

## George A. Gardiner

( 18 Mar 1818 – 4 Mar 1854)

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*The National Intelligencer, July 8, 1852*

### **Rearrest of Dr. Gardiner**

The efforts on the part of the United States District Attorney have brought to Washington (in connection with the recent charges against Dr. George A. Gardiner of obtaining money from the Government under the Mexican indemnity act of Congress) several citizens of Mexico, the accused, who was on bail to answer the charge of fraud, was, upon their affidavits, also arrested on Saturday upon a charge of forgery, and, upon being taken before Judge Crawford, in default of bail in the sum of \$20,000 (in addition to the former bail of \$40,000) was committed to jail.

*The National Intelligencer, January 18, 1853*

### **The Gardiner Claim**

Amongst the passengers who arrived at Charleston on Friday in the steamer Isabel from Havana, are Lieut. Hunter and Col. May, of the Commission which was sent to Mexico to ascertain the whereabouts of Dr. Gardiner's silver mine, for the alleged loss of which he recovered several hundred thousand dollars from the Mexican indemnity fund. The Charleston papers state that the alleged mine has no existence, a fact which the Commission is ready to prove by witnesses who have accompanied them from Mexico. Dr. Gardiner stopped at Havana.

*The Evening Star, March 4, 1854*

### **The Conviction and Tragic Death of Dr. George A. Gardiner**

The morning papers have informed this community of the tragic end of George A. Gardiner, full particulars of which will be found in our local columns this afternoon.

We apprehend that there is no question in the minds of any among us, except immediate personal friends of the deceased, as to the justice of the verdict of the jury, who have in this action vindicated the majesty of the law, after a delay of years, though it has been. The present Government of the United, in carrying out the determination of Ex-president Fillmore, to sift this matter to the bottom, deserve the thanks of all who desire to have our public affairs conducted on the principles of integrity which all conceive necessary to be preserved, in transactions between man and man.

Public justice required its punishment and a Washington jury, in the face of the most remarkable efforts on record to screen its ostensible chief perpetrator, declared him guilty on the testimony adduced. We repeat, there cannot be said to be a difference of opinion in this community as to the fact of his guilt. He was sentenced to ten years' imprisonment at hard labor, and died within a few hours after being surrendered into the hands of the United States Marshal's officers, under circumstances which, as far as known, while we are penning this article, warrant the existing public impression that he committed suicide to escape the punishment awarded by the Court.

The circumstances attending his trial, prove him to have been a man of extraordinary nerve and sagacity. One who, had he pursued right paths with the boldness, energy and shrewdness he evinced in committing the devious fraud, and subsequently in defending himself against the prosecution on that account might have been anything in public estimation at which he could reasonably have aimed. His remarkable talents, as developed in the course of the trial, generated for him a sort of public sympathy, which in all civilized countries surrounds men of genius even in the perpetration of crimes. The abiding

good sense of the American public, however will not permit that sentiment to be carried to the extent of forgetting that he has died thus tragically in a cause at which the minds of honest men should revolt.

We are free to confess, that we hope that all the means to that end at the command of the Government will now be directed to the unraveling of the whole history of the Gardiner fraud transactions, so far as persons of nominal high standing, who were connected with the original obtainment of the money from the Treasury, who have not yet been formally prosecuted, may have been directly or even indirectly involved in the affair. We are not among those who can believe that lawyers of great experience, and with intellects admitted (on account of what they had previously achieved in other cases) to be of the very first order, could have managed the Gardiner claim for years, without, to a greater or less extent, obtaining knowledge of its true character. The ends of public justice require, if there be laws which may authorize such an investigation that all such persons implicate in the original case be prosecuted to the end. Their turn comes next. The mere reclamation of the portion of the fraudulently obtained money, which has been enjoined in the hands of third parties, we approached, has not been the main object of the Government's proceedings though that follows the verdict rendered yesterday. The main purpose was to make an example of this flagrant transaction. The law's hand has fallen hard, indeed, upon the nominal principal. Those who used him, however, yet go "unwhipt of justice." Shall they escape much longer?

On the Gardiner award \$428,750 was fraudulently abstracted from the Treasury \$238,000 of which has been enjoined—to be probably returned to the Treasury. The deceased Dr. George A. Gardiner, also drew from the Treasury \$153,000 on the claim of Dr. H. Mears, \$83,000 of which went directly to his own endowment. Mears, who is in Mexico, having been indicted, boldly admits that his claim was a shameless fraud, and unblushingly defies the Government of the United States there being no extradition convention of treaty between the two governments, under which he can be demanded of Mexico for trial under indictment in this country.

*The National Intelligencer, March 6, 1854*

### **Funeral of Gardiner**

The funeral of the above whose tragic termination of life has been the topic of conversation since Saturday took place yesterday afternoon, and was attended by a large number of the friends of the deceased, male and female, there being fifteen hacks filled with mourners which followed the hearse. The body was interred in a vault of the Congressional burial ground. There was a large number of spectators present on the arrival of the funeral cortege, some of whom, we are informed, behaved with a great deal of rudeness--surrounding the hearse and peeping impudently into the faces of the female mourners. Although possibly this was done with no ill feeling, but from a natural instinct of curiosity, yet considering the tragic circumstances attendant upon the event, some regard to the feelings of the friends of the deceased ought to have been evinced. Whatever may have been the guilt of the deceased the sad termination ought to throw a veil of oblivion over the past. "Requiescat in pace."

From the circumstance that the deceased was about to be married to a young lady of our city, with whom he was seen at church on Thursday last, attendant upon a religious ceremony that took place there, the gossips have spread abroad all sorts of idle rumors. One of them is that the young lady had likewise take poison, a report for which there was not the slightest foundation, although, as a matter of course, the shock caused by the sad event has been very great to her. This was to be expected, for Gardiner's friends were pretty confident of his non-conviction, and he himself, on the day above mentioned, appeared in high spirits.

We omitted mentioning that his brother, John Charles Gardiner, and lady were present at the funeral. It took place from a dwelling on F street where the deceased boarded and whither the body had been conveyed, as mentioned in Saturday's "Star" after the post mortem examination.

*Proctor's Washington and Environs, pp. 324-325*

A case with a very dramatic ending was that of Dr. George A. Gardiner, a local dentist, accused in 1853 of forgery. At the close of the Mexican War, the story is related, and in accordance with the treat of Guadalupe Hildago, the United States assumed the payment of the claims of her citizens against Mexico, and a board of commissioners was appointed to examine and decide on such claims.

"Among others who appeared before them," according to the "Reminiscences" of the late Judge Walter S. Cox, "was a Dr. Gardiner, who claimed a large amount of damages for having been expelled from the ownership of a valuable silver mine in Mexico and broken up in his business. He actually obtained an aware of some \$400,000 or \$500,000, and received the money from the Treasury. It was afterward discovered that the whole thing was a fraud, and he was indicted and tried in the Criminal Court. Mr. Henry May, who was specially employed to assist the district attorney, then Mr. Fendall, Maj. Mordecai of the Engineer Corps, and perhaps one other, was sent to Mexico to investigate. They found that the mine was a myth, and there were forged title papers in the Mexican land office, artificially stained to give them the appearance of age, and other evidence of the fraud.

"All this evidence was presented to the jury. A Mexican judge was brought on to testify as a witness. In the course of the trial one of the most important documents disappeared from the trial table under the very eyes of counsel, and no one doubted that Dr. Gardiner had spirited it away, though it was not proved. The jury found him guilty. He was seen to put something into his mouth. He was carried at once over to the jail, and in less than 30 minutes was a dead man. He had swallowed poison--strychnine, it was supposed--as soon as the verdict was rendered. He was a bold swindler when the indictment was found he came boldly over from Europe, where he then was, to stand his trial, and was so ingenious that his counsel, Messrs. Bradley & Carlisle, were completely deceived by him. A considerable part of the money he received was traced and recovered by equity proceedings."

Mr. L.A. Gobright, a celebrated newspaper correspondent who passed away several decades ago, in speaking of this case in the trained style of the newspaper writer, says: "The jurors having returned to the court room, their countenances were intently watched by everyone, in order to ascertain, if possible, in advance of the formal announcement, the result of their conference.

"The jurors, having taken their seats, were asked, in the usual manner, whether they had agreed upon their verdict. An affirmative answer was given in such a tone of solemnity that its character was known to all in that dense assembly. The counsel for Gardiner asked that the jury be polled, when, in response to the question: 'Guilty, or not guilty?' every one of them answered, 'Guilty.'

"Dr. Gardiner stood during these interesting proceedings his countenance became paler and paler as the answers were severally given. He cherished hopes of an acquittal, or that the jury would not be unanimous, until the twelfth juror had responded.

"That last answer seemed to shatter him completely. His face became deadly pale, with a blue tinge about his mouth, and this appearance strongly contrasted with that of his large, dark, and glaring eyes. He staggered to his seat, a pitiable object to all spectators. Some minutes having elapsed, and after putting into his mouth what was supposed to be a small piece of tobacco, he asked for a glass of water, which evidently afforded partial relief to his intense agony. Soon the order was given by the court to conduct him back to the jail. He had not been there more than half an hour before he was seized with spasms, which soon resulted in his death. He had taken strychnine in the court room, the effect having been deferred, owing to its being enclosed in a piece of paper, which he had swallowed with the drug."