

22

Van Brunt. P. J.
Williams. Patterson.
O'Brien. Ingraham.

APPELLATE DIVISION OF THE SUPREME COURT,
FIRST DEPARTMENT.

IN THE MATTER

OF

HARRIET E. BEACH (otherwise Rogers, otherwise Richardson),
an alleged incompetent person.

FREDERICK C. BEACH and JENNIE BEACH GASPER,
Petitioners-Appellants,

vs.

HARRIET E. BEACH-ROGERS and HENRY R. ROGERS,
Respondents.

PAPERS ON APPEAL.

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Of Counsel.

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At a Special Term, Part II. of the Supreme
Court, held in and for the County of
New York, at the Court House, in
the City of New York, on the 29th
day of April, 1897.

Present—HENRY R. BEEKMAN, Justice.

In the Matter

OF

HARRIET E. BEACH (otherwise Rogers,
otherwise Richardson), an alleged
incompetent person.

Preliminary
order providing
for notice read
on petitioners'
behalf.

Upon reading and filing the petition of Frederick C. Beach and Jennie Beach Gasper, made herein and verified April 7th, 1897, and the affidavits thereto annexed of Frederick C. Beach and J. Leonard Corning, and their additional affidavits verified April 26th, 1897, and a further affidavit of said Beach verified April 28th, 1897, by which petition the petitioners pray that a committee of the person and property of the said Harriet E. Beach (otherwise Rogers, otherwise Richardson) be appointed, and that a commission may issue out of and under the seal of this Court to inquire of her apparent lunacy and incompetency, and that such other order and relief be granted in the premises as may be just and proper; and it satisfactorily appearing that Henry R. Rogers (otherwise Richardson), named in said petition, has acquired from the said alleged incompetent person real or personal property during the time of her alleged incompetency, without adequate consideration; and it appearing that at the present time the said

5 alleged incompetent person and the said Henry R. Rogers (otherwise Richardson) are sojourning at Paris, France, and that their postoffice address is care Thomas Cook & Son, Paris, France.

Now, on motion of Booraem, Hamilton, Beckett & Ransom, attorneys, and Elihu Root, of counsel, for the petitioners,

It is ordered, that the said petition, with the said affidavits, be presented to this Court, at a Special Term, Part I. thereof, to be held at the County Court House, 6 in the City of New York, on the first day of June, 1897, at 10.30 o'clock in the forenoon.

And it is further ordered, that notice of such presentation of said petition be given to said alleged incompetent person and the said Henry R. Rogers (otherwise Richardson) by depositing two copies of this order in the postoffice at the City of New York, securely closed in post-paid wrappers; one directed to Harriet E. Beach (otherwise Rogers, otherwise Richardson), care Thomas Cook & Son, Paris, France, and the 7 other directed to Henry R. Rogers (otherwise Richardson), care Thomas Cook & Son, Paris, France, thirty days prior to the first day of June, 1897.

And it is further ordered, that said Henry R. Rogers (otherwise Richardson) be and he hereby is restrained from selling, assigning, disposing of or incumbering any property real or personal, acquired by him from the said alleged incompetent person, and from confessing any judgment which shall become a lien upon said property, during the pendency of this proceeding for the appointment of the committee for said 8 alleged incompetent person.

Enter.

HENRY R. BEEKMAN,
J. S. C.

SUPREME COURT,

9

NEW YORK COUNTY.

In the Matter

OF

HARRIET E. BEACH (otherwise Rogers,
otherwise Richardson), an alleged
incompetent person.

Petition of Mr.
Beach and
Mrs. Gasper
read on peti-
tioners' be-
half. 10

To the Supreme Court of the State of New York, at a
Special Term, held in and for the County of New
York :

The petition of Frederick C. Beach and Jennie
Beach Gasper, respectfully shows to the Court as fol-
lows: 11

I.—That Harriet E. Beach (otherwise Rogers, other-
wise Richardson) who is sixty-nine years of age, and
whose residence is No. 9 West Twentieth street in the
City of New York, now is and for a number of years
last past has been of unsound mind, and a person in-
competent to manage herself or her affairs in conse-
quence of lunacy, loss of understanding and other
causes, as will more fully appear by the affidavits
hereto annexed. 12

II.—That your petitioners are the only children of
the said Harriet E. Beach (otherwise Rogers, other-
wise Richardson), and her only heirs at law and next
of kin, and that they reside at No. 9 West Twentieth
street, in City of New York. That the father of your
petitioners, Alfred E. Beach, departed this life intes-
tate in the City of New York, where he resided, on
the first day of January, 1896, leaving him surviving

- 13 your petitioners, his only heirs at law and next of kin, and the said Harriet E. Beach, his widow.

III.—That the said Harriet E. Beach (otherwise Rogers, otherwise Richardson), is the owner of and entitled to property within said county, consisting of an undivided one-third interest in the personal estate left by her deceased husband, and a widow's dower right in real estate of which he died seized. That on the 8th of January, 1896, your petitioners were
 14 duly appointed the administrators of the goods, chattels and credits of their said deceased father, by the Surrogates' Court of the City and County of New York, since which time they have been acting and are still acting as such administrators.

That in or about the month of May, 1896, your petitioners caused to be prepared an inventory of the personal property left by their said deceased father, from which it appears that the value of such personal property was about \$27,000. That such personal
 15 property consists of various household articles and other chattels, which were appraised at about \$1,500; of cash, notes, etc., reduced to cash amounting to about \$5,000; mortgages on real property amounting to about \$13,500; 490 shares of the capital stock of Munn & Co., a corporation, of the par value of \$10, appraised as aforesaid by petitioners at \$4,000; various shares of stock in other corporations appraised at about \$2,500, besides various choses in action, promissory notes and shares of stock in corporations,
 16 appraised as doubtful or worthless.

The real estate of which the said Alfred E. Beach died seized, consists of various houses and lots in Peekskill, Lake Mohegan and in the City of New York, in New York State; in Montclair, Glen Ridge, Caldwell, Piscataway and Hamburg, in the State of New Jersey, and in Stratford, Connecticut; much of which was and is mortgaged, and in which the value of the equity was and is about the sum of \$195,000, as your petitioners are informed and believe, but which has brought no

income beyond the amount required and expended for 17
taxes, assessments, repairs, interest on mortgages and
insurance premiums.

IV.—That in the summer of 1896, the said Harriet
E. Beach (otherwise Rogers, otherwise Richardson),
accompanied by a physician and a lady's companion,
left the City of New York and went to Europe, from
whence she has never returned to this country, and
that during the said time she has been sojourning
abroad, travelling from place to place in foreign 18
countries, and that at present she is at Venice, Italy,
and her post office address is care Thomas Cook &
Son, as your petitioners are informed and believe.

V.—That your petitioners are informed and believe
that the said Harriet E. Beach, in the month of Janu-
ary, 1897, at Alexandria, Egypt, was a party to a
form or ceremony of marriage with one Henry
Richardson Rogers, who, as your petitioners are in-
formed and believe, has since and for some months 19
before had been, travelling with her and at present is
with her at Venice, Italy, where his post-office address
is, as above stated.

VI.—That since said form or ceremony of mar-
riage, the said Harriet E. Beach and the said Henry
R. Rogers have at times assumed and gone under
the name of Richardson, as your petitioners are in-
formed and believe, and your petitioners are
also informed and believe that the said form 20
or ceremony of marriage was illegal and void by reason
of the incompetency of the said Harriet E. Beach to
be a party thereto or to any contract of marriage.

Wherefore your petitioners pray that a committee of
the person and property of the said Harriet E. Beach
(otherwise Rogers, otherwise Richardson) be appointed
and that a commission may issue out of and under the
seal of this Court, to inquire of her apparent lunacy
and incompetency, and that such other order and re-

21 lief be granted in the premises as may be just and proper.

And no previous application for the relief here prayed for or any part thereof has been made to any Court or Judge.

Dated New York, April 7, 1897.

FREDERICK C. BEACH,
JENNIE BEACH GASPER,
Petitioners.

22 BOORAEM, HAMILTON, BECKETT & RANSOM,
Attys. for petitioners,
100 Broadway,
N. Y. City.

City and County of New York, ss. :

FREDERICK C. BEACH and JENNIE BEACH GASPER,
being duly sworn, depose and say, and each says, that
they have read the foregoing petition and know the
23 contents thereof and that the matters of fact therein
stated are true.

FREDERICK C. BEACH.
JENNIE BEACH GASPER.

Sworn to before me this 7th }
day of April, 1897. }

S. M. RICHARDSON,
Notary Public,
N. Y. Co.

24

SUPREME COURT,

25

NEW YORK COUNTY.

In the Matter

OF

HARRIET E. BEACH (otherwise Rogers,
otherwise Richardson), an alleged in-
competent person.

Affidavit of
Mr. Beach an-
nexed to peti-
tion and read on
petitioners' be-
half.

26

City and County of New York, ss.:

FREDERICK C. BEACH, being duly sworn, deposes and
says :

I am one of the petitioners named in the annexed
petition. My mother, said Harriet E. Beach, has on
two occasions been placed in asylums for the insane by
the direction of physicians, in consequence of her men-
tal condition. She was in the New York City Asylum
for the Insane at Bloomingdale in January, 1891, being
placed there pursuant to the written certificate of two
physicians, and the approval of a Justice of this Court,
which approval was made December 31st, 1890. She
remained in this asylum until in or about April, 1891,
when she was removed at the request of her husband,
my father, and in consequence of her improved condi-
tion. Her first confinement in an asylum took place
in the year 1855, when she was placed in an insane
asylum at Hartford, Conn. In consequence of being
violent, she was necessarily confined in a room in her
own home, being the home of my father, at Stratford,
Conn, in the year 1867, for several months. For a
number of years she has been a monomaniac on
the subject of spiritualism. About four or
five years ago, she met Henry R. Rogers, a notorious
fraud, who posed as a medium and in other capacities

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29 at so-called spiritual seances. The meetings between them became frequent, and his influence upon my mother greatly exaggerated her peculiar notions or beliefs on the subject of spiritualism.

My father died on January 1, 1896. At that time my mother, his wife, was on the ocean, returning to this country from France. She had been then absent about seven months. Upon her return she remained in this country until the latter part of June, 1896, when she again went abroad, accompanied by her
 30 grandson, Stanley Y. Beach, who is my son, and whose age is now 19 years ; also by a physician, Dr. J. M. Harris, and a lady's companion named Mrs. Woodhouse. The said Mrs. Woodhouse is also a spiritualist. My mother's expressed purpose of thus going abroad again was to give recreation and pleasure to those who accompanied her, as well as to herself. Shortly after she left, Rogers, who at that time was married and under indictment in this county for assault with intent to commit a felony, left also and followed
 31 her to Europe, with the aim and for the purpose, as I verily believe, of defrauding her of her property through spiritualism and the questionable practices connected with it. Since my mother's arrival in Europe, my sister and I have been in constant correspondence with her and others who accompanied her, wherefrom I am able to state, and do state, that Rogers has from that time spent substantially all his time in her immediate company, travelling with her from place to place in various foreign countries, and
 32 largely, if not altogether, at her expense. About January 6, 1897, as I am informed and verily believe, Rogers was divorced from his wife for his adultery, by a judgment of this Court entered in this County on that day, and shortly afterwards while he and my mother were in Alexandria, Egypt, in order to further increase his power and influence over her, he procured a form or ceremony of marriage between them to be solemnized by an American Presbyterian Missionary at that place. This occurred on January 26th, 1897. Since my father's death on January 1, 1896, my mother,

as his widow, has been receiving from the estate all 33
the income of her share (which is her only property),
and has not only expended the whole of such income
at the rate of about \$900 a month, but has been con-
tinually importuning my sister and myself, the admin-
istrators, to pay her large sums from the principal of
her share, or by way of advances on account of future
unearned income.

During the month last past, I have learned from
letters received from my mother, that at about the
time of this ceremony of marriage, she executed a 34
paper in the nature of a trust deed of all her property
to the said Rogers and in form giving to him absolute
control and authority over the same without any con-
sideration therefor.

I verily believe that ever since Rogers met my
mother in Europe in July or August last, when he fol-
lowed her to Europe, as above stated, she has been and
still is in imminent danger at all times of being de-
frauded of her property by the said Rogers, and others
in league with him, in consequence of her incompe- 35
tency and inability to protect herself and manage her
own affairs.

FREDERICK C. BEACH.

Sworn to before me this 7th {
day of April, 1897. }

S. M. RICHARDSON,
Notary Public,
N. Y. Co.

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SUPREME COURT,

NEW YORK COUNTY.

In the Matter

OF

38 HARRIET E. BEACH (otherwise Rogers,
otherwise Richardson), an alleged in-
competent person.

Affidavit of Dr.
Corning an-
nexed to peti-
tion and read
on petitioners'
behalf.

City and County of New York, ss.:

J. LEONARD CORNING, being duly sworn, deposes and
says :

That he is a practicing physician, residing at No. 53
39 West 38th street, New York City. That in the month
of December, 1890, he certified to the insanity at that
time of the said Harriet E. Beach, basing his opinion
upon the facts stated in the medical certificate of
lunacy, as observed by him, to wit, that she said she
had hallucinations of sight and hearing; heard voices
calling to her from the spiritual world; that she
claimed to see the spirits of the departed loved ones
during the early evening or morning hours; said that
her spirit had been in the planet Uranus, and was able
40 to converse with the heavenly spirits through a speak-
ing tube; said that she had then recently given birth
to a spiritual child in the third month; that she had
been in Hell and Heaven and would never die, but
would be translated.

Deponent further says that she talked incessantly
about her supernatural powers; that she took him to her
"gallery of spiritual pictures" in a room in her house
and showed to him what she said were pictures of the
ghost of Henry Ward Beecher, Amarana, Zamfa and

Casandra, saying at the same time that these pictures, 41
and more especially Amarona, ruled her life.

Deponent further says, that on questioning members
of the family at that time it was stated to him that
she had been very eccentric at various times during
the previous thirty years, and at different times violent
and maniacal, especially when thwarted in her plans
and purposes.

Deponent further says, that during his experience
of several years numerous patients afflicted with a
similar form of insanity have come under his observa- 42
tion, and that as a result of his experience, which has
been large, said form of insanity is prone to remain
permanently with the patient. Deponent believes
such has been and will be the case with the said Harriet
E. Beach.

J. LEONARD CORNING, M. D.

Sworn to before me this 7th }
day of April, 1897. }

S. M. RICHARDSON,
Notary Public,
N. Y. Co.

43

44

45

SUPREME COURT,
NEW YORK COUNTY.

In the Matter

OF

HARRIET E. BEACH (otherwise Rogers,
otherwise Richardson), an alleged
46 incompetent person.

Additional affi-
davit of Dr.
Corning read
on petitioners'
behalf.

City and County of New York, ss.:

J. LEONARD CORNING, M. D., being duly sworn,
says :

That he is the same person who verified an affidavit
in this proceeding April 7th, 1897. Since that time,
he has carefully and particularly examined the copies
annexed hereto of letters recently written by the said
47 Harriet E. Beach during the period from August 22nd,
1896, to April 3rd, 1897, inclusive. As a result of such
examination deponent finds the said Harriet E. Beach
to be still insane ; that she still suffers from hallucina-
tions of sight and hearing ; that she is still the victim
of delusions of such a character as to render her
wholly unfit and incompetent to care for her own inter-
ests or those of others ; that she has committed and is cer-
tain in future to commit wayward, insane acts injurious
alike to herself and others ; that frequently her con-
48 duct and speech as set forth in this correspondence in-
dicate an advance of her mental difficulty towards de-
mentia ; that her language, at times, tortive, errant,
infantile, irrelevant and disconnected, proclaims unmis-
takably her present state of mental feebleness and
irresponsibility.

J. LEONARD CORNING.

Sworn to before me this 26th }
day of April, 1897. }

JOHN P. LAMERDIN,
Commr. of Deeds,
N. Y. City & Co.

SUPREME COURT,

49

NEW YORK COUNTY.

In the Matter

OF

HARRIET E. BEACH (otherwise Rogers,
otherwise Richardson), an alleged
incompetent person.

Additional affi-
davit of Fred-
erick C. Beach
read on peti-
tioners' be-
half.

50

City and County of New York, ss.:

FREDERICK C. BEACH, being duly sworn, deposes
and says:

I am the Frederick C. Beach, one of the petitioners
herein, who verified said petition April 7th, 1897, and
on the same day verified an affidavit thereto annexed.

Since said date I have caused to be copied various 51
letters which have been written by my mother from
various places in Europe and elsewhere, while she has
been traveling, between August, 1896, and the present
time. Said copies are hereto annexed, and I know the
same to be correct transcripts of the originals, in so
far as such originals can be deciphered. I know, also,
that said original letters are in the handwriting of my
mother, with which handwriting I am very familiar.
Such original letters are all in my possession, except
the one written from Cairo, Egypt, January 31st, 1897, 52
to F. A. Perkins. I saw the original of this letter and
know that annexed hereto is a true copy of the larger
portion of the same.

In support of my belief that Henry R. Rogers has
procured from my mother some conveyance or trans-
fer of her property, and has control over the same, I
call attention to the following letters, or extracts of
letters, which are hereto annexed.

From Cairo, on January 20th, 1897, my mother
writes me, among other things, as follows:

- 53 “ He (referring to my deceased father) wants to have estate estimated, and that my part be portioned off, and for me to use it as I like, principal and interest payable as I desire, and for you and Jenny to sign a paper to that effect; do away with power of attorney altogether, and have a deed of trust for the one I select to act for me. It makes him (my deceased father) very unhappy if I refuse, or if I insist on carrying out what was found in his writing, unsigned by himself”;
- 54 (referring to an unsigned draft of proposed will in my father’s handwriting, found among his papers.)

From Alexandria, on January 26th, 1897, my mother wrote to her daughter, among other things, as follows :

“ Jan. 1st, on the Nile, we (referring to Rogers and herself) both signed a paper of betrothal, according to my ideas, the anniversary of Alfred’s entrance into spirit life.”

- 55 From Cairo, Egypt, on January 31, 1897, my mother wrote to Mrs. Perkins, among other things, as follows :

“ I have a marriage, as I have said, a written contract with both signatures (a betrothal), Jan. 1st, Friday, on the Nile, in steamer ‘*Memphis*’; the anniversary of Alfred’s birth into spirit life, with his sanction; he is anxious, with my mother, I shall have a protector (legal)—1897—which he would be.”

56

From Alexandria, on February 11th, 1897, my mother wrote to her daughter, among other things, as follows :

“ Any legacies I decide upon I intend to distribute all my money while I live, using interest or otherwise, and leave the directions how the principal shall be distributed.”

From Athens, on February 18th, 1897, my mother

wrote her daughter, Mrs. Gasper, among other things, 57
as follows :

“In patent company I am to have equal share with my husband in profits. Keep that to yourself and Mr. Gasper. Under new arrangements—as I have told you I would do—forgot to write I would like Phelps’ house (referring to a house and lot owned by Mr. Beach at his death) assigned to me, with land through to water—no power of attorney required—only a deed of trust for my present husband to act for me in distributing it at my request and as I wish it.” 58

From Corfu, on March 13th, 1897, my mother wrote to her daughter, among other things, as follows :

“I can get money any time from London lawyer if I write and ask for it. Can’t get what is my due now without delay and annoyance * * * I will have the matter settled soon and have plenty of money to place twice a year in Bank of England.” 59

From Corfu, Greece, on April 3rd, 1897, my mother wrote to her daughter among other things as follows :

“I return paper. Tell Fred I can’t sign it under present arrangements. I returned one before.”

The paper referred to was an ordinary receipt sent to my mother by me to be signed by her as a voucher 60
for moneys paid for her by my sister and myself as administrators, and I verily believe that the “present arrangements” referred to here relate to some paper or agreement whereby my mother was under the impression that the control of her property had passed into other hands.

At the present time my mother is in Paris, France and her present address is care Thomas Cook & Son,

- 61 I believe also that Henry R. Rogers is with her and that his address is the same.

FREDERICK C. BEACH.

Sworn to before me this 26th }
day of April, 1897. }

S. M. RICHARDSON,
Notary Public,
N. Y. County.

- 62 City and County of New York, ss. :

FREDERICK C. BEACH, being further duly sworn, says :

My mother, on March 11th, 1897, from Corfu, Greece, wrote me, and, referring in her letter to a collateral assignment of her property made by her in London in the latter part of September, 1896, to one Joseph Tingle, a money broker, to secure a loan of about \$600, writes as follows :

- 63 " Under the present situation it is annulled, of no use, as I made out a deed of trust when married Jan. 26, 1897."

Deponent by inadvertence omitted to set forth this letter in his foregoing affidavit.

FREDERICK C. BEACH.

Sworn to before me this 28th }
day of April, 1897. }

S. M. RICHARDSON,
Notary Public,
N. Y. Co.

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**Letters written by Mrs. Beach read on
Petitioners' behalf.**

LUCERNE, Aug. 22nd, 1896.

DEAR JENNY,

Your letter of August 11 read this morning ; we saw in " Paris Herald " that heat was intense in N. Y. Cty and many deaths, This is the first rainy day we have had here fortunate. Stanley with me visited the Glacier Garden where the Lion is carved out of solid rock, there was a real glacier there covered up, and excavated, they turn on the water so you can see the stone revolve just as found, making basins in the rock, it is the most wonderful thing I have seen, can't be described to comprehend it. The heat must have been weakening at L. Beach for you, it weakened me in London very much while it lasted for two weeks or more. We went to Flurin Friday had boat two hours then a carriage ride of 9 mls such *rocks* cliffs I never saw before, we have been length of Lake Lucerne now, had two hours boat on return, saw Wm Tell Chapel where he started out with boat to save the man, think scenery in opera resembles one spot we passed near the chapel, we leave Wed for Geneva stopping over at Berne capital of S—— one night, Geneva, Thursday P. M, Charming Monday three days, return to Geneva, S—— Paris Thursday, I think 4 days, I wrote to Fred about Oct 17th in part—I have not full plans made—but these parties return, I would not travel with so old a man again, & Mrs W—— must return with him, the other evening Alfred controlled Mrs W—— and addressed Stanley most of the time, will see if it is so better keep it to yourself, that he wants the dignity of the paper kept up, as he tried to do, and on no account for money interest to put anything in it that will lower present standard, if one thing is done it will *fall* and cannot be brought back sees danger of it being done ; and by Jan 1st 1897—Fred and yourself will find out something that has been concealed, by a person on the

- 39 Munn side a paper he thinks, that will throw some light, *intentionally*. I take it in the settlement of business affairs connected *with the paper, not estate*, so watch for it, and remember my impressions written to you, it is either Mr Munn or Charlie or Topliff, just caution Fred to watch the other side *closely*—My friends Mr & Mrs Rogers will be on this side & Mrs Lewis—Mr R——is in London, has an invention for cheap printing that he has been on for 6 years. The American Company is formed of which he is an equal
- 70 partner, I think it has been noticed in one paper this summer; there is a great deal of money in it, Mr R—— came in August and has started a branch Company in London that will buy up foreign patents for them—Mrs R—— will come out in October, he will manage for me and pay half of the expense, when he cannot go with me she will, he will be placed independent in money matters very soon—Zamphor my guide will arrange everything for me and if I see the way for Miss Perkins to come and see that I can take her to
- 71 Italy one month, if she can pay her other expenses in Paris I may do it. Besides a bicycle Mr. R—— brought with him, he is getting the exclusive right of it for foreign countries. I hope to see some of France, Nice & Italy will probably go to Paris the last week in Sep. I hope I will have *as predicted* a change of fate this year or next '97, from your

Affectionate Mother

H. E. BEACH.

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PARIS, Sep. 9th, 1896.

DEAR JENNY :

Your letter came this morning, hope you will have a pleasant time at Saratoga & Newport this month. I have decided to return to London next week on Wed the 16th the others go with me, I expect to go to No 37 Bedford Place Madam Azulay—where I was last year, it is warm here, and coming from the mountains made a great change for me, we will stay here two weeks,

may go to Brighton for a week after getting settled in 73
 London for the bracing air—Stanley left Monday
 night for Southampton ready to go home, he thinks of
 trying Dr. Harris treatment next winter to be cured.
 This is a very nice hotel but more expensive than the
 others, the proprietor was from Delmonico's, English
 & American come here, the first week has been expen-
 sive, but we are living cheaper now this second week.
 I payed Stanley in full \$100, it shall not be said that I
 do not keep my word even if I cramp yourself, he left
 with ideas of his own, determined that he was right 74
 and I wrong, when he had things shown him in writing,
 I think he intends to try and agitate and get you and
 his father all worked up about me—,sufficient to say
 I shall remain firm and trust to the all protecting
 power to carry me through, and to give me power to
 discern between the true and the false; My beautiful
 Mother has guided and guarded me so far and
 will, and I trust her; your father impresses me
 that he stands as sentinel and will watch over
 my interests, I dream of him, he wishes to 75
 atone to me for the past, and will do so—You and
 Fred knew when I left that I had an arrangement for
 three months with present parties, Fred & you
 silently assured me I should have what I needed, I
 have written a statement to Fred of what I must have
 up to Oct. 10th, Fred said at one time and you the
 same if I requested it you would give me \$5,000 this
 year—I expect you both to get from the firm or real
 estate the few hundred dollars I require until the meet-
 ing in October and to assnre me what I need until Jan. 76
 1st, 1897, when estate is settled; then I will decide
 what settlement I will make and have my portion and
 pay you both all I owe you, but I will have my own
 separate from both of yours, I certainly should have
 \$150,000 from business and real estate as I have men-
 tioned to both of you—you both know what I want
 and I intend to have it if I live another year—I miss
 the mountains very much, I hope there will be no un-
 pleasant feeling because I intend to travel with those
 of my own selection—and refuse to be dictated to—

77 but will act independently as I feel justified in doing—
with those congenial to me, and who will care for me
at any time if ill.—Stanley took a course that made
me ill but I do not wish to say more about it,—

(Marginal Notes.) I will mention one item Rogers
patent was entered one day J. R. Rogers (mistake)
second day H. Richardson Rogers, S—— insists that it
is false & some one else. I have positive evidence in
black & white that he is a gentleman in every sense
of the word. Dr. H. & Mrs. W. sail Oct. 10th, *St.*

78 *Paul.*

With kind regards to Mr. G. affectionately,

H. E. BEACH.

Mother,

LUDGATE CIRCUS,

LONDON, E. C., Sept. 17th, 1896.

79 DEAR JENNY:

Your letter of Sept 8th and Fred's Postal Card re-
ceived this morning, my present address is No 37
Bedford Place Russell Square London care of
Madam Ayzulay, Please do not worry about me,
can't you feel that I am cared for and directed right.
I have seen the patent attorney and the paper with the
initials on J & H Rogers—You must settle with
Fred—can't you pay for the table and charge him a
certain amount for the time he is there, I should

80 think it would be the same, and think by agreement
he must pay one third of personal expenses until
estate is out of the hands of Suragate you and he
must settle that—This letter is for both Fred and
yourself—After his letters and Stanley's interference,
I decided to consult a London lawyer and protect my-
self for the future (for one year at least) and also to
provide for an emergency in money matters, being in a
foreign country, so I can get money advanced here for
use, until such time as Fred sends it, Fred will re-
ceive a letter from the lawyer to this effect probably a

day or two before receiving this. I require more 81
 money next week right away and must have it, as I
 advanced for Stanley & Dr. Harris--& paid board
 in Paris.—The Administrators must see that I have
 enough—according to amount of estate, Fred can bor-
 row in my name from Mr. Munn—it can soon
 be returned—I have written a statement and must
 have it, and in need can raise it here in ad-
 vance. Trust me I know what I am about—I will
 get a Passport as an American Citizen before I leave
 London—Madam Ayzulay may go with me to Nice and 82
 I would like to leave the second week in October
 even a few days before Mrs. W. & the Dr. leave for
 Southampton if I can have money enough to do so to
 get to Nice then checks can be sent there after I ar-
 rive.—I hope Fred will not make me any trouble,—but
 will supply me.—There is plenty to come to me to live
 where I desire, I saw your father's face Sunday morn-
 ing, he wants me to stay and have the money I re-
 quire and gives me positive evidence that he is stand-
 ing as sentinel, that I shall have it, you will yet know 83
 this *to be a fact* so will Fred.—You can have the silver
 bowl & cream pitcher the old silver I cannot say
 what I will do with it, you can have the use of it until
 I want it—I think it might be well to give it to Ethel
 at 18 years—the spoons & forks only I mean, keep
 the ermine cape too—I forgot to answer in the last
 letter.

Affectionately Mother,
 HARRIET E. BEACH.

84

ROME,
 Grand Hotel Du Quirinal,
 Nov. 4th, '96.

DEAR JENNY :

Arrived here 12 P. M. Tuesday (last night) have
 not had letters since I left Nice until this morning,
 when I received yours of Oct 20th as I ordered them
 sent here from Nice after Tuesday (of last week). I

- 85 sent card from Florence to you and a birthday present on Tuesday (yesterday) of a lovely picture of Prince & Princess, keep on your bureau for handkerchiefs (white satin outside & delicate corn color inside) sent by mail & paid for, it will arrive before the 28th of Nov but it will come in all right. I think the portrait of the bride very excellent, saw a portrait of her at Florence (the hotel) worked in black & white silk looked like crayon; something wonderful taken from some photo as I sent to you. Mr. and Mrs. Gale are
- 86 lovely, and we were together at Genoa & Florence & Rome they will stay here a week, then they sail from Naples the 13th of Nov, we have taken drives together and arrived in time for Thursday, took carriage for the day 15 francs (\$3 our money) and took a stand, waited an hour for the royal party to arrive at the Station, were not very far from it, Prince had a white plume hat, she white hat, were near on side street, could see them approach, Mrs. Gale made some badges of green red & white ribbon, people looked at
- 87 them, and in the afternoon the Prince drove in the Park, and bowed to them in recognition I was not of the party, the decorations were flags & rugs hung from windows, evening there was a torch light procession—something wonderful, representing different animals in pictures and insects minerals & grapes & everything painted encircled by lights—the sun came out as Prince arrived I wished that it would on my ring, Friday went to opera “Nanon”—saw them there and heard the “National Air” played paid \$4.00 for a seat the
- 88 last row orchestra but on the right side to see the Royal Box, so you see my magic fate followed me to Florence, Tuesday morning the 3rd Nov. an event was that I stood upon the stone over Americus Vesputius ashes in an old church near the hotel, while the election for President was going on in America, (named for him), I found a beautiful miniature on ivory of Titian for \$7 on Tuesday & have a beautiful photo of Raphael & a coral bracelet with a star set in pearls for \$3.00 design rare this I feel is for the Italian artists of Florence to impress me with—I dedicate it to them—Ra-

phiel gave my mother's first picture through Ander- 89
 son in pencil, Titian the last one in water colors, and
 he inspired Mr. Cook of Saratoga, and excelled flesh
 tints, his Magdaline in Florence is something divine,
 the golden hair entwined around her form, then
 Murilla's Madonna & child is a gem—visited Petit
 Palace where the Prince resided 4 days with his bride
 —and the Gallery's in one part there is a collection of
 500 pictures the gems of the world, considered the
 finest in the world, the two I mention were there I
 saw the Magdaline by Corregio in one of the Galleries 90
 in another part that we have a copy of, the original is
 beautiful, Florence is the place for art statuary and
 for students to go, I hope you will yet visit Florence,
 Send my shoes by post either to Thomas Cook & Son,
 Nice, or their office here in Rome, I met Kyser of
 Washington whom I met in London, the one that went
 with me to see "The Artist's Model" in London, last
 October, 1895—met Sunday morning in a church, he is
 here with his mother & sisters are in Dresden study-
 ing music, mother with him, they are the friends of 91
 Mr. Gridley who was pall bearer when his father died,
 Fanny has a daughter is very happy so his mother told
 me, she called Monday evening they boarded at Madam
 Azulay's, Mr. K—— went with Mr. & Mrs. Gale
 Tuesday to purchase things and it was a great help to
 them he paints and is an architect by profession, bet-
 ter send letters now to Cook Rome, they will forward
 here I am in the Eternal City,—Remember me to Mar-
 tha Green better give her \$25 for New Years from
 me. 92

(Marginal Notes.)

I will inform you if any change is in prospect, don't
 think it will come until next year—I trust my Mother
 for it to come. (I answered other questions of course
 that was legal to secure the amount loaned \$600 that
 is all a form in England, Love to all & Mr G I en-
 close letter for Fred As my daughter, you shall be
 the first to inform of it.

(I mean that spirit can control matter & work

93 through material agencies. You can read Fred's letter if you wish.—You see the hotel where I am all fitted up with electric lights, I had a pleasant time in Florence may stay some time here in Rome—have met some delightful people Mrs Wood & daughter at Nice English are here for three weeks.) Give Helen my winter dress and fur cape & \$25 before January (after the Jan meeting) & Emma Beach \$25 & Helen Heath \$25.

H. E. BEACH.

94

SHEPHEARD'S HOTEL,
CAIRO Dec 19th 1896.

DEAR JENNY,

Your nice letter received of Nov 26th written before your birthday, glad you have gained in weight and strength; about monument I return picture, if you and Fred like it, I shall I wrote what I thought your father would like, and you will get impression what to
 95 select I feel sure of it, so if you like this design select it, I am getting accustomed to Cairo now, the climate is lovely like our October, one must be careful morning & evening, sometimes a mist in the morning up to nine o'clock; and cool always after sunset 5 o'clock, I find I can visit Scarra after all where the Temples of Sacred Bull are, without going on donkey, can go to Pyramids in coach and stop at the Mena Hotel, and then ride across the desert for nine miles in a basket
 96 donkey cart, the two gentlemen can ride a donkey between them, as the cart holds two persons, I think of doing this to-morrow, returning Tuesday afternoon in the coach, Moon fulls 20th Sunday so I will be among the Pyramids and Sphynx and Sahara Desert for three days and by moonlight, some go there at that time to see Sphynx by moonlight, this is the least expensive trip I can take here, and the most useful one, it will give me an idea of ancient Egypt and their Temples of 3,000 years ago. It is cold now for Athens until March, I may visit Alexandria for a week and return

here again. One must be careful after being in Cairo 97
 about change of climate, and just now there is no good
 place to go these months. That loss of Steamer of 300
 souls was dreadful, 210 emigrants had just embarked
 for Buenos Ayres, I felt their influence around me one
 day, their misery—I am a personating medium and
 spirits at times can through their feelings upon me,
 then they get relief, one suffers more to have that
 phase, but one relieves souls that way, and one great
 work of mine is to emancipate souls out of misery into
 development and harmony of action, coming under law 98
 of spirit development and into harmony of their being
 and with nature. I cable to-day for money, because I
 can't get it by mail in time, I have enough to take this
 trip, but will need more when I return Tuesday for
 Hotel bill, it will be four weeks on Monday since I
 received the \$400 in Rome and last Monday \$100 here
 in Cairo, which covered getting here, one can get
 along very well after getting here, expensive traveling
 from Naples to Cairo—about \$125—for 6 days for two
 persons. 99

I do not seem to need the treatment as of former years
 as there is no antagonas in present with me, I could
 have it if required, there is a personal magnetism that
 I get in daily contact dont show this part of my letter
 to any one except Mr. Gasper, to him if you wish so
 to do, I seem to be kept from the companionship of
 women much of the time. I met a lady here yesterday
 from Kent, England, and she is a decendent of Ellihu
 Yale, she seems to be wealthy, has been here 10 win-
 ters for bronchiol & rheumatism, we will play whist 100
 together this evening I think, people take Mr R for
 my son, he passes as my physician & business manager
 and is a gentleman in every sense of the word, as I

(Marginal notes.)

have written before, I dont want Fred to know any-
 thing I write now about him *I have my reasons*, I dont
 know how far I can trust *you* yet, Went to opera
 "Pyrnee" new music by "Sans Sans" Paris Wed
 eve, shoes have come Wed this week O K thanks to

101 Fred for sending them, Quick mail from here Sunday & Friday.—way of England

H. B.

Glad you like the cards.

102 “Look out for Helen if she needs medical aid have it for her remembrance to Mr Gasper—Sorry house stands on our hands since Mr Gridley died, Branch office run down I think Fred better have Mr Hopkin’s have a prominent place and pay him more salary, he mentioned him to me as one to help take his father’s place, I think Mr Munn may pass over next year we will see.

aff Mother H. BEACH,

SHEPHEARD’S HOTEL,
CAIRO, Dec. 29th, 1896.

103 DEAR JENNY,

I do not start until evening 9.30 train, arrive 6 30 A. M., the boat is delayed & will not arrive until Wed morning. I wrote to Stanley Monday, think one of his letters of Nov 6th is last that he mentions about sending. I wrote saying “For him to be true to himself and then he would be false to no one,” and that I still felt he owed me an apology, but for him to be dictated by his own conscience. I feel he has inherited some of the Beach trickery, how true as the good book
104 says, traits go to the third & fourth generation. I may tell you some underhand work that I positively know has been going on with Fred and Stanley in N. Y. & London. I don’t think you know of it, or had anything to do with it, but as in my fate, all has been circumvented, and a higher power than mortal controls others had their plan, but the higher prevailed. You will put all enemies under your feet and live to see every wish gratified, for I tell you, you have no common destiny, these words have rung in my ears many a time, and prophesy is being fulfilled, no one

knows my destiny only the wisdom powers & my Mother who is my guide above all next to the Supreme Power. I have time to write this morning. How sweet of you to send me that card with the hands joined, thank Mr. Gasper for his card too. I received them Monday morning, tell me how you found that card, there is a meaning in it for June 30th, 1897. I will tell you when it is time *the first*, no more at present. There is a cruise trip, Hamburg line (Bismark name of steamer) leaves Genoa Feb 14th gets to Alexandria 17th leaves 20th goes to Jerusalem 3 dys, Demascus 3 dys Constantinople 3 dys, Athens March 11th, returns to Genoa, but am thinking of taking it as far as Athens—then go on another steamer from Greece to Venice & Milan on return trip, to Paris & London by April 1st, business will call Dr R— back by that time I expect, I get back to Cairo by Jan 17th will have have four weeks here, and think of going to the G Palace Hotel other side of bridge and speaking for rooms, before I leave today—, beautiful grounds there, very noisy here I dont care to return here, will have a few days then in Alexandria, before starting, expect it will be a reasonable trip and cant do much before that time for climate will not be right, They had a dance here in large dining room last evening, ladies dressed up in evening dresses, it has been very hot up to nerely 80 degrees—change this morning cooler, but hot last week & this or for a week—77 degrees on piazza, will have a compartment tonight just lay down length of seat, no sleeping cars, glad weather has changed, I found a straw hat for \$1,00 for Nile trip, dark blue crown fine straw, and coarse rim white & blue with blue ribbon & bow & I have a new blue veil & cotton gloves drab, my pongey parasoll comes in for this trip after carrying it so long with me in trunk, I used it last week on the desert, so things come into use, I had sleeves shirred of black silk waist in Rome so it does nicely now, will have more sleeves done that way when I return, can do it with the large sleeves now and makes two puffs. Glad you have

- 109 cape to suit you, may you have pleasure in wearing it, our mail will be sent to Luxor, will get it going and returning while away, This trip is \$200 less for Cook's was \$500—Gaze was \$400—but as we did not start from Cairo in The Memphis, and they are not full, took \$190 off—so I think I shall have enough on \$500 to carry me through, and as I wrote I have until the 9th or 10th to pay the balance \$100, I signed a draft for Cook to pay them when it is cabled for me, so I consider I get it at very reasonable rates, I don't
- 110 expect to see all on the trip, only the principal Temples and large stones at Kardec, I am very much interested in Miss Edwards' book in first book as yet, I leave my large trunk at hotel, shall keep it with me after this, except on my return, where one goes on steamer it is easy and not expensive.—The hotel sent me a basket of flowers to my room Friday evening from the dining room tied with Pink Ribbons—roses pink & white, don't see red roses here yet, mostly light colors. Now may every blessing attend you & Mr. Gasper, on your
- 111 journey of life in 1897, don't worry about me, I am guided and guarded every step of my way which you will yet realize, aff. Mother,

H. E. BEACH.

(Marginal notes.)

- I have written about January to have some cabled rest sent so as I can get it by the 23rd of Jan a week after I return hope to get \$300 by cable the other \$200 by mail later—Gaze \$100—and the \$200 will take me to Feb. 1st I want enough in Feb. to get to Venice
- 112 with, then more can be sent there in March.

Aff. Mother H. E. BEACH.

I write about February & March trip in time so I can have the checks in time for it certainly by Feb. 15 received, and avoid expense or cabling.

2 P. M., MEMPHIS, Jan. 7th, '97. 113

DEAR JENNY :

We are nearing Asuan, arrive at 7 P. M., had a break-down to-day) the ventilator for boiler had broke (rubber) delayed two hours, we stop six miles from here, Kim Ombo, to see a Temple for a short time, must tell you that I have a beautiful ring, light blue Scerars looks like Turquoise, set in pure gold from Soudan Egypt, found at The Ramesseum, thought to date back 4,000 years, where I went last Tuesday, Abram the guide had it set at Luxor, and I was the first one to see it \$5.50 (he only clears 50 cents on it), design each side in gold Lotus flower (he tells me) all think it beautiful on board, I felt it was for me at once, *pure yellow gold*, bought it Wed (yesterday), I rode 6 miles on donkey Tuesday short amble trot, without hurting me. We had games last evening & forfeits I had two and one was to sing, so I sang "Old Folks at Home" other gymnastic, I brought out the Nubian veil and danced the Egyptian Temple dance with it all applauded, we had a lively time on board with the forfeits, I think of copying out descriptions from Murray's Guide Book or Miss Edwards from time to time. Please all read them, let Martha see some and Emma at New Haven, let them see some of the picture cards I have sent, Emma has not had one sent, Martha has one. I received a nice letter from both of them, Martha writes she thinks of going to Washington with her New Year's from me Chloe may send her some. I feel very sorry for Emma, she says Wm's health is better, but he is not able to do much, I am sorry she is separated from her only son Yale, wonder how much it would cost her to go to see him for a month or two, Fred might find out for me, and I might be able to do it this year for them if it would be any comfort to her, I think it would, I think there is quite a sum of money coming in from lots in Monclair 1st of January (a mortgage),

114

115

116

117 (Marginal notes.)

Look out for her, find out if she has underclothes, &c., &c. O.K.

Let Helen see some of the letters, take care of her health.

Aff. Mother II. BEACH.

ASSUAN, NUBIA, Jan. 8th, '97.

118 DEAR JENNY,

Will add a few more lines to-day Friday as mail does not go until Sat. We were detained two hours only after I wrote yesterday, run three hours until 9 P.M. had a very clear sunset, it is new moon now can see star and crescent together (beautiful, we arrived 2 A M this morning, visited Island Elephantine with ruins of a Temple upon it right opposite here, went in a boat ten minutes,—very fine view of Assuan from island, we are out of Egypt now near First Cataract and in Nubia
 119 where the people are black as jet, to morrow we visit another island Philia—can go in cars 6 mls. return by boat, some will go on donkeys—have lunch there, visit a large Temple where we were to-day there is a Temple buried built by Romans only a little excavated, and a sitting stone figure said to be the Pharioh that was drowned in The Red Sea—in Moses time (Biblical) we visited the Bazarr this morning and it was the best I have seen—I have a necklace of amber beads and other colored glass beads 50ct—wore it at lunch, ate
 120 one of the cakes made here too—have two shields made by them in colors to hang up think I will send one to you when I get to Cairo, they are very pretty and you can say it came from Nubia. I am reading 2nd book now of Miss Edwards will copy more from it again and send this I send is from Murray's book principally the size of columns, when we return to Luxor it will be more light and we think of going to Kamak in the evening and get the view by moonlight. I have selected some fine views at Luxor of the Temples

etc etc, in Cairo selected some of the different costumes, we stay here two days, Abraham the dragoman comes in to dinner and tells us what excursion we will have the next day, ends with a good story, I shall miss him very much, he lives in Cairo I mean to visit him, wife dead, 4 children, *only had* one wife, but is a Mohammedan it seems in Cairo they only have one wife many of them, I am so pleased he has interpreted both of my Egyptian rings, the one Mrs. Borie had that was sent to me, has King Serpant on encircling The Moon, and The Key of the Nile, mine has The Key of Life and The Key of The Nile, *just think* when I am on the Philosophy of Life & Destiny so much. 121

First day at Luxor walked to see the Temple of Luxor in the morning, First built by Amen-hetep 3d in honor of Amen, Ramses 2d later added the great court, pyramid towers obelisks, and statues, one Obelisk of red granite was removed to Paris France in 1836, 77 ft high. There are two sitting statues of Ramses 2d, The Hall is 185 ft by 167, surrounded by a peristyle consisting of two rows of 36 columns. The external walls of the Hall were adorned with historical scenes and accounts of Egyptian victories. Later was occupied as a Coptic Church (Christian) Alexander the Great invaded it later and removed some of the sphinxes. The Copts broke the heads of them and destroyed a great deal—Karnak—In the afternoon (fifteen minutes ride on donkey). Karnak (signifies a window) was called the glorious building in Egypt. One of the propylon towers retains a great part of its original height but has lost its summit and cornice, The breadth is 370 ft depth 50 ft height 142 ft. The pylon was approached by an avenue of ram-headed sphinxes 200 ft in length constructed by Ramses 2—usurped by Seti 2d, The 22d, 25th & 29th Dynasties—The great Hall is the largest and most magnificent of the old Egyptian monuments, The lintel stones of the door way 40 ft & 10 inches in length, It measures 170 ft by 329, supported by a central avenue of 12 123

- 125 massive columns more than 80 ft high 11 ft 6 in diameter and 132 smaller ones 28 ft in circumference distributed in nine lines of seven each wanting four (134 in all), The oldest king's have found is Seti 1st planned by Ramses 1 completed by Ramses 2d.

One obelisk second largest in the world, only surpassed by the one in Rome, 97 ft 6 inches in height, The name of Usutsen 1st supports its claim to great antiquity, End machinery broken again and we are anchored for the night, cant visit the temple though we are not far from it. I think there is some one on board that brings ill luck to the *Memphis*, I will not send more this mail.

Truly,

H. E. BEACH.

(Marginal notes.)

Must write at another time how they beat them down in trade, the tourists, it has impressed me deeply, have been told they will be read for me. (page 1)

- 127 (page 2.) I will visit Ostrich Farm at Cairo when I return. I hope to get some for presents & for you & Maggie & myself.

(page 3.) You must take Augusta's place in caring for her, ask her to tea sometimes.

Perhaps Fred & wife would invite her to visit them over Sunday sometime.

(pages 5-6.)

- 128 Poor man he is the very soul of honor, he had a violent headache set in, but I worked over him, and he got better so he could go last evening, had tickets bought, Mrs. R—— is a fine woman, has met some one that she likes, and has been advised by her lawyer I think to take this course instead of the other. Please remember that Father said through Mrs. Woodhouse that he would sweep every thing or persons from my pathway & that my love nature should be answered. Will you believe in your mother, she is guided by her Mother and a power supreme in destiny, and will soon tell you the first what she may do by June 30th, 1897. Mother said to me in Paris, in Sep. "that she had select-

ed one long ago to be my protector." Dr. means to drop 129
 the name of Rogers except in legal documents and
 take only Dr. Henry Richardson, for that is his
 mother's name, and I approve, I have thoroughly
 tested him every way & the hand of destiny is in it and
 I have been wonderfully guided in every way by
 Daniel Webster, my guides & my angel Mother,—the
 Dr. has been a great martyr for the cause, through
 jealousy some he kept from starving maligned him
 there in N. Y. last year *trust me* this is premature
 because of the transaction in N. Y. I hope I have a 130
 spiritual wedding on the 50th anniversary of my mate-
 rial one June 30th, 1847.—

SHEPHEARDS CAIRO,
 Jan 16th '97.

DEAR JENNY,

Returned Friday 10 A M—found better rooms op-
 posite former ones \$4.00 per day, but I take "A La 131
 Carte" and they charge what we order and deduct if
 it comes less. The manager says thinks I can save
 \$1.00 a day, can take anything from menu I want
 & have cooked to order in the Oriental dining-room—
 mail Sunday morning—6 P. M. now, I have had every-
 thing turn like magic since my arrival expect to stay
 a month if I take the trip Feb. 22nd I wrote about went
 to French Ball last night will write next letter about
 it. Forget to say in last letter on *The Memphis* O K
 about \$5.00 for Bridget & \$1.00 for McMaster, Received 132
 Fred's letter here Friday of Dec. 25th and yours of
 the 25th I remembered about Pa, I am so happy that
 he has developed out of all the old conditions, and
 knows he will always hold one place in my heart, for
 he was my boy lover and devoted for 50 years, no one
 knows what I experienced last year while he was pass-
 ing through those conditions, only myself—*I freed him*
 —and he had his earth life complete, now is my loyal
 champion for all futurity and has an illustrious des-
 tiny in future as well as in earth life. Tell

- 133 Fred I returned with \$39 and had \$61 to take but of the last cabled & Gaze was paid the \$100 due yesterday, Cook could not pay it until I signed for whole amount but it was right to give draft with my signiture to Gaze before I left, Tell Fred he did not send cutting about Hannah's daughter, I feel anxious to know what has happened, and if it is my namesake Hatty I hope not, so sorry if poor Hannah is in any trouble through her daughter please send soon I have only seen cuttings in papers just sent to the Dr from
- 134 N. Y., *more lies* and I wish to say please *trust me* a little longer, the devils have been at work, Mrs R is getting a divorce on her own account, have only known it since Nov or Dec came in, I have seen her own statement in her own letter that she was doing it but in no way would she bring any disgrace upon him, but it seems she has been ill advised, and instead of applying in Penn—the State where she was married for incompatibility, she has taken a false step in N.Y. State, and thought she could keep it a secret from The
- 135 Herald I suppose besides the letter written giving the notice has been lost not received.

(Marginal note, page 3.)

If I have a legal one before will write to you and will request you to keep it secret only telling Fred & wife & Mr Gasper,

(page 1.) your affectionate Mother to her children
Frederick & Jenny

H. E. BEACH.

136

SHEPHEARD'S HOTEL,
CAIRO, Jan 17, 1897.

DEAR DAUGHTER,

There I hurried to write last evening at 6 o'clock when I was tired, and the mail does not go before Monday morning, will write about the French Ball, one thing added I have not seen the cuttings to read them when I wrote the letter, Mr. R—kept them from me, thou he knew

it Friday & only read some part *he is so unselfish*, my 137
 beautiful Mother told me in Sep, "I have looked this
 man through and through and feel perfectly satisfied
 to select him as your protector," I did not dream of
 the result to come, she had it all arranged for before
 hand, I thought it was as manager and for travelling,
 expected Mrs R—out by way of Genoa when I left
 London, and she expected *then to come*, but Stanley &
 Fred mad so much trouble, she could not get case set
 aside after it was arranged for, I will tell you what I
 referred to in a former letter, I request that you show 138
 this letter to no one except your loved one Mr Gasper,—
 well Fred went to Mr Davis who is assistant attorney
 and told him that Rogers was a scoundral and a swind-
 ler, and was turning an old woman against her family
 and swinderling her out of money & travelling with
 her in Europe, Davis told it to reliable parties. What
 was Fred's plan this, to get us both back to N. Y.
 Cty, then have case put off, so as to keep Rogers in
 the city, and prevent my travelling with him, Also I
 received a letter typewritten unsigned, warning me not 139
 to return to N. Y.—that if I did so there was a plan to
 shut me up again by my son, so he could get every-
 thing under his control, so that little game was
 stopped, Mr Fellows returned just in time and Mr
 Caldwell had an interview of ten minutes with him,
 told him he had known Mr R for ten years, and
 that he was in Europe on business that he was con-
 nected with with his consent and he is the one
 who went bail for Mr R then Mr Fellows died soon
 after, Is there any power beyond the human do 140
 you think? Fred & Stanley shall yet ask Mr Rogers
 pardon and mine for the lies they have told and the
 course they have pursued, that London report was all
 a lie Madam Azalay never said it, she knew there was
 no will, The prophesy "You will live to put your
 enemies under your feet"—Alfred has come to me and
 requested me to say that he had changed his opinion
 of Mr R— and all I am doing he highly approves of
 and is acting in accord with my Mother & father in
 the matter & wants me to have a protector in every

- 141 way—I will see if man or woman spirit or mortal gets ahead of me this year 1897—the year prophesied so much about, “that I would succeed in all my undertakings.” I am so sorry for Mr R—at this time, for he cannot vindicate himself, without showing Mrs R’s perjury, this is the worst stab he has had yet, *but he has me to sustain him*, he is a perfect gentleman in every sense of the word which you & Fred will find out, after he was so honorable with Stanley, he returned with lies in his mouth, etc., etc—you see Stanley was
- 142 not to have any New Year’s from me, I am glad it was broken, sorry the others were, I never thought to put all in a box and have you distribute them, Edith’s Mother died in Nov poor child she returned in trust by her father with her aunt, who has had her with her for several years, she is only 15 yrs, her father lives in the country in Michigan, and Mrs R brought her to Chicago in ’93—after visiting her brother, to give her some advantages, Mother was consumptive, but died after child birth and left 4 children and a babe three
- 143 weeks old—the lawyer is a scoundral that she had Flynn, *no summons came* it was all planned by him, but how the devils have fought him and fought me to prevent a work we are to do together, but I tell you there is a supreme power in destiny that is most powerful, it has been shown all through my life no one dreams what my destiny is to be before I leave the form, if you live a few years longer you will know some of it, that cannot be revealed to any mortal at present, but I begin
- 144 to comprehend what was meant in the prophesy in 1871, “That people would come miles to see me when I was old and I would be very illustrious.”—This may come true in 1900 when I am 72 yrs old, it relates to the coming woman of the next century—it was diabolical that court proceedings in N. Y. Cty, that shows what the law produces, deception and trickery and knavery—divorce only for adultery granted and so to marry again, but all will be settled, but she has gone out of his life, he settled all he had upon her,—property at Onset Bay—she has sold some

of it, I think it is worth \$4,000 in all 145
 —there is their home there she is trying to
 sell that too—I am so grieved that she has done so, she
 is a splendid woman, but has been tempted beyond
 power to resist, she wrote she had nothing to com-
 plain of from him, *fate* has come in to separate them,
 It has all been done on her side, I had to break it to
 him first, he did not dream of it, I knew it was com-
 ing before she wrote to him that she had entered for
 divorce.

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Private.

I have written so much on other subject, can't write
 only outline. Had a lovely trip. We had a grand time
 last evening, there were 9 nationalities on board with
 the crew natives, Hungarian, Italian, German, French,
 English, American, Arab, & Egyptian (natives).
 I dressed nicely and was the belle of the evening,
 used my black & guilt Nubia scarf, and gave
 the Egyptian dance (I intend to give scarf to Mag-
 gie will use it in Egypt). I had a large rose pre- 147
 sented after dance, we had a game of forfeits—I had
 to kiss 4 gentlemen, so they all thought I cleared it
 nicely, I had given amber head piece for the forfeit, I
 held that up for them to kiss instead of my lips or
 forehead, another gentleman kissed my hand (French-
 man) another forfeit to dance with 4 gents, I did it
 gracefully & Dr. Harris, army physician (who was on
 board as physician he had his fares given and only his
 wives to pay, I danced first with him and then fainted
 called for salts, heart stopped etc etc and I fell in his 148
 arms, he let me down on the floor, I told him I
 thought he needed something to do—we had great
 fun (pretended to faint) we all danced the Varginia
 Reel to end up the evening there were 20 persons on
 board—I give a reception to them Monday evening at
 this hotel, will sing & have it a musical, refresh-
 ments, cream ice & cake & lemonade & coffee passed
 Around La American, have the music parlor and
 a large dining room adjoining, Dr. Harris is coming
 in uniform (English army), Friday things went by

- 149 magic, rooms lovely flowers (native ones) & oranges sent to my room without a name, don't know if it was a mistake or not, I reported to office no answer, may have been sent by one of my Memphis admirers, Evening French Masquerade Ball, benefit of European Hospital in Cairo, *never* went before, \$2.00 ticket each on the floor seats all round, ladies in the boxes, and Fancy Costumes on the floor, house decorated, boquets in every box, three or four tiers of boxes—looked beautifully, they threw little wafers colored from
- 150 boxes in gentlemen's faces, and rolls of colored paper across the house & showers of other wafers—it looked very pretty, Mr. R. gave me a boquet from an empty box first, and while setting at table for refreshments a lady dressed like a clown came up and handed me one in her hand. I bowed and said tribute American she bowed very pretty, beautiful blush roses in it, several spoke to me, we left 1.20 A M this was first-class; *don't unmask*, stay until 5 o'clock, this is the gay month & Feb. there is a ball at this hotel I
- 151 think the 26th think I will wear grenadine dress, I will wear painted collarette and black silk Monday eve, have my pretty India tea goud after two years tell Mrs. Gardner, only wore it a few times in London in '95 (July) I have a charming dressmaker will have sleeves changed and a silk & wool cherviot skirt and open jacket like blue one, I have, I made up two beautiful fronts on Memphis of Roman silk (yellow figured one) other Roman colors, when I send placke, will send a Roman sash for Ethel to wear
- 152 it is pretty brought at Asuit.

I bought 4 handsome things for \$20, scarf, ring, white scarf & gold, and camel's hair shall a small one, with beautiful work in corners centre white \$5, there was a small spot on it, it will come out if cleaned, lovely for evenings, I wore it last evening—my ring is lovely has Lotus design on setting, I hope to visit Ostrich Farm Tuesday, will get a new straw hat with good rim, use my tips and have some long feathers on & roses—for Cairo—trimmed up, this week Miss Roberts the dressmaker has hats too.

Tell Mrs. Gardner I think of having a waist made 153
out of my figured India silk to wear with new skirt to
change when travelling with jacket—I think some of
having my plum colored Irish poplin made up here
plain, and buy a silver set Jacket, collar, cuffs & belt
same as my gold one I bought in Saratoga, they make
them here in the bazaar—breast front, can get set for
\$12.00 here I think; I feel silver will be pretty
with color of dress, can wear it with or without jacket
and it will not be very expensive, \$25 making & trim-
ming I think or \$30 at the most. 154

aff Mother H. BEACH.

(Marginal notes, page 1.)

Tell Lottie that little calendar is just lovely I have
it on table in my room, give her my thanks & love,
My health is splendid since I returned, improved in the
Nile If you and Fred's family could come over to-
gether & we would charter a steamer for a month it
would be lovely—pay \$1800. We saw one Philo 4
married newly two gents & two ladies. (Continued
on page 7.) 155

(On page marked 10th.)—Money \$500 came the 9th
paid the 15th to Gaze, everything looks as if I was
going to have a pleasant stay in Cairo until Feb 15th
I send Fred Photo's same mail when I get time will
send copy of Temples—Send this enclosed card to Mrs.
S. E. Pierce, Steuben Co., Addison, N. Y.—unless she
is in N. Y. Cty then send there.

3:1800

(Continued on page 7.) ————— divided be-
: \$576 $\frac{2}{3}$ 156

tween F. J. H.—would not cost any more than being
at Hotel or travelling, it is be a charming way to go,
you will get both letters same time, I mention dates
of your letters I am so pleased I thought I could wear
star pin on pearl beads had a split ring put on yester-
day it makes a beautiful pendant for beads will wear it
Monday eve.

I broke one earring off—will have it for Monday
evening top gold.—(On page 5).

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CAIRO Jan. 21st, 1897.

DEAR JENNY & FRED,

Jenny Miss Roberts will send a few things I want to send the two for Washington and Philadelphia I ask you to attend to put the bracelet in a box for Lucy Fritz, The pin for Miss Reckard is in a book from Chillon (look at it), and the card can go by mail, I felt Bridget would appreciate the Rosary as she is a devout Catholic, and I send to her as she has served me longer than Annie—I will not forget Annie and Ellen in future, I had the Lava head taken out of bracelet from Pompeii—you could have a stick pin put on if you choose.

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Fred I have no other Lava bracelet and do not remember any. The scarf bought at Asuit for Ethel—will be always pretty for her, her birthday present and Christmas combined from grandma, The shield is for Jennie or Maggie, they can decide between themselves, the photos for yourself Fred—I bought shield on The Nile not far from Luxor.

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Fred speaking plainly you should pay the lawyer's bill \$70.00 for I had to leave London and New York. when I gave you power of attorney you promised to attend to my requests in a business way—because you refused to do so and did not accept the draft it put me to this expense, had you accepted draft, and fixed a time to pay it, there would have been very little expense, now I demand of you to pay into the New York firm when the bill is presented to you at office, of course I expect you will require me to pay it out of

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my own income, but I should not do it and any person of business will tell you so. you should deal with your mother in a business way in every transaction, Whatever duty there is to pay on the ostrich feathers I will pay take it out of mine I keep forgetting to write that there is two years money due for Stanley & Ethel \$4,00 for I am to pay \$1,00 a year until they are of age, 21 (Stanley), and 18 for Ethel, take it out this month for yourself. I have just received the checks of \$500 to-day, Thanks for promptness in sending, I expect to stay here until Feb. 20th

or March 1st have given up Jerusalem trip trouble 161
 in Constantinople, cold in J. & D—— but think of
 going to Greece March 1st, then Venice, Marseilles,
 Paris, London April 1st taking the month of March,
 too cold to visit Athens until March, The Sphinx will
 have article about Mndy eve that I dictated, I will send
 you one, it is to be in the Sun World Herald in N Y &
 Paris Herald, I had English officers and wives and 10
 passengers of "The Memphis"—sang three times and
 had success.

I have a plan for you Jenny to come over for one 162
 year, buy a pretty three story house uptown and fur-
 nish it, one room for my pictures, let Fred take what
 furniture you dont want and sell the rest at auction,
 move the floors & gas fires, and rent for business pur-
 poses 9 Wst 20th St you can do all that and come in
 June—Maggie & Ethel & Stanley & Fred come at
 same time for the 50th anniversary I mentioned,
 Maggie & Ethel can stay longer—Anni can come out
 and cook for me and make a visit home, Ellen can
 board or get a place, Bridget can look after your new 163
 home—Fred can stay there for sleeping and he and
 Stanley can return in Sep—Maggie can stay 6 months
 or longer—at least that—(page 5) *think it over you*
 and Mr. G. can do it Estate will not need you.

I want you all present on the 30th of June——
 dreamt of Aunt Carter & get it again that she will
 pass over in April, that Fanny & daughter will want
 to go to the States and will be glad to rent me their
 house, everything will be arranged for me for I know
 I am in my magic destiny now. 164

(Marginal notes page 1)—As you will see from paper
 I go to masquerade ball at Gehezar Palace Hotel by
 invitation tonight Ball Social Friday night the Kedve
 is to be present. will wear grenadine same as in Wash-
 ington Fridy with lillies of valley).

(Page 1) Silk skirts, pretty waist & fancy in lace &
 tulle light blue for evening—it will be lovely for you,
 Jenny, if you care one her. (Page 5.)

(Page 2) Red dress with thread lace mantle white
 roses & small thread (page 3) veil for masque.

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Loving Mother,

H. BEACH. getting all my sleeves changed & wardrobe & hats fixed (page 4) stylish for about \$140.00 too hats cheviat dress, two (page 1) skirts p

(Page 5) they are stylish for head evenings.

(Page 7) I have a white & gold Nubian veil—bought for the occasion.

My health splendid since my return.

Maggie shall have a black one I will keep mine & get another for her.

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SHEPHEARD'S HOTEL,
CAIRO, Jan. 23rd, 1897.

DEAR FRED :

I write for Monday's mail a short letter, I am going to Alexandria until Wed, I write to say that I want you to send me balance due me so I will receive it by Feb 25th I think I shall stay here until March 1st, and as I wrote go to
 167 Greece then Venice & Marseilles, Paris London by April 1st, I may need more for Paris before I get to London. I don't think I will have more than \$3 or \$400 to go with if I have \$500 sent on account of dress making that will be \$200 at least for I am having my wardrobe renewed beautifully for little money by Miss Roberts for the season, she works for all the tony people, among them is the American Minister's wife, Mrs. Penfield, I have not renewed my wardrobe for two years did not need to do so I have not received
 168 the account yet so I do not know how I stand, I was greatly disappointed at Ghezer Palace Hotel Masquerade Ball, an Englishman said the gentlemen could go without a dress coat if not in costume, but on the card it said not, could have hired one for 50 cts. or \$1.00, so we arrived at door and were refused admittance, others returned the same way, it is a club connected with the Casino, that own the race ground, &c., opposite, *I was so dashed* that I would not go in alone and wait in ball room for an hour, until my escort could return to the city, and get dress suit or

domino and mask—it was carelessness anyway, then 169
 10 o'clock, and they did not begin until 11 P M to
 dance, invited 9.30 P M this was an elegant affair
 but I had not seen the French ball, couldent be
 better, only I wanted to see the private one, they may
 have another, Well I went to the Social, tickets \$4.00
 each \$8.00 for two on the floor, *it paid me*. The
 Kedive received between tableaux and dancing, all
 the evening, at times, The Diplomatic Choir were
 there, I tried to get introduced to Khedive, he
 is young and very fine looking but the Ameri- 170
 can Minister was not there at the time I made
 the attempt. I will get to it yet, Miss
 Roberts knows her, I can call upon A M wife, I wore
 my grenadine of violet amethyst, my white thibet boa
 round shoulders and lillies of the valley on front of
 corsage, *I looked stunning*, I saw ladies and Egyptian
 gents looking at me and some of the diplomats, curi-
 ous to know who I was, I will shine in Cairo next
 month Ball here at Hotel Sheperds Feb 3d tell
 Jenny I have a dress designed and not expensive, 171
colored satin, will send sample, may be strawberry
 color or some new color, with my lace flounce on skirt,
 my broad lace down the front of waist (red round the
 neck [surplus]) black lace on the sleeves—black lace
 cape with or without—going to have a fancy waist
 made out of my skirt (red) with some of the insertion
 and lace for trimming, so she will see how I will
 utilize that dress. I am in my magic *fate in earnest*,
 am invited to tea at 5 P M to-day by an American
 Countess, married French Count, Dr. Harris brought 172
 her last Monday eve. She speaks several languages,
 lives here I think.

I met some officers from the citadel and a German
 lady and husband on *Memphis* at whist party this eve
 at Hotel at 8.30 to-day and take Russian Doctor
 mother's picture on porcelian by Anderson, she saw
 it only one that evening, I will wear black brocade
 skirt and jacket.

aff Mother
 belle of Cairo,

H. Beach.

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HOTEL KHÉDIVAL,
ALEXANDRIA Jan 25th 1897

DEAR FRED,

I write again from here this morning business first, took up a book about Corfu called "Oriental Mageira" Ionian Island one of the group where the Cretes have had revolution etc etc charmingly situated at the foot of the Adriatic Sea and Mountains of Albania, we passed it on the M Sea coming from Naples to Cairo—only takes I think 24 hours fare about \$30—

- 174 Czar Alexander 3d was there for health, Empress of Austria has a new castle for winter resort, you see when my guides get ready for me to change they direct me, the first thing in the reading room I saw was this pamphlet, *the only one* there at *present*, now I have decided to leave Cairo two weeks sooner, by the 12th or 13th for Alexandria & sail the 17th Wed of Feb for Corfu get two weeks there, then go from there to Greece two weeks, then Venice the same time, Marseilles three days, Paris one week London by the
- 175 9th of April my birth month or 15th April it will depend upon business you should receive this by the 12th so I write to ask you to cable the \$500 at Cairo by the 12th if possible so I can have a few days in Alexandria again, when I get to Corfu I can write or you can send balance due me by mail to Athens I think if I find I will not have enough to take me to Greece I can cable from Corfu I find it will cost me at a rough guess \$250 travelling expenses to get back to London the fares and extra for expenses, this does not include hotel and other expenses.
- 176 I have something to write to Maggie & Stanley, of course you can see it I will send paper Sphinx, I dictated article about the American Reception I gave so to be sure it suited me, it is to be in the Sun, Herald & World in N Y Herald in Paris, I intended to have one mailed before I left to go with letter but did not get time as I left 9:30 A M for this place. I feel I am in my last destiny a magic fate *that no one* knows or dreams of, prophesy is rapidly being fulfilled, but I must keep some of it a secret, but *the world will know and my loved ones* the first by 2000

when I am 72 years old, if it comes the world will stand amazed and in wonder, it refers to the coming woman of the new century, every thing has been done to prevent it, or my reaching this period of my destiny from the age of 5 years when I was saved from death and mother taken. will write to M later & mail with this.

aff Mother H. BEACH,

HOTEL KHÉDIVIAL,

ALEXANDRIA, Jan. 25, 1897.

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DEAR MAGGIE,

You will see why I write to you this time. I have sent some cuttings you will see Mrs. Birch's name marked where she sang at a concert, well, the outcome is that my invitation to the Countess house to tea at 5 o'clock was for her, the lady is an American from N. Y. Cty married a German Count, has a daughter 17 yrs, & *was not* the lady of Monday evening—Porter made the blunder and sent to Room 159 (mine), I had so much on my mind that morning, read it twice but mistook about mother it was to bring her with her Mrs. Birch, the lady is at Shepherd's. the day I arrived oranges and native flowers were sent to my room no name I reported it at office could get no satisfaction, so kept them, have not introduced myself yet to her *but will* reported note affair at office on my return on Saturday, she has the note now, it was very embarrassing for me, but the Countess received me and insisted upon my remaining. I did half an hour, she sent to hotel a note for Mrs. Birch to come to her house, in the cars I saw her name in the Egyptian Gazette, then felt the fruit was for her, I think they may be professional I see he played at the concert while she sang, he the banjo or the violin with another man, I have strange events occur & I get impressions that Madam Bishop is in this affair and that through this lady I shall be invited to go there and sing and take Mother's porcelain picture, I will tell you now why I write to you

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- 181 Jenny can see it afterwards. I arrived at 1 o'clock Saturday and early in the afternoon what did I see notice that the opera of Asrael would be sung by Italian artists Sunday evening, it gave me a great shock you may remember that Friday after I entered Bloomingdale I had tickets to see that opera at the Metropolitan Opera House for yourself yourself Fred & Stanley & myself, I had seen it once, it is allegorical Catholic showing how the lady asked the Mother of Heaven (Madonna) to come to Earth to get the one she loved
- 182 out of purgatory that she could not be happy without him, I saw it last night sung magnificently, I wore roses on my head and on breast, & neck and looked spiritual, I went without hat and had my black silk waist, wanted to dress my hair and come without my head pins—I saw the ladies looking at me and the men too, that opera is typical of the coming woman what she will become and redeem man, and the spiritual marriage on earth, and I came to Egypt to see it at this eventful time in my life when I am about to begin
- 183 a new book of Destiny of the last epoch of my earth life. I am going to get another black and gilt Nubia veil for you and keep the first one for myself—I look 10 years younger already, Maggie I wore violet amethyst dress Friday evening and white head dress as boa round neck, saw them looking at me, I visited one of the Khedives Palaces today, will get an introduction here for to see him in Cairo, went to a beautiful Egyptian garden this morning where one palace is owned by some dignitary, the ebony floors inlaid
- 184 with pearl are magnificent, I will wear my new satin dress Feb 3d at S Ball—flounce and berthia of nice lace as I am getting a beautiful wardrobe up very reasonable, will try and have empress made of that brocade skirt is too heavy, will use satin sleeves & collar on jacket I think get brocade sleeves & collar for jacket I hope to get a waist out of brocade; Tell Stanley I think his lady must have liked the locket & chain, it was rather my selection, may they be happy much better to have it decided.

Aff. Mother,

H. BEACH.

HOTEL KHÉDIVIAL,
ALEXANDRIA Jan 26th 1897

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DEAR JENNY,

Your letter came here from Cairo & Fred's of Jan 8th they arrived after I left Cairo Sunday morning, this will go same mail with Fred's & Maggie's Wed A M from here, *This has been the most memorable day of my life*, First I visited a Pasha Bey to see if I could get admittance to a harem, but could not in the one wanted, I *won* him over, went with flowers (roses) in my hand, and he said if I came to Egypt next year with daughter he would entertain me in his own house and admit me to his harem, it is not here now, the centre for Khedive & others is at Hassuan not very far from Cairo I am going there the way is all prepared for me to enter The Khedive's Harem I think & I will get introduction in Cairo through The American Minister Mr Penfield I think I am *in the swim in Egypt now*, Mrs P has receptions (Wed) I can go as an American when she receives and introduce myself. Second I saw a young Arab girl (10 yrs) that is to be married soon had her hands painted black in designs (half of hands) I think her mother had the same, I saw young children and some of the young wives 15 yrs—I think they take them (The Mahom-itam's men) at age of puberty for wives, I put some roses in her lap, one english shilling & kissed her or her forehead, I kissed some of the Arab children, I had a *hard cry* in the carriage after it, my heart bled for her, I read in Arabian Nights book (third page of letter marked [private]) how they employ two men and they hold them down, or they strap them down, and go right through everything, sometimes the blood spirts high on the man, the *girl screams the pain is dreadful*, what brutes men are under lustful passion, Mahomet did not found any such system but man has done it since he lived. The Dragoman succeeded in getting me admitted to a harem in the afternoon, I saw the parlors and some bedrooms,

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- 189 only two of the women, some children, could not talk much, did not have a woman to interpret for me, had coffee and delicious wine offered, and went over the house, saw large garden enclosed with trees and fountain and olive trees—gave them roses and kissed the children and ladies when I left. Thirdly, I went decked in roses on my hair and on my breast, and returned to hotel at 3 o'clock to be married myself. Two young Prespiterien Missionary ministers were present and lady wife of one, and The Council General of
- 190 Alexandria, could not have a civil marriage any other way. I arranged the service with minister yesterday, then he wrote out a formula, I had bouquet of flowers and stood in front of a mirror in parlor as I did 50 years ago, I played Gertrude's dream & United States March at the opening then the Council arrived for the signing of Certificate making it legal in Egypt or any where—We joined hands and each minister made a short prayer, I requested Lord's Prayer at the close of service which I will enclose in this letter, I repeated
- 191 Lord's prayer with the minister, the ring put on my finger is the one I had given by Mrs. Cotton 1872—marked "magic ring," we were ordered at that time to get it for my birthday present from her, I had my wedding ring weighed at the time and this one made like it, did not know what use was to be made of it Jan. 26th 1897, 25 years afterwards—I am now Mrs. Henry Richardson—as I wrote can leave off the Rogers, (he entered name here *Richardson*) we return to Cairo in the morning 9 o'clock train. I bought a pretty small
- 192 painting in oil this P M of the Nile with The Pyramid on & Palm Trees & also a Scarab breast pin with Egyptian in the back of it bar pin of old gold, this will be commemorative of the event—*both beautiful* Jan 1st on The Nile we both signed a paper of betrothal according to my ideas, the anniversary of Alfred's entrance into spirit life, so the 30th of June I intend having The Spiritual Wedding in London, making three ceremonies to complete it, this is a memorable day in destiny for the future, other women will follow in my footsteps, in this new form of Marriage I will

organize or be the projector of—The betrothal civil & 193
 spiritual, or the two first ones leaving woman free and
 independent to separate from the man if love ceases,
 so they can honorably separate and no disgrace fall
 upon the woman, *pretty good* for modern Prespiterian-
 ism, dictated and formulated by a woman of the mod-
 ern time, through this avenue Motherhood becomes
 sacred and childhood sacred and illegitimacy will cease
 in time to exist, Mrs. Buchanan prophesied 25 years
 ago that I would live to see something adopted upon
 the earth with regard to the child of the future—this 194
 is it through my own second marriage it will be ac-
 complished, (I find the minister took the paper to have
 a typewritten copy made for me), so I cannot send this
 mail, this is a union of the spirit they tell me
 they will transmit electric forces that will re-
 new my youth through magnetic association not
 sexual or on the *lust plane* of intercourse it has
 been brought about by the power of spirit and I begin
 to feel renewed life. I prefer this kept for the present
 and not to announced until June 30th if possible, but 195
 if I return to London and take a house will take his
 name there in Europe and let a few know of it. My
 Mother has given me her blessing, tells me this is the
 happiest day since she left her child at the age of 5—
 Alfred has assured me of his entire approval—and I
 trust you and Fred will feel the same way, and lay
 aside all prejudice. I hope we will have a family re-
 union next June and that harmony will reign supreme
 between us all. I am glad you and Mr. Gasper es-
 caped death, that his life was protected, don't you 196
 both believe in spirit protection after that? *if not you*
are very obtuse. I hope to get my work finished by
 the 12th of Feb. Miss Roberts will make me a beau-
 tiful white satin dress embroidered with silver by
 hand and a white cashmere cloak to match, will fit
 dress and send them to London, brussels lace bertha
 & flowing lace sleeves, (Marginal note), I have it all
 designed, for the 30th of June it will be elegant fine
 receptions afterwards & balls &c &c.

aff Mother

H BEACH.

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CAIRO Jan 20th

DEAR FRED,

I write in haste to catch the same mail that other letter of the 18th goes on, I was feeling very badly when I wrote it, I wish to revoke my decision & signature, Your father impresses me that he did not intend it to be used after I told him what I wished—he wants to have estate estimated and for my part to be portioned off and for me to use it as I like principle and interest payable as I desire and for you and Jenny to
 198 sign a paper to that effect, do away with power of attorney altogether & have a deed of trust for one I select to act for me it makes him very unhappy if I refuse or if I insist on carrying out what was found in his writing unsigned by himself.

in haste

Mother

H BEACH.

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Copy of a letter dated

CAIRO, EGYPT, January 31, 1897.

FROM HARRIET E. BEACH TO F. A. PERKINS,
 117 West 56th Street, New York,
 and received by her on Friday, February 19, 1897.

The following is a copy beginning at page 8 :

“ Please ask Mrs. Fergurson to tell Mr. Bullard and
 200 let him see the Sphinx and Mrs. Bullard and daughter, I would like them to see the part of this letter I wrote about the spiritual marriage. About the pictures in Florence I have it all planned for you next winter. Now my friends I am married, I take the name of Mrs. Henry Richardson (Rogers left off), the Dr. agrees, it is his mother's name, and he will only use the Rogers for legal purposes. You may be prepared for my having taken this step, I have announced it to my family Tuesday January 26th at Amsterdam (probably means Alexandria not in letter), Egypt, as I wrote to you my

mother told me in Paris last Sept. that she had looked 201
 this man through and through, and found him *worthy*
in every way to be my protector, that she selected him
 long ago to hold that position, Daniel Webster has
 been my counsel, Rufus Choate and Abram Lincoln,
 Webster writes through Mr. R.'s hand entirely auto-
 matic My mother entranced him twice and directed
 me, There have been plots and counterplots around
 me since Sep until Jan 1897 I left Dr. Harris and
 Mrs. Woodhouse in Paris, she on her bed with influ-
 ences determined to frighten me *that she would die to* 202
cause delay, I faced the world visible and invisible
 and obeyed my mother and Webster, went to London
 with legal proceedings and testimony of a Doctor, placed
 myself so my son as heir or Jenny could not abduct
 me by force. The demon played through my son and
 grandson Stanley, but jenny was staunch and true
 and a noble girl at last she took a stand for her mother
 and Fred could do nothing as Administrator without
 her consent, her father worked through her could
 not with Fred Satan entered into Fred and Stanley, 203
 I have received a letter since I came to Cairo warning
 me not to return to the States or I would be placed
 where I was in 1891 by my son (no signature). What
 do you think of this *my chosen friends* that know my
 experiences of 1891,—I have a marriage as I have
 said, a written contract with both signatures (a be-
 throthal) Jan 1st, Friday on the Nile in Steamer
 Memphis, the anniversary of Alfred's birth into spirit
 life, with his sanction, he is anxious with my mother I
 shall have a protector (legal) 1897 which he would be, 204
 He has developed, and is my champion now, as I have
 said he would be, he has asked Mr. R's pardon for
 misjudging as he has done in the past, he has suf-
 fered from regret—is getting happyier now that he can
 work for me My friends will remember all my
 prophesies, of the past with regard to him and his
 future, I went to Alexandria, Amaron's home 2000
 yrs. ago) and there had a civil and religious marriage
 in Parlor of the Kedive Hotel, Consul General present
 for signature of both marriages, The American Pres-

- 205 piterean Ministers two were present, one performed ceremony, had beautiful roses on stand opposite mirror where he stood, I wore roses on my hair and on my breast I had an interview on Monday with the Minister and dictated the service—*pretty good* for Modern Prespiterienism, My dear Grand (father was deacon 50 yrs, in that church) (it was changed about living until death do you part), I had a Lord's Prayer at the end and repeated it with minister. I played at the first on Piano—carrying all out
- 206 as I said I would and others will adopt the same formula in the coming century, 1900, I intend to take a house in London anyway in April or May—Jenny is coming and I shall invite Fred and family. I want my particularly friends to come in June, I shall have Mrs Cadwell and daughter come if possible and have materializing on that occasion and a spirit wedding, I hope H. W. Beecher will come and perform the ceremony I want you to come and then you can stay for winter, and I will go
- 207 with you to Florence, Tell Mrs. Ferguson to try and come for three months, I wish Mr. Bullard and Lillian could come I will arrange about fare. I shall appropriate a certain amount to have my chosen friends come that cannot afford to pay, I am going to have a grand Spiritual Jubilee and write for Banner of Light about it afterwards, We will make a spiritual centre in London such as has never been before, In reference to Dr.'s former marriage, she wrote she was going to take measures for a divorce but would do
- 208 nothing to disgrace him—Mr. R. She fell in with a scoundral lawyer I suppose, I had to break it to him. We all have followed spirit direction, She is ill now and writes she was deceived and is ill that it came out in papers, could have taken it out in Mass. He gave her the Onset property before he left N. Y. She could have had it for incompatibility She is a fine woman and did not realize what she was doing. I am not prepared to say how far a medium is responsible. Neither of us Doctor and myself had any hand in it, The guides kept telling me she would come when I left

London and expected her in Oct by way of Genoa, 209
 Did not know until Dec that she had entered proceedings. I told him what his control said about it, My father told me before I left through Mrs. Woodhouse that he had power to work for me and atone for the past, through his indecision I married, now it comes that he would sweep everything or persons in my way from my pathway, and I should this year have my love nature answered, "The hand of destiny has been in it, and the Doctor is my mother's selection. We have a spiritual work to do together. He has a highly refined 210
 and spiritual nature, has been true to his mediumship for 12 years, has been in the Navy a physician and of a good family, Mrs. Kase has been a malicious foe and because she drinks and is obsessed, He met both of his wives in her house She called him her son, The Schofields are malicious slanderers He helped him to get out of his difficulties Because the Doctor would not do as he wanted *they got up about that picture &c.* Mrs. S. told me in 1892 that she thought so much of him and his control Esman and that he was carry- 211
 ing them through a crisis in their financial affairs,

The last blow of his former wife nearly killed him He did not receive letter of summons It was withheld, and he can do nothing to vindicate himself without accusing her of perjury, but I am Mascot and he is a perfect gentleman, and all will end well, She has met a wealthy man and I think she will marry, She is working for the Company in N. Y City, and I think this done to try and prevent her coming over and working with us unitedly, but I hope it will not, I 212
 don't know as he will ever forgive it, *but I hope so.* He will start London Company for his printing machine that has a fortune in it. I cannot say anything about it at present, I do not wish my marriage announced publicly until after June 30th Only will inform particular friends—and request them to keep it a secret, When I return to London I shall take his name in Europe and when I leave here for Greece will register Mr. and Mrs. Henry Richardson. At last I have put the name of Beach behind me and it has

- 213 entered the past forever with all the suffering it brought to me for fifty years, but through it I emancipated a soul and he had his full earth life and was illustrious, and will now enter his spiritual career (the inventor's sphere) and be still more so in futurity—and my *Ivanhoe* my image is engraven upon his soul forever as his *Saviour* and fought his false fate and now for him his true earth destiny and secured his future spiritual destiny for all futurity, It can never be taken from him or me, I triumph over fatality
- 214 through his life, for he had it in full, Help me all you can in showing this the friends I mention, may to Mrs. Wallace if you wish, I was not allowed to write or tell anyone until now, Mrs. Coleman and a few that Mrs. Wallace may think of, only chosen friends of the past years. Mrs. Felbinger, Mr. Clark Mrs. Williams, Mrs. Cadwell and Mrs. Morse, Mrs. Woodhouse and Dr. Harris, 219 W. 121 st. Mr. Clark, Mrs. Williams, Mrs. Robinson, 200 West 88th St. It will help me so much if you can do this for me so I will not have to
- 215 write this detailed account again. Mrs. Libby 1166 Broadway I want her to come out for three months will write letter about it, you can prepare the way for me Personal to you Fanny, I intend to give you \$500 for the two pictures in Florence and fare, and Gardner Reckard the same for him to go to Brussels and copy the two there, Satan and Eve before the temptation I think \$3000., will cover all I want to go \$200. for friends and Mrs. Cadwell to come out to London for three months.
- 216 I will have settlement of estate and plenty of means this year to carry out my undertakings. I will change the Eliza to Converse or H. C. Holbrook, my mother's full name. Love to all my friends.

HARRIET C. RICHARDSON.

My name now for printing written matter will be Harriet Converse Holbrook.

CAIRO Feb 2, '97. 217

DEAR JENNY,

This is a business letter. Tell Fred to send \$50 for Yale. Will you please send this enclosed letter *you can read it if you wish—Fanny is happy.* This is a present from Alfred and myself, he impresses me so he is going to help me in distributing money *he is* now getting very happy that I have a protector etc etc I send white feather for Ethel, 5 sets of tips three in each all alike for Mrs. Waldron, Emily Beach, Miss Perkins, Emma Beach, New Haven and Martha Green, my old tips for 218 Helen Heath, will put a paper around them to distinguish from others. Please take Mrs. Waldron's \$10.00 in money for her New Year's for me, or send for her to call for them. I will enclose a few lines that you can send by mail for her, unless when driving you call—she is boarding at a private Home. Don't tell Fred or anyone about this \$10, but take it out, Also there will be some duty on feathers and it is 10 sh \$2.50 on transportation Wells & Fargo Express--take that out of mine, scarf is for Maggie bought at Asyout on Nile 219 on my trip for head wear or as scarf. I send two cards for Annie and Ellen, pressed flowers from Jerusalem. Ask Fred to send the Jubilee Number in exchange to the Egyptian gent that I met. He has been at N. Y. and at Chicago Fair. I met him at Ostrich Farm, I think a prominent man, and that he said his paper was "The Scientific Review," and he would like to exchange with Munn & Co. I will write to parties to call for feathers—let Fred take Emma's to Stratford Stanley can take them to her I give you Kansas 220 I do not want a horse, she is daughter of your Kansas, take her as a wedding present to Mr. Gasper and yourself, she is lovely disposition sell yours and safe. Mrs. Waldron may be sensitive, but I will write that you only know it, and that you know her income now is limited on account of failure of crops in Kansas. It will save my sending a money order from here. Ball Wed Feb 3rd I go this P. M. 3 to 5—to Mrs. Penfield's reception the wife of American Consul.

I have written to Perkins, she will announce it to

- 221 my chosen friends. You can do so to Mrs. King Goldsmith, Halstead, Martha, Emma & Chloe's family and any that you feel impressed, don't mention the name of Rogers only Richardson he will only use that name as M D. & for legal purposes.—We ordered cards yesterday, Mr Henry one, Mrs. Henry Richardson for me and another business card smaller for him Doctor Henry R. Rogers—he can explain to anyone that knows him in the different cities, elegant people that he has given pictures, that account of the malicious lies, he has married a lady of position and she desired him to take his mother's name, and he highly approves of doing so as so much slime has attached to Rogers the name. Mrs. R. will change her name. (Marginal notes) and if she comes to Europe it will not be known that that was her name.
- 222 the devils can't get ahead of my diplomacy.
he has not recovered yet from the shock
he is of a spiritual nature highly sensitive and feels it
- 223 dreadfully.

I will be the belle of Cairo, I am in the swim & my magic fate in earnest.

Aff. Mother,

H. C. RICHARDSON.

Extra.

- About engravings of horse and dog I was told by Mrs. Wats from Texas at Mrs. Woodhouse's house, that I would have a house in London in 1897—that
- 224 was my first purchase in London had them boxed and decided to leave them with Madam Azulay and see if the prophesy came true, so they will have to be framed when I get to London and get the house.

Aff. Mother,

H, CONVERSE RICHARDSON.

Address Mrs. Emily Beach, Little Silver, N. J.

Mrs. E. A. Waldron—The Home Hotel 158 Saint Ann's Avenue near 134th St., N. Y. I suppose it is or it may be et.

LETTER TO EMILY BEACH FROM HARRIETT E. BEACH.

CAIRO Feb 2nd 1897

DEAR EMILY,

Please call at 9 Wt 20th St for a present from me three Ostrich tips for a nice bonnet, from the Ostrich Farm in Cairo where there are over 1000 birds. I have been out there, this is my present for THE New Year, also please call and see Miss Fanny Perkins, 117 Wt 56th St. at Miss Gothjian's studio or her boarding place don't know which if the latter she is there from 12 to 1 o'clock noon—studio 10 to 12—2 to 4 I think. I have written a detailed account of 25 pages,—was two hours doing it for my chosen friends to see,—she is to read it or show it to them then send it to Mrs. Horn Washington D. C. This will assist me from repetition and exhaustive labor. I am now Mrs. Henry Richardson with the Rogers left off with the Doctor's consent he will only use his full name as M D or legal purposes, he is my dear mother's choice. I shall hope to have you come out for the spiritual wedding June 30th. I expect to have a house in London at least for six months—I have entered my magic fate at last—Tuesday Jan. 26th—Will write to you later about coming out.

Aff. H. CONVERSE RICHARDSON.

Marginal Notes: Do not wish it announced until after June 30th publicly. I do not go by that name Mrs. Henry Richardson until I leave here and in London.

CAIRO Feb 7th '97

DEAR DAUGHTER,

I write for Monday's mail (quick one),—don't look for another letter for a week or even more. I may write from Alexander Thursday eve—before I sail Friday 2 P. M. for Athens, find it is more direct to go there first before Corfu otherwise have to go over

- 229 same ground again go in Russian steamer that is the best and not those that come from Bombay—will cost \$75 to go to Athens, Corfu and Venice for one that is \$150 for two on different steamers not any circular ticket—nothing saved by circular ticket or through ticket—Please ask Fred to send Scientific American to enclosed address, he is an elegant man, send for *one year*, he was in Washington before coming to Cairo by appointment of our government with Consul of Egypt Mr. Penfield, published a paper (word looks like
- 230 “palu” in original, may mean “poem”) Whittier wrote for it. He exchanged with S American at that time and thinks very highly of it. I met him Saturday at Consuls office. His position is next to Mr. Penfield’s—both delightful men. I told him I would order it, and I want one Jubilee number sent with the first week’s paper. also ask Fred to send me 6 Jubilee numbers, and to continue sending every week Scientific as he has done it was sent to Stanley and I have forgotten to mention that it has
- 231 continued to come. I have given them away. Have one jubilee reserved for the Pasha at Alexandria that I called upon, and who holds a high position under the Egyptian near The Khedive. I did not get to the town where the Harem is centered that I mentioned—The Khedive is young, only 21 years, educated in Paris, Austria and England and married a beautiful Greek girl two or three years ago—has but one wife, no women, The harem consists of ladies of honor and those who serve himself, and wife
- 232 only—though he is a Mahomiten he is establishing European customs, and other Egyptians the same in Cairo. I was glad to hear this. I cable Monday (to-morrow) three words as Fred directed (Etman N. Y. five) \$500. I have \$100.00 in gold which I will pay Miss Roberts with (dressmaker) Will have nerely two weeks board to pay \$75 a week. I think it will

65

 \$130

be about this amount. I expect to stay in Greece two

weeks, Corfu 2—Venice 2—as I wrote one week in 233
 Paris, London by the 9th of April or the 15th—can't
 tell exactly. I have \$15 in gold now beside amount
 mentioned—I bought for \$500 a beautiful music stand
 with portrait of Schubert the musician and composer
 he looks very like Beethoven—it was a bargain,—I
 have the feathers on hat and there *never was* such a
 stylish hat in Paris, London or N. Y. Cty, the two
 long feathers are like the tips I sent gray white and
 black elegant, with one black tip to finish them in
 centre of front. I was over an hour putting on the 234
 feathers. I will have enough for \$18.00 for my lifetime
 including the collar. Mrs. Pater Baronnadi Rousard the
 lady who surplies them is a lady, was in Crimerian &
 Prussian war, was with Florence Nightingale—was
 with sisters of Mercy—she is a Russian by birth—her
 mother was—father English she was educated in
 England—married a French baron first, had one son
 who died 4 ago. I think I shall bring her com-
 fort, for my mission is a holy one in every direc-
 tion. Jenny, you will yet realize who your mother is 233
 in a few months or by 1900. she nursed a soldier in
 France during that war,—loved him but he knew
 he could not live many months after, and he
 died (word spelled “did” in original) 8 months
 after, she met this man and forfeited her life pension
 by so doing, her son was very fond of him, he is
 government contractor, must tell you some about her
 for she will go to Russia with me when I get ready
 to go as my interpreter &c. They had a con-
 valescent home near Ostrich Farm and last year when 236
 cholera was here in Cairo, took in patients,—con-
 sequence was that it injured them, and they have moved
 out of their home—still own it. her husband may
 get contract for three years in Dongala she will go with
 him there except for the summer months, may get
 parties to take home and go in partnership with her
 and run it again as hospital. Balls, French, (masque-
 rade feature)—Social Diplomatic elegant—saw Kedive
 as I wrote,—too late in the season for introduction.
 if we come next winter I know just what to do.

- 237 Ball Feb 3rd at this hotel, I wore the new crimson satin trimmed with black lace, and my white head-dress as a boa round neck and a corsage of roses, pink, yellow and white running down from breast below waist like this (75 cts. cost), my husband H R R, said there was not a lady dressed handsomer or in better taste and *he has elegant taste*—others said I looked elegantly. I went to opera saw Tanhauser—invited Russian lady to dine and opera. Ball at Gezerah Hotel last night, made the acquaintance of an English lady, the Honorable Mrs. Gage.
- 238 I will get an order for an ostrich fan for Russian lady—Judge Holmes of N Y Cty, has been in office there, has an elegant lady for wife, she has a classic face American, very handsome and dresses exquisitely. I have made their acquaintance here at hotel, three ladies, American, educated in Europe,—will get some orders from them for her too, I think. Hear Aida to-night in the Egyptian costume. It was brought out in under the patronage of The Kedive a
- 239 few years ago, it was played twice before I returned—only is performed once a year—see how I get my wish, (to-night) *the third* and Wed eve masquerade repeated at G Hotel, what do you think of that? The night before I leave I shall not go in costume, only evening dress—my husband has a dress suit now and wore it for the first time Feb 3rd and we made a stylish looking couple. he is fifty yrs, only two years older than Fred. I hope his health will recover from the last stab, his former wife de-
- 240 ceived him, and as I wrote he trusted she would do it in an honorable way, but the hand of fate was in it, and all will come out right. I presume she has changed her name before this, and, H R—drops the Rogers as I wrote. I have had to announce my marriage before leaving Cairo, the Consul and the manager of this hotel and Judge Holmes and that lady she is from Kent England Mrs. Jones Perrin she has taken a great fancy to me. Jenny she was predicted to me last spring that I would meet a very stout lady who would have more money than I that would help me in

my work in London—what do you think of that? She 241
 thinks the sun rises and sets in me. I got up an elegant musical for her one evening,—she had been ill for some weeks, she exerted herself to come into the parlor and hear me sing, and Sunday eve before this was Wed. eve. I met an Austrian gentleman in music room playing magnificently he played for me to sing and again, eve before dinner. Wed a friend of his sang magnificently in German, we for an hour had a magnificent concert, instrumental first, song German, I English and the instrumental for three times, I sang 242
 four times, another gentleman (Englishman) sang with me “The Heart Bowed down.” Dr. Hoffmaster, he is a physician, played Lohengrin and Tanhauser at one time, another went through some of the airs of Rhinegold, Sigred, Neburling, the four Valkira. it took me out of the body. Madam gave the power in “Sleep Well” decidedly. Dr. H. said that was grand. I sang “Then You’ll Remember me, “Kathleen Mavoureen,” Heart Bowed Down” and “Sleep Well.” This lady 243
 thinks it is wonderful my voice. there were a few in large parlor, it was private with doors closed, they sit in the halls evenings, music at dinner hall evenings three times a week, and swell dances some evenings in large dining hall. Table d’hote room—there is a breakfast room, they can connect the two if desired. had a handsome table Feb 3rd at the ball—I must tell you and you tell Ethel I found a miniature music box, an upright piano with a sweet little girl sitting on stool, and her head turns to the audience and hands go across the keys, with evening dress golden hair 244
 and sweet face candle sticks on front of piano with printed sheet of music before it plays two tunes one is a waltz one a polka, runs five minutes. I have it near me now & I keep it playing in my room. You must know that I think it brings me musical power. Jenny I had a surprise that Sunday from 6 to 7 o’clock the first night I played after the gent had left me I sang “Lord forever at my side” music of O ye tears—and when I played the last part, I began to trans-nose and play the chords, I felt the inspiration and

- 245 kept repeating you know the last line is always played at the end of a piece. I said Beethoven I get light. I see that my wish all my life to improvise is coming this way I mentioned to Austrian gent he said that is very difficult to transpose music. I answered I have changed my accompaniments to songs for some years—imagine how my heart leaped with joy at the surprise. everything is predicted for 1897 and has been for years and Alfred at last is where I want him and where he can be
- 246 my sentinel, Champion and Ivanhoe—I saw his face with his lovely smile upon it a few days ago and our love will ripen now for eternity. he is happy that I have a protector in the form, Harriet's image will always have its place in his soul, Alfred's image will always have a place in Harriet's soul. I shall be his counsellor he will be my Ivanhoe, no one can ever take the place of my boy lover, there never was such a fate as mine—or such a life together as we had all the powers of darkness could not defeat me of his destiny or separate or turn me against him though it was tried to the fullest extent and we never could have much peace together,—they cannot defeat my Yankee ingenuity or get ahead of my immortal gift of executive ability. "*I came I saw I conquer*" is my motto—Excelsior, onward and upward.
- 247
- 248

Marginal notes—You may not get a letter in two weeks again. Will send my card when next I write get them Monday *my other cards just out*—love to your husband and yourself—Mother.

H. RICHARDSON.

I have some about Temples half copied to send. Can't get time to finish it.

ALEXANDRIE Feb 11th 1897

DEAR DAUGHTER,

Here I am again after two weeks, same house *where I was married* and we have the same connecting rooms. I wrote to Fred about Mortgage (Frost) about Martha Green, I told Alfred if he did not leave her a legacy I should give her \$5,000 making Fred Trustee, she can use the interest or the principal, or use interest and will the principal at her death as she pleases. I tried 250 hard to have Alfred & Moses & boys agree to give her \$10,000 when M Y Beach died, and even to have Alfred give up to her the \$10,000 extra he had, so if she wishes to come to Europe in June to Queen's Jubilee she can, after I have my settlement, I shall make my will this year and will make Stanley's & Ethel's and Martha's at an early period or any legacies I decide upon, I intend to distribute all my money while I live, using interest or otherwise, and leave the directions how the principal shall be distributed. I leave Friday 9 A M for 251 Athens. I send a flower that is the blossom of a vine that grows luxuriantly here in Egypt and blossoms in clusters in the front of houses. I will send Sphynx when I have read it of Khedive's Ball when Mrs. Renfield the American Consul's wife led off first dance, and Judge & Mrs. Holmes of N. Y. City—that I mentioned were in it—came here Wed 8.15 evening, cold and rainy & blustering rough head wind to-day in Sea, hope it will be better to-morrow, usually my luck to have a good start, did I tell you my present hus- 252 band gave me a ring with ruby & diamond each side to be used June 30th only \$50 ring my choice. I gave him a ruby for little finger \$25, the day he had his trial last May, he found a little gold ring with a cheap white stone (a lady's ring) he placed it on left hand little finger with stone turned inside of hand it has never been off since until he removed it to have ruby put in, he selected the stone in Cairo—and it is a beautiful one—before we came here in Jan then I placed it on but in June we will put them on when we

- 253 have the ceremony. Miss Roberts is making up my things beautifully, the Baroness and I & Miss R have formed a friendship Madam says when I go to Russia she will go with me if I will pay her fare to London, without any other compensation, but I would pay her for services as interpreter, &c. She has made me an ostrich collar, feather standing. Can wear it in street or house for dress—*elegant*. My white satin dress is to have a Court train so if I go to a drawing room it will be elegant, with
- 254 white ostrich feather trimming dress, cape and fan will be simply exquisite \$100.00 I think will cover it with lace and flowers and gloves and silk stockings and satin slippers—*not changing brocade now* found beautiful Egyptian embroidery in silk for poplin dress only \$4.00. Oh! that dress will be stylish. then will have a black satin skirt 1 yard and $\frac{1}{2}$ train only and satin waist, will wear the bodice and jacket of white and silver, and in Autumn will have
- 255 gored dress of brocade satin in back and the front embroidery of set with collar and cuffs—so I get for \$15 two dresses trimmed, the black lace I get satin (crimson) and the waist from the skirt of that dress I had trimmed. I gave two waists to the working girls, my figured India silk and crape de chene waist all trimmed with velvet so you see I utilize everything; my dear husband has not recovered yet, with all the trouble he has a cough bronchial from cold that clings yet to him, he is a lovely spiritual nature. everything has been done to kill him and myself, but
- 256 we are under the care of the supernal powers of truth and love and wisdom and I hit the nail on the head with my Massachusetts, Yankee ingenuity about the name, for I have..... circumvented the Herald fiends and the malicious tongues, for no medium exists by the name of *Rogers* *it has gone into the past* and when we get ready we will go to N. Y. Cty and give a reception and an elegant entertainment with the highest form of mediumship in this world or any other—nothing beats the spirit or mortal in 1897.

(Marginal Notes)

257

I can cut any woman out I set out too—you bet,
You come in June for Queen's Jubilee for a year.

Aff. Mother. Love to my son-in-law and all, Fred,
Maggie, Ethel and the girls. H. Converse Richardson.
I send my new card. I was dressed beautifully
Tuesday eve in grenadine and sang and had plenty of
attention at 68 the belle of Shepherds.

HOTEL GRANDE BRETAGNE,
ATHENS, Feb 15th 1897.

258

DEAR FRED & MAGGIE,

I will write to both this time. Here I am in his-
toric Athens, and it is now an artistic city to my sur-
prise. We came on Sunday morning left Cairo Wed
the 10th. had it stormy Thursday at Alexandria,
squally weather with rain and cold like March in N.
Y., no boats could go out of dock, (but my usual luck)
clear Friday, cool head winds, but I managed to get
along very well, my head felt badly, I kept in bed
much of the time or on deck, and was very careful
what I ate and had letter paper over stomach.
Nicholas 2d, steamer going to Odessa is Russian; a
large long boat, glided beautifully over the waves,
perfect system on board everything was done silently
table very excellently cooked, Captain first class, only
13 passengers while the *Egyptian* had 45. Arrived at
the same time and started later, 3 P. M., we at 9
A. M., a slower boat, but large staterooms, other
small boat, small rooms and faster but inferior. We
took Cook's advice and were glad, drove 5 miles after
landing to Athens.

259

260

Cook's man attended to everything, did not open
any of our trunks at Custom House here, in Cairo
heard of embarkation tickets for first time, that take
you right through, Hotel is English the best here
but all are good I am told, this has a park in front
and is near the Palace of King George, central in the
city. Cook's man brought us here. I was up

- 261 an hour before sunrise and saw it rise at 7 A. M. gorgeously in crimson hues right among the Roman Islands, had music on board last evening. I sang "Home, Sweet Home," and had the inspiration come, played some and a gent played beautifully from Paris married an American lady—we had quite a social time before leaving the steamer, smooth Sat I was all right, others as well. I had a success Tuesday eve before I left, sang "The Last Rose of Summer," "Then You'll Remember Me," "The Heart Bowed Down."
- 262 Had quite a reception, there can't any woman or girl beat me when I set out, I wore violet amethyst dress and white hyacinths and Narcissus on breast and looked 25 yrs. younger and handsome at that, no woman can beat me on dress or taste or arrangement of dress and hair. Maggie the Nubia scarf is for head, but you can wear it round shoulders, some wear them to hang like a scarf near throat, gathered up—I bought one in Cairo for myself, you can say that yours came from Asuait on the Nile for it did.
- 263 The things will not arrive for a month from starting. I find that I cannot get my mail until Feb. 26th, may have to cable you for \$200, if I had sent for \$600. it would be enough, but I expected to go to Corfu when I wrote Fred from Alexandria the 26th January. I find there are 7 days excursions that can be taken together without returning to Athens then in 24 hours get to Corfu. presume I will want to leave early next week (Athens), air is lovely to-day—have visited the Helliopolis, will write about it soon
- 264 after I read Badika about it. It seems like a dream that I have been on the ground where Pericles and Aspasia were, centuries ago. I look much younger already, so it is said and feel quite settled that I have passed through 1896 and my fate has passed the turning point, also that Alfred is developing and getting quite happy in his new life, and can communicate with me, and will aid me in using what he left for me in benevolent purposes as I desire—I will mention that I expect to make my will (looks like

"well") this year, and set apart \$10,000 for Stanley 265
 age 21 and \$10,000 to Helen his lady when
 they marry, with Fred trustee, the interest will help
 them to start life, and Stanley can have
 the principal, so can Helen, whenever they like.
 \$10,000 to Ethel when 18 yrs.—interest to begin in
 1897—so she can have money to give or use as she
 likes with, of course consulting her parents, her father,
 Trustee or guardian of it, when she marries, \$10,000
 more or at 18 yrs.—optionally with her Father when
 best for her to have it. I think interest at 18 yrs. will 266
 be best, principle when of age, to direct as she pleases
 the investment of it, or when she marries—I told
 Alfred if he did not leave any to Martha Green, I
 should, \$5,000. I shall do that in the same way, so
 she can have interest, and the principle when she
 wants it, and as is convenient for me to pay it, then
 she can will it to anyone if she does not use it. I
 wanted Alfred and Moses and the boys, when their
 father died to give her \$10,000 that should have gone
 to her Mother and when at her death, but could not 267
 get them at that time to do it. I expect to portion all
 I have while I live and get some things started and
 then the principal will go towards carrying them on
 perpetuate my name, and the things I project or found,
 I shall have my due portioned off to me this year, and
 only make one request about real estate, that the
 house 9 W. 20th St. be mine as it stands, and I prefer
 City property 23rd St. & 20th, some in 23rd if only
 one house—there will be no pressure brought to bear
 upon you or Jenny. it is my legal right and will bring 268
 harmony all around. I want deposits twice a year
 while in England in the Bank of England, London, Jan.
 1st., July 1st. I hope you will both come for June
 30th, the Queen's 60th Jubilee is in June, you should
 come for that if possible, as I wrote Maggie, you
 come with Ethel to stay at least 6 months, and make
 up your mind both of you that I am in my grand des-
 tiny predicted since I was 26 years old, everything
 will be swept from my pathway that opposes me or
 my splendid and glorious future. I can travel

- 269 with you Maggie, one thing I want to say Dear Maggie and Fred., give up all opposition to Stanley and Helen, it is destiny and another thing, let them marry and come to Europe for six months, then let Stanley go into S. American I have advise to this effect that it will give Stanley health and benefit Helen. they have had enough college life, LISTEN TO ME IN THIS matter she is a splendid girl, he will not get well until he marries. *Heed what I say*, I have his destiny to shape, Alfred wants him in office by
- 270 1898, Jan. I will wait about my selection of a man, you can form your own opinion when you see him. I am not afraid of it, for you should know by this time that I don't associate with any man that is not a gentleman, if you remain obtuse to this fact longer after seeing him, then I have nothing to say, if you choose Fred to allow prejudice to control you, then you will disappoint your mother who has brought you up to the best of her knowledge and ability. I came across a *Paris Herald* here that has account of
- 271 the ball I attended and a notice of the Kedive's as well. I send it for Jenny to read and you all. With love and greeting to all, I remain, cordially your, Aff. Mother.

II. CONVERSE RICHARDSON.

(Marginal.)

- I send my new card. I announced it at Shepherd's to Manager and a few before I left. Kiss Ethel. Give my love to Mrs. Gilbert and Mrs. Gorham and
- 272 remember me to Hannah and tell her I am married happily. She will be glad to know it.

ATHENES le Feb. 16th, 1897.

DEAR HELEN :

Here I am in historic Athens. Arrived Sunday morning, ask Jenny to let you see some of my letters descriptive of Egypt and the Nile trip, she may have done so by this time as I wrote to that effect, and

when I write about Athens, want you to see letter that 273
I will write for next mail to the States.

Well dear girl, I can see my way clear now that
1897 has come in.

My mother has worked everything out as she wishes
it and my dear Father is at work with her. I send
my new card *it was* a bright thought of mine to
have the Doctor take name Richardson his middle
name and his mother's too, and only use Henry R.
Rogers, M. D., for legal and medical purposes, he
has too cards one as written and one like mine only the 274
Mister on instead of Mrs as in mine they have
made such a football of Dr. Henry R. Rogers' name in
N. Y. Herald, and some malicious tongues assisted whom
he has saved from starving and lent money too, through
malice and jealousy, one Mrs. Kase of Phil drinks
badly she has called him *son* I think she is possessed
of a devil when she drinks, for it seems to change her
whole nature. Curious he met both wives in her house
and was developed there, first was false and left one
daughter is dead, and she is a sweet girl 19 yrs., is now 275
married and lives in Boston. I mean to be a mother to
her. She has two children, one two years, one a young
babe two months old. My husband's Mother is living
too. I shall try and be a good daughter to her and
have them both come to London in June or
July. I have felt your dear mother im-
press me this morning—that Charlie went
over in Nov, that you went to the
burial, that her parents will take care of her and the
children, that Fred is West and in a good position, 276
Mrs. Bennett said he would get along after a while,
that your father and mother are together, mother and
grandma and are developing, and that you will get
money yet from that case, and money from Mt. Desert
property, I hope to have a grand time June 30th
1897 in London the spiritual wedding, have had a
written contract the betrothal and civil and religious
one Jan 26th at Alexandria, ask Jenny to let you read
the letter—I have passed the Rubicorn of my destiny
—it will be glorious a magic fate. I hope to make

277 more happy this year than ever before and yours will
 be one of them. Now for business—I wish to adopt
 you and have you come out when Miss Perkins and
 others come in June—hope all will come in time for
 Queen Victoria's 60th Jubilee, I don't know the date
 yet, they can come in the *Mohawk* as cattle steamer I
 think for \$60.00 only first class 75 persons can be ac-
 commodated large state rooms. I can attend to your
 wardrobe here in London—Jenny can see to everything
 you need for voyage and charge to me—I shall give
 278 you \$500 a year to spend and clothe yourself, I want
 to give you a musical education and the higher
 branches with tutors either at home or to go out to
 their houses or schools—and you can help me in type-
 writing and playing my accompanyments when I give
 evening entertainments. I shall have a typewriting
 machine or my husband's new machine for printing at
 home that supersedes the typewriter. he is forming an
 English Co in London in the spring, and will have the
 first one made in London, as soon as foreign patents
 279 and American also are secure. he is a lovely spiritual
 nature, my mother told me in Paris she had looked
 him through and through and had chosen him *long*
ago for my protector, I did not understand until Dec.,
 thought it was a legal for my money interests only—his
 wife has met one and will change her name I had to
 break it to him first, it is by order of spirit guides,
 but the way she did it was so unexpected that he has
 not recovered from it yet, it was the worst stab he
 ever had—when she wrote she would do nothing to
 280 disgrace him or me—but had a knave of a lawyer I
 think, but it will work out all right, my father told
 me last spring that persons and things would be swept
 from my pathway and that I should have *my love*
nature answered, and he would have power to do it
 and atone for the one injury he did me in consenting my
 marriage with Alfred at 19 yrs. under the influence of
 a woman my *step mother*, Write to either Corfu or
 Venice, better give letter to Fred to mail, I will take
 you from that work May 1st and have Fred give you
 \$50 until you come a month to pay your expenses and

more if you need, tell me if you are engaged to that 281
young man, I must know if you like him,

(Marginal notes)

if so come and when two years are up if you don't
change your mind then can marry him, with love,

HARRIET CONVERSE RICHARDSON.

Augusta says at last Helen I shall see you in a posi-
tion in society I should choose for you, Your dear
mother is so happy now Helen. & sends her love is
guardian with Harriet your adopted mother in 1897 282
& your father. If you wish you can let Jenny read it
and your friend Mrs. Castels I thank them for their
kindness to you mother and all.

(Letter from Harriet E. Beach to Mrs. K. Cahn.)

HOTEL GRANDE BRETAGNE,
ATHENES, Feb. 17th, 1897.

DEAR FRIEND,

283

I have taken pen to write to you, will you please ask
Jenny to soow you my letter written Jan. 26th. I
am married, was on that date at Alexandria, I have
had the written contract signed by both, the civil and
religious now will have the spiritual June 30th 1897
in London, as you have heard me say I would do—I
enclose my card, Mrs. Henry Richardson, Doctor has
card the same it is his mother's name, he will use the
name Rogers only for legal and medical purposes—I
only intend to announce it at present to a few chosen 284
friends you among them and the children and rela-
tives - public after June 30th intend to write it for the
spiritual papers—I will take a house in London for
six months or a year anyway—I want some friends to
come and hope you will be one of the number, come
in time for the Queen's Jubilee and then in July go
to Germany, will you make me 6 night dresses 4
same as I usually use, one nice needle work hand the
frot handsome, make insertion front to go whole
length—with edge each side—then a handsome one of

285 real Valencennes insertion and lace. I dont care
 what these two cost, they will last for my life time,
 then *6 pairs of drawers* 5 pair as usual, one pair with
 needle work and Valencennes lace, or two pair hand-
 some, 7 pair in all, if you do not come you can send
 by Jenny or Miss Perkins. I am directed by my beauti-
 ful mother and Daniel Webster is my council, I am
 in my magic fate every way, and the predictions for
 1897 are coming true, rapidly—I am grow-
 ing young rapidly. Alfred has progressed and
 286 is helping me, is glad to have me have
 a protector, everthing has been directed by spirit
 power, we have a work to do together superior to
 any ever done in London particularly—I hope you *will*
come, if you write to me send by Jenny, I keep her
 posted, have been on the Nile and Cairo two months,
 elegant climate, been through Italy, Rome Florence
 Naples, Nice, arrived in Athens Sunday morning, it is
 a beautiful city, historic Athens, being rebuilt, the
 home of Pericles and Aspasia, Madam Azulay, 37 Bed-
 287 ford Place, where I have staid in London is reasonable
 and can accommodate my friends \$12. and \$15. per
 week in June, I shall appropriate a certain amount for
 some friends to come out to London—The cattle
 steamers are large only take first class passengers—I
 think \$75. round trip not certain, heard of the Mo-
 hawk, hope they will come out together on that line,
 Jenny will tell you about it or Miss. Perkins—remem-
 ber me to Mary and Maggie and the girls, tell Maggie
 to tell Mary I am married happily at last, and that I
 288 am beginning to get my fate, that I told her always
 would come for me and that Mr. Beach is helping me
 to get it. I hope your eyes are all right by this time,
 I presume you did not go to Glen Falls, but put it off,
 and had to have eye cut, any way I hope it is all right,
 if you ever see Mrs. Chase (English] tell her about me
 and marriage. I go from here to Corfu, then to Ven-
 ice, then to Paris and London by the 20th of April, I
 expect to spend my birthday the 29th in London. I
 hope Jenny will come over for one year am trying to
 get her to do so.

Mr. Gasper had a narrow escape of *his life*, but he is 289
 fortunate in accidents so is Jenny, she seems quite
 happy and settled now, I hope you will make up your
 mind to take three months this summer and enjoy life
 and let business go, it is time you did so. I think I
 shall stay here until the 25th of Feb., then take a trip
 in Greece of 7 days including 6 excursions only 12
 hours then to Corfu they call it a Madaria Island the
 English built elegant roads there all over the island,
 elegant trees, baths, if one wishes and a winter resort,
 please remember me to Mrs. Lewis if she is in N. Y. 290
 I can always get mail through Cook and Son London.
 I wrote letter to her at Lucerne in August, never re-
 ceived a reply—you can tell her I am Mrs. Richard-
 son if you write, I wish I could hear or see her in Lon-
 don and that she could come June 30th, 1897 to the
 wedding. I expect to have a grand time.

Cordially,
 (Signed) H. RICHARDSON.

291

HOTEL GRANDE BRATAGNE,
 ATHENS Feb 18th 1897

DEAR JENNY :—

Mail goes out Friday morning 9 o'clock. There is
 no great stir in Athens, soldiers went off last Sat.
 they are feeding 10000 refugees in this City at the
 present time, I think King George made a grand dip-
 lomatic stroke and that it will force the 6 powers of
 Europe to bring things to a crisis and Crete will be- 292
 long to Greece which they want, I mean (Greece). I
 have conversed with a Greek gentleman last night
 about it. *First to business* I want 12 bottles of Ex-
 celsior Madam Yale's Hair Tonic sent to London for
 April 1st., it takes 20 days or a month so Wells &
 Fargo told me in Cairo, presume it is quicker to Lon-
 don and Paris. Please have Kalash send *one bottle* to
Paris, direct to Madam Azulay, No. 37 Bedford Place
 Russell Square London England the box. I will get
 out of Hair Tonic by April 1st & don't think I will get to

- 293 London until the last week of April for my birthday the 29th we will have three weeks in April for Venice and Paris I think. Please order a large bottle of - Witch Hazel Ointment, I have had small one 25 cts large 50 cts., it will last one year, order three cakes of Mrs. Yale's Soap, \$1.25—\$10.00 the 12 bottles save \$2.00 on a dozen. Direct Mrs. Henry Richardson to London and Paris, now *don't forget* that I have changed name, I am so thankful to put the name of Beach behind me forever, but Alfred E. Beach's name will live
- 294 and be illustrious through the paper and shield, and I helped him to redeem it and for him to gain an illustrious destiny, but I have suffered so much I have prayed for this day, but throw no obliquy upon Alfred *understand me*. Tillman Prof. who has discovered all these ruins died 8 yrs. ago. I have seen his monument this morning, and it is elegant, statue in centre shaped like a temple in front oblong with frise on each side representing excavating and himself and wife overseeing it,
- 295 different designs on each side. Saw several in new cemetery *my idea exactly* one a column with bust on top, one a pyramid flat at top with bust, half as high as the ceiling or as high as the top of a door, I hope you have not ordered it yet, but if you have there is one something like Moliere, very artistic, but I like the other best, don't care what it costs, I can pay half, you and Fred the rest. *I forgot* I would like sent at the same time by Kalash, Hazzard's No. 6 Cologne one bottle last me one year, and A Salve for Corns at
- 296 Mrs. Libbys 1166 Broadway, she knows the kind in porcelain dishes. I have sent an order to Mrs. Cahn for night dresses and drawers for June, two handsome dresses, one in hand needlework, one in real Valencennes other 4 as usual. the two will last while I live and be nice for sickness or any other occasion. I think it will be a \$50 order, or more, maybe \$75. I told her not to spare expense on those two and two pair of drawers. Will have 5 pair as usual, 2 pair nice with needlework and Valencennes. better send things by middle of March if it will only take two weeks. I

send you a pretty souvenir of Athens to keep I have 297
 one myself. I have a book upon Mythology bought
 to-day of Greece, which will interest you at some fut-
 ure time. To-day I stood on Mars Hill where Paul
 preached, it seems like a dream, the Greek gent told
 me that Athens has been built up in 60 yrs. after old
 Athens. *Oh! you must come here* everything that
 meets the eye is artistic. I go to the Opera "Carmen"
 Italian, to night. Wed I was in a Greek church for
 the first time, so artistic, painting there of Paul preach-
 ing on Mars Hill. Witnessed a funeral service and held 298
 a candle, stood near the altar on one side, bowed to one
 of the priests who held the incense, saw the Arch Bishop
 of Athens they stood around in a circle and
 chanted, a corrister sang between had a fine tenor
 voice, body uncovered the face below in the aisle, is
 carried from house to church with face uncovered,
 bury in 24 hours, don't embalm body, friends kiss face
 after service and follow on foot the body until near
 outskirts of City, then enter carriages to the cemetery.
 The Arch Bishop speaks about the virtues of the man 299
 same as we do, this was an aged man. Went to the
 Helliopolis on Monday. It is on a high rocky hill,
 with a magnificent view of Athens and surrounding
 country, there is a picture at hotel for sale \$30.00.
 I will buy it done in black and white silk same as I
 saw and wrote about of the Princess of Naples (the
 bride) only one woman does it in Florence. I can get
 a marble figure of *Taurus* (the bull) taken from one
 that stands in Cemetery found recently within a few
 years mounted on a high pedestal for \$20. Will 300
 order one for London house ready for attack same as
 in my Astral Almanac. have not read up in book
 yet about anything. We have a splendid guide
 think of leaving Friday Feb 25 for the 6 excursions.
 Take steamer Friday week and arrive at Corfu Sat. 6
 A M save a great deal here, hotel fare per day \$3.00.
 It cost \$70. per week in Jan. at Shepherd's, and Feb.
 have to pay for the style and in the height of the
 season, I should go to the Continental or the Ghezerah
 Palace again, not to Shephers's but that is the finest

- 301 location with garden and trees three sides of hotel. Americans don't know of the other ones. At 3.30 P. M., waited at entrance of Palace, saw the Queen and King and Princess who is to marry a Russian Duke next summer. Queen walked past us to her son's house plainly dressed, bowed very politely. King bowed as he came out of the gate politely, then we entered the Palace, the ball room is elegant, saw the Queen's parlors where she received every Friday, not at present on account of disturbance at
- 302 Crete, they have no body guard, only coachmen in livery, very republican and free he is thought very highly of in Athens. We are to visit House of Parliament in the evening when is session soon. You see I am in the swim & my magic fate. Mother told me through Mrs. Woodhouse last spring, that my life would seem like a dream in future years, that the past suffering would be obliterated from memory and I would have a magic fate before me for all futurity.
- Please tell Maggie to find my Camel's Hair shawl
- 303 and Scarf and wear it some

(Marginal Notes)

- and keep it for Ethel and give it to her when 18 yrs. on her birthday 9 yrs. from this and don't let the moths get in it again. I paid \$4.00 to have it put in order. Will have three dresses brought out in June, silk, blue, and Mrs. Munn's and Grant's picture too—in oil by you or Helen or Miss. Perkins, I wrote to Helen she will show you letter that I will adopt her May
- 304 1st. In patent company I am to have equal share with my husband in profits. Keep that to yourself and Mr. Gasper under new arrangements—as I have told you I would do. Remember me to Mr. Gasper. Kiss Ethel——forgot to write I would like Phelps's house assigned to me with land through to water—no power of attorney required—only a deed of trust for my present husband to act for me in distributing it, at my request and as I wish it. I have decided to give Emma William's wife, \$25. a quarter for herself again April 1st I intend to have Fred attend

to bequests if he will for me. Will tell you more later 305
about my money matters. I will have complete
control of my money.

Aff Mother II RICHARDSON.

HOTEL GRANDE BRETAGNE,

ATHENES Feb 22 1897

DEAR DAUGHTER :

I received letters from Fred and yourself & Yale's 306
cards Sunday morning—queer you should send to Naples.
letters went to Cairo then came here, and there is
only one mail from Cairo to Athens, but three to the
States, one comes in Sunday, Tuesday and Saturday
13 days from N. Y. by South Hampton. I wrote the
26th of Jan. to direct to Athens, thought of going to
Corfu then but Athens is more direct, if I don't receive
checks on Wed. must cable for \$200 to go to Corfu.
I leave on Friday this week for Corinth and other 307
places in Greece five days trip \$80. \$8 per day for
one \$16 for two including guide, includes everything
except tickets to Corfu on steamer 12 hours take at
10 P. M. arrive at 6 A. M. Wed. A M if I had \$100
it might carry me through to Corfu I have selected a
marble bust of Taurus (the bull) my sign \$60 elegant but
very large, same as stands in the cemetery that was found
a few years ago. I went to Eulisius and had on Sat an
elegant day weather perfect like early October cloud-
less sky 10 mls each way gone 6 hours—lunch there and 308
guide Constantine by name of good family and French
wife, he goes with us on trip to Corinth, the great
Temple of Elusiman. Mysteries is there extinct now,
Dr. Wilder in N. Y., lectured upon them years ago in
the seventies. Sunday I was up at 7 o'clock, went
to Greek Cathedral at 9 o'clock service at 10 o'clock
Russian Church service an hour each, beautiful churches
but the service was beautiful in Russian, formerly
Catholic, the Roman digressed from Greek, Rus-
sian have Arch Bishop, not Pope like Rome, the

309 service is all intoned by the priests and Arch Bishop of Athens. Litany by two male singers Tenor and bass, perfectly beautiful, and heavenly all of it, the music is in perfect harmony with the service, superior to R. Catholic by far, saw the common and high mass—all stand or kneel, I had a seat offered me.

310 paintings are very beautiful in all the churches. I am going on a high rock soon, where there is a church and a view the highest in Athens. I am in the swim entirely in Athens. I have sang two evenings and am going to show my pictures and distribute my writings, &c., &c., musical this evening, flute Piano and Tenor singer, gentleman has a silver flute, it makes me think of my father and Uncle William.

I like the Greek ladies and gentlemen very much. You must come here I am enthused about Athens. I am going to send the Jubilee number to the King George, he has reigned 35 yrs. and is thought very highly of.

311 I am going to visit Parliament House at 5 P. M. then call upon a Greek lady I met on steamer Nicholas 2d on my way to Athens. The former wife of my present husband was married on Feb. 12th to Mr. Caldwell, he 70 yrs. she 40. He was the partner in printing machine but will not be any longer for he has not fulfilled his contract, don't mind telling you now—promised to send money once a month to the Dr. for expenses and he started out with *that agreement*, with some hundreds with him, well he has [not sent one cent.]*

312 Will write about Athens from Bedekah at *Corfn* can't get time here.

Can't get her mother to attend to her eating properly.

He owns a large hotel near the Park, let the men in it keep it without paying rent, and had to take it with furniture, was all tied up, the Dr. wrote to him to give Mrs. R. money what she needed after the

*These words in brackets are erased in original.

\$700 run out that was paid her in July on a lot at 313
Onset, Mass.

Henry is such a good man, and has been treated so treacherously, but I am his mascot as I was Alfred's, but everything has been done to make things legal for me, I received the paper in typewriting Sunday from Alexandria, Rev. McFarland missed me he went to Cairo the same day I left for Alexandria. Sunday they had a great demonstration at the Palace the people all crowded there, the King addressed them after the news came that the Greeks had had a victory in Crete 314 and taken a citadel, the flag is pretty—blue and white stripes with a cross on it—now, there is news that the English and some other power have fired on the Greeks—in my Almanac's war for three months in Crete and Europe. I think there will be one battle short and decisive between all the 6 powers, and then a change will come and peace and revolution and Greece will have Crete, *no more wars*. I think when 1900 enters the golden century when will come the new earth, conditions, the two worlds have met spirit and 315 physical and the millennium age is here—I intend to write to Josephine Douglas and Grace White at Corfu, if not before and send my new card. I met a Mrs. Tilliston I think from Michigan with husband two daughters and son nice family. she knew Henry Ward Beecher and Mrs. Bird of Montclair is her intimate friend.

Marginal notes on first sheet of letter :—Glad Ethel is developing French and music she is to be a musical genius, she will have to care until 14 yrs. a trip to 316 Europe and travel will benefit her.

Love to Mr. Gasper, so sorry he had another hurt come to Europe for a year and it will renew his life many years. You will read about my plate, went just in time to save my clasp teeth. Direct to Venice after receiving this letter. I send vouchers glad lot is sold I like monument but I like the one I wrote about better by far but presume you have ordered it—this in Athens is of white marble beautiful.

Marginal notes on second letter sheet :—I congratu-

317 late M upon success and her perseverance with eye's
and success.

That is my work to start people and things.

Aff. Mother,

H. R. II. RICHARDSON.

A Copy of the Words used

In the Marriage of Dr. Henry Richardson Rogers and
Mrs. Harriet E. Beach January 26th, 1897.

318

“Do you, Dr. Henry Richardson Rogers take this
woman whom you now hold by the right hand, to be
your wedded wife; and do you solemnly promise in
the presence of God, and these witnesses to be a loving
and faithful husband to her *till you shall be separated*
in God's providence?

319 Do you, Mrs. Harriet E. Beach, take this man whom
you now hold by the right hand to be your wedded
husband, and do you solemnly promise in the presence
of God and these witnesses to be a loving and faithful
wife to him *till you shall be separated*?

In virtue of the authority invested in me as a minis-
ter of the Gospel, and according to the laws of our
country and also of the country in which we are, I
pronounce you man and wife. What, therefore, God
has joined together, let not man put asunder.

(Signed) K. W. McFARLAND,

American Mission.

320 Jan. 26th, 1897.

ALEXANDRIA, EGYPT.

HOTEL GRANDE BRETAGNE,

Athenes le Feb 25th 1897

DEAR FRED & JENNY & MAGGIE :

I received the \$300 to-day 9 A. M. here on time,
cabled 2 or 3 P. M. Wed wonderful how short a
time a message can be answered. Your letters did

not come Wed's mail, *no mail* again until Sat A 321
 I can get it Sunday night at a place where we
 stop over Sunday Philetus I think is the name so
 Cook will forward it to me, I shall need all this with
 the \$100 I have on hand and the \$500 Will make
 \$900, I have at least six or seven weeks before get-
 ting to London.

I have on deposit over \$100 to pay on some
 handsome things the rest \$75 in April or May the
 Bull is \$60—beautiful. The Acropolis picture in white
 and black floss is \$30. Jenny there are two sisters 322
 that manufacture silk fabrics Greek, for summer
 waists and dresses and scarfs, I have one blue for you
 (scarf) and ordered a sky blue material for fancy
 waist, will send them after I return to London so
 you can have waist made up—we don't have any-
 thing like it and ordered \$14 there, I have an em-
 broidered dress Greek in stripes and skirt white with
 a worked border and velvet maroon and gold Greek
 waist all for \$38 in Paris—the Greek ladies wear 323
 European dress more now, this man sells goods to
 them, and buys their dresses for American and
 English, &c.—this dress is embroidered in colors
 beautiful on some thin material all covered must
 have cost \$50—I get for \$20, velvet waist cost \$40 I
 got for \$28, skirt \$5, done on some of the islands
 Syria I think. Well I have grenadine dress
 on this evening. I leave Friday and we take
 steamer Tuesday 10 P. M. arrive at Corfu next
 morning—it is my present husband's birthday 51 yrs. I
 had a blue scarab with inscription on it that he bought 324
 on Nile fixed for a pendant for his watch chain. Con-
 stantine guide attends to everything for five days. I
 was at his home this afternoon and his children are
 perfectly lovely, 2½ and 10 months—picture of health,
 he has a very nice apartment—five rooms for \$10 per
 month, a beautiful little home, his wife is French—he
 has been in N. Y.—three years with a gentleman
 travelled with him some 15 years ago—they graduate
 and receive a diploma, speak several languages.

I am the prima donna, danseuse and belle of this

325 hotel and cut out all the girls so they say, I asked them what they would do when I went away, for some one to stir them up—*cry, cry, cry*. I danced splendidly last evening they encored before I *finished even*—would you think it at 68 yrs? I have told you all I should yet *shine*. I found a delicate pink camilla this P. M., have it in with my scarf to match.

(Marginal notes)

Have had a splendid time in Athens, will visit 4 or 5 places in Greece.

326 7.30 P. M. send menu for Jenny, Shepherd's I have forgotten to send before.

Fred better change my name at Express office to Harriet E. Richardson. I have a letter of introduction to Sarah Bernhard, Paris. Mrs. McGrath is her sister-in-law a Greek lady here perfectly lovely, Sarah's husband's sister. I think the great tragedienne Rachel inspires Sarah, she is a believer great success in new play. (I shall see it in April) "Spiritism" the name.

Aff. Mother, H. E. RICHARDSON.

327

MARCH 9th, 1897.

DEAR JENNY,

FROM ATHENS,

Here it is the 9th of March, letters came Mon. by way of Venice, Cairo Naples, one from Stanley none from you, or Fred in answer to mine of Jan. 26th 6 weeks to-morrow Wed. Mail went out from Alexandria, I will send the copying—will take up Olympia later, it takes time to copy out for you all, but is instructive, will keep the Jacket until summer and you come to London, did not get belt, tried Jacket on all right does not require belt—If not too late when you receive this send two of Smith's Magnetic Salve, not sure I can get it in London, I think Stanley is possessed of a demon, I burnt his letter, I wish you could have read it. He even intimated that my present husband would do away with me to get my money by killing me. Mrs Woodhouse said last July he was a medium but undeveloped. He has Trilby on the brain,

when in that condition the undeveloped spirits get control and cause crimes and everything to take place in this World, such devilishness as I have had to contend against is unsurpassed—Don't let Stanley or Fred influence you, but believe your mother.

aff mother

H. E. RICHARDSON.

(Marginal notes.)

I send honey for you paid for.

No checks must cable again.

Fred *shall bend to my will.*

330

CORFU March 13th '97.

DEAR JENNY,

Please send enclosed two letters to The Governor of N. Y. State. I don't know his name. You and Mr. Gasper can read them both.

I feel as I have been Mrs. Chase's good angel in 'the past, that I shall be this ' year and release her, I think the clause I marked will clinch the whole matter, and what I have written, I have more psychic power now in 1897 than ever before to produce results. Be sure and send them immediately keep quiet about it to any one else, except Mr. Gasper. Here it is Saturday and no checks yet, if nothing comes Sunday from Athens, then must cable on Monday, and spend \$5.00 for Fred's stupidity or obstinacy. I can get money any time from London lawyer if I write and ask for it, can't get what is my due now without delay and annoyance (*it is March*)

I will have the matter settled soon, and have plenty of money placed twice a year in Bank of England, I expect to write to Emma at New Haven as I intend to give her \$25.00 quarterly. I will advance it \$75.00 in June or July so she can go to see Yale, it is better not to get return ticket for Yale will want her to live with them, and if I allow her \$100 in a year she can pay some for board and clothe herself with what she can make in some way, perhaps Chloe will help some

333 and yourself even \$50. a year from each of you would help very much, she can give up house here and sell furniture and get some from that.

Wm. must take care of himself—but if he cannot then Drucilla, Chloe and Fred must take care of him and Joseph—

I shall only help Emma to the extent I mention, —I am enjoying it here, I sing every evening, there is a gentleman here Mr. Harris of England of the aristocracy I think who plays beautifully Chopin and
 334 List, I told him last evening I felt List inspired him and is his control, he is at De Angletare Hotel where I first went (next door) the one man owns both only different managers of the house—he played accompaniment for “Ave Maria” one evening (the first I met him) exquisitely *I say divinely*, he imparted the magnetic force or power or strength of voice for inspiration to come to me, he was charmed so he told Mr. Hancock (the American consul) he is a young man and I have him on my string of admirers now here, he
 335 took me in De Ang Friday evening I sang “Last Rose of Summer”, I think Jenny Lind inspired me with that now. Marginal notes:—I wish Fred would send me 12 of the papers Jubilee Number, I want one for King George of Greece right away so much, met his right hand man Friday evening, he is stationed here now I am coming right into royalty this year, strange you do not write or where your letters are if you have written. I am in my magic fate now 1897.

Aff. Mother,

336

H. E. RICHARDSON.

CORFU GREECE,

March 16th 97.

DEAR JENNY,

Your letter of Feb. 23rd and Fred's of 22nd came from Athens after going to Naples and Cairo on Monday (yesterday) there have been two cards sent to Naples since we left Athens, and cable Monday hoping to

head the letter with checks off from going to Cairo, I 337
 arranged at Hotel about board for two weeks up Wed.
 (to-morrow) and even longer so I will not have the ex-
 pense of cabling to N. Y. Cty, if letter goes to Cairo
 I can't receive it before next week on Monday, if I
 cable Fred should pay the expense in N. Y. and not
 charge it to me for it is all through his stupidity, there
 is no excuse for it whatever, I distinctly wrote Jan.
 26th to direct letters to Athens and send checks there
 after receiving that letter—I am very glad you are
 having some musicals and receptions and that Ethel is 338
 where you can teach her in many ways for you have
 good government same as your Mother, then take every
 pains that she gets started right in music now, she will
 be inspired to play and with the training one can com-
 mand the highest form of inspiration. I was invited
 last evening to a select company here in hotel by a
 lady I met in Athens who recently arrived (Greek)
 met Spanish and French Consul and some lovely Greek
 ladies, as usual I was the life of the company, they
 pay great honor to an American lady particularly the 339
 Consuls, had an interpreter by one of the ladies for
 them. I sang "The Last Rose of Summer" (divinely)
 I think Jenny Lind inspires me now with her voice
 with that song, I dressed in grenadine and danced, I
 never use scarf the same but invent different move-
 ments of it and don't you think the Spanish
 Consul started me of the "Catchua" that Martha
 Stickney danced 52 years ago, I playing for her at
 school recess in Boston, she only passed over a year
 ago and it came to my memory and I carried the 340
 palm the gents were all enthused over it, and the
 lady who entertained Mrs. Caldwell married a Scotch
 gent they were all in love with me married and single
 what do you think of that a Greek very wealthy fol-
 lowed me all the time do you think I better take him ?
Single, 35 years. is wild over me. I had photo taken
 to-day in Greek costume (*borrowed*) costume (of porter)
 another lady started me on it she had hers, she is
 from Constantinople but an Austrian, I am meeting
 elegant people all the time, some of them will visit

- 341 London and my entertainments I expect to give in London. I have written to Mad'e Asuley for a large parlor and alcove bed room joining the room I had for myself, my husband can have my old one single room there is a piano in the parlor, but I don't expect to give reception there (unless occasionally) I hope to introduce myself to Sarah Bernhard in Paris and see the play "Spiritism" she is having great success. I am in splendid health, such an appetite, I take the honey every morning. I think you can get it in N Y very
- 342 healthy for stomach, *mine is strong now*. I am glad you take my marriage so sweetly and trust your mother, I want you to implicitly. Fred said very little but all prejudice will be removed from his mind when he meets my present husband face to face, which I hope he will do and come for June 30th if he cannot stay more than two months, then we can have a family *reunion*. Be as happy as you can and come to Europe for a year in June—I am delighted that Mr. Gasper has recovered from the accident. Do you
- 343 drive dear Kansas?

You have not mentioned her. Stanley wrote that you were going to have her sent to N Y—I have forgotten to say I will pay for Nellie's keeping while she lives but better have her chloriformed she will pass away peacefully and *unconsciously*. Sorry for Annie Farrier you can let that \$50 go—but want Fred to send \$50 to Yale, for me early in April when next dividend comes in, it is my wedding present to him. did you send my letter to him? I hope so—I wrote

344 to Emma what I would do. Give my sympathy to Annie and next quarter Fred better give her \$25 for me again. I am glad you and Fred are developing your nature to do for others, that is the treasure in heaven where moth and rust cannot destroy or thieves break through and steal—remember that both of you always.

Aff. Mother.

Marginal notes : Love to all, hope the things have arrived before this and duty not large. I will write a letter to Fred on his birthday, March 27th.

H. E. RICHARDSON.

Copy of Postal Card from H. E. Richardson,
To Miss Lotta Goldsmith,

CORFU, GREECE,

March 16th-97.

I forgot whether I sent you a card from Athens or not, it seems as if I did. I had a splendid time in Athens and here, wonderful success with pictures, music and dancing. Am interested in Greek church service spiritual *health excellent*. things are going like wild fire for me. Greece will get Crete astrological for it and predicted in Zadkiels for 1897. Hope you will make up mind to cross in June for the 30th, and your sister for three months—hope to hear from you, *for my event* you are invited by me to be present, am meeting people this year all the time for it that will go to London soon for it. Write.

H. E. RICHARDSON.

GRAND HOTEL ST. GEORGES,

Corfu le March 21 1897.

TO MRS. PIERCE,

Dear Friend,

I came here early in March and sent you a card from Athens, I am staying here this month then go to Venice, then Paris and London. I have met Sarah Bernhard's sister-in-law at Athens and she has given me a card of introduction, and will write before I get to Paris about me, she is having great success with new play "Spiritism," is a believer herself—I feel "Rachel" inspires her—Yesterday I had some ideas given me about the play of "Josephine" you have—I get things through myself correctly now, this is the year 1897 for my success to begin, and I will have a house in London this spring. I expect Jenny will come in June and some others, Miss Perkins one of them, what do you say to coming? I will pay expense of your fare and you can take charge of my house and see Sarah Bernhard (I will prepare her for it) have play arranged—I feel she will take it up, and if she will put

349 money in, we can give her profits accordingly, is your deafness any worse? you better come with Miss Perkins or when the party come I hope to have a few and Mrs. Cadwell and son and daughter. I am married and if you see Jenny she can tell you about it Dr. Rogers is the man. I had a bright thought and take the name Mrs. Henry Richardson, he only using the other Henry R. Rogers, M. D., for medical and legal purposes. Mrs. R. was taken out of his life and I was put in. she is married again in
 350 N. Y. City, all under spirit direction, a surprise all around, but we have a work to do together in London and Paris and other cities. I shall give elegant entertainments in London (free of course) I had written contract betrothal on The Nile Jan 1st 97 one year from Alfred's departure, marriage civil and religious at Alexandria Jan 26th 97. I dictated service at The Khedive Hotel now June 30th 1897 hope to have a spiritual wedding, with Mrs. Cadwell to materialize and carried on by spirit friends, and a family
 351 reunion son and daughter and family in London shall appropriate a certain sum to have chosen friends come to Europe to be present you among them, then will write all for the spiritual papers in London and States. I am only making it known to friends not generally until after this event, don't you think I have entered my Magic fate? Mr. Beach is happy to work for me and is interested in all this with my mother at the head. Do write soon if you can come and how much money you will need to come with, don't

352 (Marginal notes.)

stop for clothes you can get all you need in London you know—I have always told you you should keep house for me. I hope Annie will decide to come and cook for me, they have clothes laundried outside in London. I go to Bedford Place first of May—don't hesitate to come, I feel you must be here to get play through.

With much affection,

H. E. RICHARDSON.

Grand Hotel, St. Georges,

353

Corfu le March 25th

DEAR JENNY,

I send some cuttings and paper that I have only just read about ball at Cairo and Judge Holmes and wife the lady I wrote I thought so handsome. I received by cable at last \$400. I sent for \$500. Fred has not done a single thing as I requested this month of March, I have three weeks board to pay to-day—I leave for Venice April 4th steamer only goes once a week—\$49 for two five days on water, more expensive by 354 land to go to Brindisie then railroad and tedious and I think 32 hours by rail. I need not repeat what it has cost to cable twice because Cook has no office and I had to give address of The Ionic Bank Corfu, the money was sent to London first then Corfu, received to-day Thursday. Fred cabled that he mailed checks on Friday March 19th and they cannot get here by way of Venice before I leave Corfu a few days later, so I must wait until I arrive on the 8th, and will not have enough within \$50 I think, because I have bought 355 your Jacket and other things here, presume I shall have to ask the manager of this hotel to wait and let me forward a week's board, don't know yet. I am in a Magic Island and in my Magic fate. I am so happy in Greece, my old bouancy is returning, I gave a parlor entertainment Tuesday evening, explained pictures and sang "The Last Rose of Summer," and think the beautiful songstress Jenny Lind inspires me with that song—I gave the dance never used the scarf so gracefully, a lady yesterday at parting said, "I shall 356 never forget that beautiful graceful dance you gave, I cannot get it from my mind, I wore grenadine dress and used scarf to match—stockings that match and scarlet slippers I bought in Washington (will get a pair for dress in Paris) the use of scarf is the most difficult. I think I get aid from the great Fanny Ellslore lately, it comes so as well as the dancing girls of the Temple of Ramisis 1st. 2000 yrs ago now since I have visited the ruins of the Temples it has helped them to form a battery round me—it takes with every one. I

357 am reading Homer's Illiad in English, the library here has 40,000 volumes established when the English owned Island—I am not writing much now the rest of the time here keep what I send for your perusal out of Zadkiels Almanac about St. George and Dragon. You can bring it with you. I hope you have sent one bottle of "Excelsior" hair tonic to Paris as I directed so I can get it April 1st or 7th in Venice. I have written to Cook to send it there. I am out of it now. I have not had any letters except those that

358 came I mentioned, don't know were they are, only one from you since I left Athens over a week ago, what can be the matter. All I can say it is the month of March for me. I will write to Fred. on Sat. the 27th., his birthday, and copy what it says in Raphael's. It is excellent for the year must close visit the Empress of Austria's grounds Friday a three hours drive if pleasant.

(Marginal.)

359

Love to all Aff. Mother,
H. E. RICHARDSON.

GRAND HOTEL ST. GEORGES,
CORFU, le March 27 1897.

MY DEAR SON,

A greeting for your 49th birthday, (it has my fortunate figure in '9) I copy from Raphael's Almanac (Astrologic) For the day "seek employment, ask favors, sign writings and negotiate business,"—For the year 1897 from birthday March 27th '97—Thou hast an excellent birthday, and thy money and business will increase fast: those in employ will meet with promotion, The young will court or marry." The position of the planets are remarkable, Mercury trine with Saturn (good) Moon sextile with the sun (magnificent) Hershal, Mercury and Saturn. I never remember seeing such a remarkable position of the planets. It might not occur again in a lifetime, and indeed I think

360

it is rare and uncommon. I will copy and keep it to 361
refer to in future and see if it does. Sat. here there is
a mail each way afternoon—I think there is some foul
play about our letters, for we have sent to Cook's offi-
ces all over, the last from Jenny was Feb. 16 five
weeks ago, from you the 22nd, same month. Mr. R.
has not had letters in two months from N Y City. a
cable said important letter sent Feb. 12th, but none
has come—such deviltry and trickery has pursued him
and me as well through 1896, but I will come out con-
queror I always do, and I am his mascot as well. The 362
\$400 came. I should not have sent for \$500 if I had
not needed it. I cannot get the checks sent to Venice
March 19th here before I leave April 4th, they
will not get to Venice before the 6th April. I ar-
rive the 8th (Thursday). You have not done one thing
I wrote requesting you to send checks after getting my
letter of Feb. 25th, and have them at Athens by the
15th of March. I want you to send \$500 in checks to
Paris, Cook's office the 7th of April, so I will have
them on my arrival the 17th or 18th of April after 363
the meeting of the 6th do not I have to send some out
of present checks back to Corfu and \$360 left it will
take for Venice and Milan and to get to Paris, for I
presume we will buy tickets from Venice to London.
I have dressmaking bill of \$100 more to pay I think in
Cairo in May \$75 in Athens. I am playing and
dancing and singing, music coming back to me (instru-
mental) the dance takes with both ladies and gents, but
I wrote about it. I feel Jenny should have Kansas, as
she had the mother (dear, sweet Kansas No. 2) I 364
mean yet to have a pair of Arabian horses one white
and chestnut or black, and get in Cairo, when I see the
right time for it. I realize now that I am a Cinder-
ella, I facinate with my foot, my life can be compared
to Cinderella's. Mail goes at 11 to-day, now 10.30.
This is a birthday letter, hope you have the Moon
stone as you wish for one on chain. I hope we will
have a family reunion the 30th day of June in London,
and that you will try to arrange and leave for two
months returning.

365 (Marginal notes)

Sept. 1st. if need be have July and August on this side. I hope Maggie and Ethel will come for six months. I feel her mother may pass over this Spring, she will go to her rest, hers has been a long and useful life, we should celebrate the birth of the soul, not the death of the body. Love to all your family and Jenny.

366 May guardian influences protect and guide you ever upward and onward forever more in the eternal progression of the soul, may you help others to help themselves, that is true charity and the religion of the soul as well (Faith, Hope and Charity—three angels of peace to the soul) is my interpretation of my mosaic pin my Talisman from the invisible spirit world since 1868.

Please send Scientific American one year to this gent—without Supplement, he tells me 6 or 7 years ago, it was sent for some years to all the Consuls in the place.

367

CORFU GREECE April 3rd 1897

DEAR JENNY,

368 I forgot to mention that two steel engravings I bought in London in '95 one of Henry the 8th & Anne Bolyn, they go together,—I left them this time thought if I had a house I could have them sent out and will frame them in London so be sure and send them and General Grant's oil painting that I think I mentioned to Maggie.—Why don't Fred inquire at Wells & Fargo express office they must be at Custom House, they said it might take a month. I return paper tell Fred I can't sign it under present arrangements I returned one before. I wrote what I wanted and that will settle the estate—if you both sign a paper giving me a certain amount in proportion to one third of all the property, I hope to have it settled for April 29th '97—my birthday—I send two photos, one for you and one for Maggie. Get some maroon velvet frames for them—I have mine in

one. *I was overcome when I saw it.* I never had the 369
 expression of face before in any photo or picture to me
 interpreted as I look after singing or conversing and
 showing spirit art pictures—my soul beams with the
 consciousness that I have entered in earnest into my
 divine mission of emancipating the minds and bringing
 about the new earth and new spirit earth combined
 the Golden Age and the Garden of Eden on the Earth,
 —a new religion and of humanity brotherhood and
 sisterhood that the work of 1867 done through my or-
 ganism will be accomplished and all the agony of my 370
 soul will reap its reward, that I have a brilliant
 career before me here and hereafter, and a magic
 fate, and that all prophesy will be fulfilled given
 through me, and of me, personally and otherwise. I
 have a great deal to tell you about my stay on this magic
 Island in my fate. will write it after getting settled
 in Venice. I think we will go to the Swiss Hotel. It
 is highly spoken of by a lady here. I have had most
 marvellous success since 1897 entered, have given out
 over 100 of my cards Mrs. H. R., many of them will visit 371
 London and my receptions there. My rooms will be
 lovely at No. 37 Bedford Place can have musicals and
 some spiritual work there, as showing my pictures and
 singing and some other phases—in May—then in June
 I can enter more largely in it. I expect to have the
 nobility &c., both of our lives run in that direction
 astrologically this year in Europe. I hope you will
 come for 6 months or a year,

(Marginal.)

you don't say if Annie English will come to cook. No 372
 washing done in houses in London sent out generally
 every week. It was remarkable about Mrs. Beecher's
 going on the same date I suppose they were locked
 under planetary conditions. Give my sympathy to Mr.
 Gasper, do not mourn, she will now be united to her
 son. I pack this A. M. large trunk.

Aff. MOTHER.

Give the \$10 right away to Mrs. Waldron. I wrote
 to her, H. Richardson, to Paris, care of Cook until

373 May 1st, then Bedford Place. Have written this at
7 A. M. before dressing.

Affectionately, MOTHER.

SUPREME COURT,

NEW YORK COUNTY.

374

In the Matter

OF

HARRIET E. BEACH (otherwise Rogers,
otherwise Richardson) an alleged in-
competent person.

Affidavit of ser-
vice of prelim-
inary order
read on peti-
tioners' be-
half.

City, County and State of New York :

375 JOHN P. LAMERDIN, being duly sworn, deposes and
says :

That he is a clerk in the office of Booraem, Hamil-
ton, Beckett & Ransom, attorneys for the petitioners
in the above entitled matter, and is over twenty-one
years of age.

376 That on the 29th day of April, 1897, deponent
served an order directing that Harriet E. Beach and
Henry R. Rogers, otherwise Richardson, have notice
that a petition would be presented for the appointment
of a committee of the person and property of the
said Harriet E. Beach, otherwise Rogers, other-
wise Richardson, and directing that two copies
of said order be deposited in the post office
at the City of New York securely enclosed
in a postpaid wrapper, one directed to Harriet
E. Beach, otherwise Rogers, otherwise Richardson, c/o
Thomas Cook & Son, Paris, France, and
the other directed to Henry R. Rogers, other-
wise Richardson, c/o Thomas Cook & Son, Paris,
France, thirty days prior to the 1st day of June, 1897,

and also restraining the said Henry R. Rogers from 377
selling, assigning, etc., any property acquired by him
from the above alleged incompetent person, by depos-
iting in a securely closed post-paid wrapper in the
General Post Office at the City of New York two
copies of said order, one directed to Harriet E. Beach,
otherwise Rogers, otherwise Richardson, c/o Thomas
Cook & Son, Paris, France, and the other directed to
Henry R. Rogers, otherwise Richardson, c/o Thomas
Cook & Son, Paris, France.

That the aforesaid order so served by deponent was 378
entered in the office of the Clerk of the City and
County of New York on the 29th day of April, 1897.

JOHN P. LAMERDIN.

Sworn to before me this }
28th day of May, 1897. }

JAMES E. HOPKINS,
Notary Public,
N. Y. Co.

SUPREME COURT,

379

NEW YORK COUNTY.

In the Matter

OF

HARRIET E. BEACH (otherwise Rogers,
otherwise Richardson), an alleged in-
competent person.

Affidavit of Dr.
Satterlee read
on petitioners'
behalf.

380

City and County of New York, ss. :

F. LEROY SATTERLEE, being duly sworn, deposes and
says :

That he is a practicing physician duly admitted as
such, residing and having his office at No. 8 West
Eighteenth street, in the City of New York, and that

381 he has been a duly authorized practitioner in medicine for upwards of thirty years. That he attended upon said Harriet E. Beach in his professional capacity in 1890, when he joined with Dr. Corning in certifying to her unsoundness of mind.

That deponent has carefully examined the copies of the letters recently written by the said Harriet E. Beach, during the period embraced between August 22d, 1896, and April 3rd, 1897, inclusive. As the result of such examination deponent finds abundant evidence of her insanity. Her delusions are of such a preposterous and extravagant character as to render her quite irresponsible. In some of these letters there is evidence of childishness, verging on imbecility; in others, of hallucinations of various kinds; in others there are delusions of magnificence or grandeur in such abundance as to leave no doubt that she is a sufferer from the medical disease known as monomania of grandeur.

383 It is my opinion that in her present unrestrained condition she is certain to be a menace to her own interests and is liable at any moment to commit insane acts against others.

F. LE ROY SATTERLEE.

Sworn to before me this 23rd }
day of June, 1897. }

JNO. M. RITTER,
(37) Notary Public,
N. Y. County.

384

AFFIDAVIT OF DR. LYON, READ ON PETITIONERS'
BEHALF.

Sam'l. B. Lyon, Med'l. Supt. Telephone Call 204.
THE SOCIETY OF THE NEW YORK HOSPITAL,
BLOOMINGDALE.

WHITE PLAINS, N. Y., June 23, 1897.

I hereby certify that I am the Medical Superintendent of the Bloomingdale Hospital for the Insane, and that Mrs. Harriet E. Beach was admitted to this hospital December 31, 1890, for treatment for insanity, and was discharged, improved, April 27, 1891. While here she was suffering from chronic mania, with delusions that she saw and communicated with her mother, who was dead, that she was under the control of distant or deceased persons, whom she called "guides," exhibiting a picture of an oriental person as one of them; that she said she embraced her deceased mother in the person of a woman whom she visited, &c. That her manner and conversation were those of a person controlled by insane delusions.

SAMUEL B. LYON.

STATE OF NEW YORK, }
County of Westchester, } ss.:

On this 23rd day of June, 1897, before me personally came Samuel B. Lyon, to me known and known to me to be the individual who signed the foregoing certificate, and who being duly sworn, says, that he resides in the Village of White Plains, N. Y.; that he is Medical Superintendent of the Bloomingdale Asylum, and that the foregoing certificate is true.

R. E. SLADE,
Notary Public,
Westchester County.

389

SUPREME COURT,

NEW YORK COUNTY.

In the Matter

OF

390 HARRIET E. BEACH (otherwise Rogers,
otherwise Richardson), an alleged
incompetent person.

Affidavit of Dr.
Dold read on
petitioners'
behalf.

City and County of New York, ss. :

WILLIAM ELLIOTT DOLD, being duly sworn, deposes
and says :

391 That he is a practicing physician admitted as such
and residing at Bloomingdale, White Plains, a hospital
for the treatment of the insane, where he is first assist-
ant physician, and he has an office at No. 8 West 16th
street in the City of New York. Deponent has occu-
pied the position of first assistant physician at Bloom-
ingdale since 1887 ; that he has been an authorized
practitioner of medicine since 1880.

392 Deponent became acquainted with Mrs. Harriet E.
Beach Dec. 31, 1890, and saw her daily or oftener un-
til the 27th of April, 1891, when she left the institu-
tion. During that time deponent heard Mrs. Harriet
E. Beach boast of her wonderful ability as a writer,
and upon one occasion heard her say that she intended
writing the finest work on the mind ever attempted.
Deponent also heard her say that she was advised by
Webster, Voltaire, Tom Paine and Beecher and
others, and that she was accustomed to communicate
with spirits.

She expressed to deponent the idea that she was
contented to remain in the Bloomingdale, because she
" had a great work to do " there.

Upon one occasion she boasted of her ability as a

singer and wished to perform before the physicians and 393
 their wives, when in reality she had no musical gifts
 as a singer. She spoke of the hospital as a palace on
 the Hudson, and said to her nurse that it was "Buck-
 ingham Palace."

Upon another occasion she stated to deponent that
 she kept her husband alive for years, but would now
 let him die.

She presented deponent with a picture of some
 mystical being, whom she described under the name
 of "Amarona," according to her account, a former 394
 resident of the fabled "Atlantas," and who she believed
 guided her in many ways. She also presented depo-
 nent with her photograph, showing, what she said,
 was the spirit of Henry Ward Beecher standing near
 her, and she expressed the belief that the latter was
 her spiritual guide. She said to her husband as he
 related to me after returning from a ride with her,
 that he "must be removed."

Until towards the latter part of her retention in the
 Institution she expressed no desire to be discharged. 395

It was the duty of deponent to see Mrs. Beach often,
 and to carefully observe her demeanor, acts, words and
 condition, and in this way he formed the opinion
 that Mrs. Harriet E. Beach was suffering from
 a form of chronic brain disease known as "Para-
 noia," which disease was characterized by her
 egotism and her desire to display exceptional gifts,
 such as singing, writing etc., but which were not
 such as to warrant any pretensions, by her belief in
 her almost superhuman power, and by her cheerful- 396
 ness and even happiness under circumstances which
 would not have permitted such manifestations had she
 been mentally normal.

One of the characteristics of the disease mentioned
 is the fact that her memory was fairly good, notwith-
 standing her age, and that her reasoning powers (save
 that she reasoned from wholly false premises) were also
 fairly good.

Deponent had no doubt then (and has had no occa-
 sion since to change his opinion) that said Harriet E.

397 Beach was a person of unsound mind, insane and incompetent to manage her own business and affairs. She left the institution slightly improved and with the kindest of feelings on the 27th of April, 1891, to return home with her husband.

WILLIAM E. DOLD, M. D.

Sworn to before me this {
23rd day of June, 1897. }

WM. C. REDDY,
Notary Public, N. Y. Co.

398

SUPREME COURT,

NEW YORK COUNTY.

In the Matter

OF

399

HARRIET E. BEACH (otherwise Rogers,
otherwise Richardson), an alleged
incompetent person.

Affidavit of Dr.
Dana read on
petitioners'
behalf.

City and County of New York, ss.:

CHARLES L. DANA being duly sworn, deposes and says :

400 That he is a practicing physician, residing in the City of New York, at No. 50 West Forty-sixth street ; that he has, for fifteen years, made a special study of mental and nervous diseases ; that he has written upon such subjects ; that he is Visiting Physician to the Insane Department at Bellevue Hospital, and to the General Hospital, and Professor of Nervous and Mental Diseases in the Post-Graduate School. That he has carefully read over and examined the copies of the letters, written by Mrs. Harriet E. Beach, during the period, from August 22nd, 1896, to April 3rd, 1897,

inclusive ; that he has had evidence presented, showing 401
 that the said Harriet E. Beach was committed to
 lunatic asylums in 1855 and December 31st, 1890 (being
 elsewhere confined on different occasions meanwhile),
 and that she was insane from December 31st, 1890, to
 April 27th, 1891. That he has also had presented to
 him evidence showing that the said Harriet E. Beach
 lost her husband on January 1st, 1896, and
 married again within about a year afterward,
 the party she married being twenty years
 her junior, and having been divorced but 402
 three weeks previously from his own wife, on statutory
 grounds ; that, taking into consideration the past his-
 tory of Mrs. Beach, the evidence as to her conduct in
 the last year, shown in her letters, deponent is of
 the opinion that she is now of unsound mind, and unfit
 to manage properly her own business and affairs.
 That he bases this opinion, so far as the letters are
 concerned, not alone upon the evident belief in spirit-
 ualism, but upon the mental weakness and incoher-
 ences shown in the letters, upon the extraordinary 403
 lack of normal sense of propriety, and evident absence
 of the ordinary instincts which rule a rational woman,
 upon the extraordinary credulity and egotism shown,
 and upon the infatuation evidenced regarding her hus-
 band, her various spiritual guides, her own career, her
 confidence in her prophecies, and her gross vanity and
 egotism. All these things show a chronic delusional
 state of mind, incompatible with sanity, when one
 considers her past surroundings and history.

CHARLES L. DANA. 404

Sworn to before me this 23d {
 day of June, 1897. }

GEO. A. BAKER,
 Notary Public, N. Y. Co.

405

SUPREME COURT,

NEW YORK COUNTY.

In the Matter

OF

406 HARRIET E. BEACH (otherwise Rogers,
otherwise Richardson), an alleged
incompetent person.

Additional affi-
davit of Mr.
Beach read on
petitioners'
behalf.

City and County of New York, ss.:

FREDERICK C. BEACH, being duly sworn, further de-
poses and says:

407 That he is one of the petitioners in this proceeding.
That he has hastily perused copies of the opposing affi-
davits submitted herein by the attorneys representing
his mother, the said Harriet E. Beach. In answer,
generally, to many of the insinuations therein con-
tained, deponent desires in the first place to say, that
he has been actuated in this matter solely out of regard
for the welfare of his mother, to protect her from the
danger to which she has become recently subjected in
her weakened mental and physical condition, in the
person of Henry R. Rogers, and by no desire on de-
ponent's part to further his own pecuniary interests,
or to keep from his mother the enjoyment by her of
408 her interest in the estate of her deceased husband, Al-
fred E. Beach. On the contrary deponent and his
sister have ever since the death of the said Alfred E.
Beach been paying to their mother regular monthly
sums, ranging from \$500 to \$1,600, and have continued
making such payments since the commencement of this
proceeding and down to the present time, their sincere
desire being that she shall not suffer in any way from
want of sufficient moneys to provide her with every
reasonable comfort and luxury.

The insinuations contained in some of the opposing affidavits, to the effect that deponent and his sister have commenced this proceeding to further their own pecuniary interests or to deprive their mother of the enjoyment of her interest or rights in the estate of her said deceased husband, are entirely false and without foundation. All that deponent or his sister desire is to have a fair and impartial disclosure of the facts pertaining to their mother's mental condition and the dangerous environment in which she has been placed made before a jury, being the proper tribunal provided by law, and when this is done deponent and his sister will cheerfully abide the result, and more cheerfully still abide such result if it should be found that they are mistaken in their belief of their mother's unsoundness of mind and if the jury should find her to be entirely competent and sound of mind. 409 410

Upon the subject of the confinement of his mother in Hartford, Conn., in 1855, deponent states that he has recently written to the institution where she was confined (being the Retreat for the Insane), asking in respect to his mother while so confined, and in reply thereto deponent received from the said Retreat a memorandum of Report, which is hereto annexed as a part of this affidavit, from which it will appear that his mother was, for about eight months, confined in said Retreat for some form of mental mania, and that at the time of her discharge in November, 1855, her mental condition was still stationary. 411

Deponent was also recently informed and verily believes that his mother's mental condition was so violent at that time as to require her confinement in said Retreat in wards of the Retreat where the most violent inmates were being kept. Immediately upon his mother's discharge from the said Retreat, at Hartford, Conn., in November, 1855, she was taken to the residence of the said Alfred E. Beach, deponent's father, at Stratford, Conn., where in consequence of her violent mental condition she was confined in a specially protected room in the house, for a year or more, as deponent verily believes. Deponent remem- 412

413 bers that in consequence of his mother's mental condition at that time, he and his sister were obliged to remain away from their father's house in Stratford, and to board with a Mrs. Gorham, about one square away, where they remained for about three years, before it became safe for them to return home in consequence of their mother's violent mental condition.

Again, in 1866, while deponent's father and mother and himself were living at No. 39 West 23rd street, in the City of New York, his mother's mental condition
414 became serious and violent again, and to such an extent that deponent's father was obliged to remove her in the following Spring (1867) to his said house in Stratford, Conn., where it was necessary to confine her for about seven months, according to deponent's best memory, during which period of confinement she was exceedingly violent at times and insane beyond any question. About three years later a recurrence of her mental derangement took place, and lasted for a period of two or three weeks, when it
415 was necessary again to confine her in the house at Stratford. From that time down to 1890 my mother was not confined, but on many occasions during said period exhibited mental derangement more or less pronounced.

In the Fall of 1890 her mental derangement again became acute, and to such an extent that my father caused her to be examined by two physicians, Drs. Corning and Satterlee. About this time she was engaged in running up heavy bills by authorizing others to make purchases at stores and charge the same upon
416 her own credit, the purchases being for silks, dry goods, articles, groceries and pictures. A certificate by the physicians was made, pronouncing her to be of unsound mind. This was approved by Mr. Justice Beach of the Supreme Court, and she was thereupon taken, under the approval of the Court, to Bloomingdale Asylum, now at White Plains, then in Harlem, where she remained for about four months. Deponent verily believes that she was discharged, and arranged to be discharged, from the said Bloomingdale Asylum upon the request and at the instance of deponent's

father, and not in any way because of the so-called 417
writ of *habeas corpus* issued by Mr. Justice O'Brien,
and that some three or four days before the day when
she was actually so discharged, it had been arranged by
deponent's father to have her brought home where she
might be on her birthday, which is on the 29th of April.
It so happens that the writ of *habeas corpus* was issued
the day or the day after she was brought home.
Deponent verily believes that no one at the time made
any opposition to her discharge from Bloomingdale
Asylum, as it was the desire of his father to have her 418
return home, her condition, as reported, being some-
what improved at that time. Notwithstanding this,
some parties gratuitously sought to have her declared
sane and of sound mind by a Justice of this Court,
though there was no occasion therefor in the slightest,
and it now appears that an order to that effect was
procured from Mr. Justice O'Brien. Deponent verily
believes that Mr. Justice O'Brien only examined his
mother for a few minutes, after which he pronounced
her of sound mind, as now appears from his order, but 419
as a matter of fact, no issue whatever was raised at
the time regarding her mental condition, and the Jus-
tice's decision was to the effect that a jury trial should
be had, as appears from his memorandum made at the
time which is hereto annexed.

Upon the subject of the loan made in London to his
mother of \$600 or £125, referred to in the opposing
affidavits, deponent has this to say: Some time in the
latter part of September, 1896, he was called upon by
Mr. Boothby with a draft drawn by his mother upon 420
the administrators for the payment of \$600 to a Mr.
Tingle. Deponent had heard nothing of this before
such call. The original mortgage was also exhibited
to deponent, which he examined at the time. De-
ponent afterwards expressed himself as being entirely
willing to pay the said draft, provided he could pro-
cure for his mother at the same time a cancellation or
satisfaction of the said so-called mortgage, known also
as a collateral assignment. He was unable, however,
to obtain this, and for that reason, and that alone, re-

421 fused to honor the said draft, although at that time there were no funds in the hands of the administrators payable to his mother by way of income or otherwise. After some correspondence and interviews in regard to the matter, deponent finally sent the amount of said draft to his correspondents in London, with a like direction to them to turn the money over to Mr. Tingle, upon receiving a cancellation or satisfaction of the chattel mortgage, or collateral assignment, as it was called, together with the surrender of the draft. The
 422 said money is still in the hands of deponent's correspondents in London, they, as well as deponent, being unable as yet to obtain from Mr. Tingle, or his representatives, any cancellation or satisfaction of the said chattel mortgage, which chattel mortgage or assignment, purports to transfer to Tingle all the interest of deponent's mother in the estate of her deceased husband as collateral security for the payment of £125.

Deponent states as further bearing upon the character of the said Henry R. Rogers, as follows :

423 That he has caused an examination to be made of the records in the office of the Clerk of the City and County of New York by his attorneys, and that such examination discloses the fact that the said Rogers was divorced from his wife for his adultery, by a judgment of this Court entered January 6, 1897; that the co-respondent therein was one Mary Edith Lewis, a girl not quite 13 years of age, and the testimony shows that the said Rogers was intimate twelve times with her, during the two years before, in New York City,
 424 Philadelphia and other places.

It appears also that the summons in said divorce action was dated August 27th, 1896, and on August 27th, 1896, an order was made for service of the summons therein by publication. It also appears that the summons was duly published in the New York Law Journal and the Morning Advertiser, commencing on September 2d, 1896; and it further appears that during all the time when said Rogers was pretending that he expected his wife to join himself and deponent's mother

in Europe in the Fall of 1896, said Rogers was being 425
 actually proceeded against in the Courts of this State
 by his said wife for divorce upon the ground of his own
 adultery, and that notwithstanding this he was giving
 deponent's mother the impression that she, the former
 Mrs Rogers, was expected to join them from time to
 time and travel with them about Europe.

As bearing upon the condition of the estate of the
 said Alfred E. Beach, of which deponent and his said
 sister are the administrators, and the proceedings in 426
 the Surrogate's Court of this county, referred to in the
 opposing affidavits, deponent respectfully submits
 herewith an exact copy of the answer interposed in
 the said proceeding, which answer is in all respects
 true and correct; and deponent again reiterates his
 purpose herein as being solely to protect the interests
 of his mother and guard her from great danger to her
 personal welfare and well-being and her property in-
 terests; and deponent further states that he has no
 desire whatever to become the committee of her person
 or estate as a result of these proceedings, and would 427
 greatly prefer, in case they should result in the ap-
 pointment of a committee, that some disinterested
 third party or trust company be selected for that pur-
 pose.

FREDERICK C. BEACH.

Sworn to before me this 23d }
 day of June, 1897. }

Wm. C. REDDY,
 Notary Public,
 N. Y. Co.

428

429 **Memorandum referred to in preceding affidavit, read on petitioner's behalf.**

Writ of Habeas Corpus.

Dated April 28/91.

Return to writ by A. E. Beach, by

HOWE & HUMMEL, Attorneys.

Endorsed on Writ :

430 Petitioner may make out and file traverse to within return. Let an order be presented to me for settlement directing a jury trial on the issues as to the sanity of Mrs. Beach, and the necessity of restraining her of her liberty. Meanwhile within matter is adjourned until after jury trial.

M. J. O'B.,

J. S. C.

Also endorsed :

Writ dismissed.

M. J. O'B.

431 **Report of Retreat for Insane referred to in preceding affidavit, read on petitioner's behalf.**

RETREAT FOR THE INSANE,
Hartford, Conn.

HENRY P. STEARNS, M. D.,

Physician and Superintendent.

FROM RECORDS.

432 Harriet E. Beach,
New York City.

Age 28. No previous attack. Married, House-keeper.

Duration of attack one week.

Causes.. { Predisposing injury on R. R.
 { Exciting—Ill health—Spiritualism.

Form of Dis. Mania.

Admitted March 29th, 1855.

Discharged Nov. 10th, 1855.

Result—stationary.

SURROGATE'S COURT,

433

NEW YORK COUNTY.

In the Matter

OF

The Estate of ALFRED E. BEACH, deceased.

Answer of petitioners in the proceedings in Surrogate's Court, referred to in preceding affidavit.

434

The answer of Frederick C. Beach and Jennie H. Beach (now Jennie Beach Gasper), respondents, to the petition herein, respectfully shows :

I.—They allege, upon information and belief, that the said petition was not presented by any competent authority from or on the part of the petitioner named therein ; that the said petitioner, by reason of mental incompetency, has been, and still is, unable to give any such authority, or to authorize the attorneys presenting the said petition to do so, or to institute this proceeding, and that the said petition and the proceedings attempted to be instituted thereby are illegal, unauthorized and void. That a proceeding has been instituted and is now pending in the Supreme Court, in and for the County of New York, for the appointment of a committee of the person and estate of the petitioner herein for her lunacy and incompetency, which proceeding is being, and will continue to be, prosecuted in entire good faith and with all reasonable dispatch, and that annexed hereto and made a part of this answer is a copy of the preliminary order of the Court made therein, and that copies of such order have been duly mailed, as therein directed.

II.—Said respondents admit that on or about the 8th day of January, 1896, they were appointed administrator and administratrix of the goods, chattels and credits of the said decedent, by the Surrogate of said County, and that the American Surety Company be-

437 came surety upon their bond given as such administrators, and allege that it still remains such surety.

III.—They admit that no Inventory of the personal estate of said decedent was ever filed in the office of the said Surrogate, but allege that an inventory of the personal estate of the said decedent was prepared by the said administrators, setting forth in detail all such personal property, in the month of May, 1896, of which petitioner had full knowledge and with which she expressed her approval.
438

IV.—They further allege that eighteen months have not as yet elapsed since the said appointment of such administrators; that the personal estate of the decedent in their hands as such administrators is not in a condition which will permit at this time of a complete and satisfactory accounting by said administrators; that the petitioner named in said petition has received already about Twelve Thousand dollars (\$12,000) from the said estate at the hands of said administrators, and
439 has received all the income of her share in the decedent's estate, both real and personal, which has accrued since the death of said decedent.

Wherefore these respondents pray that this proceeding be dismissed, or that, in the discretion of the Surrogate, the same be stayed and suspended until a final determination is had in respect to the lunacy and incompetency of the petitioner herein in said proceeding for lunacy so instituted in the Supreme Court, and for such other and further order and relief as may be just and proper, in the premises.
440

Dated April 29th, 1897.

FREDERICK C. BEACH,
JENNIE BEACH GASPER,
Respondents.

BOORAEM, HAMILTON, BECKETT & RANSOM,
Attorneys for Respondents,
100 Broadway, N. Y. City.

ELIHU ROOT,
Of Counsel,
32 Nassau Street, N. Y. City.

City and County of New York, ss.:

441

FREDERICK C. BEACH and JENNIE BEACH GASPER, being duly and severally sworn, depose and say: That they are the respondents named in the foregoing answer, and that the same is true of their own knowledge, except as to the matters therein stated to be alleged on information and belief and that as to those matters they believe it to be true.

FREDERICK C. BEACH.

JENNIE BEACH GASPER.

Sworn to before me this 29th }
day of April, 1897. }

442

HENRY R. RICHARDS,
Notary Public,
New York County.

SUPREME COURT,

COUNTY OF NEW YORK.

443

In the Matter

OF

HARRIET E. BEACH (otherwise Rogers,
otherwise Richardson), an alleged
incompetent person.

Affidavit of C.
S. Robinson
read on re-
spondents' be-
half.

444

City and County of New York, ss.:

CORNELIA S. ROBINSON, being duly sworn, says: I reside at No. 200 West 88th street, New York City. I am acquainted with Harriet E. Beach, the widow of Alfred C. Beach, and have been for many years. I knew Mrs. Beach, now Mrs. Rogers, intimately before she was incarcerated in Bloomingdale in 1891, and with all the members of the family. I was a frequent visitor upon Mrs. Beach, and often saw her socially, and have before and since that time, and up to the

445 time of her departure for Europe in 1896, had many business transactions with her. I never saw or heard her act irrationally, or in any manner by her conduct or actions give to me any intimation that she was insane or incapable of controlling and managing herself or her business affairs.

I knew Alfred C. Beach well in his lifetime; that there were occasional family jars between Alfred C. and his wife, occasioned by his severe criticism in regard to her belief in spiritualism, but on no other accounts. That when I was informed that she had been
446 sent to Bloomingdale Asylum in 1891, it was a great surprise to me, as I, although upon the most intimate terms with her, never saw any act or transaction that would justify her confinement.

That as soon as I learned that said Harriet E. Beach was confined in said Asylum, I made effort to see her, but was refused such privilege, except upon the written order of Alfred C. Beach, her husband, or Jennie H. Beach, her daughter. I requested said Jennie H.
447 Beach to permit me to see her mother, and in reply to said request on January 6th, 1891, received of said Jennie H. Beach, a letter of which the following is a copy :

“ 9 W. 20, Jan. 6.

“ DEAR MRS. ROBINSON :—

“ Papa thinks it is too soon for any one outside of the family to see Mama. So I write to-night to ask you not to go there until you hear from me again.

448 “ In haste, sincerely yours,

“ JENNIE H. BEACH.”

That thereafter I urged said daughter to permit me to see her mother, as I was satisfied said Harriet E. Beach was wrongfully detained, and was not insane. After much difficulty, I succeeded in getting said daughter to promise me that I might see her mother, providing I made a solemn promise not to carry any message either verbal or written to her mother, except it were from their own family or to take or carry any message from said

Harriet E. Beach to any person outside of the Beach 449
family, and stated to deponent unless she would make
such promise I would not be permitted to see her. I
thereupon made said promise when said Jennie stated
she would send me a written permit to see her
mother. That a day or two thereafter, and on the
17th day of February, 1891, I received a written per-
mit to see her enclosed in a letter written by said
Jennie H. Beach, of which the following is a copy :

“ 9 W. 20, Feb. 17.

“ MY DEAR MRS. ROBINSON :

450

“ Enclosed is permit for you to see Mama to-mor-
row. Papa and I are going too. If you find you
cannot refuse her a request to mail letters you can
send them here but others tell her they promised not
to mail anything, and only on that condition are they
allowed to see her. She will ask you to see Mrs. Dr.
McDonald in 125th St., or some one else so you will be
prepared to refuse.

Yours sincerely,

JENNIE H. BEACH.” 451

That I thereupon, and on February 18th, 1891,
visited said Harriet E. Beach at said asylum and
found her, as she had always been, rational
and understanding everything said and done;
that by no act or words did she give the
slightest indication of being unbalanced, but simply
stated she was wrongfully detained by her husband's
orders, because they had had angry words which was
brought about by his, and his daughter's constant and 452
severe language criticising her belief, and the character
of some of her friends. That on March 23d, 1891, said
Jennie H. Beach wrote me a letter in reference to her
mother, in which she stated, among other things: “I
am anxious to solve this problem about Mama. En-
closed is a permit. I shall probably see you there
Wed. 4.30 would like to see you alone afterwards
either there or here. She has been to opera and thea-
tre and she is going again to-morrow evening. Still
only last week she vowed revenge to Mr. B., and told

453 him so and told a relative she should bring a suit for alimony.

That is what we fear and as she refuses to travel the question is how to keep her from going among those people and leaving home every once in a while when she gets mad. If you can solve this, let me know.

Yours sincerely,

JENNIE H. BEACH."

454 This letter was written to me shortly after I had stated to said Jennie H. Beach, that I thought it was all wrong to keep their mother confined; that she was not insane, but was as capable as she ever had been. That there was no evidence of insanity in her conduct or manner, and said Jennie H. Beach claimed her mother would lose her temper at times, and go among her friends, and they wanted to prevent it; that she appeared before and at the time of her confinement aforesaid in the same manner as she did on the day she was brought before
455 Hon. Justice O'Brien, who discharged her, stating she was sane.

That she was up to the time of her departure for Europe, rational in all her acts; was a highly intelligent and intellectual lady, shrewd in her business dealings, economical in her expenditures, and in every way competent to manage herself and her property, and possessing business qualifications far superior to the average women of to-day. That I knew of her spiritualistic belief. While I do not believe in spiritualism, yet there are many who do, and the belief of
456 Mrs. Beach in this doctrine in no manner unqualified her from administering her own affairs and property.

CORNELIA S. ROBINSON.

Sworn to before me this 19th }
day of June, 1897. }

AUGUST C. Nanz,

Notary Public No. 2,

New York County.

SUPREME COURT,

457

COUNTY OF NEW YORK.

In the Matter

OF

HARRIET E. BEACH (otherwise Rogers,
otherwise Richardson), an alleged
incompetent person.

Affidavit of
Minnie Deplow
read on respon-
dents' behalf.

458

City and County of New York, ss.:

MINNIE PELOW, being duly sworn says : I carry on the business of hairdressing at No. 413 Sixth avenue, in the City of New York. I have known Harriet E. Beach for many years, and have attended her at my office and in her own home in the City of New York. I knew her family also. I knew the said Harriet E. Beach before and during her incarceration in 1891, and at no time had I seen anything in her conduct to justify any restraint or guardianship of any kind. I have attended Mrs. Beach from 1891 until she went to Europe in the summer of 1896 as often as three or four times a year and have observed her carefully. Her conduct has always been prudent and sensible, and she has always displayed great intelligence. I am certain that she is able to take due care of herself and property, and always understands the results of her own acts. I am not a believer in spiritualism, and I know Mrs. Beach has accepted that belief. In my opinion, nothing in that faith has made her less capable of acting intelligently and exercising her good judgment in business affairs.

MINNIE PELOW.

Sworn to before me this 15th }
day of June, 1897. }

AUGUST C. NANTZ,
Notary Public (No. 2),
New York County.

461

SUPREME COURT,

NEW YORK COUNTY.

In the Matter

OF

HARRIET E. BEACH (otherwise Rogers,
otherwise Richardson), an alleged
462 incompetent person.

Affidavit of Mrs.
Bostwick read
on respondents'
behalf.

City and County of New York, ss.:

MRS. HARRIET L. BOSTWICK, being duly sworn says:
I am engaged in the photographing business at No.
98 Sixth avenue, in the City of New York. I have
transacted business with Mrs. Harriet E. Beach at my
place of business for upwards of nine years. The said
Harriet E. Beach has visited my establishment many
463 times a year, and I have conversed with and observed her
personally. I have always found her very bright, and
thoroughly capable of managing her affairs. The said
Harriet E. Beach has never, in her relations with me,
showed any signs of irrationality, but on the contrary
has always been prudent and careful and shrewd in
making contracts for work to be done, and for the pur-
chase of goods. Personally I am not a spiritualist.

I am aware from conversations with the said
Harriet E. Beach that she is a believer in
464 spiritualism. I have never noticed that such
belief has any influence whatever upon her
capacity to handle her affairs circumspectly,
or that it has ever led her to make any unwise or
extravagant or unreasonable contracts, or to squander
her money, or to pay out her money without obtaining
full value therefor. In this matter I am entirely dis-
interested, and freely depose that the said Harriet C.
Beach has always within my experience been compe-
tent to care for her person and her property; has
always exhibited great intelligence and education and

refinement, and that I have never observed anything 465
that would suggest that she is incompetent or a lunatic.

HARRIET L. BOSTWICK.

Sworn to before me this 15th }
day of June, 1891. }

AUGUST C. NANZ,
Notary Public, No. 2.
New York County.

SUPREME COURT,

466

NEW YORK COUNTY.

In the Matter

OF

HARRIET E. BEACH (otherwise Rogers,
otherwise Richardson, an alleged
incompetent person.

Affidavit of Mrs.
Ferguson read
on respondents'
behalf.

467

City and County of New York, ss.:

MRS. MARION FERGUSON, being duly sworn, says: I
reside at The Albany, at Broadway and 52d Street, in
the City of New York. I have known Harriet E.
Beach, and have been an intimate friend of herself and
her late husband for upwards of twenty years. I used
to visit and receive visits from Mrs. Beach as often as 468
four times a week, and I know her character and
habits thoroughly. I knew her to be a woman of fine
intelligence and broad education and reading, strengthened
by association with her late husband, Alfred E.
Beach, the editor of the Scientific American. I knew
her to be most careful, methodical and precise in her
personal habits. I knew that her conduct was always
governed by a just appreciation of the ends she desired
to reach; that her private charities, although wide in
scope were yet bestowed with discrimination, that in

469 her social relations, in her business dealings and in
 her domestic economy, she exhibited intelligence and
 shrewdness. Knowing her so intimately, I have always
 believed, and now believe her entirely competent to
 manage her business affairs. Her sole idiosyncrasy,
 if any, was her belief in the philosophy and practices
 of spiritualism; practices with which I have no sym-
 pathy. In no other respect has the said Harriet E.
 Beach been different from other women equally gifted.
 My intimacy with her has been kept up to the present
 470 day. From her release upon order of the Court de-
 claring her sane in 1891, until her departure from
 Europe in the summer of 1896, I have generally seen
 her two or three times a week, and at times more fre-
 quently, and have carefully observed her bearing and
 have been familiar with her occupations in general. In
 all this time I have known no change in her. During
 her absence we have mutually corresponded. Her
 letters are perfectly intelligible. Nothing has ever oc-
 curred to make me doubt the firm conviction I have al-
 471 ways had that she is not only competent to take care of
 her person, but is also equal to the charge of caring for
 her own property. I have always known that she has a
 good capacity for business, and that her memory and
 judgment were and are unimpaired, and judging her with
 full knowledge, I freely and solemnly depose that she
 is in my estimation sane and uncontrolled, and that I
 believe any attempt to restrain her personal liberty or
 her management of her own property, is unjust and un-
 warranted.

472

MARION FERGUSON.

Sworn to before me this 15th, {
 day of June, 1897. }

AUGUST C. NANTZ,

N. P., No. 2,

N. Y. County.

SUPREME COURT,

473

NEW YORK COUNTY.

In the Matter

OF

HARRIET E. BEACH (otherwise Rogers,
otherwise Richardson), an alleged
incompetent person.

Affidavit of
Mrs. Wallace,
read on re-
spondents' be-
half.

474

City and County of New York, ss.:

MRS. MARY E. WALLACE, being duly sworn, says: I reside at the Parkview, No. 222 West 59th street, Central Park South, in the City of New York. I have known Mrs. Harriet E. Beach socially for over ten years.

My acquaintance with the said Harriet E. Beach 475 was quite intimate, and I used to see her at intervals during that time. Nothing in her social life ever indicated that she was in any degree incompetent or insane. On the contrary, she was always very bright and alert, and a most charming and interesting woman, and her conduct was always prudent. She was a woman of strong mind and purpose. Intellectually she was very keen, close and logical in her reasoning about philosophical questions, and vigorous in memory and understanding. Of her mental capacity and 476 soundness I have had extended experience, and I have never had the slightest reason to doubt her ability to direct her own actions intelligently, or to manage her own affairs.

The friendly relations between myself and Mrs. Harriet E. Beach continued undisturbed after her release in 1891, although I saw her less frequently than before. My opinion of her competency remains unchanged. I lived in intimacy with her during the summer of 1895, and she then displayed the same

477 characteristics, and the same vigor of mind, that distinguished her for years to all her intimate friends.

M. E. WALLACE.

Sworn to before me this 18th }
day of June, 1897. }

AUGUST C. Nanz,

Notary Public No. 2,

New York County.

478

SUPREME COURT,

NEW YORK COUNTY.

In the Matter

OF

HARRIET E. BEACH (otherwise Rogers,
otherwise Richardson), an alleged in-
competent person.

Affidavit of Ella
T. McCarthy,
read on re-
spondent's be-
half.

479

City and County of New York, ss. :

ELLA T. MCCARTHY, being duly sworn, says : I carry
on the business of manufacturing and selling gloves at
No. 953 Broadway, in the City of New York, and
reside in said city. I have known Harriet E. Beach
socially and in business for over seven years. In all
her actions the said Harriet E. Beach has shown great
480 capability in conducting her own household and her
personal affairs, and has never within my experience
showed any signs whatever of mental aberration. In
money matters I know her to be careful, and not ex-
travagant in expenditure, and to be able in general to
manage conservatively her own property. I was
especially intimate with and saw her daily at Saratoga
during the summer after her release from Blooming-
dale in 1891 or 1892. Her faculties were in undimin-
ished vigor, and her competency to manage herself and
her property was then, as at all times of which I have

knowledge, unquestionable. I am not a spiritualist. 481
 I know the said Harriet E. Beach to be a woman
 whose large intelligence and personal worth, together
 with the lucidity of her conversation and her entire
 rationality, have impressed all who knew her, and are
 absolutely convincing not only as to her sanity, but
 also as to her personal and business capacity.

ELLA T. McCARTHY.

Sworn to before me this {
 18th day of June, 1897. }

AUGUST C. Nanz,
 Notary Public, No. 2,
 New York County.

482

SUPREME COURT,

COUNTY OF NEW YORK.

In the Matter

OF

HARRIET E. BEACH (otherwise Rogers,
 otherwise Richardson), an alleged in-
 competent person.

483

Affidavit of Geo.
 H. Hughes
 read on re-
 spondents' be-
 half.

City and County of New York, ss.:

484

GEORGE H. HUGHES, being duly sworn says : I reside
 at 308 West 114th street, in the City of New York ; I
 am an artist by profession, and have been for seven-
 teen years. I know Harriet E. Beach, having done
 business with her at my place of business, and in her
 own house in New York City for about nine years. I
 understood she was a believer in spiritualism, while I
 am not ; I have no personal interest in this contro-
 versy, or in Mrs. Beach. I have always been im-
 pressed with the intelligence, acumen, and good busi-

485 ness qualities possessed by the said Harriet E. Beach
 throughout the entire course of her dealings with me.
 I have never noticed any weakness in her memory, or
 her judgment, but on the contrary have found her to
 be shrewd, sensible and prudent in the transaction of
 her business affairs, and I fully believe that she is en-
 tirely competent to take care of her own person, and
 to manage and control her own property.

GEO. H. HUGHES.

486 Sworn to before me this 15th }
 day of June, 1897. }

AUGUST C. NANZ,
 N. P. No. 2,
 N. Y. County.

SUPREME COURT,

NEW YORK COUNTY.

487

In the Matter

OF

HARRIET E. BEACH (otherwise Rogers,
 otherwise Richardson), an alleged
 incompetent person.

Affidavit of Dan-
 forth Bancker
 read on re-
 spondents be-
 half.

488 City and County of New York, ss.:

DANFORTH BANCKER, being duly sworn, says: I am
 engaged as a manager in the photographic establish-
 ment at No. 98 Sixth avenue, in the City of New
 York. I have frequently met and done business with
 Harriet E. Beach during the past nine years, down to
 the time she left the country in the summer of 1896.
 At all times I have found her to be intelligent, fully
 capable of managing her affairs, and to have much
 shrewdness and capacity in business. In her dealings
 with me in buying goods she has always exhibited

prudence and discrimination, familiarity with prices, 489
 and an attention to details which showed an alert
 memory and understanding. I have never observed
 any failure of her memory or lapse of reason. I am
 not a spiritualist. I am aware, from conversations
 with the said Harriet E. Beach, that she is a spiritual-
 ist ; but I believe, from observation, that she is en-
 tirely able to care for herself and her property, and to
 judge about and guide her actions independently of
 her religious beliefs, or the interference of anyone.

DANFORTH BANCKER. 490

Sworn to before me this {
 15th of June, 1896. }

A. C. N_{ANZ},
 N. P. No. 2,
 N. Y. County.

N. Y. SUPREME COURT.

In the Matter

OF

HARRIET E. BEACH (otherwise Rogers,
 otherwise Richardson), an alleged
 incompetent person.

491

Affidavit of Al-
 bert Bach read
 on respond-
 ents' behalf.

City and County of New York, ss. :

492

ALBERT BACH of said City and County, being duly
 sworn, says that he is an Attorney at Law duly ad-
 mitted to practice by the Supreme Court of the State
 of New York, and that he has been actively engaged
 in the practice of his profession since the year 1876.
 That deponent is well acquainted with said Harriet E.
 Beach (otherwise Rogers, otherwise Richardson) and
 deponent has been well acquainted with her since
 April, 1891, knowing her as Harriet E. Beach, until
 recently, when deponent was informed by her that she

493 had, subsequent to the death of her first husband Alfred E. Beach, married Henry R. Rogers. That on the 27th day of April, 1891, deponent was retained to secure the liberation of said Harriet E. Beach from Bloomingdale Insane Asylum, then in this city, where she had theretofore been confined as an alleged lunatic. That on said 27th day of April, 1891, deponent obtained a writ of *habeas corpus* from Justice Morgan J. O'Brien of the Supreme Court of this State directed to the Sup-
 494 erintendent of said Bloomingdale Insane Asylum commanding him to produce said Harriet E. Beach in Court on the 28th day of April, 1891, in order that the cause of her detention in said asylum might be judicially investigated. That on the 28th day of April, 1891, the said superintendent appeared in court by attorney and made return to the writ that said Harriet E. Beach was not in his custody nor under his control in said asylum, but that she had left said asylum and was under the control of her husband,
 495 Alfred E. Beach, at his residence in the City of New York. That thereupon said Justice O'Brien immediately issued another writ of *habeas corpus* directed to the said Alfred E. Beach, who was then in the court room, commanding him, said Alfred E. Beach, to produce said Harriet E. Beach in court at 3 P. M. o'clock of said 28th day of April, 1891. That at 3 P. M. o'clock of said 28th day of April, 1891, said Alfred E. Beach did not produce said Harriet E. Beach in court, but through attorney made return to
 496 the writ of *habeas corpus* on him served, stating that said Harriet E. Beach was not under any restraint of him, and that he, said Alfred E. Beach, did not control her actions. That it was represented by deponent to said Justice O'Brien, by traverse to said return, that the return of said Alfred E. Beach to said writ was false, and that, as a matter of fact, said Harriet E. Beach was by force detained at her home by order of said Alfred E. Beach, and by him, said Alfred E. Beach, restrained of her liberty and prevented from coming to court, she,

said Harriet E. Beach, not being permitted 497
 to go to court although desirous of so doing. That
 thereupon said Alfred E. Beach was peremptorily di-
 rected by said Justice O'Brien to produce said Harriet
 E. Beach before him for private examination as to her
 sanity, on the 29th day of April, 1891. That on the
 said 29th day of April, 1891, said Alfred E. Beach
 produced said Harriet E. Beach before said Justice
 O'Brien and after a private examination by him made
 said Justice O'Brien decided that said Harriet E.
 Beach was not under any restraint and was sane and 498
 was entitled to her unrestrained liberty. That on
 the 12th day of May, 1891, an order was duly entered
 by deponent upon said decision of said Justice O'Brien.
 That deponent was informed by said Harriet E.
 Beach that, as a matter of fact, she was under the
 control of said Bloomingdale Asylum authorities at the
 time of the service of the said writ of *habeas corpus*
 on the assistant superintendent thereof, and that after
 the service of said writ on said assistant superinten-
 dent she was allowed to go driving with her husband, 499
 said Alfred E. Beach, but with the distinct under-
 standing that she was to return to the said asylum the
 same day, but that for some reason unknown to her
 she was not taken back to said asylum, but kept under
 lock and key at her said husband's home. That de-
 ponent has always believed and still believes that there
 was an attempt on the part of Alfred E. Beach to pre-
 vent a judicial determination of the question of said
 Harriet E. Beach's sanity, and to keep her re-
 strained in a lunatic asylum because she, said Harriet 500
 E. Beach was a firm believer in the faith of spiritual-
 ism and its doctrines and because she said Harriet E.
 Beach desired by public lectures to disseminate her
 views and thoughts on the subject of spiritualism.
 That this deponent had a long conversation with said
 Alfred E. Beach concerning said Harriet E. Beach
 and the only reason that said Alfred E. Beach gave
 deponent for his said Alfred E. Beach's assertion that
 said Harriet E. Beach was of unsound mind, was
 that anybody who believed in spiritualism as did said

501 Harriet E. Beach must be crazy, and said Alfred E.
 Beach further stated to this deponent that he said
 Alfred E. Beach felt that it was a disgrace to him that
 said Harriet E. Beach should publicly lecture on the
 subject of spiritualism and its manifestations. That
 this deponent had many interviews with said Harriet
 E. Beach and has always been surprised at the
 strength and vigor of her mind, her logical brain, her
 keen, shrewd knowledge of human nature, her intellec-
 502 tual cultivation, her refinement and calmness of man-
 ner, and the total absence of any excitability on her
 part, even when talking to deponent of her wrongful
 incarceration in Bloomingdale. That this deponent
 has devoted many years to the study of insanity in its
 medical and in its medico-legal aspect and has seen and
 spoken to and examined many lunatics in asylums
 throughout this State, in order to learn their action
 and the manifestations of their mental aberrations, and
 while this deponent does not profess to be an expert
 on the subject of insanity, he feels that his investiga-
 503 tions and studies enable him to express an opinion as
 to whether a person is insane, and justify him depon-
 ent, in asserting said opinion. That in the opinion of
 this deponent based on his intercourse with said
 Harriet E. Beach, she said Harriet E. Beach had al-
 ways during said intercourse shown herself possessed
 of a well-balanced brain, and in every way competent
 to manage her own affairs. This deponent is not a
 spiritualist and is in no way governed in his opinion as
 to the mental condition of said Harriet E. Beach by
 504 any spiritualistic proclivities.

ALBERT BACH.

Sworn to before me this 11th }
 day of June, 1897. }

VAN VORST WELLS,
 Notary Public, No. 33,
 N. Y. Co.

SUPREME COURT,
COUNTY OF NEW YORK.

505

In the Matter

OF

HARRIET E. BEACH (otherwise Rogers,
otherwise Richardson), an alleged
incompetent person.

Affidavit of
Hamilton Wilcox, read on
respondents' behalf.

506

City and County of New York, ss.:

HAMILTON WILCOX, being duly sworn, says: I am an insurance broker, with an office at No. 54 William street, and residing at 130 West 46th street, New York City.

I knew Alfred Ely Beach from about 1855 and his wife Harriet E. Beach from about 1887. I was interested in the proceedings in 1891 to obtain the release of the said Harriet E. Beach from confinement in Bloomingdale Asylum, and I am positive that at that time the said Harriet E. Beach was sane, and had been unjustly incarcerated, and the Court, Hon. Morgan J. O'Brien presiding, so decided. My personal acquaintance with the said Harriet E. Beach continued thereafter until about 1894, when my health was failing. I have had letters from her since that time. I am positive that during all of this time of my personal acquaintance she was sane and competent to take care of her own person. I also believe that she was entirely competent to transact the ordinary business of life and to take care of her household. I have never known her to squander money or to be extravagant, and I am satisfied that she has the judgment to require an adequate return for her money.

HAMILTON WILCOX.

Sworn to before me this 16th {
day of June, 1897. }

AUGUST C. NANTZ,
Notary Public (No. 2),
New York County.

509

SUPREME COURT,

COUNTY OF NEW YORK.

In the Matter

OF

510 HARRIET E. BEACH (otherwise Rogers,
otherwise Richardson), an alleged
incompetent person.

Affidavit of Dr.
Gunn, read on
respondents'
behalf.

City and County of New York, ss. :

ROBERT A. GUNN, being duly sworn, says: I am a legally qualified and duly licensed physician, residing at No. 145 West 82d street in the City of New York. My office is at No. 41 East 21st street in said city. I have been continually engaged in the practice of medicine for thirty-one years, twenty-six of which has been in the City of New York. I have given special attention to the study of insanity, and allied mental disorders, and have frequently appeared as an expert in judicial inquisitions of lunacy.

I examined Harriet E. Beach in 1891, when she was detained in Bloomingdale Asylum, and I then made affidavit that she was entirely sane, and thoroughly fit and competent to control her own movements and property. Thereafter the said Harriet E. Beach called at my office at short intervals for a period of four or five months; and in view of the proceedings had against her, I was particular to note her conversation and outward bearing, and found nothing to change my opinion as to her sanity. Except as above, Mrs. Beach is a total stranger to me.

I was aware of her spiritualistic beliefs, and frequently talked with her on that subject. She had no delusions or hallucinations, and in my judgment there is nothing in her belief in spiritualism which necessarily makes her incompetent to care for her person

and property, and nothing incompatible with her 513
 sanity and with her sound business judgment; and
 further, that nothing under my observation indicated
 that her faith did operate to weaken her understand-
 ing, or to confuse her judgment in business matters.

ROBERT E. GUNN.

Sworn to before me this }
 10th day of June, 1897. }

AUGUST C. NANTZ,
 Notary Public, No. 2,
 New York County.

514

SUPREME COURT,

CITY AND COUNTY OF NEW YORK.

In the Matter

OF

HARRIET E. BEACH (otherwise Rogers,
 otherwise Richardson), an alleged
 incompetent person.

Affidavit of Mrs.
 Beach-Rogers
 read on re-
 spondents' be-
 half.

515

KINGDOM OF GREAT BRITAIN AND IRELAND, { ss.:
 City of London, England, }

The above-named HARRIET ELIZA BEACH now 516
 HARRIET ELIZA ROGERS the wife of Henry Richardson
 Rogers, being duly sworn, deposes and says :

I am the Harriet E. Beach otherwise Rogers, other-
 wise Richardson above referred to.

I have read copies of the petition in the above suit,
 and the affidavits of Frederic C. Beach and Jennie
 Beach Gasper, of the said F. C. Beach and of J. Leonard
 Corning all sworn on the 7th of April, 1897, and of the
 said F. C. Beach, sworn 26th and 28th April, 1897, on

517 behalf of the petitioners and in reply thereto I say as follows :

The said F. C. Beach and Jennie Beach Gasper are administrators of the estate of my former husband Alfred Ely Beach and are my only living children.

With reference to the statements in the said petition and evidence alleging that I am insane or incompetent to attend to my own affairs I say that such statements are utterly and unqualifiedly false and made as I believe for the purpose of obtaining possession of my property.

518 My former husband Alfred Ely Beach died on the first of Jan., 1896. Upon his death I was somewhat ill and prostrated. At this time my said son came to me and urged that I should consent to have him and his sister act as administrators of my husband's estate saying at the same time that they could get no money from the estate unless I agreed to what they proposed. I consented, not knowing at that time the importance of the step I was taking and feeling too ill to make inquiries.

519 It was represented by my son to me that an administratorship would be only in the Surrogate's hands for one year and at the expiration of which time the estate could be fully settled and that I should get my share apportioned off to me.

520 Under a similar representation and shortly before I left New York on 24 June, 1896, I gave my son a power of attorney to act for me during the year 1896, under which he could sell real estate without any further signature from me. As I was ill and advised to go to Europe for a change, I arranged to have as travelling companions Dr. Harris and Mrs. Woodhouse and my grandson Stanley Yale Beach who also accompanied me.

During the whole of the period from the time the administrators were appointed to the present time I have not had a report from them which would give me any real idea how the estate stands or what my interest is and although I have repeatedly applied to my son on the subject and have told him that I should seek to know through legal action if he did not make a report he has persistently ignored my requests and I have been left

in ignorance of my real position with regard to my late husband's estate or the amount of income I am entitled to. 521

My son had made remittances from time to time but only after considerable pressure from me and I have often had to cable for money. I have only had on an average \$500 a month but sometimes a little more. In September, 1896, my son withheld remittances and intended as I believe by those means to force me to return to New York, although I desired to winter in the South of Europe. As I was then under terms to pay the travelling expenses of Dr. Harris and Mrs. Woodhouse to New York, and had no sufficient funds for my maintenance and my journey to Nice I was obliged to raise for these purposes £125 for which I gave a mortgage over my interest under my husband's estate to Mr. Fred. J. Tingle of London. 522

With reference to this debt there has been much correspondence between the lawyers and my son's advisers and between my son and myself and ultimately my son has charged me in account with the amount and I have given him a receipt for the same as if he had paid it, but the debt still remains unpaid and unsatisfied and interest at 5 per cent. per annum running thereon. 523

My said son and daughter have alleged that an inventory of my said husband's estate was prepared by them in May, 1896, of which I approved. I deny that I expressed approval of any such inventory and I say that no proper inventory thereof has ever been given to me. My son or my daughter submitted some statements as to the said estate to me in January, 1896, but the same were imperfect and inaccurate and misleading and I had no copy of the same. 524

I say that the value of the personal estate of the said A. E. Beach mentioned in the inventory referred to in the petition in this suit is grossly understated at the sum of \$27,000. Especially as to the 490 shares of capital stock of Munn & Co., which are therein appraised at \$4,000 I believe the value to be very much greater because I know that some years ago when a partner owning as I believe a third share of that concern went out

525 therefrom the remaining partners (and my husband was one), paid him as I believe \$160,000 for his third share and I am informed and believe that the business of the said firm has not decreased in value. I believe also that the real property of my said husband is much undervalued in the estimate in the petition mentioned. I have never had from my said children or otherwise any detailed account of the said real estate or the income thereof or of the outgoings except some verbal statements made to me by them in 1896, before I left New York.

526 My said son and daughter having failed to give me any proper account of such real and personal estate I caused an application to be made to the Surrogate's Court of New York County in the matter of the estate of my late husband calling upon the administrators to furnish such an account and in their answers thereto they state that I have received or had about \$12,000 from the said estate at the hands of the said administrators and the full amount of my income or of my share in the deceased's estate both real and personal which

527 had accrued since the death of my late husband. I deny that I have received such moneys, though when I was in New York in January, 1896, my son induced me to agree to concur in a payment of moneys in aid of the real estate, the amount of which I do not remember and which I believe I was not liable legally to pay but I have never received a sum of \$12,000 from the said estate nor my full income as I believe.

528 At the time of the loan from the said F. J. Tingle I explained to Messrs. Darley & Cumberland the Solicitors in London who acted how I was kept in ignorance of my true position in reference to my husband's estate and caused them to write to my son in reference to the remittances which were withheld. I also explained to them that questions had been formerly raised as to my mental state and that my children might for their own ends be disposed to take measures against me and I suggested that I should be examined by a physician before signing the mortgage and consequently I was examined by Dr. J. Shuter Hill of London. With refer-

ence to the allegations in the petition as to my lunacy 529
 or incompetency I deny that although I have been unjustly incarcerated I have ever been lunatic or incompetent to manage my affairs. I state that in March, 1854, I was a passenger on board a train which was wrecked and this caused a severe nervous shock to my system just prior to a certain period causing a suppression and a succession of nervous spasms resulting in a sickness lasting about four years. In March, 1855, about one year from the date of the railway accident my first husband, Alfred E. Beach, caused me to be 530
 taken to Hartford Retreat without consulting physicians or members of my mother's family and at a time when I was thoroughly conscious and not at all insane. I begged of him on my knees not to have me there but he placed me in that asylum for the insane for a period of 9 months when at last finding my health seriously failing he brought a physician to me who told him that I would not live one week if I was not removed to my home.

My husband then took me to a house he had bought 531
 in Stratford, Connecticut, and we lived there together and my health improved so that I had no more of the spasms and got quite well.

While living at Stratford in the year 1886, I had a horse run away with me while I was riding horseback which brought on some return of the nervous spasms or rather an illness lasting from March to September of the same year. Since that time I have been perfectly well having outgrown all tendency to nervous spasms. During the whole of the period of my several sicknesses 532
 I have not been insane or beyond the knowledge of what was going on about me or in any way incapable of business. There is no insanity in my family either on the mother's or father's side and no mental disease whatever.

On December 31st, 1890, on account of a disagreement with my husband, Alfred E. Beach, and because of his desire to oppose my investigating certain seeming phenomena of spiritualism he caused me to be literally kidnapped and taken to the Bloomingdale Asylum by

- 533 Doctors Satterlee and Corning who made a pretense of examining me. My friends and the Lunacy Society through Mr. Bronson Murray who was president thereof secured *habeas corpus* for my release but hearing this the said Alfred E. Beach took me out of the Asylum the day the writ was to have been served. I applied for and secured a hearing before Judge O'Brien of the Supreme Court who ordered that I should have freedom of action and directed that I should call on him if any further attempt was made to restrain me of my liberty,
- 534 I returned to my home and lived with my husband and children.

With reference to the said affidavits of J. Leonard Corning, I deny that I ever said to him that I had hallucinations of sight and hearing or that I heard voices calling to me from the spiritual world or that I claimed to see the spirits of the loved ones during the early evening or morning hours or that my spirit had been in the planet Uranus and was able to converse with the heavenly spirits through a speaking tube or that I had recently, *i. e.*, in the month of December, 1890, given birth to a spiritual child in the third month, or that I had been in Heaven and Hell and would never die but be translated or that I possessed supernatural powers. All these allegations I deny and I state that they and the references to spiritual pictures in the said affidavit are perversions of my spiritual opinions and of the statements made by me at that time. With regard to his allegation as to the spiritual child, I state that I referred to a miscarriage by me in my early married life. The

535 recently, *i. e.*, in the month of December, 1890, given birth to a spiritual child in the third month, or that I had been in Heaven and Hell and would never die but be translated or that I possessed supernatural powers. All these allegations I deny and I state that they and the references to spiritual pictures in the said affidavit are perversions of my spiritual opinions and of the statements made by me at that time. With regard to his allegation as to the spiritual child, I state that I referred to a miscarriage by me in my early married life. The

536 child was not born alive. It is believed by many and I do think that such conceptions do live as souls hereafter and I may have so told him. The said Dr. Corning told me that he was a believer in spiritualism.

In reference to Dr. Corning's opinion as to my letters, I state I wrote very frequently to my children as well as to my friends while travelling and gave full accounts of my tour. The letters were often written hastily and in snatches during the hurry of travelling and were written in love and confidence and I did not take pains to write as carefully as I would if I had known they were

to be publicly exhibited. The letters produced in evidence are only part of those I wrote to my children and have evidently been selected and parts extracted for the purpose of injuring me. 537

I have received many letters from my children and I forwarded them to Messrs. Warren, Boothby & Warren my attorneys in New York, so that I am unable to exhibit them to this affidavit, but I ask leave to refer to them as evidence.

My said son was opposed to my leaving New York in 1896, for Europe, but ultimately I left and with his approval Dr. Harris, Mrs. Woodhouse and my grandson accompanied me. 538

When it was arranged for Dr. Harris and Mrs. Woodhouse to return to New York, I had in contemplation that the above-named Henry Richardson Rogers and his then wife should accompany me in my travels in their stead.

I have known the said Henry R. Rogers since 1866, and have invariably found him to be a gentleman and a trustworthy honourable man. It was necessary for me to have a travelling companion and it was at my express desire and uninfluenced by him that he accompanied me on my departure from England in September last and although I have paid certain parts of the travelling expenses of both of us I have never given any money to him or paid out money for him and he has never endeavored to influence me to part with any portion of my property and he has always acted with strict honor and integrity towards me. 539

The said H. R. Rogers accompanied me during my visits to France, Italy, Egypt and Greece. I made a proposal to Mrs. Woodhouse to accompany Mr. Rogers and myself but she declined. 540

At the time of my marriage with my present husband I felt and still feel that he was necessary to my happiness and health. I knew that he would carry out any wishes of mine and I consulted my own feelings in the matter and was married to him of my own free will.

During my travelling I seldom stayed long in one place and thus for many months I have only made tran-

541 sient acquaintances with people I have met and many persons with whom I became acquainted are dispersed so that it is difficult for me to procure the testimony of the various hotel-keepers, traveling companions and others in the different places in Europe and Africa, where I have stayed. If I could do so they would be able to testify to my sanity and that I am competent to manage my own affairs.

Since I have been in Europe I have had transactions with Messrs. Cook & Son, with the Consuls in London and Alexandria, with a notary public in London. I have been examined twice by Dr. Shuter Hill and also by Dr. Younger both of whom have given evidence as to my mental capacity and I am informed and believe that my son corresponded with the Rev. R. W. McFarland the American Missionary who performed our marriage ceremony and with the consul at Alexandria before whom that marriage was solemnized and the said Mr. McFarland has written to me that his answer was favorable to me and they would no doubt give evidence 543 if required as well as the other consuls before whom I have appeared, if necessary.

I found the said H. R. Rogers of great service to me in travelling and he was very kind and attentive and smoothed all the difficulties of travel. During all the time he was with me I managed my own affairs, kept control of my own money and spent it to the best advantage. Out of the remittances that I have received from my son (which have not as he states amounted to the rate of about 900 dollars a month), I have carried 544 out my long intended desire to visit various Eastern countries. I paid for the services and expenses of Dr. Harris and Mrs. Woodhouse for a period of 3 months or more. I have replenished my wardrobe and paid all travelling expenses and am not in any way in debt except to the said F. J. Tingle. I have also paid for a number of presents to my children and friends. I paid the steamship fare to New York of my grandson.

I have endeavored to be prudent and careful in my expenditure.

While I was in Cairo, Egypt, both my son and daugh-

ter wrote to me stating that they had found a memorandum not signed, which they claimed to be written by my late husband setting forth what kind of settlement he thought of making, they also stated that they would on the basis of this be willing to pay me \$500.00 per month, and they thought I ought to accept that amount in lieu of all other claims as my share in the estate. This proposal I rejected after due consideration. 545

Sworn at the Consulate General of the
United States of America, at London, England, this 4th day of June, 1897, before me, Wm. M. Osborne, Consul General of the United States of America, at London, England.

546

[SEAL.]

HARRIET E. ROGERS,
formerly BEACH.

SUPREME COURT,

547

CITY AND COUNTY OF NEW YORK.

In the Matter

OF

HARRIET E. BEACH (otherwise Rogers,
otherwise Richardson), an alleged
incompetent person.

Additional Affidavit of Mrs. Beach-Rogers read on respondents' behalf.

548

REPUBLIC OF FRANCE, }
City of Paris, } ss.:

The above named HARRIET ELIZA BEACH now HARRIET ELIZA ROGERS and wife of Henry Richardson Rogers, being duly sworn, deposes and says :

I was lately residing at number 37 Bedford Place, Bloomsbury in the County of Middlesex in England,

549 but am now temporarily residing at Hotel de Lille et d'Albion, 223 Rue St. Honore's in the City of Paris, aforesaid.

In addition to my former affidavit in this suit I say that in the year 1891 when I left the Bloomingdale Asylum and returned to my husband I forgave the outrage which had been committed upon me and continued to live with him and my children as wife and mother at my home No. 9 West 20th Street, New York City. From this time until 1895 I received visitors, made the social arrangements of our home, had the most perfect liberty and was treated with respect by my husband, children and friends and no suggestion of incompetency was made by any of them. In 1895 with my husband's approval I made a visit of six months to Europe. My husband died on the 1st January, 1896, six days before the period of my return to New York. I afterward and until I left New York to come to Europe again in 1896, made my home as usual with my children at 9 West 20th street, in the City of New York, being absent a part of the time under medical treatment for my general health which had been somewhat impaired by reason of the shock from my husband's sudden death.

551 All through this time I was on the most friendly terms with my children and they consulted with me regarding family and other affairs. My daughter Jennie consulted me especially as to whether she had better get married or not, I advised her to do so, and she has since written thanking me for my advice as she was very happy in her married life. I cannot understand why my children should oppose me in my present marriage unless it is to secure to themselves the control of my property. I have known my present husband more than twelve years, I know all about the charges against him for an alleged assault. I know about and have read the scandalous newspaper charges against him, I knew all this when I married him of my own free will. I have not been hypnotised or mesmerised, but am acting on principles which I know to be right and for my best happiness. I therefore beg that the Honorable Court

will leave me in the peaceful possession of my rights 553
and happiness.

HARRIET E. B. ROGERS.

Subscribed and sworn to before me, }
this tenth day of June, 1897. }

E. B. MAC LEAN,
[SEAL.] United States Vice &
Deputy Consul General.

554

SUPREME COURT,

CITY AND COUNTY OF NEW YORK.

In the Matter

OF

HARRIET E. BEACH (otherwise Rogers,
otherwise Richardson), an alleged
incompetent person.

Affidavit of H.
R. Rogers read
on respondents'
behalf.

555

KINGDOM OF GREAT BRITAIN AND IRELAND, } ss.:
City of London, England, }

HENRY RICHARDSON ROGERS, being duly sworn, de-
poses and says :

I am now the age of 52 years and have known Mrs. 556
Harriet E. Beach, now my wife, since 1886, and she
has ever since that time been on very friendly terms
with me and she was very friendly with my former wife.
I have always had great respect for her and have been
on terms of intimate friendship with her and she
has from time to time discussed matters of business with
me. I was aware of all the facts of her former incar-
ceration in Bloomingdale Asylum and sympathised with
her upon her unjust detention there. I came to Eng-

557 land about the 1st of August, 1896, with reference to some important business matters in connection with patents which I am still carrying on, and also other commercial business arrangements in connection with the sale of American roll top desks and other office furniture and also a new bicycle for which I am securing a patent.

In September, 1896, the said Harriet E. Beach explained to me the position she was in with her family and that her son was not making proper remittances to her, and that he was endeavoring to force her to return 558 to New York, that she was in a state of great perplexity as to money as she was under terms to pay the salary and expenses back to America of a Dr. Harris and Mrs. Woodhouse who had accompanied her to Europe as travelling companions. She was intending to winter in Italy and Egypt for her health and without remittance had no funds to go on. She also explained to me that she had been unable to obtain from her children an account of her late husband's estate and that she was unaware of her exact position in regard to it. She said 559 that she had given her son, the said F. C. Beach, a Power of Attorney which would expire on the 1st January, 1897, that she was in fear that her son and daughter would attempt, in order to retain the control of her share in her husband's estate, to harass and annoy her or to take lunacy proceedings or to do something to force her into an arrangement by which the capital of her fortune would be taken from under her control and that she would not receive the full income due to her

560 As she wished to winter in the South of Europe, she asked me to be her travelling companion. She considered and I thought that she ought to have some one who could attend to her wants and see her through the embarrassments of travel, and having known her for many years I consented and we left England early in September, 1896, and visited France, Italy, Egypt and Greece under an arrangement that I was to travel with her. An offer was made by the said H. E. Rogers to Mrs. Woodhouse to accompany us but she declined.

The said H. E. Rogers wrote very frequently to her children and informed them of my having accompanied her and described minutely all that she did. She always kept them informed of her address and but for the question of the accounts which were very improperly rendered and her ignorance as to the estate, she felt very affectionately toward them and was only hoping that they would do what she wished and furnish her with all the details to which she was entitled. She was perfectly sane in every respect ; attended to her money remittances and expenditures, and being of a bright and happy disposition, and was fond of young company, was almost a universal favorite with the company at the various hotels and places we stayed at as ordinary travelling companions. She is no doubt an ardent investigator of spiritualism and student of reforms for women and in the discussions on these subjects which she has had with various persons during her travels she always left them interested, and many thanked her for the views she had expressed. During the period of our travelling I have seldom referred to the subject of spiritualism and have used no improper or other influence over her such as is suggested in the petition and evidence.

The marriage between the said H. E. Beach and myself took place at Alexandria on the 26th January, 1897. We had been friends for over twelve years and she stated she felt the need of having some one with her whom she could trust in connection with her affairs and as a constant companion.

The said Harriet E. Beach is now and so far as I know always has been of good business habits and capability, calm judgment and sound mind and there is no foundations for the allegations of Mr. F. C. Beach and Jennie B. Gaspar that she is incompetent to manage her own affairs, nor would those allegations in my opinion ever have been made but for her insistance upon having an account of the winding up of the estate or an actual report showing the amount of her true capital and income.

While travelling and visiting all of the important

565 places in the countries named my wife has received to
 the best of my knowledge not over \$600 per month out
 of which she has paid her expenses at first class hotels
 and railway travel ; she has made a trip up the River
 Nile, has completely replenished her wardrobe, bought
 souvenirs, made presents, many of them to her son and
 daughter and other members of the family, together
 with such other incidentals such as fees, special excursions,
 etc., commonly connected with such a tour, and
 under advice of said son and daughter has paid out considerable
 566 sums to poor relations and others. She has
 used her money otherwise entirely for her own benefit
 and comfort. I have exacted no salary from her as
 travelling companion, and have not had the use of her
 money for my own purposes in any way. I have on two
 occasions, however, had to advance her money owing to
 a lack of remittance. She has frequently been compelled
 to incur the extra expense of cabling for money,
 because her sons did not remit promptly, or send enough
 money to meet the expenses of travel. I have invariably
 567 found my wife prudent in the expenditure of money
 and perfectly competent to care for it. At the outset
 of our travels before we left Paris in September, 1896,
 and after we arrived at Nice, said F. C. Beach wrote his
 mother on two or more occasions that he should take
 proceedings as an heir of the estate if she continued to
 remain abroad and travel as she wished to do, and by
 various other means sought to coerce her and control
 her freedom of action.

568 With reference to the allegations made concerning me
 by F. C. Beach and Jennie Beach Gaspar, I state that
 I am not now and have not been for nearly two years
 connected with spiritualistic work. I have not used any
 such influence with my said wife either before or after
 marriage in connection with her affairs or as to our
 marriage. We married after mature deliberation by
 both of us I honestly believing I could be of benefit to
 her and she acted entirely of her own free will in accepting
 me as her husband and companion.

We live happily together and my wife's general

health has been much better than when she resided in New York. 569

HENRY RICHARDSON ROGERS.

Sworn at the Consulate General of the United States of America, at London, England, this 4th day of June, 1897, before me, Wm. M. Osborne, Consul General of the United States of America, at London, England.

570

SUPREME COURT,

NEW YORK COUNTY.

In the Matter

OF

HARRIET E. BEACH (otherwise Rogers, otherwise Richardson), an alleged incompetent person.

Affidavit of J. J. Darley, read on respondents' behalf. 571

KINGDOM OF GREAT BRITAIN AND IRELAND, }
City of London, England, } ss.:

JAMES JACOB DARLEY, being duly sworn, deposes and says: I reside at 5 Lancaster Road, Belsize Park, in the County of Middlesex, in the Kingdom of Great Britain, and my place of business is situated at No. 36 John street, Bedford Row, in the said County of Middlesex. I am a solicitor of the Supreme Court of Judicature in England, and carry on business with Charles Henry Cumberland under the style of "Darley & Cumberland." 572

I have read a copy of the order of this Honorable Court made on the 29th day of April, 1897, and of the petition of Frederick C. Beach and Jennie Beach Gasper

573 and of the said Frederick C. Beach and of J. Leonard Corning, all verified on the 7th day of April, 1897, and of the said Frederick C. Beach verified on 26th and 28th April, 1897, on behalf of the petitioners.

I have known and have frequently seen the said Harriet E. Beach now Harriet E. Rogers the wife of Henry Richardson Rogers, lately residing at No. 37 Bedford Place, Russell Square, London, England, but now residing in Paris in the Republic of France, since the 14th day of September, 1896, when she consulted me with
 574 reference to her position under the estate of her late husband, Alfred Ely Beach, of which her son and daughter were administrators and she stated that she had given her son a power of attorney for 6 months expiring the 1st January, 1897, but that he had not carried out his agreement with her as to remitting her income and that he neglected to furnish any accounts of the real and personal estate and she believed he desired to coerce her into returning to New York, and she feared to be left in England without means and she
 575 stated that judging from what had happened previously possibly her son and others might wish to assert that she was of feeble mind or lunatic, and she gave me many details as to her position and wishes. She afterwards stated that owing to absence of proper remittances from her son she was in straitened circumstances and would require \$500, unless he remitted previously—that she desired to raise this money by mortgage over her interest in her husband's estate.

On the 16th of September, 1896, I wrote and sent
 576 the following letter by my firm to the said F. C. Beach.

36 John Street, Bedford Row,

LONDON, W. C., 16 Sept., 1896.

DEAR SIR :

Your Mother, Mrs. Harriet Eliza Beach has consulted us as to her financial position.

She has been expecting to receive from you a remittance in accordance with the arrangement she came to with you before she left New York (that you would remit out of the estate funds a sum in advance of the Oc-

tober payment), or to hear that you were prepared to 577
send it.

She is anxious to arrange for the return to the States of Dr. Harris and Mrs. Woodhouse in October, and unless the money is sent to her as promised they cannot return and your Mother's requirements here for her own expenses will be unsatisfied. Of course she cannot be left here without resources and we are sure it would be the last thing you would wish. Should this happen however we should have to make arrangements to provide her with the funds, but on account of the expense 578 and also of the strained relations between you which these inconveniences to her might cause we hope our help may not be needed.

We may mention that your Mother is in perfect health her only anxiety being to hear satisfactorily from you. If you have not written perhaps you will cable us (see our telegraphic address), "Remitted" which we shall construe as meaning you have sent the money to Mrs. Beach.

Yours faithfully,

(Signed) DARLEY & CUMBERLAND. 579

FREDERICK CONVERSE BEACH, Esq.,
Messrs. MUNN & Co.,
361 Broadway,
New York City.

I received no answer to that letter.

During these interviews she spoke of her friendship for the said H. R. Rogers and stated that she had known him and his wife for a very long time and had every 580 confidence in him.

The said Harriet E. Rogers expressed her wish that she should be medically examined with reference to her state of mind and having regard to her statements before the advance was made, I consulted a London Physician, Dr. J. Shuter Hill of 22 Mecklenberg Square, London, and he carefully examined the said Harriet E. Rogers and stated that he was perfectly satisfied as to her ability to transact business and to execute legal documents and as to her being in a sane mental state.

On the 18th September, 1896, the said H. E. Rogers called on me when she stated she would require the

581 \$500 next week unless her son remitted funds and that she was willing to give a charge over her interests in her husband's estate, did not wish notice to be given at once to the Surrogate, but said that Mr. Rogers would agree to be surety, but she thought the money would be repaid in a short time out of remittances from her son and she stated she required the money partly to defray the expenses of her proposed visit to Nice and also the expenses of Dr. Harris and Mrs. Woodhouse, who had accompanied her from New York and whose return there she had agreed to pay for.

My firm accordingly arranged for an advance to be made of £125 and a mortgage was executed dated the 23d September, 1896, by her to Mr. Frederic J. Tingle of that sum bearing interest at 5 per cent. Subsequently this mortgage deed was sent to New York to be placed on the register and the money owing thereunder is still unpaid.

The said Mrs. H. E. Rogers (then Beach) also gave as security a draft upon Mr. F. C. Beach for the amount
583 advanced by Mr. Tingle under the belief that her son would meet the bill and thereby avoid the cost of the registration of this mortgage.

The said Henry Richardson Rogers also gave a written guarantee to secure the repayment of the sum.

I am informed and believe that the said F. C. Beach afterward made certain remittances from time to time to his mother but that he failed to furnish any account of the real and personal estate of the Testator.

I had many opportunities of judging the state of mind
584 of the said H. E. Rogers, and I found her calm, collected and in every way intelligent about business matters. She explained in great detail all her position with regard to her husband's estate and as to her children. I had no proofs of the existence of any of the matters of which she spoke and was quite convinced by her description and by her manner and general appearance of the truth of all her statements. She showed no signs of weakness of mind or incapacity for business and in evidence of the impression that she made upon me I consented to advise that the loan should be carried out. I had also many opportunities of thus putting Mr. Beach in Mr.

Tingle's place on the register. On consulting the said 585
 Harriet E. Rogers declined to assent to the transfer of
 the loan to her son inasmuch as the moneys out of which
 the said Mr. Beach proposed to pay off the mortgage
 would come out of the funds belonging to her and she
 did not wish the deed kept alive against herself.

I have since had further negotiations with Mr. Fry
 as to payment, who has now proposed to pay the said
 principal, interest and costs but the same has not yet
 been done.

I have had interviews with the said H. E. Rogers 586
 from time to time since her return from her tour in
 Europe, on the 3d of May, 1897, and many during the
 last few days and I am of the same opinion as before
 as to her mental capacity and sanity and I do not con-
 sider that there is any ground for the allegations in the
 petition that she is incompetent or in apparent lunacy—
 but on the contrary that she is thoroughly competent
 to transact any business and that her mind, memory and
 understanding for all business purposes are unimpaired.
 In the correspondence with her children it is evident 587
 that they always treated her as competent for business
 matters.

On the 18th of May, 1897, the said Harriet E. Rogers
 was examined by the said Dr. Shuter Hill and Dr.
 Younger who have made affidavits in this suit. Before
 their examination of her I read over to them the ex-
 tracts from the letters to her son relating to spiritual
 subjects which were published in the New York
 Herald's report (on the 30th April last) of the case on
 the hearing of the application to this Honorable Court 588
 on the 29th April, 1897, and then fully informed them
 as to her history and her opinions on spiritualism.

[SEAL.]

JAMES J. DARLEY.

Sworn at the Consulate General of the
 United States of America, at Lon-
 don, England, this 9th day of June,
 1897, before me, Wm. M. Osborne,
 Consul General of the United
 States of America, at London, Eng-
 land.

589

SUPREME COURT,

NEW YORK COUNTY.

In the Matter

OF

590 **HARRIET E. BEACH** (otherwise Rogers,
otherwise Richardson), an alleged
incompetent person.

Affidavit of C.
H. Cumberland, read on
respondents' behalf.

KINGDOM OF GREAT BRITAIN AND IRELAND, } ss.:
City of London, England, }

591 **CHARLES HENRY CUMBERLAND**, on No. 36 John street,
Bedford Row in the County of Middlesex in the King-
dom of Great Britain, being duly sworn, deposes and
says :

I am a Solicitor of the Supreme Court of Judicature
in England and carry on business in partnership with
James Jacob Darley, under the style of "Darley &
Cumberland," at the above address, and I reside at Hat-
field in the County of Hertford.

592 I have read a copy of the Order of this Honorable
Court made on the 29th day of April, 1897, and of the
petition of Frederick C. Beach and Jennie Beach Gas-
per, verified on the 7th day of April, 1897, and copies
of the affidavits of the said Frederick C. Beach and Jen-
nie Beach Gasper and of the said Frederick C. Beach
and of J. Leonard Corning all verified on the 7th day of
April, 1897, and of the said Frederick C. Beach, verified
on the 26th and 28th April, 1897, on behalf of the
petitioners.

I have known and have frequently seen the said Har-
riet E. Beach now Harriet E. Rogers the wife of Henry
Richardson Rogers, lately residing at No. 37 Bedford
Place, Russell Square, London, England (but now re-

siding in Paris in the Republic of France), in and since 593
the month of September, 1896.

I had several opportunities shortly after the 14th September, 1896, of conversing with the said H. E. Rogers (then Beach), and of forming an opinion of her mental capacity and she appeared to me to be very shrewd and sensible upon matters of business and quite capable of managing her own affairs.

On October 7, 1896, Mr. Fry a member of the firm of Keddy & Fletcher & Fry, Solicitors called upon my firm and in the absence of my partner the said James 594
Jacob Darley who was advising the said Harriet Beach, I received and had a long interview with him. Mr. Fry stated he was acting for Mr. Fred. Beach. He was accompanied by a Mr. Ward, who stated that he was a friend of the family through his marriage with an American lady. I informed Mr. Fry of the advance by the said Mr. Tingle and they stated that the said H. R. Rogers was a spiritualist and that Mrs. Beach fancied there was no will and that she was entitled to a third of her husband's property whereas the fact was that he 595
had not died intestate but left a will of which the son and daughter were "Administrators," and that Mrs. Beach was entitled only to \$2,000 a year but they did not state specifically the terms of the will or that this income was based upon it and they referred to it as an "allowance," and Mr. Ward said it was encumbered. Mr. Fry stated that Mrs. Beach had been in confinement as a lunatic on more than one occasion, but they seemed uncertain as to how many times. I stated that throughout the interviews we had had with her she exhibited 596
every indication of acute mental faculty and shrewd business ability. Mr. Ward concurred fully in our estimate of her mental capacity in business matters and several times recurred to this point and reiterated his opinion as to her being extremely shrewd and capable about ordinary business concerns.

I informed them we had sent over the security to our agents in New York, with a bill for presentation to her son.

Throughout the said interview no suggestion was made

597 that the said Harriett E. Rogers was or might be liable to be placed under restraint in any way although Mr. Fry appeared very anxious to find some way of controlling her actions.

I have seen and conversed with the said Harriet E. Rogers in the month of May, 1897, and the judgment and opinion I formed of her previously is fully confirmed and I consider the allegations in the said petition and affidavits as to her sanity and incompetence to manage her affairs are unfounded.

598

C. H. CUMBERLAND.

Sworn at the Consulate General of the
United States of America, at London,
England, this 9th day of June,
1897, before me, Wm. M. Osborne,
Consul General of the United
States of America, at London, Eng-
land.

599

SUPREME COURT,

CITY AND COUNTY OF NEW YORK.

In the Matter

OF

600 HARRIET E. BEACH (otherwise Rogers,
otherwise Richardson), an alleged
incompetent person.

Affidavit of Dr.
Hill read on
respondents'
behalf.

KINGDOM OF GREAT BRITAIN, AND IRELAND, } ss.:
City of London, England,

JOSEPH SHUTER HILL, of 22 Mechlenburgh Square,
London in the County of Middlesex in the Kingdom of
Great Britain, being duly sworn, deposes and says :

I am a licentiate of the Royal College of Physicians
of Edinburgh, and a member of the Royal College of

Surgeons of England, and I have been for 12 years and 601
 still am in active practice of medicine, and on two separate occasions, namely September 16th, 1896, and on the 18th day of May, 1897, I have seen and examined for a considerable time Mrs. Harriet Eliza Rogers lately Harriet Eliza Beach, at 36 John street, Bedford Row, with a view to ascertain her mental condition.

On the first occasion I was informed by Mr. James J. Darley who acted as attorney for her that she was about to execute a legal document and that my opinion was required in reference to her ability to do so and I advised 602
 that she could properly execute the same.

I find that Mrs. Rogers who is 69 years of age is remarkably clear in her memory and that she quite understands her financial affairs and is able to look after herself in all ordinary business transactions. She is and has been for some 30 years as she informed me a firm believer in what is known as spiritualism, but this fact does not seem to have detracted from her appreciating fully the every-day routine of life.

Before my interview on the 18th day of May, 1897, 503
 with Mrs. Rogers, Mr. Darley read to me extracts from various letters alleged to be written by her to her son, sent out in a report of the case in the "New York Herald," of I am informed and believe the 30th April, 1897.

[SEAL]

J. SHUTER HILL.

Sworn at the Consulate General of the
 United States of America, at London, England, this 8th day of June, 1897, before me, Wm. M. Osborne, Consul General of the United States of America, at London, England.

604

605

SUPREME COURT,

CITY AND COUNTY OF NEW YORK.

In the Matter

OF

606 HARRIET E. BEACH (otherwise Rogers,
otherwise Richardson), an alleged
incompetent person.

Affidavit of Dr.
Younger read
on respondents'
behalf.

KINGDOM OF GREAT BRITAIN AND IRELAND, }
City of London, England, } ss.:

EDWARD GEORGE YOUNGER, of 19 Mecklenburgh
Square, London in the County of Middlesex in the
Kingdom of Great Britain, being duly sworn, deposes
and says :

607

(1.) That I am a doctor of medicine, a member of
the Royal College of Physicians and a Diplomat in
State medicine.

(2.) That I have made a special study of diseases of
the brain and mind and was for 16 years assistant phy-
sician to the County Lunatic Asylum at Hanwell.

608 (3.) That on the 18th May, 1897, at 36 John street,
Bedford Row, at the request of Messrs. Darley & Cum-
berland. I had an interview with Mrs. Harriet Eliza
Rogers for the purpose of examining into her mental
condition which I found to be as follows :

Her memory for both recent and remote events was
excellent and she never contradicted herself once in giv-
ing a short account of the principal events of her life.
She took a keen and intelligent interest in conversing
about her financial affairs and she struck me as possess-
ing much shrewd business capacity.

She has evidently devoted herself for many years
past to spiritualism, and she holds many views as to com-

munition with the dead, the taking of spirit-portraits, &c., 609
 which though in my opinion erroneous are to my own
 knowledge held by numerous persons of undoubted san-
 ity, especially in America. I do not consider that
 these opinions detract from Mrs. Rogers' business capac-
 ity and I am of opinion that she is quite competent to
 manage her own business and financial affairs.

Before my interview with Mrs. Rogers, Mr. Darley
 read to me extracts from various letters with a spiritual-
 istic tendency alleged to be written by her to her son
 set out in a report of the case in the "New York 610
 Herald" of I am informed and believe the 30th April,
 1897.

[SEAL] EDWARD GEORGE YOUNGER.

Sworn at the Consulate General of the
 United States of America, at Lon-
 don, England, this 9th day of June,
 1897, before me, Wm. M. Osborne,
 Consul General of the United
 States of America, at London, Eng-
 land.

611

SUPREME COURT,

NEW YORK COUNTY.

In the Matter

OF

HARRIET E. BEACH (otherwise Rogers,
 otherwise Richardson), an alleged
 incompetent person.

Affidavit of 612
 Mrs. Hoeffner,
 read on
 respondents'
 behalf.

REPUBLIC OF FRANCE, } ss. :
 City of Paris,

MADAME CLAIRE HOFFNER, residing at 23 Rue Les-
 neur, Avenue du Bois de Boulogne, Paris, France, a
 widow, being sworn, says :

613 I met Mrs. Harriet E. Beach (now Rogers) in November, 1895, at the Hotel d'Angleterre, Rue de la Boetie, Paris, at several receptions given by her at said hotel. I had good opportunity to observe Mrs. Beach, and say that I saw no evidence of her being incompetent or mentally unsound in any way whatever. She impressed me by frequent conversations on various subjects as being a lady fully capable of taking care of herself and of managing her own affairs. If there had been any mental incompetency on her part I would have observed it.

614 Subscribed and sworn to before me, this {
tenth day of June, A. D. 1897. }

CLAIRE HOFFNER.

E. P. MACLEAN,

[SEAL]

United States Vice and
Deputy Consul General.

615

SUPREME COURT,

NEW YORK COUNTY.

In the Matter

OF

616 HARRIET E. BEACH (otherwise Rogers,
otherwise Richardson), an alleged
incompetent person.

Affidavit of
Mrs. Thevenet,
read on
respondents'
behalf.

REPUBLIC OF FRANCE, }
City of Paris, } ss.:

MADAME MARY ELIZABETH THEVENET, 6 Rue Andre' Gill, Paris, France, being duly sworn, says :

I first met Mrs. Harriet E. Beach (now Rogers) in October, 1895, and continued acquaintance with her

until the last of that year and was daily in her company; 617
 was with her on shopping occasions, attended opera with
 her, and had every facility for observing her mental
 state and business capacity. I also had occasion to see
 her in the fall of 1896. I called at her hotel and had
 conversations with her, and in 1897, during the months
 of April and June, up to the present time, we fre-
 quently met and went shopping together, so that I could
 see how she handled and expended her money. I found
 her to be prudent, careful, and not at all given to ex-
 travagant expenditure or waste. During all of my ac- 618
 quaintance with the said Mrs. Beach I have never seen
 her exhibit any evidence of improper or incompetent
 conduct, and she has always appeared to me to be a
 thorough lady, capable and able to take care of herself
 and her affairs on all occasions.

MARY ELIZABETH THEVENET.

Subscribed and sworn to before me, by the }
 said Mary Elizabeth Thevenet, this tenth }
 day of June, A. D. 1897.

E. P. MACLEAN,

619

[SEAL] United States Vice and
 Deputy Consul General.

620

621

SUPREME COURT,

NEW YORK COUNTY.

In the Matter

OF

622

HARRIET E. BEACH (otherwise Rogers,
otherwise Richardson), an alleged
incompetent person.

Affidavit of
Dr. Hornung,
read on
respondents'
behalf.

REPUBLIC OF FRANCE, }
City of Paris, } ss. :

623 **DR. WILLIAM A. HORNUNG**, American Dentist, re-
siding and practicing at 35 Boulevard Haussmann,
Paris, France, being sworn, says :

624 I first became acquainted with Mrs. Harriet E.
Beach (now Rogers) in October, 1895, in the City of
Paris, France. She boarded in the same house that I
did, and also called upon me professionally and I had
opportunity and did see her frequently during her
stay of 2 months in Paris in 1895. I also met her a
number of times during May, 1897, and had several
conversations with her, and I have invariably found her
to be a refined and intelligent lady with a good deal of
self control and independence of speech, and she never
at any time in my presence gave indication of being
incapable of managing herself and her affairs. I con-
sider her to be quite a clever business woman, and if
there had been anything wrong with her mentally I
would certainly have observed it. On one occasion I
attended a reception given by Mrs. Beach and observed
that she was unusually bright and lively and gave no in-

dication whatever of being unbalanced or of unsound mind. 625

WILLIAM A. HORNING.

Subscribed and sworn to before me, this }
ninth day of June, A. D. 1897. }

E. P. MACLEAN,
[SEAL] United States Vice and
Deputy Consul General.

— — 626

SUPREME COURT,

NEW YORK COUNTY.

In the Matter

OF

HARRIET E. BEACH (otherwise Rogers,
otherwise Richardson), an alleged
incompetent person.

Affidavit of Dr. 627
Dupuy read on
respondents'
behalf.

REPUBLIC OF FRANCE, }
City of Paris, } ss.:

DR. EUGENE DUPUY, 53 Avenue Montaigne, Paris, 628
being duly sworn, says :

Mrs. Harriet E. Beach (now Rogers), who consulted me for her health, June 8th, 1897, is physically and mentally perfectly healthy. She is most assuredly not showing any sign of mental disorder, and there is no delusion or hallucination. There is perfect memory, both concerning present and past events. The reasoning power is not abnormal in any way. I can therefore

629 declare that Mrs. Harriet E. Beach is sound both in mind and body.

EUGENE DUPUY.

Subscribed and sworn to before me, this }
ninth day of June A. D., 1896. }

E. P. MACLEAN,

[SEAL]

United States Vice and
Deputy Consul General.

630

NEW YORK SUPREME COURT.

In the Matter

OF

HARRIET E. BEACH (otherwise Rogers,
otherwise Richardson), an alleged
incompetent person.

631

Affidavit of
E. F. Bullard
read on respon-
dents' behalf.

City and County of New York, ss.:

EDWARD F. BULLARD, being duly sworn, says: That he is an attorney and counsellor at law, and has been for more than fifty years past. That he resides in Brooklyn, and his office address is No. 137 Broadway, New York City. That he has known the above-named Harriet E. Beach, for more than fifteen years last past, quite intimately. That deponent's summer residence for more than twenty years last past has been in Saratoga, New York. That during the summer of 1895, said Harriet E. Beach boarded ten weeks in Saratoga, and during that time occupied a room in deponent's house. That deponent saw her in New York, just before her departure for Europe in the summer of 1896.

That deponent has conversed with her at various times on many subjects. That she is a bright, intelligent woman, and this deponent never saw anything irrational in her conduct or conversation. That she had a

keen perception upon business matters, and a good 633
 memory for past and present events. That in deponent's opinion she is not insane, but that upon the contrary, she is entirely competent to manage herself and her financial affairs and business. That this deponent received a letter by mail from her a few days since from London, dated the 27th day of May, 1897, in her own handwriting, in which she spoke of her counsel who were aiding her in the above matter, as follows: "I received both your letters. Darley & Cumberland, of 33 John street, Bedford Row, are my London lawyers, and 634
 Warren, Boothby & Warren, of 31 Nassau street, New York, are selected by them to act for me in New York City. I have authorized Warren's firm to employ other counsel, but I must act through one firm." The above quotation is an extract from said letter, containing other private communications, which has no bearing upon this matter.

E. F. BULLARD.

Sworn to before me, this 18th }
 day of June, 1897. }

635

AUGUST C. NANTZ,

Notary Public,

No. 2.

New York County.

636

637

SUPREME COURT,
COUNTY OF NEW YORK.

In the Matter

OF

638 HARRIET E. BEACH (otherwise Rogers,
otherwise Richardson), an alleged
incompetent person.

Affidavit of
Dr. Gray
read on respon-
dents' behalf.

City and County of New York, ss.:

LANDON CARTER GRAY, being duly sworn, says, he resides at No. 6 East 49th street, New York City. That he is a physician and surgeon; Professor of nervous and mental diseases in the New York Polyclinic; visiting physician to St. Mary's Hospital; Neurologist to the Hospital for Ruptured and Crippled; Ex-President of the American Neurological Association; Ex-President of the Neurological section of the New York Academy of Medicine; Ex-President of the Society of Medical Jurisprudence; Fellow of the Academy of Medicine; member of the New York County Medical Society, and author of a standard treatise of nervous and mental diseases.

640 That deponent has read, and heard read the copies of letters written by Harriet E. Beach, referred to in the affidavits of Frederick C. Beach and J. Leonard Corning, and annexed thereto in the moving papers in the above entitled proceedings, being forty-one in number, and written during the period from August 22d, 1896, to and including April 3d, 1897.

That said letters do not prove insanity upon the part of said Harriet E. Beach, but so far as they prove anything, show unimpaired memory, keen perception, reasoning power and affection. That the allusions therein to communications with persons deceased, evi-

dently proceed from a belief in spiritualism, which in 641
itself is no proof of insanity or incompetency, inasmuch
as it is only a creed or belief possessed by many persons
to my own knowledge of undoubted sanity.

That said letters furnish no evidence of any impair-
ment of her sight or hearing, or that she is not competent
to manage herself and her financial affairs, but on the
contrary do show that she takes a keen interest in her
financial affairs.

That I was fully advised as to her being a believer in
spiritualism, and that she had been for many years, 642
and that she had been confined in Bloomingdale in 1891
upon the certificates of Drs. Satterlee and Corning, and
that I also read and heard read the affidavits of J.
Leonard Corning in relation thereto annexed to the mov-
ing papers, before I read and heard read the letters
hereinbefore referred to.

LANDON CARTER GRAY.

Sworn to before me, this {
21 day of June, 1897. }

AUGUST C. NANTZ,

Notary Public,

No. 2. New York County.

643

644

645

SUPREME COURT,
COUNTY OF NEW YORK.

In the Matter

OF

646 HARRIET E. BEACH (otherwise Rogers,
otherwise Richardson), an alleged
incompetent person.

Affidavit of
Dr. Hammond
read on respon-
dents' behalf.

City and County of New York, ss.:

GRAEME M. HAMMOND, being duly sworn, says : He resides at No. 58 West 45th street. That he is a physician and surgeon; a graduate of the University of the City of New York; a member of the New York County Medical Society; member of State Medical Society and Academy of Medicine; member of the Society of Medical Jurisprudence ; member of Neurological Society; Physician Mutual Aid Association; attending physician Post Graduate Hospital; Professor of Nervous and Mental Diseases, and author of treatise on mental and nervous diseases, and has a large and varied experience in the treatment of nervous and mental diseases.

648 That deponent has read the affidavits of Frederick C. Beach and J. Leonard Corning, as well as the copies of forty-one letters, alleged to have been written by Harriet E. Beach, annexed to said affidavits to the mov- in papers in this proceeding, being written during the period from August 22d, 1896, to April 3d, 1897, inclusive. That deponent has also read the affidavit of Landon Carter Gray, hereto annexed, and verified the 21st day of June, 1897. That deponent was fully advised as to her being a believer in spiritualism, and that she had been for many years, and that she had been confined in Bloomingdale in 1891, upon the certificates

of Drs. Satterlee and Corning, before I read and heard 649
read the letters above referred to.

That said letters provide no evidence of any mental unsoundness upon the part of said Harriet E. Beach; but so far as they prove anything, show unimpaired memory, keen perception, and reasoning powers and affection. That the allusions therein to communications with persons deceased, evidently proceeds from a belief in spiritualism, which in itself is no proof of insanity or incompetency, inasmuch as it is only a creed or belief possessed by many persons to my own knowledge of undoubted sanity, which does not detract from their appreciating fully the every day routine of life. 650

That said letters furnish no evidence of any impairment of her sight or hearing, and furnish no evidence of weakness of the mental faculties, and are not irrational. That said letters furnish no evidence that she is not entirely competent to manage herself and her financial affairs, but on the contrary, do show that she takes a keen and intelligent interest in her financial affairs, and the letters evidence, if anything, 651
that she is prudent, economical, and fully competent to care for herself, and to manage her business and financial affairs with prudence and discretion.

GRAEME M. HAMMOND., M. D.

Sworn to before me, this }
21 day of June, 1897. }

AUGUST C. NANZ,

Notary Public,

No. 2. New York County.

652

653

SUPREME COURT,

COUNTY OF NEW YORK.

In the Matter

OF

654 HARRIET E. BEACH (otherwise Rogers,
otherwise Richardson), an alleged
incompetent person.

Affidavit of Dr.
Ewing read
on respondents'
behalf.

City and County of New York, ss.:

655 WILLIAM A. EWING, being duly sworn, says: He is
a physician and surgeon residing at No. 134 West 58th
street, New York City, a member of the County Medical
Society, New York Academy of Medicine, and a quali-
fied examiner in lunacy for the City and County of New
York.

656 That deponent has read the affidavits of Frederick
C. Beach and J. Leonard Corning, as well as the copies of
forty-one letters alleged to have been written by Harriet
E. Beach annexed to said affidavits to the moving papers
in this proceeding, being written during the period from
August 22d, 1896, to April 3d, 1897, inclusive. That
deponent has also read the affidavit of Landon Carter
Gray hereto annexed, and verified the 21st day of June,
1897. That deponent was fully advised as to her being
a believer in spiritualism, and that she had been for
many years, and that she had been confined in Bloom-
ingdale in 1891, upon the certificate of Drs. Saterlee and
Corning, before I read and heard read the letters above
referred to.

That deponent has read the affidavits of Drs. Gray
and Hammond annexed hereto, verified the 21st day
of June, 1897, and deponent coincides with the state-

ments contained in said affidavits in each and every particular. 657

WILLIAM A. EWING, M. D.

Sworn to before me, this 21st }
day of June, 1897. }

AUGUST C. Nanz,
Notary Public,
No. 2. N. Y. County.

SUPREME COURT,

658

COUNTY OF NEW YORK.

In the Matter

OF

HARRIET E. BEACH (otherwise Rogers,
otherwise Richardson), an alleged
incompetent person. -

Affidavit of
Joseph Dixon
read on respondents'
behalf.

659

KINGDOM OF GREAT BRITAIN AND IRELAND, } ss.:
City of London, England,

JOSEPH DIXON, of 20 Leigham Vale Streatham in the
County of Surrey in the Kingdom of Great Britain,
Gentleman, being duly sworn, deposes and says :

I am an American citizen and formerly lived in New York. 660

I have resided in England for 6 years where I am engaged in business connected with some patents in which I am interested.

I have known the above-named H. E. Rogers for many years. I was at one time viz.: from about 1870 to 1879, connected in business with her husband Alfred Ely Beach, and I had during that time many opportunities of intimate friendship with her. Her family

661 and mine lived near together and we frequently visited each other.

She was a woman of great business ability in the ordinary affairs of life and above the average in that respect.

She took views on the subject of spiritualism with which I did not agree, but I am no believer in that science.

The said H. E. Rogers has informed me of the petition in this suit, and I have seen the reports of the
662 application on the petition in the "New York Herald" of the 30th April last, and I have gone fully into the questions with her.

In my interview I found her just as clever and intelligent on business matters as she was when I used to see her often. She is wonderfully preserved, her memory is excellent and I consider her quite competent to manage her own affairs.

Her spiritualistic views are the same as before.

JOSEPH DIXON.

663 Sworn at the Consulate General of the
United States of America, at London, England, this 8th day of June, 1897, before me, Wm. M. Osborne, Consul General of the United States of America, at London, England.

664

SUPREME COURT,

665

COUNTY OF NEW YORK.

In the Matter

OF

HARRIET E. BEACH (otherwise Rogers,
otherwise Richardson), an alleged
incompetent person.

Affidavit of
F.W. Raynham,
read on
respondents'
behalf.

666

KINGDOM OF GREAT BRITAIN, }
County of Middlesex, } ss.:

FREDERICK WALTER RAYNHAM, of "Riverside,"
Great Blakenham, Ipswich, County of Suffolk, in the
Kingdom of Great Britain, being duly sworn, deposes
and says :

I am in the employ of Messrs. Thomas Cook and Son,
tourist agents, etc., and was acting as their cashier at
Cairo in Egypt during the season of 1896-7. I fre-
quently saw Mrs. Harriet E. Rogers formerly Harriet E.
Beach (by which latter name she was known to me), at
Cairo during the months of December, 1896, and Janu-
ary and February, 1897. She transacted matters of bank-
ing business with me and from the way in which she
carried them through I believed that she was perfectly
sane and reasonable and understood the business matters
which came under her notice. She was rational in her
manner and her behavior was ladylike, and I had and
have no doubt that she is competent to manage her own
affairs.

667

668

F. W. RAYNHAM.

Subscribed and sworn before me at W. }
C. Ludgate Circus in the County of }
Middlesex in Great Britain this eighth }
day of June, 1897. }

WM. CRAWLEY,
[SEAL] Notary Public.

- 669 A Notary Public duly admitted and sworn in and for London and elsewhere in England and said County of Middlesex.
(Consul's Certificate attached.)

SUPREME COURT,

COUNTY OF NEW YORK.

670

In the Matter

OF

HARRIET E. BEACH (otherwise Rogers,
otherwise Richardson), an alleged
incompetent person.

Affidavit of
W.F. Anderson,
read on
respondents'
behalf

671

KINGDOM OF GREAT BRITAIN, } ss.:
County of Middlesex,

WILLIAM FENWICK ANDERSON, of 74 Silvester Road, East Dulwick in the County of Surrey, Kingdom of Great Britain, being duly sworn, deposes and says :

I am head clerk in charge of the reading room of Messrs. Thomas Cook & Son, of Ludgate Circus, London.

- 672 I have known the above-named Harriet E. Rogers formerly Harriet E. Beach, for about two years, and have seen her on many occasions during that period very frequently in 1895, and also within the last two months. She was very clear and concise in giving her instructions in connection with the business which I did for her and was entirely rational and perfectly competent to manage her own affairs.

Our interviews on some occasions lasted over half an hour and I had several conversations with her outside matters of business, and she appeared to me to be exceedingly intelligent.

She was quiet and ladylike in manner, and appeared 673
to be in full possession of all her faculties.

WILLIAM FENWICK ANDERSON.

Subscribed and sworn before me at Ludgate
Circus in the County of Middlesex of Great }
Britain this eighth day of June, 1897.

WM. CRAWLEY,
[L. s.] Notary Public.

A Notary Public duly admitted and sworn in and
for London and elsewhere in England and said County 674
of Middlesex.

SUPREME COURT,

CITY AND COUNTY OF NEW YORK.

In the Matter

OF

HARRIET E. BEACH (otherwise Rogers,
otherwise Richardson), an alleged
incompetent person.

675

Affidavit of
James Burns
read on respondents' behalf.

KINGDOM OF GREAT BRITAIN, } ss.:
County of Middlesex,

JAMES BURNS, of No. 81 Endell street, London, in the
County of Middlesex in Great Britain being duly
sworn, deposes and says :

676

I am a member of the firm of Mackensie & Co., publishers and booksellers.

I have known the above named Harriet E. Beach, now the wife of Henry Richardson Rogers, since 1895. I have had interviews with her on many occasions in that year and also in 1896 and 1897. We have met recently in the month of May last. I have had many

677 opportunities of judging as to her character and disposition. I had a strong regard for her. I consider her to be very clever in business matters and well informed on subjects of the day. I believe her to be quite capable of managing her own affairs.

No suggestion as to her insanity ever crossed my mind and I was surprised when I heard of the proceedings instituted against her which I believe to be entirely without foundation. She has on several occasions conversed with me on subjects relating to spiritualism and
678 her ideas were similar to those held by many who devote themselves to that cult and were rational and interesting.

JAMES BURNS.

Subscribed and sworn to before me at No. 81 }
Endell Street, London, in the County of }
Middlesex in Great Britain, this eighth }
day of June, 1897.

WM. CRAWLEY,

[SEAL] Notary Public.

679 A Notary Public duly admitted and sworn in and for London and elsewhere in England and said County of Middlesex.

(Consul's Certificate attached.)

680

SUPREME COURT,

681

CITY AND COUNTY OF NEW YORK.

In the Matter

OF

HARRIET E. BEACH (otherwise Rogers,
otherwise Richardson), an alleged
incompetent person.

Affidavit of
E. D. Rogers
read on respondents'
behalf.

682

KINGDOM OF GREAT BRITAIN, }
County of Middlesex, } ss.:

EDMUND DAWSON ROGERS, of No. 110 St. Martin's Lane, London, in the County of Middlesex in the Kingdom of Great Britain, being duly sworn, deposes and says :

683

I am the President of the London Spiritualist Alliance.

I have known the above-named Harriet E. Rogers (formerly Harriet E. Beach) since 1895. In that year she called on me several times and I had many conversations with her on subjects in which we took a mutual interest and she attended a meeting of the Spiritualist Alliance of which I was president. I am the editor of a weekly journal called "Light" and in that year I published in that paper an article which was contributed by the said H. E. Rogers. Since that time I have seen her again and on two or three occasions in this year. The last interview was on the 31st of May, 1897.

684

The said Harriet E. Rogers conversed with me on various matters connected with occult science and I found her intelligent and considerably advanced on these subjects.

I am not related to or connected in any way with her present husband, Henry Richardson Rogers.

From what I saw of her I consider her a person of

685 above the average ability and in my judgment and opinion she is capable of conducting her own affairs. She was rational in her views upon the subjects which we discussed and had evidently studied the subjects seriously.

Any allegation made as to her insanity are I consider quite unfounded.

E. DAWSON ROGERS.

686 Sworn to before me at No. 110 St. Martin's Lane, London in the County of Middlesex in Great Britain this eighth day of June, 1897.

WM. CRAWLEY,

[SEAL] Notary Public.

A Notary Public in and for London and elsewhere in England and said County of Middlesex duly admitted and sworn.

SUPREME COURT,

687

COUNTY OF NEW YORK.

In the Matter

OF

688 HARRIET E. BEACH (otherwise Rogers, otherwise Richardson), an alleged incompetent person.

Affidavit of
Frances A.
Perkins
read on respondents' behalf.

City and County of New York, ss.:

FRANCES A. PERKINS, being duly sworn, says: I reside at 216 South street, Morristown, New Jersey. I have known Mrs. Harriet E. Rogers (formerly Beach), the person above-named, who was the widow of Alfred E. Beach, late of the City of New York, since about 1889, and have known her quite intimately since about

1891. I have often visited her at her residence. I 689
have often received letters from her within the last year,
and before that time. I have often heard her converse
upon a great variety of subjects.

I know that she is a spiritualist, and has been for a
number of years. I have often heard her speak upon
the subject of her belief in spiritualism, and I have
always received the impression from her conversation
upon that subject that she derived great comfort from
it. I never heard her speak irrationally upon that, or
any other subject. She always appeared to me to be a 690
singularly bright and clear headed woman. She was
very devoted to her family and was of a singularly
lovable nature. I have always heard her speak upon
financial matters in regard to her property and she al-
ways spoke with good sense, and seemed to thoroughly
understand business matters so far as her own interests
were concerned.

Her husband, Mr. Beach, died in the latter part of
December, 1895. She was then abroad and returned to
this country just about the time of the funeral of Mr. 691
Beach. I saw her a great many times between that
time and the time when she went abroad in the summer
of 1896. I never saw anything irrational in her con-
duct, or heard her say anything irrational. I saw her
on the day she sailed for Europe in the summer of 1896.
I went to the steamer to see her off. She seemed the
same sensible, happy woman that I had known for many
years. I never saw any signs of insanity in her. I be-
lieve her to be entirely sane, and capable of managing
her own affairs. 692

That the letter referred to in the moving papers here-
in as having been written to this deponent by Harriet
E. Beach, was obtained by Mrs. Gasper and used by the
petitioner without the deponent's knowledge and con-
sent.

F. A. PERKINS.

Sworn to before me this 11th {
day of June, 1897. }

AUGUST C. NANTZ,

Notary Public,

No. 2.

New York County.

693

SUPREME COURT,

COUNTY OF NEW YORK.

In the Matter

OF

694 HARRIET E. BEACH (otherwise Rogers,
otherwise Richardson), an alleged
incompetent person.

Affidavit of
L. E. Warren
read on respond-
ents' behalf.

City and County of New York, ss.:

695 LYMAN E. WARREN, being duly sworn, says, that he
is one of the attorneys for the aforesaid Harriet E.
Beach in the above-entitled action, and that the annexed
is a true copy of an order made concerning the said
Harriet E. Beach, and duly filed in the office of the
Clerk of the City and County of New York, on the 12th
day of May, 1891.

696 That this deponent was authorized to commence pro-
ceedings to compel the petitioner, Frederick C. Beach,
and his sister Jennie E. Gasper, who were appointed ad-
ministrators of the estate of their father, and to compel
them to account, and to render an account of their pro-
ceedings as such administrator and administratrix, and
that a citation was issued herein in the Surrogate's Court
of New York County on or about the 18th day of Febru-
ary, 1897. That immediately after the said citation was
served, an order was made directing a supplemental
citation to be issued, and after the service was com-
pleted, the said Frederick C. Beach, interposed the an-
swer which is contained in a part of the moving papers
herein, and thereafter commenced the proceeding to
have the said Harriet E. Beach declared a lunatic; and
this deponent verily believes that such proceedings were
instituted for the purpose of preventing if possible, the
making and rendering of their accounts as adminis-
trator and administratrix, they having filed an affidavit

in the Surrogate's Court that the personal estate of the said deceased did not exceed Twenty-eight thousand dollars, while this deponent is informed and believes that said personal estate is in excess of the value of Two hundred thousand dollars. 697

That also annexed hereto is an account of F. C. Beach and Jennie H. Gasper rendered to said Harriet E. Beach just prior to her instituting proceedings for a judicial accounting in the estate of Alfred E. Beach, deceased.

L. E. WARREN.

Sworn to before me this 15th } 698
day of June, 1897. }

AUGUST C. NANZ,

Notary Public,

No. 2.

N. Y. County.

At a Special Term of the Supreme Court
of the State of New York, held in
and for the City and County of New
York, at the Chambers thereof in 699
the County Court House in the City
of New York, on the 12th day of
May, 1891.

Present—Hon. MORGAN J. O'BRIEN, Justice.

In the Matter

OF

HARRIET E. BEACH, an alleged lunatic.

Order referred 700
to in preceding
affidavit.

On the petition and writ of *Habeas Corpus* herein, issued to Alfred E. Beach, and on the return of said Alfred E. Beach to said writ, and the traverse of Cornelia S. Robinson to said return, due deliberation having been had, and it having been decided after a private exami-

701 nation of said Harriet E. Beach by the Hon. Morgan
J. O'Brien, Justice, that said Harriet E. Beach is in all
respects a sane person, entitled to go where she pleases
as a free agent, and at all times having the right to apply
to this Court should any attempt hereafter be made to
restrain her actions as a free agent, and, it having been
further decided by said Justice that at the time of the
service of the writ herein said Harriet E. Beach was a
free agent under no restraint, it is hereby

Ordered and adjudged, that the writ herein be and
702 the same is hereby dismissed, and it is hereby further

Ordered and adjudged, that said Harriet E. Beach is
a sane person, entitled to go where she pleases, and that
she has the right to apply to this Court should any at-
tempt hereafter be made to restrain her actions as a free
agent.

Enter.

M. J. O'B.,
J. S. C.

703

704

Accounts referred to in preceding Affidavit.

705

NEW YORK, August 21, 1896.

MRS. HARRIET E. BEACH,
To FREDERICK C. BEACH and JENNIE H. BEACH, Agents,
Dr.

1896.

To 1/3 household expenses keeping house at 9 W. 20th
Street, New York City, as follows:

706

Feb. 29.	1/3 expenses during January and February	\$119 08	
Mch. 31.	1/3 expenses during March.....	159 47	
April 30.	1/3 expenses during April.....	113 87	
May 31.	1/3 expenses during May.....	137 01	
June 30.	1/3 expenses during June	123 93	
July 31.	1/3 expenses during July	126 59	
			\$779 95
Feb. 24.	1/3 bill for repairs to bath-room....	1 55	
Mch. 31.	1/3 Hull, Grippen & Co. bill for re- pairs	4 94	
Apr. 30.	1/3 repairs during month of March.	20 51	
May 29.	1/3 repairs during month of April..	1 48	707
July 7.	1/3 repairs during month of May...	5 69	
Aug. 14.	1/3 repairs during month of June...	2 04	
			36 21
Aug. 21.	1/3 allowance to Martha W. Green.	93 32	
June 2.	1/3 cost of transfer of policy in Hope Colony, on account of M. W. Green	33	
			93 65

To her share of expenses of horse-
keep, etc., as follows:

Feb. 17.	N. Henry & Son, driving, January..	61 85	
Mch. 12.	N. Henry & Son, driving, February.	67 50	708
Mch. 12.	1/3 expense of 3 horses, Otto, Dolly and Nellie, at Waverly Farm, for two (2) months.....	23 16	
Apr. 15.	N. Henry & Son, driving, March...	64 50	
Apr. 18.	1/3 expense of 3 horses, Otto, Dolly and Nellie, at Waverly Farm for one (1) month and 13 days.....	16 24	
May 6.	N. Henry & Son, driving, April....	61 38	
June 2.	N. Henry & Son, driving, May.....	73 75	
June 25.	1/3 expense of Dolly	\$9 33	
June 25.	1/3 expense of Yearly.....	7 78	
			17 11

709	June 2.	N. Henry & Son, driving, June.....	63 00	
				448 49
	June 12.	To 1/3 rental of Cottage No. 3 at Long Beach.....	111 00	
	July 2.	To 1/3 rental of Cottage No. 3 at Long Beach.....	111 22	
				222 22
				\$1,580 52

Received payment,

F. C. & J. H. BEACH.

New York, January 12, 1897.

710

New York, December 31, 1896.

MRS. HARRIET E. BEACH,

TO FREDERICK C. BEACH and JENNIE B. GASPER, Agents,
Dr.

1896.

To her share household expenses keeping house at No.
9 W. 20th Street, New York City, as follows:

711	Aug. 14.	1/3 wages of B. Heyburn for July (\$20.00)	\$6 66
	Sept. 8,	1/3 wages of B. Heyburn for Aug. (\$20.00)	6 67
	Oct. 7.	1/3 expenses of cleaning house, Mrs. Wright (\$7.00)	2 34
		7. 1/3 wages of B. Heyburn for Sept. (\$20.00)	6 66
		8. 1/3 expense of mending and clean- ing curtains, Mrs. Hirschweiser (\$28.25)	9 41
		8. 1/3 expense of Motor, Edison Ill. Co., from May 27th to Sept. 28th (12.00)	4 00
712	12.	1/3 expenses repairs for pump, Elec. Equip. Co. (\$3.71)	1 24
	12.	1/3 expense repairs to insulation (\$20.00)	6 67
	12.	1/3 expense N. Y. Tel. Co., 2nd quar- ter (\$25)	8 33
	12.	1/3 expense hardware (\$2.80)	94
	31.	1/3 wages of B. Hayburn for Oct. (\$20.00)	6 66
	31.	1/3 expenses of glasses and pie plates (75c.)	25

Nov. 9.	1/3 expense motor for Oct. (3.00)....	1 00	713
10.	1/3 wages of B. Heyburn for Nov. on acc't.....	2 50	
24.	1/3 wages of B. Heyburn for Nov., balance.....	4 17	
Dec. 3.	1/3 expense Schott & Neilson, re- pairing furniture and general over- hauling (\$134.18).....	44 73	
4	1/3 expense motor from Oct. 27 to Nov. 27.....	1 00	
19.	1/3 expense kitchen towels (\$1.70)..	57	
19.	1/3 wages of B. Heyburn for Dec. (\$20.00), and Christmas present (\$5.00)	8 34	714
			<u>\$122 14</u>

Sept. 1.	1/3 bill for renewing and repairing kitchen range (\$27.30).....	9 10	
3.	1/3 bill for repairs to electric pump (.73).....	24	
9.	1/3 repairs during August (\$14.21)..	4 74	
Nov. 2.	1/3 repairs during Sept. (\$127.35)..	42 45	
23.	1/3 repairs during October (\$20.00).	6 66	
Dec. 5.	1/3 repairs during November (\$3 35)	1 12	
			<u>64 31</u>
Nov. 30.	1/3 allowance to Martha W. Green (\$166.64)		55 55 715

To her share of expense horse-keep,
etc., as follows:

Sept. 9.	1/3 expense of Nellie (\$56.30).....	18 76	
9.	1/3 expense of Chestnut horse (\$27.85)	9 28	
Dec. 3.	1/3 expense of roan mare (\$37.35)..	12 42	
			<u>40 46</u>
			<u>\$282 46</u>

SUMMARY.

Amount of bill dated August 21, 1896.....	\$1,580 52	
Amount of bill dated December 31, 1896..	282 46	716
Total.....	\$1,862 98	

Received payment,

F. C. & J. H. BEACH.

New York, January 12, 1897.

717

SURROGATE'S COURT,

CITY AND COUNTY OF NEW YORK.

718

In the Matter
OF
The Application for Letters of Admin-
istration on the Estate of ALFRED E.
BEACH, deceased.

Renunciation
by Mrs. Beach of
letters of
administration,
read on
respondents'
behalf.

I, HARRIET E. BEACH, widow of Alfred E. Beach, deceased, of New York City, do hereby renounce all right to Letters of Administration on the Estate of said deceased.

(Sd.) HARRIET E. BEACH.

719 City and County of New York, ss. :

On this 8th day of Jany., 1896, before me came Harriet E. Beach, to me known to be the individual described in and who executed the within renunciation and acknowledged that she executed the same.

A. A. HOPKINS, Notary Public,
Kings County, N. Y.

Certificate filed in N. Y. County.

720 STATE OF NEW YORK, }
County of Kings, } ss. :

I, HENRY C. SAFFEN, Clerk of the County of Kings and Clerk of the Supreme Court of the State of New York, in and for said County (said Court being a Court of Record), do hereby certify that Mr. A. A. Hopkins, whose name is subscribed to the certificate of the proof or acknowledgment of the annexed instrument and thereon written, was at the time of taking such proof or acknowledgment a Notary Public of the State of New York, in and for said County of Kings, dwelling in said County, commissioned and sworn and duly au-

thorized to take the same, and further that I am well 721
acquainted with the handwriting of such Notary and
verily believe the signature to the said certificate is
genuine, and that the said instrument is executed and
acknowledged according to the laws of the State of
New York.

In testimony whereof, I have hereunto set my hand
and affixed the seal of said County and Court this 8th
day of January, 1896.

HENRY C. SAFFEN,

[SEAL.]

Clerk. 722

STATE OF NEW YORK, }
City and County of New York, } ss. :

I, J. FAIRFAX McLAUGHLIN, Clerk of the Surrogate's
Court of said City and County, do hereby certify that
I have compared the foregoing copy of the Renuncia-
tion in the Matter of the Estate of Alfred E. Beach,
deceased, with the original record thereof now remain-
ing in this office, and have found the same to be a cor- 723
rect transcript therefrom and of the whole of such
original record.

In testimony whereof, I have hereunto set my hand
and affixed the seal of the Surrogate's Court of the
City and County of New York, this 19th day of June,
in the year of our Lord one thousand eight hundred
and ninety-seven.

(Sd.) J. FAIRFAX McLAUGHLIN,

[SEAL.]

Clerk of the Surrogate's Court.

724

725

At a Special Term of the Supreme Court,
held at the Court House, in the City
and County of New York, on the
22nd day of July, 1897.

Present - HON. ABRAHAM R. LAWRENCE, Justice.

726

In the Matter

OF

HARRIET E. BEACH (otherwise Rogers,
otherwise Richardson), an alleged in-
competent person.

Order of Jus-
tice Lawrence
denying prayer
of petition.

A petition by Frederick C. Beach and Jennie Beach
Gasper, verified April 7th, 1897, having been presented
727 to this Court at a Special Term thereof, on the 29th day
of April, 1897, praying that a committee of the per-
son and property of the said Harriet E. Beach (other-
wise Rogers, otherwise Richardson) be appointed, and
that a commission issue, out of and under the seal of
this Court, to inquire of her apparent lunacy and in-
competency, and that such other order and relief be
granted in the premises as may be just and proper;
and said Court having, on said 29th day of April,
1897, ordered that the said petition, with the accom-
panying affidavits, be presented to this Court at a Spe-
cial Term, Part I. thereof, to be held at the County
Court House in the City of New York, on the 1st day
of June, 1897, at 10.30 o'clock in the forenoon, and
having further ordered that Henry R. Rogers (other-
wise Richardson) be restrained from selling, assigning,
disposing of or encumbering any property, real or per-
sonal, acquired by him from the alleged incompetent
person, or from confessing any judgment which shall
become a lien on said property during the pendency of
728 this proceeding for the appointment of a committee for

said alleged incompetent ; and said motion having come 729
 on to be heard, and after reading and filing the said peti-
 tion of Frederick C. Beach and Jennie Beach Gasper
 made herein and verified April 7th, 1897, the affidavits
 annexed thereto of Frederick C. Beach and J. Leonard
 Corning, verified April 7th, 1897, and the affidavits of
 Frederick C. Beach and J. Leonard Corning, verified
 April 26th, 1897, and the affidavit of Frederick C.
 Beach, verified April 28th, 1897, and the copies of
 letters and extracts of letters written by said Harriet
 E. Beach and annexed thereto ; and said order of 730
 April 29, 1897, and the affidavit of John P. Lamerdin,
 verified May 28, 1897, showing the service thereof as
 required by its terms, and the affidavit of F. Leroy
 Satterlee, verified June 23rd, 1897 ; of Samuel B.
 Lyon, verified June 23rd, 1897 ; of William Elliott
 Dold, verified June 23rd, 1897 ; of Charles L. Dana,
 verified June 23rd, 1897 ; of Frederick C. Beach,
 verified June 23rd, 1897, and the exhibits attached
 thereto, on the part of said petitioners ; and the affi-
 davits of Harriet E. Beach, verified June 4th, 1897, 731
 and June 10th, 1897 ; of Henry E. Rogers, verified
 June 4th, 1897 ; of Lyman E. Warren, verified June
 15th, 1897, and a copy of the order of the Supreme
 Court, dated May 12th, 1891, entitled " In the matter
 of Harriet E. Beach, an alleged lunatic," annexed
 thereto, and the accounts annexed thereto dated
 August 21st, 1896, and December 31st, 1896 ; and the
 affidavit of Cornelia S. Robinson, verified June 19th,
 1897 ; of Minnie Peplow, verified June 15th, 1897 ;
 of Harriet L. Bostwick, verified June 15th, 1897 ; 732
 of Marion Ferguson, verified June 15th, 1897 ; of
 Mary E. Wallace, verified June 18th, 1897 ; of Ella
 T. McCarthy, verified June 18th, 1897 ; of George
 H. Hughes, verified June 15th, 1897 ; of Danforth
 Bancker, verified June 15th, 1897 ; of Albert Bach,
 verified June 11th, 1897 ; of Hamilton Wilcox, verified
 June 16th, 1897 ; of Dr. Robert A. Gunn, verified June
 16th, 1897 ; a certified copy of the renunciation signed
 by Harriet E. Beach, filed in Surrogate's Office, New
 York County, January 8th, 1896 ; the affidavit of

- 733 Joseph Shuter Hill, M. D., verified June 8th, 1897 ; of Edward George Younger, verified June 9th, 1897 ; of Madame Claire Hoeffner, verified June 10th, 1897 ; of Mary Elizabeth Trevenet, verified June 10th, 1897 ; of William A. Hornung, verified June 9th, 1897 ; of Dr. Eugene Dupuy, verified June 9th, 1897 ; of Edward F. Bullard, verified June 18th, 1897 ; of Joseph Dixon, verified June 8th, 1897 ; of Frederick W. Raynham, verified June 8th, 1897 ; of William F. Anderson, verified June 8th, 1897 ; of James Burns, verified June 8th, 1897 ; of Edmund D. Rogers, verified June 8th, 1897 ; of Frances A. Perkins, verified June 11th, 1897 ; of Charles H. Cumberland, verified June 9th, 1897 ; of James J. Darley, verified June 9th, 1897 ; of Drs. Landon Carter Gray, Graeme M. Hammond and William A. Ewing, each verified June 21st, 1897, on behalf of Harriet E. Beach Rogers, the alleged incompetent, to the consideration of all of which the counsel for the petitioners objected ; now after hearing Elihu Root, Esq., and William H. Hamilton, Esq., of counsel
- 734 1897 ; of Edmund D. Rogers, verified June 8th, 1897 ; of Frances A. Perkins, verified June 11th, 1897 ; of Charles H. Cumberland, verified June 9th, 1897 ; of James J. Darley, verified June 9th, 1897 ; of Drs. Landon Carter Gray, Graeme M. Hammond and William A. Ewing, each verified June 21st, 1897, on behalf of Harriet E. Beach Rogers, the alleged incompetent, to the consideration of all of which the counsel for the petitioners objected ; now after hearing Elihu Root, Esq., and William H. Hamilton, Esq., of counsel
- 735 for petitioners for said motion, and Lyman E. Warren, of counsel for Harriet E. Beach Rogers, in opposition thereto, it is, on motion of Warren, Boothby & Warren, attorneys for Harriet E. Beach,

Ordered, that said prayer of the petition be, and the same hereby is in all things denied.

- And it is further ordered, that the order made herein April 29th, 1897, restraining Henry R. Rogers, otherwise Richardson, from selling, assigning, disposing of or incumbering any property real or personal
- 736 acquired by him from Harriet E. Beach Rogers, and from confessing any judgment which shall become a lien upon said property, be, and the same is hereby vacated and annulled.

And it is further ordered, that the petitioners Frederick C. Beach and Jennie H. Gasper pay to said Harriet E. Beach Rogers, or to Warren, Boothby & Warren, her attorneys, Ten Dollars costs of this proceeding.

Enter.
ABM. R. LAWRENCE,
J. S. C.

SUPREME COURT,

737

NEW YORK COUNTY.

In the Matter

OF

HARRIET E. BEACH, (otherwise Rogers,
otherwise Richardson, an alleged
incompetent person).

Petitioners'
Notice of
Appeal.

738

GENTLEMEN :

Please take notice that the petitioners herein Frederick C. Beach and Jennie B. Gasper, hereby appeal to the Appellate Division of the Supreme Court, for the First Department, from the order made herein at a Special Term of this Court, by Mr. Justice LAWRENCE, dated July 22, 1897, among other things denying the prayer of the petition herein, and that said petitioners hereby appeal to the said Appellate Division from each and every part of the said order. 739

Dated New York, July 28, 1897.

Yours, &c.,

BOORAEM, HAMILTON, BECKETT & RANSOM,
Attys. for Petitioners,
100 Broadway, N. Y. City.

To

HENRY D. PURROY, Esq.,
Clerk.

740

Messrs. WARREN, BOOTHBY & WARREN,
Attys. for Harriet E. Beach,
(otherwise Rogers, otherwise Richardson),
and Henry R. Rogers, Respondents.

741

Opinion of Justice Lawrence.

In the Matter

OF

BEACH (otherwise Rogers, otherwise
Richardson), an alleged incompetent
person.

742

LAWRENCE, J.:

This is an application for the appointment of a committee of the person and property of Harriet E. Beach, otherwise Rogers, otherwise Richardson, and that a commission issue out of and under the seal of this Court to inquire as to her apparent lunacy and incompetency. An order was made by Mr. Justice Beekman on the twenty-ninth of April last, directing that

743 notice of the application be given to the respondent, who is temporarily in London or Paris. The respondent has appeared upon the motion by her attorneys, and has presented voluminous affidavits in opposition thereto. It is contended by the petitioner's counsel that the Court upon this motion has no power to pass upon the merits of the issues raised by the opposing affidavits. Such is not, in my opinion, the proper construction to be given to the provisions of the Code of Civil Procedure. To hold that the Court is powerless

744 to pass upon the merits of such an application simply because allegations of insanity or mental unsoundness are denied and an issue of fact thus raised would put a person against whom unfounded accusations are presented in a most unfortunate position. In my opinion, the Legislature has not placed the citizens of this State in such a position. I am of the opinion that the Court has a discretion vested in it by the Code of Civil Procedure in such cases, and if it is of the opinion that the prayer of the petition should in justice and fairness be

denied, it should not hesitate to exercise its power. I 745
have read over the papers in this matter very carefully, and I am satisfied that upon the strong preponderance of the evidence, the respondent should not be subjected either to the appointment of a committee of her estate or the humiliation of a proceeding to inquire into her mental soundness before a jury. The prayer of the petition will, therefore, be denied, with the costs of the motion.

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SUPREME COURT,

NEW YORK COUNTY.

In the Matter

OF

HARRIET E. BEACH (otherwise Rogers,
otherwise Richardson), an alleged
incompetent person.

It is stipulated that the foregoing are true and correct copies of the petition, affidavits, papers and letters upon which the order appealed from herein was made, and of the said order and of the notice of appeal thereon, and certification by the Clerk is hereby waived.
Dated New York, August 30th, 1897.

BOORAEM, HAMILTON, BECKETT & RANSOM,
Attys. for Petitioners-Appellants.
WARREN, BOOTHBY & WARREN,
Attys. for Respondents, Harriet E.
Beach Rogers and Henry R.
Rogers.

Appellate Division of the Supreme Court, FIRST DEPARTMENT.

In the Matter

OF

HARRIET E. BEACH (otherwise ROGERS,
otherwise RICHARDSON), an alleged
incompetent person.

Points
for Petitioners-
Appellants.

Appeal from an order of the Special Term (Lawrence, J.) denying an application made by Frederick C. Beach and Jennie Beach Gasper, the only children of Harriet E. Beach, for a commission to issue out of and under the seal of this Court to inquire of her apparent lunacy and incompetency, and for the appointment of a committee of her person and property.

The petition, verified April 7, 1897, alleged Mrs. Beach to be of unsound mind and incompetent to manage herself or her affairs, in consequence of lunacy, loss of understanding or other causes (fol. 11); it showed that she resided at No. 9 West 20th street, New York City; that her husband, Alfred E. Beach, departed this life intestate in the City of New York, January 1st, 1896; that she thereupon became the owner of a one-third interest in his personal estate, inventoried at only about \$27,000, and a widow's dower right in his real estate, valued at \$195,000, but earning no net income; that the petitioners were duly appointed administrators of their father's estate January 8, 1896; that their mother, since the summer of 1896, had been and

was then sojourning abroad ; that in the month of January, 1897, she was, at Alexandria, Egypt, a party to a form or ceremony of marriage with one Henry Richardson Rogers, and that since said ceremony she and Rogers had assumed the name of Richardson (see petition, fols. 9-23).

Notice of the presentation of the petition was on April 29th, 1897, ordered to be given to Mrs. Beach and her alleged new husband, by mailing to them at their address in Paris copies of the order, which also directed the petition and certain affidavits, then annexed, to be presented to the Court June 1, 1897 (fols. 1-8). This mailing duly took place as prescribed by the order (fols. 375-378).

The actual presentation of the petition was, however, at the request of Mrs. Beach's attorneys (who also appeared for Rogers) adjourned, and did not take place till about three weeks later. It was formally presented to the Court, accompanied by the affidavits and letters already annexed to it, and the additional affidavits of Doctors Satterlee, Lyon, Dold and Dana, and Frederick C. Beach, all verified June 23rd, 1897. The last affidavit of Mr. Beach was furnished for the purpose of not only strengthening the petition and showing more at length the various prior insanities of Mrs. Beach, but also for the purpose of refuting certain charges and insinuations contained in the affidavits which, under the ruling of the Special Term, were allowed to be presented in opposition. The affidavits and letters annexed to the petition, are found at folios 25 to 373. The additional affidavits presented therewith on behalf of the petitioners, are found at folios 374 to 441.

From the petition and all these accompanying affidavits and letters mentioned, a strong presumptive or *prima facie* case was undoubtedly presented, requiring a trial by a jury, in one of the two forms prescribed, of the question of Mrs. Beach's "apparent lunacy and incompetency," according to the prayer of the petition. The Special Term, however, ruled under our objection recited in the order appealed from (fol. 734), sub-

stantially, that this whole question of fact as to Mrs. Beach's mental condition, could and should be disposed of by the Court itself on conflicting affidavits, and these having been collected both here and abroad in such large quantities (some 33 in number), through the wonderful zeal and foresight of Mrs. Beach's attorneys and new husband, during the preceding six weeks, tending to show her soundness of mind, that the Special Term was overwhelmed to the extent of refusing altogether to establish the only tribunal (a jury with a commission, or court) possible for the due and orderly trial of the vital question involved, being "satisfied that upon the strong preponderance of the "evidence the respondent should not be subjected "either to the appointment of a committee of her "estate, or the humiliation of a proceeding to inquire "into her mental soundness before a jury" (fol. 745).

POINTS.

I.

A strong presumptive or prima facie case was presented by the petition and accompanying affidavits, and required the creation of one of the two modes of trial prescribed by § 2327 of the Code.

From these papers presented by the petitioners the following case is made:

Mrs. Beach was about 70 years old. At the age of 28, in March, 1855, for some form of "mania," caused it would seem, in part by spiritualism, she was committed to the Retreat for the Insane at Hartford, Conn., where she remained in wards where the most violent were kept, for about eight months, being then discharged with "result stationary" (fols. 28, 411, 432).

It was necessary then for about a year for her husband, Mr. Beach, to keep her confined in a specially protected room in his country residence at Stratford, Conn., in consequence of her extreme violence (fol. 412) and her mental condition was such for three years afterwards as to render it unsafe for these petitioners, then small children, to reside in the same house, and they accordingly lived in a neighboring house (fol. 413). In the spring of 1867 it became necessary, in consequence of her recurring mental derangement and violence, for her husband to remove her from the family and his city residence to the same house in Stratford and *confine* her there for about seven months. About three years later the same thing was rendered necessary for a few weeks (fol. 414); between 1870 and 1890 there were many occasions when her derangement was more or less pronounced, though she was not confined (fol. 415). In the latter part of 1890 her insanity again became acute; she was examined by Drs. Corning and Satterlee, of this city, who pronounced her to be of unsound mind (39, 381); she had been running up heavy bills by authorizing people to purchase silks, dry goods, groceries, pictures and other articles at stores (fol. 415), and she "had hallucinations of sight and hearing, " heard voices calling to her from the spiritual world, " claimed to see the spirits of the departed loved ones " during the early evening or morning hours; said " that her spirit had been in the planet Uranus, and " was able to converse with the heavenly spirits " through a speaking tube; said that she had then recently given birth to a spiritual child in the third " month; that she had been in Hell and Heaven, and " would never die, but would be translated * * * " talked incessantly about her supernatural powers; " took him (Dr. Corning) to her 'gallery of spiritual " pictures' in a room in her house, and showed to him " what she said were pictures of the ghost of Henry " Ward Beecher, Amaron, Zamfa and Cassandra, " saying at the same time that these pictures, and " more especially Amaron, ruled her life" (fols. 39-41); the certificates of the two physicians to her

insanity at this time were approved December 31, 1890, by Mr. Justice Beach, and under them she was confined at Bloomingdale Insane Asylum from that time until April 27, 1891 (fols. 27, 416-418); during that time she was suffering from *chronic* mania and was a person of unsound mind, insane and incompetent to manage her own business and affairs, according to the affidavits of the two physicians in charge of the hospital, Drs. Lyon and Dold (fols. 385-397).

On April 27, 1891, when she left this hospital her condition was "improved" (fol. 386) or "slightly improved" (397). Her birthday was to occur on the 29th and it was the desire of her husband, Mr. Beach, to have her brought home for that day (fol. 417). About that time she met Rogers, "a notorious fraud, who posed as a medium and in other capacities at so-called spiritual seances;" the meetings between them became frequent and his influence upon her greatly exaggerated her peculiar notions or beliefs on the subject of spiritualism (fols. 28-29). Immediately prior to Mr. Beach's death on January 1, 1896, Mrs. Beach had been in Europe and was then on the ocean returning to this country from France; she had been absent about seven months (fol. 29); she remained here until the latter part of June, 1896, when attaching to herself a Dr. Harris as her physician, and a Mrs. Woodhouse, a spiritualist as her companion, and being accompanied by her grandson, Stanley Y. Beach, she went abroad "to give recreation and pleasure to those who accompanied her, as well as to herself" (fol. 30) and with the evident expectation of remaining only about 3 months (fol. 75). Shortly afterwards, Rogers, then married and under indictment in this county, followed Mrs. Beach to Europe for the purpose of defrauding her of her property. Soon after arriving there he assumed the role of her travelling companion, the other three returning to this country. According to her letter written from Lucerne, August 22, Rogers and she had previously been in communication on the other side, he had evidently already gotten substantial control of

her through representations regarding his so-called patents and plans for acquiring a "great deal of money" and by means of "spirit guides," etc. (fols. 69, 71), and she disliked to travel longer with so old a man as Dr. Harris and already became determined that he and Mrs. Woodhouse should return (fol. 68) and announces the fact that "he (Rogers) will manage for me and pay half of the expense, when he cannot go with me, she (Mrs. Rogers) will, he will be placed independent in money matters very soon" (fol. 70).

By September 9th, in Paris, she is so far controlled by Rogers, through spirit guides, pretending to voice the wishes of her deceased mother and husband, as to begin to want large sums from the estate set apart for her use, evincing for the first time hostility to, and independence of, her children, a determination to travel "with those of my own selection," (that is Rogers) "who will care for me at any time if ill," and being impressed "that he is a gentleman in every sense of the word" (fols. 72, 78).

By September 17th, in London, she has been so worked upon by Rogers' visions of his so called patents and coming wealth and spirit direction, as to get a loan of \$600, through a London lawyer, giving as security therefor the so-called Tingle assignment of all her interest in the estate as collateral security (fols. 79-83; 419-422), which fact she announces, together with the fact that she requires "more money next week, right away, must have it," even urging her son to borrow from Mr. Munn (fol. 481). Here Rogers again, through the voice of her deceased father as his spirit guide, impels her "*to stay and have the money I require*" (fol. 82), though then and all along receiving from the personal estate \$900 a month (fol. 33), being the whole of her third of the income made thus large by the enormous dividends received from the Munn & Co. (Scientific American) stock.

By November 4, in Rome, she had been so far worked upon by Rogers and the "spirits" that she indicates in the letter to her daughter premonitions of

some change in her life (meaning that Rogers had talked marriage already), which she thought would not come "until next year. I trust my mother (who died when she was an infant) for it to come. * * *

As my daughter, you shall be the first to inform of it" (fol. 92). This letter shows her perfectly wild over spirits and spirit pictures, as well as the highest personification of imbecility, incoherence and childish vanity (fols. 85-93).

By December 19, 1896, in Cairo, she was becoming a full-fledged "personating medium," with all its various attributes, and cables for more money for the expenses for "two persons," one of whom is Rogers, "a gentleman in every sense of the word," who is taken by people for her son and who passes "as my physician and business manager," and who manages well enough to keep her "from the companionship of women much of the time," and to have suspicions of her son and doubts as regards her daughter, even (fols 94-101).

By December 29th, 1896, Rogers and the spirit guides have fully persuaded her of her son's and grandson's "underhand work," and to glorify her daughter, to whom she writes, *hints* ("no more at present") at June 30, the date of the spiritual marriage with Rogers to come, though he is yet married to another, with divorce proceedings under way (423-425); outlines her coming trip up the Nile, costing \$500, for which she runs in debt \$100, and says that she is "guided and guarded every step of my way which you will yet realize."

On January 8th, 1897, while the steamer *Memphis* was touching at Asuan, on the Nile, she writes of being "on the philosophy of light and destiny so much" (fol. 122), and after copying from guide books and without the slightest previous reference in the letter to Rogers by name, describes somebody, evidently him, as the "very soul of honor," for he has evidently made her believe through the spirit of her deceased father that by him her "love nature should be answered," and that she, the writer, "is guided by her mother and the power supreme in destiny and will soon tell

you the first what she may do by June 30th, 1897. Mother said to me in Paris in Sep. 'that she had selected one long ago to be my protector.' Dr. means to drop the name of Rogers except in legal documents, and take only Dr. Henry Richardson, for that is his mother's name, and I approve, I have thoroughly tested him in every way & the hand of destiny is in it, and I have been wonderfully guided in every way by Daniel Webster, my guides & my angel Mother—the Dr. has been a great martyr for the cause, through jealousy some he kept from starving maligned him there in N. Y. last year *trust me* this is premature because of the transaction in N. Y. I hope I have a spiritual wedding on the 50th anniversary of my material one June 30th, 1847" (fols. 128, 130).

By January 16th, 1897, on her return to Cairo from her Nile trip, she boasts of having "freed Mr. Beach from this life" and "now is my loyal champion for all futurity." As to Rogers and Mrs. Rogers, about whose divorce proceedings she has only known since November or December, she thinks "the devils have been at work as against him," and that Mrs. Rogers was badly advised in getting a divorce in New York instead of Pennsylvania, and concludes, "If I have a legal one before will write to you and will request you to keep it secret," etc. (fols. 131, 135).

On the next day she writes of Rogers being "so unselfish" in keeping the divorce news from her and thereby not troubling her, and speaks of the evident manner in which Rogers, through her mother (who died when she was an infant), recommended himself to her as her protector, when she was in Paris in the previous September, though then she believed he was acting simply "as manager and for travelling," and she has even now come to believe that "Alfred (her deceased husband) has come to me and requested me to say he had changed his opinion of Mr. R. and all I am doing he highly approves of and is acting in accord with my mother and father in the matter, and wants me to have a protector in every way—I will see if man or woman, spirit or mortal, gets ahead of me this

year 1897, the year prophesied so much about, 'that I would succeed in all my undertakings.' " For a work of absolute wildness, imbecility and vanity, accompanied by absolute surrender to Rogers, as the culmination, this letter is a master-piece (See fols. 136-156).

In this and other similar ways, Mrs. Beach is brought to the pinnacle of her ambition, which is to have a great celebration on the occasion of her spiritual wedding in London, June 30th, mentioned in her letter of January 21, 1897, written from Cairo, to which she now invites various members of the family (fols. 162, 163), saying on that day, "I am in my magic destiny now" and on the 23rd, "I am in my magic *fate in earnest*, am invited to tea at 5 P. M. to-day by an American Countess" (which proved to be a mistake however) (fol. 178), and signing herself "belle of Cairo" (fols. 171-172).

On January 25, 1897, we find her in Alexandria, Egypt, not far from Cairo, to which place she has evidently been brought by Rogers for the marriage. The two letters written on that day could not be wilder; in the one (fol. 176), "I feel I am in my last destiny a magic fate that no one knows or dreams of, prophesy is rapidly being fulfilled, but I must keep some of it a secret, but the world will know and my loved ones the first by 2000" (evidently meaning 1900) "when I am 72 years old, if it comes the world will stand amazed and in wonder, it refers to the coming woman of the new century, everything has been done to prevent it, or my reaching this period of my destiny from the age of 5 years when I was saved from death and mother taken."

Well, too, might she say in the other letter of January 25th (fol. 180), "I have strange events occur and I get impressions that Madam Bishop is in this affair." The marriage itself is described in her letter of January 26th (the date of the marriage), the service for which she dictated herself (see words used at p. 80), and so written as simply to require Rogers to be her husband until they *separated*, or as she says herself, "it was

changed about living until death do you part" * *
 * * * "pretty good for modern Presbyterianism"
 (fols. 193, 205).

Of course, Alfred through his spirit invoked by Rogers, "has assured me of his entire approval" (fol. 195). as a few days before he likewise impressed her with the fact that "he wanted to have estate estimated and for my part to be portioned off and for me to use it as I like principle and interest payable as I desire and for you and Jenny to sign a paper to that effect, do away with power of attorney altogether and *have a deed of trust for one I select to act for me*" (fol. 197).

There is, perhaps, still more wildness exhibited in the letter of January 31st, written to her friend, Mrs. Perkins, whom she invites to the great celebration of June 30th, with her other "chosen friends," promising to pay their expenses and who hasten now to make affidavits of her entire soundness of mind (fols. 206, 207, 214, 215).

Truly, indeed, will she now "have settlement of estate and plenty of means this year to carry out my undertakings" (fol. 216), and therefore the necessity before the eighteen months had elapsed after the granting of administration and "on or about the 18th day of February, 1897, of commencing proceedings against the administrators for an accounting and a distribution of the estate (fol. 695). True, indeed, "I will be the Belle of Cairo, I am in the swim and my magic fate in earnest" (fol. 223); * * * *
 "I expect to have a house in London at least for six months—I have entered my magic fate at last—Tuesday, Jan. 26th" (fol. 227). Of course, all this time she is paying all expenses "for two" on different steamers and everywhere else (fols. 229, 232). She has now reached a stage of the wildest rhapsody, all centered in Rogers, her spiritual medium and guide, her husband (until they separate), her magic fate in destiny and in the forthcoming division of the property, the celebration of the spiritual wedding at or about the time of the Queen's Jubilee and the spiritual "establishment"

in London ; and in the very midst of all these grand ideas think of her sudden descents into the trivial details of dress, personal appearance and social intercourse, which appear in every letter ! !.

Think of the extravagances in her letter of February 11th :

“ Miss Roberts is making up my things beautifully, the Baroness and I & Miss R. have formed a friendship Madam says when I go to Russia she will go with me if I will pay her fare to London, without any other compensation, but I would pay her for services as interpreter &c. She has made me an ostritch collar, feather standing. Can wear it in the street or house for dress—*elegant*. My white satin dress is to have a Court train so if I go to a drawing room it will be elegant, with white ostritch feather trimming dress, cape and fan will be simply exquisite \$100.00 I think will cover it with lace and flowers and gloves and silk stockings and satin slippers—*not changing brocade now* found beautiful Egyptian embroidery in silk for poplin dress only \$4.00. Oh ! that dress will be stylish. then will have a black satin skirt 1 yard and $\frac{1}{2}$ train only and satin waist will wear the bodice and jacket of white and silver, and in Autumn will have gored dress of brocade satin in back and the front embroidery of set with collar and cuffs—so I get for \$15 two dresses trimmed, the black lace I get satin (crimson) and the waist from the skirt of that dress I had trimmed. I gave two waists to the working girls, my figured India silk and crape de chene waist all trimmed with velvet so you see I utilize everything ; my dear husband has not recovered yet, with all the trouble he has a cough bronchial from cold that clings yet to him, he is a lovely spiritual nature. everything has been done to kill him and myself, but we are under the care of the supernal powers of truth and love and wisdom and I hit the nail on the head with

my Massachusetts, Yankee ingenuity about the name, for I have * * * circumvented the Herald fiends and the malicious tongues, for no medium exists by the name of *Rogers* it has gone into the past and when we get ready we will go to N. Y. Cty and give a reception and an elegant entertainment with the highest form of mediumship in this world or any other—nothing beats the spirit or mortal in 1897 * * * I can cut any woman out I set out to—*you bet* * * * I was dressed beautifully Tuesday eve in grenadine and sang and had plenty of attention at 68 the belle of Shepherds” (fols. 253, 257).

Or in her letter of February 15th :

“ I had a success Tuesday eve before I left, sang ‘The Last Rose of Summer,’ ‘Then You’ll Remember Me,’ ‘The Heart Bowed Down.’ Had quite a reception, there cant any woman or girl beat me when I set out, I wore violet amethyst dress and white hyacinths and Narcissus on breast and looked 25 yrs. younger and handsome at that, no woman can beat me on dress or taste or arrangement of dress and hair ” (fol. 262). * * * I look much younger already, so it is said and feel quite settled that I have passed through 1896 and my fate has passed the turning point, also that Alfred¹ is developing and getting quite happy in his new life, and can communicate with me, and will aid me in using what he left for me in benevolent purposes as I desire ” (fol. 264) * * * “make up your mind both of you that I am in my grand destiny predicted since I was 26 years old, everything will be swept from my pathway that opposes me or my splendid and glorious future ” (fol. 268).

Or this in her letter of February 16:

“ I have passed the Rubicorn of my destiny—it will be glorious a magic fate. I hope to make more happy this year than ever before and yours will be one of them ” (fol. 276).

Or this in her letter of February 17th, to her seamstress, Mrs. Cahn :

"I am directed by my beautiful mother and Daniel Webster is my counsel, I am in my magic fate every way, and the predictions for 1897 are coming true, rapidly—I am growing young rapidly. Alfred has progressed and is helping me, is glad to have me have a protector, everything has been directed by spirit power, we have a work to do together superior to any ever done in London particularly" * * * * *

"I shall appropriate a certain amount for some friends to come to London." (fols. 285-287).

Or this in her letter of February 18th :

"You see I am in the swim & my magic fate. Mother told me through Mrs. Woodhouse last Spring, that my life would seem like a dream in future years, that the past suffering would be obliterated from memory and I would have a magic fate before me for all futurity. Please tell Maggie to find my Camel Hair shawl and Scarf and wear it some" etc. * * * * *

"In patent company I am to have equal share with my husband in profits. Keep that to yourself and Mr. Gasper under new arrangements * * * * *

Will tell you more later about my money matters. I will have complete control of my money" (fols. 302, 304-305).

Or this, in her letter of February 22d, which enclosed the words of her marriage service (fols. 313, 318-320).

"I am in the swim entirely in Athens" (fol. 309);

Or this in her letter of February 25th :

"I am the prima donna, danseuse and belle of this hotel, and cut out all the girls, so they say ; I asked them what they would do when I went

away, for some one to stir them up—*cry, cry, cry*. I danced splendidly last evening, they encored before I *finished even*—would you think it at 68 yrs? I have told you all I should yet shine ” (fols. 324, 325).

Or this in her letter of March 13th :

“ He (a young Englishman named Harris) is a young man and I have him on my string of admirers now here, he took me in De Ang Friday evening I sang ‘ Last Rose of Summer,’ I think Jenny Lind inspired me with that now * * * I wish Fred would send me 12 of the papers Jubilee Number, I want one for King George of Greece right away so much, met his right hand man Friday evening, he is stationoued here now I am coming right into royalty this year * * * I am in my magic fate now 1897 ” (fols. 334, 335).

Or this in hers of March 16th :

“ As usual I was the life of the company * * * I sang the ‘ Last Rose of Summer ’ (divinely), I think Jennie Lind inspires me now with her voice with that song, I dressed in grenadine and danced, I never use scarf the same but invent different movements of it * * * I carried the palm the gents were all enthused over it, and the lady who entertained Mrs. Caldwell married a Scotch gent they were all in love with me married and single what do you think of that a Greek very wealthy followed me all the time do you think I better take him? *Single*, 35 years, is wild over me.” (Fols. 339, 340.)

Or this in her other letter of March 16th, to one of her “ chosen friends ” :

“ Things are going like wild fire for me ” (fol. 345).

Or this in hers of March 21st (to another who seems to have written a play of some kind, fol. 347) :

"I will pay the expense of your fare and you can take charge of my house and see Sarah Bernhard (I will prepare her for it) have play arranged—I feel she will take it up, and of she will put money in, we can give her profits accordingly, is your deafness any worse * * * shall appropriate a certain sum to have chosen friends come to Europe to be present you among them, then will write all for the spiritual papers in London and States. I am only making it known to friends not generally until after this event, don't you think I have entered my magic fate? Mr. Beach is happy to work for me and is interested in all this with my mother at the head" (fols. 348, 351).

Or this in hers of March 27th (the birthday letter to her son) :

"I realize now that I am a Cinderella" (fol. 364).

Or this rhapsody in hers of April 3d:

"I send two photos, one for you and one for Maggie. Get some maroon velvet frames for them. I have mine in one. *I was overcome when I saw it.* I never had the expression of face before in any photo or picture to me interpreted as I look after singing or conversing and spirit art pictures—my soul beams with the consciousness that I have entered in earnest into my divine mission of emancipating the minds and bringing about the new earth and new spirit earth combined the Golden Age and the Garden of Eden on the Earth—a new religion and of humanity brotherhood and sisterhood that the work of 1867 done through my organism will be accomplished and all the agony of my soul will reap its reward, that I have a brilliant career before me here and hereafter, and a magic fate, and that all prophesy will be fulfilled given through me, and of me, personally and otherwise. I have a great deal to tell you about my stay on this magic island in my

fate. Will write it after getting settled in Venice. I think we will go to the Swiss Hotel. It is highly spoken of by a lady here. I have had most marvellous success since 1897 entered; have given out over 100 of my cards Mrs. H. R., many of them will visit London and my receptions there. My rooms will be lovely at No. 37 Bedford Place, can have musicals and some spiritual work there, as showing my pictures and singing and some other phases—in May—then in June I can enter more largely in it. I expect to have the nobility, &c., both of our lives run in that direction astrologically this year in Europe" (fols. 368–371).

Can it be supposed that in such a state Rogers experienced any difficulty on his wedding day in getting "deed of trust" which she says in a letter of March 11th she made to him (fols. 62, 64); truly he could say for himself and use her language, "'I came, I saw, I conquer,' is my motto, Excelsior, onward and upward" (247)—This man who when he was betrothing her "January 1st, Friday on the Nile in Steamer *Memphis*, the anniversary of Alfred's birth into spirit-life" (fol. 203), was a fugitive from justice in this country and was then legally married and was being proceeded against for divorce for his repeated adulteries with a little girl "not quite 13 years old" (fol. 423)—this man of whom it is alleged in the supporting affidavit of Frederick C. Beach (fols. 33, 34) (*and it is nowhere denied, explained or even referred to in any of the opposing affidavits*) "that at about the time of this ceremony of marriage she (Mrs. Beach) executed a paper in the nature of a trust deed of all her property to the said Rogers, and in form giving to him absolute control and authority over the same, without any consideration therefor."

Ought any Court to require evidence to show the absolute insanity of this pitiable old lady and her complete inability to manage herself or her affairs, beyond the inherent proof contained in these remarkable letters? But there were presented to the Special

Term in addition to the letters, and the affidavits of Frederick C. Beach, the affidavits of the two physicians who examined her in 1890, and the affidavits of the two physicians who had charge of the insane asylum where she was confined on that occasion for several months, besides the affidavit of Dr. Dana, based upon his reading of the letters and her personal history, all *affirmatively* and *circumstantially* testifying to her insanity, not so much in consequence of her belief in spiritualism, as the infantile, irrelevant and disconnected language and ideas (fol. 48), the preposterous and extravagant character of her delusions and childishness verging on imbecility, hallucinations of various kinds, delusions of magnificence of grandeur (fol. 382) (fol. 386), her egotism and her desire to display exceptional gifts, such as singing, writing, etc., her belief in her almost superhuman power (395), the mental weakness and incoherences shown in the letters, upon the extraordinary lack of normal sense of propriety, and evident absence of the ordinary instincts which rule a rational woman, upon the extraordinary credulity and egotism shown, and upon the infatuation evidenced regarding her husband, her various spiritual guides, her own career, her confidence in her prophecies and her gross vanity and egotism (fols. 402). Truly could Dr. Dana, the expert, say (fol. 403) that "all these things show a *chronic* delusional state of mind, incompatible with sanity, when one considers her past surroundings and history."

While we are ready to admit that the Special Term had a right to grant or refuse the prayer of the petition in its discretion, we maintain that this discretion ought to be a reasonable one, and that such a reasonable discretion, based upon the petition and accompanying affidavits furnished by the petitioners, demanded the creation of the tribunal established by law for the trial of the question of Mrs. Beach's mental condition.

In the *Matter of Church* (64 How. Pr., 393), Judge Fursman said:

"Any person may present a petition charging

that another is a lunatic (Code of Civ. Proc., § 2323), and if verified, accompanied by proper affidavits and sufficient in substance, it is made the imperative duty of the Court to cause his mental condition to be inquired into, either by a commission, as in this case, or by a jury trial at a term of the Court (§ 2327). In either case the jury is to pass upon the question of his sanity. Their verdict must be founded upon legal evidence of his conduct, conversations and demeanor, supplemented, it may be, by the opinions of those who have observed these, and of experts. *There is no other forum where he can be heard to deny, qualify or explain away the evidence brought against him.*

That the above must necessarily be the rule of judicial action is apparent when we consider the fact that the alleged incompetent person is not as a matter of law entitled to have any notice of the presentation of the petition. This was expressly held in *Gridley v. College, etc.*, (137 N. Y., 330). The Court of Appeals in that case used this language :

“That it was not necessary that she (the incompetent) should have notice of the application for the commission. Without hearing her and without notice to her, the Court could constitute the tribunal which was to make inquiry into her mental condition.”

The only notice required to be given to the lunatic is notice of the execution of the commission, and this must be given, as was held in the *Matter of Blewitt* (131 N. Y., 541), where the Court said :

“The authorities and text writers assume that the party proceeded against should have notice of the time and place of *executing the commission.*”

As a matter of over-caution, in the case at bar, and so that Mrs. Beach might be thoroughly conversant with this proceeding from its very outset, and be heard on the presentation of the petition, as to

what form of trial or tribunal the Court should order, Judge Beekman, at the instance of the attorneys for the petitioners, ordered that notice of the presentation of the petition be given to her, as well as to her alleged husband. Certainly this did not do away with the language and force of §2327 of the Code and permit the Court on the presentation of the petition to consider affidavits in opposition and upon them try the vital question involved, of the insanity of Mrs. Beach, especially when the attorneys for the petitioners strenuously objected to the consideration by the Court of any opposing affidavits.

The rule to be observed by the Court on the presentation of the petition is carefully specified in §2327, by the use of the following language :

“ If it presumptively appears to the satisfaction of the Court, *from the petition and the proofs accompanying it*, that the case is one of those specified in this title * * * the Court *must*” make an order directing one of the two forms of a jury trial.

The Court had no right to look beyond these papers, except perhaps to guide it in the choice of the tribunal to be created for the trial.

This further appears from similar language used in sub-division 3 of the same section, empowering the Court to issue a restraining order against any party who “*from the petition and accompanying affidavits*” appears to have acquired from the alleged incompetent person real or personal property during the time of such alleged incompetency, without adequate consideration.

II.

But even considering the opposing affidavits, the petitioners' prima facie case is not materially weakened.

They constituted, at best, only *negative* averments—that the affiants did not perceive the insanity alleged. Besides the affidavits of the professional experts, all or nearly all of these affidavits are furnished by people who in one way or another want to please Mrs. Beach and continue in her good favor, and thus have “axes to grind,” or they are like Mrs. Robinson, Albert Bach and Dr. Gunn, who rush into public print and, unemployed, champion the cause of the oppressed by taking *habeas corpus*, or some other proceedings, when there is no occasion therefor. These three now make affidavits of her entire sanity, as they did in 1891, in the *habeas corpus* proceeding for Mrs. Beach's release, when, according to the very order procured by Bach, she was “a free agent under no restraint” (fol. 701). Dr. Gunn, could then make an affidavit, as he does now (p. 128), “that she was sane,” after but one examination of her in Bloomingdale, although Drs. Lyon and Dold (pp. 97, 98), the two eminent physicians who then had charge of her and observed her every act for months, swear that she was then, as now, actually insane; and Bach is the same man who, in the face of Mr. Justice O'Brien's decision, directing a jury trial (pp. 429, 430), the very thing which we now seek, could about two weeks later in some way get from his Honor an *ex parte* order, based on a mere private examination, gratuitously adjudging “that said Harriet E. Beach is a sane person and entitled to go where she pleases, and that she has the right to apply to this Court should any attempt hereafter be made to restrain her actions as a free agent” (fols. 700, 702). Of course, Bach would now appear with his vigorous affidavit (fols. 429–504); so, too, Mrs. Robinson (fols. 444–456), who

with Bullard, Mrs. Ferguson, Mrs. Perkins and Mrs. Wallace—all making affidavits (pp. 158, 164, 172, 119), are some of the many “chosen friends” (fols 207, 214) whose expenses to the “spiritual wedding” of June 30th, Mrs. Beach is to pay. Of course, too, Mrs. Peplow, her hairdresser and vanity-tickler (p. 115); of course, Mrs. Bostwick (p. 115), her photographer and a maker, forsooth, of “spirit pictures;” of course Mrs. McCarthy (p. 120), who sold her “gloves;” Hughes (p. 121), the artist who did business with her not only at his office but even in her house for nine years, and must have been “impressed with the intelligence, acumen and good business qualities” of Mrs. Beach when she bought his “pictures;” of course, Bancker (p. 122) another photographer who had had “dealings” with her; Wilcox (p. 127), the “insurance broker,” who was also “interested in the proceedings in 1891;” so, too, Raynham (p. 167), and Anderson (p. 168), the clerks of Thomas Cook & Son, to whom she paid thousands of dollars for tickets when traveling with *Dr. Rogers*; and Burns (p. 169) who sold her “books” and is probably himself a spiritualist—would all come forward with affidavits; and even Joseph Dixon, an old business associate of Alfred E. Beach and now “connected with some patents” in England (*Dr. Rogers* was also connected with *patents*) is even willing to go so far as to say that Mrs. Beach had been “above the average” “in the ordinary affairs of life” and now found “her just as clever and intelligent in business matters as she was when I used to see her often,” and considers “her quite competent to manage her own affairs” (pp. 165, 166); and could you imagine any difficulty in getting affidavits in her behalf from Darley (p. 143) and Cumberland (p. 148) the London attorneys who procured their money lender, Tingle, to advance her the \$600 and take an assignment “of all her property” as collateral? Or from Drs. Hill (p. 150) and Younger (p. 152), the “professional experts” they employed; or Madames Hoeffner (p. 153) and Thevenet (p. 154) two “French ladies,” who did not disclose their occupation, but who either observed

Mrs. Beach "at several receptions given by her" in a hotel, or saw "how she handled and expended her money." What is the value of the affidavit of Dr. Hornung (p. 156) her dentist, and a "*Dr.*" Dupuy (p. 157) who, for all it appears, may be a French hypnotist, or a "*Dr.*" like Rogers himself. Of course, Ed. Rogers, the president of the Spiritualist Alliance and the editor of the spirit journal "*Light*," to which Mrs. Beach had contributed (p. 171) and in which she is to have a full account of her coming "grand spiritual jubilee" (fol. 207) would come to the front with his affidavit, along with his namesake, *Dr.* Rogers himself, *the fraud* (p. 139), and Mrs. Beach (pp. 129, 137), neither of whom could deny the charge (fols. 33, 34) that this *Dr.* Rogers on the day of the "fake" marriage (until separated) procured "a trust deed of all her property" "giving to him absolute control and authority over the same without any consideration therefor."

We submit, too, that the affidavit of Dr. Gray (p. 160), upon which those given by Dr. Hammond (p. 162) and Dr. Ewing (p. 164) seem to be based, shows that he could not have arrived at his conclusion if he had perused the letters referred to with any proper degree of care.

We do not for a moment claim that spiritualism or a belief in spiritualism is, of itself, insanity, but we do affirm that these letters of an aged woman clearly show a mental weakness and imbecility about herself, her gifts, plans, mission and destiny, and that when taken in connection with all her performances with Rogers, Rogers himself, the fake marriage, his stripping her absolutely of the control of her own property by the trust deed, and her determination to spend thousands of dollars in maintaining a spiritual establishment in London, having a grand spiritual jubilee with numberless "chosen friends" visiting it from this country at her own expense, they demonstrate her mental incapacity beyond the slightest question and show the utter absurdity and recklessness of these perfunctory affidavits of Drs. Gray, Hammond and

Ewing, the latter two of whom simply follow in the wake of Dr. Gray.

We submit, too, that Dr. Dana, the distinguished mental expert, in commenting upon these letters, has struck the key note when he bases his opinion of her insanity "not alone upon the evident belief in spiritualism but upon the mental weakness and incoherences shown in the letters, upon the extraordinary lack of normal sense of propriety, and evident absence of the ordinary instincts which rule a rational woman, upon the extraordinary credulity and egotism shown, and upon the infatuation evidenced regarding her husband, her various spiritual guides, her own career, her confidence in her prophecies, and her gross vanity and egotism. All these things show a chronic delusional state of mind, incompatible with sanity, when one considers her past surroundings and history" (fols. 402, 404).

This Court, we believe, will not admit its inability to protect a woman in this condition and under these circumstances.

The category of mental diseases justifying these proceedings has been extended by recent amendments of the Code.

Prior to 1894, the Code of Civil Procedure (§ 2320) read as follows :

"The jurisdiction of the Supreme Court extends to the custody of the person and the care of the property of a person incompetent to manage himself or his affairs, in consequence of lunacy, idiocy or habitual drunkenness."

By Chapter 504 of the Laws of 1894, this section was amended and it now reads :

"The jurisdiction of the Supreme Court extends to the custody of the person and the care of the property of a person incompetent to manage himself or his affairs, in consequence of lunacy, idiocy,

habitual drunkenness or imbecility arising from old age or loss of memory and understanding, or other cause."

Even before the amendment the Court has always taken a wide view of its jurisdiction in this regard.

"Jurisdiction is not restricted to cases of lunacy, but exists where a person from old age, sickness or other cause becomes so weak of mind as to be unable to manage his affairs."

Matter of Barker, 2 Johns. Ch., 232.

Jackson v. King, 4 Cow., 207.

In the last case Judge Woodworth said: "Prior to our Revolution, the Court of Chancery in England entertained jurisdiction in such cases only (where there was total insanity); mere imbecility of mind, not amounting to idiocy or lunacy, not being considered as sufficient to interfere with the liberty of the subject over his person and property. Latterly a different doctrine has prevailed. The Court of Chancery has entertained jurisdiction in such cases. In the matter of Barker, 2 Johns. Ch., 232, the cases on this subject are reviewed. It was considered as founded in good sense and the necessity of the case, for the protection of a numerous class of persons, whose minds have sunk under the power of disease, or the weight of age, and were liable to become the victims of folly or fraud. This enlarged jurisdiction seems to have sprung up since the time of Ld. Hardwicke, and, as Mr. Maddock observes (2 Madd. Ch., 573), 'was arbitrarily introduced, so much so, that it has more than once been hinted that legislative provision on the subject would be proper.' Without, however, questioning the propriety of assuming jurisdiction in such cases, it may be observed that the doctrine, if well founded, does not prove that a deed fairly obtained from a person who might be a fit subject for a commission in the nature of a writ *de lunatico inquirendo*, could be awarded in a court of law. Indeed, the contrary is strongly implied; for the ground of interference is as

Ld. Erskine observes (12 Ves., 445), to protect a party in his second state of infancy. By such a proceeding, the right of a party to contract, who is incapable of managing his affairs, by reason of a partial derangement of mind, is taken for granted."

Now, while belief in spiritualism is not of itself insanity, yet

"If a person persistently believes supposed facts, which have no real existence, except in his perverted imagination *and against all evidence of probability and conducts himself, however logically, upon the assumption of their existence, he is, so far as they are concerned, under a morbid delusion, and delusion in that sense is insanity.*"

Seamen's Friend Soc. v. Hopper, 33 N. Y., 619-624.

And a belief in modern spiritualism, so called, becomes evidence of mental unsoundness, when it appears that the act in question was the offspring of that delusion.

La Bau v. Vanderbilt, 3 Redf. 385.

There are many instances too where Courts have relied against the acts of spiritualists.

Thus the will of one who entertained belief in spiritualism has been set aside on the ground of undue influence exercised upon the mind of the testator through such belief. As in *Thompson v. Hawks* (14 Fed. Rep., 902), where the testator in disposing of his property followed implicitly the directions which he believed the spirit gave him. And in *Greenwood v. Cline* (7 Oregon, 18), where the testatrix prior to the execution of the will accompanied the legatee to a spiritual *seance* where a pretended letter purporting to be from the deceased husband of testatrix warning her against her son, and advising her to dispose of her property in a particular way, the will was set aside on the ground of undue influence.

Am. & Eng. Enc. of Law, Vol. 25, p. 988.

Where a widow aged seventy-five, within a few days after seeing one who claimed to be a spiritualistic medium, through the belief that she was fulfilling the wishes of her deceased husband, made an irrevocable gift to him (the medium) of £30,000, and an estate in remainder, subject to her life interest of £30,000, the gift was set aside. In this case there was also actual fraud inferred, from the fact that the medium translated raps to mean that the widow's late husband wished her to adopt the medium as her son, and make him independent for life.

Lyon v. Home, L. R. 6 Eq., 655.

J was seventy-two years old, feeble both mentally and physically. He was a firm believer in spiritualism. Shortly after the death of his wife he consulted plaintiff as a medium, and afterwards settled a sum of money on her. Held, that the settlement was voidable, because of the relation of peculiar trust and confidence between them.

Connor v. Stanley, 72 Cal., 556.

W lived with a woman who claimed to be a spiritualistic medium, and to have daily communications with his deceased wife, whose memory he greatly revered. During this time she acquired great influence and had great control over him in business affairs. At the same time he was in the habit of indulging considerably in alcoholic liquors. Before his death he conveyed large portions of his property to this medium, for the consideration of one dollar and friendship. Held, that the conveyances should be set aside on the ground that they were procured by undue influence.

Leighton v. Orr, 44 Iowa, 679.

III.

The order appealed from should be reversed and a commission appointed or a trial by Court and jury ordered to inquire into the apparent lunacy and incompetency of Mrs. Beach.

Respectfully submitted,

BOORAEM, HAMILTON, BECKETT & RANSOM,
Attys. for Petitioners-Appellants.

ELIHU ROOT and
WILLIAM H. HAMILTON,
Of Counsel.

Supreme Court,

APPELLATE DIVISION,

FIRST DEPARTMENT.

IN THE MATTER

of

HARRIET E. BEACH (otherwise
Rogers, otherwise Richardson), an alleged incompetent
person, Frederick C. Beach
and Jennie Beach Gaspar,

Appellants,

against

HARRIET E. BEACH ROGERS and
Henry R. Rogers,

Respondents.

Respondents'
Points.

This is an appeal from an order made by Hon. Justice Lawrence, at Special Term, and entered in the Clerk's office of New York County, July 27th, 1897, denying the prayer of the petition of appellants that a committee of the person and property of Harriet E. B. Rogers be appointed, and that a commission be issued to inquire of her apparent lunacy and incompetency.

Statement.

The following facts appearing in this record, are undisputed:

Harriet E. B. Rogers, one of the respondents, is the mother of the two appellants, and the widow of Alfred E. Beach, who died on January 1st, 1896, leaving no will, and leaving his widow and the appellants his sole surviving heirs-at-law and next of kin.

At the time of his death, Alfred E. Beach was the owner of a large amount of real and personal property, among other assets, being the publication of the paper, known as the *Scientific American*, and the business of the well-known firm of Munn & Company, he owning substantially a one-half interest therein.

That the personal property of said estate exceeds in value \$200,000, and real property exceeding \$195,000 (fols. 11, 12, 16, 697). That said Harriet E. Beach was traveling alone in Europe for pleasure in the summer of 1895, and had been absent from her home about seven months, and was on the ocean returning to New York at time of her husband's death (fol. 29).

That on the 8th day of January, 1896, said Harriet E. Beach signed and executed a renunciation of her right as widow to letters of administration on her husband's estate, and on the same day, letters of administration were issued to the two appellants who are now acting as such administrator and administratrix (fols. 718, 14).

That respondent and appellants lived together from January, 1896, until latter part of June, 1896, upon the most friendly terms, when she was at all times consulted regarding the family affairs, and no suggestion of incompetency was ever made by either of them (fol. 551).

On June 24th, 1896, the appellant, Frederick C. Beach, procured to be made, and had executed by

respondent, his mother, a power of attorney to act for her during the year 1896, under which he could sell the real estate of her deceased husband without her further signature, and under which he acted (fol. 519).

That thereafter, and in June, 1896, said Harriet E. Beach again sailed for Europe accompanied by Dr. J. M. Harris, of New York City, Stanley Y. Beach, 19 years of age, the son of appellant, Frederick C. Beach, and Mrs. Woodhouse, of New York City, for a pleasure trip and recreation; Dr. Harris, Stanley Y. Beach and Mrs. Woodhouse returned to New York in September, 1896, leaving Mrs. Beach, the respondent, in Europe (fols. 30, 522, 544).

During the summer of 1896 the appellants failed to furnish sufficient funds to respondent to pay necessary expenses, compelling her to borrow of strangers (fol. 522). On January 26th, 1897, the respondent, Harriet E. Beach, was married to Henry *Richardson* Rogers, respondent, at Alexandria, Egypt.

That in February, 1897, the respondent caused a petition to be filed in the Surrogate's Court of New York County, to compel the appellants to render an account of their proceedings as administrator and administratrix of said Alfred E. Beach's estate. That upon the return of said citation, properly served (fol. 695), the appellants appeared in Surrogate's Court, and filed the answer, which will be found at fols. 433-442, alleging, among other things, that a proceeding in lunacy had been commenced in the Supreme Court against respondent, Harriet E. Beach, and a preliminary order had been granted in said proceeding, said order having been granted on the 29th day of April, 1897, the citation being returnable April 30th, 1897, at which time the answer referred to was filed. That order was procured *ex-parte*, and will be found at fols. 2-8.

The petitioners, for the purpose of procuring said order, produced and filed with the Court:

1st. A petition signed by the two appellants, dated April 7th, 1897, after the citation for an accounting had been served upon the administrator, Frederick C. Beach; the affidavits of Frederick C. Beach, Dr. J. Leonard Corning, verified April 7th, 1897; the affidavits of Frederick C. Beach and Dr. J. Leonard Corning, verified April 26th, 1897, and *garbled* extracts from 33 letters written by the respondent, Mrs. Beach, from Europe, during the period extending from August 22d, 1896, to April 3d, 1897, about seven months (pages 3 to 94).

The petition of appellants showed respondent to be 69 years of age; that she resided in New York City; that she was the widow of Alfred E. Beach, deceased, and entitled to share in his estate; that the appellants were duly appointed and acting as administrators of said estate; that respondent, Harriet E. B. Rogers had been abroad since June, 1896, traveling from place to place; that she had at times after her marriage to Henry *Richardson* Rogers gone under the name of Richardson; that they were informed and believed her marriage to Rogers was illegal and void by reason of her incompetency (without giving their source of information).

2d. The affidavit of the son, appellant, that on two occasions she had been placed in an asylum by direction of physicians—once in, 1855 at Hartford, Connecticut; that she was confined in her own house in 1867 for several months, and for a number of years had believed in spiritualism; that five years ago she met her present husband, characterized by them as a “notorious fraud, who posed as a medium at spiritual seances,” and that his influence upon his present wife exaggerated her peculiar belief on the subject of spiritualism.

3d. That Henry R. Rogers, her present husband, was indicted for an assault, went to Europe, and

the appellant, Frederick C. Beach, *believes*, with the aim and for the purpose of defrauding her of her property through spiritualism and the questionable practices connected with it. That he had learned by letters received from his mother she had executed a paper in the nature of a trust deed of all her property to her husband, in form giving to him absolute control over same (but no such letters are produced).

4th. That he believes she *has been*, and still is, in imminent danger of being defrauded of her property by Rogers and *others in league* with him, on account of her incompetency and inability to protect herself (pp. 7, 8, 9). (Who the *others* in league with him are does not appear.)

5th. The affidavit of J. L. Corning disclosed that he was a physician; that in December, 1890, he certified to her insanity, based upon a conversation he had with her at that time and *upon statements of her family*, then consisting of Alfred C. Beach, her husband, and the two appellants, and he now believes her to be insane; that he has read *copies* of 33 letters annexed to petition, written by Mrs. Rogers; that she is now suffering from hallucinations of sight and hearing, and they are of such a character as to render her wholly incompetent, and is certain to commit wayward acts injurious to herself and others (p. 12).

6th. The affidavit of Frederick C. Beach, at pages 13, 14 and 15, discloses the letters upon which he testified at pages 7, 8 and 9, she had disposed of her property, giving her husband absolute control of all her property, but those letters do not authorize the statement made at pp. 7, 8 and 9.

These are the facts upon which the Court acted in the first instance, and upon which the Special Term were asked by petitioners to make the

order now appealed from, with the exception of one or two other affidavits hereinafter referred to.

The petition says respondent is incompetent, but does not state one single fact upon which to predicate that statement. The affidavit of the petitioner, Frederick C. Beach, states she was incarcerated in Bloomingdale in 1891, but states no fact or circumstance occurring from the time of her discharge in May, 1891, to show her insane or incompetent; and on May 12th, 1891, after she left Bloomingdale Asylum, she was, by a judgment of this Court, adjudicated to be ^{insane} ~~insane~~ (see Order, fols. 699, 702).

The affidavit of Doctor J. Leonard Corning, describing his discovery of dangerous insanity in the respondent in December, 1890, upon which he issued a certificate, does not state one single fact or circumstance since that day which indicates incompetency, and, as matter of fact, *he has never seen Mrs. Rogers since December, 1890.* But, in his additional affidavit, the astute Dr. Corning alleges that, from the *garbled* extracts of letters before referred to, he is able to testify she is still possessed of the same delusions and is the same dangerous lunatic she was in 1891, when he issued a certificate, upon which she was committed to Bloomingdale.

That her mania was and is permanent, and she is unfit to care for herself or her property. The further affidavit of Frederick C. Beach that the letters attached to petition are copies of originals (not produced), so far as he was able to decipher them. This was the appellants' case presented to the Court below.

In answer to the opinions expressed by Frederick C. Beach and Jennie H. Gaspar in their petitions, supported only by the affidavits of Frederick C. Beach and Dr. L. Leonard Corning, heretofore referred to, the respondents presented to the Court below an order of this Court dated May 12th, 1891, made by Hon. Justice O'Brien, of this Court, in which he ordered the discharge of respondent,

Harriet E. Beach (now Rogers), and *declared her sane in all respects*, constituting a judicial determination that the petitioners and J. Leonard Corning were in error in their judgment and opinion as to her sanity and competency (fols. 699, 703).

The affidavits of Mrs. Cornelia S. Robinson (fols. 443, 446), Minnie Peplow (fols. 457 to 460), Harriet Bostwick (fols. 461-465), Marion Ferguson (fols. 466-472), May E. Wallace (fols. 473-477), Ella T. McCarthy (fols. 478-482), George H. Hughes (fols. 483-486), Danforth Bancker (fols. 487-490), Alfred Bach (fols. 491-504), L. Hamilton Wilcox (fols. 505-508), all of whom, as their affidavits disclose, have associated with, and had business relations with, Mrs. Rogers from 1891 up to the time of her departure for Europe in June, 1896, and all of whom vouch for her sanity, her shrewdness as a business woman and her capacity to care both for herself and her property, and the economical management of her affairs.

The affidavit of Dr. Robert A. Gunn, whose professional standing is quite as high as J. Leonard Corning, M. D., who vouches for her sanity and business capacity during the time Corning assumes to say she was insane, and with whom Hon. Justice O'Brien *agreed* in 1891, when he *disagreed* with J. Leonard Corning, M. D., and made the order of May 12th, 1891, and whose acquaintance continued and who personally saw her after the memorable day when J. Leonard Corning made his certificate, whose force and effect was destroyed by the adjudication of May 12th (fols. 509-514).

The affidavits of Harriet E. Beach (fols. 515-554), the contents of which must be read to appreciate the cruel manner in which she has been treated in the past by her late husband, Alfred C. Beach, and whose conduct the petitioner's son and daughter are attempting to repeat, in an attempt to evade the payment to their mother of that which belongs to her, wherein she denies they have ever given her any proper account of her late husband's

estate, except verbal statements (fol. 525); also denying the statements of J. Leonard Corning, an explanation of her letters, and that the whole of them are not produced (fol. 537), and the manner in which she has expended the moneys that have been paid to her since her husband's death, and the business dealings between herself and appellants.

The affidavit of Henry R. Rogers, the present husband of the said Harriet E. Beach Rogers, that tells its own story, and needs no comment from us (fols. 554-570). The affidavits of James Jacob Darley and of Charles Henry Cumberland, two of the most prominent solicitors at the bar in the Kingdom of Great Britain, who have known Mrs. Harriet E. Beach since her arrival in England in September, 1896, and who have had many consultations with her in reference to her interests in the estate of her late husband, and who have transacted business for and with her, both of whom state, under their oaths, *that she is thoroughly competent to transact any business, and that her mind, memory and understanding for all business purposes is unimpaired*, and to these affidavits we particularly call this Court's attention (fols. 571-598).

The affidavit of Joseph Shuter Hill, a physician of high standing in the City of London, who examined the said Harriet E. Beach on several occasions, the last one being on the 18th day of May, 1897, done at our suggestion and request, who states that she is *remarkably clear in her memory and understands her financial affairs, and is able to care for and manage her affairs and business* (fols. 599-604).

The affidavit of Edward George Younger, whose standing is high in the medical faculty, a specialist in diseases of the brain and mind, a man who was treating the insane in England before Corning had taken his first lesson in the profession of medicine, says he examined Mrs. Rogers in May, 1897; that her memory for both *recent and remote events was excellent; that she took a keen and intelligent in-*

terest about her financial affairs, and possessed much shrewd business capacity. That she is quite competent to manage her own business and financial affairs (fol. 605).

The affidavits of Madame Claire Hoeffner and Madame Mary E. Thevenet, of France, who have known and seen her in 1896 and 1897 while traveling abroad, who have visited with her, attended entertainments together, shopped and had every opportunity to observe her conduct socially and in business affairs, who certify to her prudent and careful business ways and to her capability to care for herself and her property (fols. 612-620).

The affidavit of Dr. William A. Horning of Paris, France, who boarded with and treated her professionally for two months in 1895, and who met her and conversed with her on several occasions in May, 1897; who states that she is a "Refined and intelligent lady with a great deal of self-control and independence; a clever business woman, and capable of managing herself and her affairs." (fols. 621-626.)

The affidavit of Dr. Eugene Dupuy, who testifies she is physically and mentally perfectly healthy, shows no signs of mental disorder, had no delusion or hallucinations, perfect memory of past and present events; that her reasoning power is not abnormal in any way, and declares her sound, both in mind and body (fols. 627-629).

The affidavit of E. F. Bullard, who has known her fifteen years, lived in his house, corresponds with her, and that she is fully capable to manage her affairs, &c. (fols. 630-635).

The affidavits of Landon Carter Gray, whose standing in the medical profession, and as an authority on nervous and mental diseases needs no comment, who says, that J. Leonard Corning is again in error in his diagnosis of the mental condition of Mrs. Beach; *that she is prudent and economical, and fully competent to care for*

herself, and to manage her business and financial affairs with prudence and discretion (fols. 637-643).

The affidavit of Dr. Graeme M. Hammond, whose position in his profession is too well known to need comment, who, under his oath, declares the diagnosis of Corning to be incorrect, and fully agrees with Dr. Gray as to her mental condition (fols. 645-652).

The affidavit of Dr. W. A. Ewing, a physician of high standing and repute, who fully coincides with the opinions of Drs. Gray and Hammond (fols. 653-657).

The affidavit of Joseph Dixon, who has known her many years, lived near her, and was engaged in business with her husband from 1867 to 1879; who was on intimate terms of friendship with her and her family; who is now residing in England, and saw her in May, 1897, *says she is not incompetent* (fols. 658-663).

The affidavit of Frederick Walter Raynham, cashier of Thomas Cook & Son, at Cairo, knew her in 1896 and 1897; frequently saw her in December, 1896. January and February, 1897, and transacted banking business with her (fols. 665-668).

The affidavit of William Frederick Anderson, head clerk of Thomas Cook & Son, London, knew her, 1896 and 1897 (fols. 670-673).

The affidavit of James Burns, of Mackenzie & Co., publishers. London, known her since 1895; seen her in 1896 and 1897, as late as May, 1897 (fols. 676-678).

The affidavit of Edward Dawson Rogers, of London, editor (fols. 682-686), and of Frances Perkins, who knew her well, and who says she is entirely sane, and capable of managing her own affairs.

To meet this overwhelming proof of her sanity and capacity to care for herself and her property since 1891, and at the present day, the appellants

were permitted to furnish additional affidavits which appear in this record, consisting of one made by Dr. Saterlee, at fols. 380-383, *who has never seen her since 1890*, long before Justice O'Brien adjudicated her sane, he being one of the doctors who certified to her insanity when she was *sane*, and upon whose certificate she was committed to Bloomingdale, and who says her letters, printed in record, are such that she is certain to be a menace to her own interest, and is liable at any moment to commit insane acts against others (fols. 380-383).

A certificate by Samuel B. Lyon, who held her in custody in December, 1890, and 1891. that she believed in the doctrine of spiritualism, yet was so improved, he discharged her in April, 1891 (fols. 385-387).

The affidavit of William E. Dold, who also saw her when in Bloomingdale in 1890 and 1891, but *has never seen her since*, who then discovered she was suffering from chronic brain disease (fols. 390-397).

But the affidavits of 31 persons, some standing in the highest position as experts upon brain diseases, state, under oath, that Dr. Dold made a mistake in his diagnosis of Mrs. Rogers' mental disease (not an unheard of thing to occur at Bloomingdale, since the doctor's advent at that institution, as assistant physician).

The affidavit of Charles L. Dana (fols. 400-404), a careful perusal of which, will at once cause the reader to ask: *What was the past history of Mrs. Beach? upon which Dr. Dana was asked to predicate an opinion.* He never saw her; none of the persons making affidavits in behalf of appellants, have ever seen her since April, 1891, except the two petitioners.

It would seem that this proceeding upon part of appellants in the court below, and as well as in this court, is open to severe criticism, if not censure and condemnation.

1. Why did not appellants produce an affidavit of one human being beside the son, appellant, who knew the respondent, Mrs. Rogers, to show some act indicating incompetency, since she was adjudicated sane by Justice O'Brien on May 12th, 1891 ?

2. Why did appellants not produce the affidavits of Dr. Harris, Mrs. Woodhouse and F. C. Beach's son, who traveled with her as companions during July, August and September, 1896, throughout Europe? The absence of their affidavits is a most suspicious circumstance in this proceeding, and really exposes the motives of these persecutors.

3. Why hasn't some one of the many acquaintances of Mrs. Beach made an affidavit in behalf of the petitioners who has seen her since May 12th, 1891?

4. Why hasn't the family physician of this family been called upon or expressed an opinion as to her mental condition?

5. Why hasn't some one who has seen her in the last sixteen months furnished an affidavit in this proceeding?

6. Why did this son accept and act under a power of attorney in disposing of the property of this estate executed by a mad woman ?

7. Why have the two petitioners taken pains not to advise this maniac of any details of the affairs of this estate?

8. Why didn't these petitioners make this application while their mother was in New York and before her departure for Europe?

9. Why have they given this lunatic money to expend at the rate of \$900 a month as she might see fit?

10. Why did they allow this mad woman to be

turned loose in the community, when their friend, J. Leonard Corning, knew she was dangerous?

11. Why haven't they produced the affidavit of the daughter, one of the appellants, who was her daily companion, giving us at least one insane act upon her part since May, 1891?

These questions are unanswerable if their contention is true. If their object was to deprive her of her personal and property rights, their conduct and procedure is perfectly understood, if she was *sane*, and needs no explanation, but deserves the severe condemnation of any judicial tribunal to whom it shall be presented.

A marriage not approved by her children seems to be her only sin, except her belief in spiritualism, and for these two unpardonable sins the son and daughter seek to incarcerate her in a madhouse and confiscate her estate. This outrage was thwarted in its inception at Special Term, and should receive its death blow at the hands of this honorable Court.

Point I.

Appellants' contention in the court below, and which we assume will be their contention here, *i.e.*, that the Court, at Special Term, was bound to grant the prayer of the petition upon a *prima facie* case presented, and had no right to hear any proof upon the part of the alleged incompetent, but that the defense, if any, must be made before a jury summoned to inquire as to her sanity, is untenable, and without authority to support it.

The proceeding was instituted under Sections

2320-2344 of the Code of Civil Procedure, Section 2321, prescribing the duties of the Court as to caring for the property and maintenance of the alleged incompetent; Section 2322 providing that such control be exercised by means of a committee; Section 2323 providing: "That an application for the appointment of such committee must be made by petition, which may be presented *by any person*."

Section 2325 prescribes what the petition shall contain and that the process *must be served personally* on the alleged incompetent, and this section has been so construed *in re* petition of Julia Blewitt, 131 N. Y., 541, and cases cited, where it was held: "Before the Court may proceed in lunacy proceedings it is requisite that personal and written notice be served upon the alleged lunatic, in addition to the notice to relatives and others, required by the Code of Civil Procedure (Section 2325), unless upon a clear case showing it to be improper or unsafe to give such notice, an order has been made by the Court dispensing with it."

Why give notice to alleged incompetent if she cannot appear and defend?

Section 2327 provides that the Court will make an order that a commission issue, or the fact of her competency be tried by a jury, if it presumptively appears to the satisfaction of the Court that the case is one specified in Section 2320, and that a committee ought, *in the exercise of a sound discretion*, be appointed.

To construe Section 2327, as appellants contend, it should be: *Any person*, responsible or otherwise, can make an application to the Court, if it be accompanied by an affidavit that the case is one specified in Section 2320.

While the following illustration may be an extreme case, *i. e.*, suppose A, an irresponsible person, unworthy of belief, a self-confessed perjurer, makes and verifies a petition setting forth the facts prescribed in Section 2325; B, his confederate, and

equally unworthy of belief, makes an affidavit containing the facts required by Sections 2325 and 2327, against C, one of the most eminent business men of our city, known by all his acquaintances, and the most reputable experts in mental diseases to be sane, and competent to manage his own, as well as the affairs of a large number of undertakings of diversified character, and in opposition to the perjured petition and affidavit, so declare upon their oaths, the Court, being a stranger to the petitioner, and the confederate, knowing C personally, as well as all his friends, and the experts sustaining him, and knowing C was sane, is the Court in such a case, because presumptively it appears by the petition and affidavit presented, to make an order compelling C to go before a jury, and there, for the first time at great expense, be permitted to exonerate himself from an unwarranted and unfounded charge brought by unprincipled wretches, without the slightest ground to justify it. We say no! And yet, if appellants' contention is true, that would be the result.

While we can find no authority directly construing this section in this respect, yet we found authority construing Section 2325, which the appellants insisted in Court below did not in any manner require them to give notice of the application to the alleged incompetent.

Ib., 131 N. Y., 546.

In which case, a reasonable construction was placed upon that section, and we assume this Court will so construe this one.

Point II.

While no direct decision seems to have been made upon the question as to the Court's power to hear proofs in defence of such an application, and deny

such a motion, yet, as Justice Lawrence said in his opinion, "The Court has a discretion vested in it by the Code of Civil Procedure in such cases, and if it is of the opinion that the prayer of the petition should, in justice and fairness be denied, *it should not hesitate to exercise its power*."

This power has been recognized by numerous precedents.

See Supplement to Abbott's Forms, page 620, edition of 1881.

Vol. 2, Lansing's Forms of Civil Procedure, page 1095, edition of 1885.

See Subdivisions 3 and 4 of paragraph 2, head note in 131 N. Y., page 542. Also page 548 of the Opinion.

It was truly said by Justice Andrews, in the case last cited, that "Attempts by interested persons to get control of the person and property of another by aid of lunacy proceedings * * * are not infrequent."

If this respondent had been a beggar, we undertake to say this Court, nor the court below would ~~have ever~~ *never* been called upon to pass upon this record.

We ask that the order appealed from be affirmed, with costs.

WARREN, BOOTHBY & WARREN,
Attorneys for Respondents.

LYMAN E. WARREN, ✓
Of Counsel.