

## George William Horton

(14 Nov 1848 – 8 Dec 1899)

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*The Washington Post, September 5, 1897, p. 2*

### **Policemen Before Judge Pugh**

#### **The Usual Saturday Session of the Police Trial Board**

Judge Pugh, police trial officer, held his usual Saturday session yesterday and heard two cases of alleged breach of regulations by members of the Metropolitan Police Department.

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Policeman Horton, of the Fourth Precinct, was discharged by Sergt. Daley for being under the influence of liquor during the drill on August 31. Horton admitted to having taken two bottles of beer, but claimed that he was perfectly able at the time to attend to his police duties.

*The Evening Star, June 25, 1898, p. 11*

### **Murder Most Foul**

#### **George W. Horton, Former Policeman Kills Jane Nicholson**

#### **Slashes Her Throat With a Knife**

#### **Fiendish Cruelty Practiced in Commission of the Crime Horton in the Lock-up**

George W. Horton, an ex-policeman, murdered Jane Nicholson with horrible brutality in Armory Square about 7:20 o'clock last evening. Horton plunged a knife in his victim's neck and then slashed her across the face. While the knife was in the wounds he twisted it, as if anxious to increase her physical suffering and at the same time make the murder complete. His knife almost severed her head from her body. When placed under arrest he coolly confessed the awful crime in a manner which indicated that he was glad he had accomplished it. Then he went to the sixth precinct with blood dropping from his fingers, and in this condition he extended one of his hands in greeting to Lieut. Kelly, whom he had known when he was on the force.

Horton's victim was the widow of Frank Nicholson, who committed suicide several months ago by taking "Rough on Rats," the act being the result of liquor drinking and the alleged misconduct of his wife, who he charged with being intimate with Horton.

Just after committing the crime last night Horton drank some harmless fluid from a bottle and announced he had taken cyanide of potassium, but the police, who knew him best were certain he could not muster up courage enough to take his own life. This pretended attempt at self-destruction satisfied them that it was Horton's first step in the direction of feigning insanity, and they were equally satisfied that he would not succeed. Although Horton is a married man and has children, he has, it is said, been keeping company with Mrs. Nicholson for several years. Lately he charged that another man had succeeded him in her affections, and jealousy on this account caused last night's tragedy.

### *Former Charges*

For several years prior to his suicide Frank Nicholson openly charged that his wife and Horton were on intimate terms, and on one occasion they managed to get into the Police Court. Nicholson had frequently threatened Horton's life, and the latter was afraid he would carry out his threats. A great many times Nicholson was sent to jail and the workhouse, and he always charged that he was the victim of a conspiracy formed in the interest of Horton. He became a hard drinker, and, as already stated, he finally ended his life by taking poison.

Mrs. Nicholson has recently been employed in a hotel on Pennsylvania avenue as chambermaid. About 6:30 o'clock yesterday afternoon she met Horton pursuant to an agreement, and they strolled in the park together. One object of their meeting, it is understood, was for Horton to buy her a pair of shoes and some other articles of wearing apparel.

### *Gave No Sign*

Horton and the woman who was so soon to be brutally murdered walked to the park laughing and talking. The woman was apparently in the best of humor, and Horton did not show by his conduct that he was about to commit a horrible crime. They soon reached one of the park benches, and there they sat, more like the average lovers who frequent the parks than like people who had been leading dual lives for a number of years. Then there came a time when the two quarreled. The man accused the woman of being unfaithful, and she in turn complained of his treatment.

"I'm going to leave you," the woman was heard to say, "and I'll never meet you again--never as long as I live."

"You are right," said Horton, who felt certain that his weapon would do its work. "You will never meet me again. This is the last time you will ever come and meet me."

He had hardly finished speaking when he drew his penknife from his pocket and opened it. Before his intended victim could realize what he was going to do he drew the blade of the weapon across her throat. This one cut was enough to end her life, for her windpipe and jugular vein had been severed. Mrs. Nicholson jumped from the bench as if she wanted to offer some resistance, the wound was such a severe one that she fell to the ground, and there, resting on her knees, she lifted her hands in a pleading attitude, and tried to speak, but was unable to do so.

### *Continues His Deadly Work*

Horton then continued the deadly work with his knife. He slashed her neck and face several times, and while she lay dying on the ground he pushed aside her head and sent the blade of the knife still farther into the mass of flesh and blood. When he finally stopped his ghastly work and walked away his victim's blood dripped from his hands.

Just before severing the last artery, and, while on his knees beside the form of the dying woman, he became profane, and inquired: "Are you not dead yet?" He added: "Then I'll finish you."

Walking away from the scene of the tragedy, Horton seemed proud of what he had done. A colored woman in the park shouted murder, and in a short time a large crowd surrounded the perpetrator of the fiendish work.

### *Placed Under Arrest*

"Lynch him!" was the cry heard in the crowd, but no one made a move in that direction. A few seconds later Policeman Bateman arrived and took charge of Horton.

"Mister, he took poison," shouted a woman in the crowd. "I saw him drink something from a bottle."

To this Horton promptly pleaded guilty. Sergeant Falvey, with several officers from the sixth precinct, arrived about this time, and Horton was taken to the station to be locked up. As soon as he reached the office the prisoner reeled and fell, and then for the first time the officers believed he had taken poison. He was hurried to the Emergency Hospital instead of being placed in a cell, but the doctors made an examination and found that the prisoner was skamming. He was then returned to the station, and as he entered the door and heard somebody speak of the morgue he said:

"Oh, heaven, is she dead?"

Horton was then almost in a faint and several times he remarked: "That poor woman."

By this time several hundred people, had gathered about the station, and every man, woman and child in the crowd was anxious to get a look at the prisoner. The latter had seated himself on a chair and was emptying his pockets. He had given his name as George William Horton, his age as fifty years and his business as that of a coffee salesman. Presently he looked at the crowd and said: "Gentlemen, please step back; you are crowding on me too much."

#### *Lock of His Mothers Hair*

Among other things, the prisoner took from his pocket several clippings from newspapers and a letter and lock of hair he had received from his mother. These clippings, as well as something he had written about his prospective death last night, he handed over to Sergeant Falvey and wanted him to keep them for him.

"It is the last letter I received from my mother," he said, "and this is a lock of her hair. Won't you keep them for me?" The sergeant laid them over on the desk and then Horton, talking some money from his pocket, said: "Give this \$1.20 to my wife. I intended to buy that poor woman (Mrs. Nicholson) a pair of shoes with it, but you may give it to my wife now."

#### *"All Over Now"*

"It's all over now," was the prisoner's remark, as he reached the open door of his cell. He had refused to wash the blood from his hands, seeming to regard it as the only thing remaining to remind him of his victim.

Policemen and reporters were admitted to the cell corridor and the man behind the bars repeated the story of his crime at least fifty times. At each repetition he apparently endeavored to make the details more ghastly than they really were. Once behind the bars he was anxious to see his wife, and she was sent for. Her house is at 707 7th street southeast, where she keeps a small store. She responded to his request and when she reached the station she stood in front of the bars and talked with her husband, the father of her children, and he told her of Mrs. Nicholson's alleged unfaithfulness to him as if the wife were some stranger who had no interest in him. It was not until a late hour last night that the crowd finally left the vicinity of the station, and when alone the prisoner was soon asleep. It was evident he had been drinking to some extent yesterday, and his statement was that he had spent 30 cents during the day for beer and whisky. On the trip from the station to the hospital Horton spoke bitterly of Judge Kimball. Commissioner Wight and Physician Wilson, the latter the officer who was detailed for service with the Humane Society for several years. Horton regretted very much, he said, that he had not dealt with them before he killed Mrs. Nicholson. Officer Wilson had taken Mrs. Nicholson's children from her house and Judge Kimball had turned them over to the board of children's guardians. Commissioner Wight, he thought, was anxious to get rid of him when he was on the police force.

#### *Spent a Restless Night*

The prisoner spent a restless night, and early this morning he was ready and willing to receive visitors.

"It's horrible," was his remark, when a Star reporter called on him "but it's all over now. Nobody can do me any good."

His nephew had been in to see him, and had talked with him about his mother.

"Don't let mother know I'm in this fix," he said, "for it will only worry her."

"I can't keep it from your mother," he was told, "because it's in all the papers now, and it will probably be the straw that will kill her."

"I guess not," coolly remarked Horton. "I don't see why she should bother so much as that."

#### *Horton's Record*

George W. Horton was twice a member of the police force, and neither time, it is said, had he any friends among the officers. Very few of them were even willing to associate with him while he was off duty. He was continually in trouble during his first term of service, and finally was dismissed. About a year ago he succeeded in getting reappointed, but he had not been on the force very long before his former troubles were renewed, and finally his intemperate habits and other misconduct resulted in his dismissal. Since then he has kept a small store in Southeast Washington, and has been engaged selling coffee to stores.

#### *Coroner's Jury Summoned*

Horton formerly lived in Prince George's county, Md., not far from Piscataway, where his mother is now living. Coroner Carr had a jury of inquest summoned, and the jury met at 3 o'clock this afternoon at the sixth precinct station. Horton, again speaking of the case today, said he was anxious to plead guilty and have the affair settled as early as possible. So far as he was concerned, he said, he did not care about the formality of an inquest. Three witnesses were summoned to appear, but it is likely that before their testimony is finished others will be called. The inquest will probably be finished by 4 o'clock.

*The Evening Star, June 27, 1898, p. 12*

#### **Horton Confesses**

#### **Admits Before Coroner That He Killed Jane Nicholson**

#### **Particulars of the Ghastly Crime**

#### **Jury Returns Verdict Holding the Prisoner Responsible**

#### **The Evidence Submitted**

"I was not conscious of what I had done till I saw the woman with her throat cut," was what ex-Policeman George William Horton told the coroner's jury Saturday afternoon at the inquest over the remains of his victim. Mrs. Jane Nicholson, whom he so brutally murdered Friday evening in Armory Square. "I did the work," he said. "I don't ask any mercy; I deserve my fate."

The verdict of the jury was: "We, the jury, do find from the evidence that Jane Nicholson came to her death June 24, 1898, about 7 o'clock p.m., in the reservation near 4 1/2 street and Missouri avenue northwest, and that she died from hemorrhage following wounds of the throat inflicted by George W. Horton with a pocket knife. We find that the said George W. Horton did willfully kill and murder the said Jane Nicholson, and direct that he be held for the action of the grand jury."

The inquest was held at 3 o'clock. When the prisoner was brought in the room he took a seat near the door, from where he had to face the jury. He had recovered some little from the feeling that he had done a noble deed, and showed more interest than he had earlier in the day, although he seemed to realize that nothing could save him. During the giving of his testimony his voice showed that the strain was very severe. At times he had to stop talking in order to keep back the tears. Early in the morning

visitors had been permitted to see him, but later the heavy iron doors leading to the cell room were locked so that the prisoner had time to reflect upon the happenings of the previous twenty-four hours.

#### *Deputy Coroner a Witness*

Deputy Coroner Glazebrook was the first witness called and he told the jury of how the woman's head had been almost severed from her body. With the exception of about an inch the wound extended entirely around her neck. Witness counted fourteen wounds in all, some of them being on her shoulder and hands. The knife he thought must have been sharp, as it has cut a corset steel in addition to the flesh and bone.

#### *Two Eyewitnesses*

Archie Jacobs of No. 11 Humboldt street, Brooklyn, N.Y., and Nathaniel J. Davis of 112 McKibbin street, the same city, were also called and examined.

"We were walking near the park," the first-named witness said, "and I saw a woman with her hands up and a man hacking at her throat."

"Did you hear anything said?" he was asked.

"I heard the man say 'If you ain't dead yet, I'll finish you,'" was the answer.

Witness said the groans of the woman had attracted his attention.

"What did you do?"

"I walked on to Pennsylvania avenue."

"Would you know the man if you were to see him?"

"I think I would," he answered.

"Look about the room," said Coroner Carr, "and see if he is here."

"There he is," said witness, pointing to Horton.

The prisoner merely nodded to indicate to the witness that he had made no mistake.

Mr. Davis gave similar testimony. He heard the man mutter something just before he saw him using his knife. What he said witness could not understand.

"I was frightened," said witness, "and we hurried away."

Witness heard cries of "Hang him" and "Lynch him"

"Do you see the man here?"

"There he is," answered witness. "And," he added, "he had blood on his hands."

#### *Horton's Admission*

"Horton," said the coroner, "do you want to say anything to the jury?"

"Nothing to say except that I committed the deed," he answered in a slow tone. "What actuated me I can't say. Under what circumstances it was done, I can't say. We had no quarrel, nor did we have any misunderstanding. We had agreed to meet at 6:30 o'clock, and that's all."

He then related the circumstances of the meeting, and told of their walk to the park, where they sat on one of the benches.

"I handed her a paper," he resumed, after some hesitation, "so she could read about the Brooks murder. She scanned the paper and handed it back."

The prisoner told of a brief conversation they had in the park, and then related a conversation with the woman two nights before the killing. She then told him she would not meet him again until she got a pair of new shoes.

"When you meet me again," he told her, "I'll give you money for the shoes."

The prisoner told of the parting Wednesday night, and then came down to the meeting Friday night-their last meeting.

"We sat on the bench," he said, "and I told her I didn't have quite enough money to get the shoes. I told her to take what I had and wait till I could see her again, and then I would put a little more to it. Jane said she would not wait, and that was all of the conversation."

Then, resuming, he said that the woman told him she was sick and would have to go to the hotel where she worked.

"And," said Horton, "I told her she'd better go. I asked her when she was coming out again, and she answered 'I'm never coming out any more.' Those are the last words I heard her utter."

#### *Overcome by Emotion*

Here Horton almost broke down, and he said he could answer questions better than he could tell the remainder of the story.

"Did you kill this woman?" asked Juror Garner.

"I did," was Horton's answer.

"I had no motive whatever."

"Did she provoke you in any way?"

"Not recently. We were the best of friends. I can't tell which hand I struck her with, and I have no recollection of what happened before I saw her lying on the ground with the gashes in her bleeding throat. When I saw what I had done, I said, 'Janie, good-bye.'"

"Had you been drinking?" asked a juror.

I had taken three whiskies--three five-cent jiggers of whisky--and three beers during the day," was the prisoner's response, but I was not drunk. Gentlemen, I was not drunk," he repeated.

Horton declared he was not conscious of what he had done before he saw the blood, and concluded by saying:

"I did the work gentlemen. I don't ask any mercy. I deserve my fate."

#### *The Prisoner Photographed*

This concluded the testimony and the prisoner was led back to his cell. Before the verdict had been written, Horton was taken from his cell to the photographer's. On his way out he remarked that he wished he were on his way to his execution instead of going to have his picture taken. He is now in jail.

Detective Carter, who is connected with the office of District Attorney Davis, was present at the inquest with Assistant District Attorney Shillington. He made arrangements to have the witnesses before the grand jury without delay, and it is possible that Horton's fate will be settled next week.

#### *The Date of Trial*

The trial of Horton will probably occur in the middle of July.

"We hope to bring him to the bar about the 15th," said Assistant District Attorney Shillington today. Speedy justice should be meted out to him. The murder was so horrible, so cold-blooded, that there should be special effort made to secure conviction. The case should be a warning to others. Too many murders are being committed at present in this community."

The case will be brought to the attention of the grand jury this week, but the district attorney's office is not prepared now to state when. An indictment for murder will doubtless be promptly returned and the prisoner arraigned.

Horton may desire to enter the plea of guilty, but should he do so, the court will set it aside and order the plea of not guilty to be received, as this is the rule of law in capital cases. The prosecutors must convict the accused. To that end Mr. Davis and his assistants will prepare their effort and will have all their witnesses in court.

#### *The Guiteau Decision*

If Horton engages counsel it is not believed that the defense of temporary insanity could be urged successfully for the prisoner. Justice Cox went all over this ground in the Guiteau case, and held that the plea that a man can become suddenly insane and then after a few moments become sane again, in the meantime committing a capital crime, is no defense where the insanity only develops upon one occasion. In a late murder case Justice Bradley reviewed and sustained this opinion.

Mr. Davis does not, however, anticipate that Horton will attempt a defense, and the belief is that the panel of jurors summoned for July in Criminal Court No. 1 will try Horton and convict him within two days, possibly a day, after beginning.

*The Evening Star, July 14, 1898, p. 12*

### **Horton Makes His Plea**

#### **Says He is Not Guilty of Murdering Anna Nicholson**

#### **His Statement to the Court**

George W. Horton, the ex-policeman who June 24 deliberately murdered Mrs. Anna Nicholson, afterwards acknowledging the crime, was arraigned in Criminal Court No. 1 this morning and pleaded not guilty. When asked the pointed question by the clerk of the court, Mr. Gatley, as to guilt or innocence, the prisoner, looking directly at Chief Justice Bingham, who was on the bench, said:

"My hands may have been guilty of the deed, but my heart was not in concert with my mind. I may be guilty in some respects, but not in others. I am not guilty of murder."

Horton was returned to jail. He stated that his friends are at work endeavoring to secure counsel for his defense. If Justice Bingham decides to have jury trials this month it is possible that Horton's case may be disposed of before August. The jury in the court is incomplete and is respited until the 19th instant. The panel cannot be completed before the 20th, and trials may not be begun until two days later, as the law provides that defendants shall have a list of the jurors at least two days before being brought to trial. There will doubtless be a plea of insanity entered in Horton's case, and in such event the trial will necessarily be indefinitely postponed.

*The Evening Star, May 16, 1899, p. 2*

### **Trial of George Horton**

#### **Jury Incomplete and Case Goes Over Until Tomorrow**

The trial of George W. Horton, formerly a member of the metropolitan police force of the District of Columbia, indicted for the murder of Mrs. Jane Nicholson, the 24th of last June, while in Armory Square, was begun this morning before Justice Clabaugh, in Criminal Court No. 1. Nearly three hours were devoted to the work of impaneling a jury, which was not completed, and the matter went over until 10 o'clock tomorrow morning. The clerk was instructed to summon forty additional talesmen to report at that hour. It is expected that twelve men satisfactory to both sides will be secured and the introduction of testimony begun tomorrow.

The defendant was accompanied in court today by his wife and several other relatives. Mrs. Horton appeared deeply agitated and gave way to tears soon after taking her seat.

*The Washington Post, May 17, 1899, p. 9*

### **Horton Placed On Trial**

#### **Entire Day Spent in Selecting Eleven of the Jurymen**

Ex-policeman George W. Horton was brought up from the District jail yesterday, having been confined there for the past eleven months and placed on trial for the murder of Jane Nicholson. The courtroom was crowded with spectators when Horton was brought from his cell. He appeared pale and nervous, although in good health. Beside him sat his wife, a woman of prepossessing appearance. She

frequently consulted Attorney Tracy L. Jeffords regarding the conduct of the case and the examination of jurymen. She was accompanied by two other female relatives of the prisoner, and all were deeply affected when Horton took his seat beside them. He was dressed in a suit of blue, and during the two and a half hours that he sat in the courtroom he nervously twitched a newspaper which he held in his hand, but said nothing to anyone after his case was called. His only remarks prior to that were to ask his wife not to cry and a statement made to the deputy marshal in charge of him that he did not intend to run away when he arose to lay his hat upon the table in front of him.

The entire morning was occupied in the examination of jurymen. Mr. Jeffords exercised five peremptory challenges for the defense and one jurymen was excused for cause by the government. When the panel was exhausted there were eleven jurymen sitting in the box, with fifteen challenges to be exercised by the defense and four by the government. The court ordered an extra panel of forty talesmen to appear this morning.

When an adjournment was taken Horton affectionately kissed his wife and the two other ladies, who wept bitterly as he was taken below. In the conduct of the case Assistant District Attorneys Shillington and Laskey appear for the government and Tracy L. Jeffords for the prisoner. It is expected that the trial will continue for a week.

*The Washington Post, May 18, 1899, p. 12*

### **Horton Jury Still Incomplete**

#### **Challenges and Excuses Prevent Filling Out the Panel**

The work of selecting a jury to try former Policeman George W. Horton for the murder of Jane Nicholson was continued yesterday in Criminal Court No. 1, before Justice Clabaugh. Out of the forty talesmen drawn by order of the court on Tuesday the Marshal yesterday made return of about thirty, upon whom service had been obtained. When the session of the court opened in the morning there were eleven jurymen of the regular panel in the box, while the government had the right to four exceptions and the defense to fifteen. Out of the thirty talesmen, it was found impossible to select sufficient to complete the necessary number of twelve to try the case. Mr. Shillington, for the government, yesterday only exercised two peremptory challenges, and had two still remaining. The defense has the right to three. A large number were excused by the court yesterday because of their conscientious scruples against capital punishment and because of business engagements. A second panel of twenty talesmen was ordered for today.

Horton appeared to be a trifle more composed yesterday than on Tuesday, although he was still very nervous. As on the day before, he continued to toy with a newspaper, which he held constantly in his hand, and occasionally whispered to his wife, who sat beside him. She, too, was more composed yesterday than upon the day of the opening of the trial. Mr. Laskey will open the case today by addressing the jury as to the case. Mr. Jeffords will probably reserve his statements until the government rests its case.

*The Evening Star, May 18, 1899, p. 2*

### **Horton on Trial**

#### **Ex-Policeman Charged With Murder of Jane Nicholson**

#### **The Prosecutor's Opening Address**

#### **Result of Autopsy as Told by Deputy Coroner**

#### **The Evidence Introduced**

The trial of George W. Horton, formerly a member of the metropolitan police force, indicted for what is described as one of the most deliberate murders in the history of the crime, in causing the death



of Mrs. Jane Nicholson, the 24th of last June, began this morning before Justice Clabaugh in Criminal Court No. 1. The past two days have been devoted to the work of empaneling a jury. Twelve men satisfactory to both the prosecution and the defense were not secured until an hour after the opening of court this morning. Those finally sworn to pass on the guilt or innocence of Horton are Messrs. Emmett Hoopes, Charles E. Fries, E.W. Yount, William B. Tippet, Cresson E. Finch, Edwin Burke, John S. Abell, John M. Harry, Lawrence Mangum, George N. Hill, George W. Reintee and James G. Bates.

The case has attracted widespread attention, and the court room was crowded throughout the day. The defendant, a man of middle age, neatly dressed and of respectable appearance, was, to all appearances, the least concerned of any one in attendance at the trial. His wife, however, was deeply interested in every word spoken, her feelings evidently being highly wrought up. Other relatives of the defendant were also present.

The prosecution is in the hands of Assistant District Attorneys Shillington and Laskey. Attorneys Tracy L. Jeffords and Robert G. Wells appear for Horton.

### *The Opening Address*

The opening address to the jury was made by Assistant District Attorney Laskey. He told of an intimacy that existed between Horton and Mrs. Jane Nicholson, which reached such a stage that Horton even prohibited the woman from seeing members of her family. The deceased decided to cease her relations with the defendant, it was said, and so notified him. They met in Armory Square the evening of the 24th of last June, and a fatal quarrel, and Horton followed it up by deliberately killing the woman. After inflicting fatal wounds, he started away, but returned to the expiring woman, and after remarking "D---n you, you are not dead yet," completed his ghastly work.

The government expected to prove, said Mr. Laskey that Horton had committed a deliberate murder, and therefore a verdict of guilty as indicted would be expected from the jury.

### *Result of Autopsy*

The defense reserved its opening, and the government called its first witness Dr. Larkin W. Glazebrook deputy coroner.

Dr. Glazebrook testified that he performed an autopsy on the body of Mrs. Jane Nicholson and found at least twelve incised wounds about the head, body and hands. The face of the woman was completely disfigured. There was a tremendous gap in the neck, a ghastly and necessarily fatal wound. The windpipe was pulled forward.

The next witness was Alberta Lamb, colored. The evening of June 24 last, she said she was passing along a path in Armory Square, leading from the 4-1/2 street entrance to Missouri avenue. She noticed a man and a woman ahead of her. The man suddenly grabbed the woman by the wrist and struck her. He then took something from his pocket and cut her across the throat.

The woman attempted to rise, but the man pressed her back, and his knee on her breast cut her again. The man started away, witness said, took a bottle from his pocket, drank from it, and then threw the bottle on the grass. He returned to the woman, again cut her, and said:

"Good-bye, old girl, you won't never deceive me anymore."

The witness identified the defendant as the man who did the cutting.

### *Another Eyewitness*

George W. Harrison, another eyewitness of the alleged crime, next took the stand. He noticed the couple in Armory Square, he said, and they were apparently quarreling. The witness saw Horton strike the woman with a knife. He then went on to give a statement of the affair that was substantially the same as that of Alberta Lamb. Mr. Harrison had seen the couple sitting on a bench in Armory Square the evening preceding the murder.

Adolph E. Aronson, who at one time worked with Horton, told the jury that he reached the scene of the murder just as Horton was leaning over the woman with his knee on her breast, cutting at her throat. The witness described the arrival of policemen and the arrest of the defendant.

#### *Heard Woman's Cries*

David Clark, colored, next called by the prosecution, stated that the evening of the 24<sup>th</sup> of last June he was driving, and on entering armory Square, from 4-1/2 street, he saw Horton cutting a woman. She was on her knees and he was standing over her.

"I heard the woman exclaim: 'Don't kill me'" testified Clark, "and I then hurried off in the direction of the 6<sup>th</sup> street depot after a policeman.

Peter Latimer, jr., who lives near the scene of the murder, was called as a witness. He noticed that something of an unusual character was in progress in the park, and ran there. He noticed Horton standing over the woman and hearing him say to her:

"If you're not dead, I'll kill you."

Horton thereupon cut the woman's throat, said the witness, and next stabbed her in the breast.

"When I reached the scene," testified Louis F. Dorn, the next witness, "I saw a man standing over a woman. My first impression of the situation was that a park policeman was rendering assistance of some nature to a person who stood in need of help. I soon realized the real state of affairs. The man reached his left hand in a wound in the woman's throat, and with a knife in his right hand began cutting away."

Franklin B.A. Hill, colored, told the jury that he saw Horton cut Mrs. Nicholson's throat; saw him reach in, pull out the windpipe and slash at it.

"Were there other people present?" the witness was asked on cross-examination.

"Several hundred," was the reply.

"Could not any of them have stopped the man?" was the next query.

"They could," the witness answered.

"Why did they not do it?"

"Because they were afraid; he might have had a pistol or some other weapon."

Wilson Barnes and Frank Barr described the killing, as did Mollie S. Taliaferro.

"I went as close to Horton and the woman as I could get," said the witness last named. "After Horton had cut the woman's throat he said to her: 'Good-bye; are you dead?'" The woman nodded her head. Horton then said: 'If you're not dead, I'll finish you.'

"And he did finish her," declared the witness significantly.

At this point a recess was taken.

#### *Corroborative Testimony*

After recess the government continued the introduction of testimony by placing James Handy, colored, on the stand. He stated to the jury that he heard cries of "murder," and hastened to the spot in Armory Square where Horton was standing over a woman. Handy described the cutting almost precisely as did the preceding witness.

"I heard the man say 'Good-bye, Janie. Are you dead?'" said Handy.

"Why didn't you stop Horton?" inquired Attorney Jeffords.

"His appearance was very savage," was the answer, "and being more powerful than I am, I knew I could not handle him."

Hezekiah Lee, colored, was passing through Armory square the evening of June 24, when he heard somebody exclaim, "My God! Can't a policeman be found anywhere?" The witness hurried in the direction of the outcry and observed Horton cutting a woman. He heard him say to her: "D--- you. You can't die, can you? Well we'll see."

"And he didn't stop," stated Lee, "until he had cut her head almost off her shoulders."

William S. Traver and Alice Forrester also testified as to the actual cutting, and then Assistant District Attorney Shillington announced that although the government had many other eye-witnesses of the murder, he would, in the interest of economy of time, proceed with another branch of testimony. Policeman William W. Bateman was then called.

#### *Officer Who Made The Arrest*

Policeman Bateman stated to the jury that he was called to the scene of the murder, placed Horton under arrest and took a knife from him.

"Is that that Nicholson woman?" the witness asked Horton at the time.

"Yes," the prisoner made reply.

"Why in the world did you do that?" the policeman then inquired, referring to the murder.

"Oh, I feel better," Horton then said, "I'm satisfied now I've done it."

"I thought you was on good terms with her," the policeman ventured to say.

"I was until about seven months ago," the prisoner explained, "but some fellow over in the country is going to marry her."

The policeman then called a patrol wagon and directed that the Emergency Hospital be summoned quickly.

"That isn't necessary," remarked Horton. "Take her to the morgue. I've finished her."

Horton also said on the way to the station house, so it was testified. "There's only one thing I'm sorry for, and that is that Judge Kimball wasn't there. I would have done him first and her afterward."

"Why," he was asked.

"Because he caused my trouble."

Later, the witness testified, Horton stated that the Nicholson woman was the ban of his life; he had lost his money, his home and his friends because of her and he was satisfied to go to the gallows.

Policeman Philip Mansfield followed Policeman Bateman on the stand. He told of statements made by Horton at the time of the arrest, and identified a knife offered in evidence as the one used by Horton that caused the death of Mrs. Nicholson.

#### *Objections by Defense*

Sergt. Falvey and Lieut. Kelly, both of the sixth police precinct, were called, but the defense objected on the ground that the correct addresses of the policemen had not been supplied. The question was not settled, the policemen being directed to step aside for the time being, and Frank B. Lord, a local newspaper reporter, was called to the stand.

Mr. Lord recited the details of a conversation he had with Horton the night of the murder at the sixth precinct station. Horton told the witness that he had cut Mrs. Nicholson, and then inquired if she was dead. When asked by the witness why he had assaulted Mrs. Nicholson Horton talked freely, saying she had been untrue to him.

The cutting was brought directly by Mrs. Nicholson's declaration that she never intended to meet him again. Horton took occasion to state to the witness that he had not had an opportunity to get a chance at Commissioner Wight and Judge Kimball.

Eugene J. Tighe, also a local newspaper reporter, testified substantially as did the preceding witness. Testimony in the same line was being introduced when The Star's report closed.

*The Evening Star, May 19, 1899, p. 2*

#### **Insanity Alleged**

#### **Evidence to Prove George W. Horton Mentally Irresponsible Statement Made By His Attorney**

## **Threats Against Judge Kimball and others Testified To An Objection Overruled**

When the trial of George W. Horton, the ex-policeman, indicted for the murder of Mrs. Jane Nicolson the evening of the 24<sup>th</sup> of last June, was resumed this morning in Criminal Court, No. 1, Justice Clabaugh overruled an objection of the defense to the giving of testimony by Lieut. John F. Kelly of the sixth police precinct. It was contended that the defense had not been notified of the correct address of Lieut. Kelly, as required by law, and therefore he should not be allowed to take the stand. Attorney Jeffords noted an exception to the ruling of the court, and Assistant District Attorney Shillington began examining Lieut. Kelly.

The witness stated to the jury that he was at the sixth precinct station the night of the murder. The prisoner greeted the witness cordially. Hearing that Horton had swallowed poison the witness directed that he be hurried to the Emergency Hospital. When he was brought back he said to the witness.

"I know I'm in a bad fix. I killed the woman because I loved her and could not live without her. I did the deed and am not deserving of mercy and don't ask it."

The final witness for the government was Detective Edward Horn. He was at the sixth precinct station after Horton had been arrested. The witness conveyed to Mrs. Horton a request, made by the prisoner to Lieut. Kelly, that she call at the station to see him. When Mrs. Horton arrived her husband informed her that he did not send for her. When asked by his wife why he killed Mrs. Nicolson the prisoner replied that he loved the woman and could not live without her. Mrs. Horton suggested that he wash the blood from his hands, but he declined, saying he wished to remain.

"Was he known as Crazy Horton?" Detective Horn was asked by Attorney Jeffords.

The prosecution objected. The court sustained the objection, and an exception was noted.

The government at this point announced that it would rest its case, whereupon Attorney Jeffords in a brief statement informed the jury that the defense would be insanity.

"We will try to show," stated the attorney, "that this man for many years has been of unsound mind, was so at the time of the killing and is now, and was wholly unaccountable for the crime."

### *For the Defense*

Robert H. Wyatt appeared as the first witness for the defense. He testified that he boarded at Horton's house for some time and had occasion to closely observe the defendant. The latter repeatedly told the witness he was troubled at night, being unable to sleep.

"I've got to kill somebody," Horton frequently remarked to the witness, so the latter testified. Once he took the witness into the cellar of the house, showed him a pistol and said:

"I've got this pistol hid because I've got to kill three people, and then I'll kill myself. I've got to kill Maj. Moore, Judge Kimball and someone else, whose name I won't mention."

At other times, it was testified, Horton informed the witness that the devil had been after him, and he had been fighting all night. In the opinion of the witness Horton often lost all idea of his identity. All in all, the witness did not consider Horton a very sane man.

Joseph Kendrick, a resident of Maryland, the next witness, testified that he formerly taught school, and that Horton was one of his pupils.

"Mr. Horton had spells of weak-mindedness or insanity," stated Mr. Kendrick. "I have always considered him a man of very unsound mind."

The witness detailed a number of peculiar actions on the part of the defendant, such as suddenly drawing a pistol and firing into a fire place, riding a horse to a state of exhaustion, and the like.

### *Considers Defendant Peculiar*

John J. Daly, who has known Horton for fifteen years past, testified that he has considered the defendant peculiar, to say the least. His conversation has been of a rambling character. Three days

prior to the murder, so the witness stated, Horton called this place of business for the purpose of selling coffee. From his actions that day Mr. Daly considered Horton insane or of unsound mind.

The defense next called Andrew J. Caywood, who has known Horton for about forty years. The substance of Mr. Caywood's testimony what the has never known Horton to engage in an intelligent conversation; that he considered the defendant "perfectly foolish," and that he never had a particle of doubt as to the man's mind being unbalanced.

At this point a recess was taken.

During the proceedings today the defendant sat with bowed head, displaying no interest whatever, apparently, in what was transpiring.

### *Rational Part of the Time*

After recess the first witness was W.H. Martin. He testified that he has known Horton for about eighteen years, and at times found him rational and at other times irrational. Of late years, according to the witness, the defendant has been growing worse in this respect.

Miss Effie V. Berry of La Plata, Md., a niece of the defendant, next testified. She informed the jury that her grandmother, who is Horton's mother, is insane. Miss Berry spoke of a visit Horton paid to her home last April. He was wandering in his manner, unhappy and acted strangely, she said. While the witness could not say positively that the defendant is insane, she did testify that he is wandering and of unsound mind at times.

"For a long time I have been satisfied that my brother is insane," was the statement of David Denham Horton, brother of the accused, who next took the stand. The witness resisted a number of incidents to indicate that the man on trial is of unsound mind. This line of testimony was in progress when The Star's report closed.

*The Evening Star, May 20, 1899, p. 2*

### **The Horton Trial**

#### **Continuation of Testimony Concerning the Defendant's Sanity**

#### **Physicians Make Statements**

#### **The Prisoner's Former Associates Believe He Is Crazy**

#### **The Proceedings Today**

The trial of George W. Horton, indicted for the murder of Mrs. Jane Nicholson the 24<sup>th</sup> of last June, was resumed this morning before Justice Clabaugh, in Criminal court No. 1. The defense continued the introduction of testimony to prove the defendant insane.

After The Star's report of the proceedings yesterday closed Mrs. Edmonia Hancock, sister of the accused, testified in his behalf. Mrs. Hancock detailed an attempt on the part of Horton to commit suicide several years ago, followed by a second effort to end his life. He has been in the habit of weeping on the slightest provocation, she said. At the jail, recently, the prisoner declared to the witness that he was innocent of any intent to kill Mrs. Nicholson.

During the time Mrs. Hancock was testifying Horton and his wife appeared deeply affected, giving way to tears.

The concluding witness of the day was Dr. Noble T. Barnes. He declared that in his opinion Horton is insane, although the insanity is of a kind difficult to classify.

### *Witness Cross-Examined*

Immediately after court was opened today Dr. Barnes resumed the stand. On cross-examination he expressed the opinion that the defendant is a victim of hysterical insanity, which is transitory rather

than chronic. The subject of hysterical insanity may be prompted to destructiveness, may be happy at one moment and in tears the next.

The witness recalled a case on record of a young man, pronounced by two physicians to be insane, and they recommended that he be committed to an asylum for treatment. The parents of the subject objected, however, holding that marriage would be the best step. He was thrown in the company of a young lady, fell in love with her, and one evening, while sitting beside her, suddenly drew a pistol and shot her dead.

"That is a similar case to the one on trial," stated the witness.

"In what way?" inquired Assistant District Attorney Shillington.

"He should have been confined for treatment," was the answer.

"Was it ever recommended that Horton should have treatment?" was the next query.

"That I don't know," replied Dr. Barnes, "but he should have had."

"You think so."

"I do."

#### *"Love Melancholy"*

Dr. M.B. Strickler, at one time a police surgeon was the next witness. He stated that he knew Horton when the latter was a member of the metropolitan police force, and had conversed with him frequently. At that time the witness considered him a victim of "love melancholy."

"If I had been in control of affairs," said Dr. Strickler, "I would not have retained a man in his mental condition on the police five minutes."

Lucy Craig, colored, an employe of the Horton household for five years, detailed to the jury a number of strange actions on the part of the accused which came to her notice during that period. On one occasion he sent the witness upstairs to get him a shirt, and then deliberately tore the garment into shreds. Another time he jerked a screen from a window, threw it violently into the yard and later repaired the injury very carefully. Again, he discharged a pistol while in the kitchen. According to the witness, both Horton and his mother are of unsound mind.

#### *Horton's Former Partner*

Joseph S.W. Cotton, formerly a member of the metropolitan police force, was next called by the defense. He was for a long-time Horton's "partner." The witness told many instances of peculiar actions on the part of the defendant.

"Because I declined, about 2 o'clock one morning, to take a basket and procure provisions for a woman who was reported in need," stated Mr. Cotton, "Horton wanted to kill me."

After explaining that Horton has been an enemy of the witness for some time, the latter went on to say: "I came to the conclusion that he would kill me or I would have to kill him some night, so I asked to be transferred to another beat."

"From what you have observed," inquired Attorney Jeffords, "do you consider Horton sane or insane?"

"He is crazy," replied Mr. Cotton.

#### *Horton's Peculiarities*

William J. Work, who followed Mr. Cotton on the stand, also told the jury that he had performed duty with Horton while they were members of the police force. On one occasion, they were detailed to take charge of a house in which a person had been burned to death. Horton insisted on remaining all night close by the disfigured corps. This the witness considered anything but a sane desire.

At another time, so Mr. Work testified, Horton, noticing a hat floating in the river, sound a general alarm to the police, calling out the reserve force to rescue a drowning man. To say the least, so said witness, Horton at the time Mr. Work knew him was not altogether of sound mind.

Miss Florence Nalley was called to the stand to testify that she has known Horton for about three years, he frequently calling at her home to visit her father. Three weeks prior to the murder Horton was at the house, and acted in a most peculiar manner.

At this point a recess was taken.

#### *Afternoon Session*

The afternoon session of the court opened with Dr. John F. Stratton on the stand. Dr. Stratton stated that for a number of years he resided in the same house with Horton, and then went on to testify that he noticed many peculiarities of the defendant. Horton, he said, once expressed the wish that the cars would run over him. The witness could detect that the man's mind was weakening.

On cross-examination Dr. Stratton stated that at one time he considered Horton a man of more than ordinary intelligence, and, in the general acceptance of the term, did not regard him as insane.

Mr. Eugene Carusi was called to testify regarding the existence of insanity among certain relatives of the defendant, after which Policeman James F. Bruce was sworn.

"When Horton was on the police force I performed duty with him," testified Policeman Bruce. "He acted like a crazy man, or was crazy. He wanted me to indorse a note so that he could borrow money with which he could buy the wreck of the old steamer Mary Washington and take a trip on her to Ireland. Horton was very angry when I declined to indorse the note."

"Do you consider the defendant sane or insane?" inquired Attorney Jeffords.

"I don't think a sane man would have acted as he did," was the reply. "At the time I told the men at the station I thought Horton crazy."

The witness further informed the jury that at times Horton was extremely kind-hearted. He also stated that Mrs. Nicholson "was after Horton" nearly every evening while he was on duty. On one or two occasions at last Horton avoided her.

#### *Views of an Expert*

"At the time I examined the defendant, the 11<sup>th</sup> instant, at the District jail, he was sane," was a shipment of importance made by Dr. John B Chapin, who followed Mr. Stryker on the stand.

Dr. Chapin was called by the government as a witness in rebuttal. He was permitted to testify at this time, prior to the close of the defense, as he is anxious to leave the city.

Dr. Chapin is classed as an expert on insanity, having made a study of the subject for forty-three years. He is at present at the head of the Pennsylvania Hospital for the Insane, and testified in the case of Howard Schneider and other local cases.

The witness testified that Horton told him he had lived a double life. He met Mrs. Nicholson in the park the day of the murder. She declared she was going to leave him. The next thing he remembered he was holding the hands of the woman and making an outcry.

During the recital, so Dr. Chapin testified, Horton was emotional, crying, and breaking down several times.

The examination of Dr. Chapin was in progress when the report closed.

*The Evening Star, May 22, 1899, p. 2*

### **The Horton Hearing**

### **Witnesses Express Belief That Defendant Is Insane**

## **Suggestion of Moral Depravity**

### **Oddities of Prisoner's Character Related by Former Associates**

#### **The Evidence Heard**

When the trial of George W. Horton, indicted for the murder of Mrs. Jane Nicholson, the 24<sup>th</sup> of last June, was resumed today in criminal Court No. 1, the defense proceeded with the introduction of testimony tending to prove Horton insane. A large number of witnesses were examined, all reciting in detail queer actions and conduct on the part of the defendant, observed by them from time to time, and which gave rise to the opinion in their minds that he is of unsound mind. The appearance of Horton was unchanged today from last week. Sitting beside him during the proceedings were his wife, brother, sister and niece.

#### *Dr. Chapin's Opinion*

During the examination of Dr. John B. Chapin, the expert on insanity, late Saturday afternoon, the prosecution asked a hypothetical question, embracing all the salient points in connection with the killing of Mrs. Nicholson. In reply Dr. Chapin stated that in his opinion, under the circumstances set forth, the murderer would be conscious of his act. The witness was not cross-examined, the court adjourning until this morning, when the first witness called was Cora Heilman. She testified that Horton, on occasions of visits to the residence of her father, acted so queerly as to cause the witness to believe him insane.

Samuel Walker, formerly a policeman, stated to the jury that the first trick of duty performed by Horton on the police force was under the instruction of the witness.

"From his actions at that time," said Mr. Walker, "I considered him either a fool or a crazy man."

The witness went on to say that Horton would make an arrest and then demand of witness what charge to prefer against the prisoner; that he would sleep in his clothes and discharge his pistol while in the station house.

"He ran rampant through my beat one night," testified Mr. Walker. "That gave rise to an altercation between us that resulted in Horton's transfer to another precinct."

After Horton was dismissed from the force the second time he offered to bet \$500 with the witness that he would be lieutenant of police.

"What is your opinion of Horton; is he sane or insane?" inquired Attorney Wells.

"I think he's crazy," declared Mr. Walker.

#### *Former Sheriff a Witness*

William Ayer, formerly sheriff of Fairfax county, Va., was called to state that he, at one time, was guardian of an insane person who was a relative of Horton.

The next witness, Mr. J.E. Rose, explained that he has known the defendant for about eleven years. During that time he observed many queer actions on the part of the man, the witness testified, such as discharging his pistol without apparent reason. Mr. Rose, in an undertone, related to the jury an incident in which Horton figured, that, he said, formed the basis of his belief that the defendant could not be a sane man.

#### *Wrote "Reversible Poetry"*

George W. Murray, colored, a druggist, who followed Mr. Rose on the stand, recited the incidents based on frequent visits made to the store of the witness by Horton. He seemed to devote his time to writing "reversible poetry," and in the opinion of the witness was "unbalanced from worry or something else."

The next witness was McKensie Scott, colored, an undertaker. He also detailed a number of queer actions on the part of Horton.



“We called him the ‘dirty police,’ and I believed him to be crazy or drunk all the time,” stated the witness. “He seemed greatly interested in the price of coffins.”

“Did he ever seem to want a coffin for himself?” inquired Assistant District Attorney Shillington.

“Oh, no,” was the reply. “He never seemed to want to buy one for himself, although he did say that were it not for his wife and children he would kill himself.”

“Except in your own case, is not there a very large profit in the undertaking business,” next inquired Mr. Shillington, “and is not the price of coffins a sensible topic of conversation?”

The witness laughingly admitted that the profits in the undertaking business are satisfactory, after which Mrs. Rosa Blum appeared before the jury. From conversations with the defendant and his manner in connection therewith she did not consider him right in his mind.

From his testimony, Simon Blum, husband of the preceding witness, shared the views of his wife as regards Horton. The latter was in the habit of asking the witness unusual questions, such as an inquiry to determine the distance from earth to heaven.

“I told him I didn’t know the distance, not being a professor,” stated Mr. Blum, “and what’s more,” he added, “I don’t know today.”

George W. Donaldson, who has known Horton for a long time, remarked that he believed all along that the man would commit suicide or land in an insane asylum. This opinion, it was explained, was based on questionable conduct on the part of the defendant.

#### *Day of the Murder*

Statements of an interesting character were made by Robert H. Key, he remarking that Horton frequently expressed the belief that he was going crazy.

“The day of the homicide, about an hour prior to the killing,” testified Mr. Key. “Horton came to my place. He left a package of coffee, saying he would call for it in half an hour, explaining that he had an engagement with a lady in Armory Square. He said to me that he didn’t know whether to keep the engagement or not, as he felt awfully funny, reiterating the belief that he was going crazy as fast as he could.

“I visited him some time ago at the jail,” the witness went on to say. “He acted queerly, telling me he could not sleep; that he saw things at night, and that a lot of men were continually grabbing at him. Horton would cry on the slightest provocation.”

“What is your opinion of Horton’s mental condition?” asked Attorney Jeffords.

“I’m convinced that he is crazy,” was the answer of Mr. Key.

#### *Victim of Moral Insanity*

Dr. J.A. Stoutenburgh, the next witness, told of half a dozen visits paid by him to Horton during the incarceration of the latter in jail. He detailed the manner and conversation of the defendant on those occasions. Summing up, the witness gave it as his opinion that Horton is a victim of “moral insanity,” being a morally depraved man, having no control over his desires. Dr. Stoutenburgh further said that he considers the defendant at the present time of unsound mind, although, he said, his perceptive faculties are better than they were last September. Moral and emotional forms of insanity, according to the witness, are recognized by the highest medical authorities.

“About three or four months prior to the homicide Horton told me that he was about to lose his mind,” was the testimony of William Langley.

Sergeant John C. Daley of the metropolitan police force, the next witness, related that he was on duty for a year in the same precinct with Horton. Sergeant Daisy considered the man not insane, but peculiar. The defendant was in the habit of carrying two helmets home with him from the station. When asked why he did this he replied:

“If it should rain and one helmet would get wet, I would have another to put on.”

*The Evening Star, May 23, 1899, p. 2*

### **The End in View**

### **Trial of George W. Horton Drawing to a Close**

### **Doctor's View of Hypothetical Case**

### **Defense Closes and Prosecution**

### **Introduces Evidence in Rebuttal**

### **Both Sides Represented**

The beginning of the end of the trial of George W. Horton for the murder of Mrs. Jane Nicholson was noted this morning in Criminal Court No. 1. It was known when court opened that the defense would conclude its case in an hour or two; that the government would wind up its rebuttal during the remainder of the day, and that by tomorrow evening the matter would be placed in the hands of the jury for determination. The attendance was very much smaller today than at any time since the trial began, but the deepest interest was manifested by everyone in the room.

### *Frederick S. Coburn a Witness*

Among the witnesses called late yesterday afternoon was Frederick S. Coburn, who is undergoing a term of imprisonment in the Ohio penitentiary at Columbus. At the request of the defense, the court directed that Coburn be brought to this city to testify in behalf of Horton. Mr. Coburn formerly conducted a drug store at the southwest corner of 9th street and New York avenue. He was convicted of violation of the postal law when he was in charge of the post office substation at the place mentioned.

The witness stated that he had occasion to closely observe Horton for two months at the District jail and considered his mind unbalanced; a man of weak moral character, dangerous and one who should be watched. The witness explained that he had had considerable experience in cases of insanity.

Ossie Klinger, an operator in the electrical department at police headquarters, formerly a member of the police force, testified that he at one time performed duty with Horton. Once the latter, without warning, drew his pistol and fired two shots past the head of the witness. Horton never talked intelligently. The witness asked to be transferred to another precinct so that he would not be compelled to serve with Horton. The defendant was insane at times, said Mr. Klinger.

John Hancock, nephew of the accused, and John Connell also made statements as to alleged insane actions on the part of Horton.

Just before court adjourned yesterday it was stated that the defense would probably not call more than three additional witnesses.

### *Answers Hypothetical Questions*

The first witness for the defense today was Dr. Irving C. Rosse, who explained that he has been engaged in the practice of medicine for thirty-nine years, holds diplomas issued by several well-known universities, is an active member of a number of medical societies and has written several medical works. Dr. Rosse testified as to the classifications of insanity, saying that hereditary insanity is recognized. The witness then answered favorably to the defense a hypothetical question, tending to show the probable mental condition of a person, under certain circumstances, one of whose parents and a number of other near relatives were insane. Continuing, Dr. Rosse explained the meaning of hallucinations.

Another hypothetical question was put to Dr. Rosse, embracing the main points of the testimony covering the alleged queer actions on the part of Horton. In the opinion of the witness such a person would be of unsound mind, suffering, specifically, of "paranoia."

#### *Was a Witness in Guiteau Case*

On cross-examination, Dr. Rosse made statements to the effect that Dr. Chapin, who testified for the government, is regarded as an expert on insanity only by a few lawyers, and not by the medical profession.

"You testified in the Guiteau case that the defendant was insane, did you not?" inquired Assistant District Attorney Shillington.

"I did," replied Dr. Rosse.

"And Guiteau was convicted and hanged," remarked Mr. Shillington.

"He was," answered the witness, "but the post-mortem examination demonstrated that the man's brain was diseased and that my testimony was accurate."

#### *Testimony in Rebuttal*

The defense at this point announced that its case was closed, and the government thereupon began the introduction of testimony in rebuttal, placing Lieut. Hollingerger of the fourth police precinct on the stand. Lieut. Hollinberger testified that Horton served under him, and was assigned to important work. The witness considered the man entirely sane.

Lieut. James W. Gessford of the fifth police precinct, Lieut. Isaac Pearson, inspector of police, and Sergt. E.N. Burgess of the fifth police precinct testified to having had occasion to observe Horton while he was connected with the force. They all testified that the defendant, in their opinion, was sane at the time referred to.

Dr. Percy Hickling, formerly a police surgeon, told the jury that he attended Horton professionally for several years, and from his observation of the defendant, in that capacity, he had no reason to think that the defendant is not perfectly sound in mind.

Lieut. McCathran of the ninth police precinct, under whom Horton at one time served, in the fifth precinct, testified that he believed the man to be of sound mind, and a recess was then taken.

#### *Corroborative Testimony*

John Stewart, W.T. Anderson, George G. Augusterfer, William Vermillion and Charles S. Baum, all members of the metropolitan police force, testified, as did the preceding witness, in effect, that they had never noticed any actions on the part of Horton that would indicate insanity.

Mr. Frank Hume, who indorsed Horton's application for appointment on the police force, appeared before the jury, and expressed it as his opinion that the defendant is of sound mind.

Mr. George R. Repetti described a real estate transaction between Horton and himself, and remarked that the defendant conducted himself as any man would in thorough possession of his senses. The next witnesses, Mr. N.H. Shea, Mr. James C. Ergood, Mr. M.I. Weller, testified to the same effect.

#### *Jail Officials As Witnesses*

John Hawkins, Thomas J. Mitchell and James Woodward, officials connected with the District jail, testified in substance that from their observation of Horton since he has been confined in jail they consider him sane.

Warden Harris of the jail, Charles R. Vernon, formerly a lieutenant of police, and J.A. Kemp, chief clerk of the police department, were next called to testify in support of the contention that Horton is sane. This line of testimony was being introduced when The Star's report closed.

*The Evening Star, May 24, 1899, p. 3*

### **Address The Jury**

### **Counsel in Horton Case Making Their Arguments**

### **Court Passes Upon The Prayers**

### **Defendant Apparently Takes No Interest in Proceedings**

### **Incidents Of The Trial**

Assistant district Attorneys Shillington and Laskey, representing the government in the trial of George W. Horton for the murder of Mrs. Jane Nicholson, announced half an hour after the opening of Criminal Court No. 1 this morning, that the introduction of testimony to rebut that of the defense was concluded. Four prayers for special instructions by the court of the jury in behalf of Horton and two submitted by the government were then considered by Justice Clabaugh. After this matter was disposed of the addresses to the jury by counsel were in order. The remainder of the day was thus consumed. The arguments will be concluded tomorrow, when, after receiving instructions from the court, the jury will retire to consider a verdict.

The most important witness to testify late yesterday afternoon was Dr. D.K. Shute, physician at the District jail. Dr. Shute explained to the jury that he has seen Horton frequently since he has been a prisoner and has treated him for headache, resulting from indigestion. From his observation of the defendant Dr. Shute expressed the opinion that the man is of sound mind.

Detective Joseph Cater of police headquarters was called to the stand this morning. He told of indorsing certain promissory notes at the request of Horton, the trend of his statements being that the defendant is sane.

The last witness to appear was Mr. James L. Pugh, jr., assistant attorney of the District of Columbia, in charge of prosecutions before the Police Court, and also trial officer before whom charges against members of the police and fire departments are heard. Mr. Pugh testified that he has known Horton for several year, often transacting official business with him. The defendant was also arraigned before the witness, as trial officer, on a charge of intoxication, as the result of which he was dismissed from the force.

"From what you have observed of the defendant, do you consider him sane or insane?" inquired Assistant District Attorney Shillington.

"Perfectly sane," replied Mr. Pugh. "I never noted anything in his demeanor to suggest the contrary."

The government at this point, as stated, announced that it had no additional evidence to offer.

### *The Prayers Submitted*

The prayers submitted by the defense, so Attorney Jeffords stated, embraced substantially the same instructions that Justice Cox gave the jury in the Guiteau trial. Commenting on this statement Assistant District Attorney Laskey remarked that the prayers embraced merely segregated portions of the charge of Justice Cox.

The prayers were discussed at some length. The differences were finally adjusted, however, by Justice Clabaugh, and then, at 12:15 o'clock, Assistant District Attorney Laskey began addressing the jury, summing up the evidence from the stand-point of the government. At 12:30 o'clock a recess was taken. Mr. Laskey resuming his remarks at 1 o'clock.

Assistant District Attorney Laskey spoke at some length. He was followed by Attorney Wells in behalf of the defendant. Attorney Jeffords and Assistant District Attorney Shillington will address the jury tomorrow.

During the proceedings today, as usual, Horton apparently took no interest in what was going on. He toyed with a rosebud most of the time. His wife, brother, sister and niece were with him up to the time counsel began addressing the jury, when they departed.

*The Washington Post, May 25, 1899, p. 10*

### **Sent Back To Prison**

### **Outing of Dr. Coburn, a Convict, Abruptly Ended**

### **Came To Testify For Horton**

### **Gave Evidence on Monday, and Ohio Penitentiary Official,**

### **In Charge of Him, Was Expected to Take Prisoner Back at Once –**

### **Had Been Witnessing the Jubilee – He Was Talking to Fiancee When**

### **Arrested, and Officer Was Asleep Upstairs**

Dr. Frederick S. Coburn, by sentence of the District Supreme Court temporarily residing for one year in the Ohio State Penitentiary, has been spending ten days' vacation in Washington, visiting friends and enjoying the Peace Jubilee. With him for a small portion of time has been Mr. A.B. Dawson, an official of the Ohio State Penitentiary, who accompanied Coburn to this city, under order of the court, for the purpose of keeping the prisoner in custody until he should be wanted to give testimony in the trial of George W. Horton for the murder of Jane Nicholson. The two have been enjoying a royal good time since they came here one week ago last Monday. Their pleasant outing was brought to an abrupt termination yesterday afternoon, when both were arrested by Deputy United States Marshal Cusick and taken before Justice Clabaugh, in Criminal Court No. 1, on charges of contempt. After a reprimand by the court and a promise on the part of Mr. Dawson to return to Columbus with his prisoner at the earliest possible moment, the court permitted them to depart without further punishment.

The matter of Coburn's holiday was brought to the attention of Justice Clabaugh yesterday morning by United States District Attorney Davis, who stated to the court that he had been informed that since the prisoner's discharge from further attendance from court, he had been stopping at a hotel, enjoying the Peace Jubilee, and that both he and Mr. Dawson had made arrangements to remain in town until Friday. Mr. Davis thought that the matter should receive the attention of the court.

The writ was placed in the hands of Deputy Marshal Cusick, who proceeded at once to the Hotel Elsmere, where Dawson and Coburn have been stopping since a week ago last Tuesday. Upon inquiring for Coburn the Deputy was shown into the hotel parlor, where he found the supposed prisoner conversing pleasantly with a young lady to whom Coburn is said to be engaged. Upon inquiring where his custodian could be found, Coburn informed Deputy Cusick that Dawson was upstairs. He was found a few moments later by the Deputy abed and asleep in his room. Both men were placed under arrest and taken to the Court House. Mr. Dawson was very much agitated, and Dr. Coburn was somewhat displeased because his pleasure trip had been thus interrupted.

Dr. Coburn was formerly the proprietor of the drug store at the southwest corner of Ninth street and New York avenue, and while there was postmaster of the sub-station and a clerk in one of the departments. His accounts were found to be in a very bad condition, and he fled to Canada. After considerable search by the post office inspectors, he was apprehended and brought back to Washington. Notwithstanding the fact that it was shown that he had appropriated several thousand dollars to his own use, he was, upon conviction, given but one year's imprisonment in the Ohio Penitentiary. His term will expire this summer. During his confinement, it is said that Dr. Coburn has had charge of the dispensary, and had been under very few restrictions. His hair has only been trimmed to a fashionable length and his mustache has not been shaven off. He is also said to have been given other unusual liberties, which have made his imprisonment quite congenial.

### *Allowed Much Freedom*

Coburn was confined for several months in the District jail and was brought here for the purpose of testifying for the defense in the case of George W. Horton. His evidence was to the effect that from observation and conversation with Horton he believed the murderer to be insane. Coburn and Dawson arrived here on Monday of last week. That night Coburn remained at the District jail. Since that time he has been stopping with Mr. Dawson at the Elsmere. He has been seen upon the streets several times in company with his fiancé and unaccompanied by the Deputy. He has also been allowed to visit friends unattended.

During Coburn's trial the young lady exhibited marked devotion for him, and the fact that he was sentenced to the penitentiary has not, apparently, diminished her affections. She is a handsome young woman, and of very prepossessing appearance. Coburn gave his testimony in the Horton case on Monday, and was then discharged from further service at court. It is said that Coburn attended the fireworks on Tuesday night with the young lady referred to, viewed the parade on that day, and otherwise enjoyed a pleasant outing. The hotel people state that he and Dawson had made arrangements to remain in town until Friday, and expected to attend the Jubilee revelries Thursday night.

In court Dawson gave as his excuse that he had been forced to remain to have his accounts adjusted with the Attorney General. He admitted, however that they had been arranged so that he could have taken a train for home on Tuesday. Dawson and his prisoner left for Columbus at 7 o'clock last night. Mr. Dawson is well known in this city. He formerly resided here, and was engaged in the jewelry business with J.M. Rieman. About two or three years ago one of the young man's relatives was appointed to a superior position in the Ohio State penitentiary, and Mr. Dawson went there to become a deputy warden.

*The Evening Star, May 26, 1899, p. 16*

### **Horton Guilty as Indicted**

#### **Jury Holds Him Responsible for Jane Nicholson's Death**

After a conference which consumed less than two hours, a jury in Criminal Court No. 1, late yesterday afternoon, returned a verdict declaring George W. Horton to be guilty as indicted of the murder of Mrs. Jane Nicholson. The verdict was not qualified, and unless the situation is relieved, through the medium of a new trial or executive interference, it will be incumbent on the court, under the law, to sentence Horton to be hanged. As stated in *The Star*, the jury retired to consider a verdict shortly after 3 o'clock. A few minutes before 5 o'clock word was sent down that a report was in readiness.

In answer to the usual inquiry of the clerk the foreman announced that the twelve men were of the opinion that the defendant was guilty as indicted. At the request of counsel the jury was polled, whereupon each of the twelve men made the same statement as did the foreman.

Counsel gave notice of the filing of a motion for a new trial. Horton was to all appearances unaffected by the verdict. He looked straight ahead as the momentous statement was made, but said not a word. His wife and other near relatives who sat beside the prisoner throughout the trial were in attendance when his sentence was made known. They were greatly affected, particularly Mrs. Horton.

The jury, which had been compelled to serve more than a week, was discharged with the thanks of the court just in time to participate in the concluding features of the peace jubilee festivities.

*The Washington Post, June 1, 1899, p. 12*

### **Horton's Lawyers Move for New Trial**

Tracy L. Jeffords and Robert W. Wells, attorneys for former Policeman George W. Horton, recently convicted of the murder of Jane Nicholson, have filed a motion for a new trial of their client. The reasons assigned are various alleged errors committed by the trial justice in impaneling the jury, admitting evidence objected to by the defendant, excluding evidence offered upon behalf of the defendant, permitting a witness to testify for the government whose proper name and address had not been served, newly-discovered evidence, and other errors committed by the trial justice. Argument upon the motion will be heard at a later date by Justice Clabaugh, in Criminal Court No. 1.

*The Washington Post, June 7, 1899, p. 9*

### **Horton Sentenced To Death**

#### **Justice Clabaugh Fixes November 10 as the Day For His Execution**

George W. Horton, recently convicted of the murder of Jane Nicholson, was sentenced yesterday by Justice Clabaugh, in Criminal Court No. 1, to be hanged at the District jail on Friday, November 10. Horton was represented in court by his attorneys, Messrs. Tracy L. Jeffords and Robert W. Wells but none of his relatives was present to hear the sentence. Horton's appearance, save for a short growth of beard was the same as during the trial. His conduct was not much changed.

Prior to passing sentence, the court listened to an extended argument by Mr. Wells, upon the motion for a new trial. Mr. Wells went into the case at length, contending that the court had erred in its rulings and in its instructions to the jury. Neither Mr. Shillington nor Mr. Laskey, who appeared for the government spoke upon the motion. At the conclusion of Mr. Wells' argument the court overruled the motion.

In answer to the usual question by the court if he had anything to say why sentence should not be passed upon him, Horton replied in a firm voice that he wished to say nothing. He received the words of the court without apparent feeling or emotion, although he listened attentively. To deputy Marshal Springman, who conducted him back to the jail, the condemned man said that he yet had three chances of life, one with the Court of Appeals, with the United States Supreme Court, and the President. The bill of exceptions in his case will be prepared shortly, and his case will be carried to the Court of Appeals.

*The Washington Post, July 1, 1899, p. 2*

### **Bills of Exception Signed**

In Criminal Court No. 1 yesterday Justice Clabaugh signed the bills of exceptions in the cases of James Powell, colored, and George W. Horton. The cases will now go to the Court of Appeals. James Powell was convicted of the murder of Patrick Lee, and Horton was found guilty of killing Jane Nicholson.

*The Washington Post, August 5, 1899, p. 10*

### **Horton's Case in Court of Appeals**

Justice Cole, upon petition of Attorneys Tracy L. Jeffords and Robert W. wells, yesterday signed an order in the case of George W. Horton, convicted of the murder of Jane Nicholson, extending the time in which the attorneys will be allowed to file a transcript of the record with the Court of Appeals. The limit will expire on August 15.

*The Washington Post, August 21, 1899, p. 10*

### **Murderer Horton's Letter**

### **He Writes to His Niece About the Crime and His Life in Jail**

George W. Horton, the ex-policeman, who is awaiting death on the scaffold for the murder of Jane Nicholson in Armory Square, is growing penitent and seems to appreciate fully his trying position. In writing a letter recently to his niece, he makes reference to the crime, for which he still holds he was not responsible, but he makes the statement that he would rather be dead a thousand times than spend a life in prison. The letter, in part is as follows:

“I can hardly tell you of the feelings that I now endure. At this time of writing my heart is almost breaking at the thoughts of the persecutions that I am enduring at the hands of a brutal man, who rejected and concealed from my defense witnesses who would have thrown light upon my condition. I feel very deeply the unjust punishment that I am now receiving, and with the impressions that have been made against me by perjured witnesses. I see no hope of being released that is to say that should I be accorded a new trial, my sentence would be imprisonment for life.

“One had better be a thousand times dead than to spend a life in prison. I sometimes get beside myself and say that I will stand it no longer. Such feelings come irresistibly to me when I take into consideration the terrible position in which I am placed, and for an act which common sense would or ought to dictate that I could not control. What on earth could an intelligent man or woman surmise that would lead me to forfeit my life or to spend my days in prison? Then, again, the act was so foreign to my nature as everyone knows who knew me. Yet I am sharing the fate of a felon who may have done such an act with intention. If I had committed such an act with an intention I would never have asked God to forgive me. My conscience would have so rebuked me that I would not have been here today to write this letter. Remorse would have driven me to self-destruction, but I rejoice to say that since that day I have not felt its sting.

“But a deep sorrow has pervaded my life not only for the loss of the friends with whom I associated for years, but for the distress that I have caused in the bosom of my friends who knew and loved me, and for rendering orphans three little children who will have to grope their way through this haughty, heartless world. As to the present condition of the deceased, I am hopeful.”

The remainder of the letter takes a religious turn, and Horton more than once makes the statement that he is now doing his best to serve his Master. He thought he had only been sinning against himself but he admits now that he realizes better.

*The Washington Post, September 3, 1899, p. 10*

### **Courts Will Be Busy**

#### **Criminal and Civil Calendars Crowded with Cases**

#### **Celebrated Cases To Be Tried**

#### **Great Interest Felt in the Prospective Appointment of a Judge to Succeed**

#### **Hon. Walter S. Cox – Partisans of District Attorney Davis Active in the**

#### **Matter – His Selection Possibly Contingent Upon Promotion of**

#### **His Assistant, Mr. Gould**

When the wheels of justice begin to grind again, the first week in October, there will be busy scenes about the city hall, for many cases are awaiting trial and will occupy the attention of the court for months. While the calendars of the various branches of the court have not as yet been compiled, it is known, by reason of the number of criminal cases and civil suits now pending, that the coming monthly terms especially from October to New Year's, will be crowded with important business. Even after the latter date there are a number of civil cases coming up for decision, upon the outcome of which much depends.

It is confidently expected that shortly after the return of President McKinley from his summer vacation he will name the successor to Justice Cox upon the District bench which will relieve the doubt



which has hung over that office for the past two months. If precedent is to be followed, the new jurist will be assigned to the criminal branch of the court, and there he will likely have the hearing of some of the highly important and interesting cases which are awaiting trial. In case Mr. Henry E. Davis is nominated, as seemed assured several weeks ago, it is probable that he may be assigned to the equity branch of the court and allow Justices Bradley and Clabaugh to continue in the criminal branches as it is not regarded as proper for Mr. Davis to sit in judgment on cases wherein he had represented the government before the grand jury and asked for indictments.

#### *Phases of the Vacant Judgeship*

During the absence of the President there has been little or no discussion regarding the judgeship. A month ago it was conceded, almost without exception, that Mr. Davis would be the President's choice. What change, if any, has come over the situation during the past month is not apparent. But for the controversy over Mr. Davis' successor as district attorney that gentleman would no doubt have been selected to wear the ermine before the President left for his vacation. Upon his return it remains to be seen what effect that question will have upon Mr. Davis' appointment.

Those who have been most earnestly seeking the appointment of Mr. Davis as justice have at the same time almost made his elevation to the bench contingent upon the appointment of Assistant District Attorney Gould as his successor. Many do not want the one unless they can have the other. This is especially true of those friends of Mr. Davis who stand nearest to the President, but, of course, there are many who are desirous of his selection, no matter who his successor may be in the office of District Attorney.

It is asserted, however, that certain enemies of Mr. Davis have been aligning themselves against him and preparing to go to the President upon his return and submit to him what they claim to be reasons why the present District Attorney should not be made a justice on the District Supreme Court bench.

#### *Urging Mr. Gould's Appointment*

The friends of Assistant District Attorney Gould, who wish to see him made District Attorney, are making a strong point of the fact that many important criminal cases are coming up during the next three or four months, in which the government should not be handicapped by having an entire stranger at the helm in the District Attorney's office, which might also involve the removal of a number of the assistants. For instance, one of the most important cases to come up for trial is that of Francis J. Kleckhoefer, the former disbursing officer of the State Department who is under three indictments for embezzling large sums from the government. The present force of the District Attorney's office has been engaged upon the case for many months, and is thoroughly familiar with all of its intricacies and details. The case will be called probably sometime in November, and will doubtless occupy the attention of one of the branches of the Criminal Court for a number of weeks.

Then there are three white murderers now confined in the District jail awaiting trial, and their cases will be called for hearing shortly after the courts organize for the October term. The trial of Benjamin Snell, which has been set for October 9, will be the first one of importance, and if any sort of a defense is offered it will doubtless continue for two weeks.

#### *The Famous Funk Case*

Of scarcely less importance will be the trial of Frank W. Funk for the murder of William H. Brooks more than one year ago. This case will arouse keener interest than that of Snell, in view of the fact that if Funk is convicted it will be upon purely circumstantial evidence, as there are no witnesses who can testify to having seen him wielding the ax upon the head of the aged victim, and thus this trial also may run along for weeks.

Then there is Dock. N. Tharp, the former soldier of the Fifth Immunes, who is to answer to the charge of having murdered his comrade Aaron D. Bishop, in the Pennsylvania station, on the night of May 31 last, and having made an assault to kill upon Policeman Acton. It is hardly probable that Tharp will be convicted of murder as t is generally conceded that his deed was not premeditated, but was committed while he was crazy from the effects of intoxicating drink. It is thought likely that the government will only ask for a conviction of manslaughter, so that his trial will be briefer than the rest.

In the murder cases of George W. Horton and James Powell, appeals have been taken to the Court of Appeals, and if there is a revision in either instance they will have to be tried again. Both men are under sentence to be hanged, the former on November 10, and the latter on October 18.

### *Knights of Labor to Be Tried*

...

### *Cases on the Civil Calendars*

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*The Washington Post, October 18, 1899, p. 12*

#### **Arguments For A Sentenced Murderer**

Argument in the appeal of George W. Horton, under sentence for the murder of Jane Nicholson, will be heard today by the Court of Appeals. Attorneys Tracy L. Jeffords and Robert Wells will appear for the condemned man, and Assistant District Attorney Gould for the government. Horton is under sentence to be hanged on November 10.

*The Washington Post, October 19, 1899, p. 5*

#### **Pleading A Murderer's Case**

#### **Arguments In Behalf Of George Horton Presented In Court Of Appeals**

Arguments were made yesterday before the Court of Appeals in the case of George W. Horton, convicted of the murder of Jane Nicholson. In presenting his brief District Attorney Anderson made his first formal appearance in court in behalf of the government. He was assisted in the argument by Assistant District Attorney Gould. Tracy L. Jeffords and Robert W. Wells represented the condemned man. The court is expected to render its decision within a short time as Horton is under sentence to be hanged on November 10.

*The Washington Post, October 21, 1899, p. 2*

#### **Court of Appeals Adjourns**

The Court of Appeals adjourned yesterday until next Wednesday, when it is expected that an opinion in the case of George W. Horton, convicted of murder, will be rendered.

*The Washington Post, October 26, 1899, p. 10*

#### **Horton's Fate Is Decided**

#### **Murder of Jane Nicholson Must Hang on November 10**

The Court of Appeals, by its opinion, written by Mr. Justice Shepard and rendered yesterday, sealed the fate of former Policeman George W. Horton, who is under sentence to be hanged on November 10 for the murder of Jane Nicholson. In the opinion of the court no error was committed in the trial court and the decision is therefore, affirmed. The court reviews the details of the killing and the trial of the prisoner at considerable length, dealing with all of the material facts in the case. The several assignments of errors in the bill of exceptions granted by the lower court are then taken up and treated in the opinion. The court found that the jury was properly constituted, although exception had been taken by the defense to the challenging of certain talesmen by the prosecution.

Another error assigned by the attorneys for the accused was that they had not been furnished with the proper address of certain government witnesses, as provided by law. Particularly was this the case in regard to Lieut. John F. Kelly. It was shown in the trial that the witness had resided in one house for about thirty years, and for a still greater period had been a member of the Metropolitan police force, and for many years a lieutenant, and the lower court held that although his house address had been changed a few days before, it was evident that he was known to the counsel for the defense, who must have been aware where Kelly could be found. While the opinion declares that the statute upon this point is unquestionably mandatory upon the government yet reasonable limitations upon its letter and operation have been recognized and it is therefore held that the lower court committed no error in admitting the testimony of the witness. The court also disposed of the points raised in regard to the matter of hypothetical questions asked certain witnesses, and also the errors assigned because of the refusal of the trial court to grant certain instructions to the jury. In each instance the action of the trial court is sustained. When notified of the refusal of the Court of Appeals to grant him a new trial Horton expressed little surprise. He declares that he would rather be shot than hanged.

*The Washington Post, November 1, 1899, p. 12*

### **Fight For Horton's Life**

#### **Respite May Be Asked In Order To Take Case To Highest Tribunal**

Assistant District Attorney Gould yesterday filed a motion with the Court of Appeals, asking that the mandate of that tribunal in the case of George W. Horton, convicted of murder be issued forthwith. The motion was opposed by Mr. Tracy L. Jeffords, attorney for the condemned man. The matter was continued until November 7. It is the intention, if possible, to take the matter to the Supreme Court, in which case a respite will be necessary, as Horton is under sentence to hang on November 10.

A question has arisen in police circles as to the right of Hortons heirs to receive the benefits of the police relief fund in case of his execution. Horton was a member of the relief fund in case of his execution. Horton was a member of the relief fund during the time that he was a policeman, and under its rules a man after his retirement from the force may receive its benefits if assessments are maintained. Horton has regularly contributed to the fund since his imprisonment, and, under the usual procedure in case of his death, his widow would receive about \$700. Whether his execution by law will make any difference is a question. It is believed, however that the money will have to be paid.

*The Washington Post, November 5, 1899, p. 2*

### **Trying To Save Horton's Life**

#### **His Counsel Endeavoring To Take His Case To United States Supreme Court**

Effort is being made by counsel for George W. Horton to have his case taken to the Supreme Court of the United States. Horton is under sentence to be hanged on November 10 for the murder of Jane Nicholson. The Court of Appeals has affirmed the decision of the trial court but its mandate has not yet been issued to the court below. Meanwhile Warden Harris is making all necessary preparations for the

execution in order to be in readiness for the event. If the case is taken to the Supreme Court it will be necessary to obtain a respite for the condemned man. Horton is preparing to meet his fate. He has recently been baptized and received into the Methodist Church. His physical condition is good, and he expresses little hope of escaping death on the gallows.

*The Washington Post, November 6, 1899, p. 2*

### **Final Appeal For Horton**

#### **Attorneys for Condemned Man Will Call on President Today Scaffold Being Prepared, Though Respite, that Supreme Court of United States May Pass on the Case, Is Considered as Certain**

Strenuous efforts are being put forth by the friends of former Policeman George W. Horton to prevent his execution at the District Jail on next Friday for the murder of Jane Nicholson. All indications point to at least an extension of time. This morning at 10 o'clock his attorneys, Tracy L. Jeffords and Robert W. Wells, who have from the beginning resorted to every legal means to save the life of their client, will have an audience with President McKinley for the purpose of securing a respite, in order that Horton's case may be carried before the United States Supreme Court. A representative from the district attorney's office will accompany them to join in the request.

The Court of Appeals has already declined to order a new trial, by affirming the decision of the lower court, but the mandate has been withheld, and action upon the motion to issue it will not be taken until tomorrow. At noon today Messrs. Jeffords and Wells will file a petition before the Supreme Court of the United States for a writ of certiorari. This is the only method by which a man charged with capital crime in the District of Columbia can have his case passed upon by the highest tribunal in the land. In all other jurisdictions a man charged with a crime punishable by death may have his case reviewed by the Supreme Court of the United States as a matter of right. It has only been since the passage of the certiorari law that it has been possible to carry such cases before that body. Prior to that time no capital cases from this jurisdiction could be reviewed by the Supreme Court. This process was first resorted to in the cases of the three negro murderers Strathers, Winston, and Smith.

It is believed that the court will grant the petition for the writ in this instance. In that event it will be necessary to grant the condemned an a respite. This will probably be done today by the President, or, in case he is too busy, owing to his departure for Canton to vote on Tuesday, to attend to the matter, the Court of Appeals, which has the power to grant a respite, will be asked to do so. In any event it is almost certain that Horton will not hang on next Friday, though the scaffold is being prepared at the jail, and everything will be in readiness.

The prisoner, however, expresses little concern for his fate. He does not talk of his crime or the probabilities of his execution unless spoken to on the subject, and then he does not express anxiety. Horton spends a great deal of his time in reading the Bible and a number of religious books and tracts which have been furnished him, and his conversation is generally upon spiritual topics. Several days ago, at the instigation of his wife Horton was baptized and received into the Methodist Church. Yesterday three religious services were held at the jail, one by the colored people, one by the Catholics. And one by the Methodists, and the condemned man attended two of them. Yesterday he received a number of friends at the jail, and talked with them for some time. His general health is good, and he does not appear depressed in spirit.

The trials of Snell and Funk, who are under indictments of murder, will probably not take place until the case of Horton has been reviewed by the Supreme Court. There are a number of points likely to develop in each case similar to those involved in the Horton trial, and it is desired that the highest tribunal should pass upon them before these two murderers are given their hearing. Owing to this fact, it now seems probable that neither Snell nor Funk will be tried until after the Christmas recess, as

nothing less than a thirty days' respite will be given to Horton, and it may be even more than a month before the Supreme Court passes upon his case.

*The Washington Post, November 8, 1899, p. 10*

#### **Action Deferred on Mandate for Horton**

The Court of Appeals yesterday deferred action upon the motion for the mandate to issue in the case of George W. Horton until Thursday. In the meantime, it is expected that the President will grant the condemned man a reprieve in order that his case may be reviewed by the Supreme Court of the United States.

*The Washington Post, November 9, 1899, p. 10*

#### **The Respite For Horton**

##### **President McKinley Will Probably Sign the Papers This Morning**

The necessary papers for the respite of former Policeman George W. Horton under sentence to be hanged tomorrow, were placed before the President yesterday afternoon, and it is expected that his signature will be attached this morning.

Mr. Tracy L. Jeffords, attorney for the condemned man had a conference with Attorney General Griggs yesterday with the result that the latter recommended to the President a reprieve for Horton for four weeks, or until December 8, in order to permit the Supreme Court of the United States to review his case. The matter of the mandate from the Court of Appeals will be considered today. The petition for a writ of certiorari will be heard before the Supreme Court on Monday.

*The Washington Post, November 10, 1899, p. 10*

#### **Horton Gets A Reprieve**

##### **Case Not to Go to the Supreme Court if the Certiorari Is Granted**

The President yesterday granted a respite until December 8 in the case of George W Horton who was under sentence to be hanged today for the murder of Jane Nicholson. The reprieve was accorded upon the recommendation of the Department of Justice. When the Horton matter was reached yesterday in the Court of Appeals, Attorney Tracy L. Jeffords, representing the condemned man stated the circumstances of the case to the court, and it was decided to defer action upon the mandate. The case will not be reviewed by the United States Supreme Court if a writ of certiorari is granted.

*The Washington Post, November 13, 1899, p. 2*

#### **Words Gave Them Life**

##### **The Indifference of Murderers Saved From Gallows**

##### **Powell Is Still Dissatisfied**

##### **Negro Whose Sentence Was Commuted to Life Imprisonment**

##### **Thinks He Should Have Been Given a Stated Term – Horton,**

##### **Whose Case Is Being Fought in Courts, Manifested the**

##### **Utmost Indifference When Reprieved on Eve of Execution**

How eternal is the spring of hope in the human breast could not be better exhibited than by the manner in which George Horton, the murderer, condemned to be hanged last Friday, received his reprieve, and his fellow-prisoner, James Powell, who was to die next Friday, learned that the President

had commuted his sentence to imprisonment for life. Neither man gave evidence of a particle of emotion.

Horton was reprieved on the eve of the date fixed for his execution. With the hours crowding close upon each other to their furthest limit, whereon stood the scaffold and his last look upon the world, Horton turned listlessly to the door of his cell and heard the message that gave him further months of life and a chance of escaping the gallows entirely, without a single change of expression, a word of thanks or a motion of relief or joy. Guilty of the murder of a woman whose dying body he mercilessly hacked, he has read and talked of nothing but religious matters for months. To nearly all he has said that he expected to die upon the gallows and was prepared to do so. Only to other men who, with charges of homicide against them, occupy companion cells to his in Murderers' Row, has he ever spoken of the hope in him that will not die. Horton still hopes to escape the law's strong arm, but to his jailers he never speaks of this hope.

### *Horton's Indifference*

When he was told that the President had suspended his sentence of death, he accepted the news without comment. Later he said that he expected to be hanged, and it was a matter of indifference to him when he went to the scaffold. He was satisfied to go last Friday or live a few months longer. He cared little which.

Powell, the negro youth who stabbed another boy to death in October, 1898, was even less impressed with the mercy of his fate. He has been confident for months that he would not hang, and though he had entered upon the last week of the time allotted him for life by the trial judge, he had shown no tremors at the narrow margin of existence left him. As soon as the President signed the commutation of sentence in Powell's case, the news was telephoned to the jail, and an officer went to the cell of the condemned man and notified him. Powell came to the barred door of his cell and heard of the change without emotion or show of feeling. He even expressed surprise that a limit of imprisonment had not been set for him. He has in some way taken the notion that he was not only to be saved from the gallows, but his sentence was to be changed to a definite term of years, and is greatly disappointed that this has not been done.

Snell, Funk, Thorpe, and Johnston, the other men confined in Murderers' Row, awaiting trial for homicide, all exhibited greater interest in the news of reprieve and commutation for Horton and Powell than those prisoners showed. The trials of all will soon take place, and it was evident that they thought upon the days when they may look and look in vain for such messages as came to Horton and Powell last week.

### *Three Others to Be Tried*

District Attorney Anderson expects during the coming week to be able to take up for trial the cases of three of the murderers. The first to be tried will be Doc N. Tharpe, the former soldier of the Fifth Immunes, who shot and killed his comrade, Aaron D. Bishop, and wounded Policeman Joe Acton in the Pennsylvania depot while the regiment was returning from Camp Meade after being mustered out of the service.

Tharpe's home is in Mississippi, and a number of citizens of that State who are residing in Washington have interested themselves in his case to the extent of providing funds for his defense. Both Tharpe and his victim, whose home was in Georgia, were returning from their enlistment at the time of the murder. Tharpe was intoxicated, and drew his pistol and fired because the officer would not permit him to pass through the gates at the station before the train for the South was ready. The shot struck Bishop, who was standing nearby. Tharpe had entertained no grievance against the young man. He claims to remember nothing of his deed. It is probable that the government will seek only to convict him of manslaughter. He is also under indictment for assault to kill upon Policeman Acton. If he is

convicted of manslaughter in killing Bishop the case against him for assaulting the officer may not be tried. Fred Beall has been retained to defend him.

Following the Tharpe trial the case of Frank Funk will be taken up. The case has been set for November 20, but it may not be reached until later in the week. Funk will seek to prove an alibi, and claims to have material evidence which will prove him innocent of the murder of aged William Brooks. He asserts that he knows who the real murderer is and that he will reveal his knowledge at the proper time.

The Snell trial will be the last of the three, and it is expected will occupy the greatest length of time. Judge Fleming, a representative in Congress from Georgia, and Charles H. Turner, of this city, will represent the murderer at his trial. His plea will be insanity, and since the murder an exhaustive investigation has been made of his family for a generation or two back, and it is said that a number of cases of deranged minds have been found, and an effort will be made to show that the murderer was not responsible for his horrible deed.

*The Washington Post, November 14, 1899, p. 12*

### **Horton Applies for a Writ of Certiorari**

Attorney Tracy L. Jeffords yesterday filed before the United States Supreme Court a motion for a writ of certiorari in the case of his client, George W. Horton, convicted of murder. Solicitor General Richards asked for two or three days additional time in which to perfect his brief in opposition to the motion.

*The Washington Post, November 21 1899, p. 10*

### **Horton's Appeal Denied**

#### **He Must Hang Unless the President Commutes His Sentence**

The Supreme Court of the United States yesterday denied the petition filed by Attorneys Tracy L. Jeffords and Robert W. Wells for a writ of certiorari in the case of George W. Horton, convicted of the murder of Jane Nicholson.

The case now returns to the Court of Appeals, and it is expected that its mandate to the lower court sustaining the decision of the trial judge will be issued within a few days. This practically ends Horton's chances for life, unless the President should grant him clemency, and commute his sentence to life imprisonment. It is understood that an effort will be made to accomplish this result. Horton's reprieve expires on December 8. A new date for execution will probably be set within a short time.

*The Washington Post, November 25, 1899, p. 12*

### **Horton's Only Hope**

#### **Only the President Can Now Save Jane Nicholson's Murderer**

The Court of Appeals yesterday handed down its mandate in the case of George W. Horton, convicted of the murder of Jane Nicholson. The court affirmed the decision of the trial court, and the Supreme Court of the United States has refused to grant a writ of certiorari, which leaves the only hope of saving the murderer's life in an appeal for executive clemency.

This will be made by his attorneys, Messrs. Jeffords and Wells. Horton's reprieve expires on December 8. He was sentenced to be hanged on November 10, but the President ordered a respite, so that the case could be taken to the Supreme Court. It is probable that Justice Clabaugh will in a few days fix upon another date for the execution.

*The Washington Post, November 28, 1899, p. 12*

### **Horton To Hang Next Week**

#### **No Further Hope for Condemned Man Except in Executive Clemency**

The mandate of the Court of Appeals in the case of George W. Horton, convicted of the murder of Jane Nicholson, was presented to Justice Clabaugh yesterday in Criminal Court No. 1, and the warrant of execution to the warden of the jail was ordered to issue. Horton's reprieve expires on December 8, and unless the President intervenes he will be hanged on that day.

*The Washington Post, December 2, 1899, p. 2*

### **Petition Against Horton's Execution**

Attorneys Tracy L. Jeffords and Robert W. Wells, who have been industriously laboring to save the life of George W. Horton, yesterday presented to the President a petition signed by several hundred persons asking that the sentence of the condemned man be commuted to life imprisonment. In case the President declines to interfere in Horton's behalf the murderer will be hanged on next Friday.

*The Washington Post, December 4, 1899, p. 2*

### **Death Has No Terror**

#### **But Horton Loathes Thought of the Scaffold**

#### **Murderer Absorbed In Bible**

#### **Has Already Copied from the Book 17,000 Words, Which He Sent to**

#### **His Wife – Jail Life Does Not Agree with Snell and He Is Losing Flesh**

#### **Rapidly – An Accident Puts an End to His Wife's Visits – Other Men**

#### **Awaiting Trial for Grave Offenses**

G.W. Horton, sentenced to be hanged on next Friday at the District Jail for the murder of Mrs. Jane Nicholson, has given up even the slightest shadow of hope that his sentence will be commuted by the President to life imprisonment. In fact he declared recently that he would never submit to imprisonment for life. When seen in his cell at the jail yesterday, he said:

"I am not afraid of death, but I do hate the idea of being executed on the scaffold. Almost any other death would be preferable to me. I never felt better in my life, physically, than I do at this very minute. I eat, sleep, and certainly look well."

Mrs. Horton was with her husband all Sunday. The doomed man spends his entire time in seeking religious consolation. His Bible is the only book he reads, and his wife is the only person to whom he writes. He copies extracts from the Bible and sends them to Mrs. Horton. So far the condemned man has written more than 17,000 words from the book.

The execution of Horton in case the President refuses to commute the sentence will take place next Friday, between 12 and 2 p.m., on the same scaffold which swung into eternity Guiteau, the assassin of President Garfield. Upon this scaffold fully twenty-five men have paid the awful penalty for their crimes, and next Friday will witness another life given in expiation for the taking of life. Horton says he is prepared for the ordeal and will meet death like a man.

### *Horton's Idea of Heaven*

When Horton was on trial for his life his attorneys set up a plea of insanity. A prominent local physician who was called upon to testify as to the condition of Horton's mind, requested the murderer to write him a letter, and the following communication was the response:



“Dear Sir: In compliance with your request to write you on a subject, I know of nothing better than telling you of my ideas of God and heaven. I believe that God is an actual being, like unto ourselves in form, and having members and faculties like ours, only far superior, and that Christ is like Him and the good that emanates from Them is the Holy Ghost. And believe that heaven is a literal and tangible abode, having its golden streets, its river of life and the tree of life, its jasper walls and its gates of pearl, and around it there is a broad expanse of fields in living green, over which the redeemed walk; that they go in and out of the city and find pleasure for the gates of it are never shut. In my visions of that beautiful city I have seen its glittering towers rise, one up far above another. But those who occupied the mansions that had the lower towers were as contented as those who lived in the higher ones, for there is no envy there, and those who are assigned to the higher places are as humble as those who live in the lower ones, for nothing but joy, love, and peace prevail there. I also see in my visions faces of those who have long since gone to that blessed abode, and I see them, as they go with the great white-robed throng, having in their hands a golden harp, upon which they play as they sing their praise to their King. Truly God is good and heaven is a place to be desired, and to secure the benefits of His goodness and to attain to that beautiful city comes only by our strictly conforming to His will.

“I have endeavored to set forth my conception of the celestial realm in a brief way, hoping that it will fill the purpose for which it was written.

“I am, most respectfully yours,  
“G.W. Horton”

#### *Others Awaiting Trial*

There are five other men behind the bars in the District Jail over whose heads hang the terrible charge of murder. They are Benjamin F. Snell, Frank Funk, Worster Johnson a negro; George Ashton, also a negro, and Charles F. Ormsby. The crimes with which these men are charged are familiar to all Washingtonians. Snell is charged with the brutal murder of Lisa Weisenberger a little girl; Funk is charged with murdering aged William H. Brooks; Johnson will have to defend himself against the charge of killing another negro, while the killing of Charles Golway, alleged to have been the result of a blow dealt by Charles F. Ormsby, is of but recent date.

When Snell was committed to the jail on August 7 he weighed 236 pounds. Prison life does not agree with him, and he is rapidly losing flesh. He is very restless in his confinement and sleeps badly. He reads considerably. His wife had called on him frequently until she met with an accident, on Saturday morning, between the hours of 9 and 10, at the corner of Ninth and K streets northwest. Mrs. Snell was crossing the street from the residence of her attorney, Charles H. Turner. A Columbia car was at a standstill on the corner, and Mrs. Snell, thinking that she had plenty of time, started to cross in front of the car. Before she had taken many steps the car started and she was caught by the front step and dragged about ten yards.

The conductor carried the injured woman into a drug store, and Dr. Burton, of 924 New York avenue, was summoned. After an examination, he ordered Mrs. Snell taken to her home at 1373 H street northeast. Mrs. Snell is still confined to her bed, suffering from severe bruises extending along her entire left side, which is badly swollen. Her physician fears that she has sustained internal injuries.

#### *Snell's Boy to Visit Him*

Snell has been greatly worried lately over the illness of his little boy, who had an attack of typhoid fever. The boy is recovered now and Snell has sent for the child to come to see him. The imprisoned father and little son will spend a greater part of this morning together.

Funk is a very quiet prisoner. He has not yet been tried and insists upon his innocence. He was recently discharged from the Emergency Hospital, where he underwent an operation.

The most reserved man of the five is Ormsby, who has nothing to say to his jailors, and spends his time writing sorrowful letters to his friends, in which he deplores the death of Golway.

*The Washington Post, December 5, 1899, p. 12*

#### **Final Effort For Horton**

##### **Murderer's Counsel Submit Arguments to Attorney General Griggs**

Attorneys Tracy L. Jeffords and Robert W. Wells representing George W. Horton, appeared before Attorney General Griggs by appointment yesterday and argued in support of the petition which they have prepared to present to the President asking that the murderer's sentence be commuted to life imprisonment.

They based their pleas upon the allegation that the condemned man is insane. It is understood that the physician at the District jail has sent to the Attorney General a statement asserting that Horton is in sound mental and physical condition. His reprieve expires on December 8.

*The Washington Post, December 6, 1899, p. 10*

#### **Small Chance For Horton**

##### **Attorney General Counsels President Against Interference**

##### **Jail Physician Says Murderer Is Sane – Clergymen, Physicians, And Residents of His Home Petition for Mercy for the Prisoner**

The final effort to save the life of former Policeman George W. Horton was made yesterday by his attorney, Tracy L. Jeffords who saw the President personally in behalf of his client and asked that the sentence of death be commuted to life imprisonment. The various petitions for Executive clemency in Horton's case which have been prepared through the instrumentality of his attorneys, were also presented to the President yesterday by Attorney General Griggs.

One petition was signed by Congressman Sidney E. Mudd and all the various county and local officials of La Plata Md., where Horton formerly lived and where his family and relatives now reside. Among the signers were the various clergymen of La Plata, a number of physicians, and a long list of representative citizens. Other petitions included 150 lawyers of the District bar, a large number of physicians, some of whom had knowledge of Horton's case and believe him to be insane, a number of ministers and several hundred other citizens including many District officials. One petition was signed by nine of the jurors who convicted Horton. Of the three others, one is now in Manila and could not be reached, and the other two declined to attach their signatures until they had further time to consider the matter.

In addition to these a number of letters from prominent lawyers and physicians expressing the belief that Horton is insane were presented for the consideration of the President. Former District Attorney Davis also sent to the President an extended and unbiased review of the case, but did not feel justified in joining in asking for Executive clemency.

The recommendation of Attorney General Griggs, however, is opposed to an interference on the part of the President, and the latter will most probably be guided by this recommendation. The Attorney General gives an entirely impartial statement of the case, citing the number of witnesses who testified to Horton's insanity and the number who gave evidence in rebuttal to the effect that he is sane. He also calls attention to the fact that the jail physician pronounces Horton sane. The petitions, the Attorney General says, are extrajudicial deliverances, and their statements entirely ex parte by persons without opportunity for cross-examination. The condemned man, he declares, was given a fair trial, and the facts were decided by the jury. The verdict was justified by the evidence and the Court of Appeals

affirmed the judgment. The circumstances of the crime, which was committed with great atrocity, are admitted, and the Attorney General advises that the commutation be refused.

Horton's reprieve expires on Friday, and should the President fail to interfere in his behalf the condemned man will be hanged shortly after noon that day. Preparations for the execution have practically been concluded.

*The Evening Star, December 8, 1899, p. 1*

### **Expiates His Crime**

### **George W. Horton Executed at District Jail Today**

### **Dramatic Scene on the Scaffold**

### **Condemned Man Offered Prayer Just Before Drop Fell**

### **Letter to His Wife**

George W. Horton, formerly a member of the metropolitan police force of the District of Columbia, was executed within the walls of the District jail at twelve minutes past 12 o'clock noon, today. Horton was convicted of what has been generally characterized as one of the most atrocious murders in the history of crimes. He caused the death of Mrs. Jane Nicholson by stabbing her and slashing her throat with a pocket knife while they were together in Armory Square early during the evening of June 24, 1898.

As stated, the drop fell at twelve minutes past 12 o'clock. A moment thereafter the body was lowered several feet in order that the physicians might conduct an examination. Horton's heart ceased to beat at 12:24 o'clock, twelve minutes after the drop fell. The remains were soon thereafter taken down and placed in a casket. The physicians continued the examination and announced that the neck had been broken by the fall and that beyond question life had passed away without pain being experienced by Horton.

The scene on the scaffold was most dramatic. It has been the practice since Warden Harris has been in charge at the jail not to have anything in the way of speechmaking during the final moments at hangings. In the present case the spiritual advisers had been requested by the condemned man to arrange to have the ceremony on the scaffold as brief as possible. Just as the noose was about to be adjusted, however, Horton exclaimed, "Wait one moment." He then gave utterance to a prayer, the impressiveness of which can only be appreciated by those within the jail at the time. The fervor of the man caused his voice to raise until his appeal to God to receive his soul reached the proportions of a shout.

With the words "Protect my dear wife, oh, God," on his lips the murderer passed into eternity.

"Oh, Thou Almighty God, in whom my soul has ever trusted," Horton's prayer began, "receive Thou me. Oh, Jesus, Thou who hast been my friend for eighteen months nearly, receive my spirit."

"Farewell, wife, mother, sister, brother and friends, all farewell, goodbye. God save me; God protect me. Protect my dear wife, oh God."

### *The Noose Adjusted*

During the last words of the prayer the noose was adjusted and the black cap placed in position. The deputy warden nodded to signify that all was in readiness, Warden Harris gave the signal to the unknown party who was to spring the trap, and the figure shot downward. Death, in the usual acceptance of the meaning, must have been instantaneous, for not a quiver of the body was noticed, not so much as the reflex motion of the muscles.

As stated, the body was almost immediately lowered in order that the physicians might make their observations.

As soon as he mounted the scaffold Horton admonished one of the guards not to hurry, telling the others to take their time in strapping his legs.

Promptly at noon the jury left the warden's office and proceeded to the seats arranged near the scaffold. The physicians followed. About five minutes later the warden proceeded to the cell to read the warrant of execution. Horton's arms were tied behind his back and the march to the scaffold then began. The little procession was led by Warden Harris. Directly following him were the three ministers who had been spiritual advisers of the condemned man. During the march they sang "Leaning on Jesus." Horton walked next in line, with an official of the jail on either side and several of the guards behind him. He appeared very weak, but was apparently in full possession of his senses and nerve. As he approached the jury he smiled faintly, bowed and said goodbye several times. He ascended the steep stairway without assistance and took his place on the trap with no sign of hesitation.

#### *Wife's Farewell Visit*

Mrs. Horton bade farewell to her husband shortly after 5 o'clock yesterday afternoon. The final interview was most affectionate. The ministers of the gospel were with Horton in his cell until midnight, when he retired. He was very quiet all night, although he remarked this morning that he had not rested well. He arose shortly after 6 o'clock and, although served with a substantial breakfast, ate sparingly.

A close watch was maintained throughout the night, the guard detail consisting of W.S. Perry, acting captain; H.A. Smith, lieutenant; Thomas J. Mitchell, south wing officer; M.S. Brannigan, north wing officer, and George W. Dutton, outside officer.

#### *Gave Way to Emotion*

For a few moments early this morning Horton gave way to tears, but soon recovered his composure and thereafter was calm and collected. Late last night, in speaking with one of the guards, he made reference to the murder of Mrs. Nicholson.

"The evening of the killing," he said, "I looked back at my home, little thinking I would never enter it again. I entered an establishment, bought a quantity of coffee and proceeded to another place where I left it. I met Mrs. Nicholson. She complained about not being well. She complained about doing a hard day's work where she was employed, and, in addition doing some work for her herself. She suggested that we take a seat in the park. As we crossed the street two electric cars were approaching from opposite directions. She deliberately stepped in front of one of them and it was all that I could do to get her out of the way in time. I told her that she had had a narrow escape. Though I saved her life then I killed her a minute and a quarter later. I never quarreled with Mrs. Nicholson and we were on the best of terms."

Horton repeatedly declared he did not mind dying, but loathed the idea of dying on the scaffold. This announcement on his part some time ago caused the jail officials to fear that he might attempt suicide. During the past two or three days since the hope of executive clemency had departed, a deathly pallor had overspread Horton's features, and this was very marked today. He began reading his Bible early in the morning, and while perusing the 68th Psalm, it was remarked his countenance brightened very much.

#### *Events of the Morning*

About 9 o'clock this morning two nieces of the condemned man were admitted to the jail and shown into the rotunda. They were shown to the grating near Horton's cell. He came north, conversed with them a few moments and then bade them a final farewell. These were the last of his relatives to see him. The next two hours were devoted to prayer and singing. Shortly after 11 o'clock Warden Harris entered the cell to inquire if Horton desired anything in the way of luncheon. The reply was, although he had something in the cell at the time, he did not care to eat.

During the morning a letter was received by Horton from a Mr. McKnight, one of his friends. He was expecting a letter from Mrs. Horton, and one of the ministers made constant inquiry concerning it. It was learned later, however, that Mrs. Horton did not write the letter until midnight, and it was not mailed until this morning. The officials did not expect it to reach the jail until the afternoon delivery. The letter will be returned to Mrs. Horton.

During his final conversation with one of the guards Horton gave expression to the wish that his wife could accompany him into the next world.

During the morning Horton visited Funk, Snell, Ormsby, and other alleged murderers who have been his near neighbors in jail. He bade them all goodbye. Funk, whose trial will begin Monday next, appeared to be deeply affected by the parting.

At 11:20 o'clock the warden and all the jail officials who could be spared from their posts were assembled outside of the grating near the cell. Horton came forth and, in tones that were choked, said he hoped to meet all of them in the hereafter, and thanked them one and all for the kindness they had shown him during his imprisonment. Reaching his arm through the grating he shook each of the officials by the hand.

Horton stated to the ministers a few nights ago that he had had a dream to the effect that he was going away somewhere to leave his troubles behind. He seemed to be among a number of people, but rose, above them. He then left them, seeming to go, and that is all he remembered.

#### *Disposition of the Body*

The body was removed to the undertaking establishment of Boteler and Scott, 401 8th street southeast, where it was embalmed. From there it will be taken to the residence of Mrs. Horton, 707 11th street southeast. The funeral will occur tomorrow, interment to be made in Congressional Cemetery.

The hanging of Horton differed from former executions within the walls of the District jail, for the reason that the attendance today was noticeably smaller than at any similar event in the history of the institution. Warren Harris admitted only those authorized by the law to be present. Less than thirty persons were witnesses to the hanging. The warden declined even to admit the policemen detailed for duty at the jail. He held that they were on hand to prevent any possible disorder that might occur outside of the institution.

Heretofore it has been the custom to have a double line of policemen stationed across the rotunda through which the condemned man passed on his way to meet his doom. Today there was no such line, the only police official within the jail being Lieut. Kelly.

A large throng of the curious had gathered before the entrance of the jail, but there was no trouble of any sort. Warden Harris was congratulated on the success of his arrangements, and also because he refused to admit to the institution persons who had no right or reason to be present.

To a Star reporter this afternoon Mrs. Horton reiterated her belief that her husband was not responsible for the murder, by reason of the state of his mind at the time of the killing of Mrs. Nicholson.

The last white person to be executed in the District of Columbia, prior to today, was Joseph A. Beam, who shot and killed his stepdaughter, Anna Lola Leahy, at her home on Capitol Hill, the afternoon of the 22d of December 1894. Beam was hanged Friday, July 26, 1895.

*The Evening Star, December 8, 1899, p. 1*

#### **Horton's Last Letter**

#### **Message Written at the Jail to Wife and Relatives**

The final letter of Horton to his wife, which was delivered to her this afternoon, after the execution, through the medium of Rev. John Roberts, was as follows:

December 4, 1899

“My Darling Wife:

“By the time this will have reached you my spirit will have taken its flight beyond the light of setting suns, beyond the clouded sky, beyond where starlight fades in night, I have a home on high. A mansion there, not made with hands; a place prepared for me; and while God lives and angels sing, that home my home shall be. In this I hope you will find much consolation, and be reconciled to the hope that though we are separated for a while, we may meet in a far better land, where parting is no more. It is for you that I mourn. It is for you that I would stay to comfort. I hope that you will not go through this life bowed down in sorrow, nor feel humiliated at the misfortune that has befallen us. You are as good, as noble and as worthy as any woman that treads the face of this earth, and I die in gratitude to you for the love and kindness that you have ever shown to me, both before and after the sad occurrence. You have followed me out to this prison in your love, sympathy and kindness; you have administered to me in all wants, and I have not been deprived of one pleasure or comfort that you have had the privilege to bestow. You have lightened the tortures of this prison life by your regular visits to me, through heat, rain, snow and cold, and your ever-welcome letters (many of which reached me while I was enduring the saddest grief) assuaged my sorrow. I do not die unappreciating any kindness that has been bestowed upon me by any of my friends. I have borne them all in my prayers and hope to meet them in heaven. To my spiritual advisers, of whom I have had any, I extend many thanks. Each one of them is entitled to a separate eulogy, as they all have been faithful, kind and consoling. I should make special mention of Dear Brother Roberts for his long-continued visiting me. I love him dearly, and hope to clasp hands with him in heaven and lead him to my Savior’s side and say that this is the man that urged me to put my trust in Thee. To Brother Maydwell, Sister Cowsill, Sister Joseph and Sister Wheaton and to many others too numerous to mention, I express my true love and appreciation. For the warden and keepers of this jail I have nothing but good to say, but would urge them to treat the poor unfortunates with much kindness for the sake of Jesus, who loves them all. To my sisters and brother, to my nephews and nieces and to my relations and friends I would say, seek the Lord while He may be found; call upon Him while He is near, and to prepare themselves to stand before the awful judgment seat should they hear the word depart. As to my dear old mother, she would not understand my message if I sent one to her, but it is very likely that she will join me before any of the rest, and we will watch and wait with the rest of our loved ones there for their coming. As to the cause for which I am put to death, common sense and reason should have taught the public judging from my life both before and after the tragedy, that it was committed at a time when reason had fled. To discuss the matter is disgusting to me; people and my friends knew me better. The sentence was unjust, for it was pronounced from a verdict that was full well known to be unjust and unreasonable. I forgive my persecutors. I forgive those who perjured themselves in their testimony against me. Their own consciences will tell them to whom I allude. I had intended to write a statement for the public, but I have reconsidered the matter, knowing that the public cares but little

Of conduct unbecoming an officer, and dismissed. About fifteen months later he received a reappointment on the force. September 30 of the following year he was dismissed for neglect of duty.

Frank Nicholson, the husband of Horton’s victim, who afterward committed suicide, entered many complaints against Horton for having broken up his home. In addition to the complaints he made he indulged in threats against the policeman, and, it is stated, a Police Court trial was the result. Horton was on the police relief list, and has kept up his payments. His widow will receive about \$690 from this source. Each member of the relief society will have to pay \$1 to this fund, which will probably be done next month.

### *Horton's Crime*

Horton was indicted for the murder of Mrs. Nicholson, July 13, 1898, and the following day was arraigned. He entered a plea of not guilty. The trial began May 16 last. Two days were devoted to empaneling a jury.

The case attracted widespread attention, and the court room was crowded throughout the hearing. The defendant, a man of middle age, was neatly dressed and of respectable appearance, and was, to all appearances, the least concerned of any one in attendance at the trial. His wife, however, was deeply interested in every word spoken, her feelings evidently being highly wrought up. Other relatives of the defendant were also present.

The prosecution was in the hands of Messrs. Joseph Shillington and John E. Laskey, at that time assistant United States attorney for the District of Columbia. Attorneys Tracy I. Jeffords and Robert G. Wells appeared for Horton.

Justice Clabaugh, the 16<sup>th</sup> of June, after overruling a motion for a new trial, sentenced Horton to be hanged Friday, the 10<sup>th</sup> of November, between the hours of 12 o'clock noon and 2 o'clock p.m. An appeal to the Court of Appeals was noted and granted. The appeal was fully argued the latter part of October. The court handed down an opinion affirming the judgment of the lower court.

In order that counsel might have an opportunity to apply to the Supreme Court of the United States for permission to take the case before that tribunal, the President respited Horton until today. The Supreme Court, however, declined to consider the case. After that counsel and the relatives and friends of the condemned man exerted every effort to secure executive clemency, but without success. The warrant of execution was issued from the Supreme Court of the District of Columbia the 27<sup>th</sup> ultimo.

*The Washington Post, December 10, 1899, p. 3*

### **Horton Funeral Services**

Funeral services over the remains of George W. Horton, the murderer were held at the undertaking establishment of Boteler & Scott yesterday afternoon and alter the body was placed in a vault at Congressional Cemetery. Only a few relatives and intimate friends of the deceased were present, the services being conducted by the four spiritual advisers of the man who paid the penalty for killing Mrs. Jane Nicholson. A curious crowd gathered about the residence of the widow in Southeast Washington and also at the undertaking establishment prior to the services but only a few were permitted to view the body.