

0937

BOX:

250

FOLDER:

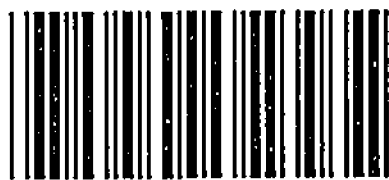
2428

DESCRIPTION:

Shipman, Henry D.

DATE:

02/15/87



2428

0930

Part 5. Apr 23 1908

Witnesses:

Doctor Hopkins

Doctor O'Keaghen

Mary Healey

Ernie O'Sullivan

Officer J. M. Coy

Officer Carroll

Apr 30/08.

Motion to dismiss this
indictment made by
Clark & Jordan, and
granted by Judge
unless set aside, place
left on trial during
month of May 1908, or
Carroll Commission
to be appointed
by Hon. Judge

Aug. 14, 1908. Report
of Commission
by Hon. Judge

63207

Clark & Jordan
Remitted to Jail

Counsel,

Filed 15 day of July 1887

Pleads, Cht guilty charged by
Indictment

THE PEOPLE vs. J. M. Coy

vs.

MURDER IN THE FIRST DEGREE.
[Section 163, Penal Code.]

Henry D. Shipman

March 17/07

Chrg. find a Defendant
Charge

RANDOLPH B. MARTINE

District Attorney.

Wardens Green

State Hospital for the

A True Bill. Charge

Edward J. Connelley

Nov 19/07 Foreman.
Returned to City Prison
from Mattewan State
Hospital & committed
Sent to Mattewan State
Hospital Aug. 14/1908.

0939

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 2 DISTRICT.

William F. McCoy
of the 20th Precinct Police ~~Street, aged~~ years,
occupation being duly sworn deposes and says,
that ~~the~~ day of 188

~~at the City of New York, in the County of New York,~~ Mary Healy, Margaret
Healy, ^{and} Jennie Mc Burnie (all now here)
are necessary and material witnesses
against Henry Shipman charged
with "Homicide" Deponent says that they
are servants and have no permanent
home and that they cannot be found
to testify when required and asks
that they give surety for their appearance

William F. McCoy

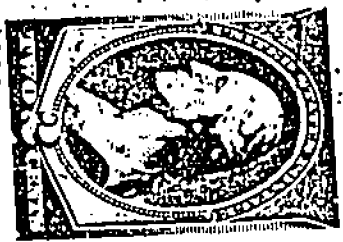
Sworn to before me, this
of July 188

David C. McCall Police Justice.

0940

Shikman is evidently a
lunatic - & was an inmate
of an asylum, & was the
cause of the ~~tragedy~~ -
In the trial, you must recollect
his violent conduct, & the
unusual distance -
The last ~~part~~ ~~of~~ ~~the~~ ~~recess~~
as to his condition &
- If you wish, you will find
this in the papers.

APR 12
4 PM
8



0941

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT,

2

DISTRICT.

William F. McCoy
of the 20th Precinct Police, being duly sworn, deposes and
says that on the Third day of February 1887

at the City of New York, in the County of New York, at about the hour of
4.15 P. M. on said date deponent was
on duty on 9th Avenue between 30th and
31st Street in said City when he
saw Officer Patrick Carroll of the
20th Precinct and several boys
running down 31st Street towards
the 8th Avenue and deponent ran
after them and got along side
of them and ran up the stoop of
premises No 339 West 31st Street
and went in the hallway and found
Henry Shipman ^(new here) in the hallway.
Deponent says that said Shipman
spoke to him and said "I know
what you want" I shot her.

Deponent asked said Shipman
where was the pistol and he replied
up stairs in my bedroom. That
deponent took said Shipman up stairs
to the second floor and he said
Shipman took me to his bedroom
and pointed to a dressing case
in said room said there is the
Pistol. Deponent says that he picked
up said Pistol which was warm
and placed the same in his pants-
pocket and deponent asked
said Shipman why he had shot
her and said Shipman replied

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will I shot her, and said Shipman, held up his left hand, and said there was her blood I loved her, and could nurse her now.

Deponent says that he took said Shipman down stairs thereafter and brought him to the Station House and when brought to the Station House before ~~Sergeant~~ ^{Sergeant George Ravens} ~~Brown~~ ^{who was in command}

~~and said Shipman~~ admitted that he shot Josephine Mason in house no 339 West 31st Street in said City

William T. Hoag

Sworn to before me

this 4th day of February 1887

Samuel O'Neil, Police Justice

Police Court District.

THE PEOPLE, &c,
ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated

188

Magistrate.

Officer.

Witness.

Disposition.

0943

City & County of

New York

ss

Jane McBurnie of No 339 W 31st Street
aged 48 years occupation Servant
being duly sworn says that at about
the hour of 4 P M on February 3
1887 she was in kitchen of said
premises attending to her duties
when she heard a pistol discharged
and ~~heard~~ three times and saw
Josephine Mason ~~deponent's~~ employer
running down the stairs and she
came in the kitchen and said
"Jennie I am shot." and ~~fell~~ ^{fell down in the}
^{vicinity of} the back room door of said ~~house~~
kitchen leading into the yard and
said Josephine Mason was bleeding
from the mouth and arm. Deponent
says that said Henry Shipman
followed Josephine Mason down
the stairs and said Shipman
called out "I shot her" and
turned around and went up
stairs. Deponent says that she went
into the street and asked a boy

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2

who was passing along to go for an officer and immediately thereafter deponent saw Officer Carroll coming and deponent ran towards him and informed him of the shooting and said Officer Carroll asked where the woman was and she replied down stairs Deponent says that as she was going in said place she informed said Officer Carroll that there was the man meaning Shipman who shot the woman and said Officer Carroll informed her that the other officer would take care of him. Deponent further says that said Officer Carroll accompanied her in the kitchen and said Josephine Mason was lying in the same position as when she left and handed her deponent her watch and chain and asked deponent to unloosening her coat and deponent replied that the Doctor would not allow

0945

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and she said Cozephine Mason
drank three glasses of brandy,
and thereafter complained she was
smothering and of the pain in her
arm. Deponent says that the
Ambulance came and took her
to the Roosevelt Hospital
Marjorie Mc Branney

Sworn to before me

This 5th day of Feb'y 1887

Sam'l C. [Signature], Notary Public.

0946

City & County of -
New York Jss

Maggie Healy of No 339 W 31st Street
aged 14 years occupation Servant
being duly sworn says that at about
the hour of 4 P. M. on said ~~date~~
February 3. 1887 she was in the
basement of said premises attending
to her duties when she heard a pistol
discharged and heard Josephine Mason
my Employer call out "I am shot"
and thereafter she saw Josephine Mason
in the kitchen and blood was
flowing from her mouth.

Deponent says she and Mary
Healy ^{my} Jennie Mc Burnie went
out in the yard and deponent and
said Mary went up the back stairs
leading from the yard into the
hallway of the first floor of said
premises and said Mary Healy
attempted to open said door
and it was fastened. Deponent
says that said Henry Shepman then
and there opened the door and said

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2

said Mary fell down stairs into the
yard and down. Took said
Mary out through the hallway
of the basement into said street
and remained there until Officer
McGee came

Maggie Healy

Sworn to before me

this 5th day of May 1927

David C. Kelly, Notary Public

0948

City ^{and} County of -
New York ss

Mary Healy aged 21 years occupation
Sewant of No 339 W 31st Street being
duly sworn says that at about the
hour of 4 P. M. on February 3. 1887
she was in the basement of said
premises attending to her duties
when she heard a pistol discharged
and ~~deponent ran out in the yard~~
as her employer Josephine Mason
came running down the stairs and
blood was flowing from her mouth
and said Josephine Mason came
in the Kitchen and fell in deponents
arm and deponent let her go
and said Josephine Mason fell
on the floor and deponent ran out
in the yard and went up the back
stairs and Henry Shipman (now here)
opened the door and deponent fell
down the stairs into the yard and
Maggie Healy and Jennie Mc
Burnie came out in the yard and
carried deponent out through the

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2

basement into the street and deponent
and said others remained there until
officer McGoey came. Deponent further
says that said Henry Shipman when
he saw deponent walked back on
the railway.

Harry ^{Henry} Shipman
mark

Given to before me

this 5th day of May 1897

James C. McGoey, Notary Public

0950

City & County of
New York Do
Frank T. Hopkins M.D. of Roosevelt
Hospital corner of 9th Avenue and 59th
Street aged 29 years being duly
sworn says that he is House Surgeon
in said Hospital and on the 3rd day
of February 1887 about 5 P. M.
Eugenie Mason was brought to
said Hospital suffering from four
bullet shot wounds in the Back,
arms and thigh and about thirty
minutes after she said Eugenie
Mason was admitted in said
Hospital she died from said
wounds

Frank T. Hopkins, M.D.

Sworn to before me

This 5th day of Febry 1887

Sam'l C. Beckett Police Justice

0951

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY
OF NEW YORK, ss

Henry Shipman being duly examined before the undersigned, according to law, on the annexed charge: and being informed that it is h — right to make a statement in relation to the charge against h —; that the statement is designed to enable h — if he see fit to answer the charge and explain the facts alleged against h — that he is at liberty to waive making a statement, and that h — waiver cannot be used against h — on the trial.

Question What is your name?

Answer

Henry Shipman

Question. How old are you?

Answer

31 years

Question. Where were you born?

Answer.

New York

Question. Where do you live, and how long have you resided there?

Answer.

339 W 31 St 6 mo

Question What is your business or profession?

Answer

Broker

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

Answer.

My The Prisoners counsel answers for him and says the prisoners mental condition is such that he ^{can} say nothing

The Prisoner refuses to sign his name

Taken before me this

day of

February 188

James C. McNeill Police Justice.

0952

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Defendant

guilty thereof, I order that he be held to answer the same ~~and he be admitted to bail in the sum of~~
~~Hundred Dollars,~~ and be committed to the Warden and Keeper of
the City Prison of the City of New York, until he ~~give such bail.~~ be legally discharged

Dated July 5 1887

Samuel O. Kelly Police Justice.

I have admitted the above-named _____
to bail to answer by the undertaking hereto annexed.

Dated _____ 188

Police Justice.

There being no sufficient cause to believe the within named _____
_____ guilty of the offence within mentioned, I order he to be discharged.

Dated _____ 188

Police Justice.

0953

Mary. Healy.
Margaret Healy.
Bailed by Cath Shelly
134 W. 15 St.

Jennie McBurnie
Bailed by
David J. Cornell
14 South William St.

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Police Court

2

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William F. McGuy

vs.

Henry Shipman

2

3

4

Offence Remitted

Dated

Feb 4

1887

Daniel A. Reilly

Magistrate.

McGuy

Officer.

20

Precinct.

Witnesses

Jennie McBurnie, Mary
Healy, & Margaret Healy

Committed to House of Detention
in default of \$100 to appear
George Havens 2nd Park Carroll

20 Precinct Police

Frank J. Hopkins M.D.

Roosevelt to answer at

& Feb 5. 9 a.m.

Committed

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The People Court of General Sessions, Part I.
vs.
Henry D. Shipman. Before Judge Gillersleeve.

Tuesday, March 8, 1887.

A Jury was empanelled to determine whether the
Defendant was of sound mind.

District Attorney Martine for the People.

Mr Howe for the Defendant.

John G. Truax sworn and examined, testified.

By Mr Howe. Q. Dr Truax, where did you reside.

A. No. 17 East 127th Street.

Q. Doctor, you have been^a practicing physician for many
years in this city.

A. Yes sir.

Q. And are attached to what institutions.

A. I am visiting physician at the Harlem Hospital.

Q. You, Doctor, in common with other matters have made dis-
eases of the mind a specialty, have you not.

A. Yes sir.

Q. Doctor, I think I can simplify matters very much by ask-
ing if you, at the request of the District Attorney, in
the discharge of his duty, made an examination of this
young man.

A. Yes sir.

Q. Will you please, Doctor, in your own way detail to the
Jury what you did and what investigations you made and
the result you arrived at as to the mental condition of
this young man to-day and for one year prior to to-day.

A. I called I think on the 26th of February at the Tombs to
see the youngman, it may have been a day or two earlier
than that but about that date and he then was in no

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complaint to converse with; he would not converse, he would not talk at all; he said that he did not know me, he did not care to talk with me, and the warden tried to persuade him that I was his friend and tried to get him to hold some conversation; he would not obey the warden, he would not do anything and he became very violent so that he struck and kicked in such a way that they had to confine his arms and hands. I was very much dissatisfied of course with that examination, I could not arrive at any conclusion and I did not know how many times I might have to visit him before I would be able to hold any conversation with him so I thought the better way would be to visit his friends.

Q. Did you believe, Doctor, in your extreme care and caution on behalf of the people and in the interests of justice that he was simulating and that you were determined that you should not be deceived in that respect.

A. I thought so at that time, yes sir. I took the trouble to visit in the western part of this state to inquire to see such friends and relatives of the family as I could find and to learn the young man's history. I thought that he would have no object in simulating insanity before he committed crime, and if it was the impression of his friends that he was of unsound mind, who knew him, who had always known him, it would have great weight in settling my opinion. I found universally everybody that I met who had ever known him said that he had always been queer. I found that he had inherited insanity on both sides of the house, both his father and his mother; I found that there were on his father's side

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five Shipmans who were all physicians, one of them having resided one time in Syracuse and his own father in Rochester and another one in Fayetteville, which was a town not far from Syracuse, and the residence of the others I do not know; they were all afflicted with a blood disease. He had two aunts who died with cancer from the effects of cancer on his father's side; his father always had a skin eruption and his uncles were affected with eruptions upon the surface of the body; they were all intelligent men and of course probably if the disease had been curable within the knowledge of physicians in time they would have been cured. I found that at one time he had been in business in Rochester and was doing very well, this was some time ago, some five or six years ago.

Q. That this defendant was in business.

A. Yes sir, that he left Rochester and came to New York with the intention of buying goods to replenish his stock; that they had never heard from him for four or five months afterwards and when they did hear from him he was then on Staten Island, residing somewhere. He had bought no goods, he had sent no word back, he had paid no attention to his business or anything else, simply neglected it. I found that he had secured employment in two or three different firms and had rendered good service, had worked until he had attained unto a good position and then without any quarrel or provocation or anything else had deliberately left the employment and that no inducements could get him back. Of course then there was another thing which came from a very reliable source that I learned, it was no other than the evidence of a

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physician who was visiting New York in May last. He met the defendant on the street and invited him to take lunch with him at the hotel; his wife then noticed and made the remark to the physician at the time that the defendant acted as if he was of unsound mind. This of course was several months before he committed the crime. Since my return from the country I have visited the defendant twice in the Tombs, I have held very long conversations with him. He has ~~been~~ apparently been quite rational but he has been unable to comprehend his crime, I have been unable to make him believe he has committed any crime; I have taken the means to secure his confidence and I believe I did and yet he would not believe me neither would he believe the warden when we both told him that he killed this woman. I never have been able to excite any fear in him of punishment whenever I have conversed with him about his crime and about being hung and so on, the penalty for such a crime.

- Q. Will you kindly give that incident of your telling him the penalty of death for murder and what he said.
- A. I was just about to give it. When I thought I had got him so that he understood me, I had called the warden to witness my statement that he committed the crime, I had endeavored to impress upon his mind the fact that the penalty for the crime is hanging; the only response I got from him was a senile smile, that is all; he laughed as any child would about anything that amused it. I visited him again yesterday in the Tombs, the last time and I now am under commission from him to visit the lady that he is accused of shooting and to have her present

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in order that she may confront the judge and the Jury and that he may be discharged. He is impressed all the while with the fact that he is persecuted and that he is wrongfully confined and at times he has been unable to tell whether he was confined in New York or Brooklyn or where he was, he did not know where he was.

Q. Did he say anything about the prison being a hotel once to you, Doctor.

A. No, he never mentioned that particularly, he never made that particular expression, but he thought it was a place where he ought to be at liberty to go to and from as he saw fit. From what I have learned I believe that the defendant has been of unsound mind for some time, for some years at intervals previous to his committing this crime. I believe without being able to solicit from him any contrition for the crime that he was insane at the time he committed the crime and I believe he is not in any condition now to appreciate the nature of the offense.

Q. At this moment you believe him to be insane, Doctor.

A. I do.

Q. That is your judgment from the investigation and examination.

A. Yes sir. He commissioned me to visit the lady and that I had been unable to see her.

Q. He says you declined to visit her, Doctor.

A. No, I did not, I told him, I said, probably she would not see me if I called upon her.

By Mr Martine. Q. What form of disease in your opinion is this defendant suffering from.

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- A. I have been unable to decide.
- Q. Can't you tell from your examination as to what form of insanity he has.
- A. Well, I might say acute mania of course, that would be the disease that I would attribute to the defendant; and yet of course acute mania now assuming an acute form, but I think he has been a chronic maniac for a good many years.
- Q. Did you, Doctor, take any pains to satisfy yourself as to the truth of the statements that he made as to these illusions.
- A. Yes, I did.
- Q. Considerable.
- A. Yes, a great deal.
- Q. And they were such as you have here testified.
- A. Yes sir.
- Q. In your going to make inquiries did you see any of the persons that he referred to, did you see his relatives.
- A. Yes sir, I saw his relatives.
- Q. But you did not see the lady that he referred to, Mrs. Mason, the deceased.
- A. No, I did not see her.
- Q. Nor did you see anybody in this city.
- A. No.
- Q. Did you take any pains to inquire in regard to any other delusion that he suggested to you or what you believed to be a delusion.
- A. No.
- Q. Now as to the chances of his recovery, Doctor, what do you think about that.

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A. I do not think that he will ever be of sound mind; he may be sane at intervals but I think he never will be in a condition to go out much.

Q. Do you think it safe for him to be at large.

A. No, I do not.

Q. What in your opinion would be the best disposition to make of him.

A. I think he should be confined as an insane prisoner for life.

Q. That examination you made, Doctor under the direction of the District Attorney.

A. I did.

Q. On how many occasions did you see him.

A. I saw him at three different times.

Q. Each time in the Tombs in this city.

A. Each time in the Tombs.

Q. From your examination you are satisfied that he is not a responsible person.

A. I am, yes sir.

By the Court. Q. Doctor, is it your opinion that he is at the present time in a state of insanity so as to be incapable of understanding the nature of the proceedings necessary to his prosecution of the crime for which he stands charged.

A. I do not think he could comprehend it at all.

Q. You do not think he is in a condition of mind to do so.

A. I do not believe you could make him believe that he had committed any crime or that the woman was dead; you might bring all the witnesses you could possibly produce.

Q. Your opinion is that his present condition of mind is

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such that he could not make a reasonable defence or understand the nature of the offence with which he is charged.

A. No.

Q. You saw him as recently as yesterday.

A. I saw him yesterday for the last time. I had a conversation of fully an hour with him about; it was then he commissioned me to visit the lady; after all my talking and everything the last thing he said, the only favor I could possibly do him would be to go and see this woman and that would settle the whole thing.

By Mr. Martine. Q. That he said yesterday, Doctor.

A. Yesterday.

Allen McLean Hamilton sworn and examined.

By Mr. Howe. Q. Dr. Hamilton, you are a physician.

A. I am, sir.

Q. And have been practicing in this city as is well known for many years.

A. For about sixteen years.

Q. You are the descendant of an illustrious set of physicians, are you not.

A. No sir.

Q. Well, of illustrious people of the name of Hamilton, Doctor, you will excuse that liberty I took -- you have devoted your attention to diseases of the mind for very many years, have you not.

A. I have, sir.

Q. Will you please tell the Jury, and that is the only

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request I make, what institutions you are connected with and what you have been connected with.

A. I am at present the consulting physician of all the city asylums and the State asylum at Poughkeepsie and have at various times held positions here in the city as professor of diseases of the mind and nervous system at the New York Hospital and I was at one time physician in charge of the New York State Hospital for diseases of the nervous system.

Q. Now Doctor, have you ever and if so when, made an examination of the prisoner with a view of ascertaining his mental condition and if you did, please state where and when it was, the nature of the examination, the facts incident to it and the result at which you arrived in consequence.

A. I made two examinations of the prisoner at the request of the District Attorney, Mr Martine, the first being on the 18th day of February of this year and the second one about a week there after. I found Mr Shipman, the prisoner, at the Tombs and he was brought into the doctors waiting room where I had a talk with him of about an hour and a half. I found Mr Shipman to be a person badly nourished, of excitable manner with a soft of hesitancy as of a person in a dream. This condition alternated with the condition of excitement; he had a stare which indicated to my mind a condition of mild mania and an intentness of vision which is very suggestive of lunacy. He was disinclined to talk at all; he watched me with suspicion when I entered the room and after announcing myself as the representative of the District

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Attorney and giving my own name, his suspicion did not abate at all and he was for a time disinclined to give me any information at all. I talked with him, asking him in regard to his stay at the Tombs, his act, his food and a number of questions which bore upon the case. The impression I got from his answers was that he had no proper idea of his surroundings or of his crime or of what was to become of him. He stated that he had appeared in Court a few days before, in fact, he did not know that he had appeared in Court, he said he appeared before a commission of free mason who had examined into his act and he had pleaded guilty, he did not know why he pleaded guilty, he seemed to have no idea if he had pleaded guilty although he admitted that he had shot this woman but he had no idea of the circumstances surrounding the act at all. He did not have an idea of where he was. I asked him, he did not know, he at one time said he was in the Tombs when it was suggested to him and at another time he did not know where he was. He declared that he was the object of some conspiracy in which a number of persons were concerned and that imaginary person went about the corridors of the Tombs calling him names of a very vile character and that they had done this before for a long time. I then asked him about Mrs. Mason and he evidently did not know anything about her; he knew there had been such a person, he knew that he had lived with her and he knew that he had shot her but he did not believe that she was dead and although as I understood from documentary evidence that she was dead, in fact, when I showed him papers which formed the in-

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dictment and the Coroner's Inquest he did not admit that even. This was a delusion, his belief in her existence was a delusion because two days after he was admitted to the Tombs, two days after he was arrested he made out a note for five hundred dollars to her which I have in my possession here which certainly proved the reality of that delusion. I then asked him about his trial; he seemed to know very little about it, he admitted that he had seen Mr. Howe, but he did not take any interest or appear as a man would whose life was in danger, and he had no idea whatever what his future would be. I asked him if he knew what would become of a man who committed murder? He said yes, he would be hung; he did not seem to apply it to himself, he did not seem to care, he did not seem to have any idea that he was to be punished for this thing, and everything that he said convinced me that he had no reasonable fear of death or of the consequences. Upon my second visit his behavior was born out, the behavior during the first, there was consistency about it which made me believe fully in its reality. I went over the same ground and I asked him the questions in different ways, the questions that I had asked him at the first visit and he maintained his same behavior during the second visit as during the first in a way that no person could do who was not really insane; and as I had heard some rumor which was vague and idle in regard to the possibility of his not being really insane, I went there for the purpose and really made an effort which was more serious than the first one to catch him or trip him and the result of that was that I was more convinced than I was at

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my first visit that he was insane. His behavior all during his stay in the prison which I suppose other witnesses have testified to or will testify to, which I have no reason to doubt for it is fully verified and proved, convinces me that his maniacal attacks which he manifested there were but a part of the same condition I saw him in. So I could connect the two. During my second visit he became very much excited and cried and tried to escape and called to persons to help him; Mr. Walsh had to carry him bodily into the prison proper. He had an insane delusion at the first visit which had existed evidently for some time, that these imaginary enemies were not going to allow him to be hung, that they were going to take possession of his body. That was about the substance of my examination and my two interviews. After leaving the prison I came to the conclusion that his disease was chronic, delusional insanity which had existed for a number of years, which had led him before as I ascertained from reliable sources to indulge in various insane acts -- that he had deserted from home for a time and had left no track of where he was and had done a number of purposeless things which were thoroughly in harmony with his conduct at present. I learned through his mother that he had stayed away from home for a long time, had come to New York, had gone to a very able lawyer who was District Attorney of Brooklyn to defend him or to bring an imaginary suit, that he did; that he did this in the same sort of condition that he probably was in when he had this examination, and it leads me to suppose that this ^{is} chronic delusional insanity. There were periods which sometimes resemble epileptic states that people are in, and

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the condition has probably existed from his birth; it has probably been of the chronic order and probably his condition has been unsuspected for a very long time. It is a form of mental disorder which breaks out occasionally under proper stimulants which leads at the time the victims to drink and to do things which are looked upon as mere viciousness, vicious acts, but when they are considered properly they are evidences of insanity, and this act and probably others if he were free would prove beyond dispute that he was a dangerous lunatic and unfit to be at large. I do not believe he will ever be any better. There may be periods when he is very much better balanced than he is now if he is taken care of in an asylum or prison, he may be fed up and disciplined and taken care of and then he may get upon a better mental level, but if he is left outside he may commit some such act.

Q. You are aware that there are many instances in which a patient will be perfectly rational, especially after an attack of, epilepsy, immediately after the diseased condition comes on and the impulsive act committed.

A. Yes sir.

Q. And the patient is entirely unconscious of having committed it.

A. Yes sir.

Q. You remember the case of the judge who was listening to an argument and left the bench and micturated in the back room and returned wholly unconscious of what he did and said, "gentlemen, proceed with your argument."

A. Yes sir, I know of a case of that kind.

0967

Mr Howe: I would ask your Honor to put to this witness the statutory question as to the present condition of this defendant as to his competency to defend himself, so that it may be part of this record.

The Court: Certainly.

Mr Howe: May this report be made part of your examination.

Mr Martine: Yes sir.

By Mr Martine. Q. Where did you get this memorandum.

A. You gave it to me with the indictment.

Q. Doctor, from your examination of this defendant is it possible that the condition in which you found him and which you have now testified to could have been produced by over indulgence of liquor.

A. I think not, sir. I think the act might have been stimulated by that, I think the condition might have been increased by that, favored by that, but I do not think that the condition he was in when I saw him and which I learned he was in before was due to alcohol.

Q. So that it is not possible in your opinion that the disease from which you say he is now suffering is temporary as coming from the over indulgence in liquor.

A. I think not.

Q. You believe him now wholly unable to make a defence.

A. I do, sir.

Q. And that you believe that his disease will be continuous.

A. I think so.

Q. Do you think it is possible that you could be deceived.

A. I do not believe it, I think it is a very clear case, I see a good many insane people, several thousand every year and have examined a good many cases in Court matters;

0958

it is a matter of some pride with me.

Q. And professionally in this case you were very confident.

A. Yes sir. I may say that this man has some abstract idea of right and wrong he has some abstract idea of punishment and its consequences, the act and its consequences of punishment but I do not think he applies them to himself.

By Mr. Howe. Q. Many lunatics reason very accurately although from inaccurate premises.

A. Yes sir.

By the Court. Q. You think he has some capacity for knowing right and wrong.

A. I think he knows abstract right and wrong, I think he knows a certain act is bad and the consequences are injurious to the doer of the act but I do not think that he applies it.

Q. Do you think that at all times he would have the power of choosing between right and wrong in respect to any particular act.

A. No sir, I do not think he would, I think that is the element of his insanity.

John G. Truax recalled by Mr. Martine.

Q. I would like to ask you the question that I asked Dr. Hamilton, do you think it possible that this defendant can be shamming.

A. I do not think it probable.

Q. From your examination do you believe that he is.

A. I do not believe he is, no sir.

Q. You are quite satisfied that he is a lunatic and irresponsible and unable to make a defence.

0969

A. I am. I will state this, of course as I stated to you on my first conversation that I thought possibly he was shamming but my subsequent investigation has changed my opinion of the matter.

Q. You have given him a very careful examination have you not.

A. I have given him a very careful examination.

Mr Howe: We ask your Honor to direct the Jury upon the evidence -

Prisoner: May I say one word?

Mr Howe: No, we will talk bye and bye.

The Court: Later we will hear him.

The Court charged the Jury and the jury rendered the following verdict: We find him insane.

Mr Howe: Your Honor, upon the rendition of that verdict of course under the power conferred on you, I may say the duty you have to send him to some state lunatic asylum. I would make this suggestion, that he be sent to the State Lunatic Asylum at Poughkeepsie.

The Court: That is where the Court will send the defendant unless there is some suggestion to the contrary, that is the practice of the Court. I will send the defendant to the Hudson River State Hospital for the Insane at Poughkeepsie.

Mr Martine: We are particularly pleased to join in that suggestion because that is the institution Dr Hamilton is connected with. I would be glad to have the doctor watch him to see if our conclusions are borne out.

Prisoner: I would like to know if a man can have his liberty taken away from him.

The Court: You can talk with the Doctor and he will advise you

0970

about that.

Prisoner: I do not know that I am under indictment.

The Court: Make any statements to Mr. Howe and he will communicate them to the Court and I will see that they are attended to.

Prisoner: I do not care about being declared insane without a trial.

The Defendant was removed from the bar.

0971

Testimony in the
Veined
Henry D. Shipman
filed Feb. 1887.

0972

Testimony in the
Leased
Henry D. Shipman
filed Feb.
1887.

0973

Feb. 23^d / 1887.

To "Editor of Morning Journal"

Dear Sir;

Why is it that the District Attorney did not accept the plea of guilty of Harry Shipman and then remand him for sentence. He is not insane or never was, he has been living a drunken riotous life the past year at the expense of Mrs. Mason whom he knew associated with other men. He has been her lover during that time and has often threatened to shoot her when she would not give him money to gamble with and has several times broken furniture etc. in her house in his drunken fights. His story about her refusing to marry him is all bosh he knows very well that she lead a free and easy life and that he worked her for all he could and it was a refusal to supply him with more money to gamble with no doubt caused him to shoot her, Why don't the District Attorney obtain as a witness the "lady friend" who used to accompany Mrs. Mason on her rackets and whom Mrs. Mason's daughter called "Aunt Ida" she can no doubt tell him the kind of a life Mrs. Mason led since she knew Shipman. Let him find out how much is left of the Life Insurance money

0974

she got when her husband died, and where is the savings from her well paying boarding house that may show that Shipman is not very crazy,

The faro banks and pool sellers no doubt have their share, The plea of guilty from such a drunken, worthless murderer should be accepted as soon as possible and not give his cunning lawyer any chance to save him from hanging through the old played out "Insanity dodge".

Only A Boarder

The People

Shipman

0975

COPY.

AT A COURT OF GENERAL SESSIONS OF THE PEACE, holden in and for the City and County of New York, at the City Hall of the said City, on Tuesday, the eighth day of March, in the year of our Lord One Thousand Eight Hundred and Eighty-Seven.

PRESENT:

The Honorable Henry A. Gildersleeve,

Judge of said Court in the City of New York.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

HENRY D. SHIPMAN.

On indictment for the crime of
Murder in the First Degree of Josephine Mason.

(Filed Feb. 15, 1887)

An inquisition having been ordered by the Court to inquire whether the defendant is of sound mind and understanding or not, for the purpose of ascertaining whether he is now in a situation to be put upon his trial for said crime, and a jury having been impannelled and sworn, and by their verdict from the evidence having found that the said HENRY D. SHIPMAN is not of sound mind and understanding, and the Court being so certified of the fact,

IT IS THEREUPON ORDERED That the said Henry D. Shipman be forthwith removed to the Hudson River State Hospital for the Insane, there to be safely kept and detained in said Asylum, until he be restored to a sound state of mind and understanding, and then to be returned to the

0976

City Prison of the City of New York.

It is further Ordered that the sheriff of said City and County, do forthwith convey said Henry D. Shipman to said Asylum.

A true extract from the Minutes.

John Sparks,

Clerk of Court.

(SEAL)

0977

IN THE NAME OF THE PEOPLE OF THE STATE OF NEW YORK,

To ROBERT B. LAMB, M. D., Superintendent,
Of the Matteawan State Hospital.

WE COMMAND YOU that you have the body of HENRY Y.
SHIPMAN, confined and detained by you as it
L. S. is said together with the time and cause of
such imprisonment and detention by whatsoever
name the said confinement or detention is called or charged,
before me, SAMUEL K. PHILLIPS, Dutchess County Judge, at a
Special Term of the County Court to be held at the Court House
in the City of Poughkeepsie, on the 27 day of June,
1907, at eleven o'clock A. M., to do and receive what shall then
and there be considered concerning the said HENRY Y. SHIPMAN,
and have you then and there this Writ.

WITNESS, Hon. Samuel K Phillips ^{Dutchess} County Judge
the 20 day of June One thousand nine hundred
and seven.

-----MMHann-----
Clerk.

-----John F. Schreusser-----
Attorney for said Henry Y. Shipman
Att & P. O. address
Frankie Landung
N.Y.

Not Sustained and the relation
referred to the custody of the
Sheriff of New York County
Nov 18-1907
W Phillips
Dutchess County

0978

DUTCHESS COUNTY COURT

THE PEOPLE, EX REL,
HENRY Y. SHIPMAN

agst.

R. E. LAMB, M.D., Superintendent
Matteawan State Hospital.

WRIT OF HABEAS CORPUS.

John F. Schlosser,
Attorney for Henry Y. Shipman,
Office & P. O. Address,
Fishkill Landing, N. Y.

*She within mit accord
June 20. 1901
W. P. O'Brien
Dutchess County Judge*

*Warrant
51
M. J. P.
J. P. O.
J. P. O.*

0979

TORN PAGE

S U P R E M E C O U R T ,
NEW YORK COUNTY.

The People of the State of New York,

-against-

Henry D. Shipman.

COUNTY OF NEW YORK, SS:

We, Francis W. Pollock, E. P. Lasher, M. D. and
Rodrick J. Kennedy, duly appointed by the order of the Honor-
able John W. Goff, Justice of the Supreme Court, dated June 22nd
1908, a Commission to examine into the mental condition of the
above named Henry D. Shipman, and to report whether he is in a
state of idiocy, imbecility, lunacy or insanity so as to be
incapable of understanding the proceeding or making a defense
on the trial of said indictment, each being duly sworn, says
that he will faithfully and fairly determine the question
which said Commission was appointed to examine into, and will
make a just and true report thereon according to the best of
his understanding.

Sworn to before me this
25th day of June, 1908.

John J. Smith.

Notary Public,
New York County.

Francis W. Pollock
Rodrick J. Kennedy
Earl Parsons Lasher.

0980

TORN PAGE

People

vs.

Henry D. Shipman

Commissioner's oath
of office

Filed June 25, 1908

NEW YORK COUNTY
CLERK

0981

S U P R E M E C O U R T ,
N E W Y O R K C O U N T Y .

-----X
The People of the State of New York,

-against-

HENRY D. SHIPMAN.

-----X
IN THE MATTER OF THE EXAMINATION INTO
THE MENTAL CONDITION

-of-

HENRY D. SHIPMAN,

an alleged lunatic.
-----X

WE, the undersigned, Commissioners, duly appointed by an order of the New York Supreme Court, County of New York, filed in the office of the Clerk of said Court, to examine into the mental condition of the above named Henry D. Shipman, and to report thereon to this Honorable Court, do hereby certify and report that we have taken the oath prescribed by law, and have duly and regularly met, and were attended by Charles A. Dana, Esquire, Deputy Assistant District Attorney, for the People, and by Clark L. Jordan, Esquire, representing the defendant, Henry D. Shipman, and having heard testimony offered on behalf of the defendant herein, as well as on

0982

behalf of the People, and duly considered the same, and after careful examination and consideration of all of said testimony, and a personal examination of the defendant, and after due consideration of all the evidence adduced before us, we are of the opinion that the said Henry D. Shipman is in such a state of idiocy, imbecility, lunacy or insanity so as to be incapable of understanding the proceeding or making his defense on the trial of the indictment now pending against him, and that he is also unable to intelligently advise with counsel as to the conduct or preparation of the trial of the said indictment, or to make any proper defense thereto.

Dated, New York City, August 14th, 1908.

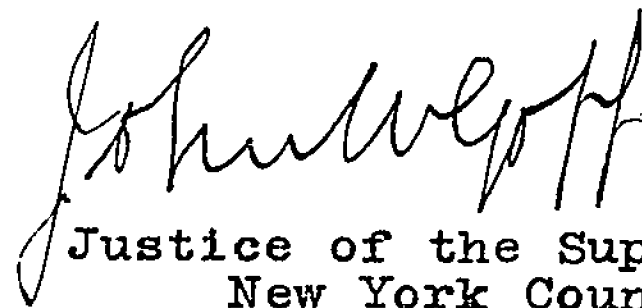
Respectfully submitted,

Francis W. Pollock
Earl Parsons Rasher junr.
Rodrick Keenly
Commissioners.

0983

I hereby approve of the report of the Commissioners finding that the defendant, Henry D. Shipman, is in such a state of idiocy, imbecility, lunacy or insanity so as to be incapable of understanding the proceedings or making his defense on the trial of the indictment now pending against him, and that he is also unable to intelligently advise with counsel as to the conduct or preparation of the trial of the said indictment, or to make any proper defense thereto.

Dated, New York City, August 14th, 1908.



Justice of the Supreme Court,
New York County.

0984

People

vs.

Henry D. Shipman

Report of Commissioners

Commission of the Superior Court
H. D. Shipman

These are the names of the persons who have been appointed as commissioners of the Superior Court for the year 1904. The names are listed in the order in which they were appointed. The names are: Henry D. Shipman, John A. Smith, and John B. Jones. The names are listed in the order in which they were appointed. The names are: Henry D. Shipman, John A. Smith, and John B. Jones. The names are listed in the order in which they were appointed. The names are: Henry D. Shipman, John A. Smith, and John B. Jones.

0985

People
vs
Shipman

Exhibits on
Insanity Commission

158-6-08 (B) 4000
COURT OF GENERAL SESSIONS OF THE PEACE,
COUNTY OF NEW YORK.
CLERK'S OFFICE,
32 FRANKLIN STREET.

0986

New York State Hospital,

(1) Longhemp-street
Hos. H. A. Gildersleeve
New York City

Sir

I desire to state to you as I
I have already to the authorities
here (who inform me I am Commu-
nity) that I am an innocent
Criminal) that I am in full
possession of my faculties and
that it is most most honest
desire that I be declared sane
and if guilty of any crime to be
tried & punished for same as soon
as possible.

I assure you this fact of my present
& I have never been declared insane
sanity could be very easily determined
by any jury here or I should not doubt
you will see at once what important matter

0987

3

2.

I trust, or least You will have no declared
sans, my Object would meet with Your
 Approval I assure, it is that I may
 execute some papers whereby I can
 provide for one who is & has been very
 dear to me. I will not mention the
 Name for fear You should think I was
 doing this to elate Your Sympathy or
 to stir my penitence.

I think myself no defamer & only ask for satisfactory proof of the falseness of which I have the recollection. Afterwards I can wear with ease & without loss of the hours & being told by the accusers the party in question was out & again leaving. No one has been told now and neither have I had any advice in the matter.

Trusting You will give this your prompt &
 serious attention rather than the trifling of
 another still to young to realize life's dark side
 depends in some measure on your action I am
 Yours Truly
 George H. Stephens

Yves Caughy Thorel Henry J. Snyman

I will simply say in my own
behalf the reasons for this is that I
do not desire to don't understand what
my friends & entire life has been.
At least honest & I do desire to end
it even if the shame is on the end.
They tell me here as they did in my life
that I have committed fornication
although unconscious & not knowing I am
that true, if such is the fact & should
it be so then should be no bars of proof I
shall desire my trial as soon as possible
so that I may be declared innocent

The Lack of my pleading Guilty when
under the impression that I was before
Dover Court & my should know that I
do not desire to shrink any responsibility
and have nothing to conceal. I only know that
I was in trouble & under the impression
that I was being cruelly & detestedly from
my former friends.

& my trial cannot be arranged for as ever

0988

Day Book
John Jones

Lefts & A June 30, 1906

1 Pound Sugar

04¢

1 Box Berries

10 —

2 Munda Biscuits

10

32¢

Journal

John Jones Dr.

To Munda

32¢

Ledger John Jones

June 26 —

To Munda

32¢

0989

Tues - Sunday

REC'D DEC 16 1907
ACK'D DEC 18 1907

Mr Jerome - Dist. Atty. N.Y. County

Dear Sir -

I feel very much embarrassed
in addressing you -
I am not a Lawyer but know a little
an apology is due you from my Atty
and I make it for them -

I paid my Richell Attorney in full
for services in establishing my sanity
Feb. 19th. I have just found out that
certain papers & things forth fact in
the case being signed by Judge Phillips & the
Entered in Dutchess County Clerk's office
a certified copy of which you will require
had not been attended to by Mr Schlosser

0990

2

My Sickbill Atty - I spent a lot
to day telegraphing & writing him
to do this for me and hope he will
Mr. L. H. L. Clark Mr. W. H. L. called
yesterday but I could get no of any factum
from him - He admitted they had done
nothing for me filed no papers in
my case and I have been here nearly
a month - It breaks a fellow all
up - I supposed Mr. Schlosser would
do all that was necessary & asked
him before leaving if he wanted
more money - He said he was
satisfied so I don't know when the
trouble is - I also wrote Mr. L. H. L.
Office this am requesting them to attend
to the matter -

I think this much the reason you
could do nothing on Mr. James M. E.

0991

^{To Mr. Jerome -}
O. Grady's Application from Rochester
has not been my fault for ^{and I}
humbly beg your pardon for
any trouble my friends or myself
have caused you

I have about \$2000 left of all my
fortune with this I shall try
and obtain counsel that will prepare
the necessary papers
I am afraid so hardly enough
to get the best kind of lawyer but
I shall do my best to be a gentleman
and pay my way - I consider my character
my word all the stock in trade I have
left - The world has all changed since
I left my boy twenty years ago
Electricity has superseded steam and
steel has taken the place of iron
My old friends are dead - Life looks altogether

0992

To 4
Mr Jerome

Differently more serious —
I had my plans made mentally to go
to a cousin of mine in Chicago —
Expecting my attys would have me
Released day after my arrival
So very trying on my nerves & if you
want to send Mr Jerome over
to see me I should be pleased to
meet him — I never knew him personally
but heard of him before my trouble
Trusting I have not overstepped the
bounds of propriety or disregarded the
ethics of the profession by saying in my
conclusion that it was my fault those papers
have not been forwarded to you — I remain
Yours Very Humbly & Respectfully H. S. Shipman

0993

City Prison New York
Cell #17 - Jan 10/1907

REC'D DEC 17 1907
ACK'D DEC 18 1907

District Attorney of New York
Gentlemen
Apologizing for
intruding my affairs on you
would say
On Nov 18th 1907 I succeeded
in establishing my sanity before
Judge Phillips at Poughkeepsie and
in getting myself disliked by
Doctors in Sing Sing who
Alleged Perjured themselves
to Retain me in their custody
On the 19th of Nov I Paid Mr
John H. Schlosser, Atty of Fishkill
Landung all the money he asked for
& supposed he would attend
to any legal matters in Fishkill or
Poughkeepsie pertaining to my case

2-

I have just learned that on
Nov 19th he filed & secured an
Order for Service But did not
to make the Record Court take
make out Order setting forth all
the facts in the case since to be
sequenced by County Judge and
Entered in DeKalb County
Clerks Office

This has not been done
I have this day written Mr
Schlosser to attend to the
matter for me

I don't know but suppose
you will require a copy
of these papers & by the way
you do not seem very much
and hope you will excuse me
for offering you this explanation
to making hard my dear old
boy friend James M. O'Grady has
written you asking for my Release

3

God bless him - I hope I have not
overstepped the bounds in this
addressing & would say that as
a matter of fact although my
witness is dead I was illegally
& unlawfully detained in Jail
myself being Eighteen Years
After the State Attorney General
acknowledged my Recovery
and what they called medicine & etc
I went away from this fact & that
I intended when I got out to
devote my life in good deeds to
make amends for my misfortune
If you saw a Rail Road Train
flooding & I know that a section of
the track was defective & that unless
some one warned the Engineer many
lives would be sacrificed would any
man sit quietly in a chair & let it go
Run - No - he would jump up & do
his best to warn the Engineer

0995

4
Well for years I have felt that there
was work for me to do in the
Outside World & that accounts for
what the doctors called my Excitability

I am only a boy in some ways but
for eighteen years I have been reacting
on the Helpless Organ & trying to force
things for the furthering of
I am as far from being a big or
Crazy Man as possible but you can
easily understand that in trying to
control these things I got myself
thoroughly frightened

Trusting you won't think me too
foolish in writing this I will be
glad to see anyone from your
office any time
Very Respectfully Yours etc
Henry Shipman

0996

New York - 1st floor #101 Central St

Rec'd - Nov. 27
RECD NOV 29 1907

Mr. Jerome N. Attorney N.Y.C.

Honored Sir

I had this letter prepared
before I left my home but the opportunity
for mailing it was then and there lost and
I did not have an envelope or stamp for it
I forgot - Please kindly find as I have
been locked up in State Asylum
about twenty years. Out of respect of
you honorable Parish I have deeply
repented of any indictment or hearing
against me after so long a time. I
trust some may be withdrawn by you
resting assured that no ship will
be furnished since 1886 or 1887
and I intend leading an honest sober
God fearing life in the future. I am
of this program in my life and I am
humbly asking pardon of all I have offended
trusting you will give me another chance

0997

From H. Shipman

To Reform - My Father died in
1889 I believe the date of death was
Aug 3 - 1889 or 1890 for the Newspaper

say -

I mean to disagree with Counsel and
Revenge I am working to a high official
I am about fifty one years of age from June
six inches in height weigh about one hundred
thirty five pounds - I am more than sorry
and big you will give me another
chance to redeem the past and
to do some good outside of prison
No but go home ago. I have few friends
I am except Attorney suggested
Judge at Pottsville - I have no doubt
they are embarrassed to - they are such
Gentlemen I know Mr Chandler is
Lieut Governor of the State of Kansas
as surprise to him as it was to me. They your
pardon for intruding my affairs on you I was
always a very small potato in the world
trusting you will think I have been punished enough
I remain Yours Respectfully H. Shipman

0998

The Supreme Court of the State of New York
In and for the County of New York.

-----X
THE PEOPLE OF THE STATE OF NEW YORK

-against-

HENRY D. SHIPMAN
Defendant.

Murder
1st Degree.

-----X
The defendant was indicted on February 15, 1887,
for the crime of Murder in the First Degree. On or about
March 8th, 1887, defendant was found insane by a jury and
committed to Hudson River State Hospital for the Insane.
On or about November 19th, 1907, defendant was returned to
the City Prison for trial.

I beg to refer the Court to the following
letters hereto attached clearly showing, in my opinion,
that the defendant is at present insane:

Letter of Doctor Robert B. Lamb, Medical Super-
intendent, Matteawan State Hospital, dated November 27, 1907
stating that defendant was upon that date as insane as he
ever was, and enclosing copy of a letter from defendant to
him, Doctor Lamb. Also a letter dated January 8th, 1908,
from Doctor Frank A. McGuire, Visiting Physician, City
Prison, stating that the defendant has delusions of a
persecutory type; and that the defendant had a case of
pronounced paranoia; also a letter dated March 6, 1908,
from Doctor Graeme N. Hammond, stating that should the
defendant be liberated there would be "imminent danger of
another exacerbation of his disease in which the experiences

0999

of the past would most likely be repeated. In my opinion he is a dangerous lunatic and should be confined."

I also attach some letters written by the defendant while confined in the City Prison.

Upon these facts I am strongly of the opinion that a commission should be appointed by the Court to inquire into the defendant's present sanity, and therefore respectfully suggest the appointment of such commission by the Court.

Respectfully submitted,

John C. H. [Signature]
Assistant District Attorney.

New York
Dated May 4th, 1908.

1000

REC'D NOV 29 1907
ACK'D NOV 29 1907

E 21

STATE OF NEW YORK—MATTEAWAN STATE HOSPITAL

ROBERT B. LAMB, M. D., MEDICAL SUPERINTENDENT.

FISHKILL-ON-HUDSON, Nov. 27, 1907.

Hon. Wm. Travers Jerome,
District Attorney,
New York City.

Dear Sir:

I enclose a copy of a letter which was received from Henry Shipman to-day. You may recall that he was returned to the Tombs last week by order of the Hon. S. K. Phillips, County Judge of Dutchess County who pronounced him sane against our protests.

Shipman is just as much a lunatic now as he ever was, as the enclosed letter clearly indicates. There were times during his residence here when he became so sorrowful and depressed that it was necessary to guard him carefully to prevent suicide. It is not at all unlikely that he may make similar efforts at self-destruction in the Tombs.

Perhaps a word to the Warden there might not be amiss.

Very truly yours,


Medical Superintendent.

1001

REC'D NOV 29 1907
ACK'D NOV 29 1907

(COPY)

Tombs, Nov. 25, 1907.

R. E. Lamb, R. D.

Dear Sir:

Won't you please come personally and take me back to Mattoawan. I cannot stand it here, my headaches go and come, both side and back. These lawyers are strangers to me and I am not as strong as I thought I was.

Very respectfully yours,

Henry Shipman.

Please come in person as I am afraid of strangers, please do.

Don't think I am joking or want to make you unnecessary trouble but I have been crying and am all broke up and then sometimes -- well, I had been there so long it was almost I can't explain by letter but I think I am not well. I liked Dr. Allison's girls ~~Real~~ well and I never meant anything naughty.

Please come or send Dr. Sefton. I am afraid of State officials and am not getting any Limiment or quinine Drinking lots of water feverish, headache, backache, etc. Please do if you can.

Yours faithfully,

Henry.

1002

60 West 55 Street,

March 6 - 1908

REC'D MAR 7 - 1908

Mr. Simonds

Mr. William Travis Jerome

District Attorney

My dear Sir

At the request of

Mr. Simonds I visited the City prison on February 29th and again on March 4th and on each occasion examined Henry Shipman in regard to his mental condition. As a result of my examination I have formed the opinion that Henry Shipman is suffering from manic-depressive insanity with paranoiacal tendencies. Although he has not had any out-break for some years he still has the disease.

His quiet life, freedom from emotional disturbances, and lack of opportunity entailed by his confinement are sufficient reasons to explain this long remission. Since the homicide he has made two serious attempts at suicide, both during the depressive phase of the disease. In my opinion, should he be liberated and allowed to resume the ordinary responsibilities of life, there would be imminent danger of another exacerbation of his disease in which the horrors of the past would most likely be repeated. In my opinion he is a dangerous lunatic and should be confined.

Very truly yours

Graeme M. Hammond

1003

City Prison, January 8th, 1908.

Hon. William Travers Jerome,
District Attorney, County of New York.

Dear Sir:-

Enclosed report of physicial and mental examination of
~~Henry D. Shipman~~, Born, U. S. age 45 , occupation salesman,
a prisoner at the above, who had been received from the State Institution
for the Criminal Insane at Matteawan, on November 19th, 1907, where he
had been committed some twenty years ago - after indictment for the crime
of murder - Physicial examination negative and family history refused, as
also the examination for testing the pupillary reaction (eyes) tendon
reflexes etc., as saying it was not necessary, as he knew what was the
matter with him, he was suffering from catarrh of the stomach, and pain
in his back, the latter due to injury inflicted on him as described
below.

Has delusions of a persecutory type, conspiracy and bodily
~~injuries~~, assaults by attendants, who were in league with the doctors
(while at Matteawan), could get no satisfaction as they were high in
influence with the state authorities, describes as one of his counsel, one
who took money from him to buy milk which he never received, says he is
a sick man & ought to be in hospital, continually writing letters to the
head keepers and orderly of a complaining character and also to the
Western Union about imaginary remittances and telegrams , believes that
the reading glasses purchased for him had been stolen (delusions of
suspicion, says at the time of the commission of the act for which he

1004

-2-

indicted, that he was entirely oblivious of it, that he is not insane - his counsel has been unable to get any substantial or trustworthy history, owing to lapses and illusions of memory, this is a pronounced case of paranoia of the persecutory form.

Respectfully submitted,

Frank A. Lutz

Visiting Physician City Prison.

1005

Supreme Court

THE PEOPLE OF THE STATE OF
NEW YORK

against

HENRY D. SHIPMAN
Defendant.

*Memorandum for
Commissioner of Inquiry
into the Trial*

WM. TRAVERS JEROME,
DISTRICT ATTORNEY,
CRIMINAL COURTS BUILDING,
Borough of Manhattan,
New York City.

1006

At a Trial Term, Part One, of the Supreme Court of the State of New York, holden in and for the County of New York, in the First Judicial District of said State, for the trial of Criminal actions, at the Building for Criminal Courts in said County, on Friday, the 14th day of August, in the year of our Lord one thousand nine hundred and eight.

P R E S E N T :
THE HONORABLE JOHN W. GOFF,
Justice of the Supreme Court of the
State of New York.

-----X
The People of the State of New York, :
-against- :
Henry D. Shipman. :
-----X

WHEREAS, the Commissioners heretofore appointed by this Court, to wit: Francis W. Pollock, E. P. Lasher, and Roderick J. Kennedy, to inquire into the sanity of the above named defendant, at the time of such examination, and to report thereon, having concluded their inquiry and having made to the Court a written report, on August 14th, 1908, stating that they have examined the said Henry D. Shipman, and inquired into the facts of the case by the evidence of sworn witnesses, examined before them, and that they find that the defendant, Henry D. Shipman, is in such a state of idiocy, imbecility, lunacy or insanity so as to be incapable of understanding the proceeding or making his defense on the trial of the indictment now pending against him, and that he is also unable to intelligently advise with counsel as to the conduct or preparation of the trial of the said indictment, or to make any proper defense thereto.

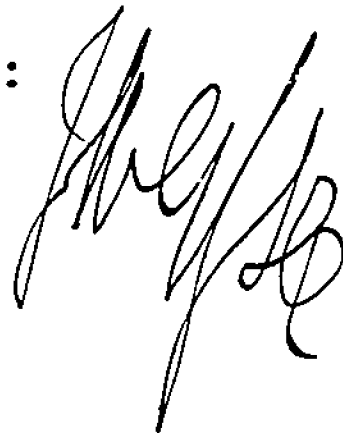
N O W , on motion of William Travers Jerome,

1007

District Attorney of the County of New York, it is there-
upon

ORDERED that the report made by the Commission,
heretofore appointed by this Court to inquire into the
sanity of the said Henry D. Shipman, be and the same is
hereby confirmed and approved.

Enter:

A handwritten signature in cursive script, appearing to be "J. H. [unclear]", written in dark ink.

S U P R E M E C O U R T ,
N E W Y O R K C O U N T Y .

T H E P E O P L E O F T H E S T A T E O F
N E W Y O R K ,

against

H E N R Y D . S H I P M A N .

O R D E R C O N F I R M I N G R E P O R T O F
C O M M I S S I O N E R S .

W M . T R A V E R S J E R O M E ,

D I S T R I C T A T T O R N E Y ,

C R I M I N A L C O U R T S B U I L D I N G ,

B O R O U G H O F M A N H A T T A N ,

N E W Y O R K C I T Y .

1009

W. Reid Gould, Law Blank Publisher and Stationer, 163 Nassau St., N. Y.

The People of the State of New York,
TO John Sparks Esq

We Command you, That all business and excuses being laid aside, you and each of you appear and attend before Henry V. P. Sparks, Thomas Mulach, Esqrs
6 Mann Communiemen, at the Court House
in the City of New York
on the 16th day of May 1867 at four o'clock,
in the after noon, to testify what you and each of you may know in a
certain action proceeding to acquire with the County
of Kenosha & Chicago with you, the record
& judgment a judicating said Kenosha & Chicago
a limited

SUBPOENA TO
APPEAR AND TESTIFY.

PART NO. _____

on the part of the said petitioner and for a failure to attend, you will be deemed guilty
of a contempt of Court, and liable to pay all loss and damages sustained thereby to the party aggrieved,
and forfeit FIFTY DOLLARS in addition thereto.

Witness, Thomas Mulach, of the Supreme Court
the 16th day of May one thousand eight hundred and eighty seven.

John Sparks
Esq
John Sparks
Esq

At a Trial Term, Part ONE, of the Supreme Court of the State of New York, holden in and for the County of New York, in the First Judicial District of said State, for the trial of criminal actions, at the Building for Criminal Courts in said County, on Wednesday day, the 22nd day of JUNE, in the year of our Lord one thousand nine hundred and eight.

Present,

The Honorable JOHN W. GOFF,

Justice of the Supreme Court of the State of New York.

THE PEOPLE OF THE STATE OF
NEW YORK

against

HENRY D. SHIPMAN,

An alleged lunatic.

On Indictment for Murder in the
First Degree.

Indictment filed February 15, 1887.

It having been made to appear to me that Henry D. Shipman, a person indicted by the Grand Jury of the County of New York, for the Crime of Murder in the First Degree, is a person of unsound mind and wholly irresponsible, in pursuance of the statute in such case made and provided, it is

ORDERED that Francis W. Pollock Counsellor-at-law, E. P. Larker M. D., and Robert L. Kennedy Esquire, all of the County of New York, be and they hereby are appointed a Commission forthwith to examine into the mental condition of the said Henry D. Shipman, and to report to this Court with all convenient speed whether he is in a state of idiocy, imbecility, lunacy or insanity so as to be incapable of understanding the proceeding or making his defense on the trial of said indictment.

Due notice of the time and place of executing this Commission to be given to the District Attorney of this County.

Enter.

John W. Goff

Supreme Court, Part ONE
Criminal Trial Term
County of New York

THE PEOPLE
OF THE STATE OF NEW YORK
against

HENRY D. SHIPMAN,
an alleged lunatic.

1011

10-12

New-York, Feb 5th
1889 At Sight I promised
to pay Mrs A. J. Mason
on Order ~~Five~~ Hundred
500 ⁰⁰ dollars payable at
Albany City National Bank
Said being a lien on my
property situated on #21st
23 Howell St Rochester, N.Y.
Henry G. Shipman

I forgive all & demand it
but for the cheating on others
excuse for your talk

1013

Putnam
Shipman
Papers

Thos. (Jr.)

POOR QUALITY
ORIGINAL

10 14

J. G. Truax, M.D.
12 East 127th Street

[Faint, mostly illegible handwritten text, possibly a letter or medical note.]

POOR QUALITY
ORIGINAL

10 15

My dear Sir,
I have been thinking of you
very much lately, and I am
glad to hear that you are
well and happy.

It is a pity that you are
prevented by some one, I
think, from going to the
sea, but I am sure the other
part of this business
is his brain.

From the sister
I have obtained of him, I think
he has been deranged for a year
at least; I believe he was insane
when he shot Mrs. Mason, and
is now in no condition to be a
witness to the nature of
evidence. At times, I am informed
by his friends, he is a raving maniac.

Yours faithfully

Wm. Lloyd Garrison

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[illegible]

10 18

New York, February 18th, 1887.

Hon. Randolph B. Martine,

District Attorney, City & County of New York,

My Dear Sir:-

In accordance with your request, I visited Henry Shipman, a prisoner at present confined in the Tombs prison, and charged with the killing of Mrs. Mason.

My purpose was to determine his present mental condition, and I personally examined him at some length, and ascertained as well from various reliable sources, his conduct subsequent to his arrest. My conclusion is that he is clearly insane, and the subject of mania, with various delusions the most prominent being those of persecution and conspiracy. These delusions are largely of the class known as unsystematized. He also has delusions which proceed from hallucinations of hearing, and constantly accuses imaginary and real persons of taunting him and applying vile epithets. One insane false belief of this nature is that certain enemies demand his body, and will cheat the gallows to obtain it. When alone, he holds conversation with various persons who are not present, among them the murdered woman. His manner is excited and suspicious and he has refused food, and attempted suicide. He at times is flushed and excited, and to-day presented the appearance of one laboring under insane excitement. His facial muscles were rigid, his eyes staring, and the pupils were contracted to pin points. His methods-- of expression and voice-tone were very suggestive of long established mental disease.

He at times loses all idea of his whereabouts, and at other s does not realize his situation, declaring as he did to-day

1019

that his arrangement in Court a few days ago was a proceeding before "a sort of society" or by "free-masons" and not a Court of Law. He knew little or nothing about his defense, his lawyer, etc and seemed to care less, and I feel quite sure he does not possess sufficient capacity to instruct his legal advisers or plead intelligently. His ideas of the crime with which he is charged are ill-formed, and though he admitted its nature and commission in assent to direct questions which might be answered affirmatively; it had evidently produced little or no impression upon him. He has a knowledge of abstract right and wrong, but I do not think weighs the moral effect of his own actions; and moreover has not sufficient strength to resist the mandates of the delusional commands which divert his exercise of will into morbid channels. From what I learn his crime seems to have been a motiveless one, and his conduct subsequent thereto, and at present, is in perfect accord with insanity. His form of mental disease is chronic, and marked by frequent exacerbations of excitement.

The deductions I have drawn from my examination are as follows.

- 1st. That Henry Shipman is the victim of Chronic delusional insanity.
- 2nd. That he was undoubtedly irresponsible when he committed the homicide.
- 3rd. That he is not now, and probably never will be in a state to instruct counsel and stand a trial.
- 4th. That he should be cared for in a proper asylum where he can be properly guarded.

Very Sincerely yours,

Allan McLane Hamilton M.D.

1020

Opinion
of
Allan M. Lane Hamilton
as to the
Mental condition
of
Henry Shipman

1021

COURT OF GENERAL SESSIONS OF THE PEACE,
In and for The County of New York.

-----X
The People of the State of New York,
-against-
Henry Y. Shipman.
-----X

TAKE NOTICE that on the annexed affidavit of the defendant, verified April 24th, 1908, and upon the indictment herein and all the papers and documents connected therewith, a motion will be made to the Court of General Sessions, Part One, at the Criminal Court Building in the County of New York on the 26th day of April, 1908 at 10-30 O'clock, A.M., for an order directing that the indictment be dismissed and the defendant discharged, for the reason that the defendant has not been brought to trial on said indictment, as required by the statute in such case made and provided.

And for such other and further relief as may be just and proper.

Dated New York, April 24, 1908.

Yours etc.,

Clark L. Jordan
Attorney for Defendant.
Office and P.O. Address
5 Beekman Street,
New York City, N.Y.

To
Hon. William Travers Jerome,
District Attorney, New York County.

1022

COURT OF GENERAL SESSIONS OF THE JUDICIAL

-----X
The People of the State of New York,

-opposit-

Henry V. Shipman.

State of New York,

County of New York, SS.

Henry V. Shipman, being duly sworn deposes and says: I am the defendant in the above entitled action. On or about the 15th day of February, 1887, as I am informed and verily believe, an indictment was returned against me by a grand jury in New York County, charging me with murder in the first degree, and thereafter and on or about the 28th day of March 1887, I was brought into the Court of General Sessions of the Peace, in which court said indictment was pending and it was there judicially determined that I was insane and I was committed to the Hudson River State Hospital at Poughkeepsie, New York. And I hereby refer to the records of the office of the Clerk of General Sessions, for the purpose of establishing the facts above stated, and for such purpose make them a part of this affidavit.

I was thereafter transferred from said Hospital and was transferred to the Matteawan State Hospital, and there remained until on or about the 18th day of November 1907, although for a long time prior thereto I had been sane and in proper condition to defend the above entitled action.

1023

For several years I endeavored by every means within my power to obtain my discharge from such institution, so that I might be tried upon the charge in such indictment.

4 That prior to the 18th day of November, 1907 proceedings were instituted on my behalf for the purpose of securing my discharge from said Matteawan Hospital, and on or about the 18th day of November, 1907, I was adjudged sane by the Supreme Court of the State of New York, and on said day my release from said institution was directed by an order of the Supreme Court and I was thereupon released from said Matteawan State Hospital and remanded to the City Prison in the Borough of Manhattan, New York City, where I have been confined ever since the 18th day of November 1907 awaiting trial upon the aforesaid indictment.

5 I have never asked for delay in the trial and nearly five terms of the Court of General Sessions have passed since my incarceration in the Tombs Prison, and my case has not been brought to trial.

I am now sane and able to consult with counsel and have retained Clark L. Jordan of 5 Beekman Street, New York City to defend me upon the trial of said indictment.

6 The long confinement in the City Prison has greatly impaired my health and I believe to be longer confined here will have a serious effect upon my health and strength, and it is my desire to either be placed upon trial or discharged in pursuance to the statutes made and in such case provided.

After a full and fair statement of all the facts within my knowledge, relating to the crime charged in the indictment, to my attorney above mentioned, I am advised by

1024

my said attorney, and verily believe that I have, a good
and substantial defense upon the merits of the charges
contained in such indictment.

Henry J. Shipman

Subscribed and sworn to
before me this 24th day
of April 1908.

Wm. H. Scales
Notary Public
in and for the State of Ohio

SIR:

Please to take notice that the within is a copy of
this day, duly made and entered herein in the office of the Clerk of

Dated, N. Y. 190

Yours, &c.,

JORDAN & INGRAM,

Attorney for

3-9 Beekman Street,

Borough of Manhattan, New York City.

To Esq.,

Attorney for

SIR:

Please to take notice that an order of which the within is a true copy will be presented for settlement and entry herein to Mr. Justice

at

this Court at

on the day of in the City of New York, at 10.30 o'clock, in the forenoon, or as soon thereafter as Counsel can be heard.

Dated, N. Y. 190

Yours, &c.,

JORDAN & INGRAM,

Attorney for

3-9 Beekman Street,

Borough of Manhattan, New York City.

To Esq.,

Attorney for

Court of General Sessions

of the Peace.

The People of the State of

New York,

Henry Y. Shipman.

Orig

Affidavit and Notice

of Motion.

Blank JORDAN & INGRAM,

Attorney for Defendant.

3-9 Beekman Street,

Borough of Manhattan. NEW YORK CITY.

To Esq.,

Attorney for

Due service of a copy of the within

is hereby admitted.

Dated, New York 190

Attorney for

FILED APR 13 0-1908

1026

Fol. 1. COURT OF GENERAL SESSIONS,
IN AND FOR THE COUNTY OF NEW YORK.

- - - - -X

The People of the State of New York,

-against-

Henry Y. Shipman.

- - - - -X

PLEASE TAKE NOTICE, that on the annexed
affidavit of Clark L. Jordan, verified on the 2nd day of
June 1908, and upon the indictment herein and all the
papers and documents connected therewith, and upon the
order and direction of the Hon. Thomas C. T. Crain, Judge
of the Court of General Sessions, made on the 30th day
of April 1908, in Part One of this Court, which said order
and direction was endorsed upon the indictment herein, and
upon the affidavits and notice of motion upon which said
order was made, copies of which have heretofore been
served upon you, a motion will be made to the Court of
General Sessions, Part One, at the Criminal Courts Building
in the County of New York, on the 5th day of June, 1908 at
10-30 o'clock A.M., for an order dismissing the indictment
against the defendant, filed on or about the 15th day of
February 1887, charging the defendant with murder in the
First Degree, for the reason that the defendant has not
been brought to trial on said indictment, as required by
the Statute in such case made and provided and as required
by the order and direction made by the Hon. Thomas C. T.
Crain on April 30th, 1908 and endorsed upon the indictment
herein, and for such other and further relief as may be

1027

just and proper.

Yours etc.,

Clark L. Jordan,
Attorney for defendant,
Office and P.O. Address,
3-9 Beekman Street,
Borough of Manhattan,
New York City, N.Y.

To-

Hon. William Travers Jerome,
District Attorney of New York County.

1028

Fol. 1. COURT OF GENERAL SESSIONS,
IN AND FOR THE COUNTY OF NEW YORK.

-----X

The People of the State of New York,
-against-
Henry Y. Shipman.

-----X

State of New York,
County of New York, SS.
City of New York.

" 2. Clark L. Jordan, being duly sworn, deposes
and says: that he is and has been for twenty-five years last
past, an attorney and counsellor at law in the State of New
York and resides at 545 West 142nd Street, New York City, and
has an office for the practice of law at 3-9 Beekman Street,
Borough of Manhattan, City and County of New York, and is
the attorney for the defendant in the above entitled action.

That heretofore and on or about the 24th day
of April 1908, deponent caused to be served an affidavit
and notice of motion on the District Attorney of New York
County, returnable in Part One in the Court of General
Sessions, on the 28th day of April 1908 at 10-30 o'clock
A.M. for an order directing that the indictment be dismissed
and the defendant discharged, for the reason that the defend-
ant had not been brought to trial on said indictment as
required by the Statute in such case made and provided, and
for such other and further relief as might be just and
proper.

1029

Fol. 4.

And deponent refers to said affidavit and notice of motion, so served upon the District Attorney, and makes it a part of this affidavit for the purpose of showing the facts of this case.

That said motion was heard by Hon. Thomas C. T. Crain in Part One of the Court of General Sessions of the Peace on April 30th, 1908, to which time it had been adjourned, and after hearing this deponent in support of said motion, and Mr. E. Crosby Kindelberger representing the District Attorney's Office, in opposition thereto, it was ordered and directed by the Court, that the motion be granted unless the District Attorney places the defendant on trial during the month of May 1908, or cause commission in lunacy to be appointed, and this endorsement was placed upon the said indictment, "April 30/08, motion to dismiss this indictment by Clark L. Jordan and granted by Judge Crain, unless District Attorney places defendant on trial during month of May 1908, or causes commission in lunacy to be appointed."

" 5.

Deponent further says, that the District Attorney has failed to place the defendant upon trial during the month of May, and that the May term of said Court has ended and that no commission in lunacy has been appointed.

" 6.

Deponent therefore asks for an order finally dismissing said indictment.

Clark L. Jordan

Sworn to before me this

2nd day of June, 1908.

Morris Weiss
Notary Public
New York

June 5th.
Submitted

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

The People of the State
of New York,

vs.

Henry Y. Shipman.

Affidavit, and notice of
motion to dismiss indictment.

Clark L. JORDAN & INGRAM,

Attorney for defendant.

3-9 Beekman Street,

Borough of Manhattan. NEW YORK CITY.

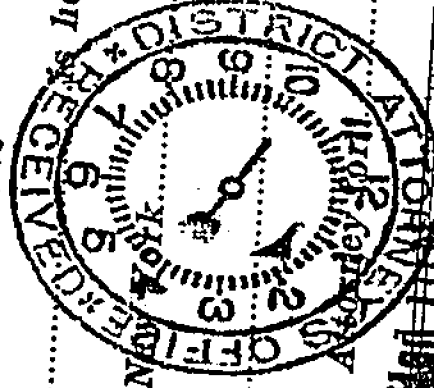
To..... Esq.,

Attorney for.....

Due service of a copy of the within

is hereby admitted.

Dated, New York..... 190



1906
JUN 5
8061

1030

At a Trial Term, Part One, of the Supreme Court of the State of New York, holden in and for the County of New York, in the First Judicial District of said State, for the trial of criminal actions at the Building for Criminal Courts in said County, on Friday, the 14th day of August, in the year of our Lord one thousand nine hundred and eight.

P R E S E N T :

THE HONORABLE JOHN W. GOFF,
Justice of the Supreme Court of the
State of New York.

-----x	:	On indictment
The People of the State of New York,	:	for Murder in
	:	the first degree
-against-	:	
	:	
Henry D. Shipman.	:	Indictment filed
	:	February 15, 1887
-----x	:	

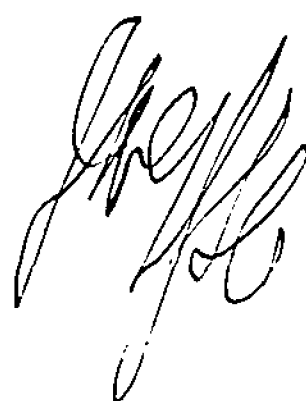
A commission having been duly appointed by the Court to inquire whether the defendant is of sound mind and understanding, or not, for the purpose of ascertaining whether he is now in a situation to be put upon his trial for said crime, and the said commission from the sworn evidence having found that the said Henry D. Shipman is not of sound mind and understanding, and the Court being so certified of the fact and deeming his discharge dangerous to the public safety; it is thereupon

ORDERED that the said Henry D. Shipman be forthwith removed to the MATTEAWAN STATE HOSPITAL, there to be safely kept and detained in said Hospital until he be restored to a sound state of mind and understanding, and then to be returned to the City Prison of the City of New York, in the Borough of Manhattan of the said City of New York. It is further

1032

ORDERED that the Sheriff of said County of New York do forthwith convey said Henry D. Shipman to said Hospital.

Enter:

A handwritten signature in cursive script, appearing to be "J. H. [unclear]", written in ink.

POOR QUALITY
ORIGINAL

1033

SUPREME COURT - CRIMINAL TRIAL TERM
PART I.

COUNTY OF NEW YORK.

THE PEOPLE
OF THE STATE OF NEW YORK

against

HENRY D. SHIPMAN.

ORDER OF COURT TO REMOVE
INSANE DEFENDANT TO THE
BATEAVAN STATE HOSPITAL.

Dated, August 14th, 1908.

1034

Form 202.

52-50-08 (B) 200

FOL. 1.

At a ~~Special~~ ^{Special} Term, Part ~~2~~ ² of the Supreme Court of the State of New York, held in and for the County of New York, at the ~~County Court House~~ ^{County Court House} in the Borough of Manhattan of The City of New York, on the **1st** day of **May**, 190 **8**

Present,

HONORABLE Victor J. Dowling

Justice.

THE PEOPLE OF THE STATE OF
NEW YORK

against

HENRY D. SHIPMAN

It appearing in the opinion of this Court that it is proper that the indictment hereinafter named be tried herein,

Now, on motion of Wm. Travers Jerome, District Attorney of the County of New York, it is

FOL. 2. **ORDERED**, that the indictment found in the Court of General Sessions of the Peace in and for the County of New York on the **fifteenth** day of **February, 1887** against the above-named defendant for the Crime of

Murder in the First Degree

be and the same is hereby removed into the Supreme Court of the State of New York in and for the County of New York.

Enter

V. J. D.

Justice of the Supreme Court.

Copy
Victor J. Dowling

New York Supreme Court

COUNTY OF NEW YORK

THE PEOPLE OF THE STATE OF
NEW YORK

against

HENRY D. SHIPMAN

**ORDER OF REMOVAL OF INDICTMENT
INTO THE SUPREME COURT.**

WM. TRAVERS JEROME,
DISTRICT ATTORNEY,
CRIMINAL COURTS BUILDING,
BOROUGH OF MANHATTAN,
NEW YORK CITY.

1035

1036

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Henry D. Shingman

The Grand Jury of the City and County of New York, by this indictment accuse *Henry D. Shingman* —

of the CRIME OF Murder in the First Degree, committed as follows:

The said *Henry D. Shingman*,

late of the City of New York, in the County of New York aforesaid, on the *third* day of *January*, in the year of our Lord one thousand eight hundred and eighty-~~seven~~, at the City and County aforesaid, with force and arms, in and upon one *Josephine Mason*, in the peace of the said People then and there being, wilfully, feloniously, and of *his* malice aforethought, did make an assault, and the said *Henry D. Shingman*, a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which said pistol the said *Henry D. Shingman* in *his* right hand then and there had and held, to, at, against, and upon the said *Josephine Mason*, — then and there feloniously, wilfully, and of *his* malice aforethought, did shoot off and discharge, and the said *Henry D. Shingman*, — with the leaden bullet aforesaid, out of the pistol aforesaid, then and there by force of the gunpowder aforesaid, shot off, sent forth, and discharged, as aforesaid, *then* the said *Josephine Mason*, in and upon the *back* of *her* the said *Josephine Mason*, then and there feloniously, wilfully, and of *his* malice aforethought, did strike, penetrate, and wound, giving to *her* the said *Josephine Mason*, then and there, with the leaden bullet aforesaid, so as aforesaid discharged, sent forth, and shot out of the pistol aforesaid, by the

1037

said *Henry D. Shipman* in and upon the *head* of
the said *Josephine Mason* one mortal wound of the breadth
of one inch, and of the depth of six inches, of which said mortal wound *she* the
said *Josephine Mason* ~~at the City and County aforesaid,~~
~~from the said~~ ~~day of~~ ~~in the~~
~~year aforesaid, until the~~ ~~day of~~ ~~in the same year~~
~~aforesaid, did languish, and languishing did live, on which said~~
~~day of~~ ~~in the year aforesaid, the said~~
~~at the City and County aforesaid, of the said mortal wound did die.~~
She and there died.

And so the Grand Jury aforesaid do say: That the said

Henry D. Shipman *her,*
the said *Josephine Mason*, in the manner and form, and by
the means aforesaid, wilfully, feloniously, and of *his* malice aforethought, did kill,
and murder, against the form of the Statute in such case made and provided, and against the
peace of the People of the State of New York and their dignity.

RANDOLPH B. MARTINE,

District Attorney.

1038

BOX:

250

FOLDER:

2428

DESCRIPTION:

Silverman, Samuel

DATE:

02/17/87



2428

Witnesses:

Sarah Gergen

Officer Kerner

Counsel,

Filed *17* day of *July* 188*7*

Pleads *Not Guilty*

THE PEOPLE

vs.

Samuel Silverman

Grand Larceny, first degree
(FROM THE PERSON)
[Sections 528, 530, Penal Code]

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Edward J. Munn

March 3/87

Foreman.

Spec. & Registered
May 25

1039

1040

Police Court

District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No.

occupation

Street, aged

years,

being duly sworn

deposes and says, that on the

day of

188

at the City of New

York, in the County of New York, was feloniously taken, stolen and carried away from the possession

And person

of deponent, in the time, the following property viz :

A pocketbook containing about
two dollars and seventy cents
in silver and nickel coins

the property of

Deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,
and carried away by

Amuel Silberman now present
and two others not arrested, all acting
in collusion. That about six o'clock
P.M. on said day deponent was
passing through the hallway of her
residence on her way up stairs, when
she was obstructed by the defendants and
said others who appeared to be
quarrelling, and who purposely prevented
deponent from passing by. That while
deponent was thus detained the defendant
suddenly thrust his hand into an outside
pocket of the dress then worn by deponent
and took therefrom the aforesaid pocketbook
which he handed to one of said others who ran
away. That deponent took hold of the defendant
and handed him over to an officer—

Sarah Feiger

Sworn to before me, this

day

188

Police Justice.

1041

Sec. 198-200

CITY AND COUNTY
OF NEW YORK,

B District Police Court.

Samuel Liberman being duly examined before the undersigned, according to law, on the annexed charge: and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he see fit to answer the charge and explain the facts alleged against him that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer

Question. How old are you?

Answer

Question. Where were you born?

Answer.

Question. Where do you live, and how long have you resided there?

Answer.

Question. What is your business or profession?

Answer

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

Answer.

*I am not guilty. I say
some boys ran away from
standing with a couple of men
on the street when the ~~Liberman~~
came across the street and
took hold of me. I know
nothing of the larceny.*

Samuel Liberman

Taken before me this

day of *February* 188*7*

Police Justice.

1042

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named

Samuel Silverman

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Five* Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated *Feb 7* 188 *J. H. [Signature]* Police Justice.

I have admitted the above-named to bail to answer by the undertaking hereto annexed.

Dated _____ 188 _____ Police Justice.

There being no sufficient cause to believe the within named _____ guilty of the offence within mentioned, I order he to be discharged.

Dated _____ 188 _____ Police Justice.

1043

Police Court

3 170 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Samuel Silber
4 of 7 of the 11
Samuel Silber

2
3
4

Officer of the Court
John Henry

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated *February 9* 188

John Henry Magistrate.

John Henry Officer.

11 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

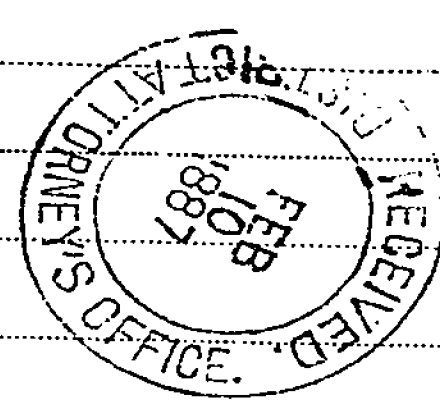
No. Street.

No. Street.

No. Street.

No. Street.

No. Street.



to answer

1044

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Samuel Silverman

The Grand Jury of the City and County of New York, by this indictment, accuse

- Samuel Silverman -

of the CRIME OF GRAND LARCENY IN THE first DEGREE, committed
as follows:

The said Samuel Silverman,

late of the City of New York, in the County of New York aforesaid, on the
sixth day of February in the year of our Lord
one thousand eight hundred and eighty-nine, at the City and County aforesaid, in the
night time of the same day, with force and arms,

one pocket book of the value of
twenty-five cents, and silver coins,
of a number, kind and denomination
to the Grand Jury aforesaid unknown,
of the value of two dollars and
seventy cents,

of the goods, chattels, and personal property of one Sarah Frazier, -
on the person of the said Sarah Frazier, then and there being
found, from the person of the said Sarah Frazier, then and there
feloniously did steal, take and carry away, against the form of the Statute in such case made
and provided, and against the peace of the People of the State of New York, and their dignity.

Charles J. Martin
District Attorney

1045

BOX:
250

FOLDER:
2428

DESCRIPTION:
Singleton, Thomas

DATE:
02/23/87



2428

Witnesses:

Wm B. Carroll
Officer Carroll

Counsel,
Filed 28 day of July 1887
Pleads As guilty

THE PEOPLE

vs.

Assault in the First Degree, Etc.
(Sections 217 and 218, Penal Code.)

Thomas Singleton
334 Cherry St.

(Comd. Clerk)

RANDOLPH B. MARTINE,
District Attorney.

A True Bill.

Edward J. Murray
Per 11, 11th, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

1047

Police Court— 3d District.City and County } ss.:
of New York,of No. 15 Reitzel Place Street, aged 28 years,occupation Book maker being duly sworndeposes and says, that on 30 day of February 1887 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Thomas Singleton (as above),
 who wilfully and feloniously
 stabbed this deponent in the
 right breast with a knife
 which the deponent then
 and there held in his hands.

with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without
 any justification on the part of the said assailant

Wherefore this deponent prays that the said assailant may be apprehended and bound to answer
 for the above assault, etc., and dealt with according to law.

Sworn to before me, this 1st dayof February 1887

Wolf B. Praxist
mark
Henry M. [Signature]
 Police Justice.

1048

Sec. 198-200.

3d

District Police Court.

CITY AND COUNTY
OF NEW YORK, { ss

Thomas Singleton being duly examined before the undersigned, according to law, on the annexed charge: and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he see fit to answer the charge and explain the facts alleged against him that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question What is your name?

Answer

Thomas Singleton

Question. How old are you?

Answer

19 years

Question. Where were you born?

Answer.

New York City

Question. Where do you live, and how long have you resided there?

Answer.

334 Cherry street three months

Question What is your business or profession?

Answer

book binder

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

Answer.

*I am not guilty I enter
myself as a defendant.*

Thomas Singleton

Taken before me this

day of *the 6th* 188*7*

Police Justice.

1049

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named

defendant
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 100 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated Feb. 1st 1887 Wm. H. ... Police Justice.

I have admitted the above-named
to bail to answer by the undertaking hereto annexed.

Dated _____ 188 _____ Police Justice.

There ☒ no sufficient cause to believe the within named
guilty of the offence within mentioned, I order he to be discharged.

Dated _____ 188 _____ Police Justice.

Noted
D. J. H. H. H.
Chas. H. H.

Residence *Street.*

Bail deposit
 Feb'y 5/87

(Om)

1051

At a Court of General Sessions of the Peace held in
and for the City and County of New York,
on the 11th day of March A. D. 1887.

Present,

Hon. Rufus B. Cowing, City Judge Justice of the
OF THE CITY OF NEW YORK Sessions.

THE PEOPLE OF
THE STATE OF NEW YORK,

against

On indictment for Grand Larceny

Thomas Singleton

An order of a Police Justice having been
granted, admitting the Defendant to bail in the sum of Eight
hundred dollars, and the Defendant having caused to be deposited the said
sum of money with the County Treasurer of New York, in lieu of bail.

And it appearing that the said Defendant has appeared
in Court, pursuant to, the condition of the said order of bail and
Thomas Singleton having appeared in Court
and was tried, convicted and sentenced to be
sent to prison

By consent of the District Attorney, It is Ordered,
that the County Treasurer be and he is hereby directed to refund the said
money deposited as aforesaid to Thomas Singleton
who deposited said sum of money for the appearance of said defendant.

Ent Rufus B. Cowing
City Judge

I consent to the entry of the above order.

Ermon M. Davis
District Attorney.

Dated March 11th 1887

New York Court General Sessions

THE PEOPLE OF THE STATE OF NEW YORK

against

Samuel G. Glick

ORDER REFUNDING MONEY DEPOSITED

IN LIEU OF BAIL.

TO THE COUNTY TREASURER,
City and County of New York

filed March 11, 1929

1052

1053

Court of General Sessions of the Peace
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF STATE OF NEW YORK,

against

Thomas Singleton

The Grand Jury of the City and County of New York, by this indictment, accuse

Thomas Singleton

of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows :

The said *Thomas Singleton*,

late of the City of New York, in the County of New York aforesaid, on the
thirtieth day of *January*, in the year of our Lord
one thousand eight hundred and eighty-~~seven~~, with force and arms, at the City and
County aforesaid, in and upon the body of one *Walter Brandt*,
in the peace of the said People then and there being, feloniously did make an assault,
and *him* the said *Walter Brandt*,
with a certain *knife* —
which the said *Thomas Singleton* —
in *his* right hand then and there had and held, the same being a deadly and
dangerous weapon then and there wilfully and feloniously did cut, stab and wound,

with intent *him* the said *Walter Brandt* —
thereby then and there feloniously and wilfully to kill, against the form of the statute
in such case made and provided, and against the peace of the People of the State of
New York and their dignity.

SECOND COUNT;

And the Grand Jury aforesaid, by this indictment, further accuse the said
Thomas Singleton —
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows :

The said *Thomas Singleton*,

late of the City and County aforesaid, afterwards, to wit: on the day and in the
year aforesaid, at the City and County aforesaid, with force and arms, in and
upon the body of the said *Walter Brandt* —
in the peace of the said People then and there being, feloniously did wilfully and
wrongfully make another assault, and *him* the said

Walter Brandt, —
with a certain *knife* —
which the said *Thomas Singleton* —

in *his* right hand then and there had and held, the same being
an instrument and weapon likely to produce grievous bodily harm, then and there
feloniously did wilfully and wrongfully cut, stab and wound, against the form of the
statute in such case made and provided, and against the peace of the People of the State
of New York and their dignity.

Charles F. Smith,
District Attorney

1054

END OF
BOX