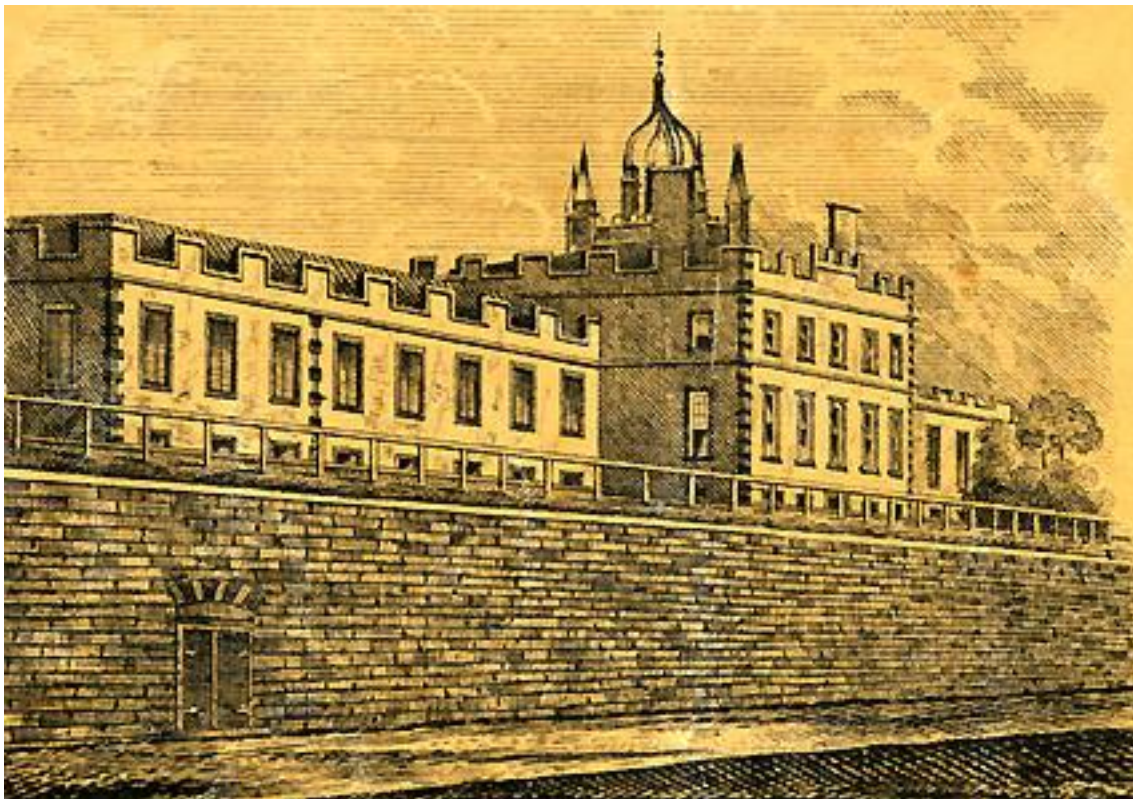


**THE SOUTH SALINA STREET ARSON
THE BENNETT INSURANCE CASE
PART XI
ADAM FRALICK'S CRIMINAL ARSON TRIAL**

THE VERDICT

Part eleven of the twelve part series deals with the verdict and aftermath of that 1872 criminal arson trial.



Sketch of Auburn, New York State Prison from website
www.correctionhistory.org

The final chapter (part twelve) will deal with information found regarding Samuel Bennett's trial.

AUBURN DAILY BULLETIN
AUBURN, NEW YORK
JUNE 1, 1872

Fralick Convicted

The jury in the case of Adam Fralick, of Syracuse, found their verdict last evening, of "Guilty."

Judge James C. Smith pronounced sentence on Fralick at about 8 o'clock, condemning him to fifteen years confinement in Auburn prison.

Fralick has been closely attended throughout his confinement in jail, and at his trial, by his wife, who is a fine looking woman, and appears to be devoted to her erring husband in his adversity—with that rare constancy which woman alone exhibits, in the dark hours of trial, when other friends desert the sufferer, be he innocent or guilty.

Closely veiled, and clad in neat and tasteful style, the wife has sat through the sessions of the court, near the prisoner, watching with tearful solicitude or smiling hope, the varying phases of the case.

When the prisoner was finally brought into court last evening to hear his sentence, his faithful companion was still by his side, and as the fatal words fell from the lips of the Judge, she gave way for the first time, to the fullness of her grief.

The prisoner, a large and well built man, of intelligence and fine appearance generally, evinced the feeling he had formerly succeeded in controlling throughout the trial.

The verdict of “Guilty” was rendered at 7 o’clock p.m. and by the time the prisoner was brought up for sentence, had become noised abroad, until a large crowd had gathered in the Court room.

After the verdict, the counsel for the prisoner moved for a stay of sentence until a future day of the term (to await the trial of the other parties,) to give time for preparing a bill of exception, and also for the reason that the trial of Bennett might develop new facts to influence the court.

The Court overruled this motion, principally on the ground that the particular Justice was designated by the Governor, to preside at this Special Term, and if for any reason he should be unable to attend at any future day, no other Justice could legally sentence the prisoner.

Warren T. Worden, Esq., of counsel for the prisoner, then made a motion pro forma, for an arrest of judgment, which was overruled.

The Court then asked the prisoner if there was any reason why the sentence of the law should not be pronounced upon him.

The prisoner said he had had a fair and impartial trial; that the Court had extended all indulgences in their power, and he had no hard feelings toward the jury; that they had tried to render a verdict in accordance with the evidence. It was hard to be convicted of a crime of which he was innocent.

He had expected that the trial of Bennett would have moved first, had had promises from those in high authority, upon which he had relied, that such would be the case. Hence he had been unprepared, from his long confinement in jail, and for the reason that new counsel had to be assigned him at the commencement of the trial, who had not had time for preparation, as well as by the lack of means to secure the attendance of witnesses who could have established important facts and proved his innocence.

He had had no access to the books or papers of Bennett Bros., and no means of producing them. In his investigations made before he was confined, he had no doubt that he could have established by these books, the fact that Bennett had a stock of \$250,000 at the time of the fire, and other important items of evidence which he would not take time to enumerate.

He has thought it best to state the whole facts in this case, contrary to the advice of counsel, and had told the one rough spot in his life where he transferred his property to Vedder to keep it from his creditors.

He knew this had prejudiced his case in the minds of the jury, but had done it at the advice and consent of his creditors, as he was anxious to have the whole facts known and let the jury decide upon them.

It was his all that had been at stake in this case, and he had been found guilty. It was hard, but he would submit.

The Court then pronounced sentence, the prisoner arising, with his wife standing by his side.

The Court remarked that it was his painful duty to pronounce the sentence of the law; a painful duty in any case, but one that must be preformed. You have been convicted of a crime, the enormity of which, and the circumstances, it is un_____ to repeat. It is painful to pronounce sentence upon a man of the appearance, and evident capacity for usefulness, of the prisoner at the bar.

The sentence of the Court is, that you be confined in Auburn State prison, at hard labor, for the term of fifteen years.

The prisoner was then remanded into the custody of Sheriff Hosmer, and still accompanied by his wife he returned to the jail, to be transferred to the prison today.

Fralick is described in the commitment as 45 years of age, a native of Herkimer county, and by occupation a merchant.

The counsel for the prisoner asked the Court to order that a copy of the minutes of the trial be furnished by the reporter, at the expense of the county of Onondaga, in order to procure a review on writ of error.

The Court received the motion favorably, and reserved a decision.

A new panel of jurors was drawn for the further session, and Court adjourned to June 18th.

**AUBURN DAILY BULLETIN
AUBURN, NEW YORK
JUNE 1, 1872**

Sixth Column

Fralick Attempts Suicide

Probably Fatal Results

At 2 o'clock p.m. when Sheriff Hosmer went to Fralick's cell in the jail to prepare for his transfer to the prison, he found him lying on his bed snoring.

Mrs. Fralick was with him, and remarked—"you will not take him now, will you?"

The Sheriff then asked what she had been doing, when she answered—“Nothing; it is a broken heart.”

His suspicions being then confirmed, a message was sent for surgical aid, and on arrival of the physicians, it was ascertained that Fralick had taken morphine, as admitted by his wife, who was frantic with grief.

On reaching the jail, we found the apparently lifeless body of Fralick extended on a table and the operation of a stomach pump being directed by the physicians.

Ten minutes afterward, at 8:30 Fralick was pronounced dead, and the Coroner was sent for to hold an inquest, but soon after showed indications of reviving.

At 4 o'clock he was still breathing sterterously, but the prospects are that he will not recover.

Mrs. Fralick says she procured the morphine at her husband's request, to nerve his up to go through with his entrance on prison life, and was not aware that he premeditated suicide.

Drs, Briggs, Dimon, Swift, Sanford and other physicians were present, and used the best means for recovering the unfortunate man, but the opinion is expressed by Dr. Briggs that he will sink under the effects of the poison, although he may live over night, or even for a day or two.

**AUBURN DAILY BULLETIN
AUBURN, NEW YORK
MONDAY, JUNE 3, 1872**

SUICIDE OF ADAM FRALICK

Coroner's Inquest.

Fralick's Letter to his Wife, and statement to the Public

The brief announcement on Saturday, of Adam Fralick's probably fatal attempt to commit suicide by taking morphine, previous to his removal from the jail to Auburn prison, created general excitement throughout the city, and was confirmed by his death on Sunday morning.

The unfortunate man, as his dying declarations would imply, was driven to desperation at the sentence to fifteen years in Auburn prison, for a crime of which he declares himself to be innocent. We publish two letters left by him, which explain his motive for the fatal deed, and which were produced at the inquest.

His death occurred at 6 ½ o'clock on Sunday morning. Every effort at resuscitation had been used by the physicians, throughout the afternoon of Saturday and during the night, electricity being applied with such persistence and effect as to induce the belief of eventual recovery.

Drs. Briggs, Chase, Dimon, Fordyce, George, Sanford, Sherman, T. Smith, Stickney and Van Auden were present during the day and evening, relieving each other in efforts at his restoration, which were kept up until the hour of his death.

Coroner Foster summoned a jury of inquest at 10 o'clock a.m. of Sunday, at the Grand Jury room in the Court House, comprising the following gentlemen: J. T.M. Davie, Foreman, John Choate, E. B. Cooley, John S. Lanehart, W. D. Slee, P. J. Nellis, Henry B. Fitch, C. G. Briggs, Joseph W. Dunning, Chas. E. Cootes, T. H. Cone, Joseph Smith.

The body of Fralick was laid out in the District Attorney's office, adjoining the Grand Jury room.

At the suggestion of Mr. Worden, of Fralick's counsel on the trial, the inquest was adjourned to obtain the presence of District Attorney Mills, for whom a messenger was dispatched to Weedsport.

At 2 o'clock p.m. the jury was re-assembled, when the inquest was proceeded with.

The first witness called was Mr. Fields, jailor, when the following testimony was taken:

Elijah S. Fields, sworn—Reside in Auburn, am jailer; knew Adam Fralick. He died about 6 ½ o'clock this morning at Auburn jail. Saw him about 7 o'clock Saturday morning, in his cell on the gallery at jail; was apparently in good health; understood he did not eat his breakfast. Talked with him. He said he felt pretty well. Did not discover any ailment about him. Saw him but once after, at a little after 12 m, standing on gallery; had no conversation with him. Nobody but Mrs. Fralick with him in the morning when I saw him. Think I did not talk with him in the p.m. He appeared well; nothing peculiar about him. Saw him again after 2 p.m., lying on his bed in cell. Mrs. Fralick was alone with him. Found him unconscious, and breathing hard, as if in a sound sleep. Spoke to him, felt his pulse. He took no notice; eyes closed. Pulse was quick and seemed to vary. Dr. Swift was called and came in 5 or 10 minutes. The night before, Fralick seemed well. Fralick came to jail 10th of May. Have seen him every day, except one Sunday. His health had been good. Do not know how he came to his death. Mr. and Mrs. Warren T. Worden were in to see him at near 10 o'clock a.m. Saturday; were there about 15 or 20 minutes. They did not have an interview with Fralick.

[It was here proposed to call Mrs. Fralick. Mr. Durston said Mrs. Fralick had not slept on Friday night, was under great excitement, and suggested that she ought not to be called, as she was liable to frenzy, under the excitement. Had received a telegram that her mother died at Little Falls that morning.]

Dr. Briggs said the physician had just had an interview with Mrs. Fralick, who had signified her consent to appear.]

Vienna Fralick—Reside in Syracuse; Adam Fralick was my husband. I got up at 6 ½ o'clock yesterday, and came down to the sitting room in the jail and found a deputy sheriff there, asked him if I could see my husband. He said I could. My husband was on the bed, sleeping, with his clothes on. I hesitated about going in and deputy said he thought I could go in without waking him. I did so, and he awoke in a few minutes after I entered. I asked if he had a good night's rest. He said he had not; but had been writing most of the night. He then prepared to go down to breakfast, but afterward concluded not to go; we took our meals with the family; he complained of dizziness and not feeling well. He said he wished he had some morphine to brace him up to go through. I then went and got some; was particular not to get anything I did not know how to use. Could not tell the time. Do not know where I got the morphine; was quite a way down the street, went on account of a walk for exercise; cannot say which side of the street. Got 40 cents worth in a small vial (half the size of her forefinger, as indicated by witness.)

It was in powder. When I went up to his room, I carried up a cup of coffee. Then went to get some fresh water, and am quite positive I had the bottle with me. Went back with the water and he opened the bottle. Think he was sitting in his chair smoking, when I went back. He took a piece of the bottle wrapper, 2 inches long, and knocked out into it, about as much of the powder as would lie in a three cent piece. Asked me if that was too much. Told him it was not; that I had taken double the same quantity at a time, but wouldn't advise him to take any more then. He took, I think a swallow of water first, and then took the powder into his mouth, and spat it out, as I thought. I asked him what that was for. He said it wasn't good for anything; it tasted like chalk. He then turned to throw the bottle on the stand, but it went into the dish of water. He then sat down and drank a cup of coffee. Sat a little while and said he would like another cup of coffee. Have no idea of the time. I asked Harry a prisoner, to go and get another cup of coffee. Mr. Fralick said the coffee was so strong and delicious that it braced him up. Harry got the coffee and Mr. Fralick drank it and then smoked a pipe. He then went to writing. I sat nearby, and did not know what he was writing. It was after breakfast; the family had

breakfast; I had bought oranges while out; he peeled one and ate, and I ate part of it with him. He kept on writing and wrote until 18 minutes to 1 (one). I was close by him and talking to him, and occasionally filled his pipe and lighted it for him. He asked the time, and I looked at my watch, for I had heard that the sheriff would call for him at 2. Previous to that they had called us to dinner; but we did not go.

He said he would lie down and see if he could go to sleep. I insisted upon his having some tea, and sent Harry down to get some tea and toast for him; he was lying on the bed at the time, and I took the tea to him when it was brought—Turned some tea into the saucer to cool it. He drank three or four swallows, but not more. Did not wish any more. I drank the remainder. He laid down again and went to sleep to all appearance. Seemed to sleep very sweetly. Showed symptoms of thirst; asked him if he wanted water; shook his head; I then cut an orange and held it to his lips; said it tasted good. The fragments of the orange are at the sheriff's house. He then went to sleep again and snored; not unusual for him. I sat beside the bed and had hold of his hand. I then looked at my watch to see how near the time was for him to leave me. Felt his pulse; do not know what made me do it. It was quarter of 2 o'clock. Pulse was full and regular; still sleeping, to all appearance. Sheriff Hosmer came in shortly after that, and I said "Sheriff, don't disturb him just yet, he is sleeping." The Sheriff stood a moment, and he (Fralick) commenced snoring very hard and loud. Don't know the exact words of the Sheriff; he stepped up to the bed and tried to arouse him. That is all I can tell. The last I remember, they took me from the room. He was 45 years old. We had been married 23 years; knew him two years before. Sheriff Hosmer asked me what I had been doing. I told him "nothing; it is a broken heart; he is crushed." I have been with him except when I went down to the sink to get some water. He was in the cell on the gallery. I was not gone over three minutes. Took the dish of water, two quarts, with the bottle and orange peelings in it, threw it under the sink, and heard the bottle strike. Was particular to rinse the dish. Mr. Fralick was not in the habit of taking morphine.

Doctor had given it when he was sick. He did not take stimulants during the trial. He did not take any more that I have described. Am certain I had the bottle of morphine in my hand when I got the water the first time. Package never had been opened. While he was writing he told me what I should do. He intimated nothing about taking the morphine to end his life; if he had, I should not have got it for him. I told him after Bennett's trial was over I would get a petition and have him restored to me. He said he did not want a petition drawn up, or anything of the kind. When he took the cork from the bottle he was standing. Will not be positive whether he asked for the bottle. It was after 8 o'clock when he took the morphine. I drank tea and coffee with him, to please

him, at his request. Don't know what became of the writings; did not read them. He said they were letters he was going to give to Sheriff Hosmer. [The Sheriff presented the paper, and the hand writing was identified by the witness as that of Fralick.] I had no knowledge or intimation of what he designed to do. He said he never would enter the prison walls, if they brought in a verdict against him. Did not say what he would do. This was on the day the case was submitted to the jury. Said he thought it was a conspiracy, putting him on trial first. We did not think the case would go against him. He said if it did, he would never be subjected to any such humiliation. I went to his room with him Friday evening after the jury came in. Staid half an hour with him alone. He said the die was cast—he was a doomed man. I thought he was excited and excessively nervous. He was a man of pride and spirit, and felt humiliated and crushed, as any gentleman would. Advised him not to be discouraged, that we might get it fixed. He said he would accept no fixing, after being so disgraced.

That night, when I left him, he gave me his pocket book and watch. I wanted to remain with him that night, but it could not be granted. He invoked Almighty God to look down upon and care for me, and protect me with his blessing. Everything is like a dream to me, but I have stated everything as accurately as I can recall it to mind.

Sheriff J. G. Hosmer, am sheriff. Discovered paper marked No. 1, inside a pictorial paper, on Fralick's cot, on Saturday, at about 3 o'clock, after we removed him from the cell. Found Fralick on his back, snoring like a man in heavy sleep. Shook him. Did not wake up.

District Attorney Mills then read the letter marked No. 1 as follows:

Fralick's Letter to his Wife

AUBURN May 31, 1872

My Dear and Beloved Wife;

I must now bid you a last and final adieu. I have struggled long against misfortune, and battled most earnestly and faithfully in the struggle of life. But now it is all over. I am resigned unto death, but cannot become reconciled to a felon's cell. I am wholly innocent of the charges on which I have been convicted. I know nothing about the origin of the fire for which I am convicted, and sentenced to worse than death, and I solemnly

believe all parties charged with me, to be guiltless; but I do not cherish the least feeling of unkindness to anyone.

The whole of this misfortune was brought about by Francis P. Vedder and his sons, who, as the accounts on the books and other circumstances conclusively show, had been engaged in embezzling money between the branch and home stores, and F. P. Vedder at the time of the fire, attempted to put the books out of the way, to prevent detection by a comparison of the books of the stores, which he did as it now appears, by sending them to Auburn, and swearing they were burned up; in which he was detected and compelled by the insurance interest, to swear to the unreasonable falsehoods he has testified to.

His sons joined him in falsehood, believing that it was necessary to do so to save their father and themselves from prosecution.

But I have now done with it all, and leave them to their own reflections and our God; and all those who joined them in this fearful raid against me I forgive. Could I have had the benefit of Bennett's books in the trial I think I could have shown my innocence; but I could not procure them. You know too well, my dear wife, how I was situated—locked up, without friends or money to aid me. So now the great struggle of life is over. When you read this, my spirit shall have passed from this tenement to the presence of my God. I wish to be consigned to the coffin in the wearing apparel as you find me. I would suggest that you put my body in the public vault, in case you cannot decide where to bury my remains. I have no choice, but you may have, and therefore do not decide until you have fully settled the matter in your own mind as to what you are to do for a livelihood. All I can say is—be controlled by circumstances. I have already told you more than I can write on that point.

It is painful to me, in my last moments, to think that I must leave you penniless and disgraced. But, my dear wife, you have the consolation of learning from me in my last moments that I am not guilty of the crime for which I lay down my life, rather than live branded with the stamp of infamy.

And oh, dear wife, when you meet my dear mother, tell her that in my last moments my thoughts wander back to her, and the early days of my childhood, when she nourished and cared for me with a mother's love; and my dear brothers and sisters, tell them all to not mourn for me, and that they were included in the thoughts of my last moments.

And oh, dear wife, may they know and feel that I die guiltless, although I am now a convict. And as for our dear Mother Cole, who is now struggling with death, should you see her again in life, remember me to her kindly; and your brothers and sisters, whom I have always regarded as my own—tell them I thought of them in my last moments; tell them all that when all interest to me in things of earth and life had passed away, that my last act was to protest my innocence before going to my God.

Sheriff Hosmer, I know, will render what assistance you may need in disposing of my body. Settle our bill with him after all is over, and go to your sick mother as soon as possible.

I know, my dear wife, you will feel lonely without me. But fate has decreed that we must part, and you will in the end see that my decision is well taken. So do not condemn me for this last act, for it is not an act of madness or desperation in me, but a choice which circumstance has compelled me to make.

Forget and forgive all my faults. I know I had many; but whatever they may have been, I feel that I have never wronged anyone knowingly.

And now, as I am about to close, I will say that I am calm and composed, and resigned unto death, and will soon devote my remaining moments in earnest prayer and supplication to my God, in which your welfare and happiness will commingle in my last moments, and I can now only say, in addition to what I have already said—I am innocent. May God guide and protect you, is the last earnest wish of your devoted and dying husband.

Adam Fralick

P.S.—Go to as little expense as possible in disposing of my remains, as you want every cent you have, in this, your fearfully trying hour, and I will again say, consign me to the coffin in my apparel as you find me.

Mr. Fields recalled. Found papers marked No. 2 on the bed in cell, after Fralick was taken out. This paper was read by the District Attorney, as follows:

Fralick's Statements.

AUBURN, June 1st, 1872.

As I am about to close my earthly career, I feel it my duty to write a few words in expression of the manner in which I have been treated in the trial, the result of which is well known, and under the circumstances, nothing better could have been expected.

I have been deceived and deluded from the first. I had been told that, situated as I was, locked up without friends or money to aid me, that I should have the benefit of Bennett's trial, who had his liberty and means to defend, had a full knowledge of the case.

The witnesses in the defence were principally men who were in his employ at the time of the fire. I did not know their names or whereabouts. In fact, I know nothing about the case. My counsel had deserted me, of which fact I was wholly ignorant up to the time of the commencement of the suit, and was then informed by the prosecution that I need not expect any assistance or service from my former counsel.

I then had reason to hope that under the circumstances, I should get the full benefit of Bennett's trial, who was prepared to defend his case successfully. It is true that one of the many counsel he had in his employ, was not present. But still he had counsel present who understood the case, while I was wholly unprepared, for I had hoped that the Court would protect me. Such protection I was denied, forced to trial, worse than helpless. Could I have had the benefit of Bennett's books, that alone would have saved me; but that we were unable to do, as his bookkeeper could not be found, and Bennett was debarred from the witness stand. Bennett could use them in his case, and they will clear up everything, and my counsel could not be expected to defend on the true merits of the case; and for this fearful disaster to me, Francis P. Vedder and his sons are responsible.

The evidence in the case shows that he and his sons were engaged in embezzling money from the Branch stores to the Home store in which his only protection was to get the books of the Branch or Home stores out of the way, which it was shown that he did by sending them to Auburn, and then swore that they were burned and repeated it up to the time when he was contradicted on the stand by Nye, which proved that he had been swearing falsely throughout, and States prison stared him in the face for perjury. Since then his course is well known, and his boys are with him. But it must be borne in mind

when Nye's testimony came out, his (Vedder's ?) sons left for Canada, but returned on receiving a telegraph dispatch from Mitchell, the counsel for the insurance interest.

But enough. Many other important points were not in the case, were overlooked after the evidence appeared.

I find no fault with the jury, and could I have had a suspension of judgment until after the evidence of Bennett's case had made its appearance on his trial, then I would have been able, with the facts which must be developed, to show that I was entitled to a new trial and an acquittal. But all this was denied me, and I stand convicted and sentenced for a crime that I know nothing about. I say before God whom I soon expect to meet in Judgment, that I know nothing about it. But the die is cast, and all is over, and I have done with life, and I wish to say with my last dying words, that I am not guilty, and I solemnly believe that all the parties charged with me are entirely innocent of the crime of which they are charged.

Adam Fralick.

Henry P. Brown—Am a clerk for Mr. Sutton, druggist. Did not know Mrs. Fralick until I saw her here. Do not remember seeing her Saturday, or any other time before to-day. Do not recollect anyone purchasing morphine at the store.

Drachm bottles of the acetate of morphine usually sell for 75 cents. They are original packages.

Do not know where she obtained the morphine. Arrived at the store at 8 a.m., and remained until noon.

Did not sell morphine on Saturday. Sold on Friday to one of our physicians. Never had any dealing with this lady. Common occurrence for ladies to buy morphine. Do not keep record of sale of morphine—(Was shown wrappers with W. J. Sutton's card.) Could not say whether he had seen them before. Sulplate and soetate of morphine are of the same strength.

Wm. Riley Sworn—Reside in Auburn; am clerk for Drs. Taft Brothers; have been there 10 months; do not know Mrs. Fralick. Am of the opinion I never saw her before today. Did not sell morphine on Friday. Sold on Thursday forenoon, 2 grains, put in paper. Have not sold an original package in a week. Do not keep record of sale of morphine.

Sold an original package on Monday to a lady—an old lady—price 80 cents; paid for; woman 60 years old, grey hair; said she was in the habit of taking morphine. Have sold to her before several times—cannot describe person who purchased on Thursday.

Dr. Briggs sworn—Testified, was called to the jail about 3 p.m., yesterday. Fralick was taken out immediately, and placed on a table in the hall, he was unconscious and insensible; eyes closed; skin dark, breathing slowly and heavily; pupil of the eye contracted; and other indications of a man laboring under a strong narcotic poison; Drs. Dimon, Swift, Fordyce and myself, pumped water into his stomach and opened a temporal artery; at that time he seemed to be dying, and we supposed he was, for a short time; pulse and breathing ceased, his breathing revived in a short time, and the skin became more natural, but no return of consciousness; I then became satisfied that his case was hopeless and made no further effort to revive him; left about 5 p.m., am decidedly of the opinion that he died from an overdose of morphine; the quantity described by Mrs. Fralick, would in some cases—those not accustomed to take it—produce death; would take effect quicker on an empty stomach; manifest itself in about ½ hour; full effect in about an hour; overdose would cause death in from 6 to 36 hours; a 3 cent piece would hold about 1 grain; left the body in charge of Drs. Sanford, Swift and Chase.

Such a dose as described, taken at 9 a.m., would manifest itself and take full effect before 1 p.m.; think he must have had the morphine some 2 hours, when the Sheriff called on him; person would be past help after a large dose, in one hour.

Dr. C. E. Swift sworn—Was called to see Fralick about 20 minutes after 2; was the first physician present; found Fralick in his cell, in very heavy, deep sleep; his pulse was full, and quicker than natural; my impression was he had taken poison; symptoms resembled morphine; Dr. Fordyce came in; he concurred with me; left Fralick in charge of Dr. Fordyce; and went for a stomach pump; pumped; pumped warm water into the stomach and the contents out; should concur with Dr. Briggs testimony; am of the

opinion that he died from an overdose of sulphate of morphine; ordinary dose of morphine is $\frac{1}{2}$ of a grain; was with him until 8 o'clock this morning; a galvanic battery was suggested; Dr. George's was obtained, and kept in use while I remained; Mrs. Fralick was sitting by his side when I went in; asked her what he had taken; she replied "nothing", she seemed to be afraid I would do something to revive him.

Drs. George, Chase, Sanford and Sherman assisted with the battery.

Warren T. Worden sworn—Do not remember the time Mrs. Fralick went down the street; Mrs. Worden and myself went down with her; left Mrs. Fralick before eleven o'clock; think I saw her last at the office; went into the jail between 1 and 2 p.m., with a bundle for Mrs. Fralick; don't remember whether I saw him; Fields requested me to be here to take care of her, when Fralick was taken to the prison; think I spoke to Mrs. Fralick.

He never said to me he would take his life if convicted; in the morning, when I came down here, I took him one side, and said I would not see him again, and it would be a relief to my mind, to know whether he was guilty or not; if guilty, I should not feel so bad about the result; he replied, "I am as innocent as you or the jury who tried me."

Chas. P. Sanford sworn—Am a practicing physician and surgeon; concur with Dr. Briggs testimony; have made a test of some of the contents of Fralick's stomach; morphine dissolves quickly in the stomach. By the test I made I am satisfied that morphine was contained in the solution taken from the stomach; if the contents of the bottle had remained in the dish and some of it drunk by him, it would poison him.

John G. Hosmer recalled—Think Mrs. Fralick returned from the street between 7 $\frac{1}{2}$ and 8 o'clock; when I went to the cell about 2 p.m. to tell Fralick to get ready for going to the prison, found him lying on the cot; eyes fixed; Mrs. Fralick fanning him. She asked if I had come for him now; told her I would be ready as soon as he was; asked what was the matter with him; she replied "he is asleep, poor man, he didn't sleep any all night"; she asked if she should wake him; I replied yes; she took hold of him; put her face down to his; I shook him and called to him; after a little she said; "Mr. Hosmer, he never will wake again in this world." I said, "What have you been doing—what have you given

him?" She replied "nothing; it is of a broken heart"; I then left her and leaning over the gallery, called to Mr. Fields, and I went after a doctor; called Mr. Davie on my way.

She received a telegram in the morning; she made a request to be with him as much as possible, as it was the last time she could talk to him, and requested me to wait until afternoon before removing him to prison. I assented to the request about breakfast time. Mrs. Fralick was very restless Friday night, and she was in a state of great excitement all day yesterday, and was in paroxysms last evening, and did not get quiet until about 2 o'clock this morning. The blue wrapper from a morphine bottle was found in his pocket; the brown paper in his cell.

H. P. Brown, recalled—Person has charge of the store from 7 to 11 a.m. [Testimony unimportant; Evidence closed here, and the room was cleared of spectators, while the jury should decide upon the verdict.]

(Editor's Note—The final column of the newspaper has been cut off and some words cannot be distinguished in the original print.)

The Verdict.

After due deliberation the jury found, as their verdict, that Adam Fralick came to his death "by taking an overdose of morphine, with the purpose of destroying himself."

Disposition of the Remains

The body of Fralick was placed in charge of undertaker Hick (?) until the funeral services, which are to be held at the residence of Warren T. Worden, Esq., after which the remains will be taken by Mrs. Fralick to Little Falls, for internment, her relatives residing in that place, which was her husband's former home.

A Devoted Wife

Mrs. Fralick's devotion to her husband had been of a heroic nature and the disclosure of her suffering in his behalf, as we gain them from a private source, induce their attention here, to the credit of her ____ woman's heart. Accustomed to the comforts and enjoyments offered during the prosperity of her husband, she was obliged to sacrifice everything but her love after this misfortune.

According to the Syracuse papers less than three years ago he supposed to be successfully established in business in that city. The fire, which caused this trouble occurred on the morning of December 27th, 1869, and for twenty months thereafter he was engaged in settling his business affairs. The indictment was found against him for arson, and he was lodged in jail. Being unable to obtain bail, he remained in confinement up to the present time—a period of fourteen months.

Meantime, with no source of revenue for her support and too proud to inform her friends at Little Falls and elsewhere, of her destitution, the devoted wife parted with her elegant furniture, jewelry, etc. to meet the expenses incurred by her husband's trial, and finally was induced to so pitiable a state that she was obligated to deny herself recent food or fire, that she was unable to supply him with the fare to which he had been accustomed before his confinement. He was ignorant of her sacrifices, and did not know when she refused his invitation to share his meals, that she was perishing for the food so generously provided.

And now the bitter end has come, the weight of this terrible affair falls on her already ____ heart, and she alone is left to mourn for him she so nobly served.

Fralick's Past Life

That Fralick's past life was beyond reproach is notorious, that his misdeeds overbalanced the good which he was capable of, _____ known. During the darker time

of the late war with the South, Fralick, his two brothers and _____ named Mosher, were tried in this city before a United States Court, Judge Smalley presiding, the crime of being engaged in bounty jumping, and although Fralick succeeded in getting clear, whose partners were imprisoned for _____ each at Rochester, some of those who sat in his case are thoroughly convinced that he was the mastermind of the affairs of the bounty jumping affair, and the prime mover throughout.

One of their operations was the furnishing of sixty-five recruits towards filling the quota of _____. For these they received bounties varying from \$800 to \$1,800 for recruits, after being paid for, they would desert, return to Fralick and company to be resold to other localities asking large sums of money _____ party, in course of their actions.

The Syracuse Courier says of him:

“Adam Fralick is dead. Whatever his shortcomings may have been, whatever errors he may have committed all now are at an end. He has paid his last debt here, let him rest in peace. Adam was naturally generous to a fault, social in his habits and ever ready to help a friend. Untiring and determined to overcome all obstacles in his way, may have led him to commit errors which under different physical organization would have been otherwise. Now let those who are without sin cast the first stone.

The Convicting Jury

It is perhaps an unusual circumstance to chronicle the inner workings of a jury like that which convicted Fralick, but the information has leaked out that they [were] at one time equally divided in _____ to the guilt of the prisoner, voting seven to five, the majority being in favor of acquittal. It is reported that in twenty minutes after a state of opinion prevailed, the verdict of “Guilty” was decided.
