) to bribe me to go west to get a divorce. But Mr. Honan owed me 10 thousand dollars cash at the time so you see he made no provision for either Natalie or myself - but on the contrary "Blackmailed" me by telling me they would "cut off my income for 3 years if I did not meet their terms & go West after I had already started proceedings in Howe & Hummels offices. The date of the adoption is in the Surrogate's office and I and Mr. Pierce whose

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name I gave you in the last letter drew up these papers - maybe that is not his name but you have it in my last letter, he will help you. Nash Rockwood can ~~do~~ <sup>help</sup> for you, he went West. I will send you a copy of the agreement Dr. Honan gave with me drawn by Charles Strauss. He told me if I could go west and obtain the divorce on the ground of desertion he would turn over the \$3000 minus costs of the divorce and release of income which Strauss was willing to pay. Charles took the bank money I had borrowed for Dr. Honan at the Mechanics and Traders Bank.

Can you tell me now can they again try me for insanity after I once have been tried?

There must be a new offense & this is the same complaint continued. How can I blackmail anyone for what is my due? I am unable to marry, of course, you must go ahead & give me a "legal standing" in as much as I was the plaintiff in the case by duress. I think my brother is working to get behind bars. The Judge showed him up pretty badly, the day in court as a conspirator to "drive me mad and kill me and inherit my money. In fact the judge Morschauser made no bones about telling him the fact. He was also told to release this commission which he never did even when I was released. George Robinson must pro-

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duce my money and my papers. I was informed I never would get a hearing and this too was brought out in my trial by Judge Morschauer that I was systematically deprived of the law. "By the use to carry me out bodily from the Court" Judge Cornell swore at me from the bench when I asked him where he obtained his information before the case was explained of course everybody saw the conspiracy & premeditated interpretation of the law. Clarence Guinle can bring this case to Caratoga out of "the district" as I call the "District Judge". I was starting broken really broke over Guinle but he is better he forgets than cause me more pain. I never know why he loves but this "chap" has that fascinating quality that has held me Me with the "dudes" at my feet - my time - heart soul and mind for two and a half years - Good Lord! its an eternity - Yes see him again and tell him he can tell the straightest lie I have ever heard - He never wrote me. Why did he have a picture on his desk; was it framed or could you plant potatoes in the dust on it. ? Yet all you are the case for a simple answer and it is for my signature. I am writing to friend in the law allow Newton Crane to print his name for you after you have set forth the case - what I want is Crane will

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assist because I have no money for Ocean Voyages-as much  
as I would like to see you. Prepare alienation  
papers & serve on Maud Parks. If you ask for commis-  
sion to take testimony ask Newton Crane he must uphold  
his opinion. Of course I'll be a counsel for a  
protection for baby.

Sincerely,

Harry van Orman.

(Defendant's Exhibit 6 as follows:)

"Vill. P. - Schlesberg

June 1911, 1912.

My dear Mr. Newman

Yours just received. I am sorry about  
the mistake of accrued income, but as now it has been  
known before to receive our "accrued income" until  
July I naturally thought you would be paid - I have  
thought considerably over "my affairs" in America and  
in as much as the greatest opinions have backed me up  
in proclaiming my "right" to a legal decree, I feel  
that "cash" money is not necessary - for this reason.  
If Dr. Honan is my husband (here are the authorities  
for making this statement) George Cowie - Judge Mors-  
chanser - Judge Greenbaum by his very attitude of  
throwing me into a mad house instead of trying the case  
for if he were not sure I'd win he would not have gone

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to such extremes) ----- Judge Herbert - International  
Expert on American law Newton Crane - Lumley & Lumley  
English Barristers - Crowthers Vizard & Oldham - Eng-  
lish Advocate - The Ecclesiastical Asylum Authorities  
especially Dr. Principal Macle Robinson who brought the  
divorce etc; etc; etc;

As I said if Dr. ... stand as can be  
... and ... I was ... and ... to  
pay ... my charges ... for myself &  
child for ten years ... thousands dollars of  
my own money, also ... for ... for  
incarcerating me ... (as ... ) ...  
to avoid the law also for the abuse I was subjected  
to publically & my name ruined when I was "kicked"  
dragged & hauled out of Court for asking for a proper  
divorce - Inas much as you have such a substantial back-  
ing to your case I do not exactly ... "Das I" but,  
you would if "sincerely with me" take the case on a 50/  
basis of all none, you can collect. ... you have  
damages against me ... and the ... for the fi-  
lial way I was accused of being ... for ... on  
in reality, I proved more intelligent than (I sup. you) I  
really am - But, Mr. ... in as much as I have  
in good faith given ... for ... I will stand  
by my promise and ...

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same amount providing you draw up the papers at once for a legal divorce in N.Y. name Maud Ives Park as co-respondent and demand damages to the extent of my legal rights which should be at least a million dollars as I have ~~lost~~ my Millionaire in England who, has refused to marry me because he is for trying to present a fraud but divorce to the English Court & him - So you see if Robinson has the money for a specific purpose viz: of obtaining a divorce for me, not only, has not done so, but, has destroyed them & has arrested the fraud and if you don't do this viz: arrest him or produce him in court to explain then you are not "sincere" in your offers, for the whole case belongs to the "Grand Jury" for trial and if I were a lawyer I'd make a name and fortune on a case like mine ---and be --- glad I had the good fortune to get into such a case.

The day Dr. Honan is served and I am on the legal road to redress then your money will be paid to you and the day I get a Divorce with alimony -- back payments & damages I will pay you \$250 -- Plus 10% of all monies you collect --- You can prove to Mr. Adams that Dr. Honan has been served and collect your \$25.00 immediately upon such proof. You can also have as "cash" payment the money I gave Robinson for the same

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work which he did not fulfil - the papers and the money must be transferred to you as substitute lawyer, etc. Court order for misdemeanor or petty larceny can be had for the asking & thrash the question out - I am sure you will get the money - for he took the money for a pacific purpose which he failed to accomplish this is under false pretences and he tricked me by his lies back to N. Y. from Chicago. This is criminally illegal. The money was not due him until the divorce was obtained according to his advertising - but it was easier for me to pay by cash & I trusted him - I am certainly to be complimented on my faith at least in humanity & Guinle has not written - let's hope he isn't worth the trouble and I am better off without a husband - If he's so stupid why should I care - there are always hands to take his place - Sincerely

Ida von Claussen

Tel. to Adams of the U. S. M. & Trust Co. I am writing him. Chas. Strauss 141 Broadway is at the bottom of all my trouble unless this case is settled quickly I will put out a pamphlet and set forth the crimes perpetrated against me. I think he will understand what I mean" (Truth Conquers the Lie) - They bend his proud neck - and show him into the honorable path. -"

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**START**

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**CASE**

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