

**TRIAL,**  
**Conviction & Sentence**  
**OF**  
**Richard Johnson,**  
**WHO WAS EXECUTED**  
**On the 7th of May, 1829,**



**TOGETHER WITH**  
**GOV. THROOP'S LETTER,**  
**TO THE SHERIFF OF**  
**NEW-YORK.**

*Sold Wholesale and Retail by C. Brown, 211 Water-st. N. Y.*



# DEATH WARRANT.

Copy of Governor Throop's Letter to the Sheriff  
of New-York, directing the

## Execution of Johnson.

Executive Department, Albany, April 25, 1829

SIR—I have received a petition for pardon, in behalf of Richard Johnson, in your custody, under sentence of death, for murder, and a statement of the proceedings of the trial, and have bestowed upon the case that attention which the importance and painful interest of the subject demanded.

The killing was in the presence of witnesses, and the manner in which it was perpetrated is not a matter of doubt or dispute. It was done deliberately. The pistol was put in order and prepared for the occasion; it was twice discharged; and its contents were each time lodged in the body of the deceased. The tragic deed was the result of a previous misunderstanding between the parties of several days' continuance: and the proximate cause a personal struggle, commenced on his part with angry feelings, and carried on with a sufficient interval before its fatal termination, for reflection. The means employed were certain to produce death, and they were persevered in, with an apparently inflexible determination to accomplish the death of the miserable victim of his violence. During several preceding days, exhibited those appearances of gloom, abstraction of mind, depression of spirits, which indicate a bosom deeply agitated with violent passion, and a mind occupied with absorbing subjects.

It is urged in his favour that his mind was deranged when the deed was done—and that he had before sustained a good character, and was of an amiable and benevolent disposition.

The question of insanity was a matter in issue on the trial, and the jury, after hearing all the testimony, decided against him. I see nothing in the evidence to induce me to doubt the correctness of their verdict in that respect.

His supposed amiable character, while it is evident in a doubtful case, to be duly weighed by the Jury in pronouncing upon the intent, and appeals to our sympathy, does not afford a sufficient reason for arresting the course of justice.

It is in proof, however, upon this point, that he had lived in a licentious intercourse with this woman for several years, and their intimacy has, in the ordinary progress of vice, terminated in the highest misdeeds.

The laws have pronounced his doom, and declared him a fit object of exemplary punishment, and I do not feel justified in interposing the executive arm, to defeat their politic deeds.

I must therefore request you, to communicate to the wretched convict my decision, without delay, that he may prepare himself to meet his fate, and make his peace with his offended God.

I am respectfully yours, &c.

To the Sheriff of New-York.

E. T. THROOP



**A CORRECT COPY OF THE**



***TRIAL AND***  
**SENTENCE.**

OF  
**RICHARD JOHNSON,**  
FOR THE  
**MURDER**

**Of Ursula Newman,**

On the 20th Nov. 1828, by shooting her with a  
pistol loaded with buck shot or slugs,

**NINE OF WHICH ENTERED HER BODY;  
TOGETHER WITH THE**

**Charge of the Court, and the**

**CONFESSION OF THE PRISONER**

Of his intention to have added Suicide to the Horrid and Ap-  
palling Murder for which he is to suffer an ignominious  
death, and his letter to a friend in Philadel-  
phia previous to his Conviction.

NEW-YORK:

PRINTED AND SOLD WHOLESALE AND RETAIL, BY

**CHRISTIAN BROWN,**

No. 211 WATER-STREET, N. YORK.



# Johnson's Letter,

AS READ UPON HIS TRIAL.

*N. York, City Prison, Feb. 3, 1829.*

Mr. James L. Dougherty, Dear, Sir, I hope that you have not forsaken me, because that I am in prison, and have very few friends in this city, and if you turn a deaf ear to me I fear I have none elsewhere. True I have no claims on you for your friendship, yet I thought you would be most likely to listen to my cries. I did not ask you for the loan of money, I only said that I might have to do so. I only wished to find out whether you would be kind enough to answer my letter, and send me my certificate, which I am badly in want of, but it seems you have paid no attention to it, therefore I am compelled to make a second trial. My dear sir, I hope that you will not keep that from me, when it is in your power, without the least trouble or detriment to you or your family, to forward it on to me, to the care of Mr. Joseph Flower, No. 455 Broadway. James I cannot account for this coldness, for I am sure that I have ever treated you well, and would have been happy in obliging you in any shape that could be in my power. If you would think for one moment on my situation, I think you would not be quite so backward in merely writing me a letter. Consider that I am here locked up in a prison, where there is no chance for me to do any thing myself, but am a dependent creature for every thing, and since I have been in this horrid place I have suffered every thing but death. It is useless for me to tell you that I have been deprived of every thing I had in the world through that worst of women, my office sold to pay the rent of that house, and even my clothes destroyed or hid away by Mrs. Langshawe, and says my friends got them.

I hope you will not fail to answer this as soon as you receive it. I will try you once more. I want you to send word, or go yourself, to Samuel H. Perkins, in 6th, street, near Chestnut-street, if you please, and tell him my trial will come on on the second Monday in March, instead of the third; I hope then to see you, and all of my acquaintances that you can get to come with you. I think that I have nearly recovered the little sense that I once had. You need not doubt, but that I shall be acquitted, for it is either death or liberty.

I am fraternally yours,

RICHARD JOHNSON.

My respects to Thomas & Ells.

Mr. James L. Dougherty, No, 39, South Front-st, Philad.



**TRIAL OF**  
**Richard Johnson,**  
**FOR THE MURDER OF**  
**URSULA NEWMAN.**

**Court of Oyer and Terminer.**

**TUESDAY, March 10, 1829.**

Counsel for the people, Hugh Maxwell, District Attorney  
—for the defence, N. B. Blunt, William M. Price, and J.  
D. Wheeler.

The following Jurors were empannelled:

- |                   |                          |
|-------------------|--------------------------|
| 1 John N. Green,  | 7 Isaac L. Tompkins,     |
| 2 Frederick Weed, | 8 Timothy Haviland,      |
| 3 David Broad,    | 9 John Buckout,          |
| 4 Alfred Carhart, | 10 Joseph Connover,      |
| 5 Martin Peck,    | 11 John Naul,            |
| 6 Silas Bedell,   | 12 Christ'r. Livingston, |

The prisoner, having previously pleaded not guilty, was put upon his trial. The District Attorney opened the cause, repeated part of the charge, and stated part of the evidence that would be produced in the case, and said that if what he had stated were proved by the witnesses which would appeal, unless the accused gave some cause to prove his irresponsibility for his act, a verdict must be found against him.

John Colvill, coroner, was first called and sworn. On the 22d day of November last, was called to hold an inquest on the body of Mrs. Newman, 25 William-street—Dr. King was present, and Dr. Stearns was sent for, also Dr. Scudder.

Dr. Harris sworn—Saw the deceased on the 20th Nov. sitting on a settee, exhausted by loss of blood; ordered brandy and water—three wounds round the nipple of the right breast, and one on the arm; the balls separated at the fifth



rib ; on opening the cavity of the chest, two balls were found against the rib ; a fissure in the diaphragm, the liver penetrated by two or more balls, one in the right kidney ; these wounds produced death ; 11th rib separated ; four balls in the muscles of the back ; back shot ; nine in all. On the second discharge, about nine balls entered the elbow, and escaped near the wrist ; first shot in the breast was the fatal one.

Benj. T. Barker sworn. On the 20th November, heard a pistol report from No. 25 William-street ; two lads, with hands bloody, came out and said, " a man has shot mother." He entered the house and saw three or four girls ; he asked " what's the matter ;" was answered, " Johnson has shot Mrs. Newman. Mrs. N. sat on a sofa ; a girl kissing her, and exclaiming, " O dear mother !" Mrs. N. bleeding at the right breast. Johnson came in and fired, exclaiming, " if the first did not kill you, damn you the second will or shall." The prisoner is the man. Something struck on my right arm ; could not tell what, in the confusion and smoke. He fired the second shot in my presence, against the left arm ; did not see first shot ; she did not speak. Mr. Harrison and an old gentleman seized him ; it was about 2 o'clock, P. M. ; cannot say that I saw a wildness in his countenance ; had not stated that there was a wildness in the eyes, or appearance of insanity ; did not see it ; did not particularly see the countenance till he was out of doors ; did not hear him speak ; he made a rush to escape ; never heard Mrs. N. speak ; the pistol burst in pieces ; did not hear him complain of a wound in the hand ; did not examine his hand ; it was bleeding profusely ; did not see a child. He appeared wild in the street ; on the cart complained of being tied ; said he would go to prison without tying.

Cross-examined. When he went into the room, there were two or three persons present, whom he did not know. After two or three minutes Johnson rushed in. The doors were all open. Cannot say how Johnson looked. Has not ever stated that he looked wild and insane at that moment. Did not examine his countenance until after he was taken out. After he was taken out, he made an effort to go away ; but was held by witness and Harris. Believes the pistol went to pieces. A piece struck witness' arm. Johnson's hand or wrist bled freely. Did not hear him say any thing. The room was a back one, not so light as other parts of the house.

By the Court. When he saw Johnson after he was taken into the street, he looked wild-like. He complained about his being tied on the cart, and said he would go without being tied, as witness believed, but cannot swear to.



**Joseph T. Villarino.** Was at the door of Senor Lanuza's store, on the day mentioned, when he heard the report of a pistol, which drew him to the house of Mrs. N. A boy came out crying, "a man has killed my mother." Went in, and found a woman on a sofa wounded. A man came in between witness and a young lady, as the former was looking at the wounds, said something, and fired a pistol. Witness was much agitated. Saw the man, who is the prisoner, afterwards in custody of two men. Witness is a foreigner and speaks English with some hesitation. Cross Examined.—Did not count the number of persons in the room; Was in it two minutes before Johnson came in. Had never seen him before. A number of persons came in immediately.—The room was filled with smoke after the discharge, Saw Johnson three or four minutes afterwards taken hold of by two men, looking like a man who had committed a crime.—Did not hear him say any thing. Saw that his hand was bloody. Does not know the particular and characteristic difference between the expression of violent passion and of madness, Is accustomed to see men in a passion, but has not seen many crazy people.

**William H. Harrison.**—Knows the prisoner by sight. Saw him at Mrs. Newman's on the day she was shot. Was in opposite house, Mr. Regnard's; heard the first pistol shot. Heard an alarm. Saw the people running; and went over into the house. A crowd was besetting the house, and another report was heard in the back part of it. Saw Mrs. Newman carried as a corpse. Met Johnson walking along side, and exclaimed—"My God! where is the man who did it?" Johnson came right up to him as a lion, and said "I am the one who did it." "And what did you do it for?" "Because she did not do what was right." Witness asked, "Is there no authority to lay hold of you?" I disregard the authority—I did it. Witness then cried out, that he demanded assistance in the name of the State; and seized Johnson. Another man came and also laid hold of him. Johnson then turned deliberately, and looked at the body, and said good bye! Witness was very voluble. No cross-examination.

**William Lawson.** Saw the prisoner after his arrest, and accompanied him on the cart, to the police office—asked him frequently, why did you commit this horrible act? Johnson was long silent, but at last replied, I shall answer no questions now; I have good reasons, which will come before the public when the matter is examined. They were then near St. Paul's Church.

Cross-examined. Saw the prisoner coming down stairs with a pistol, lost sight of him, and afterwards assisted Mr.



Harrison in tying him to the cart with cart ropes. He was fastened to the rung of the cart by his arm ; not so as to hurt him, but to secure him. The cart started as soon as the crowd could be got through. Johnson said nothing before coming to St. Paul's Church, except in reply to a question by witness, of how his arm had got hurt. He said it must have been by the bursting of the pistol, as he had no other weapons. In the police office, he said he felt faint, from the loss of blood ; but made no complaints on the way. When witness asked him how he came to be so unrelenting, as to fire a second time, he said the second pistol was meant for himself ; but some meddling person had pushed or pulled his elbow ; and what mischief it had done, he knew not.

Rachel Newman. Has known the prisoner five or six years. First became acquainted with him in Philadelphia. Witness is the daughter of the deceased. Johnson resided in her mother's house in Philadelphia. She moved to this city on the 1st of last May ; and prisoner accompanied her. He was a printer, and had his office in the garret of the house where Mrs. N. lived. Heard words of disagreement between her mother and prisoner, before the 20th November. It was not previous to leaving Philadelphia ; it occurred three or four weeks before her mother was wounded. Witness was present when a difference arose concerning Johnson's business as a printer. He said he was going to the north of this State ; and, as witness believes, he was leaving his business in an unsettled state. Mrs. N. was opposed to his going, unless he made the arrangements she wished, before he went. Prisoner made use of an angry expression, and threatened to expose Mrs. N. Mrs. N. said she defied any insinuations ; and he must explain himself before he left the room. Witness left them during the conversation. Prisoner left the city the same evening. Returned on the 19th of November, having been absent from the house during the intervening time. Requested to relate what took place on the 20th. They dined at about 2 o'clock. Witness was in the room when Johnson came in with the first pistol. He came in and locked the door. He had a child in his arms. Mrs. N. was carving, and stopped, and met him half way in the room. He went towards the front room ; and she struggled with him for the child. She took the child and went to the locked door, saying open the door, and then went out of a window in the rear of the house with the child in her arms. The window leads out on a kind of piazza. Johnson stood by the door leading into the front room. Witness begged him to go with her into the front room, and tell her what his conduct meant. The end of the dining table where Johnson stood, touched the door opening into the



front room. Johnson made no reply to witness's question. She told him to be calm. He said he was ; and ran from her out of the same window through which Mrs. N. had passed. Witness asked a gentleman in the front room, (Mr. Marchland,) to come with her into the back room ; but she went into the parlor alone. Her mother was sitting on a low chair, and Johnson stood between the windows with a pistol. Witness asked him for it ; and told him he was acting tragedy. He said he was not. She asked him what he was doing with a pistol, then ; and that she thought he was performing the Stranger. Tried to get the pistol from him ; when he pushed her back. Said it was for the sake of witness and her sister he had done that thing. Mrs. N. said, what is it to them girls ? Other words passed, which witness does not strictly remember. Thinks Mrs. N. asked Johnson what he wished her to do. He said he wished her to acknowledge him for her husband, and that child to be their's ; and they would be happy yet. She rose and said something which witness did not hear. Witness again tried to get the pistol, but Johnson held it above her reach ; then drew it down and fired. Does not recollect that he said any thing after he fired. He left the room. Mrs. N. then sat on the sofa, and witness stood before her supporting her. The D. A. said, as the other part of the case had been related by the other witnesses, he would not trouble the court with a repetition.

Cross Examined by Price. Mrs. N. kept a hotel and boarding house in Philadelphia, called the New England Coffee House. Does not know at what particular date Johnson came there. He lived there continually, as a boarder. Does not now know that he formed a part of the family. He was not called the husband of Mrs. N. in Philadelphia ; and did not call witness and her sister his children. Mrs. N. left Philadelphia to go to the west part of this State, two or three years after Johnson came, and was absent about three months. After coming to this city, and before the conversation mentioned in the direct examination, she never heard Johnson demand an acknowledgment as to the child of Mrs. N. When he came back, the day before the affair, he brought two children with him ; one of which was the one before spoken of. Mrs. N. never acknowledged that it was her child, to witness, at any time. Heard nothing said about paying notes or judgments, or providing for the child. The body examined by the physicians was that of her mother.

The prosecution rested.

Mr. N. B. Blunt opened for the defence. He stated to the jury the legal definitions of murder as laid down in Coke



and Blackstone. The defence would be insanity, and the general good character of the prisoner. The counsel enumerated the causes and characteristics of madness. The class of this disease which the prisoner was overtaken with, as he hoped to show, was called by the physicians, (Maniacal frenzy.) He read extracts from a treatise on mental derangement. There would also be a painful task, he said, to perform in going into character of Mrs. N. and the history of her intimacy with the prisoner. He stated the facts in the lives of both, which, it was expected, would be proved by the evidence. He called,

John Ayres. Witness went to lodge with Mrs. N. in 1827, and remained there till 1828.—Knew Johnson there; and always considered him a mild, industrious and amiable man. Never heard any thing against him previous to this transaction.

James L. Dougherty. Resides in Philadelphia. Has known the prisoner three years. Has been intimate in Mrs. N's family since he was twelve years old.—Johnson's general character has been fair and upright, and his disposition the witness has always considered good. Asked as to Mrs. N's general character. The District Attorney said he came into court to try no such question, and was not prepared to go into it; neither could it affect the merits of the case. Witness was then asked to state what he knew of the connexion between the prisoner and the deceased. He has always considered that there was unity of interest and action between them; and there were rumours that they lived as man and wife. Mrs. N., sometime previous to her leaving Philadelphia, communicated her intention of her doing so to witness; who asked the prisoner whether he intended leaving Philadelphia also; and advised him not to accompany her to New-York, unless he intended to marry her. He answered he considered himself in honor bound to assist her as long as he was able; and that they would eventually be married. He attended to packing her goods at the removal.—After Mrs. N. left Philadelphia the first time, when going to Rochester, witness had a conversation with Johnson as to her pregnancy, and mentioned his supposition as to Johnson's being the father, which Johnson after some hesitation, admitted. Mrs. N. was absent much longer than was expected, she was gone some two or three months. Had various conversations with Johnson during the interval. Some two or three weeks before her return, Johnson told witness she had been delivered; and the child been placed under some person's care. He said, at one time, that there was a disposition on her part to conceal from him where it was. Mrs. N. generally demeaned herself to the prisoner as a wife to her husband.—



She was of a jealous disposition, which led to quarrels. In September last, witness was in this city; and Johnson was about accompanying him to the Park Theatre, when Mrs. Newman's son came to call the former back; Johnson went back but soon rejoined witness; telling him, that Mrs. N. had accused him of intending to go to a house of ill fame. They walked on to the Park, and witness, recognised the deceased at an opposite corner, watching them. Johnson then informed witness that this was a usual occurrence.

Cross Examined. Has received two letters in Philadelphia from Johnson since his confinement. He produced one. Its admissibility in evidence was denied by the counsel for the prisoner. Price said the defence did not set in that the insanity continued after the commission of the offence; and that a sane act subsequent could not be given in evidence, as it was immaterial. The witness being examined by the court, said he was acquainted with prisoner's hand-writing, and that it was that of the letter. He had received a letter from Mr. Blunt, requesting him to come on; but as he had business here, had previously made up his mind to do so. The court ruled that the letter was a piece of material evidence as related to the defence of insanity. The District Attorney said he should read it at a subsequent stage of the trial.

John Wood affirmed. Has been acquainted with the prisoner for a year, but had little knowledge of him. He applied to witness' house for employment, some time since. They had given him credit in his printing business. Cross—The credit was for about \$70, for articles furnished at different times. Saw him frequently when he came. Witness was requested to furnish the entries from his books,

Joseph Flower. Has known the prisoner six years. Always heard a good character of him. Boarded in the house with him for a week in Philadelphia.—Went with Mrs. Newman in this city, when she was looking for a Boarding House. She mentioned that Johnson would assist her in keeping it. Witness had endorsed notes for Johnson, given to Mr. Hoe. Received a notice that one was payable, while Johnson was gone to Rochester.

The officers were sworn to retire with the jury.—The Court took a recess of half an hour.

#### HALF PAST FOUR.

Joseph Flower, again called upon the stand. Has known prisoner five or six years—boarded with him in Philadelphia. His character was good; and when he came on here called upon witness. His temper and disposition good. Just previous to Johnson's departure for Rochester, witness noticed, when on one of his calls at the printing office, he did not appear as



usual. Indeed, for several weeks there had been a change. Mrs. Newman sent for him to come down stairs but he could hardly get a word out him. Deceased told witness that she did not know what was the matter with him—that he acted strangely. Witness informed his own family of the change.

Cross examined by Maxwell.—Prisoner purchased his type of Dixon. Applied to witness to borrow money from him in May. Witness lent him 100 dollars, and notes which Johnson got discounted. Before he went to Rochester, prisoner had paid one of the notes, a 100 dollar note, and, he believes that he had paid a 35 dollar note. Witness never called upon him about the notes. The notes which witness has paid, were since his arrest. They were not due before he went to Rochester. It was a month or six weeks before he went to Rochester, that he called on him, when he appeared to act strangely.

By the Court. The last time witness saw Johnson before Mrs. Newman's death, was four or five weeks. He then appeared as though he was distracted in his mind. Did not know whether he was crazy, but witness thought he was troubled in his mind. He had been in the habit of answering questions about his business, but did not do so now, and would leave the room, and say little.

Alexander H Hays, sworn — Has known the prisoner since the 14th of September—was in his employ—considered him a very amiable mild man in his office, and in his house ; Witness boarded with him, and considered him much of a gentleman. Was present when prisoner left for Rochester. On the morning of that day, Mrs. Newman followed the prisoner into the printing office, where they had some words in regard to business of the office. She said it was not properly conducted, he retorted upon her—Some sharp words ensued. A rencontre occurred, and both seemed willing for a scuffle. In about an hour afterwards, witness was called down by Mrs. Newman, who remarked to him that he must pay no regard to what had taken place, for Johnson was crazy. She instructed witness to go on with the work, and pay no attention to him. Miss Rachel was by, and said—“ Yes, Johnson is crazy, and has frequently such turns ” This was the morning of the day on the evening of which he left for Rochester. Has reason to believe that he started for Rochester with but two dollars in his pockets. When he returned, his appearance changed. He was pale, haggard, and his eyes wild. It was generally spoken of. He took his place at the table, but once after his return—did not come to his meals as usual. On the day Mrs. Newman was shot, witness went out with prisoner, up to Broadway-house, and elsewhere, in search of Mr. Mallory. On his way



he frequently stopped, and acted strangely. During this walk prisoner told him of his marriage with Mrs. Newman, by a written agreement between themselves. He would repeatedly begin to talk upon a subject, and break off abruptly.—It was a rainy, cold day. On being asked whether he looked and acted as though he was crazy, Maxwell objected. “Let us have what he said and did.” The court decided that they might ask, whether his appearance indicated insanity. To this question witness replied that he did.

Cross examined by Maxwell.—A young man named Jones, and another, now in Connecticut, worked for Johnson with witness. Johnson worked with them. Johnson did the business of the office. During the scuffle, Johnson called her a hag, said he was her victim—that she had ruined him, and made it his business to ruin others. He worked a little that day.—But not more than five minutes at a time. He was continually running down into the street. Said that he went to the committee room at the Arcade. He was out perhaps thirty times that day. His sudden startings made him believe that he was insane. This was on the morning of the day on which he left for Rochester. On his return, witness saw him first, on the day that Mrs. Newman was killed. He was standing on the steps in the hall. He took witness by the hand, and said he had a long account to settle between witness and Mrs. Newman. They went into the back parlor, with Mrs. Newman, and talked the matter over. Witness showed him the accounts of money received, and cash paid, for wages while he was absent. Johnson appeared to be satisfied. Nothing was then said about the derangement of the business.

Direct. At breakfast, on the morning of the 20th, they had some conversation about Johnson's looks. Mr. Marshman said his eyes looked very bad—they had better take care of him—he did not like his looks.

By Maxwell. A little before Mrs. Newman was killed, witness was going into the back parlor; prisoner forbid his entrance; came to the door with a pistol, and threatened to shoot him if he entered.

James L. Dougherty. Was recalled by Blunt to testify as to Johnson's affection for the deceased, but the testimony was objected to by Maxwell and overruled by the court.

The defence here rested.

The prosecutor then put in the letter from Johnson to Dougherty, [referred to before] ¶ See second page.

John Wood, recalled by Maxwell. The 8th of September was the last day that he had dealings with Johnson. During the whole time of their having business together, witness never saw any evidence of absurdity or insanity.

Rachel Newman was again called by Maxwell. Up to the



20th of November, witness never saw any thing in Johnson's conduct indicating an alienation of mind.

By the Court. Has seen him angry, but that was all the difference.

By Price. Dr. Scudder attended her mother. Witness thinks she never left the room, from the time her mother was wounded, until she died. Heard nothing said about his mind being estranged.

By the Court. Does not recollect hearing any thing said about his being crazy the day he went to Rochester. She might have made the expression as testified by Mr. Hays, but does not recollect. Heard her mother tell Johnson that he owed her three hundred dollars, and if he would pay that, he might go in welcome, but he should not go without. Witness heard no reply. Did not hear all the broken conversation. If she had heard her mother say any thing about his being crazy, it must have been in jest.

Mary Ann Newman, called by Maxwell and sworn. Knows the prisoner—witness came on with her mother from Philadelphia and resided with her until her decease. During the whole time, she never saw any conduct in Johnson, which indicated that he was crazy : nor had she ever heard any one in the house say he appeared crazy.

Dr. John Scudder. Saw Mrs. Newman about 3 o'clock on the 20th, soon after she was shot. She died two days afterwards. Was there 12 or 13 hours each day. Her reason was perfect until a few minutes before her death. The first I heard her speak of Johnson, was in the tea room, before the balls were extracted. She said 'God forgive him, and me.' She said she had been a great sinner, and hoped God would forgive him as he had punished her, and that Johnson must not have been in his right mind. Thinks the eldest daughter said the same. Heard Mrs. Newman say repeatedly, that Johnson was a good man, and she a bad woman, and was now punished.

John H. Watson. Boarded with Mrs. N. from July to the time of her death. When Johnson returned from Rochester, he appeared much altered. Saw him going through the dorman window. Looked like a different man. Witness went up into his office and conversed with him. Prisoner looked fatigued, and complained of the derangement of his office, and a report that he had run off.

Dr. Scudder recalled. Deceased frequently acknowledged the child as her's during her last moments.

Rachel Langshore. Mother of the deceased, and lived with her. Knew Johnson well, and believed him of sound mind.

The District Attorney here said he had closed the case.

Messrs Price and Wheeler summed up for the defence, and were followed by Maxwell for the people.



## Charge to the Jury.

His Honor JUDGE EDWARDS, in charging the Jury, observed, that the Law was well settled upon the subject of Murder; it was not necessary for him to trouble them with a recapitulation of facts, or arguments to show, that if the prisoner was sane at the period of his committing the crime, it was Murder. If the fact of death is admitted or made evident, it was then incumbent on the part of the prisoner, to make out that he was at the time incapable of distinguishing between right and wrong. He did not mean to say, that a slight glimmering of intellect would be sufficient; but that he possesses the necessary discretion. Lord Hale had laid down, that a child of fourteen years of age, if capable of reasoning, could be convicted; and an instance had occurred, of a child nine years of age, being convicted, it having been shown that he was a competent judge, and possessed of the necessary discretion. A mere influence of the passions, great anger, and excessive paroxysms of rage, were not of themselves sufficient to constitute a defence. It was requisite to show a specific madness, either previous to the committal of the fatal act, at the time of its perpetration, or by his subsequent conduct and appearance. His honor here went into an examination of the evidence of the respective witnesses, particularly alluding to the testimony of Mr. Flower and Mr. Hayes, as relied upon for the purpose of establishing the insanity of the prisoner. But, no overt act on the part of the prisoner was shown, in support of the assertion. There was no mismanagement of his business, and no particular criterion to verify the plea. It was not unusual for persons when in distress, to be so agitated in mind as to present the same features as those alluded to in the conduct of the prisoner. The jury, however, must decide upon that point. There was considerable evidence of insanity, arising from the nature of the transaction. It was one of so horrid a nature—so appalling to the mind that it tended to carry the conviction, that no being possessed of his reason could ever accomplish it. But it was too true, that there were such dreadful crimes, and that men could be found capable of imbruing their hands in the most horrid atrocities, and that whilst in the full possession of reason. As to how far the developing the marriage, and the recognition of the child, could have effected his mind, it was requisite to gather from the statements of the witnesses. His Honor here traced his conduct until he returned with the child. By that return he knew that he should wound the feelings of the deceased, and injure the character of her family; yet he persisted, the child was brought home, and, as it appeared led to the death of its parent. It was to be borne in mind that he stated to those conveying him to prison, that he intended to have committed suicide; and that confession tended to show his motive for performing the act in so open a manner; for if that was not his intention, he must have known that his own life would be a sacrifice of his own conduct. The testimony of Harrison was well deserving attention. The expression of "Good bye," and the manner of his saying it, was testimony in his favor. Mr. Lawton, however, gives an important declaration, which shews that at the time the prisoner must have made it, he displayed considerable self-possession. The fact of his not attending his meals regularly, to a certain extent, was in his favor, as it was not customary for persons insane to care for food. But at the same time, individuals troubled in mind, were frequently similarly disposed. The whole question was one of fact. The duty of the Jury was very serious, affecting the life of the accused, and ought to be considered with great caution. They would arrive at no conclusion, without travelling minutely over the evidence, and if there was doubt, they would give the prisoner the benefit of it. The Court did not sit for the purpose of revenge, for the mere intention of being the ministers of vengeance, and offering up the blood of the poor unhappy being at the bar. On the contrary, they were the guardians of the law, and that law never lost its value by a connection with mercy. His honor concluded a solemn, impressive and eloquent address, by entreating the jury in their retirement, so to arrange their minds, that the prisoner, if guilty, should not be allowed to escape, yet, if innocent, be shielded from the retribution of the law.

The Jury then retired, and about 1 o'clock came into Court with a verdict of **GUILTY**.



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# SENTENCE

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MARCH 21, 1829.

The Court of Oyer and Terminer was opened this morning, for the purpose of passing the sentence of the law upon Richard Johnson and Catharine Cashiere, who stood severally convicted of the crime of Murder.

The hour of opening the Court was fixed at eleven, but the doors were thrown open at ten, and in a few minutes, the Sessions Room was completely filled. About half past ten, Richard Johnson and Catharine Cashiere were brought from the Bridewel, into Court. Johnson was immediately surrounded by several officers, with whom he seemed to converse in the most unrestrained manner. Subsequently, when placed in the box, his demeanor was grave and collected. He was very decently and respectably attired. It is difficult to describe the expression of his countenance. He seemed broken, but not contrite in spirit; and while anguish of mind was apparent, it was not seemingly of that character which is the beginning of true repentance. The woman, was just the reverse in her deportment and appearance, and as soon as she was brought into court, she appeared considerably distressed, and wept with great apparent emotion. But her tears were dried before the Court came in; and she listened to her sentence with perfect composure, though with due solemnity. She is a good looking young woman, with but a shade of the olive complexion, dark lustrous eyes, and rather an agreeable expression of countenance.

The sentence of Johnson was pronounced first. On the usual question being put, "If he had any thing to say, why sentence of death should not be pronounced according to law?" he addressed the Court, as follows:

If your Honours please—I am asked, "what I have to say, why judgment of death should not be pronounced upon me?" To this, I reply, to the judgment of the law, NOTHING. A jury of my country has pronounced me Guilty; and there remains no discretion with the Court, but to pronounce upon me the sentence of the law. But to the judgment of the world, I have much to say. I have been convicted of a crime, the bare recital of which, causes humanity to shudder; and it is a duty I owe to myself, while living, and to my memory when dead, that the circumstances of my offence should be fully explained.

Before entering into this detail, I must take this public opportunity, in the name of that Omniscient and All Merciful Being, who will hereafter pronounce *His* judgment, alike upon



my judges and myself, of disclaiming any knowledge of the transaction of that fatal 20th of November.

I do not mean to impugn the decision of the jury;—the movements of the mind were beyond their power to penetrate, and hard as is my fate, I humbly bow to their verdict.

I cannot here enter fully into the details of my intimacy with the unfortunate cause of my own present awful situation. Duped and betrayed as I have been, into sorrow, despair, and lastly involuntary crime, I am unwilling, while living, to indulge in unavailing reproaches.

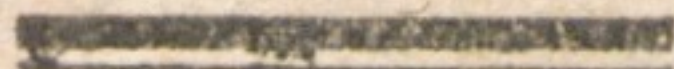
In life the deceased was the object of my tenderest affection,—an affection that her own unkind conduct seemed but to inflame, and that, baffled in its honorable purposes—expelled reason from her throne—and in its absence, led to the commission of the offence for which I am now to satisfy the offended community, by my own life. Was I conscious of any moral guilt, at this result I should not repine. Accustomed throughout my life to respect the law, I have not now to learn that the blood of a murderer is alike a propitiatory sacrifice to the laws of God and man. Convicted of the legal crime, I know my fate. For the moral offence, I have to answer to my conscience and my God; and that innate monitor tells me that I stand before this court and community a legal, but not a moral murderer.

To my counsel, who have so ably, though vainly managed my defence, I tender my warmest thanks.

Of the Court, I have but one request to make—that the period allowed me, to prepare for my impending fate, may be as long as the law will permit.

His manner was firm and collected; his articulation, deliberate and distinct; and he delivered himself with a studied oratorical air.

His Honor Judge Irving then pronounced his sentence as follows.



Richard Johnson, you have been found guilty by a jury of your country, of one of the greatest crimes a human being can perpetrate. Instigated by evil passions you have suddenly and with premeditated violence taken the life of a fellow being. Ursula Newman, the victim of you unbridled passions, was but shortly before the commission of this offence, the object of your strong attachment. Yet that attachment not being based upon virtuous affection, has enkindled those furious passions, which have plunged you into guilt, and have terminated in your destruction. You stand a melancholy proof how speedy can be the transition



from one licentious passion to another, and that vice is so all absorbing in its nature, that he who gives himself to its indulgence will eventually be led on to deeds of the greatest depravity.

The object for several years of your improper pursuit has at last perished by your hand. She has been hurried by you out of existence, without time allowed her for preparation. Her children, some of whom are of very tender years, and who were entirely dependent upon her, having been deprived by you of their earthly support, and are now cast upon the world orphans and destitute.

I mention not these painful circumstances to harass your feelings, deeply as I trust they must be afflicted by these consequences of your crime. I dwell upon them for a better purpose. I would awaken your mind to a sense of its situation, with the hope of leading you to contrition. It is one of the most consoling principles of our religion, that however great are our offences, forgiveness will await the contrite, and that our Maker is as merciful as he is just.

The character which was testified of you on your trial, was that of being industrious in your habits, upright in your dealings, and kind in your general deportment—that you had been brought up to a reputable business, and which you was diligently pursuing for a livelihood. Young in life, had you only kept a vigilant guard upon your conduct, you had every thing to hope. The indulgence in one vice has blasted these expectations—has hurried you into the commission of an enormous crime, and has left you miserable and desolate. While we pity you, public justice requires that you be held up an example and a warning to others. We would enjoin you not to be misled by the hope of escaping the fate which must soon await you. The yielding to such hope, will only be to fill your mind from that serious reflection which your present situation most solemnly requires. What is left to you of life, is too short to be passed otherwise than in humble preparation for your future state. Let your thoughts be anxiously devoted to your religious duties; and while every thing is failing you here, let your reliance in penitence and humility of soul, be placed upon Him, who, in the deepest extremity, is able to console and sustain you.

The sentence of the Court is, that you, Richard Jonson, be taken hence to the prison from which you last came, and from thence on Thursday the seventh day of May next, to the place of execution, and that there, between the hours of seven in the forenoon and twelve at noon, you be hung by the neck till you are dead. May God prepare you for that awful event, and have mercy on your soul.



## Further Particulars.

The last awful sentence of the law was carried into effect yesterday, (May 7, 1829,) on the person of **RICHARD JOHNSON**. About half past 8 o'clock, he was taken from his cell in the Bridewell, and placed in a carriage, accompanied by High Constable Hays and the Rev. Mr. Dunbar. The cavalcade now moved slowly up Broadway, in the first detachment of which were seen High Sheriff Shaw and his Deputy Mr. Lowndes, mounted and attired in deep mourning, with chapeau and sword.

At a few minutes past 9, the procession arrived at Bellevue, where the prisoner was taken on board a steam boat, prepared to convey him to the place appointed for his awful fate, on the northern point of Blackwell's Island, on a knoll, near the edge of a marsh. At this well selected, but solitary place, surrounded by a few stunted bushes, the instruments of execution had been erected. On the approach of the boat to the fatal spot, the Sheriff informed him that the time had arrived when he must perform a melancholy duty—Johnson bared his neck, bowed his head composedly, and the cord which was to deprive him of life was placed on him. At this moment a kind of frenzied gaze was in his eye, which seemed to indicate a doubt of the reality of his situation. A few minutes after this ceremony the boat arrived; Johnson walked to the shore on a plank, and was immediately conducted to the gallows; here a prayer was addressed to the throne of Grace, after which the unhappy man ascended the ladder with a firmness deserving a better cause. The rope was adjusted on his neck, and a cap drawn over his face; the Sheriffs then descended, and in the twinkling of an eye the drop fell. He appeared violently convulsed for 4 or 5 minutes, when his earthly sufferings ended.



He was deluded with a hope of pardon to the last moment, and to this may perhaps be attributed the apparent indifference to his fate displayed during the morning. He had intended to speak on the gallows, but forbore from the apprehension that his words might be misrepresented. It was observed as a singular circumstance, that a little bird commenced singing melodiously on a neighboring bush as he ascended the gallows, and continued its notes till he was swung off.

Several boats were upset, and four or five persons said to be drowned.

During the whole proceeding, the conduct of the Sheriff was highly praiseworthy, and through his excellent arrangements, aided by the Highly Constable, the utmost decorum was observed.