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POISONING BY ACONITE.

Trial of John Hendrickson, Jr., for the poisoning of his wife in 1853.

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[Reprinted from the Medical and Surgical Reporter.]

In reviewing this celebrated trial I shall only give a synopsis of its various parts :—

1st. The medical testimony, including the dissection, *post-mortem* condition of the internal organs, etc.

2d. The moral and circumstantial points of especial importance taken from the address of District-Attorney Colvin and Attorney-General Chatfield. Also quotations from Judge Marvin's address to the prisoner before sentencing him.

3d. The legal evolutions of the same.

4th. The review of the letter of Prof. Alonzo Clark, of New York City, and others, as copied from the Albany *Evening Journal* and *Argus* of May 1st, 1854. This was an *ex parte* statement made by himself, (unsolicited by Prof. T. Romeyn Beck,) and presented to Governor Horatio Seymour less than one week before the time fixed for execution, and about one year from the conviction of the prisoner.

5th. Also a review of two resolutions passed by the Pathological Society of New York City. The able and comprehensive review by Prof. T. G. Geoghegan, who so fully elucidated the justly celebrated case of McConky. (See Dublin Hospital Reports.)

In this celebrated trial, though the indictment was rendered "Poison by corrosive sublimate," Dr. Geoghegan, after examining it in all its bearings, stated that McConky was evidently poisoned, but that the special agent employed was aconite; notwithstanding it could not be detected in the body, yet from its known physiological effects and the appearances *post mortem*, he was enabled to state what the precise agent used was; while the subsequent conviction and confession of the prisoner fully confirmed the correctness of his judgment.

I am frequently asked for a copy of Dr. Geoghegan's letter in reference to this case; I therefore take this opportunity to present it and its merits to the profession. I trust no one can read either of these reports of Prof. Geoghegan without feeling thoroughly convinced that he is familiar with all the details of vegetable poisons. The publication of this article is prompted from various considerations:—

1st. It is due the profession that a report of its great intrinsic worth should not be lost for want of publication.

2d. The *ex parte* views of Dr. Clark were sought and advanced to the detriment of the merits of the case and in opposition to the facts in the premises.

3d. While the same party has recently sought to pervert the merits of this testimony, that it might be used to the detriment of one of the medical witnesses, (in another criminal trial,) and who had investigated both of these cases, and thereby became of necessity a medical witness for the prosecution, it therefore behooved me to present a synopsis of the matter, that an enlightened profession may judge of the merits and demerits for themselves.

4th. In the American edition of Taylor's Medical Jurisprudence, by Dr. Hartshorne, of Philadelphia, is an allusion to this identical Hendrickson case, which, at first sight, might appear as if from the pen of Prof. Taylor; but, upon careful inspection, it will be found to emanate from an entirely different source. In other words, this notice never would have found a place in the

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American reprint by the sanction of Prof. Taylor; nor was it placed there for the advancement of science; nor do we believe Dr. Hartshorne would have allowed it had he known the motives which prompted its introduction.

Dissection, post mortem, about thirty hours after death. Saw body about sixteen hours after death.

External appearances.—Face and anterior portion of the body unusually pale and apparently bloated, swollen, or puffed—the face decidedly so—and presenting an almost translucent and watery appearance, though very calm and composed, and no distortion. Eyes and mouth closed; teeth about one-quarter of an inch apart.

On the inside of lower lip, a little to one side of the median line, and down near the alveolar process, so that it could not have been injured by the teeth, was a distinct, true ecchymosis as large as a dime, and in this was a cut of one-quarter of an inch in length, extending through the mucous membrane and into the tissue beneath; both were evidently produced at or near the time of death.

On the posterior part of the body there was extensive suggillation, nearly two-thirds of the way round and extending from the hips to the head. The blood seemed to have all forsaken the anterior and gravitated to the posterior portion, evidencing its great fluidity.

Post-mortem rigidity and elasticity was remarkable. The entire voluntary system of muscles were so rigid and elastic as to prevent them from being relaxed. The jaws were firmly fixed, the arms and legs would fly back with great force when any attempt was made to flex, extend, or separate them. Upon dissection, the rigidity and elasticity were found to exist only in the muscular structure, and was not in fact simple cadaverous rigidity, since it was noticed by all who saw her when she was "not quite dead," as witness expressed it. The neck was so stiff that in attempting to bend it the whole body would be lifted up. The lips were of a bluish white, and swollen.

All these external appearances were noticed before she was in any degree cold, and perhaps not quite dead, as will be seen by reference to Attorney-General Chatfield's address. The tongue was extremely white, furred, swollen, and indented on the edges, as if by the teeth. The heart was healthy but empty, except a small clot in the right auricle. Lungs healthy and normal—cavas contained about two ounces of dark, fluid blood. Liver healthy and normal, while the gall-bladder was not more than half full. Spleen, kidneys, and pancreas were healthy and normal. Womb was indurated and enlarged very much and adherent about one inch to the small intestine, while the os was ulcerated; internal cavity twice its normal caliber. The ovaries were enlarged to about twice their normal size, while one of them contained a clot of blood half an inch in diameter near its center. The blood contained in the above-named organs had so far gravitated to the capillaries of the dependent portion of the body that during the dissection the hands and instruments were scarcely soiled with blood; while the only blood in these organs was mostly in the cavas, and that in a fluid state.

The dura mater was more than normally adherent to the skull; the arachnoid presented some opacity near the top of the skull; the brain was healthy, while upon its surface it was congested, or its veins were full of blood—slightly congested; the base, and the spinal cord of the cervical vertebræ, were normal and healthy. The peritoneal surface of the stomach and intestines was red and congested. The stomach was contracted to about two inches in diameter, (one-third of its normal capacity,) and thickened by this contraction to more than twice its normal condition. The mucous membrane was thrown, from the contraction of its muscular coat, into folds, and covered with bloody viscid mucus. This mucous coat was at least five to six inches in diameter, and from this, some idea can be formed of its folding or corrugation. The duodenum and all the small intestines were contracted both ways, longitudinally and transversely; its inner coat was highly congested, folded upon itself, and covered with mucus mixed with blood. The jejunum was in a high state of congestion and contraction, its mucous coat covered like the duodenum with mucus strongly tinged with blood. The ilium was considerably congested and contracted, but a little less than the jejunum; the mucous coat covered with viscid matter and more highly tinged with blood. All these portions of the intestines were contracted to about one-half their normal diameter, while the corrugation was strongly marked. The viscid matter had somewhat the appearance of chyle and chyme, while in none of them could there be found anything resembling excrementitious or fecal matter. The cæcum was filled with thin, watery, fecal matter, and

the walls in contact with it were considerably congested; in it were lemon, coriander, and other seeds in considerable quantity. The upper part of the colon contained thin and less watery fecal matter than the cæcum; nearer the rectum it became more solid; the lower part was quite dry and hard. The rectum contained fecal matter dry and hard as if from extreme costiveness. The bladder was quite healthy and empty, but contracted to about two inches in diameter, while its mucous coat was thrown into folds, and its muscular coat was firm and rigid. Its mucous lining was full four inches in diameter.

Hendrickson (the prisoner) stated, when examined before the coroner, that—

"The deceased was in her usual health, and had partaken of her food as usual, but that she had not had a passage for two weeks, and suffered pain as a consequence; that they went to bed between ten and eleven o'clock, talked about an hour; she then requested him to turn over and stop talking, as she wanted to sleep. They went to sleep; between two and three o'clock he was awakened from sleep by the horses kicking in the barn; found deceased lying in the center of the bed, and he against the wall. He thought her dead, and hallooed for the family."

This would leave only three hours from the time he went to sleep to the time of finding her dead, as he says, while the family thought her not quite dead, as will be seen by reference to the moral part of the article. All the organs were healthy and sound as far as organic disease is concerned.

The opinion drawn from the preceding facts by the examining physicians was, that she did not die a natural death; but that it was induced by the ingestion of poison, while, from the analogy of these post-mortem appearances to a great number of animals poisoned by aconite, they gave the opinion that this was the special agent employed. This, conjoined to the chemical analysis, made them more sanguine in their opinion.

The succinct review of the chemical evidence may not be amiss in this connection.

The chemist, "Dr. Salisbury, took a small portion of the stomach of Hendrickson's wife—its mucous surface, and a small portion of the duodenum, and with a portion of the solution obtained from these, he first tested for prussic acid and other poisons, and not detecting their presence, he took another portion of the same and tested for aconite, and the tests indicated aconitine, the poisonous principle of aconite. This, however, did not establish that he had found aconitine. Another process, nay, two other processes, by analysis, were resorted to, and a precipitate was obtained. But this did not establish that he had found aconitine. There was yet another test to be adopted, and the only test, by which the presence of aconitine can be established—*the test of taste.* That was tried. A portion of the precipitate was placed on his tongue. It gave a bitter taste—a sparkling sensation at first, which, in three or five minutes, turned into numbness, producing a stiffness of the surface. *That test established the presence of aconitine,* for there is no other known substance, either in the animal or vegetable kingdom, so all the writers on toxicology assert, which gives this certain and peculiar taste of aconitine. But Dr. Salisbury did not stop here. He enveloped the residue of the solution in pieces of beef-steak and fed it to a cat. In about half an hour she exhibited a choking sensation and swallowing; this was followed by slight contraction of the muscles, twitchings, which moved the limbs slightly, and this by a tendency to vomit. These spasms lasted from one to two minutes; considerable stupor succeeded; she lay down upon her side and breathed heavily, as though she was under the influence of some narcotic. This lasted for some time; it gradually passed off, and in about three hours she was quite natural again. Here again was an indication of poison. To this same cat he subsequently administered the tincture of aconitine, and it killed her in an hour and a half, and the *post-mortem examination of the stomach and intestines of the cat revealed the same precise appearances which those of Mrs. Hendrickson exhibited.*

"In some thirty other experiments with aconite upon cats and dogs, the post mortem revealed the same unmistakable appearances, while no other poison produced any such effects."

The points of moral testimony, as selected from District-Attorney A. J. Colvin's address to the jury at the time of trial:—

The prisoner, John Hendrickson, Jr., is a young man of twenty years of age, of respectable parents, born in the town of Bethlehem, County of Albany, where he has resided since his birth. He married (deceased) Maria Vandeusen, daughter of Lawrence Vandeusen, late clerk of Albany County, and recently deceased. Maria, at the time of her marriage, was seventeen years of age, while at her decease (March, 1853) she was nineteen years of age. She was well educated, accomplished, amiable, kind-hearted, affectionate, and devotedly attached to her parents. Previous to deceased's marriage, Mr. Vandeusen had retired from his lucrative position (as county clerk) with the reputation of being wealthy.

The prisoner considered the connection advantageous to him, and consequently married deceased in January, 1851, although it was opposed

by deceased's parents on account of Hendrickson's well-known bad character. The prisoner and deceased resided with Mr. Vandeusen for some time after their marriage. In the following summer (1851) the prisoner committed a gross assault upon a respectable young lady at Clarksville, (the residence of Mr. Vandeusen.) In consequence of this, the prisoner left and went to Corning. During his absence of three months, his wife was delivered of a child. Soon after his return, this child was found dead in bed under peculiar circumstances, the prisoner occupying the middle, deceased the back, and the child the front of the bed. Soon after this, prisoner communicated to deceased a venereal disease, which was the original cause of her subsequent uterine disease, besides being a source of great mortification. This led to his dismissal from the house of Mr. Vandeusen. During the following fall and winter, previous to deceased's death, her general health became entirely restored, with the exception of the uterine disease before mentioned. This continued to trouble her, probably from some chronic inflammation or weakness.

During the following January, prisoner induced deceased to visit his father's house two or three consecutive times. Again, about the middle of February, prisoner and his sister induced deceased to make a fourth and last visit to his father's house. At this time, it will be seen (by reference to prisoner's testimony) that deceased was in the enjoyment of her usual health, which was good. During a visit to her aunt, on the Saturday before her death, deceased ate heartily, and returned to the house of the prisoner's father in the evening.

The next day, we find her partaking of her usual meals—breakfast in the morning, dinner at three P.M. In the evening she attended divine service, at a church about three miles distant, returned between nine and ten o'clock, read for the family from the Bible and also a religious paper, and retired to bed with her husband about ten P.M.; laid and talked about an hour, and went to sleep at her own request that they should cease talking. About two o'clock A.M. (Monday) he awoke (from noise in the barn) and found her dead, and lying in the center of the bed, at full length on her back, with her hands either crossed or lying down by her side. The bedclothes covering her person, and in all things appearing as if she had been carefully laid out for burial. The prisoner occupying the back of the bed against the wall (a narrow, old-fashioned, corded bedstead at that,) and calling for a light without changing his position, except he sat up as the family came into the room with the light. The room was in the northwest corner of the attic portion of the house. The prisoner and deceased had, until the last night or so, slept on the first or principal story, and in (below stairs) the southwest corner of the house, in which room also slept two of the sisters of the prisoner. For some unknown reason their sleeping apartment was changed, and for two or three nights previous to her decease, she and prisoner slept in this attic bedroom.

Early next morning the body of deceased was removed to her mother's, (about six miles distant.) The prisoner followed the body. On the same day (in the afternoon) a coroner and physician are summoned from the city; a coroner's jury is empanneled, and prisoner's testimony taken the same evening. His relation of the circumstances of deceased's death was so extraordinary that a post-mortem examination was demanded by the jury.

Among other things, prisoner told Mr. Aley (deputy-sheriff) that when he awoke she did not move; he tried to move her with his hands, but she was stiff; and in this connection stated that she was well, and her appetite as good as usual. The following morning (Tuesday) the dissection took place, during which the prisoner was uneasy and anxious to know what the physicians and coroner were doing. He inquired of a person, (whom he supposed knew,) "what they are doing, and what they find?" Being told that they were taking out the stomach, and that it was not known that they had found anything, he remarked: "One thing I do know, they won't find arsenic." The prisoner made another remark to Mr. Aley (deputy-sheriff) when he was about to arrest him; prisoner said: "Suppose they put poison into her stomach yesterday, can it be known or ascertained?"

The week previous to his wife's death, prisoner was in several drug stores about Albany, searching for the most subtle poisons, one of which was prussic acid, but did not find it at the store inquired of, (Springsteed & Bullock's.) On Saturday (as his wife died on Sunday) he went into another drug store, and some time during the same week a person answering the general appearance and dressed in a costume corresponding with the ordinary apparel, etc. of the prisoner,

bought of the druggist Burroughs an ounce of the tincture of aconite; and Burroughs swears he believes the prisoner was the man.

So, also, when prisoner was being examined before the coroner, the evening after his wife's death, he was asked "when he was in Albany?" and answered: "Two weeks ago last Saturday." Upon being further questioned, as if thinking, he finally said: "I believe it was a week ago last Saturday;" while upon being questioned still more closely, he remembered that "it was last Saturday;" (this was on the following Monday.) He stated that his business in town was to take a load of logs to mill, (this mill is about two miles from the city,) and that while in Albany he stopped at several places, but did not mention a drug store; while on being questioned as to whether he was in a drug store on this Saturday, looked up as if startled at the question, hesitated, and finally "did not remember."

In the summer of 1851, following his marriage, he made a promise of marriage to a young lady, (in Schoharie County,) who afterward wrote a note to him at New Scotland, announcing her preparation for the marriage, and urging him to redeem his promise, and this came to the knowledge of deceased. Mr. Van Deusen died on the fourth of October, devising all his property to his wife during her lifetime, and on her death one-half to his son and the other to his two daughters. Prisoner's wife told the prisoner that whatever might come of her share, he (the prisoner) should never have it. After Mr. Van Deusen's death she charged prisoner with being a thief, and with gambling at different places. He (about this time) asked deceased if he should get her some medicine. She answered, no. He urged the request. She again replied: "No! last summer you got me some poison and I would not take it and burnt it up."

In connection with the moral testimony, it may not be amiss to give a few quotations from the address of Levi S. Chatfield to the jury, as embodying his views upon the medical, moral, and circumstantial evidence in this case.

"We find the deceased lying in the middle of the bed; the prisoner sitting up in the back part of the bed; she lying perfectly natural, with her hands folded on her breast, the bedclothes and her own apparel smooth and undisturbed; nothing, in short, to indicate the mortal agony, the death struggle of the separation of soul and body; but there she lies, like natural and peaceful sleep, with not a ripple in her glossy hair, nor the distortion of a limb to show that violence preceded death.

"At this stage of the case we are called upon to show that this death was not the result of natural disease, but that it was the effect of violence. This is deducible from the conduct of the prisoner and the family on that occasion, and the external appearances of the body, as well as from the medical and chemical evidence. I believe this death not to have been a natural one, from the conduct of the prisoner and the family on that eventful night. I ask you to believe nothing whatever with regard to the complicity of the other members of the family in this tragical affair, and I would to God that I could not; but a horrible suspicion has fastened itself on my mind, which I cannot shake off. But the acts of all are important, so far as they bear on the question we are considering.

"You find the prisoner sitting in the back part of the bed, and saying or doing nothing. Counsel says he was paralyzed. How, then, could he call out? Why, gentlemen, who that knows anything of the workings of the human heart does not feel that, had he been innocent, he would have jumped out and rushed for a light, instead of calling for it. But no! there he sat, as calmly and undisturbed, from all accounts, as though it were a dog which lay dead beside him. This fact is full of significance. Now we do not know how long he sat there. There is no evidence of the time. What was the conduct of the family? Not one word was lisped then among them in regard to her death! They did not believe her dead, they say, when they first reached the chamber. They made efforts to revive her, they say, but not one word was uttered among them in regard to sending for a physician, nor for the neighbors, until they *knew* she was dead. Why, gentlemen, what would you do, were you to wake up and find your wife lying as though dead beside you? I am certain that my first act would be to spring out of bed, and my first thought to send for a physician. Dead or not dead, I would see what could be done to revive her; and, whether the physician was far or near, I should send as speedily as possible irrespective of distance; and so would you, gentlemen.

"Another singular feature in their conduct:—What was it that made all these people look under the bed, and look into the chamber, and all know so exactly what were the contents of that chamber? Who would, if they were attending the dead, prowl around in this way? What motive induced them to be so singularly curious about this particular vessel and its contents, and why were they searching the room to ascertain that no vessel of any description was to be found there? Why were they looking for things of this description at all, instead of devoting their attention to the deceased, unless a horrid suspicion provoked this most unnatural curiosity?

"There is another piece of evidence, and it too is significant: what became of the candle with which John went to bed, and which was left for

him on the table in Matthew's room? What became of that candle? for it is sworn that there was no candle there. Now, if there had been a half-burnt candle there, remembering all the circumstances, would they not have noticed and remembered that? Was not that candle employed in concealing the evidences of the night's damning work, and was not this the candle seen by Wendell Oliver?

"Now when she was dead her face was found to be swollen. This is sworn to by those who knew her well. This is important, as characteristic of the effects of aconite. Another is the unusual rigidity sworn to by Matthew and several other witnesses, including the prisoner, and also what the old lady said about the jaws — that she tried to open them, and could not.

"If Matthew is to be believed, there was a marked and unusual rigidity of the muscles; and this is a characteristic of the poison. I care not how much he may now seek to qualify his testimony. She had been dead but a few moments, the body was still warm; and yet he found the limbs stiff. Counsel have tried to explain this, but the attempt seemed very like a cry of woe, 'that all was lost.'

"There is a marked difference between ordinary cadaverous rigidity, always present in a greater or less degree in the dead, and that sudden rigidity resulting from muscular contraction and produced by spasmodic action. This distinction is readily perceived by the practical eye, and is never found in the bodies of those who have died of natural diseases.

"That it existed here, we have the evidence to which I have called your attention; in addition to which you will recollect that the prisoner told Mr. Aley that when he woke up he found his wife *stiff*.

"There is another question bearing upon the pathological evidence in this case, and that is the evidence of Mr. Meads. He says, when he first came in he put his hand upon her heart, and thought he felt a fluttering; but the second time he did so thought he was mistaken. It will be for you to say whether he felt the heart flutter, and it is my opinion that he did. This action of the heart is continued for some time after respiration has ceased (and *vice versa*) in poisoning by aconite, and seems to be one of the characteristic effects of that particular poison.

"The external appearances to which I have thus far called your attention, were all noticed before the removal of the body from Hendrickson's, and within a short period after her death.

"Deceased's mother, Mrs. Van Deusen, noticed an unusual pallor. She says there was rigidity, and also a swelling of the face, around the lower part; and there was a constricted, retracted appearance of the lower jaw.

"Now, upon the hypothesis that aconite produces contraction of the muscular system, these appearances are synonymous with its effects.

"She also tried to move the arm, and, when lifting it, it flew back—this is called elasticity, and almost always accompanies death by the poison of monk's-hood.

"Another thing which was noticeable about the body, and which I say is characteristic of this poison—aconite—is the blueness of the lips, noticed and sworn to by the witnesses.

"There is another thing, gentlemen, which speaks volumes in this case, and it is that ecchymosis, or spot upon the lip. What was it? Where was it? It was a bruise about the size of a sixpence, inside of the lower lip, a little to one side; and it was a cut. Now, how came that wound on the lip? The medical men say it could not have been produced after death; and how came it there? Even had she contemplated suicide, I shall ask you how it came there? for in doing this it never could have occurred. That cut was inflicted when the phial was placed to her mouth; was inflicted when the fatal dose was forced down her throat. The sore lip, which it is said she complained of on Saturday, (if there was a word of truth in that absurd story,) would not account for it, for it was a flesh wound. It has not been accounted for, and, while it stands unexplained, is of fearful moment to the prisoner; it is most pregnant and conclusive evidence in this case, and is one of those incidents which traces out a murder; and it seems as though there was a Divinity which by these things, small in themselves but great in their connection, trace out a murderer and reveals his crime. This bruise tells a fearful tale.

"The conduct of the prisoner and family again become important. Let us recall his position and deportment. When found, he was calmly and quietly sitting up in the back part of the bed, and his wife lying dead before him. This calmness was unnatural; it was such conduct as admits of no explanation on the hypothesis of his innocence; and was altogether too stoical for weak human nature. No feeling, no emotion was manifested. We have no evidence that a tear was shed in that chamber of death. The whole scene speaks of some terrible calamity which, by overwhelming them, had dried up the fountains of grief.

"The counsel says the deepest grief is not loud. But I don't like to see a dry-eyed mourner; I always doubt the man or woman who can see loved ones lost to them, and do not shed a tear. In a true heart the great outlets of grief will bubble up and tears will flow; a true heart cannot restrain the promptings of nature.

"It has been said, by counsel, that prisoner has said she was dead; he had good reasons to say it, and to know it also. He sat there in bed manifesting no emotion or feeling. There he sat and continued to; it is true, he shook her, and said—'Maria! Maria!' Gentlemen, I say this is not natural, not according to the feelings God has implanted in the human heart. If he had murdered her; if he was so hardened as to have poured poison down his wife's throat, I should expect no more feeling from him. I would to God that another horrible feature of this night's

transactions had left no trace on my mind—that I could rid myself of the hideous impression!

"According to the evidence, Matthew came up with a light, and there he stood at the foot of that bed of death, the prisoner sitting up; and there they stood, these two brothers, looking at each other, not one word exchanged between them, not one remark; but there they stood looking at each other!

"Gentlemen, if that chest, on which the prisoner afterward sat, could be made to give up its secret, there, in my opinion, would this horrible mystery be fully unfolded. Doubtless it contained the damning evidence of his guilt; and it was for this reason that he obstinately retained his place upon it. When the neighbors came he still sat there, maintaining an unbroken silence; occasionally, apparently, sighing as described by Mr. Meads.

"The whole proceedings leave an impression which is most painful. If that scene could pass before some magic mirror, we would have a picture such as we may now imagine.

"Now, this man's account of the death of his wife is a strange one. He tells two different stories to Stephen Van Deusen, both in a careless, unconcerned way, as though no wife were dead, and as though she were not then lying unburied beneath her mother's roof. It will be remembered that Van Deusen and the prisoner went from the wood-house to the barn, and in a short conversation at the barn he gives two relations of the manner of the death of his wife. In one he says they went to bed at 10 o'clock, and he woke up at 2; and in the other, told but a very short time after that, they went to bed at 11 o'clock, and he woke up at 3. If the story was true at all, there would have been no difficulty in making it a straight and consistent one.

"Now, as to his examination before the coroner's jury, though it reveals matters which are falsehoods in themselves, yet they act as truths in this case. Here he denied being in any drug store in the city the week preceding his wife's death; and when the inquiry was made whether he had been in a drug store in Albany, he gave a singular start which betrayed alarm. Now he had been in one, as has been clearly proved. Gentlemen, when a party raises a falsehood in a case, it is a presumption against him. Why did he deny it? Because he already felt that his crime was suspected, because then the image of his murdered wife came up before him; because he felt that it was a telling fact against him!

"First, gentlemen, the matter of that sore lip is a fabrication; it was all false. That was not the sore she is said to have complained of, and those who swore to it knew so; it was all false from beginning to end; and this bruise is alone accounted for as I have before stated to you.

"The second fabrication was that in relation to John's speaking to his mother in the room in regard to his wife's death. All the witnesses, Matthew, his wife, and Maria, say that no questions were asked, and that not a word was heard there or said about it. I said it was a fabrication; and I verily believe, if the old lady had been called when Maria was, we would have heard nothing of it. But after her examination it was found necessary to patch up something to cover the weak point exposed, and the old lady is made to remember this conversation.

"Another fabrication is about prisoner not being in town on Tuesday, and to prove the falsehood we have three disinterested witnesses. Shall we believe them, or shall we believe those relatives who stand in such a peculiar situation in regard to the prisoner, and who are again brought on the stand, and at a late hour, to swear to it?

"Another fabrication, and this also attempted to be proved at a late stage, was the statement of Matthew, that the day himself and prisoner were in town together, he left prisoner in front of Springsteed's drug store, and went on to the widow Hendrickson's in Pearl Street, where, in about five minutes, he was again joined by the prisoner. Now I say that the prisoner did not go at all to the widow Hendrickson's, or within any such time as Matthew says, for he was seen to come out of the store and go up Pearl Street, and could not have met Matthew within many minutes of that time.

"Now, gentlemen, as to the matter of prisoner's wife eating her meals on the last Sunday. From all the evidence in regard to this, it is very clear that they desire to create a false impression as to her state of health; but it has failed to leave any conviction on my mind that she did not eat her usual meals, and I think it has also failed to satisfy you of its truth."

Extracts from Judge Marvin's address to prisoner:—

"The jury have considered your case with deep solicitude. Your zealous and able counsel have not, for three weeks, sought natural repose before considering the power, force, and effect of every syllable of evidence adduced through the day, nor without endeavoring to anticipate and to prepare for that which might be adduced on the morrow. The Court has been solicitous to commit no error." * * * "My mind has been oppressed and appalled at the magnitude of your crime. It has been said, well and eloquently by counsel here, that the murder of which you are accused was one of great peculiarity. You employed, for the purpose of accomplishing the deed, a deadly poison—an active vegetable poison, peculiar in its character, and difficult of detection; and I greatly fear that he who communicated to you the knowledge of poisoning by aconite, communicated to you also the difficulty of its detection. Relying upon this information, and confident that the instrument of your crime would be forever hidden from human eye, you committed the fearful deed. Empirics and quacks, though they may learn enough to do mischief, and even acquire the requisite knowledge to use as a medicine a deadly

poison without always producing fatal results, often fail in acquiring the knowledge which enables men to avoid evil, and to know the force and power of the material which they use.

"I refer thus prominently to the opinion that there are poisons which cannot be detected, because I desire to impress, not only upon you, but upon all, the fact that as science advances—as it unfolds to the student the great storehouse of knowledge, and lets man penetrate into the very arcana of nature—that, as it advances, step by step, it enables its votaries to detect the most subtle poisons, and to trace the very footsteps of crime. Chemists are enabled now, through the wonderful developments of science—and science detects your crime—to detect almost all poisons, whether vegetable or metallic, to trace out cases of poisoning (no matter what may be the character of the poison administered) with almost unerring certainty. And it is as dangerous to attempt murder with the most subtle vegetable poison, and as certain to be detected, as if the murder were committed with the dirk or the stiletto. Your case may have its moral effect upon community in this view of it. Community should understand that the crime of murder cannot be committed, in this day of light, in any manner or by any means, without leaving the evidence of guilt; and this evidence always points out unerringly the guilty individual.

"But there was left a piece of evidence in the case, which indicates, with a certainty almost unerring, the mode and manner of her death. I do not now allude to the scorched path which has been traced out by science in the alimentary canal—a path scorched by the liquid poison which you administered—but I refer to the mark left upon the lip of your victim. Little, very little, has been said about that mark, although it has been alluded to, and commented on by counsel, and very properly. To my mind, sir, it has been the strongest piece of evidence in the case; I will not say strongest, because this might appear to be casting some doubt upon the medical testimony which has been adduced. But it is to my mind overwhelming. Science can tell us whether such a wound occurred before or after death; science, from the indications apparent, says that it occurred before death. That wound was as large as a six or ten-cent piece, and had within it a cut a quarter of an inch in length. What explanation has been given in relation to it?

"We know, however, without the aid of science, the consequences of such an injury. It produces excessive pain in a living subject. If there had been such a wound on the lip on the day preceding her death, every member of the family would have known it. How was that wound produced—how caused? This was a terrible question for you to answer. It has been answered by the jury. It can only be answered on the hypothesis that you inflicted this injury by forcing the fatal liquid into her mouth before death. I refer to this, not for the purpose of bringing before your mind the fearful scene of that terrible night, but for the purpose of inculcating that truthful moral that 'murder will out;' that man cannot shed the blood of his fellow-man without leaving traces by which his fellow-men may detect the crime.

"I will not attempt to paint the scene in that room that night. I hope that no mortal eye saw it or knew aught of it, except yourself and that frail being whom you violently sent into another world—whose spirit took its flight at your command—uncalled and unbidden by its Maker."

Upon this moral, medical, chemical, and circumstantial evidence, the prisoner was convicted of the crime of murder, and sentenced to be hung. A certiorari was allowed by Hon. Wm. B. Wright, on application of the prisoner, and the case was taken to the general term of the Supreme Court for review upon exceptions taken at the trial. After full argument before that tribunal, the Court affirmed the judgment of the Court of Oyer and Terminer, and thereupon the case was, on the application of the prisoner, removed to the Court of Appeals (the highest judicial tribunal of the State) for further review. Here, again, the case was most ably argued; and this Court, after the most careful deliberation, affirmed the judgment of the Supreme Court and the Court of Oyer and Terminer, and returned the case to the latter Court for execution of judgment. Sentence of death was thereupon again pronounced upon the prisoner, and in pursuance of such sentence he was executed on the fifth day of May, 1854.

It will be perceived by this statement that the life of the prisoner was protracted, by the various appeals taken by him, for over eight months after the date first fixed for his execution. During which period, the friends of the prisoner were indefatigable in their attempts to forestall or influence executive action in his favor, by ex parte and unsworn statements and opinions of physicians, all, at least partially, and some we have reason to believe wholly, unacquainted with the medical and chemical appearances upon which the opinions of the medical witnesses for the people, as to the manner and cause of death, were founded. These counter-statements and opinions were not only presented to the governor, but were instantaneously offered to the public through various newspapers with the evident intent thereby to create a false and unfounded sympathy for the prisoner in the public mind, and thus secure another appliance to be used in influencing executive action

(should the opinions themselves fail,) by the agency of public opinion.

We deem it, therefore, not only a matter of interest to the profession, but an act of justice to the witnesses whose evidence was thus sought to be impeached, to copy in this connection such portions of the statements and opinions so used, as seemed perhaps at the time, from the high standing of the gentlemen making them, to have been entitled to consideration, either at the hands of the executive or the public. And in furtherance of this object, also to copy from reviews of those statements and opinions made immediately after their publication, by gentlemen of the highest reputation in both the medical and legal professions.

This trial was reported and published in full by Barnes & Hevenor, a copy of which was transmitted to Prof. Geoghegan, of Dublin, who returned the following able and comprehensive review of the same:—

"ROYAL COLLEGE OF SURGEONS, IRELAND,
December 5th, 1853.

"DEAR SIR:—Accept my best thanks for the report of the very important case of Hendrickson.

"Having with much care considered the medical facts in their relative bearings, I have to state that they appear to me to establish clearly that the death of Mrs. Hendrickson was the result of the ingestion of poison, while they afford the strongest presumption that the special substance employed was aconite.

"When we find, as in the present instance, a young, and, with immaterial exceptions, previously healthy woman, dying after an illness, at the most, of four hours, and possibly much less; when we learn that five hours before she was discovered dead, she had been in good health and spirits;* when a careful autopsy reveals† an empty state of the heart, slight congestion of the surface of the brain, signs of considerable irritation of the mucous coat of the stomach and small intestines, the remaining organs in a natural state, and the blood for the most part fluid; when, further, by processes which do not generate poisonous matter, a substance is obtained which produces marked symptoms of poisoning in an animal similar in its organization to man, we have, I apprehend, data sufficient to establish the fact of death by poisoning, even though the symptoms were not observed during life.

"In the present instance, the appearances generally tend to show that the proximate cause of death was syncope.* That the last-named condition was not the result of mental emotion, or of mechanical violence, but, on the contrary, of the operation of a powerful acrid and sedative† substance acting on the heart through the channel of the stomach, is proved—1st. By the absence of any sign of violence sufficient to cause death. 2d. By the appearances of irritation in the alimentary tract. 3d. By the observed physiological effects of the substances obtained from the latter quarter.

"The possibility of death from epilepsy, or simple apoplexy,‡ is negatived by the fact that the former never proves fatal on the first access, (and when fatal, with different *post-mortem* appearances,) while the existence of the latter can be suspected in those cases only where the other organs afford no reasonable explanation of the assumed or observed disturbance of the cerebral functions during life. Simple apoplexy, moreover, rarely, if ever, destroys life in four hours.

"The absence of any sign of disease or cause of obstructed venous circulation in the adjacent organs, the empty state of the stomach,§ and the early performance of the autopsy,‖ sufficiently attest that the appearances in the alimentary canal were not of a pseudo-morbid or cadaveric character.

"The foregoing considerations, in my judgment, clearly establish that *Mrs. Hendrickson's death was the result of the ingestion of a narcotic-acrid poison.*

"As respects the special substance employed, the analysis (when collated with the maximum duration of deceased's illness) shows that it was not of a mineral kind. Animal poison is obviously out of the question.

"It, therefore, but remains to consider what vegetable matters are capable of causing death in four hours; of leaving behind in the stomach and small intestine marked signs of mucous irritation; of producing, when applied to the tongue, an acrid taste, followed, after an interval of some minutes, by a sensation of numbness, and when

* Witness Louck, Report, p. 26.

† I consider the condition of the gall and urinary bladder, the alterations in the uterus, in the cerebral arachnoid, together with the characters of the rigor-mortis, as quite unessential elements in the inquiry.

* I could cite numerous cases in which the cavities of the heart have been found empty, while the symptoms clearly indicated death by syncope. Five are given by Dr. Wright, (Pathological Researches on Suffocation and Syncope.) Some also in Lancet and Medical Gazette. The presence of blood or fibrin and clots is, according to my experience, to be expected only when the syncope has been partial, and life prolonged at least for some hours. In Mrs. Hendrickson, syncope may have supervened rather suddenly, as the sequel of other effects of the poison, and speedily terminated life, especially if the dose was considerable.

† Vide Fleming on Aconite, p. 43, as to the influence of the poison in producing death by syncope.

‡ From the present state of knowledge on this subject, it is probable that some, at least, of the cases described by Abercrombie, were in reality instances of narcotic poisoning, or were symptomatic of Bright's disease of the kidney.

§ In reference to objections on the score of coloration of the mucous membrane and mucous by gravity, putrefaction or the presence of colored contents.

‖ The admixture of the matters, obtained by Dr. Salisbury, with meat, was likely to have diminished their activity, both by enveloping the poison, and perhaps in part by the action of the gastric juice in modifying the influence of the latter. (Vide Fleming's Experiments, loc. cit., p. 104.)

administered, even under unfavorable conditions,* to a cat, giving rise to choking, efforts to swallow and vomit, muscular twitches, prostration, and well-marked stupor? I know of none but aconite, or its active principle, aconitine.

"The difficulty, if not impossibility, of separating completely animal matters soluble in alcohol, from vegetable active principles dissolved in the latter, renders, in my opinion, Dr. Salisbury's experiments with acids on the alcoholic extract of the tissues, especially if taken *per se*, less conclusive than they might otherwise prove, and the doctor appears to have exercised a wise discretion, in reserving the small quantity of the poison at his disposal for the important physiological experiment detailed in his able evidence, instead of expending it in the attempt at identification, by endeavoring to elicit the entire series of reactions which, even when yielding affirmative results, does not, perhaps, of itself suffice to establish the presence of the alkaloid.

"The evidence, therefore, of the presence of aconitine in the case before us, rests conjointly on the sensible properties, (appearance and taste,) the physiological action of the substance obtained, and the identity of the appearances observed in the stomach and small intestine of deceased with those to be found in the corresponding organs of animals poisoned by aconite.

"The presumption created by this evidence falls little, if at all, short of certainty. The preceding appears to me to constitute the legitimate judgment on the medical facts; the jury, however, drawing their conclusions from the entire body of evidence, are clearly entitled to affirm, by construction, the certainty of the special agent presumptively indicated by competent medical testimony.

"That the poisoning, in the last place, was homicidal, is rendered probable to the medical inquirer by the existence of contusion and laceration on the inside of the lower lip, by the posture, covering and *locus in quo* of the body, and, negatively, by a consideration of the previous state of mind, habits, and conduct of deceased as they appeared in evidence.

"To determine the perpetrator of the poisoning, (although occasionally, under peculiar circumstances, falling within the range of medical inquiry,) was, in the present case, exclusively the province of the jury, the soundness of whose verdict there appears no reasonable ground to question.

"The mode in which the case was investigated by the medical and legal authorities reflects much credit on both.

"I remain, dear sir, faithfully yours,

T. G. GEOGHEGAN, M.D.,
Professor of Forensic Medicine,
Royal College of Surgeons, Ireland.

"DR. SWINBURNE, Albany, N. Y."

The following review of the letter of Alonzo Clark, Professor of Pathological Anatomy, N. Y., by A. J. Colvin, District Attorney of this county, was published May 1st, 1854, *Journal, Argus*, etc. In this review it will be seen that Mr. C. makes no attempt at elucidation, but confines himself to Dr. Clark's abuse of medical witnesses. The reviewer says:—

"The letter in its very inception is deceptive—it is addressed to our eminent townsman, Dr. T. R. Beck, and one would be led to suppose, from its phraseology, that Dr. Beck had requested his opinion in regard to the Hendrickson case. I am assured that this an utter fiction, and that so far from Dr. B. asking Dr. C. for his opinion, he never thought of such a thing, and did not know of the existence of the letter until he saw it in print. The opinions of Dr. Beck upon the Hendrickson case are well known, and he has never disguised but often expressed them. He believes that Mrs. H. came to her death by violence—that the violence employed was poison, but that the poison was prussic acid, and not aconitine. In this I think he is mistaken, but that is matter of little moment, whether the poison were prussic acid or aconitine; in either case the conviction was right. But to return to Dr. Clark. He will not say that the medical witnesses for the prosecution have produced the condemnation of an innocent man. With his guilt or innocence, 'he has nothing to do.' Why not? If the medical witnesses for the prosecution were wrong, then Hendrickson was unjustly convicted, and the medical witnesses produced his conviction. What was his motive in writing the letter if it was not to overthrow the people's medical witnesses? Dr. C. admits that *if the presence of aconite in the blood, stomach, and tissues were conceded, the post-mortem appearances would sustain such admission—in other words, that the post-mortem appearances were just such as aconite would produce.* Is not this precisely what Dr. Swinburne swore to—neither more nor less? But Dr. C. thinks Dr. S. abused the confidence with which courts of justice so often compliment the men of science, because without having found the aconite in the blood, stomach, und tissues, he yet ventured to express the opinion that it had been present, which Dr. C. would not have done until after it had been found, although the marks were unmistakable that it had been there!

"Dr. C. says that the condition of the stomach, intestines, gall-bladder, urinary bladder, muscu-

* It is obvious that a comparatively large quantity of the poison (and in a very pure condition) would be required to establish that the substance obtained was a white, translucent, granular, non-crystalline mass, unalterable by air, destitute of smell, having a bitter, acrid taste, followed after an interval by numbness of the tongue; fusible, not volatile, but giving out ammoniacal vapors by sufficient heat; with difficulty soluble in water, readily in alcohol or sulphuric ether, the solution having an alkaline reaction, forming with acids uncrystallized salts, which are precipitated white by ammonia and by potash, (the precipitate insoluble in latter,) sulphuric acid dissolving it with yellow color, followed on application of heat by a dirty, amaranth red, not colored by nitric acid. The solution colored kermes by tincture of iodine, precipitate white by tincture of galls, yellow by tannin, not by chloride of platinum. It is probable that the animal charcoal in Dr. S.'s experiment retained a good deal of the poison.

lar system, and face, as described by Dr. Swinburne, do not belong to poisoning alone. This is a grave assertion, but assertion only—it is unaccompanied by a particle of proof, and without reference to a single authority. The same thing, I know, was asserted on the trial, but it was denied by the prosecution, who contended, and contended successfully, that although some of these appearances, taken singly, might exist in a case where there was no poisoning, yet that altogether they were never known to exist, and never had existed, except in a case of poisoning. Taylor, in his great work on poisons, says that there is no *one* symptom peculiar to poison; but, at the same time, there is no one disease which presents *all* the characteristics met with in a special case of poison. So here—although the defense had free access to the extensive libraries of Drs. Hun and Armsby, and although Dr. A. furnished several books to Mr. Wheaton on the trial, to sustain the position of Dr. C., yet not one of them came up to the mark—they sustained the position of Taylor—no more, no less; and Mr. Wheaton was obliged to abandon the ground in despair. *Dr. C.* will confer an especial favor on the benighted public of Albany, if he will show any disease to which the human frame is subject which has ever produced and presented all the morbid appearances described on the post-mortem examination of Hendrickson's wife.

"Dr. C. also believes that the congested and contracted stomach covered with reddish mucus, the contracted and congested duodenum, the empty state of the small intestines, the half emptied gall-bladder, the extreme pallor of the face, the slightly swollen tongue, afford no evidence that vomiting had occurred before death, and such would be the unanimous verdict of a jury of intelligent physicians. But suppose the doctor were to add to these the facts that the deceased had been in previous good health, had died suddenly, after having, in the language of Hendrickson before the coroner's jury, partaken of her usual meals, that she had partaken of four meals on the day previous to her death, and two meals on the day of her death, that she was of a costive habit of body, and that she had been without a motion of the bowels for several days, what then would the intelligent jury of physicians say? I will answer. Were they then to render a verdict that she had not vomited, every man of common sense in the community would hoot at them as a lot of miserable dolts.

"If the wife of Hendrickson did not die of poison, Dr. Clark says he will hint at a conjecture for the cause of her death. It is *possible*—mark, he says, I do not say it is *probable*—that her death may have been caused by UREA. Now, what is urea? It is one of the constituents of the urine. When there is a disease of the kidneys, which prevents them from acting so as to carry off this urea, it is retained in the system, poisons the blood, and sometimes causes death. It is ordinarily a disease of long standing, preceded by stupor, somnolency, coma, and sometimes paralysis; and if not relieved terminates in death, after days of sickness. But upon the post mortem examination all the organs will be found healthy except the kidneys—*no such appearances will be found as those presented on the post mortem of the wife of Hendrickson.* And, if Dr. C. had read the evidence of Dr. Swinburne, he would have seen that the kidneys of the wife of Hendrickson were sound and normal.

"Thus ends Dr. Clark, and with him every remnant of doubt is removed, if any remains in the minds of even the most skeptical, as to the guilt of Hendrickson. The very fact that, after so much effort, and such boundless expense, no evidence can be found to shake or lessen the force of the people's case made upon the trial, furnishes proof of the most conclusive character, that the verdict of the jury, which pronounced the doom of Hendrickson, was righteous and true, and will stand the infallible test of time. A. J. C.

"NOTE.—It will be remarked that I have paid no attention to certain resolutions purporting to have been adopted by the New York Pathological Society, on the 26th of April last, of which Jackson Bolton was President, and J. Foster Jenkins, Secretary, for the reason that they give no grounds in their first resolution for the opinions expressed therein; and because, in my comments upon the letter of Dr. Clark, I have shown, I think, beyond question, that the wife of Hendrickson did vomit before death, and in my comments upon the chemical statements of Dr. Hayes, that she was poisoned by aconite, which furnish an answer to the positions of that resolution.

"The second and last resolution of this learned society asserts that Dr. Swinburne omitted altogether to examine the trachea and larynx, affections of which are known to produce sudden death. Now, Dr. S. swears that he has described *every* organ of the wife of Hendrickson as sound, so far as organic disease is concerned, except the womb. But suppose that he had not, will this very wise body of men tell us of a case where disease of the larynx and trachea made its appearance suddenly, within three or four hours proved fatal, and left behind it, on the post-mortem examination, the excoriated and terrific appearances in the stomach, intestines, gall and urinary bladders, which were presented by those of the wife of Hendrickson? A. J. C."

Let us see what Judge Marvin, who presided, says, in speaking of the condition of the intestinal track, lip, etc.: "Thus, if you were to go into a field, and see the tracks of a horse, you would at once say that a horse had been there; yet you have seen no horse in the field. The tracks are the circumstances from which the main fact, the previous presence of the horse, is inferred." And in reference to the dissection, post mortem, in contradistinction to Dr. Clark, he says: "These witnesses might have been called, and simply stated that they made an examination, and then have given an opinion as

to the cause of death. But the proper course was the one that has been pursued, namely, giving a careful description of all the morbid appearances, so that other anatomists and medical witnesses might, from the description of the morbid appearances, be called, and allowed to give their opinions as to the cause of death."

I will add, in this connection, the points of especial importance contained in a review of the letter of David A. Wells and others—written and published in the daily papers of this city—at the time the publication of these ex parte statements were made to his excellency, Governor Seymour. I will quote from the reviews published in the daily (Albany) journals of May 1st, 1854, (since Mr. Wells sees fit to parade a perverted statement of this case in one of the small public school chemistries of the day.) The review says:—

"Mr. David A. Wells, whose residence rumor ascribes to be in the highly intelligent and moral Commonwealth of Massachusetts. Who or what he is, we have no reliable information aside from this. Perchance he is a 'respectable physician,' *par excellence*. A philanthropist he undoubtedly is to travel so far on an errand so foolish. He will hereafter be known in this State, if in no other capacity, as that of a somewhat conspicuous not to say ridiculous tool of a clique of designing men, who have made themselves quite generally known in this community. As Mr. Wells makes no point save as chief spokesman, we pass him by for the present.

"We next have the communications of Drs. C. T. Jackson and A. A. Hayes, assayers to the State of Massachusetts. The former is of *opinion*, from the mere reading of the testimony as reported, that the 'presence of aconitine in Mrs. Hendrickson's stomach was not demonstrated.' The latter condemns, totally and unqualifiedly, all the processes by which Dr. Salisbury obtained his results, and, as a matter of course, the results themselves. But what is still more strange, he in one paragraph says: 'The detection of aconite in the fluids operated on is not a matter *dependent on skill;* it is chemically an impossibility from the known character of the body itself.' In another he says: 'But *some* result was obtained, and it accords with experience that both *phosphate* and *lactate* of lime would have been carried from the fluids of the stomach and organs, and would have appeared as the precipitate described. At this point in the analysis, the most convincing evidence might have been accumulated. A substance removed from nearly every other body offered itself for examination undisguised. *Here, when the chemical methods applied would have answered all questions, and forever silenced all doubts, we find the subject unexamined further chemically.*'

"Starting with the wholesale assertion that the chemical detection of aconitine in the animal fluids is impossible, and after condemning *in toto* the processes of Dr. Salisbury, he closes his strange epistle with the remark that, at a certain stage in one of the very processes, 'the most convincing evidence might have been accumulated, and that the chemical methods applied would have answered all questions, and forever silenced all doubts, etc.' The difference between these statements of the learned doctor, and *flat contradictions*, does not readily appear. For the information of this Assayer to the State of Massachusetts, he is referred to the opinion of a gentleman upon this very subject, to whom, without doubt, he will agree with us in ascribing the highest possible character as authority in this matter. That gentleman is Professor Geoghegan, of the Royal College of Surgeons, Dublin. After referring to the difficulty of a *complete* separation of animal matters soluble in alcohol, from *active vegetable principles* dissolved in the latter, Professor Geoghegan remarks that 'the evidence of the presence of *aconitine* in the case before us rests conjointly on the *sensible* properties, (appearance and taste,) the physiological action of the *substance obtained*, and the identity of the appearances observed in the stomach and small intestines of deceased, with those to be found in the corresponding organs of *animals poisoned by aconite*. The presumption created by this evidence falls little, if at all, short of *certainty*.' The professor characterizes the evidence of Dr. Salisbury as able, and the judgment of the jury in the case as legitimate on the testimony presented. It is quite generally admitted by members of the profession that Professor G. is the highest authority living upon the subject of vegetable alkaloids, to which he has given unusual attention. How his judgment and opinions will weigh against those of the State Assayers of Massachusetts, is left for that 'Highest Court,' intelligent public opinion, to decide."

"The next prominent individual who speaks for himself in the demonstration, is Professor Lawrence Reid, of No. 78 West 27th Street, New York. Professor Reid was a witness on the trial, and is one of those to whom reference has already been made. On this, his second appearance before the Albany public, he finds it necessary to bring a testimonial from the Hon. N. Bowditch Blunt, District Attorney of New York. He feels that he is treading again upon ticklish ground. He has not forgotten the figure he made upon the witness' stand, and as the singed cat dreads the fire, he thought he would cover himself with the mantle of District Attorney Blunt, before he made another venture. But all the mantles of all the district attorneys in the world will not help him. The jury disposed of him, and decided that, however eminent a position as a chemist he occupied in New York, and whatever personal and official opportunities of testing his accuracy as a chemist and his worth as a man Mr. Blunt may have had, yet that in attempting to overthrow the

impregnable position of Dr. S. he utterly failed, and stood confounded and overwhelmed.

"We have next to pay our respects to our somewhat eccentric friend, Doctor E. Emmons, of this city, who was also a witness for the defense, on the trial of Hendrickson. The principal features of the doctor's address to His Excellency are—1st, Pathetic; 2d, Homiletic; 3d, Scientific; 4th, Historic; 5th, Demonstrative; 6th, Instructive; and, *generally*, the production is a non-neutral, double compound known in some nomenclatures as *special pleading*. The doctor's zeal certainly has got the better of his discretion. He has evidently formed his conclusion in the outset, and then ran rampant through a long labyrinth of both physics and metaphysics to find props with which to sustain it. Let us examine him a little. The doctor, with one fell swoop, attempts to annihilate both the chemical and medical testimony offered by the people on the trial of Hendrickson. This chemical testimony was given by Dr. J. H. Salisbury, who was for a time an assistant to the doctor. The medical evidence for the people was principally given by Dr. John Swinburne. Dr. Emmons, in his review covering this whole testimony, aims all his shafts at the devoted head of Dr. Salisbury, whose name is paraded in the doctor's paragraphs something like *eighteen times*. Those who understand the relations of the parties are not at a loss to understand the main point of the wordy address thus ostentatiously paraded before the governor and the public. So utterly blinded did he become to the results of his tests and analysis with aconite, that *he actually swore upon the trial of Hendrickson that a man could drink a pound of the tincture without doing him harm!*

"I shall spend no time in combating the positions of these gentlemen, as they have added nothing to their statements in court. I will only ask why has this formidable demonstration been deferred to this late day? Why has this volcano of 'science' and 'humanity' been allowed to slumber for a full year, while the case of Hendrickson has been prominently before the courts and the people? Why is it now so ostentatiously *erupted*, to the astonished gaze of 'the public who have taken a deep interest in this case from the commencement, and who should have been rightly informed' before now, 'respecting' the merits of the case, of which it suddenly appears they are profoundly ignorant?

"But why is this movement sprung upon public attention at this late period of time? Some of these witnesses have undertaken it to save—not poor Hendrickson—but themselves. It is deferred to a few hours before the execution, in the hope of inducing the hasty and favorable action of the executive by an imposing array of 'distinguished names,' or of beguiling the wretched victim of injured justice, to the last, with expectations of executive interference that no confession should come to sweep away every shadow of doubt respecting the testimony of other important witnesses opposed to the instigators of this farce.

"How it is that so many back tracks have been taken, so many revolutions performed, how it is that so many of the faculty in our city, who have previously had *no* opinions, or whose opinions were 'all in their books,' or whose opinions of the medical testimony for the people were once favorable—how all these gentlemen have gone through, so suddenly, the gigantic mental labor of reading and concurring with the opinions of this Dr. A. Clark, is a problem which we shall not now attempt to solve. To one who has closely observed this whole case, with all its attendant scenes and circumstances, the spectacle presented by this last exhibition of gymnastics is truly and emphatically ludicrous.

"We submit that in regard to some documents presented in this remarkable performance, their tone and spirit are not such as befit the cause of truth, or become men who hold themselves up as the representatives, the embodiment, and the defenders of science. The time, the manner, and the temper of this onslaught are conclusive evidence that the cause of truth, of science, of humanity, and of justice, is the last object at which the real concoctors of this scheme have aimed. How far these formidable names will influence public opinion and executive action under the circumstances, we shall soon be able to learn. We doubt the success of the scheme. It is very well plotted but badly executed. The side issues are too unwittingly displayed. Its real objects and aims are too transparent and too contemptible either to merit or meet with favor from any quarter."

In addition I will give the minutes of a case of poisoning by this substance, which in its post-mortem appearances, so far as observed, is quite in keeping with the observations in this case.

In the MEDICAL AND SURGICAL REPORTER, vol. iii. page 557, will be found a case of accidental poisoning by taking a teaspoonful of the tincture of aconite, the symptoms of which were manifested soon after taking it. The characteristic burning in the mouth and throat was felt, followed by great pain and distress in the epigastric region; general numbness and feeling of cold; pulse quick and thready; extremities very cold, nails blue; restlessness so extreme as to prevent the restoration of warmth; some purging—*vomiting continued even to exhaustion;* deglutition soon failed. Heart ceased, and he died from paralysis of this organ in three hours from the taking of the poison. Upon application, the doctor kindly presented me the following additional points, which may not be uninteresting in this connection:—

1017.

"Immediately after swallowing the dose (tincture of aconite) a burning, tingling sensation (in mouth and throat) was felt; patient at once had recourse to salt and warm water; vomiting followed; fifteen minutes afterward he took ipecac. and vomited more freely. With the view of quieting spasmodic action, I gave brandy and almond emulcent. He suffered extremely from spasm of the diaphragm—general numbness and cramps in the lower extremities. The heart's action first suddenly ceased; respiration, or attempt at respiration, continued for a few minutes after; surface of body presented an appearance of 'general pallor.'

"*Dissection post mortem.*—Brain not examined; lungs healthy, some relics of former pleurisy; heart hypertrophied; liver large and congested; gall-bladder small, with a moderate amount of viscid bile in it; stomach much contracted, its mucous coat thickened and congested; intestines were not examined beyond the duodenum; urinary bladder empty and contracted; heart and large vessels were full of loosely coagulated blood."

He further adds, "that the pallor, rigidity, state of stomach, gall and urinary bladders were all in accordance with your observation; but the blood was not quite so fluid. I feel truly obliged for the report of that most important trial, (Hendrickson.) I have read it carefully, and entirely concur with Attorney-General Chatfield in eulogium of medical witnesses for the professional talent and research displayed by them in that extraordinary case."

In conclusion, I will take the liberty of calling attention to certain appearances *post mortem*, some of which I am inclined to believe are common to aconite and strychnia, such as *rigor mortis* and a certain degree of elasticity of all the muscles, which manifests itself when and even before life is quite extinct. This same spasmodic action is extended to the hollow viscera, *i.e.* intestinal track, gall and urinary bladders, heart, etc., which remain contracted for some time after death.

I lately made the dissection of two cases of poisoning by strychnia, where these appearances were very prominent. By reference to the recent cases of death by this substance, *rigor mortis* is noted in the reports as very remarkable, even where the circumstances were unfavorable for its production. I will call attention to the following points as the attendants of death by aconite. The extreme pallor, slight bloating of the face, excessive and prolonged vomiting, (of viscid mucus or bloody mucus, even unto exhaustion,) the frightful convulsions, opisthotonos, tearing of the face with the hands, the clinched jaws, numbness of the extremities, prickling and burning of the tongue and fauces, the profuse cold and clammy perspiration, the spasmodic breathing, frothing at the mouth and nose, the constant retching and spasm of the diaphragm, the comparative loss of vision, the entire retention of consciousness and a fearful contemplation and dread of the approaching end, the empty state of the stomach and small intestines, and instead of fecal matter is found viscid mucus or slime, or bloody mucus adhering to the mucous coat.

The following effect of full poisonous doses, from the prize essay of Reil, may not be uninteresting in this connection:—

"The vertigo is so great as to render it impossible to walk without staggering; the individual is afraid of falling, and actually falls. The sight is diminished in proportion as the pupil is dilated. At the same time the countenance is pale and full of anxiety, the voice is weak, and a tone of anxiety with fear of death sets in. The pulse becomes decidedly less frequent and weaker, being about forty a minute. The nausea is followed by vomiting, which is succeeded by excessive exhaustion, such as sets in after great loss of blood. After very large doses, the peculiar poisonous symptoms of the drug set in. The distress and vomiting of variously-colored, often bloody, bilious fluids, pain in the abdomen, meteorism, diarrhœa, with tenesmus, are the precursors of the quickly approaching condition of agony. Giddiness and obscuration of the senses give way to complete syncope; speech, hearing, and sight disappear entirely; the respiration laborious and rattling; the pulse and beating of the heart exceedingly weak, scarcely perceptible, irregular and rather accelerated than slow. The countenance assumes the appearance of the facies hippocratica; the skin all over the body is pale, wrinkled, and covered with cold perspiration; general trembling of the muscles, and light convulsions set in, and death takes place from paralysis of the heart and lungs. The more abundant the aconitine in the preparation employed, the more prominently stand out the depressing influence upon the nervous system."

T. G. Geoghegan, Professor of Forensic Medicine, Royal College of Surgeons, Dublin, has given the history of four cases of poisoning by aconite, three of which proved fatal. The symptoms (not noted by himself) and appearances post mortem, are noted more carefully (by him) than any others I can find on record, though not as full as I could desire, or as full as their importance requires. In the McMeighan case, a *moderate* and not *fatal* dose was administered;

while in the McConky case, the quantity eaten was great, and hence the symptoms were more severe and sooner manifested themselves.

In the first, about ten minutes after taking the poison McMeighan experienced a burning in his mouth, throat, and gullet; sensation of numbness, fullness, creeping in the skin; swelling of the face; distressing restlessness; imperfect vision; stupor, etc.; afterward became speechless; frothing at the mouth; hands and jaws spasmodically closed; occasional syncope; in the course of an hour he vomited and some purging followed, which continued for some time, (from tea-time to between eleven and twelve o'clock, when seen by his physician he was still vomiting,) accompanied with great tenderness of the belly, and *cramps*, (spasm of diaphragm.)

In the second and fatal case, the dose was very large, the symptoms (so similar as not to require a special description) commenced sooner, spasm, vomiting, frothing at the mouth, loss of vision, etc. sooner, while death followed in little over three hours.

Post mortem is entirely in accordance with the case of Hendrickson: Stomach empty, mucous coat smeared with yellowish-gray mucus, muscular coat well developed; small intestines empty, except that they contained a considerable quantity of brown mucus of the consistency of thickly-boiled starch, and chiefly adherent to the lining membrane.

A third fatal case by the same author, where the symptoms prior to death were the same, (death following in about four hours,) while the œsophagus was reddened, and stomach and small intestines empty, and the whole mucous surface covered with viscid mucus.

His fourth fatal case, (in which death took place in about four hours;) the symptoms in life were similar to the others reported by him. No dissection post mortem.

Here are three fatal cases all having the same symptoms during life. Two of them presented, on dissection, empty stomachs and small intestines, and in the place of fecal matter was a viscid mucus, notwithstanding the poison was taken with the meals.

In my experiments on animals all the post-mortem appearances spoken of in the Hendrickson case were a complete counterpart in every particular. The analogy in Dr. McGrath's case, the two cases of Geoghegan, the animals etc., to that of Hendrickson are so remarkable as to make it exceedingly doubtful about its being a mere coincident. Appearances post mortem of the hollow viscera are so remarkable in the animal, so far as my observations have extended, and so in keeping with all experience where any reference has been had, that I am constrained to draw the attention of the profession to certain facts, in hopes that some reliable data can be obtained for future observers. The mode of death may exercise some influence as to the appearances post mortem; for instance, death by spasm and exhaustion on the one hand, and on the other syncope. In elucidation of this point, I have condensed the reported cases from Dr. Reil's prize essay, published in 1854, in which I find forty-five cases where aconite in its various forms and a variety of doses had been taken. In all, the effect and symptoms are nearly identical, so far as any note was recorded of them; while dissections post mortem were so imperfectly noted as not to be entirely conclusive. The conditions ante mortem are in many instances carefully recorded, and are essentially in accordance with my observations made on the animal.

Spasm.—Thirty-two of the forty-five were mentioned as having frightful spasm of the hands, feet, diaphragm; some opisthotonos; in others, rigidity of the muscles of the back, neck, etc.; pupils contracted, or dilated; eyes fixed, or apparently protruded; jaws and fauces rigid; imperfect respiration from spasm of glottis, etc.

Vomiting.—In thirty-seven cases vomiting was profuse and prolonged, in some several hours, of viscid mucus, frothy matter, bloody slime, etc.

Face Pale.—In sixteen cases the face was noted as pale, cold, and clammy; as was also the body covered with cold perspiration.

Face Bloated.—In several cases the face was described as being bloated.

Purging.—In eleven cases purging was mentioned as occurring, and in some severe, and particularly during the stage of syncope.

Deaths.—Of the forty-five cases there were eighteen deaths occurring from one to six hours from the administering of the poison; only one of the eighteen lived more than four hours. Of these, five died in three hours, two in four hours, five in two hours and a half, two in one hour, one in two hours and a quarter, one in six hours, and two in two hours, (Mrs. Hendrickson probably lived three hours.) In all these cases the severity

of the symptoms was in a direct ratio to the quantity of poison taken, while all vomited where life was prolonged beyond the first depressing or syncopical effects of the poison, whether an emetic was administered or not. Of the whole forty-five cases, none are noted as not having vomited, while cramps, etc. were always present and alternating with temporary syncope. From the history of these, I judge all died from the exhaustion or syncope induced by long and continued retching, vomiting, and cramps.

I have been thus particular in order that other observers might note more carefully their cases, and thus obtain more positive data.

The importance of the subject demands that nothing should be left to chance. The difficulty of positive chemical analysis makes the importance of post-mortem appearances more manifest, while to my mind the points above alluded to are really of such a character as to make them essential elements in the inquiry. At all events, I will present them to the profession for future consideration and observation.