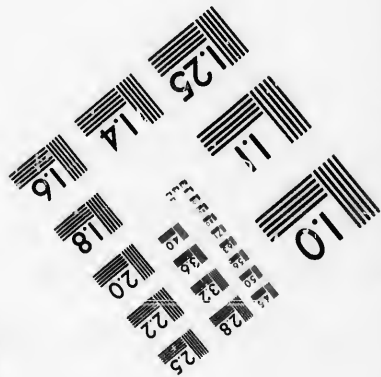
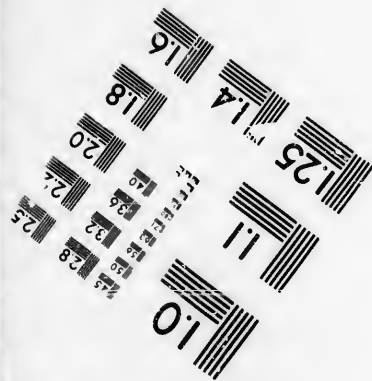
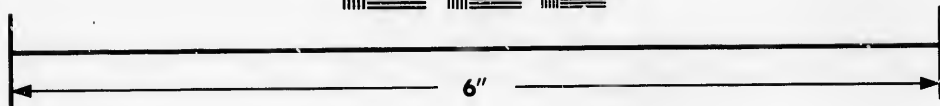
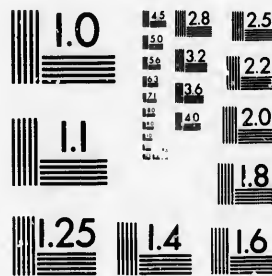


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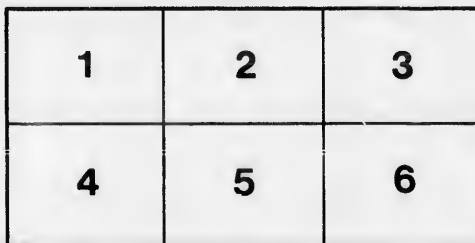
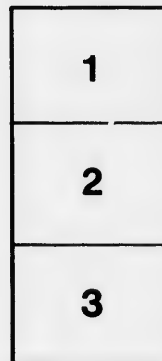
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OF

EDWARD HOWARD RULLOFF

PHILOLOGIST AND MURDERER.

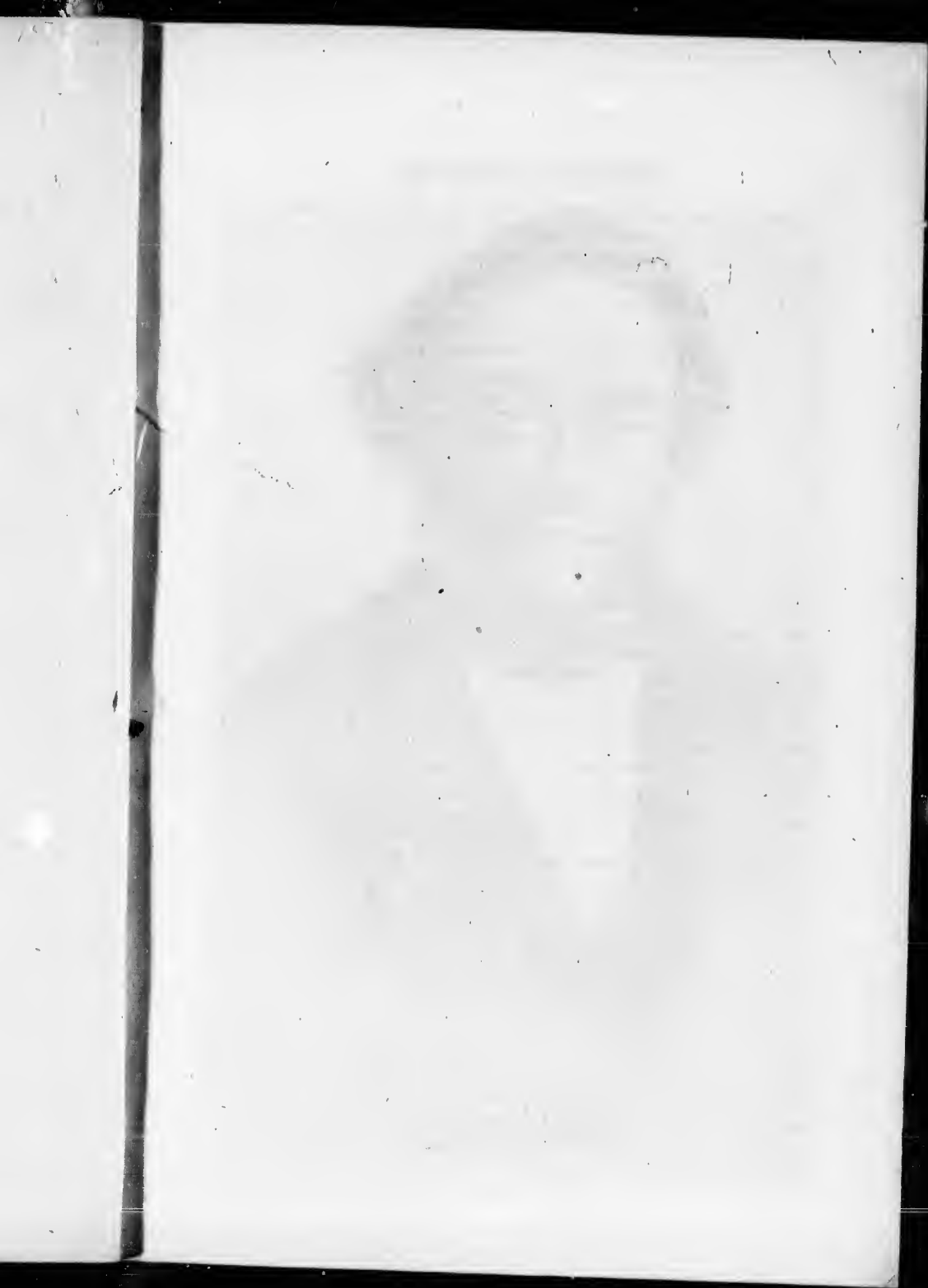
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THE MAN OF TWO LIVES.

CHAPTER I.

BOTH FORESHADOWED.

DURING the eighteen months prior to the 15th day of August, 1870, a man fifty-two years of age, who was seemingly of irreproachable character, of most exemplary habits, and of vast attainments in the recondite sciences, resided in furnished rooms in the house of Mr. Conrad Jakob, No. 170 Third Avenue, New York. He was occupied during all of that period in writing what he claimed would be a most comprehensive and exhaustive work upon Method in the Formation of Language. But while yet in the midst of this great undertaking, he suddenly left his home at 8 o'clock, on the morning of the day named, to go to Binghamton, in Western New York, to be hanged by the neck until he should be dead, on the 3d day of March then next ensuing.

This startling and unusual ending of philological labors had been nearly forty years in preparation. Born in the year 1819, at Hammond River, near the city of St. John, in the British province of New Brunswick, this man came of most reputable and sterling stock, for in his veins flowed the blood which had amazed the world in the last half of the sixteenth century by those sublime exhibitions of heroism and fortitude which shattered the Spanish empire and founded the Dutch Republic. His father, William Ruloffson, was a most respected and valuable citizen; but his eldest son, Edward Howard Ruloffson, early exhibited powers which might raise the family name from provincial good repute, into honorable and world-wide fame. His first years of life were passed at an old homestead, at Nauwigewauk, near St. John, but afterwards he lived in a cottage nearer that city. Here his wonderful precocity was first displayed. He was a boy who not only devoured, but digested the contents of all books which fell

in his way, and among these were included every branch of human learning; so that he early acquired a general knowledge of science and literature. Never being subjected to the mental discipline only obtained by the rigid experiences of a college course, and having the advantages of but little schooling of any kind, his insatiate thirst for learning, his intuitive perceptions and wonderful memory almost made amends for his misfortunes, and certainly made him the prodigy of his provincial circle.

He was, moreover, a handsome, stalwart, open-faced boy, of pleasant manners and persuasive address, ruddy with health, and abstemious in his habits. That he was ambitious, and had the vague general yearning of a gifted youth for some high station or calling, where the great powers he instinctively knew he possessed might be used for the advancement of himself and his fellow-men, is undoubtedly true. But the straightened circumstances of his father precluded any attempt to begin life in any of the liberal professions, and he consequently commenced his career as a clerk in the store of Keator & Thorne, Prince William street, St. John. Up to this time there is no evidence that his moral character had been undermined. He had no strong religious convictions of any kind, but he had the impressions given by years of careful training by a most exemplary mother, and under favorable circumstances these might have ripened into convictions that would have absorbed his whole being, and Edward Howard Ruloffson in that event would have become a benefactor and honor to his race. But fate threw him when he first emerged from the security of his boyhood's home into intimate association with a company of scoffers and unbelievers. He naturally imbibed doctrines which emancipated his mind from all moral restraints, and the youth of eighteen became the iconoclast of himself from mere pride in his mental endowments. He had no inherent vices, but he had strong passions, and that secretive nature, which made him susceptible of absorbing whatever he came in contact with large enough to fit snugly among his idiosyncracies. For this was to be a man of marvellous character who would shun the petty peccadilloes to which ordinary humanity succumbs, and be great in his vices as he would have been in his virtues had his mind happened at the outset to have been warped in the other direction.

A fatality that was to attend him throughout his life became manifest at its opening. He was to bring, or cause misfortune everywhere. He had been but a few months with Keator & Thorne, when their establishment was burned to the ground. He removed with them to a different part of the city, but the fire shortly followed, and the store was again swept from the earth. With this conflagration his mercantile career ended, and he became a clerk and writer in the law office of Duncan Robertson, a noted barrister of St. John. Here his sponge-like mind

absorbed those rudimentary principles of the common law, and the fundamental rules of practice, which were to stand him in good stead in after years, when he was to be his own client in a long and bitter struggle with a law he had violated and a people he had outraged. He was soon at the verge of urgent personal need for such knowledge, for not long after he entered the law office, robberies of the stores of the town became of frequent occurrence. His old employer, Mr. Thorne, had re-established himself in business in the same building in which the law office was located, and his store being robbed of some valuable goods, he instituted private inquiries which soon satisfied him that Ruloffson was the thief. The proof against him became positive when he defied probabilities, as it was to be his constant habit through his life, by appearing in a suit of clothes made from the stolen goods. Mr. Thorne had a lingering regard for the lad whom he thought had been led astray for the moment, and with this evidence before him, told Ruloffson that he would forgive him if he made an open confession of the whole matter. But the youth instantly manifested another of his peculiarities, which was to go with him to the gallows, by insulting his intending benefactor, and telling him that he could do as he pleased in the matter. Mr. Thorne was convinced that mercy would be misplaced, and as a consequence Ruloffson was arrested, tried, found guilty, and in the fall of 1839, for the first time was a convicted felon and in the Penitentiary of St. John, where he served a term of two years. When his time had expired, he disappeared from St. John, and became as utterly lost to his relatives and to all who had known him, up to the time of his conviction, as though the grave had closed over him. With the shadow of voluntary crime upon him, he went away to burrow through tortuous ways to a resurrection of infancy.

CHAPTER II.

HERE IS THE SOURCE OF ALL THEIR GRIEFS.

In the month of May, 1842, a stranger, young, robust, penniless, and foot-sore, appeared in the town of Dryden, in the county of Tompkins, in the State of New York. Then, as now, that prosperous region was inhabited by a sturdy, God-fearing race of primitive virtue, and the stranger was never turned, whether in distress or prosperity, from their doors. It was not strange that this unfortunate met succor and sympathy, nor that their reverence for labor as the highest estate of man should have

compelled him to take the first employment that off red, by which means it happened that he first became a canal laborer. But he soon emerged by the force of his own address from this menial and uncongenial sphere. He told a story that was the exact truth so far as it went, and although it was not deemed entirely satisfactory when a crisis came at a later day, it gained him friends. He said that his name was Edward H. Rulloff, that he was a native of St. John, New Brunswick, where he had been a clerk of a hardware store, but had left his native town in search of better opportunities of success in the States. In the city of New York, as he said, he had made the acquaintance of the teacher of a Commercial School, by whom he had been promised employment; but while waiting in vain for this, his means had been exhausted, and he had then come out into the country, where he thought he might have a better chance. He also claimed, and to the rustic people whose only temples of learning were the log houses at the cross-roads, gave overwhelming proof of the possession of the most profound and varied scholastic acquirements. He seemed to them something higher and better than themselves, and very soon became a drug clerk in Ithaca, instead of a canal laborer in the country. In this new sphere he displayed the same zeal and aptitude that had distinguished him in both of his employments in St. John—for this man was none other than Edward Howard Rulloffson—and rapidly acquired a more complete knowledge of drugs than any one in the establishment. But his restlessness was soon upon him again, and quitting the drug business, he was then heard of as the teacher of a Select School at Dryden, where he had a large number of scholars of both sexes. Among them was a tender, pleasant girl of sixteen, named Harriet Schutt, through whom, although she was of most exemplary character and pleasant temper, he was to become the execration of four of the most populous and virtuous counties in the State of New York, as she was to be the victim of a murder more cruel and unnatural than any which had yet stained the annals of the State. But during the last months of 1842, and all of the succeeding year, this interesting girl, standing on the threshold of a promising womanhood, saw no evil in the man she loved, and who, it was soon seen, returned or pretended to return the feeling. Almost from the beginning of the school his attentions to Miss Schutt were those of a lover, and were accepted by her as such. In age, the parties were not unequally matched, and in mental acquirements as well as worldly prospects, he seemed far her superior. Even then he had a smattering, which passed in the rural hamlet for profundity of all sciences, even to that of phrenology, upon which he had delivered lectures. He was a botanical physician, a druggist, an excellent penman, a classical scholar, a mechanist of rare original power, a lawyer, and an earnest,

fluent speaker. There was apparently nothing he could not do, or attempt, and being moreover possessed of good address and polished manners, to the unlettered rustics he seemed a marvel, armed to dare and do everything.

Yet the Schutt family instinctively shuddered as they saw this paragon insidiously creeping into their domestic circle through the affections of the sister. She was at first remonstrated with, but to no purpose, as she remained firm to her faith in the man, who was to her the perfection of all men. Next Ruloff himself was approached, and Mr Ephraim Schutt, a brother of Harriet, demanded references as to character from his former home. This request was taken by the lover as an insult, and contemptuously refused, as though his standing and general repute in the community, where he had been for a year, ought to be enough for the family he proposed to honor with his alliance. At last, seeing that Harriet was determined, and hoping their fears might be unfounded, the opposition to the marriage was withdrawn, and it was accordingly solemnized on the 31st day of December, 1843, when the bride was seventeen, and the bridegroom twenty-five.

The marriage feast was scarcely cold, before the intimate associations engendered by such an event, proved to the family how wise had been their distrust of the man who had crept into their circle. Very soon all but the devoted, infatuated, suffering wife saw that the husband was a man of vast selfishness, and malignity that approached fiendishness in its intensity. The life of the wife and of all her relatives was soon embittered by a jealousy that was as unfounded as it was contemptible. There was in town a Dr. W. H. Bull, a respectable practitioner of the old school, who was a cousin of the younger Schutts, who had been for many years upon the most intimate terms with all of them. With this physician, Ruloff, who was an advocate of the new botanical method, had hot disputes as to the merits of the two systems, and soon came to hate him with singular bitterness, because it was his nature to hate all who would not surrender their opinions to his. Therefore, when, soon after his marriage he saw Dr. Bull kiss one of the sisters, he declared savagely, that if it had been his wife he would have killed him then and there. There is no proof that Ruloff ever saw any such familiarity between his wife and Dr. Bull, although it had occurred as an innocent repetition of a method of salutation to which both had been accustomed from childhood. But Ruloff, without even this slight cause, chose to become incensed by what he charged to be the too intimate relations of his wife and Dr. Bull. His spleen was vented on the weak, defenceless woman, who had put her fate into his hands, and it soon culminated in actual outrage. One night she was pounding pepper in a large iron mor-

tar, and he not liking the manner in which she performed that menial household duty, suddenly snatching the pestle from her, with a brutal remark, struck her a blow with the heavy iron which felled her to the floor. When she recovered consciousness she had no word of reproof for the coward who had wantonly stricken down the woman he had sworn to cherish and protect, and her patient endurance seems to have softened the brute into something like contrition, for he was gracious enough to say that he did not intend to strike her so hard. But he was no kinder to her after this outrage than before, while the remonstrance which it naturally evoked from her relatives made him more rancorous toward them, although in a large degree dependent on them for support. For with all his accomplishments, he seemed incapable of making a practical use of them by earning a subsistence; he roughly declared that he would suffer no interference by any of them between him and his wife. At last all parties became heartily tired of this bickering life, and there was general rejoicing, when, having amassed a few dollars, by means nobody knew of, he announced his intention of taking his wife to live at Lansing, a hamlet five miles from Ithaca, and a mile and a half from Cayuga Lake. The wife hoped for peace by separation from the disturbing cause of her life, and her relatives were certain that while matters could be no worse than they had been, there was a chance for improvement. What Ruloff thought, or whether he had any foul design about that time it is impossible to say; but it is certain that the removal to Lansing was the first act in a most shocking tragedy.

CHAPTER III.

MOST FOUL, STRANGE, AND UNNATURAL.

For a time the hopes of the imperilled household seemed to be well based. Ruloff did seem to be doing better. He was more considerate to his wife, and when, in April, a daughter was born to him he became almost kind. He lived alone with his wife and child, and she made no complaints of ill-usage, nor did the neighbors observe any. His home was comfortably provided with the necessaries of life, and he appeared for the first time in his life to be getting forehanded with the world. He had by this time acquired quite a library of books, which in that place, at that time, seemed the embodiment of all human wisdom, and he had gained the confidence of a large portion of the community as a skilled botanical physician, and a man of temperate and industrious habits.

Among those who thus regarded him was Mr. W. H. Schutt, who resided in Ithaca, and whose child being taken sick on the 2d day of June, 1845, called Ruloff professionally. It was a simple ailment of infancy, but without exciting the least suspicion of the learned doctor, became rapidly worse, and the next day the babe died in convulsions. Nor was confidence in him shaken when the mother of the child, who had seemingly been perfectly well when Ruloff was called to attend it, suddenly sickened and died in the same way two days afterwards. Thirteen years afterwards her body was exhumed, and the tissues of the stomach being sent to Professor Doremus, of New York, that eminent analytical chemist found in them distinct traces of copper poison. But the simple and unsuspecting country-folk who had never been brought in contact with flagrant crime, thought no ill of the physician who had attended the deceased, and the deaths which were attributed, as so many foul murders before them had been, to "the inscrutable ways of a Divine Providence," did not even shake the confidence of Mr. Schutt, or of the grieved public in the skill of Ruloff in his pretended character of a medical practitioner. He attended the funerals of mother and child without outward manifestation of any consciousness of agency in their untimely end, and returned with his wife to the lonely house at Lansing.

There is a gap in this man's life during the next two weeks. It is known, indeed, that he was at home and pretending to be engaged in those abstruse studies which he claimed were beyond the comprehension of his neighbors, but he gave no revelations of his inner self during that time which have ever been recorded. The young wife and mother alone knew the secrets, if there were any, of that horrible house; but she seldom was seen during this time beyond it, and when she was, neither her tongue or her demeanor betrayed any of them. She appeared contented, almost happy, for the first time, with the man in whose hands she had placed her life, and from the casual glances obtained of her by the neighbors, seemed to be contentedly engaged in her humble household duties.

On the evening of the 23d of June, there were some Indian squaws moving from house to house in the little hamlet of Lansing, and Ruloff astonished his neighbor Robertson, who lived almost immediately opposite, by asking that his daughter might go over and stay with Mrs. Ruloff, as he was obliged to be out for a time, and he was afraid that if the Indians came during his absence she might be frightened. This remarkable consideration for the woman he had so often wantonly outraged, did not seem singular to his neighbors, for at that time the details of his domestic life were little known, and Miss Robertson accordingly went over to the Ruloff house, where she found the wife sitting in a low rock-

ing-chair and fondly holding her cooing babe. Few details of that last evening in the life of the unfortunate woman have been preserved, although the visitor was a chief witness in the exciting judicial investigations which followed soon afterwards, and again after the lapse of eleven years. But she was young, and having no suspicion of the dramatic position in which she was placed, took no note of trivial details which might have shed the light of truth upon the horrors of that night. All that she could remember, was, that while it was yet early in the evening, Rulloff returned bringing the squaws with him, and took pains to explain all about them to his wife and her visitor. His conduct in this respect was strange; but stranger yet, when, after the Indians had left, he mixed some medicine in his mortar and proposed to give it to his child. The wife objected with terrified eagerness, saying the babe was in perfect health; but the learned and anxious father had detected the seeds of disease in his offspring, and insisted the dose should be given. For once the wife was resolute, and the husband declaring that she needed the medicine as much as the baby, she said she might take it, but the child should not. At last, however, Rulloff desisted, said he had only been joking, and with this pleasant ending of what seemed for a moment an unpleasant incident of her visit, Miss Robertson at 9 o'clock bid her hosts good night, and left the house. From that hour to this, Harriet Rulloff and her infant child have never been seen on earth.

The next morning, which was the 24th day of June, 1845, it was noticed that the blinds of Rulloff's house remained closed, and no one was seen about the place. But the curiosity naturally excited by this circumstance in the village, was entirely satisfied when Rulloff came out of the house about nine o'clock, and going over to Robertson's, asked for the loan of a horse and wagon, saying, that an uncle having called during the night, Mrs. Rulloff and child had gone with him to Mott's Corners, a place between the lakes, and that to make room for them in his small wagon, the uncle had been obliged to leave behind a large chest, which Rulloff desired to take to him. Robertson had the most implicit faith in his neighbor, and being always glad to do him a favor, the horse and wagon was at once furnished. Rulloff drove over, and backing the wagon up to his door went into the house. Presently Mr. Robertson, who had remained at his house, saw his neighbor drag the chest from the house, and noticing that it was too heavy for him to lift into the wagon, went over and assisted. He found his end of the chest quite heavy, but the united strength of the two men easily placed it in the wagon, and Rulloff getting in, drove away.

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P. W. HOPKINS, ESQ.,
DISTRICT ATTORNEY OF BROOME COUNTY.

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of his wife and child, who were both in perfect health at 9 o'clock on the previous evening, and had, in the interim, been foully done to death by the husband and father, in some way which human ingenuity has never been able to discover. Yet Rulloff betrayed no emotion of any kind, unless it might be a cheerfulness somewhat unusual with him, for it was long the marvel of the country in which the beautifully burnished lakes of Western New York are nestled, that he drove that morning along the road at a jog trot, as though his errand was one in no haste for completion. More than that, almost two generations of the honest folk inhabiting that region have shuddered at the fact that this man, thus carting a murdered wife and child to unchristian burial, presently overtaking a group of children, invited them to ride, and they, accepting the invitation, the road for two miles was made merry by the innocent laughter of the children, which was provoked by the funny songs and quaint whistling of the driver. He dropped the children at last, and the wagon went on in more demure fashion, but the face of the driver was that of a man at peace with his own conscience.

At intervals, during that long summer day, glimpses of that ghastly wagon were caught at various places, but its frightful burden was unsuspected, and it is not strange that trace of it was lost for hours together. But by a fortunate chance it happened that these glimpses showed that it did not go to Mott's Corners, but on the contrary, went by a devious road to Ithaca, and from thence to the inlet of Cayuga lake, where it arrived when the sun was yet hours above the horizon. There it remained apparently abandoned until dusk, for Rulloff was not seen or noticed by any one during the time. Murderer never before so laid himself open in every way to the chances of detection; but this man seems to have relied, and safely, upon the unsuspecting character of the people about him. They had never been brought face to face with a diabolical crime; and it is not strange this wagon loitered about the country, and that as soon as darkness had settled on the wooded hills and sleeping lake, all trace of it for the time was lost. What passed that night is known upon earth to Edward Howard Rulloff alone. No evidence either positive or circumstantial was ever obtained to show how this man, in the dead and middle waste of the night, drove away to the most secluded spot on the lonely shore, how he took the ghastly contents from the box, and placing them in a boat, rowed away over the silent, shuddering waters, until he had reached the spot his previous inquiries had told him was most suitable for his purpose, and there shot them down into almost unfathomable depths, to remain forever concealed from the eyes of men.

It is proper to add that Rulloff himself declared to the lawyer who defended him on his trial, that he so wrapped the bodies of his victims with

untemper'd wire, that they could never become unfastened, and attaching a heavy iron mortar to that of his wife, and a flat iron to that of the child, threw them overboard in a deep spot of the lake, which he particularly described. But there are many who believe that this story was entirely false, and who think the bodies were sold to the Geneva Medical College, and there dissected. This opinion is based on the fact that about the time of the disappearance of Mrs. Ruloff and her child, two bodies, answering in general description those of the victims, were taken there. One was that of a child of the proper age and sex, while the other was that of a woman, of whom it was specially remembered that she had the very long and beautiful black hair, for which Mrs. Ruloff was remarkable. These bodies were received through the ordinary channels by which subjects came, and having no marks of violence, or signs of unnatural death, they excited no suspicion of foul play. The hypothesis seems too horrible for belief, but Edward H. Ruloff is held in such poor esteem in Tompkins county, that large numbers of the people believe, that having deftly done murder, he turned his crime to pecuniary account, by selling the bodies of his victims.

None but Ruloff knows the secrets of that night, but all the country side soon knew that about ten o'clock on the 25th day of June he stopped before his own door in Lansing with the same horse, wagon, and chest. There was the same deliberation in all his movements that was so apparent on the previous day, for he was seen to come slowly up, and, although the day was extremely hot, the horse was dry and sleek, thus showing he had not been driven fast enough to start the perspiration. When he stopped, a son of Mr. Robertson went over to take the horse, and Ruloff, just then taking the chest from the wagon, the boy ran up just in time to see that Ruloff easily lifted it. He saw that it was the same chest, and he knew from the weight that it was empty. For the third time this man of universal learning and genius, who passed into his house easily carrying a chest that the united strength of two men was required to lift on the previous day, had proved himself a bungling murderer.

The boy took home the horse, the shutters of the Ruloff house remained closed, and life in the hamlet drowsed sleepily in the fervid middle of a mid-summer day. The afternoon was nearly gone when Ruloff again emerged from his house, and this time with a large bundle, made up in a shawl well known to belong to his wife, thrown over his shoulder. He took good care to pass close to Mr. Robertson who was at work in his garden. He even stopped and cheerily called out, "Good-bye, Robertson; don't be alarmed if we don't come back in two or three weeks. I and my wife talk of going on a visit between the lakes!" by which he

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was supposed to mean Cayuga and Seneca lakes. Then he added with a pleasant laugh—so far as he ever succeeded in all his life in making his laugh pleasant—"Please don't let any one carry away our house while we are gone." This joke having left his lips, he trudged away, "whistling as he went, for want of thought."

CHAPTER IV.

"CONFIRMATIONS STRONG AS PROOFS OF HOLY WRIT."

Ne man ever counted more largely on the faith of his fellow-men in his character than did this assassin, trudging that hot afternoon into Ithaca, which he reached at nightfall. He went direct to the house of W. H. Schutt, where he took tea. His face was flushed, and complaining of its burning, he asked if it did not look red, and then accounted for its appearance, by saying he had walked in the hot sun. After supper he took a ring from his pocket, and asking Mr. Schutt if he recognized it, desired that gentleman to take it back, when he said it was one he had given his sister several years before. Mr. Schutt refusing to take it, Ruloff put it back in his pocket, and saying that he was going away next morning between the lakes and should take his wife with him, he went away. He came back about 9 o'clock for a rocking-chair, but his after movements that night were for the time unknown, and made many subsequent events enigmas. It was at last discovered that he hired a horse and wagon during the night, and returned to his house, where he filled that chest which was to be the tomb of his character, with his books and the clothing of his wife and child, and brought it back with him to Ithaca, and drove direct to the stage where he committed the absurdity, although he knew he was well known to many persons present, of booking himself for Geneva, as John Doe. But the device, nevertheless, seemed to answer his purpose, as he started with that chest, in the stage for Geneva; and although followed in his devious route to the Genesee Valley Canal, all trace of him was there lost for the time.

All these events were unknown to the Schutts, and a few days after the flight, one of the sons was sent by the parents to Ruloff's house with some articles of household furniture as a present for him. But upon arriving at the house he, of course, found it closed, and was informed by Robertson of the absence of the family "between the lakes." He went home and reported these facts without any suspicion being excited. Rob-

ertson certainly had none, for he was sure there was no guile in his learned neighbor, and the Schutt family had as little, for although they knew of his violent temper and great lack of conscience, they thought him too great a coward to do murder. But after some weeks had elapsed, and the absence of the family yet continuing, knowledge of the facts coming to some citizens of Ithaca, they thought the affair a most singular one in many of its aspects. One gentleman was so thoroughly convinced of foul play, that he went to the house, and, forcing open the doors and shutters, made a minute inspection of the premises. He saw everywhere indubitable evidence that Mrs. Ruloff had gone away without the slightest preparation for any journey, however brief; and his suspicions being strengthened by this fact, he hastened to communicate them to the brothers of the absent lady, who were then living in Ithaca. They were still incredulous, but doubt had at last taken lodgment in all minds, and the disappearance was the common talk of town and village. The Schutts and others also made a personal examination of the deserted house, and could not account for its condition on the hypothesis of the voluntary absence of the wife. The house was in disorder, and articles of clothing which she would undoubtedly have taken with her upon a visit, were strewn everywhere in great confusion.

During the evening of the day on which this examination was made, two of the brothers sat alone in the store of one of them in Ithaca, brooding and talking over the awful mystery which had fallen upon them, when the door was suddenly flung open and Edward H. Ruloff stood before them. A great weight was lifted from their hearts, for they thought the mystery solved. They greeted the comer with genuine kindly fervor, one exclaiming,

"Doctor! I'm so glad to see you. Where is your wife?"

"Between the lakes," was the prompt answer in a natural and steady tone.

"How strangely you manage," said the brother; "why the people here have been talking about your murdering your wife."

"Have they?" was the interrogative answer accompanied by a laugh, as though such talk had no other power than to amuse the object of suspicion.

The brother who was thus met was W. H. Schutt who then asked Ruloff up stairs to his room, and the invitation was accepted. There he recurred to the talk about murder, and saying he was surprised that people should think that he would commit such a deed, asked if it would be safe for him to go into the streets. He then said his wife was near Erie, Pennsylvania, in the neighborhood of another Schutt brother whom, however, he had not called to see because, as he said, for lack of time.

He did not say with whom Harriet was, and, although his stories were contradictory to the verge of incoherence, they do not seem to have excited the suspicion of W. H. Schutt, who invited his brother-in-law to share his room for the night. This invitation was also accepted, but he could not sleep, and appearing restless during the night, Schutt asked the cause, when he said that it troubled him to think the people should imagine that he had killed his wife and child. Schutt told him to be easy, for he could doubtless explain matters satisfactorily, and the night passed without further incident. For the next few days he was a visitor in turn to several of the relatives of his wife, and being everywhere questioned, as a matter of course, as to the whereabouts of his wife, returned evasive answers, but generally asserted that she was between the lakes. After the lapse of about a week he returned to Ithaca and was again the guest of his brother-in-law, W. H. Schutt. He now placed his family further away, and said they were in Madison, Lake county, Ohio, where he said he had engaged a school and had excellent prospects, while his wife was pleased with the climate and society. His return, he said, was solely for the purpose of closing his affairs in Tompkins county, and to remove his household goods to his new abode. Mrs. Hannah Schutt, the mother of the wife, to whom these stories had first been told, with the intuition of a woman and a mother, was the first to detect their falsehood, and the expression of her conviction was to drive Ruloff from the house!

It is not strange, therefore, that the general public of Ithaca coming to hear of these contradictory tales, were convinced that murder had been done. There were no detective police in that country, and the work of ferreting out the crime which had been committed, was either to be left undone or voluntarily assumed. In this dilemma a number of gentlemen made a formal call upon Ruloff while he was at the house of his brother-in-law, and demanded that he should satisfy them with positive evidence of the whereabouts of his wife and child. He repeated almost verbatim his conduct of years before when charged with the theft in St. John, and became abusive of the self-appointed committee, who, in his view, were endeavoring to pry into his domestic matters. But these were the first citizens of Ithaca, and were determined not to be driven by a few hard words from a duty they considered they owed to the public, and they told him plainly that unless he gave some satisfactory explanation of the whereabouts of his wife, they would cause him to be placed under arrest. Finding from their determined manner that he must do something, he turned to the outraged family and asked, "What shall I do?" thus showing himself, as he always did, one of the most helpless of villains when driven to cover. So long as he was only required to recite a tale learned by rote, he was equal to an emergency, and could

carry all before him with a braving show of honesty, but he was then, as always, unmanned when confronted with a sudden crisis. "What shall I do?" cried in his utter helplessness, was one key to his character, and another was his readiness to catch at any suggestion offered, as he did then with that of one of the Schutt brothers to write a letter to his wife asking her to dispel the painful rumors in circulation, by an answer by return mail, and that meantime he should remain in Ithaca. He professed his hearty concurrence, and gave his word of honor to remain where he was until the answer should be received. It being understood that the Schutts would see that the letter was written and mailed the committee was satisfied and withdrew.

When they were gone, Ruloff sat down to write the promised letter, but was apparently suffering from strong mental agitation as he made several attempts before he succeeded in producing one satisfactory to himself. It was shown to the Schutts, and as it was a literal fulfillment of his promise, asking the absent wife to send him a line as soon as possible, if it were nothing more than to say that she was alive and well, it was decided to be sufficient. It was directed to "Mrs. Harriet Ruloff, care of N. Dupuy, Madison, Ohio," and was mailed the same evening by one of the Schutts. For a period of twenty minutes Edward H. Ruloff was generally regarded in the town as a man who had been cruelly wronged by most unjust suspicions.

CHAPTER V.

FLIGHT AND CAPTURE.

WHILE Mr. Schutt was yet at the post-office talking with the citizens, and receiving their congratulations that there was now some reason to believe that his sister was yet alive, another inmate of the house ran breathlessly up to say that Ruloff had just left it, and gone out on the Auburn road at the top of his speed. Instantly there was a revulsion of feeling against him, as this sudden flight, almost at the moment he had given his promise to remain, was considered conclusive evidence of guilt. It was at last determined to adopt effective measures with this man who had become a public pest, and a warrant being obtained for his arrest, on a charge of murder, several persons started in pursuit. At the edge of the town they met a gentleman coming in, who told them, that a short distance out, he saw a man whom he thought at the first glance was coming rapidly towards him, but whom, on getting nearer, he found to

be going toward Ithaca. After passing him, without, however, paying any heed to him, the gentleman stopped to water his horse long enough for the man to come up, but yet saw nothing more of him. This shallow trick did not serve to deceive even the amateur detectives of a country village, and it was concluded that Rulloff was aiming to make a certain train westward from Auburn. Mr. Ephraim Schutt was specially detailed for the pursuit, and he, still thinking that the story of the fugitive was true, determined to go on to Madison, Ohio, leaving an officer to follow with a requisition for arrest, to be used or not, as circumstances might require. Being too late for the steamer on Cayuga Lake, he took a horse and wagon, and by dint of hard driving across the country, reached Auburn in time for the train. Looking through the cars while they were standing at the depot, he did not see the fugitive, but he determined, nevertheless, to go on. At the next station he was surprised to see Rulloff step from one of the forward cars, and stand as if in doubt what next to do. Schutt was in the same dilemma, and before he had made up his mind the train started. He then made another search, and was rewarded by finding his brother-in-law seated in the emigrant car. Rulloff gave him a look of mingled ferocity and fear, which Schutt only answered by asking for an explanation of his strange conduct. The other replied with a plentiful sprinkling of his customary oaths that the people of Ithaca had acted so like fools, that he had resolved to give them all the trouble he could, and was therefore on his way to his wife, whither they could follow or not, as they pleased. Suddenly changing his manner to one of kindly confidence, he proposed to Schutt to accompany him to Madison, and see for himself how false had been all the suspicions of his conduct. The proposal was cordially accepted, and the two men travelled on together. A night was spent at Buffalo, where the two men occupied the same room, and Rulloff exhibiting his swollen and blistered feet, perhaps to convince his companion that he could not run away again, even if he would, explained their condition, by saying that he ran from Ithaca to Auburn, which is a distance of nearly forty-five miles, between the setting and rising of the sun. Lulled into a false security by those blistered feet, Schutt might have been a little careless the next morning, when they were forcing their way through an immense crowd on board the boat for Cleveland. Getting on board himself only at the last moment, the vessel had already left her wharf before he discovered that Rulloff had not followed him, and was not on board. He then for the first time became convinced that Rulloff was guilty, and quickly determined on the course he would pursue. Going on with all possible haste to Madison, it required little time there to learn that no such person as N. Dupuy was known anywhere in the vicinity; and that his sister as

well as her husband were equally unknown. Returning with all possible dispatch to Cleveland, he was in time to be at the wharf when the emigrant boat from Buffalo arrived. He had previously communicated with the authorities, and was accompanied by an officer armed with a proper warrant of arrest. The passengers were closely watched as they came from the boat, but Ruloff was not seen among them, and Schutt for a moment thought that he was defeated at the last moment. But he knew the wiliness, in a small way, of the fugitive, and therefore a search was made of the places of public resort near the wharf. In a dining saloon of a low class, concealed behind a large dry goods box, Schutt discovered the object of the search, and pointed him out to the officer, who tapped him on the shoulder in the old fashion of the time, and asked him if his name was Ruloff. The person addressed answered in the negative, with an appearance of great surprise; but an instant later, seeing Schutt, he saw that denial was of no avail, and quietly surrendered. Even at that late hour, and although convinced that his sister had been foully dealt with, and that the man, with whom he was dealing was incapable of truth, Schutt made a last offer to stay the avenging hand of the law if the disappearance of Harriet could be satisfactorily explained. Ruloff was unprepared with any other answer than a proposal to go back to Ithaca voluntarily, rather than remain in prison in Cleveland until a requisition could be procured from the Governor of New York.

The proposal was accepted, but the prisoner did not leave Cleveland without an exhibition of his singular power over others, which had so often been manifested during his career. While the boat, on which he and his captor were to go to Buffalo, was yet at the Cleveland wharf, he managed to obtain an interview with the officer who had arrested him, who was celebrated throughout Northern Ohio, as "Old Hayes," a detective of shrewdness and experience. Even this old and wary bird he caught with such chaff as this:—"My friend, it is all right; my wife and child are living. You see I am a poor devil. Look at me! My wife's family are wealthy and proud, and despise me only because I am poor. My wife loves me, and I her, and we have concluded to leave her family, and go where they will know nothing of us." This and more to the same effect was set so winningly before the officer, and was accompanied with such intense emotion, that the officer was convinced he had a cruelly injured man in custody, and was about to permit him to go where he pleased, when Schutt came up, and destroyed this last chance of escape by marching Ruloff off to a stowage room on the boat, in which he was locked up, and not permitted to emerge from it until the boat was in the middle of Lake Erie. Then Schutt took him out upon the upper deck, and sitting down by the pilot house, placed all the facts of the case before him as a preliminary to a last demand for some definite information of his sister.

Rulloff only replied with a proposition to end the matter by jumping overboard; to which Schutt coolly answered, that it would be a fitting close to the affair, but that Rulloff was too great a coward to do it. The prisoner justified the opinion of his captor, by sullenly keeping his seat, and the next moment experienced that popular wrath he was so often to encounter afterwards. The captain of the boat who had overheard a portion of the conversation approached, and in a loud voice exclaimed:—

“That wretch has murdered your sister! If it was my case I’d hang him at the yard-arm.”

The words were heard and carried everywhere, and the story of the crime being passed from lip to lip, the excited passengers would undoubtedly have carried the hint of the honest captain into execution but for the timely interference of Schutt, who hurried his prisoner away and locked him up in his room.

At Buffalo a warrant was procured, and Schutt being constituted a special officer, took legal possession of his prisoner. When on the cars, Schutt produced a pair of hand-cuffs, with which he manacled his prisoner, notwithstanding his remonstrance to the indignity; there had been deceptions enough, said Schutt, and he was determined that Rulloff should now go to Ithaca whether he liked it or not. The prisoner knew it not; but for the first time in his life he was about to do the State some service, and become of some practical account in the economy of the world.

CHAPTER VI.

CONDEMNATION AND PUNISHMENT.

THE journey from Buffalo to Ithaca was accomplished without incident, but the news of his coming preceded him, and when the prisoner arrived at the town where he had been so kindly received three years before, he met one of the most terrible but most excusable storms of popular indignation which any criminal was ever compelled to face. The whole city met him at the depot, to gaze with undisguised horror upon the man who was universally believed to have committed a brutal, unprovoked murder; and although no word or act of insult was offered him, he stood that hour upon a mine that the least spark would have ignited, and left no trace of him upon earth after its explosion. It is characteristic of the man that he proposed to walk to the prison through these excited crowds, and had his proposal been accepted, there is not the least doubt that there would have been no occasion to unlock the prison doors for his reception. But Schutt refused, and the journey being performed in an omnibus, Rulloff was at last in a prison

he had long evaded, and in which he was destined, long years afterwards, to bring sorrow and ruin upon another family.

But he was to make a partial retribution for the past, before an opportunity for new crime was to be afforded him. The bodies of his murdered victims were never found, although during all that summer Cayuga Lake was constantly dragged with the most approved apparatus, and at an expense, it is said, of \$10,000. The District Attorney therefore determined that the evidence upon an indictment for murder would be so defective as to allow the criminal a chance for escape, and therefore determined to try him under a clause of the Revised Statutes for the crime of abducting his wife, of which offence the proof was incontrovertible. The trial came on at the January term, 1846, of the Tompkins County Oyer and Terminer, and was attended with the most profound public excitement which had ever marked any criminal trial in Western New York. The character of the criminal, his history so far as it was known, his acquirements, his assumption of superiority to his surroundings, the character and numbers of the family he had desolated, the involving of a helpless babe, of which he was the father, in an impenetrable catastrophe, and more than all, perhaps, the newness of such turpitude as this crime evinced to the community, all combined to make the trial the great event, not only of a year, but of a generation of rural life. The facts which have been stated in this narrative having nearly all been placed in evidence, there could of course be but one result, and the prisoner was sentenced to ten years at hard labor, which was the full penalty fixed by the law for the offence for which he had been tried.

In prison, as out of it, Edward H. Rulloff was a remarkable man. His aptitude in acquiring the outlines of every science or handicraft was never before so signally shown, and he obtained some general knowledge not only of those mechanical arts at which he was put, but of all which he happened to see carried on. He was an enigma to the prison authorities, who hardly knew how to make the most profitable use of the prodigy which an outraged law had placed in their custody. He was tried in several mechanical departments, but his capacity was beyond them all, and his keepers soon became convinced that they must devise some special field of labor for him, in order to make the best use of him. He had a mind which refused to run in the worn grooves of human action, even in the most trivial things. If he was to do nothing more important than the sharpening of a hand-saw, he did it in a way that was new, and to him an improvement over the old method. He was constantly advancing new theories, some of

which were flimsy enough, but others were of sufficient coherence to at least engage the attention of the skilled and learned. This vein of originality finally determined his field of duty in Auburn Prison, where he became a designer of patterns; and he made them for carpets with a wonderful prodigality of invention and more beautiful than had ever before been produced in the United States. Twenty years afterwards this accomplishment was to be a solace in moments of unutterable agony; but in Auburn Prison it was no less a delight to him than it was a source of profit to the State.

His demeanor during his ten years of service was in keeping with his contradictory character. Generally he was docilely submissive to rules of prison discipline, and gained the favor of the keepers by his readiness to assume any task and his zeal in performing. There was never any occasion to drive him to work, for he was always ready to do all, and even more than all that could possibly be required of him. His anomalous position and character gave him furtive enjoyment, not admissible under a strict enforcement of the rules, chief of which was the gratification to some extent of his insatiable appetite for books. But, notwithstanding all his advantages, the malevolence of his nature would sometimes flame up almost to the point of a flagrant violation of prison rules. Generally these displays were provoked by some trivial act or deed of a fellow convict, for it has always been the fate of this monstrosity to set loose his consuming passion without sufficient cause. But while he was at Auburn he seems to have kept better control of himself than ever before or since; and he was there known only as a man subject to sudden bursts of passion, but placable, if not equable, in his disposition. The wilful malice which is the essential ingredient of the murderer no less than of the crime of murder few believed that he had; and so the years went on, and he reached the threshold of liberty by the expiration of his term with the general good will of his keepers. His powers of fascination had been exerted to good purpose, and there were among the officials some who believed him to be a man outraged by the vindictiveness of the Schutts.

But the feeling against Ruloff had been strengthened rather than weakened by time. As year after year rolled away without discovering the faintest trace of the missing wife and child, the conviction became more general and profound that murder had been done. It had already become so inexorable that at the January term, 1848, of the Tompkins Court of Sessions, the District Attorney obtained an indictment for the murder of Harriet Ruloff against him, and it was filed away to await the expiration of his term of imprisonment, then eight

years distant. During those eight years the cause of the Schutt family became that of the whole community. When Rulloff stood at the bar to answer the charge of abduction, there were some citizens of high character, although few in number, who believed that while there were some good reasons for believing that wrong had in some way been done the missing wife, the solicitude of the Schutts had converted conjecture into certainty; and that while the chance remained that the wife would return to give satisfactory account of her absence, wrong would be done this man by punishing him for a crime which might not have been committed by any one. But with the lapse of time this chance was destroyed, and every citizen of Tompkins County became as anxious to have Rulloff punished for the crime of murder as the Schutts had ever been.

Long before his term expired, he had not a friend or apologist left among the people he had outraged by a black crime; and while he thought he was approaching liberty, they were determined that he should exchange his cell in Auburn Prison only for a gallows in the yard of Ithaca Jail. There was no general public avowal of that purpose, but there was never, probably, such tacit unanimity among a whole people to accomplish an unacknowledged design. That Edward H. Rulloff was to be hung by the forms of law if possible, but without them if necessary, was a judgment irrevocably entered in the public mind.

CHAPTER VII.

CONDEMNED TO DEATH.

ON a bleak day in January, 1856, Edward H. Rulloff arose, as he thought, to liberty and renewed life. On that day the penalty exacted by the law for the crime it had been able to prove had been paid to the last minute, and the sentence of confinement at hard labor for ten years had been literally fulfilled. For this decade had been to the convict actually one of hard labor beyond the prison requirements, or the exactions of the law. His mind had been abnormally active, and the work upon which he had been engaged might have been more wearing upon ordinary men than the most severe physical toil. But this man had, among his other accomplishments, mastered the laws of health, and he stood that last morning in Auburn Prison in perfect physical condition, his flesh compactly hard, his muscles all developed to the utmost, and every vital organ not only unimpaired, but strength-

ened by the strain of ten years' confinement. His mental resources had also been increased, and with large additions to his stock of general knowledge, besides a mastery of some specialties that might stand him in good service in the future, no convict probably ever approached liberty with more advantages than Edward H. Ruloff. Certainly, none ever stood at its threshold with more of hope, for this man has always had a sturdy confidence in fate, that has led him into innumerable crimes.

But on that January morning his dreams were suddenly dashed, at least for the moment. When his discharge was handed him in the office of Auburn Prison, a stranger tapped him on the shoulder, announced himself as the Sheriff of Tompkins County, and exhibited a warrant for his arrest on an indictment for the murder of Harriet Ruloff. The convict was staggered for a moment only. He was lawyer enough to know that, the people having elected to try him for the abduction of his wife, they could not go back, after he had been punished for that offence, and again punish him for the same act. He knew what the District Attorney ought to have known, and probably did know, that the evidence upon the trial for murder must be the same as that upon the trial for abduction, and would necessarily bar a conviction for the murder of his wife. Believing this indictment to be the last device of those he considered his enemies, he went back to Ithaca Jail, convinced that it was more of an annoyance than a danger, and that without a doubt he would be able to break this new net within a few weeks.

He occupied himself immediately upon his incarceration at Ithaca in preparing his case for hearing at the first opportunity. He was too poor to employ counsel, and even if he had not been, he rated his own powers too highly to believe that they required reinforcement in such a case as this. He again gained the confidence of his jailers, who readily obtained for him whatever books he desired, which were to be found among the lawyers of the town; and supplied with these, he worked industriously in preparing his case for hearing upon *habeas corpus*; and taking out the writ, the case came on at the April term, 1856, before Judge Balcom, of the Supreme Court. Ruloff appeared for himself, and was prepared with a formidable array of authorities to show that his conviction for abduction was a bar to the indictment for murder, and therefore that he was illegally restrained of his liberty. He was prolix, often trivial, and addicted to repetitions in his argument, as he always was afterwards on such occasions; but his breath was wasted, for Judge Balcom declined to pass upon the point

presented in a hearing upon *habeas corpus*. Whatever effect the conviction for abduction might possess, it was held that it could only be considered on the trial for murder in the Oyer and Terminer. Ruloff was therefore adjudged to be legally in custody, and was remanded to Ithaca Jail.

His impatience to be free defeated itself. Mr. J. A. Williams, then District Attorney, became convinced by these proceedings in *habeas corpus* that the indictment for the murder of Harriet Ruloff was untenable, and abandoned it. But the people of Tompkins yet had a grip upon the prisoner, and at the June Court of Sessions an indictment was found against him for the murder of his infant daughter. In the former trial for abduction the child had not been brought into the question, and the new indictment was therefore entirely free from the objections which were fatal to the old. But it was a most curious legal document, for, the manner of death being unknown, it charged that it had been committed by poison, strangulation and bodily assault. Confronted with this new and more deadly danger, Ruloff employed counsel, and their first step was to remove the case to Tioga County by *certiorari*, upon the ground that owing to the public excitement and general rancor against the prisoner, an impartial trial could not be had in Tompkins, which was undoubtedly the fact. Having taken this precaution, the defence had no further preparation to make, and the trial began before Judge Mason at the Tioga Oyer and Terminer, on the 28th day of October, 1856, and occupied several days. To show how vividly the events involved lived in the memory of Tompkins, even after the lapse of eleven years, the following extracts from the evidence are given :

Hannah Schutt, sworn: Am mother of Mrs. Ruloff; she was married on Sunday, and they went the same day to William's wedding; remained a month or so at Ithaca, then came back; I saw that she was unhappy; heard no conversation between them that I can relate; William's wife died on the fifth and his child on the third; on the fourth of June, when Ruloff was about leaving, he said that if William's wife and child died he might thank himself for it, and we were little aware of the judgments that were coming on our family; Ruloff and his wife came to our house in May, 1845; stayed about three weeks; went back to Lansing, June sixteenth; a few days after they came home William came; said his wife was sick and wanted him to visit her; the next day Ruloff wanted me to go and take care of her; said he supposed I felt anxious for her to get well; then Ruloff said William had misused him, and it was wholly indifferent to him whether she got well; that William had misused him about Dr. Bull, and that thing would yet mount up to the shedding of blood; on the way

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to William's he said it was strange that I had raised so many children without losing any, but my gray hairs would yet go down in sorrow to the grave ; he said, William's wife and child have gone ; who will go next ? he said then Harriet and her babe would go next ; this was the 5th of June, 1845 ; said William had misused him a short time before he was called to prescribe for the wife.

Jane O'Brien, sworn : I kept the boarding-house spoken of ; Mr. and Mrs. Rulloff were with me off and on ; when they first got back from Jefferson it seems that the minister kissed both the brides ; he, Rulloff, said if he was a woman he would murder a minister before he would permit him to kiss her ; said he didn't believe in such habits ; afterwards they went to a shilling party, and the minister kissed his wife again ; this was about a week after ; he was very angry ; said he would never take her anywhere again ; she went without a meal for two days ; about three weeks after the marriage Dr. Bull called ; kissed Mrs. Schutt and Mrs. Rulloff and Mr. Schutt ; Rulloff got up and left the table ; he came down stairs and went away ; he didn't come back to dinner ; Bull had then gone ; Rulloff came back in a little while and went up stairs ; then came down ; then we, William's wife and I, went up and found her sobbing ; the last of April or first of May, William went to Jefferson and stayed longer than Rulloff wished ; the latter was very angry ; Rulloff was determined that the child should go home on foot and pushed it towards the stairs ; Mrs. Rulloff followed to the stairs ; I heard something like a blow ; as I went up I saw her, and she said, Oh, Jane, come up quick ! Mrs. Rulloff said, Edward is going to make me take poison and take it himself ; they were clinched together ; he had the bottle in his hand, and I and she tried to take it away ; I took hold of her ; he said, By the living God, this poison will kill both of us in five minutes, and that would put an end to their troubles ; he saw they were getting the better of him and he threw it out of the window ; then they got over the excitement, and he began to twit her about Bull, and she dropped on her knees and said, Oh, Edward, I am innocent as an unborn child ; he struck her in the face, and said, Get away, G-d d-n you ; you know better than to come near n. when I am angry as I am now ; the blow knocked her over ; she looked very red in the face ; he then told her she could go and live with Dr. Bull, and seek all the pleasure she wished to, for he didn't want to live with her any more ; he charged her with sexual improprieties ; his language was pretty broad ; that was about all that was said ; I advised him to go away and leave her ; Rulloff said that before he would leave her to another he would serve her as Clark did his wife ; Clark murdered his wife ; said Clark was a gentleman, and he would chop her as fine as mince meat ; that night he carried them back ; two or three days afterwards he said he was going after his wife's clothes ; that no other man should have them ; he didn't get them ; he came in about twelve at night, and sat down with a letter from William Schutt in his hand, and said he sometimes felt like destroying the whole family, and then being hung like an honest man, as Clark was ; Clark was hung some twenty-six years ago.

Thomas Robertson sworn: Lived in Lansing in 1845, and live there now; knew defendant and family; live on the middle road, five miles north from Ithaca; for a few weeks he and I lived near each other, a scant mile and a half from the lake; his house was on the corner opposite mine; I was on the west side of the road, defendant on the east side, but the width of the road north; part of the time they, as was said, were at Mrs. Rulloff's father's; his family consisted of a wife and female child; in June, '44 or '45, Rulloff called on me for a horse and wagon, between ten or eleven o'clock; he wanted a wagon to carry a chest of his uncle's to Mottville; think, but am not certain, that he named his uncle as Boyce; Mottville is eight or ten miles from my place; I let him have the horse and wagon, but reluctantly, because it was an extreme hot day; he came for the horse a few minutes after twelve; he took dinner with us; just after dinner my son and he got the horse and went to his, Rulloff's, door; I saw them there and went over, and just as I got there defendant was pushing a chest towards the door, and took hold of it to put it in the wagon; I said, shall I help you load it? he said, If you please, sir; I did it, and he went in the house, leaving the door about one-third open; I moved the horse across the street into the shade; subsequently he drove off; the end of the chest was heavier than if filled with ordinary clothing; my end weighed about sixty or seventy pounds; a part of the building had been previously used for a store; the windows had tight shutters; they were sometimes shut and sometimes open; the south windows were closed, and one-half of one towards me was open; am not positive about this; he went directly south on the road to Mottville; that road did not communicate with the lake, except by other cross roads that he could have taken; there are woods upon these roads going to the lake; after I hitched the horse R. came out with a flour sack or pillow case about one-third full, and put it into the wagon; have not seen the family since; he brought the horse and wagon back about twelve the next day; the horse didn't seem to have been driven, wasn't sweaty; was as hot a day as the one previous; he took dinner with us that day; at three or four p.m. I saw Mr. Rulloff going towards Mottville or Ithaca with a bundle in his hand; bundle was tied up in a reddish shawl or handkerchief.

Richard K. Swift, sworn, says: I reside in Chicago; lived there in 1845; dealt in money, principally in real estate; think in 1845 my brother was applied to for a loan by a man; my brother refused; heard the man say he had lost his wife and child, and was out of money; I said to brother if he didn't let him have the money I would; I let him have \$25 or \$30, for which he gave me his note, signed, I believe, James H. Revillee; he left, as security for the payment of his note, a brown chest, snuff brown, I think about eighteen inches across ends, three feet or more long; as near as I can now remember, he said his wife and child died south of Chicago, on the Illinois river, in Illinois; I think he said they died about six weeks before; I was at Ithaca in August last, saw the defendant; I thought I recognized him; I might not have recognized him in a crowd; he told me if he didn't return in

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a certain time I was to write to a certain place near, I think, the Mohawk river, and he would remit the money; I wrote and received no answer; I then, with Dr. Byn and others, opened the chest; found a good many books, the box now in court, a sheet, and some other things; he was there with me, and got the money, August 4, 1845; that was the date of the note; I have a statement, made out February 18, 1847, of contents of the box; I remember a large bundle of papers, lectures on phrenology, Hooper's Dictionary, E. H. Rulloff written on inside cover; some of the names were erased; names of places rubbed out; so of names of persons; small box contained women's fixings, papers in bottom of box, letters, cards marked Edward H. Rulloff; a paper on which were the words, "Oh, that dreadful hour!" one lock of light brown hair in paper, labelled a lock of Harriet's or Mary's hair; I thought Harriet; think the chest was heavy with books; saw a pocket-book in box; can't identify it; style of card is the same; pair of hose like these; remember a piece of silk and a bead-bag like this; the small box was in our house for many years; the lock of hair was lost, and so of the loose pieces of paper on which the words were written; I remember a figured lace cap for an infant; the silk was light-colored, ash-colored; there were a lot of small sea shells.

The jury rendered a verdict of guilty, and Judge Mason, overruling a motion to stay judgment, pronounced sentence of death upon the prisoner. But he was not yet at the end of his resources, nor near the end of a rope. The second phase of the long and bitter struggle between him and the law was yet to come, accompanied by the strangest, and, in their effects upon others, the saddest episodes of his career.

CHAPTER VIII.

STRUGGLE AND ESCAPE.

A MAN under sentence of death rarely fails to exhaust the technicalities of the law before he goes to the gallows, and Rulloff was no exception to the general rule. The first step was an appeal to the Tioga General Term, which was obtained with a stay of proceedings, and the cause was heard at the April Term, 1857. The point of law involved was one of great interest and importance, upon which there was not then any authoritative decision in the State of New York. In Rulloff's case, the dead body of the child never having been found, the *corpus delicti* had necessarily been proven, or perhaps it might more properly be said, inferred from circumstantial evidence. In opening the case in Oyer and Terminer, the District Attorney had distinctly admitted that he was not able to prove the death by positive testimony, and the defence claimed as the chief ground of error that the Court should have

immediately stopped the prosecution. The points involved in the appeal were argued at great length and with consummate ability by Hon. Daniel S. Dickinson for the people, and Joshua A. Spencer for the prisoner. The Judges gave separate and elaborate opinions, in which they reviewed all the authorities, domestic and foreign; but in conclusion, Judges Mason and Grey held that as a rule of law the *corpus delicti* could be shown by circumstantial evidence, and believing that it had been fully shown by such evidence in the case at bar, refused to disturb the judgment of the Oyer and Terminer. Judge Balcom dissented from this opinion in its first branch, holding that the *corpus delicti* could only be proven by positive testimony. But the majority having sustained the verdict, Ruloff was again in most imminent danger of the gallows, and although measures were instantly adopted to take the case to the Court of Appeals, Ruloff had resolved not to trust his life any further to the uncertainties. This determination brought into the foreground of his life one of its most repulsive features.

The Under-Sheriff and jailer of Tompkins County at that time was Jacob Jarvis, a man of excellent repute and blessed with the most happy domestic ties. His wife was an exemplary woman, and among his children was Albert T. Jarvis, then 18 years of age, and a young man of most correct habits and excellent promise. Into this happy circle the prisoner easily wormed his way, for the family lived in the jail building, and being brought into frequent contact with all its members, he gained the confidence of all by his winning manners and captivating address. So absolute was the faith in him that Mr. Jarvis allowed his son to spend all his days in the cell of the prisoner, taking lessons from him in Latin, French, stenography and other branches of learning. The father thought his son was laying the foundations for future usefulness and honor, while in fact he was being prepared for a shameful career and an ignominious death, while yet the first blush of manhood was upon him. Jarvis was warned in vain of what might result from this intimacy between his son and the prisoner by Mr. Ephraim Schutt, who had come to fully understand the character of that monster. At last, during the night of the 5th of May, 1857, the mine which had been so long preparing under the feet of the infatuated father was fired by the escape of Ruloff from jail, with the plain connivance of some one of the jailer's family, and the disappearance with him of Albert T. Jarvis, who was henceforth to live the shadowed life of a burglar. The Jarvis family was thenceforward a

wreck, as the father fled from his shame to California, and the other members lived on in social ostracism.

Ruloff fled to Pennsylvania, and by dexterous hiding among the northwestern counties managed to elude his pursuers, notwithstanding the country was placarded with posters like this:

On the night of the 5th of May, 1857, Edward H. Ruloff, convicted of the murder of his infant daughter, escaped from the jail in this village. He was assisted in his escape by some person or persons outside of the jail. Said Ruloff is about 5 feet 8 inches high, stout built, short thick neck, large head, a man of quick, precise motions, and stoops forward when he walks, speaks English, German, and other languages, and had a beard of some six or eight weeks' growth when he left, weighs about 180 lbs., measures round the chest 40 inches, round the waist 37 or 38 inches, broad between the eyes, dark brown hair, rather small, dark blue or hazel eyes, broad full face, probably some callouses on his ankles caused by shackles. He was a convict in Auburn Prison for ten years for the abduction of his wife.

A reward of \$250 is hereby offered for such information as shall lead to the conviction of any person or persons who aided in the escape of the said Edward H. Ruloff, and a further reward of \$500 is offered for the return of the said Ruloff to the jail of this county.

R. J. IVES, *Sheriff of Tompkins County.*

ITHACA, N. Y., May 29, 1857.

Proclamation by John A. King, Governor of the State of New York:

Information having been communicated to me by R. J. Ives, Sheriff of the county of Tompkins, and by other respectable residents of that county, that Edward H. Ruloff, convicted of the murder of his infant daughter, had escaped from the jail at Ithaca, with a request that a reward should be offered by me for the apprehension of said Ruloff in addition to the reward offered by the said Sheriff. I do, therefore, hereby offer a reward of five hundred dollars to any person who shall give information which shall lead to the apprehension of the said Ruloff.

In witness whereof, I have herenunto affixed my name and the Privy Seal of the State, the twelfth day of June, in the year of our

[s. L.]

Lord one thousand eight hundred and fifty-seven.

By the Governor,

JOHN A. KING.

HENRY I. SEAMAN,

Private Secretary.

Only confusing glimpses of the fugitive can be obtained during his hiding from the law, but they present some of the most interesting aspects of this remarkable criminal; and as they must necessarily be presented in a somewhat disconnected form, a statement recently made

by A. B. Richmond, Esq., of Meadville, Pa., and published in the *Republican* of that town, is now appended :

It was in the winter time, about twelve years ago, that I was sitting in my office, when a man came in, dressed in cheap, plain garments, looking like a farmer, and asked if this was Mr. Richmond. I replied that it was, when he said that he had heard that I had invented a patent machine, and wished to know if I would be willing to get an agent to sell it for me. He said his name was James Nelson; that, although a stranger to me, yet he could give me undoubted references as to character, &c. There was something peculiar in this man's appearance. He had a face the most peculiar I ever saw; a face once seen, never to be forgotten. I saw from the tone of his voice that he was evidently a gentleman of culture and education. I took him into my laboratory to show him the machine. He seemed pleased with it, and wished me to make him a proposition. As the machine was one that I had invented more as a matter of pastime than for profit, without any intention or thought of pecuniary recompense, I told him that I would give him the undivided half interest of the United States for \$500. He said he would take it, that he had a brother who was quite wealthy, and would assist him, and he would get the money when he got the model ready. I asked him if he could construct a model. "Yes," said he, "I am a fine mechanic;" and with the science of which he seemed thoroughly conversant.

We went into my collection room, and first came to a case containing marine shells. The shells had been lying on cards, and some visitors who had been examining them had transposed them. He immediately stopped and called my attention to the fact, saying, "Mr. Richmond, that is certainly not correct. That shell is not correctly labelled. That shell is surely not *Spondylus Spinosis*, but is the *Argonauta Argo*." I discovered the mistake, perceiving how it had occurred. Of course I was very much astonished to find that he should know anything about them, but I found, upon further conversation, that he was perfectly familiar with the science of conchology, and also equally well acquainted with the science of mineralogy. My astonishment increased, when, a little further along, he picked up the skull of an Indian that had been found on a Western battle field, and remarked, "Ah, that man received a terrible blow upon the right *parietal* bone. See, it has fractured the temporal bone;" and remarked further, "He must have been a man of considerable age, as the *lambdoidal suture* is almost obliterated." Upon further conversation with him, I found that he was a fine anatomist, a science to which I had paid some attention. We passed then to the case of insects, and I found that he was likewise acquainted with the science of entomology, naming the insects in my collection as readily as I could.

By this time my surprise was unbounded, as I had had many learned men visit my collection, but never found one that seemed to understand so well all the sciences connected with the objects in my museum. He passed around the collection and repeated a quotation in

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Latin, with which, by mere chance, I happened to be familiar, and I continued the conversation as though he had spoken to me in English. Then he repeated a sentence in Greek. I discovered that he was evidently trying to exhibit his best phrases intellectually, and remarked to him that it was something unusual to find a visitor so well acquainted with the sciences and languages. He then took from his pocket a certificate from the late Rev. Dr. Barker, President of Allegheny College. The certificate stated that he had examined Mr. James Nelson in Latin, Greek, Hebrew, French, and German, and that he took pleasure in stating "that he found him one of the best linguists it was ever his pleasure to meet." Nelson said that he had obtained the certificate, as he desired to obtain the situation of principal in some school or academy. We then passed into the laboratory, where we found on a shelf some apparatus that I had used in the stomach of Daniel Drew, who had been poisoned by arsenic. I found him perfectly familiar with all the tests for detecting poisons, and apparently as much so with my galvanic, electrical, magnetic, and chemical apparatus as I was myself, or even more so.

I completed the arrangement with him for the sale of the patent, and told him that a townsman of mine, one George Stewart, had also invented a machine, and that I did not doubt but he could get the agency of that machine also. He effected an arrangement with Stewart, and on the next day went to work to construct a model of my machine. That evening when I left my office I left him at work in the laboratory, and in the morning when looking out, I saw a light still there, and when I went in I found him still at work. He gave as his reason for working all night, that his eyes were weak, and he was better able to work at night than in the daylight. He had partially constructed a beautiful model, which was also exquisitely carved and ornamented. He worked at that model for several weeks, working always at night.

In going into the laboratory one day, he asked me if I had an emery wheel, for polishing. I showed him one, which he said was not rightly constructed, and described to me a method of constructing one which I had heard was used in the Auburn Penitentiary, in the State of New York. I remarked to him, jocularly, "Mr. Nelson, that is the way they polish cutlery in the penitentiary. Were you ever in there?" He turned suddenly upon me, and his eyes fairly blazed with fire, with a look like a tiger ready to spring upon its victim, as he said, "What do you mean?" and a more fiendish expression on a human countenance I think I never saw. But he perceived from my look that it was only in joke. He said that he had seen that one in use for polishing cutlery, when there on a visit.

A few days after this he informed me that it would be difficult for him to get money, and wished to know if I would take four or five gold watches as payment in the place of money, stating that he could get them easily. By that time I had become so much attached to the man that I would have let him have the invention upon any terms. I said I would. He stated that he would go and see his brother

in a few days, but before doing so wished to attend our Court of Oyer and Terminer, which was to sit the next week, knowing that I was to defend a man for murder during that term of court. He attended the court and manifested an intense degree of interest in that trial for murder.

He asked me, then, if a man could be convicted of murder without positive proof of what lawyers term the *corpus delicti*, or that the murder had been actually committed, by the actual finding of the body? This was a question in which he seemed very much interested.

A few days after he went away, as he said, to see his brother, taking with him some handbills, which he had got printed, advertising my invention and that of Mr. Stewart. He borrowed five dollars of his landlord, and on the night he left a boot and shoe store near his hotel was broken open and some boots and leather taken therefrom. In a day or two his landlord received five dollars from him by mail, from a little town in the country a few miles distant, and where we ascertained that a man answering to his description had sold some boots and leather. A few days after, our postmaster received a letter from Warren county, Pa., stating that a jewelry store had been broken open, and some watches taken, which were afterwards found concealed in a pile of lumber, with one of those handbills wrapped around them. This led to an inquiry of our postmaster as to whether two men resided in Meadville, named, respectively, A. B. Richmond and George Stewart, and inquiring as to their character, etc. Mr. Stewart, when informed by the postmaster of the circumstances, was very much annoyed, as he was a most exemplary member of one of our most prominent churches, and I annoyed him still more by informing him that there was pretty strong evidence against us that we had committed the burglary. Mr. Stewart recollected that Nelson had had his photograph taken in this place, and immediately had one printed and sent down to Warren county, whence we shortly after received information that James Nelson was the celebrated Edward H. Rulloff, who, it was suspected, had murdered his wife and child in Ithaca, N. Y.

CHAPTER IX.

CRIMES BY THE WAYSIDE.

THE immeasurable vanity of the man had been displayed before his accomplishments were paraded to the astonishment of Mr. Richmond, and to as little practical purpose, except its own gratification. As the statement shows, Rulloff, under sentence of death for unnatural murder, and in imminent peril at every moment of being discovered and apprehended by the officers of the law, approached Rev. Dr. Barker, then

President of Allegheny College, located at Meadville, under the name of James Nelson, and had so won the admiration and confidence of that estimable gentleman, that he was received, through his instrumentality, into the most refined and distinguished society of Meadville. Those six or eight weeks during which he was working on the model in Mr. Richmond's office, and was a frequent and honored guest in the houses of gentlemen of wealth and distinction, where he was considered a gentleman of the highest honor, most brilliant intellect, and profound education, must have been halcyon days to Ruloff, who was, for the first and only time in his life, in the enjoyment of good reputation in learned society. Provided always that relentless Tompkins County did not unearth him, and by a touch of the magic wand of truth transform the polished scholar, James Nelson, into the mountebank murderer, Edward H. Ruloff, there seemed no bounds to the prosperity which was opening before him. A lawyer, a physician, master of ancient and modern languages, an adept in the physical sciences, every road of honor seemed open to him.

He was modest in his aspirations, for he asked nothing more than a professorship in Allegheny College. There was no vacancy, or his desire would have been instantly accomplished; and as it was, there was danger that some worthy man would be removed to make room for him, so general was the anxiety not to lose the services of this prodigy of learning. Fortunately for the College, Dr. Barker happened just at this time to receive a letter asking for a Professor for a Southern College, and the position, being immediately tendered to the accomplished Mr. Nelson, was accepted by him. Here was the first opportunity ever presented to him of reputable and remunerative employment. He improved it by going off and committing a burglary, leaving his imprint, as he always did, plainly upon his crime.

It was in January, 1858, that he left Meadville to go to his brother for the purpose, as he said, of procuring means to enable him to engage in vending the patent of Mr. Richmond, and also one of Mr. George S. Stewart, of Meadville, for making wagon feloes. He probably never intended to go South; but whatever may have been his plans, he started away from Meadville carrying a satchel, in which were a number of handbills of both patents. The story of the robbery of the boot and shoe store has been told by Mr. Richmond too well to need repetition, and the second crime only remains to be detailed. The next night after his departure from Meadville, the jewelry store of P. R. Bennett, in Warren, Pa., was entered by taking a panel from the back door, and was robbed of every

article of value it contained, including all kinds of watches, gold pens, rings, and breast-pins, all of which, neatly packed in glass jars, were subsequently found concealed under some logs three miles from Warren, and a mile from the road to Ridgway, on which Ruloff was known to have travelled. This was an operation of which the most experienced and adroit thief might have been guilty, but only an incorrigibly stupid burglar would have left his satchel containing handbills known to be only in his possession near the despoiled store, or would have wrapped some of the stolen watches in those same telltale posters. Nor would a sensible burglar have hovered around the scene of his exploit, as he did for some days, and then left a distinct trace, as he did by going direct to Jamestown, N. Y., where he went into the drug store of Dr. G. W. Hazeltine, and wrote a prescription for a frozen foot which he had compounded. The remedy was for his own use, and the Warren burglary was far-reaching in its retributive effects, as the destruction of the great toe on his left foot by the frost during its perpetration was the chief means of convicting him of the murder of Frederick A. Mirrick at Binghamton, N. Y., ten years and seven months later.

While he was in Jamestown, he suddenly came face to face with an hostler employed at the hotel, who had been a convict at Auburn, and instantly recognized him. He was about to give an exclamation of surprise in a public place, and exposure would instantly have ensued, when Ruloff made him a sign, which had the effect of silencing him for the moment, and by mutual signs the two convicts procured a private interview in a barn. Here Ruloff showed unusual decision by producing a three-barrelled pistol of his own invention and manufacture, which would probably have exploded if he had attempted to fire it; but it answered his then purpose admirably, as the mere pointing it at the hostler's head exacted from that individual a promise not to reveal the identity of Ruloff to any living creature. This casual encounter with an old friend, however, had the effect of showing Ruloff the danger with which he was constantly menaced while remaining so near the scene of his crimes, and determining to put a greater distance between himself and old associations, he turned westward again. But he had delayed too long, and the sleuth hounds of Justice were barking at his heels almost from the moment of his departure from Western New York.

CHAPTER X.

SAVED BY A QUIBBLE.

A PROMISE exacted by a pistol is kept generally no longer than to make sure that the disagreeable weapon will not suddenly avenge its violation, and it is not surprising that the hostler, some little time after this unpleasant interview in the barn, finding an under Sheriff of Chautauqua county, wistfully reading one of the hand-bills offering a reward for the capture of Rulloff, should inform that Sheriff, John Dennin, of the late presence of the fugitive, and give such details as that he wore moccasins on account of a frozen foot, and had in his possession a most peculiar pistol. Furnished with these items, and incited by the rewards for the fugitive, Dennin started upon his trail, and had no difficulty whatever in tracing him to a small town in the interior of Ohio, where he found that the man of universal genius was teaching a country writing-school. Dennin went away to Columbus to get a requisition from the Governor, but meantime a farmer, who had overheard the indiscreet officer boasting of the money to be made by the operation, secured the services of a courageous constable, and, calling upon Rulloff, informed him that he was wanted for murder. He had resort to his usual lame device on such occasions, and told them he was not the man; but they insisting that he was, he finally admitted the fact, got into the wagon and started for the office of a magistrate some miles distant. They had gone, however, but a short distance, when he changed his mind again, and getting out of the wagon, declined to go any farther, and defied them to compel him, as they had no legal warrant whatever for their proceedings. His captors, of whom there were five, followed him out of the wagon, but with due discretion kept a respectful distance, and began to pelt him with stones. Rulloff then proved to be armed, for he drew a pistol and fired at random a shot that happened to trim the whiskers of one of his assailants uncomfortably short. The constable was provoked by this incident to rush in upon the fugitive thus at bay, and thus making himself a special target. Rulloff's second shot penetrating all his clothing, inflicted a slight flesh wound upon his body. But as he did not hesitate in his advance, Rulloff then dropped his weapon and surrendered. Without further incident the party reached the magistrate, before whom the constable made a complaint against the prisoner, of shooting with intent to kill; thus, for the moment losing sight of the original purpose of the capture in the aggravation of this later and more trivial offence. But suddenly recollecting that Dennin was on the way back with the neces-

sary papers for the legal rendition of the prisoner, he informed Ruloff of the fact and proposed to him to go to Ithaca with him voluntarily. It is said Ruloff consented to this strange proposal, and if he did, it would be no more singular than many events of his life; but however it may be, it is certain that he was returned to Ithaca jail, and that Dennin and the constable had the dispute usual in such cases over the division of the reward.

The willingness of Ruloff to return to Ithaca is probably explained by the fact, that he knew that if he escaped mob violence, he was at the threshold of substantial liberty. He had by the power of intrigue and illicit love forced his dungeon bars on the night of the 5th of May, and had ever since been at large; but the freedom thus gained was precarious and he was exposed every moment to be seized by any one to whom his identity might become known. While he was thus at large, his case had been taken to the Court of Appeals, and he knew it would be argued at the December term, 1858, before Chief Justice Alexander S. Johnson, Judges George F. Comstock, Samuel L. Selden, and Hiram Denio, with Justices Jas. J. Roosevelt, Ira Harris, Daniel Pratt, and Theron R. Strong, of the Supreme Court as *ex-officio* members. It was in fact so argued, the point involved was exhaustively examined, and the opinion of the Court delivered by the Chief Justice, who discussed the question at great length, but the syllabus of the decision was:—

“To warrant a conviction of murder there must be direct proof of the death, as by the finding and identification of the corpse, or of criminal violence adequate to produce death, and exerted in such manner as to account for the disappearance of the body.

“The *corpus delicti* in murder has two components; death as the result and criminal agency of another. It is only where there is direct proof of the one that the other can be established by circumstantial evidence.

“The rule of Lord Hale, forbidding a conviction of murder, or manslaughter, unless the fact be proved to be done, or at least the body found dead, affirmed.”

In concluding the opinion of the Court, Chief Justice Johnson said: “The rule is not founded in a denial of the force of circumstantial evidence, but in the danger of allowing any but unequivocal and certain proof that some one is dead, to be the ground on which, by the interpretation of circumstances of suspicion, an accused person is to be convicted of murder.” With only Justice Roosevelt dissenting, the Court reversed the judgment below, and ordered a new trial.

This decision, which is fully printed in 4th Smith's New York Reports, was undoubtedly anticipated by Ruloff, before his enforced return to Ithaca, and there is as little doubt that he was as fully aware of what

would be its legal effect. He therefore knew that while it was possible he might be again put upon trial for his life, with the law thus established by the highest tribunal of the State, there was not the least possibility of a conviction. He may, and most probably did, anticipate that the District Attorney being also fully informed of this fact, would decline to put himself to the trouble, and the people to the expense of a second trial, the inevitable result of which would be an acquittal, without the case even going to the jury. This was in fact the course forced upon the authorities by the decision; and although not much of a lawyer, he was enough of one to know that he incurred no risk of suffering any further penalties by surrendering himself into the hands of the Tompkins county jailer. His later and lesser crimes of burglary and larceny at Warren and Meadville, Pa., might demand the forfeiture of his liberty for a time, but his neck was again in his own keeping. After a struggle of thirteen years, with a whole people determined to omit no lawful means to wrest from him a life they were convinced he had forfeited by his foul deeds, he had triumphed by what the people in their wrath declared was a technicality of the law, but in fact, by his own shallow cunning in the disposal of the bodies of his victims, and by the trustfulness of the people about him in human nature. Had any one of his neighbors imagined at the time, that crimes so foul as his could be committed by any human being, no earthly power could have saved Edward H. Ruloff from the gallows in 1845.

CHAPTER XI.

TWO DANGERS PASSED.

But while the law no longer had terrors for this man of ineffable wickedness, there was a power above the law more hostile to him than any Criminal Act, and of which he was in mortal dread. That power was the people acting in the primitive capacity of a mob, and that he knew of the feeling against him, as well as the danger that it would be actively employed, is amply shown by his stipulations that he should be privately delivered to the Sheriff of Ithaca. Even his effrontery did not wish, on this second return, to brave the populace by walking through the streets, and the event proved that his discretion was born of wisdom. He was secretly delivered to the Sheriff, and being once more safely immured in Ithaca jail, supposed that there he could securely await his deliverance by due process of law.

The people of Tompkins had been tried beyond human endurance.

After a struggle of fifteen years they saw this monster they had vainly sought to throttle, slipping from their grasp, and about to go free to work wickedness wherever he should choose. They knew him to be utterly without truth, and they sincerely believed that he was Satan incarnated upon earth. In looking back over his history, so far as they knew it, they saw only falsehood, brutality, and a fiendish malignity that had spent itself upon a woman and a babe that he was saved by every instinct of humanity to cherish and defend. And his deeds were scarcely more irritating to an honest nature than his assumptions of innocence in attempting to evade their consequences. This stranger had come among them to destroy the peace of one of their most esteemed families, to murder by wholesale, and then, without ever caring to deny his guilt, to cunningly seize every quibble of the law to escape the penalty of his crimes. They were ready to admit that mob violence is never justifiable, but they believed that their great provocation would make it excusable, at least.

It was entirely natural that as soon as Ruloff was again in Ithaca jail, as a preliminary to his final discharge, that there should be a meeting secretly held, at which many of the most prominent and respectable citizens of the county were present, and at which it was fully determined, after a grave consideration of all the facts, to take the prisoner from the hands of the feeble law and hang him as a monster unfit to live. There was no personal malice in this resolve, for it is due to the Schutt family to say, that this meeting was held without their knowledge, and that no one of them had a suspicion that such action was in contemplation. It is not necessary after this lapse of time, to name those who were present at that meeting, many of whom are yet living, and no one of whom looks back to that incident except to regret that the project was a failure; for it happened that the Sheriff became apprised of the movement, and knowing perfectly well that once under way nothing could prevent its success, he hurried his prisoner off to Auburn prison, where he was secure from any possible mob violence.

The next day, March 19th, 1859, was the most memorable and exciting Ithaca has ever seen. The removal of the prisoner becoming known, the cause was divined and the purpose of the few became that of the entire people. Moved by an impulse common to all, the whole populace gathered around the jail and almost howled in the rage of disappointment when it became certain that Ruloff had been removed. Old residents of the peaceful town remember with a feeling of awe the awful exhibition of popular wrath evoked that morning by the final escape of the fiend who had left the stain of unnatural murder upon their soil. But it was creditable to this mob that when convinced that Ruloff was actually gone, no violence whatever was committed upon any person or thing. The jail

was not disturbed, and even the most violent in the excited multitude, readily acknowledged that the Sheriff had done nothing more than his duty.

There was yet a hope that justice might be done by the law itself. It will be remembered that Mrs. William H. Schutt and her infant child had suddenly died on the 3d and 5th of June, 1845, while being attended by Ruloff as a physician, and that the body of the former being exhumed thirteen years later, portions of the stomach had been sent to Professor R. Ogden Doremus, for analysis. The people knew these facts, and not unnaturally supposed that here was a case where the guilt of Ruloff was undeniable, and one which would not fail for want of the *corpus delicti*. Why this just popular expectation was disappointed by the omission to bring Ruloff to trial for the murder of Mrs. Schutt can only be inferred from the facts now to be stated.

It is not possible at this date, and after the lapse of twenty-six years since the murder, and thirteen years since the analysis, to give the public the full report of Professor Doremus, which would not only have intense popular interest, but would be of great value to medical jurisprudence. Professor Doremus kept no copy of his report, and having failed in the limited time permitted by the circumstances to find even his memoranda of the case, he was able to furnish the writer only with its general features as they live in his memory. That he was able to do even this was due to a most singular and interesting coincidence. The public remembers the Stevens murder case in its outline, but Professor Doremus has a vivid recollection of all its details. He made an analysis in that case after the body had been buried a year, and to more clearly explain his discoveries to the jury, he prepared a number of colored plates showing the appearance of the stomach in health and after being affected by the poison. When he had given his direct evidence he was harried in the usual manner upon cross-examination by the counsel for the prisoner, who ridiculed the idea of tracing poison in a body buried for that length of time, and was especially indignant at what he was pleased to term the attempt to hang his client with "a lot of penny pictures." Exhausted and irritated by these experiences, to which he was then somewhat of a stranger, Professor Doremus on the evening of that day was at home in no very enviable mood, when professional visitors were ushered in, and he was surprised to see the counsel for Stevens, accompanied by a stranger. But when the former introduced the other as the District Attorney of Tompkins county, and declared the purpose of the visit was to engage him to make an analysis of the stomach of a woman then thirteen years dead, who was supposed to have been murdered by poison, his astonishment was without bounds.

"Why, sir," exclaimed the Professor, "you ridiculed me to-day because I declared I could discover the presence of poison in a body buried for a year. How do you suppose I can find it in one thirteen years under ground?"

"Then," answered the lawyer, "I was doing my duty as an advocate, and now as a citizen anxious to do all in my power to ferret out what I believe to be a most despicable crime, I believe it is your duty to undertake this case, and that the ends of justice will be served by your so doing."

Under these circumstances Professor Doremus undertook the analysis of the remains of Mrs. Schutt, and gave the case the full benefit of his perfect mastery of analytical chemistry. But owing to the laches of the Tompkins county authorities, the result was not wholly satisfactory to any one, except perhaps to Ruloff. Professor Doremus was furnished only with some of the tissues of the stomach, and finding in these strong traces of copper, he had made the discovery that the woman might have been poisoned by some one having even a general and superficial knowledge of drugs, as the preparations of copper are among the most common of poisons, and might easily be administered in any one of three forms. But it was also possible, he reported, but highly improbable, that this copper might have been absorbed by these tissues after death, and owing to the imperfect materials furnished him for the analysis, he was unable to decide the point positively. It might be that the coffin in which the body had lain for so many years had been so thickly studded with copper nails as to fully account for all of the poison, or even more, that he found in the tissues. But no part of the coffin was furnished him, nor was there any evidence of the materials of which it had been made, and as the exhumation had been so carelessly managed that the coffin had been wholly destroyed, all positive testimony on this vital point was irrevocably lost.

Thus Edward H. Ruloff again escaped, not by his own dexterity in obliterating the proofs of his offences, but by the fact that the people among whom he lived, became conscious too late, that human nature was capable of such crimes as his. Twice his total depravity had saved him, and his career in Tompkins county was at last ended. The long agony was over, and the baffled District Attorney abandoning all prosecutions against him, Ruloff was handed over to the Pennsylvania authorities to be tried for his burglary at Warren. But in this case, fate again befriended him, and after an imprisonment for some months he was discharged without ever having been brought to trial. It is difficult to say why this course was adopted, for the proofs against him seemed sufficiently clear, but it was undoubtedly the fact, for after a brief imprisonment he slunk away

free from all the meshes of the law, and was lost in that oblivion any one, however great in honor or infamy, can obtain by the mere seeking in the great metropolis of the nation.

CHAPTER XI.

A TRINITY OF CRIME.

HITHERTO, Ruloff had been in many respects a remarkable criminal; but henceforth he was to be a petty thief and a bungling burglar. The narrative has now reached a period of his life, when only occasional glimpses of his career can be obtained, and no pretence is made that the record is complete. So far as it is given, it is authentic; and there is enough, fortunately, to stamp this man of vast pretence as a charlatan in crime, no less than in learning; and great only in his immeasurable selfishness, vanity, and depravity.

From the time of his discharge at Erie, Pennsylvania, until the fall of 1861, his proceedings are known only to himself; but the general tenor of his life can be guessed from the fact, that at that time he entered Sing Sing prison as a convict, and served two years and six months under the name of James H. Kerron for the crime of burglary in the third degree, committed in Dutchess county, having been sentenced by Judge Nelson, at Poughkeepsie, on the 20th day of November, 1861. He was known among his fellow-convicts as "Big Jim," and was the object of constant raillery, because he had given his age as twenty-one, when his appearance showed twice that number of years. But he was highly esteemed among the prison officials for his aptitude in several branches of skilled labor, but more especially for his chirographic accomplishments. For this reason he was made book-keeper of the cabinet shop of the prison, and the accounts of that department during the period of his incumbency, looking more like copper-plate engraving than penmanship, remain as striking proofs of his marvellous accuracy and neatness. These books being the pride of the prison, he is remembered by the officials as one of the most extraordinary and useful convicts ever in their charge.

He always boasted that he had so entirely concealed his identity—probably having in mind the lame device as to his age—that his presence in Sing Sing would never be known; and it was tolerably well founded, for the writer had much difficulty in unearthing him from the records and traditions of the prison. But the fact that he was there under the conditions stated, was satisfactorily established. It is also known that while

there, he made the acquaintance, and won the confidence of a poor, illiterate convict, named Wm. T. Dexter, but serving under the name of Wm. D. Thornton, for a burglary committed in the Bowery, New York. Ruloff was book-keeper of the cabinet shop, and Dexter being employed in that department, the two convicts were brought into a companionship which was to continue with the wrecked Albert T. Jarvis joined in the trinity of crime, until the two youthful disciples should step from their last dreadful deed to a horrible death in the Chenango, and their mentor only survive to expiate upon the gallows his thirty-three years of warfare upon society.

In all criminal annals there is no more romantic and singular trinity than that first completed in Sing Sing prison. Separated at times by the imprisonment first of one and then of another, Ruloff, Jarvis and Dexter always came together again when the sentences had expired, and always to renew their depredations upon mankind. The fellowship of Ruloff and Jarvis, beginning in 1857, and the triumvirate being completed by the addition of Dexter in 1862, it remained thence forward unbroken. There is not the slightest evidence that either of these men ever attempted to betray either of the others, or that their companionship was ever disturbed by even a trivial quarrel, and yet no three men could have stronger points of contrast. Jarvis and Dexter were indeed alike in years, being young men under twenty-five in 1864, but this was the only thing they had in common. Jarvis was a youth of rare personal beauty, of singularly soft and pleasant manner, of studious and retiring disposition, of considerable mental capacity, fair literary attainments, and honest in his instincts. Dexter, on the other hand, was not agreeable in person or manners, was rough, uncouth, almost without mind, lacking even rudimentary education, and a thief by nature. These two young men, differing in all things else, vied with each other in their veneration of and faith in their master, Ruloff, a man twice their age, who used them so plainly for his own purposes that it is probable even their prejudiced perceptions could not disguise the fact. Here, as always, he used his erudition to no better purpose than to obtain him the means of scanty and infamous subsistence, for incited by his promises of what he was to do for them in the future by means of his accomplishments, these two youths went on year after year, stealing just enough to keep body and soul together, and meantime buoyed with the hope of that "good time coming," when the world was to fall down and worship Ruloff as the incarnation of earthly knowledge, and they were all to be rich forevermore.

Thus strangely composed and feeding on such hopes as these, it is not singular that this triumvirate made no affiliations with other criminals, which it is absolutely certain they never did. Living in or near New

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York continuously from 1864 to August 15, 1870, and constantly engaged in burglaries or larcenies, yet they were utterly unknown to the police, and except by reputation, to all other professional thieves; but the apparent anomaly is susceptible of easy explanation. They never were found in the usual haunts of criminals, they were shrewd enough to dispose of their stolen property to some one who was not known as a professional receiver, but more than all, they never—with possibly one horrible exception, to be hereafter noted—committed a crime in, or in the immediate vicinity of New York city. Actuated by motives of prudence rather than a desire to illustrate the proverb that "It is a vile bird which fouls its own nest," they always went to a distance to commit their depredations, and generally selected Western New York. In the light of recent events it has been the custom to charge them with all the burglaries and robberies which have been perpetrated anywhere in that locality during the past half dozen years, but they were guilty in very few of these cases. It was their habit to never engage in any enterprise until driven by actual want. They lived wholly by stealing, but they lived so meanly, that comparatively little stealing sufficed to supply their daily wants. They had no ambition to accumulate by theft, for Rulloff was continually proclaiming the good time nearer when this dernier resort could be abandoned, and the needs of physical life supplied in a safer and surer way. There is no evidence that he felt any repugnance to his way of life, and it is almost certain he never expressed any except to the danger it brought of punishment if detected, but it is almost equally certain that he had by this time really become infatuated with his mental powers, and had recourse to thieving only as a make-shift for the moment, until mankind should recognize and reward his acquisitions. It is also true, however, that he continued to filch his living for years, never attempting to earn a dollar by honest labor, and never, until the close of 1867, or the beginning of 1868, even making a pretence of having any definite object, which being attained his dreams would be realities.

But his two disciples, unable to comprehend how utter was his shallowness and selfishness, still believed in him, stole for him—sometimes, but not often, with him—and thus the two struggled on through years of misery and infamy, of which the tale must be told as far as it has been gathered by catching here and there a shred of detail which they left exposed upon the road-side.

CHAPTER XIII.

YEARS OF GROVELING.

THAT the life, even in outline, of this extraordinary criminal, can be given from the date of his discharge from Sing Sing in the Spring of 1864, until his arrest at Binghamton in August, 1870, is due, first to the fact that Broome county is so fortunate as to have in Hon. P. W. Hopkins, a District Attorney of great ability, untiring energy and resolute determination, to exhaust both himself and the law, rather than permit crime to go unpunished. Next, it is due to the skill and industry as policemen of Capt. Henry Hedden and officer Philip Reilley, of the 15th Precinct, New York city, who by the uncertain light of limited information, led Mr. Hopkins along the twisting and buried paths of outcast lives, to the complete establishment of a conspiracy to do burglary and murder by three men, before unknown, both to metropolitan detectives, and, except by reputation, to metropolitan criminals. Thus gathered, these facts are precious, and Jarvis and Dexter being dead, they are all that can ever be known of these years, unless, which is highly improbable, Ruloff himself should come forward and furnish the world with the details of all his infamies.

Without any information from him, it is certainly known that the time of Dexter first expiring at Sing Sing, he announced when he arrived at home, that he had a friend who was book-keeper of the cabinet shop of the prison, whose time would soon be out, and when it was he was to make a visit to the house of Dexter, at No. 10 Graham Street, Brooklyn, E. D. The friend, who was Ruloff, but who was to be known at that house as Jim Howard, was even better than his word, for his visit extended into a residence of many months. The house, which was little better than a barn, belonged to Dexter in common with his mother and brother John, and the family being wretchedly poor, living in the lower part of the house, rented out the two upper floors as a means of adding to the income of the owners of the tenement. Into this family and to this squalor, Ruloff came without bringing a dollar to its aid, and made only the shallowest pretence of doing anything for his own support. True to himself, he was of course penniless, and nothing was further from his thoughts than to go out into the world and wring a decent support from it by honest labor. His first device for imposing upon himself and others a belief that he was doing something useful, was an attempt to color photographs by a new process, which was of course his own invention, and

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was to make his fortune. But only a very few days were sufficient to show others, if not himself, that he was a charlatan at this, as all else, and after he had spoiled all the photographs he could beg, borrow, or pilfer, a sister of Dexter threw his paints into the yard, where they were picked up and devoured by the chicken of a German living next door, and poisoned them all, to the great dismay and anger of that thrifty person.

The next exploit of this man, who was living with a high object, was more creditable to his business acumen, as it consisted in selling both John Dexter and Wm. T. Dexter into the Army of the Republic, which was then on the eve of its complete triumph over armed treason. As that was the period when the highest bounties were paid, it is possible that Rulloff made something by the operation, and there is no doubt he kept the affair entirely in his own hands, as the discharge papers of both the recruits were found in his desk when its contents were seized by Capt. Hedden six years later. With this incident of the enlistment and that of the poisoned chickens the history of 1864 is completed, so far as it is positively known, but it is almost certain that Rulloff and Jarvis were engaged during that time in several burglaries. In the spring of 1865, as the Nation joyfully remembers, "Johnnie came marching home," and among the hundreds of thousands of men changed as if by magic from armed soldiers into citizens, were the two Dexters. John went back to his trade as a lather, and William naturally took to thieving.

This was the most forlorn period in the lives of these outlaws, and it is almost impossible to believe the utter abjectness to which Rulloff, the man of great education and unlimited resources, was at this time reduced. He was usually hungry and naked, and it was no uncommon thing for him and Dexter, in the fall of that year, to go out at night provided with bags, and return towards morning with these bags filled with potatoes stolen from the fields on the outskirts of Brooklyn. Food being thus obtained, fuel was procured in the same way, for they would fill these same bags with coal pilfered from the yards of dealers, or the pavement bins of small tradesmen, which they broke open. No petty sneak thief, who is the scorn of accomplished outlaws, was ever reduced to such shifts as these, but these facts are absolutely true of the criminal who declares from the Binghamton jail that no man ever lived with higher objects than himself. So far is this from the truth, that it can be easily shown that his objects were always ignoble, and in no way more vividly than in his treatment of his associate in misery and crime. Dexter was detected in one of his petty pilferings, was arrested, convicted, and sentenced to a term of sixty days in the Kings County Penitentiary. This event gave Rulloff an opportunity for one of those strokes of business

peculiar to his genius, although he did not himself at first appear personally in the transaction. Under pretence that the money was to be used to get him out of prison, Dexter was induced, jointly with his brother and mother, to borrow \$500 on the Graham street property, and to give Ruloff a power of attorney to act for them. The money was obtained from Mrs. Arabella Armstrong, through Joseph Fettridge, her attorney, to whom application was made by Jarvis under the name of Charles Thompson, by which designation he was always known among the Dexters. A mortgage was given on the property to secure this loan, and the money getting into the hands of Ruloff and Jarvis, its subsequent fate was a mystery. It is only certain that none of it was used for the benefit of Dexter, as that unfortunate regained his liberty only by serving out his full time. From that time forward the owners had no control of the small property which belonged to himself, brother, and mother jointly, but which being in the hands of Ruloff as attorney, he was not only able to collect the rents, which he converted to his own use, but to talk elsewhere of his Brooklyn property, and thus add to the petty deceptions of his life.

In this mean way the year was eked out, and no certain knowledge of the life of the outlaws has been obtained during the period from the latter part of 1865 until the middle of 1866. But during this time there was a crime committed in the City of New York which has ever since remained a mystery, and which in many respects was the prototype of the Binghamton tragedy. During the night of the 14th of February, 1866, the silk trimmings manufactory in 35th street, between 8th and 9th avenues, was entered by burglars, who carried away property valued at \$2,000, and who encountered the watchman, Philip Kraemer, on the second floor, beat him so brutally with some heavy blunt implement that he died in a few hours without having recovered consciousness after he was discovered. Inspector Walling, then captain of the 20th Precinct, and his detailed officer, James Irving, now Captain of Detectives, two of the ablest officers attached to the New York Police, gave to this terrible crime the fullest investigation, but were unable to ever discover the assassin, or to satisfy themselves of any fact connected with the perpetrators except that they were not professional burglars who were accustomed to do work in the city. The men were seen to leave the building, but the person who saw them was only able to give the general description of two of them, that they were young men, and one of them, who wore a moustache and goatee, was remarkably good looking, but of the third man he was unable to say anything whatever. To this identical factory, as Capt. Hedden discovered four years afterward, Ruloff, under the name of E. C. Howard, had taken a lot of silk thread to be dyed and thus depreciated its value \$300,

so as to make it manifest that it was stolen property. This fact joined with the other, and the description of one of the young men was in general that of Jarvis, has latterly led to the belief that the Rulloff trio committed the crime. It is not intended to lay this murder positively at the door of a man who has enough without it to answer for, but the purpose of the writer is merely to state the truth, that there is now a conviction in the minds of many who have carefully considered the deed in the light of recent developments, that he and his dead comrades were the guilty parties. But this is the only crime they are even suspected of ever committing in the city.

CHAPTER XIV.

DOMESTIC LIFE WITH INTERRUPTIONS.

THE lapse of time and steady additions to the long catalogue of their outrages upon property made no improvement in the fortunes of these outlaws. In the middle of 1866 Rulloff and Jarvis were living in the two front rooms on the second floor of No. 19 Delancey street, New York, which they had furnished themselves in a cheap way. Sometimes they cooked their food themselves, but oftener obtained their meals in the low restaurants of the neighborhood. In this abode they were enigmas, and for the only time during these shadowed years were objects of suspicion to the other inmates of the house. Rulloff was known by his favorite alias of E. C. Howard, and pretended to be a teacher of languages by profession, while his companion Jarvis, who was styled Charles Thompson, never took the trouble to state his means of livelihood, and occupied his time when at home, in studying German under the direction of his companion.

The writer has a friend who occupied rooms on the same floor with these men, who was in daily intercourse with them for several months, and whose knowledge of their true character has been gained by the revelations of the Binghamton murder. From this source, which is entirely reliable, many interesting facts have been gained of the domestic habits of burglars and assassins when resting from their labors. It was noticed during all of their protracted residence in this house, that both of them would frequently be absent for days together, and when they returned would always have plenty of money, whereas their purses were remarka-

ble only for emptiness just prior to their departure. Once the other tenant of the floor remarking upon this singularity, asked them if they were travelling agents, and both answered in the affirmative with suspicious alacrity. But with the exception of these strange departures and returns, there was nothing to awaken distrust of the lodgers. They were men of the most quiet, inoffensive habits, and addicted in a remarkable degree to sedentary pursuits. They always, when in the city, spent their evenings at home in reading or study, and their frivolities were bounded by occasional games of whist or euchre, in both which games Ruloff was proficient. Sometimes, but still more rarely, liquor of the milder sorts would be brought into the room, and sparingly drank by both, but in this respect both were abstemious far beyond the average of reputable men. If they had any liaisons with frail women, they managed to keep the fact concealed from those who saw almost hourly into their domestic life. They appeared to be model lodgers who were averse to dissipation of all kinds, and certainly never brought their home into disrepute by reeling into it drunk at unseemly hours.

After they had been some months in the house, their domestic circle was increased by the arrival of a one-eyed man, and still later by the coming of two women, to whom the rear rooms on the second floor were given, and who were announced as a sister of Ruloff and her daughter, which they were not. The identity of this man and the elder of these women has since been fully established, but as it was never discovered that the first was ever engaged in any crime, and the other has since reformed, and is reputably married, cruel wrong would be done by dragging them into an unnecessary publicity. After these additions there was little if any change in the daily life of the outlaws, and no improprieties in the conduct of any of the inhabitants of the second floor were ever detected. But Ruloff and Jarvis at last suddenly disappeared from the house, as they always did in the end, from all their homes, and soon after the others going, the second floor was tenantless, but still held by Ruloff, as his furniture remained in the front room. When his absence had been protracted for several weeks, and it was not only reported but believed in the house that he had been arrested for frauds of some kind upon the United States Government, the landlord entered upon the premises and seizing the furniture, sold some of it to pay the arrears of rent. But just afterwards the one-eyed man reappeared, claimed the furniture in the name of Ruloff, and carted it away. Neither Ruloff nor his quiet, gentlemanly companion were ever afterwards seen in the house.

The fact was, however, that instead of being arrested for frauds, he had been travelling in the one path of crime in which he always trod, and had been detected and arrested in the commission of a burglary upon a

store in one of the interior towns of Massachusetts. In this instance he has so successfully concealed his history, that the writer has been unable in the limited time at his disposal to learn the details of his offence, or the manner in which he finally evaded the full measure of its penalty, as he undoubtedly did, for he was only lost in the labyrinths of the law for a few weeks, when another glimpse of the man who was "living with a high object," was obtained in Western New York. He appeared in Monticello, the shire town of Sullivan county, where he took lodging at the Mansion House, under his alias of Jas. Nelson, and almost immediately upon his arrival made a deposit of a small amount in the National Union Bank of Sullivan county, which is the leading financial institution of the town. After becoming a depositor he made frequent visits to the bank for the purpose of drawing small amounts, as was then supposed, but as is now known, to acquire an intimate knowledge of the interior of the banking house. His next movement was to obtain lodgings at the boarding-house where George E. Bennett, the teller, lived; and he soon made decided advances in his usual persuasive manner toward an intimacy with that gentleman. While his plans were thus slowly, but successfully maturing, and he was yet entirely unsuspected, he suddenly decamped, leaving about \$200 on deposit in the bank, which he has never returned to claim. Soon after his departure a set of burglar's tools, admirably adapted to bank work, was found concealed in the hay-mow of a farmer, in the outskirts of the village. So vivid was the impression he made upon the bank officials that long afterwards, when he was under arrest at Binghamton, Israel P. Tremaine, the cashier, had no difficulty in swearing to his identity with the man having an unclaimed balance in their vaults. It was not then known, nor has it since been learned why he left without claiming his assets; but his presence in the town was then, and has ever since been coupled with the concealed instruments of his calling. It is probable that he was not only meditating, but cautiously approaching a bank burglary for the first and only time in his life. On all other occasions he was satisfied with rifling a store, and neither he nor his confederates were ever known in any other case to rise above the lower degrees of robbery.

The proceedings of the outlaws during the year 1868 are not known, beyond the fact that Ruloff was once in trouble, but where, or for what offence, or how he regained his liberty, are circumstances the detectives have been unable to unearth. There is no record of Jarvis having been detected in any of his enterprises during that year, and that outlaw, who was so refined in his tastes and habits as to be almost finical, generally had better fortune than his senior. Indeed, one who knew of all their operations, but stoutly resisted every attempt to cajole any revelations out

of her, in her rage at the final catastrophe declared that they always were caught when that clumsy Doctor, with his lame foot, thereby meaning Ruloff, was along, but when Billy and Charley, meaning Dexter and Jarvis, were alone, they always succeeded. But this declaration being based on her admiration of the handsome Jarvis, was without value except as tending to show the frequency of the depredations in which they were engaged.

The close of 1868 marked a new era in the lives of these three outlaws. Then for the first time there is proof that the dreams of Ruloff took their last and philological shape with sufficient distinctness for him to buoy up his deluded followers with some tangible proof that the long promised time of plenty and peace was at hand. Living then somewhere in Hoboken or Hudson City, New Jersey, he began his work upon Method in the Formation of Language, upon which he was to expend vast labor as well as much time, and in which he was himself to sincerely believe to the last. The beginning of this epoch is proved to have been about this time by the fact that his confederates were then first heard to speak of his work, although it is probable that he had himself conceived the idea, and expended many hours in his "searches" for examples prior to that date. But it was certainly not until a very recent day, comparatively, that he began to occupy the time spared from burglary with those philological labors, which were in the end to be so startlingly interrupted.

CHAPTER XV.

FROM PHILOLOGY TO MURDER.

IN the beginning of 1869, Rulloff and Jarvis took up their last residence in New York, at No. 170 Third Avenue, renting two rooms at \$25 per month on the second floor, from Mr. Conrad Jakob. At this time the frowns of fortune were unusually severe, for they had scanty wardrobes, and having no furniture, they were compelled to hire furnished rooms. Here their life in Delancey street was repeated, with some material modifications. Rulloff was changed from E. C. Howard, the teacher of languages, to Professor Edouard Lenrio, the profound philologist; and Jarvis was no longer Charles Thompson without avocation, but Charles G. Curtiss, commercial traveller. The one-eyed man never appeared on the scene, but one of the women came, although only for a brief season as housekeeper, and was afterwards in the habit of appearing at intervals to make whatever repairs the few articles of clothing belonging to the two men might require. But, although apparently wretchedly poor here, as at all periods of his life, Rulloff had books when he had nothing else, and in his last home his library, although not large, contained many valuable works upon language and some rare lexicons.

The residence of Rulloff in Third Avenue was singularly devoid of incident, so long as he was at home. Studious, temperate, placid, eschewing even the appearance of evil, and still gifted with the power of fascinating every one with whom he came in contact, which had so often served him so well during his infamous career, he seemed a bright example to the youth of this demoralized age. As such he was cited in the house where he lived; for Mrs. Jakob, a most exemplary lady, not only bade her son Edward to pattern his character by that of the excellent old gentleman up stairs, but permitted her daughter Pauline, an interesting and precocious girl of fourteen, to sit day after day at the feet of this perfection of humanity, to receive the drippings of his wisdom and virtue. Nor was his companion scarcely less esteemed. Quiet almost to sedateness, scrupulously neat in his habits and attire, giving his nights and many of his days when at home to the study of the languages, rarely reading such frivolous books as novels, and indulging here as in Delancey street in a rubber of whist as the uttermost bounds of his depravity, he was a marvellously proper young man; and no wonder the mother in Israel, obliged by circumstances to have lodgers in the house, was overjoyed by the possession of the two paragons she had secured. They had no company, no carouses; they

were never out at night, were never noisy or troublesome, were prompt in their payments, and Ruloff showed his careful training and strict business habits by always taking receipts whenever he paid out any sums of money, however trivial.

The days became weeks and the weeks months, only to add to the confidence and esteem with which these two men were regarded in a most estimable family. Ruloff during all this time was one of the most hard-working of men, as he often sat steadily writing at his desk all day and far into the night upon that great work which was to bring him good repute and fortune in the evening of an infamous and wretched life. When not in the house during the day, he was generally to be found in the Eclectic Library in Irving Place, poring over old volumes of forgotten learning, and digging from the accumulated erudition of all the centuries those five thousand examples which were to illustrate his work and prove the correctness and value of his discovery of "Method in the Formation of Language." At the library the character of his investigations was well known, and the librarian, who esteemed him as a most unobtrusive and industrious gentleman, to some extent sympathized with his labors. While hesitating in the inchoate state of the task from giving it his unqualified approbation, he could easily see that this professor, whose French name but German aspect declared that he probably came from the debatable land of the Rhine, was doing a work of some value in the systemization of language, and making clear the pathway of future laborers in a most thankless field of human learning. He was the pioneer who had gone out into a wilderness that might never repay cultivation, and was clearing away the debris of centuries of neglect upon the chance that when the field was fully developed, it might repay the labor that had been bestowed upon its preparation for intelligent and easy cultivation. To the librarian, a man thus engaged was an enthusiast in philology, some of whose ideas might be seemingly absurd, and whose scheme might in many respects be faulty, but who was nevertheless entitled to sympathy and respect, as enthusiasts generally are. Therefore, this philological burglar and assassin, during the many weeks of his constant resort to the library, met with the kindest reception and received such aid as the librarian had time to give him.

The meagre needs of his abstemious life were meantime supplied by rural burglaries committed by Jarvis and Dexter; for there is no evidence that Ruloff was engaged personally in any crimes during 1869, or in 1870, until August. His two young confederates never

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desired his company on their lawless expeditions, because of his clamsiness and the fatality of detection which seemed to attend him everywhere. There was therefore an agreement mutually satisfactory, that they should do the stealing necessary for the subsistence of all, while he should devote himself uninterruptedly to the philological department of their mutual labors, excepting such demands as should be made upon his time by the disposal of the booty. For Ruloff was suspicious even of his devoted disciples, and always insisting upon himself turning their stolen goods into money, thereby kept the finances within his own control. But to make amends for this distrust, he was always ready to aid them in any one of the many ways in which he believed himself to be irresistible; and afterwards when upon his trial, by the testimony of Isaac W. Brown, late Sheriff of Cortland County, this man of multiform names and aspects appeared in yet another capacity and with still another cognomen. A man calling himself Davenport, but who was shown to be the same person as Wm. T. Dexter, spent nine months of the year 1869 in charge of Brown, in the Cortland jail. During his incarceration a letter was received by one of the Deputy Sheriffs from a person signing himself James E. Dalton, who claimed to be an attorney, and made inquiries in relation to the case of Davenport. Shortly afterward a man whom the witness recognized as Ruloff presented himself to the Sheriff as James E. Dalton, and at one of his interviews with that official attempted to bribe him by the offer of \$500 to permit Dexter, alias Davenport, to escape from prison. The attempt to introduce this evidence brought Ruloff to his feet to object to it as irrelevant. He was strangely excited by this revivor of one of the facts of his tortuous life; for when Mr. Hopkins said that his object was to show that the prisoner took more interest in Davenport than attorneys usually do in clients, as he was ready to spend money for him, Ruloff testily replied, "I would do as much for my client as you, provided I had the money of a county at my command," and he ended the episode by remarking, *sotto voce*, "D—n such evidence." The testimony as to the identity of the Cortland prisoner Davenport with the burglar Dexter was further strengthened by Charles Brown, a young son of the Sheriff, who had bought for Davenport, while a prisoner of his father, a copy of the fortune-telling book called *Napoleon Oculum*, which, or one exactly like it, was found upon the body of Dexter when the Chenango river gave up its dead.

This expedition to Cortland County was his only absence from

home during the year, except that occasioned by one of the most noteworthy incidents of his singular career. On the 27th and 28th days of July, 1869, the American Philological Convention was in session at Poughkeepsie, and the self-imagined embodiment of contemporaneous learning in its department was in attendance upon it, as Professor Edouard Leurio. He was a stranger to the learned and reputable gentlemen composing the body, but his refined manner—which he could assume when required, although naturally coarse—his evident intimate acquaintance with the subject, and his earnest persistence, at last forced him upon the notice of the Convention. He showed no diploma from any seat of learning, and gave no certificate of character; but he was so manifestly a harmless philologist with a hobby, and nothing else, that the Convention, more to get rid of him perhaps than from any other motive, so far took his "Method" into consideration as to refer his manuscripts to a committee. But the committee, upon the cursory examination which their time permitted, found the Leurio scheme apparently false in its basis and construction, but from kindness for the enthusiast, and from a fear that they might in their haste have misjudged it, they reported back only that it did not come within the objects of the Convention, and therefore recommended that it be no further considered. This course was adopted, and there is abundance of evidence that Ruloff was deeply disappointed by this overthrow of his hopes. For he had fed himself and his two confederates in crime with the belief that the Convention would eagerly seize his marvel and publish it at the general expense, but for his sole profit. Poor ignorant Billy Dexter, to whom everything beyond burglary was unknown, told his brother John shortly afterwards how Jim—as Ruloff was always called by him, for the reason that he had first known him in Sing Sing as "Big Jim"—had taken his book before Congress, but the Congressmen hadn't sense enough to see that it was worth publishing, and Jim was going to publish it himself. Billy added that he and Charley would get the money to do it with, so that it is evident it had been fully determined to enlighten the world with the Leurio "Method in the Formation of Language" at the expense of those merchants in the interior towns whose stores should offer the best inducements and facilities for burglarious entrance. Events are often strangely produced, but there is perhaps nothing in human history more strange than that a trivial incident in the proceedings of a Philological Convention should result in many burglaries, and at last culminate in murder.

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uniformly been in his crimes, Ruloff returned to his home at No. 170 Third Avenue, disheartened, but with no intention of abandoning his purpose. The object of his absence and its result were freely told, and obtaining the fullest sympathy of the Jakob family for his misfortune, he secured their admiration by the exemplary patience with which he endured it. They believed sincerely in the man who could thus receive the buffets of outrageous fortune and become strong. Pouring out to him the fullest respect and confidence, they made no reference to some singular circumstances connected with him and his companion, lest they should injure the sensitive feelings of very excellent men called upon to endure no ordinary disappointments. Thus beloved and respected in his domestic circle, Ruloff resumed his labors upon his "Method." The absence of Jarvis became more frequent, showing that their crimes were occurring at shorter intervals. Thus the days passed during the latter part of 1869, and to the sultry noontide of 1870, when the man of two lives was at the verge of that terrible night which was to merge them into one.

CHAPTER XVI.

THE HALBERT HORROR.

No fact is established by better evidence than that the expedition to Binghamton, which resulted in the murder of Frederick A. Mirrick, had been long contemplated and was maturely considered before it was undertaken. It was known to the two outlaws living reputably at No. 170 Third Avenue, New York, and to their associate burrowing in the dilapidated tenement, No. 10 Graham Street, Brooklyn, that the store of D. M. & E. G. Halbert, on the north side of Court Street, between Water Street and the Chenango River, in the city of Binghamton, was in a very insecure condition, owing to the fact that an extension being added, the rear wall had been taken out, and the substituted protection was such as would not delay even neophytes in the art of burglary five minutes in noiselessly effecting an entrance. They knew further that the store contained a general assortment of dry goods, including a large and valuable stock of silks, that could be carried away in sufficient quantity to amply repay the expedition. Having therefore both facility and inducement for the enterprise, they were not discouraged by the knowledge of the fact that Gilbert S. Burroughs and Frederick A. Mirrick slept in the store, for they were sure

they could gain the bedside of the sleeping sentinels without awakening them, and their subsequent unconsciousness during the time necessary to complete the robbery could be made certain by the use of chloroform. There was therefore no risk to be incurred, and it being determined that the Messrs. Halbert should contribute to the philological publication fund, the three outlaws left New York by one of the morning trains on the Erie Railway to collect that quota.

They reached Binghamton early in the evening, but after dark, and during that night and most of the next day kept hidden somewhere in the city. It is believed that they had a confederate who resided there, and all the circumstances make it certain, not only that such was the case, but that he lived on the side of the Chenango river opposite from the Halbert store. But this narrative, dealing only with thoroughly established facts, must be resumed with the first hour of Wednesday, August 17th, which was between midnight and one o'clock in the morning. The three men then stole up unseen, as they easily could at that hour, in a town which has only five policemen, through the open lots in the rear of the store which extend down to the Chenango river. One hundred feet from the place where the entrance was to be effected, they were entirely concealed by the unfinished walls of the new extension of the store, and being several feet below Court street, with which the salesroom was level, it will be seen they were approaching the basement of the premises, and not the floor on which the two clerks were sleeping. The slight noise they made in boring the holes necessary for them to reach and force back the bolts which secured the door would not therefore, as it did not, awaken the clerks, and they gained the basement, from which a broad flight of stairs led straight up to the salesroom; and near the head of these stairs, at the then rear of the store, was the bed of the clerks. Pausing in the basement, the burglars prepared themselves in the manner of experienced professionals for the work in hand. Jarvis, more thoughtful than his companions, was properly accoutred in rubbers; but Dexter took off his patched and well-worn shoes, and his example was followed by the man than whom none was "living with a higher object" than himself, who removed his patent leather Oxford ties. Noiseless movement being thus secured, the three burglars, putting on masks, glided up the stairs and to the bedside of the sleeping guardians of the premises, without making the slightest sound. The first thing to be done was to administer chloroform to the clerks, and their continued unconsciousness being thus secured, the work of spoliation commenced. In the centre of the store at the rear end was one of those small pens common in dry

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goods store, which are called offices, and a gas jet half turned on being burning in this, afforded the spoilers all necessary light. They carefully selected those silks which would have the most value with the least bulk, and carrying them into the basement close to the open door, made them up into bundles convenient for removal, until they had thus prepared property valued at about \$1,500, and of considerable bulk. This must have occupied from some cause more time than was necessary, for the burglars were yet engaged in the work when they were startled by a sudden movement on the bed of one of the clerks. They hastened to the bedside to administer another dose of chloroform, and saw the two young men staring at them with scarcely opened eyes.

Thus far the story has been based on what must, from all the circumstances have been the facts, but thenceforward it has the positive basis of the narrative of Gilbert S. Burroughs, one of the two survivors of the terrible scene which followed.

For an instant the two prostrate guardians and the three erect marauders glared silently at each other. It was only an instant, but it sufficed for Burroughs to see that all were masked, that from under the disguise of one straggled a long gray beard, that one of the other men was quite small. Suddenly Mirrick and Burroughs simultaneously and instinctively arose from the bed, and the three burglars edged away toward the stairs. But the smallest, who was Dexter, tarried nearer than the others, and between him and Burroughs the conflict began. The evidence is not positive on the point, but it is probable that the latter gave the first blow just as Mirrick at the instant of rising from the bed made the first attempt to use fire-arms; but his pistol unfortunately twice missed fire, and being abandoned as useless, he seized the tops of the stools for customers as the only weapons at his hand, and began to throw them at the burglars, who retreated down the stairs, just at the moment when Burroughs, who had meantime clinched with Dexter, threw him and struck him over the eye a blow with an iron box-opener, that wrung from him an agonizing cry for help. Then only three persons were on the scene, and Burroughs called to Mirrick to come and help "fix" the prostrate man. The conflict for a moment seemed ended, with the complete discomfiture of the intruders.

But in a moment the two others were heard below returning to the rescue of their comrade, and Mirrick, who stands out in the supreme peril of that moment greater in true courage and nobility than any hero of old chivalry, hurried to the head of the stairs to meet them. He grappled there with the younger who was foremost, and bore him

backward by sheer strength until he had the marauder prostrate across a low box on which some goods were piled, and bending over him with his back to the stairs held him down with a grip from which there was no escape. Meantime Burroughs left Dexter seemingly insensible, and also advanced to the stairs and met the third burglar face to face. His mask had been removed or had fallen from him, and Burroughs saw him square in the face as he mounted the stairs. Then for the first time the outlaws had recourse to the pistol, this burglar ascending the stairs firing four shots at Burroughs, all of which went wide of the mark, but the last striking the edge of the stair banister threw off some splinters which struck Burroughs in the face, and the sting followed by the trickling of blood from the scratch induced him to fall back exclaiming he was shot. All this occupied but a moment, but it was precious, because the last of the conscious life of the heroic Mirrick, who meantime held the second burglar down in his powerful grasp. Then came the culmination of nearly forty years of warfare on society, when the fourth of known murders by one man was added to its dreadful predecessors, and the two lives were blended into an indivisible unit of unparalleled infamy. That third burglar stole up behind Mirrick, and placing his hand upon his neck fired his pistol with the muzzle almost in contact with the back of his head, and sent a bullet crushing its way into the brain of that martyr to his trust.

Burroughs saw this dreadful crime committed; heard the assassin say, in the moment of horror, when the murdered Mirrick fell unconscious to the floor, and the two prostrate burglars sprang to their feet, "Come on, Pat, we have done enough;" saw them go down the stairs to the basement. Then he ran to the front door, unlocked it, opened it, sprang into the street, and startled the sleeping city with the cry of murder.

As he cried he ran up into and down Water street, so as to command a view of the rear of the store, yet saw no one; but it may be said, generally, that a moment afterwards he and others saw two men furtively retreating towards the Chenango river a few yards away, and a third slinking in the opposite direction under the shadows of the building, which was the last ever seen of any of the burglars alive near the scene of their crime. Almost before Burroughs could get back into the store the city was alarmed. Mr. James Flynn, the Chief of Police, sleeping in the hotel opposite, had been called; the fire-bells were rung, calling the citizens into the streets to confront a more dreadful disaster than a mere conflagration of property. Instantly Flynn organized an impromptu police force of willing volunteers, and

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In the midst of this agony of excitement the life of the martyred Mirrick was fast ebbing away. Surgeons had been summoned at the first alarm, but they came only to bend helplessly over the dying youth. Few scenes in all the history of human sorrow are more pathetic than the one presented in that store in the gray dawn of that August morning. A youth not yet nineteen years of age, whose life had been blameless, who had sacredly discharged every trust committed to his hands, who had been the pride of his parents and the ornament of his social circle, whose mental and moral qualities had promised a life of usefulness and honor, and who a few moments before had been in the robust health that would give him many years of life, lay there bleeding, unconscious, dying. And all hearts were doubly wrung by remembering that he had sacrificed himself to duty, by thinking how easily he might have escaped had he been less true to his manhood. The very manner of his death proving how great was the loss to the community, it is not strange that the whole people sorrowed for this youth, who, lingering unconscious, yielded up his life thirty minutes after the assassin, gliding up behind him, had fired the shot which had destroyed a priceless fabric. And the people for the time sorrowed as without hope, for this murder was a mystery, and they did not know that in the end that shot was to afford mankind the recompense of shattering a temple of deceit, reared by years of clumsy craft, to shelter a man of two lives.

CHAPTER XVII.

AN OLD ACQUAINTANCE RECOGNIZED.

The crime was an enigma. Of all the facts told in this narrative, none were known to the horrified people except the outlines of this last dreadful deed. Burroughs could and did give a general description of the persons of the three burglars, and said always that he could recognize the man with whom he had struggled, and the one who had fired the pistol, if he should ever see them again; but his descriptions were of men known to none, and gave no clue to their identity. Edward H. Ruloff had long before been lost in E. C. Howard, Edouard Leurio, James H. Kerron, James E. Dalton, or some one of his aliases. Jarvis had long before been forgotten in that portion of the State, and Dexter had never been heard of, except in the previous summer as

Wm. Davenport in the Cortland Jail. These men were therefore entirely unknown and unsuspected, and the people who had been shocked by this terrible crime had at first only a few flimsy shreds of circumstantial evidence by which to discover the perpetrators; but in the end these became, from the singular coincidence of the case, irrefutable testimony.

The scene of the tragedy being examined, it was found that the burglars had fled in such haste that they had left behind them not only the goods which had been the object of the entrance, but several masks, a brace, one pair of common gaiter shoes, a pair of patent leather Oxford ties, with a singular depression at the toe of the left foot, and some other articles which were not of subsequent interest. It was further found that two of the burglars had retreated down toward the Chenango, for the footprints of a man in his stocking feet, and of another who wore rubbers or moccasins, could be plainly seen in some fresh earth which had been thrown up for a roadway along the bank of the stream; these tracks pointed to the river, but could not be traced into it, because of a space of hard earth over which the men had to pass before reaching the water. There was no sign anywhere of the third man, and conjecture was at fault even in the case of those whose tracks were seen, for they led only to the river, and there the puzzled law could only sniff the empty air. To go out into the whole world and search for the owners of a pair of ordinary gaiters and a pair of Oxford ties was a hopeless task, so that during all of Wednesday there was a general feeling in the community that this crime would be added to the long catalogue of impenetrable and unpunished murders.

But that no chance might be neglected that would offer a clue to the perpetrators, during that day Mr. Flynn, Chief of Police, kept large squads of special police constantly patrolling the city and stationed at every outlet, so that no stranger could enter or leave or pass anywhere, even a hundred yards, without interception and investigation. It was thought possible, although not probable, that the burglars might have tarried in the town, and it was determined that if they had they should not escape. During the day very many persons were halted and examined, but being able to give a satisfactory account of themselves were permitted to go their several ways, and as the night came on the hope which had been founded on the possible stupidity of the assassins grew fainter. But about midnight, Cyrus A. Stockwell being, with others, upon guard at the point where the bridge of the Delaware, Lackawanna and Western Railroad crosses

Court street at the outskirts of the city, saw a man walking on the track, and called to him to halt, which he refused to do, making no answer. Before Stockwell could reach the man, a long coal train rushed between them, and when it had passed the man had disappeared. He and his comrades began a protracted search for the man, which was finally ended by the call of Chauncey Livingstone, whose house was near by, that he had the man. They then went back to the house, near where the man had been first seen, and Livingstone delivered to them a prisoner, who was taken to Chief Flynn. Chauncey Livingstone explained how he was awakened by the noise of the Stockwell party, and, believing they were intent upon stealing his fruit, sat down on his back porch to watch them. He sat there a long time, an hour or more, smoking. It was a clear night, and surrounding objects were distinctly visible. For a long time he saw nothing, heard nothing which attracted his especial attention. As he sat on his porch, the outhouse in his yard was in plain view, the door being toward him, and open, for, had it been shut, he would have supposed some one to be in there, and would have gone to it at once. At last he imagined the shadow on the inside of the outhouse was too dark to be natural. He looked and wondered for some moments, and the longer he looked the more that shadow troubled him, until at last he got up and walked to the outhouse, pistol in hand, and there in the corner, crouching in the smallest possible space, and scarcely breathing, in which almost unendurable position he had been without moving for more than an hour, was Edward H. Ruloff. He came forth at the command of Livingstone, enforced as it was with a pistol, and in answer to the natural demand for his name was unprepared as in all crises of his life with an answer; so he replied at random, and happened to say Charles Augustus, which was too manifest an absurdity to impose even upon rustics. He carried a small satchel in his hand and, having an umbrella, besides being respectably dressed, if he had not refused to stop when first challenged, had not hidden away, or even had not been so incoherent when first arrested, he might have been permitted to pass. For the story he told while being taken into the town for delivery to Chief Flynn was not intrinsically improbable, and told at first would have been a passport to liberty and life. When it was too late, he said that he had been visiting friends at Union, a small town above, and having missed the train, was walking to save time, as he desired to call on other parties a short distance east before going on to New York. But even this story he could not adhere to, as he contradicted it in several important particulars, even before his delivery to Chief Flynn.

But the people did not know the prize that incorrigible stupidity had placed in their hands. This man was an entire stranger, who was evidently disconcerted for some reason, but it seemed absurd to suppose that an aged man of such reputable appearance could be the burglar. Calling himself George Williams, and at last stoutly adhering to the Union story, he seemed safe, although encompassed by his old familiars in the shape of prison walls; for Burroughs, who thought he looked something like the burglar with the straggling gray whiskers, would not swear positively to his identity, and there was no proof whatever against him; yet he was detained for a chance, and Friday morning the seething city had a new and more startling sensation. Early in the morning two dead bodies were seen lodged against the piers of the Court street bridge over the Chenango river, only a few feet distant from the Halbert store. They were fished out from the stream, the eye of the larger one being torn out with a grappling hook in the process, and had hardly been five minutes on shore when it was certain that these were two of the men who had been engaged in the burglary. Burroughs recognized the smaller as the man with whom he had struggled, and there could be no doubt of the fact, for the corpse had a recent gash above the eye, in the precise position and of the exact shape which Burroughs had described. The larger of the drowned men had in his pocket a bit which exactly fitted the holes in the bored door, so that it was evident that the outraged law had, by some most singular accident, been cheated of two of the perpetrators of a horrible crime. It was never known positively how these men met their death, but it is supposed they were attempting to ford the river, which they could easily have done, as it was almost everywhere only two or three feet deep, had they not got into a very deep hole just at the point where they would naturally have entered the stream, of which they must have been ignorant. Suddenly and unexpectedly finding themselves under water, the fact that they would naturally clutch each other, and that the smaller was almost helpless from the wound over the eye, was sufficient to account for their failure to get out of the hole, as they might have done with one strong sensible effort.

The possession of the bodies not only corroborated the story of Burroughs, but placed many additional links of evidence in the articles found on them in the hands of the authorities. The search was, moreover, now narrowed to one man, and the bodies, having been photographed, were removed to the basement of the Court-house, where Ruloff was confronted with them. In that most awful moment of his life he displayed more of nerve and sense than he had ever done

before. There lay the bloated bodies of the only two associates he had had for years, one of whom he had lured from the paths of rectitude a dozen years before, and who, he afterwards asserted, was the only human being he had ever loved. This must have been the first intimation he had received of the fate which had overtaken these partners in his crimes and hopes; yet, standing at their feet, he gazed steadily at them without the quivering of a single nerve, so far as the closest observer could discern, and then said, in a perfectly natural voice, that he had never seen either of them before. But to guard against the possibility of mistake, he asked permission for a view from another point, and going around to the heads looked equally long and steadfastly, but with the same result; for he again declared that he had never, to his knowledge, seen either of these men in life. He was taken back to jail, but the confidence of the authorities in their ability to lawfully detain him any longer was greatly shaken. For the first time in his life Edward H. Ruloff had shown that he had in him some thing of the stuff of which great criminals are made.

CHAPTER XVIII.

A TERRIBLE MISTAKE.

But he was to neutralize the good he had done his cause, and descend again to his natural level of transparent artifice. That evening being taken before Coroner Worthing and District Attorney Hopkins, he was subjected to a long and tedious examination. Both officials thought they were dealing with a rural preacher or teacher, and asked question after question, more with an undefined idea that it was their duty to do something than from a belief that the time was being profitably spent. There he sat readily answering all questions, but persisting in holding his hat, which was a silk one in good condition, upon his knee rim down, although requested by the Coroner to place it on the table. He also kept his coat buttoned to the throat, although the weather was sultry. Next morning this hat was cut away to near the crown, thus making it a nondescript cap, and all the front of his shirt had been torn out, and it was learned from his own statements to Mr. Martin, Sheriff of Broome County, that he had cut up the missing parts of both hat and shirt into such small fragments that they had gone through the waste pipe of his cell into the sewer. It seems amazing that even this conduct at the time made no impression of his guilt, and after a protracted examination on Saturday morning before

the Coroner, he was discharged under highly sensational circumstances. Just as he was about to leave the room as Mr. George Williams, Judge Balcom, before whom he had argued the writ of *habeas corpus* years before, happened to enter, instantly recognized him, and promptly declared him to be Edward H. Rulloff. For a second time, the man of two lives was equal to an emergency, and seized his own infamy as a shield against this new danger. Turning back into the room, he said with a most convincing manner: "There, gentlemen, you have an explanation of my strange conduct. Knowing of my misfortunes in this portion of New York, you can understand why I was anxious, being here accidentally when a murder was committed, to pass through the city without my identity being known. You know the proverb, gentlemen, about the results of giving a dog a bad name." There was a revulsion of feeling in his favor, which was very stupid, but perhaps natural also, and both Coroner and District Attorney shaking his hand cordially as a tacit apology for his brief detention, the discharge was ratified and he left the room. Stepping across the street, he purchased a cap, which was the last article of dress he was ever to buy, and then walked rapidly away.

But suddenly some one remembered that the feet of Rulloff had been frozen when he committed the Warren burglary, and that having lost the great toe of his left foot, the singular depression at the point of the left Oxford tie was fully accounted for. Here was evidence no one appears to have thought of when the prisoner was in custody, and all haste was made to repair the terrible mistake of his discharge. Persons were sent in pursuit of him in all directions, and among them Robert Brown, Deputy Sheriff, who succeeded in rearresting him an hour later on the Erie Railway track, four miles east of Binghamton. He saw him for some time before he came within hailing distance, and saw that he was walking very fast, about 110 steps to the minute having his coat off, carrying it on his arm, and his cap off occasionally. When he called to him to halt the fugitive obeyed readily, answering, when Brown said, "Mr. Rulloff, we've concluded not to let you go just yet," with "What's up now? What new discoveries have been made?" Brown only replied by requiring him to take off his left boot and sock, and exhibit his deformed foot, which he did without remonstrance. When taken to the jail he was required to try on the shoes found in the store, which were found to be a perfect fit, even to the protuberances on the left foot. Rulloff said that he seldom wore shoes, and had worn the boots he had on when captured all summer, and also called attention to the fact that there was no depression at the

toe of the left-foot, but the officers discovered that he had filled up the space left void by the want of a large toe, with cotton.

But these boots, it was noticed, were almost entirely new, and it was further noticed that when requested to put on the shoes, he laced them with the same peculiar over-lapping observable in the lower holes of the shoes where the strings had not been unfastened.

Here was something tangible, and Ruloff being securely held in prison, Mr. Peter W. Hopkins, the keen District Attorney, started for New York on the search for evidence. It was his first necessity to prove the identity of the drowned men, and his second to show their acquaintance and companionship with Ruloff prior to the burglary. By the fortunate fact that upon his arrival in New York he secured the services of Captain Hedden and Detective Phil Reilley, of the Fifteenth Police Precinct, he succeeded in both objects beyond his needs or expectations. There was perhaps to all the parties a fascination in this gradual approach to the secrets of shadowed lives which fully recompensed the irksome labor and frequent disappointments which followed, when they were finally crowned with complete success.

CHAPTER XIX.

FROM DARKNESS INTO LIGHT.

CAPTAIN HEDDEN and Detective Reilley, beginning with most slender clues, worked patiently and shrewdly for many weeks upon this case, until they at last unravelled many mysteries and laid bare lives of crime cloaked by assumed respectability. Such signal success as crowned their efforts rarely falls to the lot of detective experience, because such patience and common sense in dealing with isolated facts is rarely displayed, and it resulted in evidence to prove who the dead men were, to trace them, step by step, for months prior to the tragedy; to show how Edward H. Ruloff was for years the confidential associate of Albert T. Jarvis, *alias* Curtis, and William T. Dexter, who were drowned in the Chenango river on the night of the 17th of August, one of whom had the tell-tale mark of the iron bar on his forehead, and the other the condemnatory bit in his pocket, and both of whom had been recognized as two of those engaged in the crime.

Crime has rarely been more completely cloaked or more patiently unmasked than in this remarkable case. When Mr. Hopkins went to New York he had nothing but six keys, a drop letter addressed to

one Henry Wilson, and a scrap of paper bearing the name of William Thornton, attorney, of Brooklyn, as clues by which the identity of his prisoner and the dead men were to be established. With Detective Reilley he first tried the Wilson letter, but it ended in utter failure, as it led only into the labyrinths of illicit love, and the parties to it were in no way connected with the dark tragedy to be unravelled. The Thornton clue was next worked with much greater success, as it proved the key which unlocked the mystery. Mr. Hopkins had learned before he left that Dexter, one of the dead men, had once been confined for a criminal offense in Cortland County, and had called upon the lawyer whose name was found on a scrap of paper in his pocket, to aid him. But Mr. Thornton denied that he had ever been in Cortland County in his life, and it will be shown that he was personated by Ruloff; and from this starting point, Mr. Hopkins and Detective Reilley by the aid of a good deal of patience and shrewdness, finally found the tumble-down Dexter house in the suburbs of Brooklyn. No one was there but a woman, who unsuspectingly answered the careless questions put to her until the officers learned that Billy Dexter was the putative owner, but that she paid the rent to Edward C. Howard, agent, who had, unaccountably, not appeared for two months to claim it. Groping still in the dark, Mr. Hopkins asked her how it happened Howard was agent for the property, and received the important answer that Billy Dexter was all the time getting into scrapes, and Howard was a shrewd lawyer who had got him out of them. The picture of Ruloff, taken after his capture, was then shown, and she instantly exclaimed, "Why, that's the agent." The identity of Ruloff with Howard, and his acquaintance with Dexter, was thus discovered, and the overjoyed but also overworked District Attorney Hopkins went back to his office, leaving the further working of the case in New York to Capt. Hedden and Detective Reilley, with whom he left two keys fitting doors in some house in Third Avenue. During an interview with John Dexter, brother of the drowned burglar, forced upon that person at the tumble-down house at the dawn of an October morning, Reilley drew from him the address of a woman known as Maggie, living at No. 75 Carmine street, who had been housekeeper for Ruloff, and knew where he lived. Capt. Hedden and Reilley instantly visited her, and failing by subterfuge to get any information from her, as she was then aware of the murder, finally declared their true character, and demanded the important fact, which she then gave by telling them that Ruloff and Jarvis, alias Curtis, lived at No. 170 Third Avenue. The officers in-

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stantly proceeded thither, and to their great joy opened the street door with the night-key taken from Rulloff's pocket, and amazed the Jakob family by announcing their mission and the true character of their late lodgers. Upon searching the rooms they found many burglar's tools, including jimmies, dark lanterns and masks, but Maggie had removed, two days before, some articles which Mr. Hopkins had much desired to get. One was a shoe which had been worn by Rulloff, but all boots and shoes she had cast into the street and they were irreparably lost. The other was the manuscript book on language, written by Rulloff, under the name of Leurio, which she had removed to her house in Carmine street, where Capt. Hedden seized it.

With these discoveries and seizures, all absolutely essential evidence had been obtained. The keen lawyer and erudite philologist of fifty-two years in the Binghamton prison had been changed by the detective's art into a marauder, at war with society for thirty years. The bloated bodies cast out by the Chenango had been proved to be those of apt pupils of the great master in crime, and the quiet retreat of the sedate and gentle linguist in Third Avenue was shown to be a den of outlaws. The lines of three lives were found to cross and interlock through years of knavery, and these three lives were those of the aged prisoner and of his two youthful associates, Dexter and Jarvis. As a case of circumstantial evidence, it was complete. There was a belief, however, that the trial would be intensely dramatic. Rulloff would fight hard for his life, and, although he had counsel engaged, would, it was thought, take the lead himself in his defense, as he did many years ago. Public feeling was arrayed with singular intensity against him, but he would not, for that reason, be abashed or cowed. Almost every inhabitant of the city believed him to be a principal in the murder of Mirrick, but he would not, for that fact, the less stubbornly assert his perfect innocence. The facts which had been dug up in the path of his tortuous career, had an ugly look, but he would not, therefore, be likely to be lukewarm in his endeavors to convince Judge and jury that his life has been free from stain. Shrewd, experienced, in a certain way, and to some extent learned, he was expected to do better battle for his life than any indicted burglar-murderer ever did before.

CHAPTER XX.

THE BEGINNING OF THE END

WITH the proof of all these facts fully prepared, the trial of the prisoner began on Thursday, January 5, 1871, in the Court-house of the city of Binghamton, before Hon. Henry Hogeboom, Justice of the Supreme Court, sitting in Oyer and Terminer.

Hon. M. B. Champlain, Attorney General of the State, and Peter W. Hopkins, District Attorney of Broome County, appeared for the people, while Hon. Charles F. Beales, of Hudson, and George Becker, Esq., of Binghamton, were counsel for the prisoner.

When the prisoner that morning emerged from the obscurity of the jail, where he had been hidden for the past four months, hundreds eagerly sought to catch even a passing glimpse of him as he walked over the few rods of ground between his prison and the Court-room, where he was to be on trial for his life. Even in that room he was throughout the day the centre of hundreds of curious eyes, for the room was densely crowded during every moment of the protracted proceedings. Those who achieved the felicity of an entrance into the room, to which many hundreds failed to obtain admission, saw a man far advanced in life, but one who, thanks to art and the remarkable kindness of Sheriff Martin, showed few outward signs of age. When dragged from that out-house in the suburbs of the city, in the gray dawn of an August morning, Rulloff was not of a pleasing aspect. He was, indeed, fully dressed, but his clothes bore marks of rough usage, and his demeanor was so disturbed that he looked fully sixty years of age. Now, however, he might be supposed a man of forty-five in excellent preservation. Then his head was full, straggling, and mixed with gray; but now it was upon the cheeks only, was closely cut, and of a dull brown color. Then his hair was long and unkempt, but now it was of proper length and arranged with scrupulous care. Then his clothes were soiled with recent rough usage, and now the damages inflicted during that desperate epoch in his life had been repaired, and there was no man in all the audience whose garb more closely adhered to the established standard of respectability. But the man's face, his singular eye, his usual expression, no time or art had changed since the long years ago when he was tried for his life in Tioga County. He was yet the man of full stature, heavy frame, broad, short face, heavy chin, firm mouth, broad projecting brow, heavy eyebrows, hazel eyes, singular complexion, and large head squarely and firmly set upon his shoulders by a short thick neck. There was nothing diabolical in

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his expression, but a great deal that was furtive and suggestive. To the casual observer this man of an extraordinary career seemed only a man of weak character, but of proper motives. Keen scrutiny, however, discovered something painfully unpleasant in that massive face. There was not villany in it, but the possibility of villany was in the lines of the mouth and the secretive, inquiring eyes. Seen in the ordinary affairs of life, Edward H. Rulloff would be taken for a cunning lawyer in small practice, but seen as he was, there was nothing unnatural in his position.

His demeanor throughout the preliminary proceedings of his trial justified the general opinion of his natural shrewdness, and unmistakably showed the strong interest he took in his case. He was taken into Court at nine o'clock, and took his seat with his back to the large audience, but without having been in the least cowed by the concentrated gaze of the multitude during his walk to it. When he had sat down he looked anxiously around. When Judge Hogeboom and associates entered, a look of dismay overspread his features, which was a moment later intensified when District Attorney Hopkins and Attorney General Champlain came in and took their seats. But the next moment a sudden change swept over his face, which was at once illumined with hope and confidence, as his counsel, Mr. George Becker, entered, accompanied by Hon. Charles F. Beales, of Hudson, who had been secured to assist in his defence. With the appearance of these gentlemen, the wearisome duties of the day began. The first task was, of course, the selection of a jury, and owing to the great excitement the case had caused through all that region, it was one involving a great deal of time. Everybody had heard and read of the case, had formed and expressed an opinion, so the rigid rule was not adhered to. Judge Hogeboom sensibly remarked that in this age of the world it is impossible to find men of any intelligence who have not read the newspapers and learned something of any important case. Juries worth anything must be got from such classes or not at all, and the rule, therefore, must be, that when anyone summoned as a juror is found to have no settled opinion of the merits of the case, and believes himself to be without bias or prejudice, he is competent, notwithstanding any opinion he may have previously formed or expressed. Thanks to the adoption of this sensible rule, to which the defence took no exception, the jury was completed without the prisoner's exhausting his right of peremptory challenge by five o'clock, by the selection of the following gentlemen: Hiram A. Mosher, Emory Truesdale, John C. Ronk, Sabine Hayes, Harry King, George Couch, Ebon Hawkins, John Perry, Edgar O. Smith, Frank Plunkett, Isaac W. Heath, John W. Travis.

During the seven hours of monotonous labor consumed in this task, the audience, which was largely composed of ladies, waited with unwearied patience for the more interesting aspects of the case. But the proceedings were occasionally enlivened by *outré* replies of jurors, and the strong wit of Judge Hogeboom, provoked by more than usually dense stupidity. For instance, a juror having answered the question, "Has what you have heard or read left any bias for or against the prisoner?" with "I don't know that it has," Judge Hogeboom instantly rattled out, "I don't know that it has, but has it?" and under this terse putting of his indecision the juror became confused and was rejected. The panel was exhausted when eleven of the jury had been secured, and the twelfth man was obtained with the summoning of three talesmen.

CHAPTER XXI.

THE PEOPLE ALLEGE.

JUDGE HOGEBOOM having a primitive idea that the time of public servants belongs to the public, although it was 5 o'clock when the twelfth juror was sworn, Mr. Hopkins was required to proceed with the opening of the case for the prosecution, and most thoroughly did he perform that duty. Beginning with a few general remarks usual on such occasions, regarding the sacredness of the duty resting upon the jury, he rapidly presented the facts of the murder, as they have been given to the reader, and passed to the circumstantial evidence against Rulloff. First, he detailed the capture of the prisoner, under most suspicious circumstances, in the out-house, where he had crouched for two hours after he was seen walking, at the dead of night, on the railroad track, and covered by a passing freight train at the moment he was challenged by the guard, had mysteriously disappeared. Then he proceeded to tell how the bodies of the two men, cast up by the Chenango River, had been identified in various ways, as those of Albert T. Jarvis, alias Charles G. Curtis, and Wm. T. Dexter, alias Davenport. Then presenting the indubitable proofs that these men were two of the three burglars who entered the store of Halbert Brothers, and killed the clerk, Frederick A. Mirrick, he passed

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to the connection, prior to the tragedy, of the prisoner with the dead men. In coming to this vital point in the case, Mr. Hopkins said that, for the purpose of showing when and how the acquaintance between Jarvis and Ruloff commenced, and not with the intent of reviving the memory of an old crime to the prejudice of the prisoner, he must go back to the year 1857. Instantly Ruloff half rose from his chair, and, plucking his counsel, Mr. Becker, by the sleeve with spasmodic energy, whispered rapidly in his ear, and before Mr. Hopkins could begin another sentence, Mr. Becker rose and objected to the prosecution going beyond the case on trial. Judge Hogeboom said it was impossible for him to prophesy what the District-Attorney was going to say, or to decide a question before it existed, but he presumed it was the intention to keep within the rule. Mr. Hopkins having thus compelled the defence to show to all the world how little the prisoner could afford a scrutiny of the past, went on to narrate one of the saddest episodes of crime ever told in a court-room. Having said that Ruloff, in 1857, was confined in the jail of Tompkins county on a charge of the murder of his child, he showed how the prisoner speedily so won the sympathy and confidence of the jailer, Jarvis, and his wife, that they trusted their son, then a prattling, innocent ruddy boy, in his company. The prisoner whiled away his time in teaching the son of his jailer in the language, and then and there began the companionship which ended with the horror in Halbert's store, when Jarvis flitted away a few rods to meet his death in the dark Chenango waters, and Ruloff slinked through by-ways for a few hours on his road to his doom. The origin of the companionship with Dexter was not so clearly alleged, but the fact was as distinctly stated.

Two facts to prove the presence of the prisoner at the scene of the murder were brought into bold relief, but the most convincing was the shoe found in the store, which exactly fitted the malformed foot of Ruloff, and which Mr. Hopkins claimed would fit no other foot in the State. But beyond this startling fact he said he would prove that the prisoner left the house, No. 170 Third Avenue, on the morning of the 15th of August, wearing the identical pair of shoes found in the store. The second fact was equally conclusive, for it was claimed that in the cast-away carpet-bag found in the remote field, was a copy of the *New York Times*, with an article a column long cut out of it, and that in the desk of the prisoner in Third Avenue, a slip was found which exactly fitted the space, which, being an article on the Prussian policy, which, upon examining an unmutilated copy of the issue of the paper, was found to belong in the space. The mention of this fact was evidently a revelation to the prisoner, for he started in his seat, and a spasm of dread passed over his face. The shoe fact he had long known, and admitted its force

against him, but this newspaper slip was a link in the chain of evidence against him which had been forged without his knowledge.

The writer has heard many addresses to juries on occasions similar to this, but none more effective, compact, and powerful than that concluded by Mr. Hopkins, after speaking fifty-four minutes, with another stab at the reputation of the prisoner, by a reference to his trial for the murder of his child in Tioga county, fourteen years ago, when he was finally acquitted, after protracted litigation, upon a legal quibble—the body of the child had never been found, and execution of judgment could not be had. “In this case,” said Mr. Hopkins, “there will be no reversal of your verdict because the body of the crime is wanting.” With terrible force, and great effect upon the jury, Mr. Hopkins assumed as a fact that the prisoner had murdered his own child, and dwelt upon what might have been, but for the rule of law requiring the production of a body before conviction for murder. The young, innocent boy Jarvis, would not have been led into temptation, and to a felon’s death at last. Frederick A. Merriek would not have died as heroes die, defending his trust, and his widowed mother would not have been bowed with the weight of an untimely sorrow. But more than all, Ruloff would not be occupying the attention of his honor, Judge Hogeboom, of the jury, and of the vast audience, as he would long ago have begun to test the realities of the world beyond human life. Having thus adroitly informed the jury that Ruloff would have been hanged long ago but for the interposition of a legal technicality, Mr. Hopkins sat down.

CHAPTER XXII.

THE PEOPLE BEGIN TO PROVE

On the morning of the second day of the trial thousands of eager applicants for places to witness the proceedings besieged the doors long before the hour appointed for the assembling of the Court, and the doors were no sooner opened than every inch of available space was instantly filled. As on the previous days, a large portion of the audience was composed of ladies, hundreds of whom stood patiently for hours listening with seemingly unwearied interest to the details of evidence, with the outlines of which they had long been familiar. The character of the whole audience was most remarkable, and it presented a most favorable contrast to assemblages collected by similar occasions in

New York. There was not a man present who bore any resemblance to our roughs, nor one of the hundreds of women who did not seem a lady in the true meaning of that much abused word. The demeanor of the audience was in keeping with its appearance, and Sheriff Martin was never called upon to do more than suppress occasional ripples of subdued conversation, which in metropolitan courts would pass without rebuke. So the decorum proper to the occasion was easily maintained, and the proceedings never delayed by disorder.

The presentation of the evidence for the prosecution began with the opening of the Court, the first witness sworn being Mr. Gilbert S. Burroughs, the surviving clerk. He told the story of that desperate encounter in the store of D. M. & E. G. Halbert, about half past two o'clock on the morning of Wednesday, Aug. 17, with three burglars, which is now familiar to the reader. His narrative of the fight of the two young men with the three burglars, was direct, forcible, interesting, dramatic, and so clear, that every person present perfectly understood every event from the moment the two clerks, waking up, saw the three burglars standing near their bed, and at the head of the stairs leading to the basement, up to the moment when the third man coming up the stairs to the rescue of his imperiled comrades, fired three shots at Burroughs, and then, rushing up to Mirrick, who had a burglar in his grasp, put his left hand on Mirrick's neck, and holding a pistol close to the back of his head, fired the fatal shot, and then with his comrades ran out by the back door.

The witness was in the middle of his story, and was identifying the various masks, bits and other burglarious appliances found in the store, together with the shoes, hats and other articles, when Ralloff suddenly arose, and made a great sensation by interposing a legal objection to the introduction of this testimony. Ignoring his counsel entirely, and stepping forward, in a voice slightly quavering, as it seemed, but in no way moved by excitement, he stated the rule of common law, that he was not answerable for the acts of others until he had been clearly connected with them; and, therefore, until it was shown that he was one of the three men who entered the store, it was not admissible for the prosecution to produce before the jury any of the articles found in the store. If the claim had been allowed it would have been impossible to prove either the burglary or murder, but Judge Hoogeboom, in his lucid way, instantly got the case out of the difficulty by saying that District Attorney Hopkins in his opening had stated that it was intended to clearly connect the prisoner with the other two burglars, both remotely and very shortly before the tragedy, and the evidence was, therefore, entirely admissible. Ralloff persisted with resolute determination in his attempt to enter upon a lengthy argument of the point, but Judge Hoogeboom said

the principle was too familiar for discussion, and directed the examination of the witness to proceed.

When Mr. Burroughs was turned over to the defence, Mr. Becker said that Rulloff would conduct the cross-examination, which he accordingly did, and very soon developed the line of defence to be simply an endeavor to reduce the degree of crime, by showing that the shooting by the burglar had been provoked by the unnecessary violence of Burroughs and Mirrick. Mr. Beales stated the rule of law to be that, under such circumstances, persons are justified in using only so much violence as may be necessary to secure the person of the burglars, and if they go beyond that, and inflict deadly injuries, they are amenable to the law for the death, just as though the person killed had not been engaged at the time of receiving the injuries in the commission of a felony. The State did not care to dispute the proposition, and Rulloff conducting the cross-examination chiefly to this point, succeeded in showing that the two clerks made as plucky a fight as employees ever did for the property in their charge, and for a time so entirely disabled Dexter that they could have done as they pleased with him but for the return of his two confederates. He showed, further, that the clerks did not use any great care to avoid injuring Dexter alias Davenport, when he was left in their hands by the retreat of his two comrades. When the clerks awoke the three burglars stood near the bed. Mirrick attempted to fire his pistol, but it snapped twice. Two of the burglars ran down stairs, the other struck Burroughs with an iron bar, the struggle followed, Burroughs threw the burglar, struck him with the bar which he had wrenched from him, the burglar cried for help, the other two ran back, and the murder followed. There was one small gas-light burning in the store near the scene of the conflict, and Burroughs, in his examination in chief, stated that he distinctly saw the person and face of the burglar who fired the shots at him coming up the stairs and afterward murdered Mirrick, and, to the best of his knowledge and belief that person was the prisoner. There was the large face; full, straggling beard; short, broad figure of Rulloff, as he saw them after his arrest, but, as always before, he refused to positively identify him. Rulloff, going to this point in the cross-examination, asked very many questions tending to confuse and break down this testimony. Among the others, Rulloff asked, "How much light was there in the store?" to which Burroughs naturally and innocently replied, "Well, I can't say; you know how much light there was." This assumption that his questioner was present at the scene, had equal knowledge of the facts with the witness, was taken by the audience, and a loud, long roar of applause followed, which Judge Hogeboom sternly rebuked. Rulloff confronted this manifestation of the popular delight at his supposed discom-

the examination

Mr. Becker said he accordingly apply an endeavor by the burg- Burroughs and under such circum- lence as may be they go beyond the law for the aged at the time

The State did ng the cross-ex- at tho two clerks property in their they could have two confederates. eat care to avoid eir hands by the e three burglars , but it snapped ruck Burroughs ew the burglar, im, the burglar ollowed. There ene of the con- at he distinctly s at him coming the best of his ro was the large ulloff, as he saw positively iden- mination, asked this testimony. as there in the plied, " Well, I assumption that dge of the facts long roar of ap- l Rulloff con- pressed discom-

future entirely unmoved. Not a muscle of his face moved, and when the uproar had subsided he returned as steadily as if nothing had occurred, to the point. The only signs of agitation he exhibited were drops of sweat beading his forehead and thick neck, but as these could only be seen by those near to him, he seemed utterly unmoved by his trying position to the distant observers. In the afternoon session the State produced evidence as to the character of certain short-hand writing, the key of which had been found on the person of one of the drowned men, and both of which had been proved by Judge Boardman to be in the handwriting of the prisoner, when Rulloff again ignored his counsel, and urged in another speech the legal point he had advanced in the morning. When he begun there was a marked difference from his manner earlier in the day. His voice was weak, unmanageable, and his nervous system was so plainly shaken that the fact was observable to every one. He was himself fully aware of it, as he began with an apology for his condition, and by pleading in excuse for it that he was battling for his life, elicited the first spark of sympathy he had obtained. Being then heard respectfully, he went on to urge that the papers were inadmissible because the prosecution had not proved, nor offered to prove, when, or under what circumstances, they left his possession and went into that of the dead man. The conspiracy, he said, had not been fully proved. The State had established that three men were feloniously in the store of Halbert Brothers, and for what they did there they were answerable, but the question was who were those three men. He denied the right of the State to claim that he was one of them, because a paper in his handwriting was found upon the person of a drowned man, who was assumed to be one of the burglars. Certainly, he said, it would not be taken as evidence against him if the paper left his possession five years, or even five weeks before the crime; but as the prosecution were unable to show when it left his possession, it was clearly not competent. The nervousness of the prisoner increased as he proceeded, and he at last seized three law books, with which he sought to illustrate the relative legal position of the three burglars, only one of whom was upon trial. Judge Hogeboom answered the argument by admitting the testimony for what it was worth, saying it was one of those circumstances by which the State sought to show some sort of connection or intercourse between the prisoner and one of the drowned men, who was assumed to have been one of the burglars, and it must, therefore, go to the jury for what it was worth, which it did, with the exception of Rulloff noted.

One of the principal witnesses of the afternoon was Mr. James Flynn, Chief of the Binghamton Police, who detailed his extraordinary exertions to capture the burglars after their escape from the store, by stationing

guards at every outlet from the city, and large patrols on every street and lane. The principal part of his evidence, however, was when he came to identify manuscripts, burglar's tools, false faces, and many other articles which had been delivered to him by Detective Reilley, of New York, and which the latter had taken from the room of Ruloff, at No. 170 Third Avenue. Among these articles was the slip, seven-eighths of a column in length, cut from a copy of the *New-York Times* of July 18, 1870, which had been found in a valise found in a field here, and identified as belonging to the prisoner. The mutilated newspaper caused a profound sensation. It was exhibited, and the jury shown how exactly the slip found in the prisoner's desk fitted the space left by cutting out the article. One of the claims of the State was thus made good, and it was established that a valise belonging to the prisoner had been found near the scene of the murder, which contained a copy of the *Times* which had been mutilated in the room of Edouard Leurio, at No. 170 Third Avenue, by the cutting out of an article which had been left behind in the desk of the philologist. The next, and a most important witness was Capt. Henry Hedden, of the 15th New York Police Precinct, who detailed how he had sought and found the residence of the prisoner, and there secured all the numerous articles referred to by Flynn, without which, and the witnesses secured by him, the State would have no case.

Edward C. Jakob was then introduced, and identified the prisoner as a man who had rented a floor in his father's house at No. 170 Third Avenue, under the name of Leurio, and by a photograph shown him identified the drowned burglar Jarvis as the man who had lived with Leurio under the name of Charles G. Curtiss. Upon these important points young Jakob was not shaken by cross-examination, but upon the identity of the shoes and the valise he was not equally positive. The prisoner he said had usually worn Oxford ties similar to the shoes found at the scene of the murder, and the valise found was like one he had seen in the prisoner's possession prior to his leaving the house. Long ago it is reported, Ruloff said in conversation that, if it were not for that shoe, he would beat the District Attorney, and he certainly showed himself of that opinion by his vigorous and earnest cross-examination of this witness. His efforts were principally directed to making Jakob state that he had worn boots when last at the house, and at last stepping close up to the witness, and speaking in a voice so low that no one heard him but the person addressed, he asked, "Will you swear I did not have on boots when you saw me last at the house?" to which Jakob answered that he could not so swear, nor could he swear to the contrary. The manuscript book on language was exhibited to the witness, and identified by him as in the handwriting of the prisoner, and the work on which he had seen him

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engaged for a long time while in the house, and, with the conclusion of this evidence, the Court adjourned after a session of five hours, making the labor of the day nine hours.

During the examination of the last witnesses, Ruloff steadily adhered to his practice of letting his counsel, Mr. Becker and Mr. Beales, rest in idleness while he conducted his own defence. He several times again insisted on the point of law he had presented, and was as often overruled by Judge Hogeboom, when he would enter an exception and go on. Twice he produced a decided sensation; once by exclaiming, when Capt. Hadden left the stand, after identifying the large and complete assortment of burglar's tools found in his desk:—"The next witness will be one who knows me ninety-nine days in a hundred," in which, however, he was disappointed, as the witness knew no good whatever of him. The second sensation was his cat-like approach and whispering question to young Jakob, when the vast audience rose and bent forward as one man to see and hear.

CHAPTER XXIII.

PROOF OF THE PEOPLE PERFECTED.

As the next rivet in the chain of circumstantial evidence the State was forging around the prisoner, Edward Jakob was recalled to prove that the watch and spectacles found upon the larger drowned man, belonged to Charles G. Curtiss, alias Albert T. Jarvis, who had lived at 170 Third Avenue, with Ruloff, alias Leurio. The watch, he swore to, to the best of his knowledge, and the spectacles he swore to positively, as he identified them by a flaw in each of the glasses. Mrs. Brady was the next witness, and testified she rented the two upper floors of the house No. 10 Graham Avenue, Williamsburgh, which belonged to the Dexter family—Mrs. Dexter, Wm. T. Dexter, and John N. Dexter. She paid her rent always to a man they knew as Jim Howard, and pointed out the prisoner as the man. He always came to the house on the first of the month for the rent, and came last on the 7th of August, since which time she had never seen him until she saw him in Court. She then paid him for August, and since that time no one had called to collect the rent. She last saw Wm. T. Dexter on the 7th of August; he was at home on the 3d, went away for four days, when he came back, and having changed his clothes,

went away, since which time she had never seen him. Miss Pauline Jakob, fifteen years of age, was next sworn, and testified that she lived with her parents at No. 170 Third Avenue, and knew that the prisoner, as Edouard Leurio, rented a floor in the house, which he occupied with a man her family knew as Charles G. Curtiss, but who is proved to be Albert T. Jarvis, the drowned burglar. She identified the prisoner as Leurio, and the picture of Jarvis as that of the man Curtiss who had lived with the prisoner. She was shown several pairs of drawers which were in the valise found in the swamp, and identified them all by the mark J. A. in indelible ink, which she had seen Jarvis put on them, and wondered at the time why he did it, as his name was Curtiss. John N. Dexter, a brother of one of the drowned men, was sworn, and testified that he knew the prisoner, as Jim Howard, and knew that he was acquainted with his brother, William T. Dexter, whom he recognized as the smaller of the two men in the photograph of the drowned burglars. He had frequently seen his brother in company with the prisoner, and once saw both of them with Jarvis. Mrs. Helen Wardwell, a sister of Albert T. Jarvis, who lives at Heart's Falls, twelve miles from Troy, identified a letter directed to "Albert T. Jarvis, No. 170 Third Avenue, New York City," which arrived at that place the next day after Leurio and Curtiss left the house, as testified to by Miss Jakob, who had received the letter and kept it in charge unopened until Capt. Hedden seized all the articles in the room on the evening of October 15. Mrs. Wardwell testified she wrote the letter on the 14th of August, mailed it (as was shown by the post-mark of August 15), and that she had never received an answer to it nor heard of her brother alive since that date. The time of the departure of the prisoner and Jarvis, alias Curtiss, from the house of No. 170 Third Avenue, was thus fixed by this letter, and the testimony of Pauline and Edward Jakob as Monday, August 15. Miss Jakob swore they left in the morning.

From this point forward the case dragged for two hours, and by means of several witnesses through facts before adduced in evidence and familiar to the public, only relieved by the testimony of Mr. S. H. Sweet, a shoemaker, who had tried the shoes found in the store on the feet of Ruloff, and found that they fitted him precisely. His left foot is deformed by three large protuberances on the outside, and the large toe being gone; the left shoe of the Oxford ties found in the store had a raised surface to fit these protuberances, and a depression which would have naturally been made by want of a large toe to hold it up. This evidence was strongly corroborated by Mr. Fish, another person of large experience in shoes, who also testified that at the present time there are very few patent leather Oxford ties, such as those found in the store, made or worn. The next

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important witness was Mr. E. S. Spaulding, who testified that on the afternoon of Tuesday, August 16, between two and four o'clock, while crossing the bridge of the Erie Railway over the Chenango river in Binghamton, he met a man to whom his attention was particularly attracted by the singularity of his gait, caused by his favoring his left foot. As the man got near him he stepped upon the stringers to allow the man to pass, and as he got abreast, Mr. Spaulding said "Good-day, sir;" the man stared him in the face, made no reply, and passed on. The man had on a silk hat, dark coat and pants, white socks, low shoes, and carried an umbrella and a satchel, and he then swore positively that the man he thus met near the scene of the tragedy, a few hours before the occurrence, was the prisoner, Edward H. Rulloff, who, when captured a few hours afterward, was dressed, and had the articles described. On cross-examination Mr. Spaulding said he first knew Rulloff twenty-five years ago, before his marriage, when he was a clerk in a drug store in Ithaca, and there knew him well, because he did business with him. Rulloff next was a school teacher at Caroline, Tompkins county, and he did not see him after that, until he saw him twelve or thirteen years ago in the State's Prison, after which he never met him again until he met him on the bridge. The witness was subjected to the most rigid cross-examination by Mr. Beales and Mr. Becker, but he unflinchingly adhered to his story, and resolutely maintained that the man with the halting step and of singular silence, whom he met on the Chenango bridge on the afternoon of Tuesday, August 16, was, and could be no other than the prisoner, Edward H. Rulloff.

Public curiosity increased with feeding, and although the main portion of the evidence of the State had been produced, and the facts bearing against the prisoner fully known, there was no diminution in the crowds demanding admission to witness the proceedings of the fifth day, when Philip Reilley being sworn, said:—That he resides in New York, and is a Police Officer attached to the Fifteenth Police Precinct. Being shown a bunch of small keys, taken from the body of the smaller of the two drowned burglars, he said on finding and visiting the house No. 10 Graham Avenue, Brooklyn, E. D., occupied by Mrs. Brady and the Dexter family, he found the larger of the three keys to unlock a bureau drawer, the next largest unlocked a small trunk in the drawer, and the smallest a portfolio, also in the drawer. In the trunk he found a letter, which has been identified as in the hand-writing of the prisoner, and addressed to William T. Dexter. The State offered the letter in evidence to prove the former acquaintance of Rulloff with one of the burglars, whom he had said he had never seen, and the defence objected because it was

dated in 1865, but the letter was admitted by Judge Hogebloom. Detective Reilley then went on to state that he had visited the house No 170 Third Avenue with Capt. Hedden, unlocking the street door of the house with a key given him by District-Attorney Hopkins, and the door of the room with another key, also given him by that gentleman. On searching the desk in the room of Rulloff, alias Leurio, he found in the middle drawer a ratchet drill, two skeleton keys, three lock picks, a dark lantern, a box-opener, and other articles for a felonious purpose.

Upon cross-examination, Rulloff himself fastened upon Reilley to explain that ratchet drill, and the witness said it had the general appearance of that implement, although without teeth, and the prisoner then with permission explained that the instrument was valuable and interesting as the model of a new invention, but it appeared upon redirect that in the same drawer were two dozen bits which fitted this "model." Mr. Reilley further testified, on cross-examination, that he knew a great many thieves and their haunts in New York, but had never heard of either Rulloff or Jarvis, and the place where they lived, No. 170 Third Avenue, was a highly respectable neighborhood, and the Jakob family, from whom they rented their rooms, are of the very best repute, and held their lodgers in the highest esteem as men of pure lives and domestic habits. Mr. Reilley, however, said that he did not pretend to know all the thieves in New York.

CHAPTER XXIV.

THE STRUGGLE OF THE PRISONER.

WITH the examination of numerous other witnesses on points less important, the prosecution closed, and George Becker, Esq., opened the case for the defence, in a speech which made the best of a very bad case. In the beginning he referred to the great learning, ability and industry of his client, the prisoner, whom, he said, had, during his career, met every sorrow and calamity. He referred to the great activity of the District-Attorney in gathering witnesses, to do which he had had the treasury of the County of Broome at his disposal. His client, he said, has not only to encounter the energy of Mr. Hopkins, backed with money, but also the highest legal authority in the State, Attorney-General Champlain

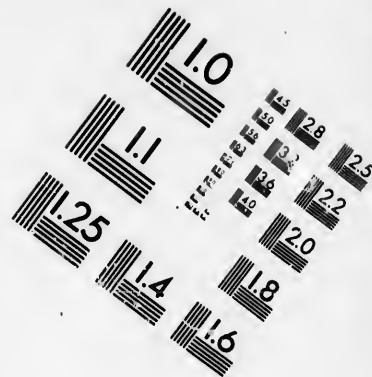
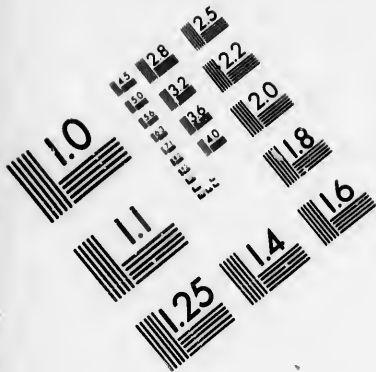
having been sworn prisoner. He forth and general the Becker then went of inoffensive old man ing in the bosom of ties of the defence, sel, having been em mony for the State, done, was not murd or third degree, bec mission of a felony, felon, and that the elaring what the de that it was almost w Coroner that the pri that on the evening his store and asked man he held to be R loff has been in jail, to be a drover from be able to show who Batavia, Buffalo, and have been in the City

Several witnesses not answer. Francis ceeding the tragedy, tify either of the bur and his inability to g Clark was sworn, w American Hotel, a fe from Halbert's store cession; he got up, v after which Barroug heard the cry "mur is unimportant, until store a moment or tw to go around to the b door was locked; Cl front door and knew open and they went i

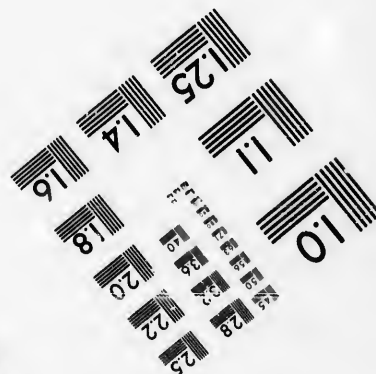
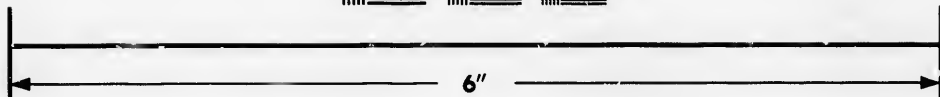
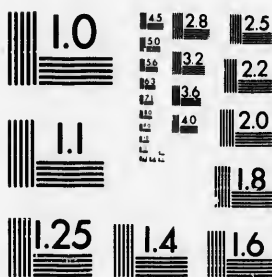
having been summoned to assist in hurrying on a verdict against the prisoner. He further has to encounter a popular prejudice more intense and general than any prisoner ever was called on to confront before. Mr. Becker then went on to draw a flattering picture of his client as a mild, inoffensive old man, of studious and reticent habits, spending his evenings in the bosom of the Jakob family, reading and writing. The difficulties of the defence, owing to the absence of witnesses and additional counsel, having been enumerated, Mr. Becker proceeded to review the testimony for the State, and claimed that the killing of Mirrick, by whoever done, was not murder, but at the worst only manslaughter in the second or third degree, because Mirrick himself, when killed, was in the commission of a felony, in using unnecessary violence upon an intercepted felon, and that the slaying was done to suppress that violence. In declaring what the defence expected to be able to prove, Mr. Becker said that it was almost wholly upon the testimony of J. B. Lewis before the Coroner that the prisoner was held. On that occasion Mr. Lewis swore that on the evening of the 16th August, a man in laboring dress entered his store and asked for the best whiskey, without regard to price, which man he held to be Edward H. Rulloff. Since that time, and while Rulloff has been in jail, the same man has appeared in his store, and proves to be a drover from the West. Further, Mr. Becker said that they would be able to show when the prisoner left New York, and that he went to Batavia, Buffalo, and other places, so that it is impossible that he should have been in the City of Binghamton on the night of the 16th of August.

Several witnesses were then called for the defence, most of whom did not answer. Francis L. Farnham testified that during the morning succeeding the tragedy, Burroughs had told him in the store he could not identify either of the burglars. Further to show the confusion of Burroughs and his inability to give an intelligent account of what happened, Lyman Clark was sworn, who testified that he was sitting at the door of the American Hotel, a few doors above and on the opposite side of the street from Halbert's store, when he heard two pistol-shots fired in quick succession; he got up, walked down the street, and heard another shot, just after which Burroughs opened the front door of the store, came out, and heard the cry "murder." He gave an account of what followed, which is unimportant, until Chief Flynn and Clark were about to go into the store a moment or two later, when Burroughs told them they would have to go around to the back door, as he had come out that way, and the front door was locked; Clark said he had just seen Burroughs come out the front door and knew it was open, whereupon the front door was pushed open and they went in; after they went in, Burroughs remembered that





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he did come out by the front door. After a number of other witnesses had been called and found wanting, the defence put Mrs. Martha Brady, of No. 10 Graham Ave., Brooklyn, E. D., on the stand, and Ruloff proceeded to question her as to her knowledge of a woman named Haggerty, who, it presently appeared, had annoyed Mrs. Brady by dissolute conduct in the house, and caused her arrest, whereupon Ruloff was annoyed and reproved her sharply, as he had just procured the discharge of the woman from the Penitentiary. The object of this testimony was to show malice on the part of the witness who had been sworn for the prosecution against the defendant. After the examination of several other witnesses to the point of the great excitement of Burroughs, immediately after the tragedy, with a view to break down his testimony, the Court adjourned.

Expected from the remarks made at the close of the session to be the last, the sixth day of the famous trial was begun with a far larger audience than either of its predecessors, notwithstanding the day was one of the coldest of late years, and it involved something of peril to face the keen January air. The defence was prompt in bringing forward such scraps of testimony as they had. Mr. J. B. Lewis, who was expected to testify how he had been mistaken in the identity of a man who purchased liquor of him, as stated yesterday, was first called. Before the Coroner he swore the man was Ruloff, but he had since seen a man who said he was a drover from the West, who makes occasional visits to Binghamton, who called himself Baxter. Mr. Lewis said, however, that he was not sure whether he was the same man who was in his store on the evening of the murder; and upon cross-examination he said he was yet convinced that it was the prisoner who entered his store and bought the liquor. Thoroughly discomfited by the first effort of the day to prove something favorable to the prisoner, Mr. Becker traveled off into a discussion as to the possible relative positions of the burglars and their antagonists during the struggle, as judged from the holes of the pistol shots in the walls, desiring to show that one which struck the wall six feet from the floor had been fired from nearer the front door than the head of the stairs, which fact would invalidate Burroughs' evidence that all had been fired while the burglar was coming up the stairs except the one which killed Mirrick. When Mr. Lewis E. King was stating emphatically that when himself and Burroughs stood before the door of Ruloff's cell the prisoner unhesitatingly picked out Burroughs by the direction of his voice and eyes, a round of applause burst from the audience for the third time during the trial. Mr. Beales at this arose, and in a few eloquent remarks referred to these manifestations of popular prejudice, and asked the protection of the Court for the prisoner. Judge Hogeboom, in reply,

said that he could apologize for the indignation of an honest public, not, as he believed, against the prisoner, but at an enormous crime; yet this was a Court of Justice, not a popular assemblage, and a place where the auditors were not privileged in any way to participate in the proceedings. He was therefore compelled to reprove these manifestations of public feeling, and to insist that they should not be repeated.

A long pause ensued, caused by the absence of witnesses called by the defence; and, with the understanding that certain medical testimony should be taken when the physicians arrived, Ruloff arose and returned to his pet idea, with a motion to strike out all evidence as to the identification of Dexter and Jarvis, because there was no testimony of a conspiracy between him and them to commit the crime. Reading the case of *The People vs. Thorns*, in *Third Parker's Criminal Reports*, he proceeded to argue the point. Judge Hogeboom speedily interrupted him, and referred to the evidence of Burroughs that the prisoner, to the best of his knowledge, was one of the three burglars, and that the evidence of the shoes also connected him with the crime. Ruloff was utterly unabashed by this revocation of the opinion of the Court, which was fatal to his hopes, and went on with such calmness and clearness that a stranger could not have supposed that he was arguing for himself. Mr. Beales then followed in a masterly, eloquent and affecting speech in support of the motion, at the conclusion of which Judge Hogeboom denied it, saying that all the evidence must go to the jury, and upon it they must pass on the life or death of the prisoner. Ruloff then moved that the prosecution be stopped and the Court order an acquittal, because the facts did not show a murder or any general form of manslaughter, and the indictment did not charge the special form of manslaughter which it was claimed the facts disclosed. Mr. Beales argued the point, reviewing the facts that the attack was begun by the clerks; that two of the burglars fled, and the third was overpowered by the clerks who were engaged in dispatching him, and in so doing were committing the crime of manslaughter in the second degree, which reduced the offence of the person who killed Mirrick to the same rank. Judge Hogeboom denied the motion peremptorily, saying that the indictment was broad enough to cover all the grades of homicide, and that he did not feel at liberty to withdraw the case in any of its aspects from the jury. In referring to the conduct of the clerks, Judge Hogeboom asked what were they to do, and stated plainly that they had the right to kill all three of the felons to prevent the commission of the felony in which they were engaged. And further, the Judge referred pointedly to the fact, that the two felons ran back into the store, and asked why they did so.

The defence then called Dr. Burr, who examined the foot of the prisoner, in the presence of the jury and audience, with the view of showing that it was not a malformed foot, but the examination was conclusive of the fact that the large toe was gone. With this testimony, and that of a few others to equally trivial facts, even to having a witness exhibit a malformed foot, the defence rested, without having disproved a single particle of the evidence of the prosecution, and without attempting to explain any one of the suspicious circumstances surrounding the accused. Upon such a case as this, with the immense audience confronting him animated by an intensely bitter feeling against his cause, Mr. Beales rose to address the jury in the closing argument for the defence. His argument was commenced with an enumeration of the difficulties encountered by the defense, prominent among which he ranked the popular prejudice against the prisoner. Having dwelt upon these topics, he passed to the testimony, admitting, while attempting to explain away the facts of the arrest, that the prisoner was acquainted with and an associate of Albert T. Jarvis and Wm. T. Dexter. He also admitted that the proof was sufficient to show that these two men were two of the three burglars engaged in the crime. The greater portion of his address, however, was devoted to depreciating the evidence of Gilbert I. Burroughs, the only eyewitness of the crime. His statements were analyzed in detail, and many of them claimed to be not only conflicting, but improbable in themselves. Counsel claimed, further, that Burroughs was in such condition of frenzy that he was unable to give a true, coherent account of what passed in the store. Mr. Beales then passed on to attempt to explain many other suspicious acts of the prisoner, including his singular recognition of Burroughs when the latter was first taken to his cell. After a pause of a few minutes, Mr. Beales went on to sketch the quiet, domestic, harmless life of the prisoner at No. 170 Third Avenue, his great natural ability, his high self-acquired literary attainments, and being utterly unknown to the police of New York; he claimed that it was absurd to suppose that this man had such a double character that he could be the thief, burglar, and murderer, as asserted by the State. The presence of the burglars' tools in Ruloff's desk was attempted to be explained by the alleged fact that they had been put there after Ruloff left, and were placed there for the purpose of affording the required proofs of criminal habits. The question of the shoe was then taken up, and it was claimed that there was no positive evidence that the shoe for a deformed foot found in the store had ever been worn by the prisoner. The testimony of Mr. Spaulding, who

met the prisoner on the Chenango bridge on the afternoon of August 16, was next commented on, and counsel claimed that the story was so extraordinary and improbable in itself as to be utterly unworthy of credence. Upon the legal aspect of the case Mr. Beales claimed that the offence committed in Halbert's store, on the morning of the 17th of August, by whoever committed, was nothing more than manslaughter in the second or third degree. The facts showed that there was no malice toward Mirrick, who was a stranger to the slayer, and that there was no design to take life, as the only purpose of the intruder firing the shot was to secure the release of his comrade, then held by Mirrick. Mr. Beales continued his review of the testimony at great length, and did not conclude until he had spoken four hours. His speech, as a forensic effort, was admirable, but as an argument it was without effect. Mr. Beales seemed to feel the hopelessness of his cause, for he concluded with the beautiful allegory of the creation of man at the prayer of Mercy, and picturing the lonely, friendless, penitential prisoner at the bar, asked the jury to temper justice with mercy.

CHAPTER XXV.

THE TRIUMPH OF JUSTICE.

BINGHAMTON will long remember that seventh morning of the great trial. Thousands of people gathered, notwithstanding the bitter cold, before the Court-house doors long before the hour for the session to begin, and the vast Court-room was no sooner opened than it was filled to its utmost capacity by persons of both sexes and all conditions, anxious to witness the closing proceeding of this memorable case.

Attorney-General Champlain began his appeal to the jury upon the opening of the Court at nine o'clock, by saying that the allegation of the counsel for the defence, that he brought to the case the great weight of his official position, was uncalled for, as he came in no official robes, and appealed only to the reason and best judgment of the jury upon the law and the facts. The claim of popular prejudice was equally flimsy, because the popular indignation was not against any particular individual, but against a horrible crime which some one had committed, and which unsettled the very foundations of public order and personal security. In reference to the presence of ladies at the trial, the Attorney-General said their curiosity was natural to see the

most extraordinary man of the age in the prisoner at the bar, who has had no cause in the past to complain of the administration of justice, nor of the conduct of the present trial, in which he has been accorded every right, nay, every privilege, even to that of his personal participation in the proceedings. Nor is it now intended, nor has it ever been, to try this man on public prejudice, but upon the law and the evidence. Thus tested, the intent of the person who shot Mirrick was a primal consideration, and it is the theory of the prosecution that the murder was premeditated from the very start, as burglars have always the latent design to slay any one who may attempt to intercept them. In examining the incidents of this crime, it was apparent that the murder was premeditated and malicious, if ever murder was. As to the conspiracy, the prosecution claims it has been thoroughly established, and the legal result is, that each and all engaged in the crime are equally guilty, no matter who actually fired the shot.

The Attorney-General then began a review of the testimony, beginning with the companionship of Ruloff and Jarvis at No. 170 Third Avenue, where they were known as Edouard Leurio and Charles G. Curtiss, but beyond the portals of that home they were known as Edward C. Howard and Charles G. Thompson. The prisoner further becomes James E. Dalton in Cortland County, where Wm. T. Dexter is Wm. Davenport. Here is the starting point, and from here begins that chain of damning evidence wound around the prisoner by the skill and energy of District Attorney Hopkins, Captain Flynn, Chief of the Binghamton Police, Captain Hedden, of the New York Police, and of Officer Reilley. The prisoner, stealing out of the city at the dead hour of the night, himself gave evidence of his presence at the scene of the tragedy, and the Chenango river gave up its dead to prove that Jarvis and Dexter were also present at the scene, in connection with which the many articles by which the bodies of the two men were identified were rapidly enumerated. The scrap of stenographic writing in the hand of Ruloff, found upon Dexter, was claimed to be a means of communication between the conspirators, as the expert on the stand had sworn that it was unlike any one of the two hundred systems he had examined, and it was claimed that the cipher was the invention of this learned and mysterious prisoner. With all the proofs in the case it is incontrovertible that Dexter and Jarvis were two of the burglars, and the great question if Ruloff was the other is answered affirmatively by all the facts and circumstances of the case, but most of all by the shoes found on the premises, and by the fact that he has not attempted to prove where he was when the tragedy was enacted.

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The prisoner is a man of great learning, shrewdness, and legal acumen, knowing perfectly the weight of circumstances, and would have destroyed them by opposite testimony if it had been in his power to do so. Mr. Champlain, having thus shown that Dexter and Jarvis were in the store, said it was possible now to do justice to the evidence of Burroughs, who identifies Ruloff as the third burglar; for who else should be there but this strange, fascinating master of crime, with his two pupils and accomplices? The testimony of Burroughs was then analyzed with great force, and shown to be consistent, intelligible, and coherent, in the course of which the claim of the defence that the clerks had used undue violence was scorned as a legal fact, for the burglars were outlaws, and there is no rule of law to measure exactly the degree of violence proper to overcome such outlaws on such occasions. The evidence of Burroughs was convincing, but even without it the prisoner had been bound to his crime by circumstantial evidence stronger than was ever forged before, and the crime was murder in the first degree. Having spoken an hour and twenty minutes, Attorney-General Champlain concluded one of the most powerfully cogent arguments ever delivered in a murder case, with an impassioned appeal to the jury not to stay the avenging hand of the law uplifted over the head of the prisoner.

Judge Hogeboom then proceeded to charge the jury. Having given the statutory definitions of the various grades of homicide, he said that the consideration of the facts in every case where murder in the first degree is proven, is always solemn and interesting, but is peculiarly so in this case. The character of the prisoner, his previous history, the sudden appearance of the felons at the bedside of the awakened clerks, the grapple for life, the retreat of two of the felons, their quick return, the encounter with Mirrick, the shot, the death, the flight, the retreat to the river, the unseen but probably instantaneous engulfing of two of the felons in Chenango river, the retreat of the third burglar and his non-appearance, unless he has come in the person of the prisoner, the flight of Ruloff under cover of night, his arrest, his confronting with the bodies of the dead burglars, the scene on that occasion, all combined to make this one of the most remarkable and interesting cases in criminal jurisprudence. Then coming to comment upon the claim that Mirrick and Burroughs were committing a crime in using undue violence upon the burglars, Judge Hogeboom concluded:—

Now, if we understand the argument of the counsel, and of the prisoner himself, it is claimed that Mirrick and Burroughs were attempt-

ing to commit a felony—that is, to kill one of these burglars—and that this man killed Mirrick; the prisoner, or the party, whoever he was, killed Mirrick, to prevent the execution of such a crime. Well, gentlemen, we must look at the circumstances of this transaction as they are. Here were two clerks, manly and faithful sentinels over the property of their principals, endeavoring to protect the store from robbery, and its contents from plunder, suddenly confronted, in the dead of night, by these burglars, three to two. Are we to weigh with scrupulous care the violence which these clerks are to employ lest they should be charged with unnecessarily killing a burglar? Must they wait to have the store plundered and themselves killed, before they do anything in their own defence? It is for you to say whether burglars, who break into a store and rob it of its contents, and are exposed in the act, detected, and likely to be arrested, will not commit murder to prevent exposure and conviction. What inference should these clerks draw, except that these men who engage in a felonious act had a felonious purpose, and were probably willing to do further crimes to consummate their intent. Were they, I say, to wait for further demonstrations on the part of these men before they resisted or attempted to overcome them? Will you then require that they should be particularly careful not to kill the attempted felon? Of course, there was no necessity to kill. Do you believe these men, these burglars, had relinquished their design; and was this man coming back with the peaceful purpose of preventing injury to his comrade, relinquishing all attempts to plunder the store, and all fear of exposure; was he coming back simply to rescue his comrade's life from the attack of Mirrick?

No, but gentlemen, a person who unnecessarily kills another, while resisting an attempt by such other person to commit a felony, is himself guilty of manslaughter in the second degree. But before you shall hold these clerks responsible for crime on that night, or convict them of a felonious purpose, you should be careful to investigate the facts, and bring your mind satisfactorily to such a conclusion. Burglars who break into a store are not entitled to have the most innocent construction put upon their purposes. Burglars who appear at the bedside of sleeping clerks are not entitled to the most careful handling of their persons lest some injury be done to them. It was proper for the clerks to protect their own lives. It was proper for them to protect the property of their principals. And it is for you to say whether it was not proper for them to judge from appearances as to the ulterior purposes of these men, found under such circumstances in the store at night. Now, gentlemen, I have alluded, I think, to the main circumstances of this transaction, and the case is now to be committed to you. It is a case independent of the testimony of Burroughs, mainly depending upon circumstantial evidence. That is, upon facts and circumstances proved by different witnesses, tending to show items of evidence, which bear more or less upon the probabilities of the case. The body of the crime having been proved, it is

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due by circumstantial evidence. Circumstantial evidence is admissible
in all courts of justice. Sometimes it is of the most satisfactory char-
acter, for, in a multiplicity of incidents, and the various items of evi-
dence thus brought together from every quarter, and often converg-
ing to a single point, you find a body of facts which bear with irre-
sistible force upon the matter in hand. And thus circumstantial evi-
dence, when the circumstances are numerous, and when they tend
directly to a single point, often furnish a body of evidence of the most
satisfactory character. Of course, they must have these characteristics
in order to have weight, or to determine your minds conclusively in a
particular direction. But if they are of that character, if they go to
support and corroborate the positive evidence in the case, they are often
of that nature which will lead your minds inevitably to a particular
conclusion. With these facts and circumstances thus developed in
evidence to lead your minds to a particular result, they furnish but
another illustration of the great truth that "truth is mighty and will
ultimately prevail." She may be for a time defeated and overcome,
she may be obscured by the clouds of ignorance, of sophistry and of
falsehood, but she will ultimately assert her supremacy, and shine
forth in the undimmed brightness of her nature; coming from God as
her source, returning to Him as her ultimate aim, she meanwhile walks
majestic and serene in all the pathways of human action, bringing
light out of darkness, and order out of confusion, and sooner or later
asserts her irresistible power in all the transactions of men.

The jury retired a few minutes after twelve o'clock noon, and re-
turned into court shortly before six o'clock in the evening. The
prisoner was then brought from his cell, and confronted with the
twelve men in whose breasts his fate was hidden. The scene was of
rare solemnity. In the vast dimly-lighted room, paved with hundreds
of human faces, all turned with hungering anxiety upon the jury,
there was sepulchral silence until J. M. Johnson, the Clerk, asked the
formal question: "Gentlemen of the jury, have you agreed upon your
verdict?" The foreman answered, "We have." And then came the
usual formality of requesting the prisoner to arise and look upon the
jury, after which the clerk read the verdict, finding the accused
guilty of murder in the first degree. When this announcement was
made, Ruloff, who had stood staring at the men who pronounced his
doom, sank back into his chair seemingly overpowered and exhausted.
But the slight burst of applause which followed the verdict, which was
instantly and sternly repressed by Judge Hogeboom, nerved him
again, and an instant later he walked away in charge of the sheriffs
more emotionless apparently than any one of the hundreds in the
room.

The next morning, in the presence of an equally vast multitude, Judge Hogeboom sentenced the prisoner to be hanged on the 3d day of March, and he was remanded to his cell. Thus for the first time justice had gained an unqualified victory over this man who had for more than thirty years been a striking proof that the doctrine of total depravity is not altogether a fallacy.

CHAPTER XXVI

FROM MURDER TO PHILOLOGY.

On the 25th of January Judge Hogeboom granted a writ of error to the General Term of the Supreme Court for the Sixth Judicial District and Third Judicial Department, to meet in Albany on the 7th day of February, which writ however was not to operate as a stay of proceedings. The sole object and hope of the condemned in this appeal was to reduce his offence to murder in the second degree, and believing from his own share in preparing the points of law that this result would be achieved, he dismissed from his mind the long missing wife and child, the strange deaths of Mrs. Schutt and her infant, the murdered Mirrick, the drowned associates, the years of imprisonment and of wretched liberty. Dismissing all the horrors of his frightful life as completely from his thoughts as if they had never been, this man who was to be hanged by the neck until he should be dead, sat down in his cell to write letters to the newspapers explaining his Method in the Formation of Language. There have been several of these published, but one being sufficient to illustrate both the system and the author, it is now given :

BINGHAMTON, Jan. 16, 1871.

I have never yet published one word in refutation of error or of falsehood circulated by the Press in connection with my name. It is not my purpose to do so now. I prefer, if it so please, to remain as heretofore, misunderstood and unknown, an object of indiscriminate slander, reproach and execration. But, strange as it may seem, no man this day upon God's earth has lived with a higher object than myself, and few have accomplished a more desirable result. Though laboring under every disadvantage, I have steadily persisted; and even now a few words may be said by way of insuring success to the work upon which my health, my strength, and all the best energies of my life have been expended. That is, my work upon *METHOD IN THE FORMATION OF LANGUAGE*. That work may now have to be published without being completed. It contains in the form of a regular treatise most of the leading principles connected with the formation of methodical language. Its design was at once to furnish 5,000 illustrative examples. But the examples not being as yet

arranged, the application of the principles without the examples may not be easily seen, and to prevent the rejection of the work on that, or any similar account, is the object of the following remarks:

Fundamental facts in relation to the subject are these:—

From the four and twenty letters of an ordinary alphabet, without some special method, such elegant, copious and euphonious languages as are now in use cannot possibly be formed. At a very remote period the wants of advancing civilization begetting the necessity for such a language, a corresponding method was devised. That method was in the highest degree elegant, philosophical and artistic. Admitting of numerous applications, and being the only true by philosophic method of which the subject is susceptible, all the leading languages of the human race have since been formed upon it; as the ancient Greek, Latin, Sanscrit, Hebrew, Arabic, Celtic, German, French, English, &c. &c. The knowledge of the method was for a long time preserved as a secret. It was peculiarly in possession of the priests. It was known only to the initiated, and never taught to the people at large. Unless still preserved in some secret order it is now entirely unknown. My manuscript is probably the only work in existence which contains anything like a connected statement of its leading principles. The knowledge of these principles is of the utmost importance to the cause of education, entirely changing the character of philological study as a means of mental discipline.

In languages formed upon this plan, words are not merely arbitrary signs. They are signs, each of which is specially and appropriately significant. Their significance depends upon certain artistic relations, everywhere pervading their structure. The possibility of such a structure depends upon roots susceptible of change, without loss of identity. Such roots and the mode of their manipulation are certainly unknown to the modern philologist. Bopp and others merely observe the presence of similar forms in different languages, or they merely trace the course of such forms from one language to another. They do not show their origin in any. By the knowledge of these roots the very origin of particular words is rendered as perfectly plain and familiar as if we had made them ourselves.

Vowel sounds are the sonorous portion, the basis of all spoken language. The sounds expressed by other letters are merely modifications of the vowel sound, or additions to it, dividing each sound into syllables and words, and distinguishing one word from another. Mutes and aspirates (except S and Z) have only a limited power of combination with other consonants. The liquids, as a general rule, possess this power in a high degree, and may be placed in almost any position between a vowel and a consonant; as *scalp, place; part, trap*. The freedom with which liquids combine in this way depends upon the relative position of the organs with which they are spoken, that position being generally such as easily to precede, or easily to follow the position required in speaking other letters. It prepares them for an important part in the formation of methodical language, and in the manipulation of such roots as are here described:—"Each of the liquids, L, M, N and R, being taken as the basis of a root, a vowel expressed or understood is necessarily joined with it, and a root of three elements is completed by the addition of another letter; such other letter to be chosen at will, to be different in different words, and to be susceptible of any modification expediency may suggest." Such roots consisting of three elements, a liquid, a vowel, and a mutable, abound in all cultivated languages, and may at once be recognized in such syllables as the following:—*CON, COM, SUN, SUM, PAR, PER, PLA, ALP, ALB, PRO, PRE, AEP, etc.* At an early period in the formation of language, only simple forms of these roots were ever employed, the resulting words rarely presenting two, or more than two consonants in immediate connection with each other, as, *MINUTRO, MINUO; DIMINUO, DIMINISE*. At a later period, the pleasure of producing complex forms, and of joining several consonants to each other without an intervening vowel, became one of the strongest incentives to the cultivation of letters. Compare *DWINDLE—DIMINISE, becomes small*. These words being modifications of each other, and the M and the L being in them all the same letter. In ancient times, the seclusion of sacred temples and the leisure of an intellectual priesthood were devoted to supplying the vari-

ous nations of the earth with languages formed upon this plan. The interest occasionally taken in the work, and the advantages resulting from it are proved by the history of ages and of nations in which letters were actively cultivated. With the decline of learning in the middle ages all knowledge of the method was probably lost. It has been reserved in our day for a man of sorrows and acquainted with grief alone to penetrate this most intricate portion of the mystery of ancient art--to restore the long-lost secret--and again to place philological study upon the same exalted footing as when it flourished in the schools of Greece and Rome. M and N are taken as the same letter; that is, being both nasal sounds, they are assigned to the same root, and are made freely interchangeable with each other; as in *MUTTER*, a low noise; *MUSTEN*, bring together; *THUNDER*, a loud one; *SUNDEA*, separate. The four liquids, L, M, N and R, therefore, give rise to but three roots. But these are roots of great power, and from them alone all the various words of cultivated languages have been formed. Taken singly, the great power of these roots may, at once, be briefly illustrated. Regarding either of the liquids as the basis of a root, it may be followed or preceded by either of the vowels, a, e, i, o, or u; as in la, le, li, lo, lu; al, el, il, ol, ul. Before or after any of these forms may then be added, the mutable or third letter already mentioned, and that mutable being in each case susceptible of many changes, it is obvious that the resulting forms are numerous. It is equally obvious that when two roots are taken together and the various forms of each are combined with the various forms of the other, the number of the resulting compounds will be greatly increased. In fact, each mutable may in turn be taken in connection with each vowel and each liquid, as above shown; and in this way all possible combinations of the four and twenty letters rendered available in the methodical employment of three small roots. Any consonant which is not a liquid is regarded as a mutable; as p, b, e, g, t, d, f, v, s, z, etc., etc. Each root consisting of three elements, when two roots are manipulated in connection with each other, six elements are either expressed or implied; that is, two liquids, two vowels, and two mutables. By various modification, interchange, employment and rejection of these kindred and correlative words are made from the same roots, and with such regard to form that they may be always freely and euphoniously employed in immediate connection with each other. Most words are made by joint manipulation of two roots, and by the addition of prefixes and of terminations. The thorough intermingling of structural elements resulting from this mode of formation, aided by a judicious use of particles, insures to spoken language an agreeable succession of sounds. How much attention this portion of the subject requires, and how much it has received in the formation of the languages now in use, will be appreciated only by those whose investigations are thorough. One great object is to obtain everywhere a due admixture of liquid and of mutable. The alternations of a liquid and mutable are invariably pleasing. The judicious distribution of these letters among words frequently employed in immediate connection with each other is an indispensable requisite in the formation of euphonious language. Such distribution is, in general, effected by placing part of the elements of a root in one word, and part of them in some other word of like or of opposite meaning, as ON, OFF; DON, DOFF; IN, OUT; RIN, AUS; IN, EX; EN, EK, etc., etc., analogous to a large class of formations in which one of two liquids is placed in one word, the other in some other word of like or of opposite meaning; as FIND, LOSE; BIND, LOOSE; --BINDE, LOSS; --VINCO, SOLVO; --SPHINGO, LUC. Premising that in general words are not independent formations; that in general the form of each has reference to the form of some other, and that in general their differences are produced by variously distributing the six elements of two roots taken together, a few examples may now be given showing the origin of particular words and the mode of their formation. GAM and BEA are two full roots extensively employed in the sense of *together* or *apart*. From these roots remembering that M = N; that the liquid is a consonant letter; and that each vowel and each mutable may at any time be changed for any other, a great variety of words may be formed with the general signification of *AMA*, *together*, or *ANA*, *apart*. GAMBREUO, *marry*, from GAMBREUO, GAMRO, *marry*. ARMOZO, *espouse*. NUBO, *HEBNOO*, *wed*. Lat. MABIO. Fr. MARIER. E. MARRY.

MAB in the sense of *together*, is here obviously repeated. Connected with these words, and differ-

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ing from them only in such changes as are absolutely necessary, we have numerous formations expressive of relationship by marriage; as *GAMBUS*, any relation by marriage. *BRAUTIGAM*, BRIDEGROOM, BRIDE. *MAN*, *WEIB*; *MAN*, *WIFE*, (*nunpha*.) *PENTHEROS*, *SOCERUS*, *SCHWAGER* *GENSE*, *NURUS*, *NU*, &c., &c. Words expressive of separation: *AGNUMI*, *AGNO*, *AGO*, *break*. *REGNUMI* *BESSO*, *FRANGO*, *BRANCHI*, *BRSACH*, *BRSAK*, *CRACK*, &c., &c. The formation of these words from the roots *gam ber*, is sufficiently plain. Compare the *RUMPO*, and the German *ehebruch*. *EHEBRUCH*—*DIVORCE*—a separation. The branches of a tree are formed by division of its trunk. Accordingly. *RAMUS*—*ORODANNOS*—*BRANCH*. *TRUNCA*—*TRUNK*—*STRUNK*;—the same liquids reappearing in these and in numerous related words, especially in Greek. With the *UNC* of *TRUNCA*, compare the *UNC* of *JUNCTI*, *JOINED*; of *CUNCTI*, *all together*; of *UUM*—*SUN*, *SUM*, &c., &c. Forks also are made by *division*. Hence, from precisely the same elements as in *TRUNCA*, *HURCHE*, *TURCHE*, *FOURCHE*, *FURCA*, *FORK*. In *DENS* *DENTIS*—*TINE*, and in *FRONG* the *N* liquid of these formations is seen. The German *GABEL*, a fork, is directly from *GAM BER*, *m* being dropped and *r* being changed into *l*. An *ARMY* is formed by *bringing together*. The word *LEVY* is a remodeling of *COLLECT*. Hence among other formations: *LOMEN*, *MANUS*, *BAND*, *COMPANY*, *GANG*, &c. *TURMA*—*TRUPPE*—*TROOP*, *ARMY*, *PARTY*, all formed by *bringing together*. The English word *ARMY* is directly from *TUMA*, a troop. And now observe: The Hebrew word *GEDDOUR*, a troop, contains elements precisely equivalent to those of the Anglo-Saxon, and the English *TOGETHER*. *GEDDOUR*,—*DOGSDUR*,—*TOGETHER*. Compare also the Greek *DRONGOS*, a troop, German, *GEDWANG*, from which or form *GUDDOUR*, *GROUD*,—*CROWD*. A *bringing* or a *coming* *TOGETHER* is the very essence of all these words. The trial of a cause is, or should be, a process of *discrimination*,—a *separating* of one thing from another. Hence the same *TURGA* is *TURGAINO*, *try* *causes*. With like signification the Greek *DIKRINO*, corresponds to the Latin, *DISCERNO*, *DISCRIMINO*, implying *separation*. From *DIKRINO* *KRITES*,—*KRITES* *DIKASTES*,—*JUDEX*, *judge*. From *KRITES*—*KRITER* comes the German *RICHTER*, a judge. From *DIKASTES* comes the Arabic *KADI*. The *SOVING* of seed is a process of *separation*. Hence from the same roots *GAM BER*, *SPERMA*, *seed*, *SPERMAINO*, *sow*, from *SPERMAINO*, *SEMINO*,—*Lat. SEMINO*. *SPERMA*,—*Lat. SPARGO*. *SEMEN* and *SPARGO* are words in precisely the same relation to each other as *BIND* and *LOOSE*. Compare from *AITHER*, *ETHEM*, *AER*, *AIR*, *PEITHO*, *BREATH*, *BREATH*. *HARVESTING* a crop is *bringing it together*. Hence the same *TURGA* in *TRUGAO*—*harvest*. Compare *TRUGAO*, *KARPO*, *CARPO*, *FRUGES*. The German words *ERBST*, *ERNT*, and *SARN*, are direct from *SPERMAINO*, or from the common roots *GAM BER*. The English word *HARVEST* is directly from the Latin *ARISTA*. Compare *Arista*, *Acerous*, *Harvest*, *Garner*, *Hoard*, &c. To *scow* is to *scatter*, to *harvest* is to *gather*. Observe the equivalent elements in *scaturior*, *scatter*, *gather*, *garner*, and *gam ber*.

The foregoing examples are here unavoidably presented in a detached form, but they show the great fact of a remarkable recurrence of the same elements in numerous words of analogous meaning. When mature consideration has convinced that the etymology of these words is precisely as here stated, and that we do in this way attain to the very origin even of such words as are here given, the mystery of the formation of language is at once and forever dispelled. And when it is realized that these same words are on every hand connected with others by artistic relations distinctly assignable, and that these relations are everywhere in harmony with logical relations in the world around us, profound admiration is felt for the union of philosophical propriety and of artistic elegance; philological study is placed in a new light; and the restored art is seen to be capable, now, as in days gone by, of exciting the deepest interest even in the youthful mind, and hence, of subserving the highest purposes in the cause of education.

Respectfully,

E. H. RULLOFF.

CHAPTER XXVII.

WAITING FOR THE END.

In the prosecution of these labors of a most singular character in a thief of thirty years' standing, he was subjected to few of the discomforts of prison life. His cell had a comfortable bed, was always clean and supplied with wholesome air, was contracted in space certainly, but had abundant light, and contained all the articles of furniture absolutely essential to his comfort. His food was regulated in a great degree by his own desires, and all his whims were consulted in the treatment he received. And no prisoner was ever so strange in some of his caprices as this dual man, who, even in this last stage of an infamous career, when the whole world knew how total was his depravity, yet had the power of securing the favor of his keepers. Most prominent, but least vexatious to others, among his oddities, was his habit of omitting to wear any of his clothing except his shirt, almost from the first hour of his incarceration. The curiosity of his jailer was excited by this conduct, and inquiry was at last made whether his motive was a desire to preserve his apparel so that he would present a decent appearance at his trial. The man who had been addicted to burglary and murder in the interest of philology, was amazed at the littleness of mind displayed by such an inquiry, and answered that his conduct was due to a much higher motive. He was accustomed, he said, to prison life—which was one of the few truths he ever uttered, for two-fifths of his entire life had been passed in jail—and knew that when in confinement and deprived of exercise, nudity was essential to the preservation of bodily health. Lest his statement might be doubted, he took the trouble to call attention to his fully developed as well as normally perfect muscular system, and hard compact flesh, as conclusive evidence of the correctness of his theory.

The only trouble this habit gave his keepers was the necessity of giving him notice to dress himself when strangers desired an interview with him. But none of these were forced upon him, and he generally refused to see any one but his counsel. He furnished the key to unlock the mystery of his double life by his answer to these requests for interviews. A lady desiring to visit him for the purpose of administering the consolations of religion, he returned a peremptory refusal; and many newspaper correspondents wishing details of his life were excluded from his presence with equal decision. But one gentleman had made a study of this prisoner to such advantage that he not only obtained an interview, but forced his subject to become one

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of the most garrulous of mankind. The device was simple when the character of the man was understood, for the correspondent had but to profess an interest in the philological work and a desire to speak on that subject alone, to unlock both the prison doors and the tongue of the prisoner. Ruloff freely and boastingly spoke of his achievements, but admitted that while a master of Latin, Greek, German, French, and English, with some knowledge of Spanish, Portuguese, and Italian, together with a smattering of Hebrew and Sanscrit, he had been too busy with these and other matters to ever come to any definite religious convictions, notwithstanding his parents were zealous members of the Episcopalian church, and had endeavored to carefully train him in that faith. This anomaly further claimed that, being a phrenologist also, he was so thoroughly acquainted with himself that he knew concentration was the leading organ of his brain, and constructiveness the next; for he averred that he was skilful at carpentering, blacksmithing, cabinet-making, weaving, had some knowledge of law and medicine, and of the designing of patterns. In this last instance he was guilty of the unusual sin of modesty, for there are perhaps few persons, if any, in this country, who have his originality in design and beauty as well as facility in execution. When in Auburn prison he was worth \$5,000 per year to the contractor as a designer of patterns for carpets; and during the terrible hours of his Binghamton trial he amazed his counsel by his involuntary display of this accomplishment, as he sat scrawling on bits of paper with pen and ink the most quaint and beautiful designs that Mr. Beales had ever seen.

Other interviews were had with him by different persons, upon all of whom he made the impression of being an extraordinary man, but there is little or no evidence in the published statements concerning him that he impressed any one with his sincerity. Constantly during his prison life since his condemnation, he has spoken of his work on language as a life-long labor, and it is therefore proper to reiterate that the fact rests upon his own unsupported testimony, given at a time when he has a strong interest in creating such a belief. He gave no evidence of such a purpose to any one with whom he came in contact prior to his term in Sing Sing, so far as can be discovered; and when he came out of that prison his first business enterprise was to worm himself into partnership with the well-known Colonel D'Utassy in the photograph business, which enterprise continued only for a few weeks, and until Colonel D'Utassy was amazed one morning to find that his partner and stock in trade had disappeared so completely that he was unable to find a trace of either. There was nothing of philol-

ogy in this affair, and as little was seen or heard of it when he was living in Delancey street in 1866, although his life there, even to its most trivial details, has been thoroughly unmasked. It is therefore evident that his philological vagary is toddling in its infancy, and his attempt to palm it upon the world as in its old age is rivalled only by one other of his many endeavors to deceive mankind.

His time in prison was not, however, wholly given to lying prone upon his back with a small smooth board upon his breast for a desk, and in that uncomfortable position writing letters to newspapers explanatory of his "Method," or making additions to the Method itself, and doing it all in a chirography of rare beauty. From this occupation he spared many hours for consultation with his resident counsel, Mr. Becker, and N. D. Whitney, in arranging the appeal of his case to the General Term; and in these consultations his overweening confidence in himself was signally displayed, as it always had been, to his own detriment. When he first engaged counsel after his arrest, he was vainly desired to give information of his place of residence in New York, in order that whatever evidence there might be against him there, might be removed from the danger of falling into the hands of the District Attorney; but he steadily refused, saying that there was no detective who could find his New York residence, and he preferred his property to remain as he had left it. He took the precaution, however, of writing to his former housekeeper, and, as has been shown, she removed that manuscript which he valued at \$500,000, and which was his sole anxiety. When too late he abandoned his senseless course, and his messenger went to New York to remove all his things from the room in Third Avenue on the same day Detective Reilley went to Binghamton with them. This confidence was again shown, with the promise of similar results, as he insisted on loading down the appeal with averments that could not be of the slightest use. The case was called in its order, when the court, consisting of Hon. Theodore Miller of Hudson, Hon. John M. Parker of Owego, and Hon. Platt Potter of Schenectady, met on the 7th of February for the term; but it then appeared from the statements of Mr. Beales that, notwithstanding the huge brief of Ruloff, it was not ready for hearing, and at the request of Mr. Beales it was postponed until the 15th of February, when it was argued; but even then the appellant had allowed his counsel to do nothing better than ask the review of matters of fact which had been exclusively in the province of the jury, and to urge exceptions to portions of Judge Hoogeboom's charge, as

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showing a bias against the prisoner which it was claimed had a powerful effect in securing a verdict against him.

Making this feeble fight against fate, prating of the grandeur of his purposes, not deigning to extenuate the infamy of his achievements, and encompassed by a hostile public sentiment that must be admitted to have been as bitter as its provocation was great, the man who had lived two distinct lives for thirty years waited for the end. And it must be said of him, whether the fact be to his credit or otherwise, that he waited as one without fear. To those who saw him daily, and had the best opportunities for observing him, he did not betray the slightest dread of his approaching doom. Nor could it be seen that he was in the least degree abashed by the public execration which percolated his prison walls so freely that he must have known how he had shocked the moral sense of mankind. Not the least powerful of the causes producing the detestation in which he was universally held was one of the latest, as it was one of the most startling incidents in his career.

It will be remembered that in the year 1845, when he seemed possessed by the Satanic spirit more completely than at any other period of his career, he had, in one of those explosions of passion to which he was subject, threatened to bring the mother of his unfortunate wife in sorrow to the grave. He was in part as good as his word, for he brought her at once a mysterious woe, such as few mothers are ever called upon to endure; but Mrs. Hannah Schutt, being a lady of rare fortitude, lived on and suffered. When twenty-five years had passed away, he accomplished his threat to its full extent; for Mrs. Schutt, being taken into his presence after the Binghamton murder, for the purpose of identifying him as Edward H. Ruloff, was so overcome by the sight of the destroyer that her frail hold on life was loosened, and she died a few days afterward. Rarely has performance of a promise been longer postponed or more literally fulfilled in the end. The effect of this incident upon the public mind was subsequently increased when the story that his long missing daughter had been discovered in Pennsylvania was analyzed and found to be untrue.

On the 28th day of February, the condemned was given a new lease of his forfeited life by Hon. Chas. A. Rapallo, who granted a writ of error and stay of proceedings, upon a written stipulation by the counsel for the prisoner to argue the case on the 15th of March before the Court of Appeals at Albany. In announcing this decision

Judge Rapallo said that there was no doubt in his own mind of the guilt of the prisoner, but it was proper the highest tribunal in the State should determine whether he had been legally convicted, as the case was not only one of great celebrity but presented the novel points of whether it is permissible to prove identity by photographs, as had been done in this case as to the drowned burglars, and whether it is proper for a Judge to call the attention of the Jury to the fact that an accused person was not sworn in his own behalf. It is not doubted that the judgment in Oyer and Terminer will be affirmed by the Court of Appeals, and in that case Ruloff will be taken in April to Elmira to be re-sentenced by the Supreme Court, General Term.

A LIBEL upon the human race, a startling proof of the natural gravitation of man, when released from moral restraints, to total depravity, this man of great intellect and no heart almost justifies, and certainly perpetuates, that stern Mosaic law which our civilization is striving to abrogate. None of us can traverse the decree, "He that smiteth a man, so that he die, shall be surely put to death," when this man of two lives lingers in the Binghamton prison, a smirch upon the age, embodying that all of possible wickedness apostrophized by mad, storm-beaten Lear:

"Thou perjured and thou simular man of virtue,
That, under covert and convenient seeming,
Hast practised on man's life,
That hast within thee undivulged crimes
Unwhipped of justice."

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