HOLDING FAST TO THE LAW.

A SHARP DEBATE ABOUT EVIDENCE IN DE WITT TALMAGE'S TRIAL.

Moderator Ludlow Decides to Apply the Common Law Rules, and Dr. Van Dyke Gives Notice of Protest—Testimony About Dr. Talmage and the Christian at Work.

At about twenty minutes past 3 yesterday afternoon, when Moderator Ludlow's gravel fell in the Second Presbyterian Church in Brooklyn, the fifty Presbyters who are trying the Rev. T. De Witt Talmage on charges of falsehood and deceit were in their reserved seats in the centre part of the house, and all about them was a parterre of millinery, which was kept in restless motion as the trial grew interesting. The gallery rail was fringed on two sides of the rectangle with women's faces. The throng, however, was greatly diminished by the doorkeepers, who closed the inside doors after the seats on the inside were apparently filled. The outside doors remained open, and the throng struggled within sight of the Presbyters, the noise made causing so much confusion that threats of holding the session with closed doors began to be freely made. The clerk read his minutes from a tiny note book, and then the Moderator announced the order that he had given, so as to diminish the throng.

Clerk Greene said that it cost from $30 to $40 a day to run the trial, and $5 a day more for extra janitors.

The Moderator said he had made the rule in the interest of the public, as it would prevent what otherwise seemed inevitable, namely, the sitting with closed doors. One brother asked if it hadn't occurred to any of the brethren that they could have the police guard the entrances. "Who's to pay for it?" asked another.

In the rear of the Presbyters sat a large number of visiting clergymen, and in one corner of the room was a party of lawyers.

Mr. Eliphalet Remington's examination as a witness was continued. The Rev. Arthur Crosby conducted the examination, reading most of his questions from a note book. A leading question, one referring to hearsay testimony, or to the witnesses' opinions, instantly brought one or the other of Dr. Talmage's counsel to his feet with uplifted finger and an objection.

Mr. Remington is middle-aged, with bright and piercing brown eyes, black whiskers, turning gray, and black hair. Continuing his testimony as to Dr. Talmage's leaving the *Christian at Work*, he said:

"I never wrote to Dr. Talmage in the fall of 1876 asking him not to go. I said that unless he would be satisfied with a much smaller salary, which I really was paying, he might as well write his valedictory. I told him that the expense upon me was greater than I could bear, and I could not continue to sustain the expenses alone. I told him that he had not enlisted any of his friends in the support of the paper, as I had hoped, and my adopting his suggestion in getting Mr. B. B. Corwin as publisher and his (Dr. Talmage's) failure to comply with the condition he named at the time had increased my burden." (Mr. Remington testified on Tuesday that Dr. Talmage said that if Mr. Corwin did not make the paper successful Dr. Talmage would serve the *Christian at Work* a year for nothing.)

Q.—Had you any reason to suppose that Dr. Talmage was not going to leave in the fall. A.—I had. The publisher whom we had engaged at Dr. Talmage's suggestion had made shortly prior to his leaving the paper—had made or attempted to make—a five years' lease of premises to be occupied for the publication of the paper. That was in the spring of 1876. I received a circular from Mr. Dickinson—a circular for the new year—containing Dr. Talmage's name as one of the editors, and referring me to what Dr. Talmage had written to me from Montreal. I wrote to Mr. Dickinson to see Dr. Talmage, so that we would not be making promises we could not fulfil, and I wanted to see if Dr. Talmage designed to remain the editor. Mr. Dickinson wrote me that he had seen Dr. Talmage, and that Dr. Talmage had no change to suggest. This was in September.

Mr. Crosby offered an interview with Dr. Talmage published in a New York paper on Oct. 12, 1876, in which certain averments were made by Dr. Talmage, and then followed by a denial of this, and similar interviews, from Dr. Talmage. Mr. Crosby said he offered the interview as prima facie evidence that Dr. Talmage made the averments in it so as to throw upon him the burden of proof that he did not make them, or at least to elicit from him a direct denial under oath. Dr. Talmage should say that he did not make these averments, or did not authorize their publication, else he would stand before the world as having acted in a dishonorable and deceitful manner. Mr. Ludlow said that the application of the rules of evidence, which obtain in the civil courts, would get the Presbytery into inextricable confusion. This course might be in the interest of the defence, but it certainly was not in the interest of the truth. The rules of evidence were not made for such a case as this. There was no such crime as falsehood and deceit known to the law. The desire of the Presbytery was to get at the facts, and the members could judge of the relevancy of the evidence after it was introduced, as well as the opposing counsel could determine the fact before it was admitted. He offered three newspaper reports of interviews with Dr. Talmage, published respectively in the *World*, *Eagle*, and *Tribune*, on Oct. 12, 14, and 17, 1876.

Dr. Spear said the proposal was novel. He looked upon it almost as a joke, very much like that of the other counsel for the prosecution (Mr. McCullagh) when he asked: "Can an accused party ask that the indictment against him be quashed?" That was a joke, too. [Laughter.] The rules of evidence were founded on common law, which was founded on the commonsense of ages.

The Moderator said he could not depart from the rules of evidence, which are recognized wherever the English language is spoken. These exclude hearsay testimony. He therefore ruled out the newspaper articles that Mr. Crosby offered.

Mr. Crosby appealed from the Moderator's decision. The Presbytery by a vote of 18 to 11 refused to sustain the appeal. The Moderator then announced his decision as that of the body.

Dr. Van Dyke gave notice that he would to-day present a protest against this action of the Presbytery, and that he would couple the protest with a complaint setting forth his reasons. Dr. Van Dyke subsequently explained that he did this to put himself right on the record, in case there was an appeal to a higher court. "We don't follow the common law," he said to the reporter, "we follow the old Justinian code."

Mr. Remington continued: "The indebtedness of the company was largely increased under Dr. Talmage's editorial management. I frequently spoke with Dr. Talmage relative to the sale of the paper. I made him aware that I desired to sell out the paper. At Dr. Talmage's invitation I went to his house one evening, and there met Mr. Hallock, whom Dr. Talmage said he desired to have me see with reference to the sale of the paper. Dr. Talmage excused the absence of his wife on the ground, as I expected to meet more than one person. We discussed the proposed sale of the paper, the value, &c. The interview occurred in March, 1876, but I could not say positively as to the date, or whether it was before or after Mr. Corwin's withdrawal. Mr. Hallock afterward purchased the paper. The sale was consummated on Oct. 12, 1876. The paper could not have been legally sold without the consent of the trustees, and that consent was obtained on the day of the sale, or just before. I had no reason to suppose that the sale of the paper to Mr. Hallock would prove displeasing to Dr. Talmage. I had the contrary feeling. Mr. Hallock expected that Dr. Talmage would remain.

Dr. Ludlow—Was that negotiation made on the assumption that Dr. Talmage understood? Mr. Remington—Dr. Talmage said that he expected that Dr. Talmage would remain.

Mr. Crosby said he would prove that Dr. Talmage knew of this negotiation between Mr. Remington and Mr. Hallock.

Mr. Remington—I did not attempt to sell Mr. Talmage's services with the paper. I asked Mr. Hallock if the sale of the paper depended on Dr. Talmage's remaining with the paper, and he said that it did not. I could not have sold his services. The arrangement then existing was that the engagement could be terminated on thirty days' notice by either party. There was no attempt to sell the paper surreptitiously, or without Mr. Talmage's knowledge. I received this notice from Dr. Talmage of his withdrawal from the *Christian at Work*:

BROOKLYN, Oct. 5, 1876.

E. Remington, Esq.

DEAR SIR: I take this opportunity of respectfully informing you that my relations with the *Christian at Work* will cease one month from to-day.

Yours, &c., T. DE WITT TALMAGE.

The letter was postmarked New York, Oct. 9, 12 P. M.

Dr. Spear, at the outset of the cross-examination, said it was not his habit to "bulldoze" men, but it was his habit to speak strongly, and he wished to apologize to the witness in advance for anything that might follow.

Mr. Remington testified, in response to Dr. Spear's questions, that he lived in Bton, N. Y., his home being between 200 and 300 miles from Brooklyn. He quitted his home on Wednesday last, and came to New York and Brooklyn.

"Who pays your expenses incidental to the journey?" asked Dr. Spear.

"I pay my own expenses," said Mr. Remington.

Mr. Remington added that he had had some correspondence with the Rev. Arthur Crosby, before coming to the city, about the charges against Dr. Talmage. He had an interview, by appointment, with Mr. Crosby in the office of Mr. Henry Dickinson, in this city. Mr. Crosby had a memorandum book in which he had some questions, and the witness responded.

Q.—Have you been in the habit of speaking disparagingly of Dr. Talmage? A.—If it was disparagingly to say that Dr. Talmage did me and those connected with me a great wrong, I so spoke of him. I spoke so to the Rev. John Parker and others. I have no dislike toward Dr. Talmage, so far as any feeling of bitterness toward him goes. My mind is in a state of moral disuke toward him. I did not go to see Dr. Talmage after he left, because I thought that he had wronged me in such a manner that I was relieved from the obligation of going to see him. I did not wish to come in contact with Dr. Talmage, because of the manner in which he left the paper. I have not sought to see him since. I regarded Dr. Talmage's retirement as calculated to do injury both to me and to the paper.

Q.—Did you, before his leaving the paper, try to get any other minister or ministers to take hold of the paper, and if you did so, did you make that effort known to Dr. Talmage? A.—I do not remember that any effort was made to secure any one to take Dr. Talmage's place.

Dr. Spear—I, might say "surreptitiously," "clandestinely," did you secretly try to do that thing without his knowledge?

Mr. Remington (after a long pause)—There was an interview had with Dr. Taylor, with a view of having him take a position on the paper in the event of Dr. Talmage's not remaining. I did not make this known to Dr. Talmage. Parties by my seeking made examination of the condition of the paper with reference to purchasing it. I did not make this known particularly, but Dr. Talmage knew that there was an effort being made to sell the paper. He was a stockholder. The capital stock was $40,000, and the paid up stock was $20,000. I owned one-half of that stock. As to the prominent employees on the paper there were Mr. Hawley, the secretary; Mr. Bright, the managing editor; Mr. Corwin, as publisher; Mr. Conkling. Alfred Taylor was employed in some capacity. I don't remember the names of those in the mechanical department. My own business then was the manufacture of firearms, agricultural implements, and sewing machines. There was a Mr. Alonzo Alford in my employ. He was a salesman in New York, and I talked with him confidentially about the paper. I do not recollect that I requested the Rev. Mr. Taylor to get a purchaser of the paper before Dr. Talmage left the paper. There were no negotiations pending on Oct. 9, 1876, the day Dr. Talmage left the paper, with reference to the purchase of the paper. I considered the sale then to have been made practically. An advertisement was published by Mr. Alford, with my consent, announcing the paper for sale. I think it was in the leading papers of the city. I identify the advertisement shown me in the *Herald* of July 13, 1876, as one of the advertisements. (It was signed A. L. Ford, and the name of the paper was not given.) I saw that the name A. L. Ford was a disguised name —I did not see it in the character of a fraud. I did not see the advertisement before it was put in the paper.

"You can read?" asked Dr. Spear.

"I can," said Mr. Remington.

"You saw that the name A. L. Ford was a false one?"

"It was a false name with no intention of fraud," said the witness.

"Why did you consent to the continuance of the disguise?"

"Because I thought it would not do any harm."

The examination was suspended at 5:59 P. M.

The Rev. Mr. Halsey then urged a motion to sit throughout the rest of the trial with closed doors. "This thing is costing us about $40 a day," said Mr. Halsey, "and if it will shorten it any I will say take three hours three times a day. I want to see this trial ended and Dr. Talmage going home with flying colors, as I hope he will, and that he will go to work as he never has done before."

Dr. Van Dyke offered a resolution that during the taking of testimony the Presbytery sit with closed doors, excluding all the Presbyters, reporters, the family of Dr. Talmage, and his session in attendance.

Dr. Spear said that the hearts of Dr. Talmage's friends were throbbing with interest. This was a crisis in his career, and they prayed to be heard by him, and their sensibilities ought to be treated tenderly. "If you shut the doors," added Dr. Spear, "you shut out weeping hearts and anxious minds." [Applause.]

A Brother—There you have it.

Dr. Spear added that the Presbytery could not do a more unwise thing unless the Presbytery wished to bring down upon itself the indignation of a protesting community.

Dr. Van Dyke said that his mind had been diverted from the testimony the day before because of the surroundings.

Both motions were withdrawn at Dr. Spear's request, the notification to the public of what the Presbytery would do unless there was good order being deemed sufficient.

WHAT ADVERTISING DOES.

The Crush in Richard Meares & Co.'s Scorched Store in Sixth Avenue.

After the fire in Richard Meares & Co.'s dry goods store, at Sixth avenue and Nineteenth street, on Wednesday last, the establishment was closed until Monday, and the proprietors found that much of their stock, although damaged in appearance by water and fire, was salable. An advertisement was inserted in THE SUN of Sunday that the doors would be opened on Monday morning. Those doors were early blockaded by women hurrying to secure bargains. Some police officers had their hands full in keeping the throng in order. Once inside, it was almost impossible to get out. On Tuesday Mr. Meares again announced in THE SUN that he had engaged a hundred extra clerks, and that the store would be open from 10 A. M. to 5 P. M. The salesmen did not have time to go away for dinner, and small boys ran back and forth at midday with trays of refreshments. Yesterday morning, to facilitate business, a card was put on the wire gates, which were closed and locked, before the store entrances, reading: "Open every ten minutes." At 8 A. M. women were waiting until the gates should be opened, two hours later, and before 10 arrived the sidewalk was blocked so that pedestrians had to go into the gutter to get past. When the women had jammed in at the doorway, assisted by an officer, who could not prevent their attempts to push past each other, the wire gates were closed. Immediately a new gathering began on the outside, and richly dressed women peered in enviously at their luckier sisters. No one could return by the doors through which she entered, but all were directed to the basement, where a passage led up to Nineteenth street. The rush continued all day yesterday. Mr. Meares had got fifty more extra clerks at work. The store is to be kept open until all the goods are sold, and then the proprietors are to renovate it for the spring trade.

Aitken, Son & Co.

The opening of Aitken, Son & Co., yesterday, drew a large number of ladies of the fastidious and choice class of buyers to the underground millinery parlor of the house, where the bonnets and hats were displayed. The customers of this truly fashionable house do not know the meaning of the words "hard times." From an early hour until the close of the day a throng of velvet and satin robed, plumed and jewelled decked women thronged the store, to look at, admire, and buy the "loves of bonnets" on exhibition.

A great deal of Breton lace, in the form of scarfs, strings, and sashes in the way of neatness and fine conquets of flowers, is seen on Aitkens's bonnets. The brims are for the most part large and flaring, and these were evidently preferred by the purchasers. Two bonnets have the lace of the crown completely covered, one with the starlike flowers of purple and white asters, and the other with pale pink echaline blooms sewed flat on the crown, and the Breton lace scarfs form the draperies and strings, and large chrysanthemums and roses fasten down the same on the side or front of the crown. Marabout tipped feathers, white and dove, suggest the brims, so delicate strand of the feathery fringe being tipped with white mastic dots, or the tiny tips of impeyan bird neck and head feathers, or with gold or silver points.

The mastic effects are found in the ribbons that trim many of the bonnets at Aitkens', and in many cases the ribbon is composed of mosaic woven silken fabric, with gold and silver metallic effects. The mixture of gold and silver threads in the wool gives a brilliant effect for evening wear, and when mingled with either black or white lace, with gold thread embroidery, the effect is very beautiful. But such bonnets are, of course, only suitable for evening wear.

J. & C. Johnston.

The exposition of Paris dresses and wraps connections, from Pingat's and Worth's establishments, by J. & C. Johnston, this week, is attended by large numbers of fashionable women from day to day. The black silk costumes from both these noted Parisian *couturiers* are at once elegant, artistic, and practical. They are frenchy enough for any woman's fancy, and American enough to suit the most exacting New York sticker for quietness of conservative effects. The use of jet, satin, corduroy velvet, lace, and passementeries is admirably adapted to the new style of cut and drapery. Panniers or puffed drapery appear on all these dresses. They are all trained or demi-trained, marking their use for house and carriage wear.

In short walking dresses are seen some very novel costumes of dark blue camels hair and satin, and camels' hair and corduroy velvet, at very reasonable prices. The new wraps are mostly short jack mantles or shoulder capes, with long, mantua-like coils in front, and trimmed with jet passementeries, jet fringes, and black lace side pleatings. A tewin *large* color tones are trimmed with amber bead embroideries and passementeries, and fringes to match.

The millinery display is rich, elegant, practical, and in the most admirable variety. The bonnets and hats trimmed by Johnston's own artists vie with the imported ones in taste and elegance.

Accepting an Offender's Promise.

Capt. Byrnes of the Mercer street police arrested William Burke, alias Baker, after A. T. Stewart's remains were stolen, but the Grand Jury declined to indict the prisoner. Then Capt. Byrnes learned that Burke forged a check upon the West Side Bank for $178 last fall, and for this offence an indictment was obtained. Burke pleaded guilty. In the General Sessions yesterday, Judge Cowing said: "Your past life is so dark that you cannot appeal to my clemency on the ground that this is your first offence. But many gentlemen, including several ministers, and ladies have called upon me to intercede in your behalf. They have assured me that you are repentant, and determined to reform your life after you recover your freedom. I find that I am running counter to the learned Assistant District Attorney (Mr. Russell) in imposing a punishment but I trust to your profession of a desire to reform, and the assurances that you are in earnest. I therefore sentence you to the penitentiary for one year—the shortest possible term."

SIMON CAMERON'S DEFENCE.

A WIDOW AND THRICE-DIVORCED WIFE HURRYING TO HIS RESCUE.

Averring that it was Conspiracy Against the Aged Senator from its Inception—What Mrs. Henriques Says About Mrs. Oliver.

WASHINGTON, March 26.—In the Oliver-Cameron breach of promise case to-day several witnesses, including an expert, were examined as to the handwriting of Mr. Cameron, all of whom testified that the Bristow letter was written by him, but that they believed the other two letters to be forgeries.

Mrs. Mary A. Henriques was then called and examined by Gen. Butler. She is the lady who has excited much curiosity for several days past on account of the mystery that seemed to surround her. She has been in the court room a short time each day ever since the trial began, but no one seemed to know her or whence she came. Mrs. Henriques testified that she met Mrs. Oliver at the boarding house of Mrs. Howell, in Pennsylvania avenue, in 1875. They occupied the same room for a short time. Mrs. Oliver had previously boarded at the house, and on going South left a large bill unpaid. When she returned the rooms were all occupied, and the witness consented to room with her for a time. While they were companions Mrs. Oliver represented that she was of a fine family in the South, and of excellent standing. At one time she told the witness that she came to Washington to make herself better off. She first represented that she had a cotton claim against the Government that she proposed to collect. Next she said that she was granddaughter of Commodore Stewart, that she had many friends of prominence and influence, and among the number was the Hon. Simon Cameron. She said that she married a gentleman by the name of Oliver, and at the beginning of the late war he left her in an elegant home, surrounded by every luxury, and amid friends. She wrote to him for some time, but he never returned. Later, one day when the nurse had her child out, it was stolen, and that made her frantic. She spent much time in searching for the child, and financial distress overtook her. She said that she made the acquaintance of Mr. Cameron in New Orleans, and when she told him who she was Mr. Cameron said that if she would come to Washington he would interest himself in procuring a position for her. After that Mrs. Oliver received the Bristow letter from Mr. Cameron, and showed it to the witness. At first the witness seemed pleased; laughed and hopped around a little. Mrs. Oliver went out frequently, and when she returned once, after one of these outdoor visits, the witness asked where she had been, and she replied: "Up to see old man Cameron." Witness wanted to know why she wanted there so much, and if her visits had anything to do with securing the appointment. She answered: "Oh, no," but she wanted the public to see her going there, and persons to see her there; then they would think she was Mr. Cameron's mistress, and that he was compromised with her. It was not true, but she wanted the public to think so. The witness wished to know what she expected to gain by this, and Mrs. Oliver said that she would do the boldest thing ever done and make a loud report. She would write letters and blackmail Mr. Cameron. The witness asked what she expected to gain by this proceeding, and Mrs. Oliver replied $500,000. The day following this conversation Mrs. Oliver inquired of the witness if she did not have an attorney, and she replied that she did have. Mrs. Oliver wished to see him, as she was going to sue him, and that she invited Mrs. Oliver to accompany her. She told the witness that her object in consulting counsel was to obtain a divorce from her husband, who had deserted her. They went to the office of Mr. R. S. Davis, where Mrs. Oliver related her story, and the interpreting said that she would call again. While crossing with the witness, Mrs. Oliver was out a great deal nights, but witness did not know where. In the conversation about the mode of operating with Mr. Cameron, Mrs. Oliver spoke of the different plans available with different men.

The two alleged forged letters were here shown.

Witness had paper like that and it resembled some she once owned, and which was in the room when Mrs. Oliver occupied it with her. At that time Mrs. Oliver did a great deal of writing, and told Mrs. Oliver she was concerned upon this matter, that if she did blackmail Mr. Cameron and a trial resulted from it, if she were anywhere near at the time she would appear and testify to what Mrs. Oliver had said of such an intention. She now resided in San Francisco, with her child, and if she knew when the trial was set, and came here in response to a telegram from Gen. Butler.

Mrs. Henriques was cross-examined by Mr. Peters. She said she was born in Maine, and was 15 years old when she left there and removed with her husband to Philadelphia. Her first husband's name was Geo. M. French. Her maiden name was Mary Alice Pratt. Mr. French is still living, but she was divorced some time ago upon her own application. She married here Mr. Goingdike in Chicago, and she died in 1865. On April 18, 1868, she married Josiah A. Sample in Chicago. They lived in that city until the January following, when he took her to Mobile on account of her health. She lived there until the last of April, 1871, when they went to the Warm Springs, N. C. Witness here went to Springfield, Mass., to get her mother, and, after a flying trip to Chicago, returned to the Warm Springs. In October, 1874, she came to this city and rented house 1,321 New York avenue, and lived in it until March, 1875, when she went to Baltimore, where she remained three some weeks, and then returned to the Warm Springs. Mr. Sample is now living in New York. She was divorced from him, and came by the name of Henriques honorably. She ought to have in her possession the contract of separation between him and her husband, made at Warm Springs before the divorce was obtained, but had mislaid it. She finally went to Raleigh and entered suit for divorce from him, and he ran away. He came to this city, hired some negroes to testify against her in her absence on the charge of adultery—of which charge she was subsequently shown to be innocent—and obtained a divorce. She married Mr. Henriques in Philadelphia in 1876. They went to California and lived together for a few weeks and then separated. He was still her husband. He was poor, old and an invalid; and as he had advised her at the time of the marriage they mutually and calmly agreed to separate. She thought it rather a bitter pill to be compelled to live with another invalid when she had just been freed by divorce. She first met Henriques during the Centennial. He roomed at her house in Philadelphia at that time. When she was in Springfield, Mass., with a little money left her, she went to San Francisco and bought herself a piece of land, and built a house upon it.

Mr. Peters—Well, madam, who did you get this money from?

Witness—I shall not tell you; it is none of your business.

Mr. Peters—Do you object to telling?

Witness—I came by it honorably, and did not blackmail anybody to get it.

The Court—Well, we will go no further in that direction.

The witness continued at some length, detailing events of her own history, and declared that misfortune had happened her by reason of blackmailing operations. She told Mrs. Oliver that if she delivered Cameron out she knew she had made, and, if it ever came to a trial, she would come into court and testify against her, and she had done so.

At the conclusion of her testimony the court adjourned until to-morrow.

A Theatre Company Enjoined.

POUGHKEEPSIE, March 26.—The New York Criterion Company has played "Whims" here for two nights, and to-night they were billed to play it in Troy. Last night, while the last act was being played, a deputy sheriff arrived from New York and served an injunction on the manager, issued by Judge Donohue, on the application of Mr. Stanley McKenna, forbidding the play, and of the piece all away to night. Manager Mackay had Recorder Robert Wilkinson awakened from his slumbers at midnight, and with him and the deputy sheriff went to Judge Donohue's residence, and advised Mr. Mackay to go before some Supreme Court Judge in Troy and obtain, if possible, a modification of the injunction, and also advised the manager not to play "Whims" in Troy, but to play "Ours" instead, and substitute some other piece until the vexed question is settled. Mr. Mackay left for Troy at 6 to this morning, and the troupe came on at 10:38 A. M. The owner of the copyright claims that the contract was to represent the play in only one town before playing it in New York. The house manager denies. He claims that they were to present it whenever convenient and profitable, and to get to New York as soon as they could get a theatre. The Troy Judge before whom the case was taken decided that he had no jurisdiction.

Amusement Notes.

Mr. A. C. Dacre sails for England to-day (Thursday.)

The "Black Crook" at Niblo's continues to crowd the house nightly.

Mlle. Minnie Hauk will go to Switzerland this summer, as is her usual custom.

Mr. Stanley McKenna's comedy of "Whims" will be produced this evening at the Fifth Avenue Theatre.

The Midgets—Miss Lucia Zarate and Gen Mite—continue to draw large audiences to the Masonic Temple. A special levee on Saturday morning, from 10 to 12.

"Engaged" continues to attract public attention at the Park Theatre, and deserves all the praise it gets. It is admirably acted and admirably set upon the stage, and Mrs. Agnes Booth's *Belinda* is wholly irresistible.

Miss Clara Louise Kellogg will not sail for Europe until the 26th of next month, although it has been stated that she would leave by this week's steamer. Mr Maurice Strakosch has arranged her engagement with Mr Mapleson to last from May 15 to July 15.

"The Little Duke," at Booth's, is attracting excellent houses, and the company has greatly improved from the first representation, and the two very pretty young ladies who assume the principal roles are growing favorites. Their various duets last evening were repeatedly encored.

There will probably be a large attendance of people whose profession is of the stage at the Broadway Theatre to-day to attend the matinee, which will be given with a special view to their accommodation. They will be mostly artists whose company has gracefully inspired from playing in "H. M. S. Pinafore" themselves, but whose professional duties have not admitted of their seeing the phenomenal work before.

[illegible]

Engineer Kidder, Fireman Johnson, and Switchman Davenport Dismissed.

The number of passengers on the elevated railroads yesterday was not appreciably less than on days before the collision on the east side tracks at Forty-second street. After sifting the matter of responsibility for the accident which so narrowly escaped being a calamity, the management of the road has dismissed the engineer, L. F. Kidder, and the fireman, N. O. Johnson, of the locomotive that ran off its track and into collision with the up-bound train, and the switchman, J. J. Davenport. If Davenport had properly attended to his duties, the down train would not have ran off its track; if the fireman, who was driving the locomotive while the engineer was eating his luncheon, had not been negligent, the train would have been stopped before any damage could be done, even after going on the switch; if the engineer had kept an eye on the management of the locomotive, as it is held he ought to have done while passing that point, although the fireman was running it, the train would have been stopped before a collision could have occurred.

General Superintendent Stewart was found in his office yesterday afternoon, just as he was going to visit the scene of the accident for the purpose of getting additional light on some points connected with the collision. He invited the reporter to go with him. They entered the cab of locomotive 101, and the engineer resigned his seat to Mr. Stewart, who explained the action of the vacuum brake and illustrated its working while making the trip to Forty-second street. Between Twenty-third and Thirty-fourth streets he pulled open the valve, and the motor rattled along at a brisk rate.

"We are running at the rate of about twenty-five miles an hour," said Mr. Stewart. "Now watch."

Steam was shut off some little distance before reaching the Thirty-fourth street station, but the speed of the train was hardly diminished. When the locomotive was even with the end of the station platform, the vacuum brake was applied, and the train came to a halt within a distance less than its length. It was stopped in a little more than the distance from where Engineer Kidder's train was from the main track to where it crashed into the up-bound train.

"By letting on the vacuum brake at its full pressure and reversing the engine," said Mr. Stewart, "the train could be stopped so short that the passengers would be thrown from their seats. The down train that collided yesterday stood within a few feet of the misplaced switch; and if either engineer or fireman had been attending to his business, the train would have been stopped almost on the instant—before it had gone one-half the distance to the point where the collision occurred."

Mr. Stewart expressed the opinion that the accident could have happened only through the greatest carelessness on the part of the engineer and fireman of the down train.

At the Forty-second street station the switches were examined with the view of determining if the accident could have occurred in the manner described by Davenport, when he told his story at the general office. He said that the lever bounded out of its slot after he had put it over, thus slightly opening the switch. Several trials failed to produce the conditions claimed by Davenport. The lever was then raised from the slot, and turned around one-quarter of the distance necessary to throw the switch open to the other side. It was left in this position while a down train ran through the switch, but the train did not leave the track. Thus the switch might have been even further out of place than the switchman claims it was, and the accident would have occurred. It is the opinion of Mr. Stewart that Davenport did not change the switch, at all from the position it was in when the branch train passed through.

David Sutherland, the dispatcher at the Forty-second street station, is not blamed by the management; his responsibility ceased when he flagged the down train half an hour to allow the branch train to get out of the way. It was the conductor's duty to give the signal for starting, and the locomotive driver's duty to disregard that signal if anything was wrong ahead. Sutherland was more severely hurt than Davenport, the latter being bruised only.

Vice-President Guilford said yesterday that the management had decided to adopt President Field's plan of running "shuttle" trains on the Grand Central branch, and that he was inclined to believe that the same plan would be adopted on the Third avenue road. It will be put in operation on the Grand Central branch within a short time—as soon as some necessary alterations in the Forty-second street and the Grand Central stations can be made.

The injured persons are all rapidly recovering. Mrs. Bell, who was injured yesterday, but who were slightly hurt, are J. C. Arnold of 203 Third avenue, and a small boy whose name was not ascertained. Almost any change from the positions of the two trains might have made the accident a frightful one indeed. If the down train had had come one or two seconds sooner, the car instead of the motor would have been struck on the side by the other locomotive, and the result would very likely have been to upset the car and drag the whole train down to the street. In that case the loss of life would have been great. Even if the train had not been thrown to the street the side of the car would probably have been crushed in and lives sacrificed. Again, if the up train had been a second or two later it would have caught the other train on the switch and dragged it off the track, and matters must have been much more serious than they were. It is reported that suits will be brought against the company by some of those who were injured.

Since the accident the management of the New York elevated road has been poring over the figures of the number of persons carried, and it is claimed that these figures show that the elevated road is less dangerous than a surface road. The road has carried, since its opening, more than fourteen million passengers, and no person has been killed except through his own carelessness.

Lawrence Collin and Henry Martin died yesterday, having been injured while employed on the elevated roads. Collin was injured on the Metropolitan road, near Chambers street, last week, and Martin was hurt on the 17th inst. at the City Hall station.

FAST HORSES FOR NEW YORKERS.

Trotting Stock from the Breeders' Farms Bought at the Kellogg Sale.

Some horses were sold by auction in the American Institute building yesterday that will be heard of again on New York roads; for they were bought in the main for private driving, and were from the breeding farms of Backman, Griswold, Thorne, and Willis. This was the second day of Kellogg & Co.'s sale. The highest price paid was $825 by Foster Dewey, formerly Tweed's private secretary, who bought a handsome six-year-old black gelding by Messenger Duroc, out of a dam by American Star. This horse is said to have trotted a quarter in 38½, and to give promise of becoming very fast. John Webb gave $775 for Pioneer, a Thorndale gelding, aged 5, with Mambrino blood on the dam's side, and a record of 2:33. Pioneer is good looking and has a fine, free gait. Legal, for whom Backman claims a speed of 2:19 in a brief season, went to R. Harrington for $590. He is a bay gelding, 9 years old, sired by Rysdyk's Hambletonian, and, if Carll Burr's opinion is sound, would go a mile in 2:20 after proper training. Auburn, a chestnut filly of 1875, by Irvington, was admired for a pretty turnout around the little track, and was bought by J. T. Barton for $400. B. H. Seaman paid $225 for a span of four-year olds, Lady Westlake and Lady Norwood. Star Medium, by Happy Medium out of an American Star mare, went to Charles A. Hammond at $530. He is a bay gelding, 8 years old, and will probably trot at 2:40 on the road, besides looking well. Belle of Spring Hill, by Dictator (Dexter's brother), 9 years old, and of late driven in a team by Col. West, in Kentucky, was taken by J. D. Brown at $260. She is said to be good for 2:30 on the road for a quarter or half. Her mate, Belle of Long Island, of the same age, but sired by Revenge, and faster, was sold to J. Bacon for $410. She will add life to the roads above the Park this spring. L. H. Bigelow bought Category, a small, unbroken, three-year old by Robert Burns, for $175. Smuggler's three-year-old daughter, Smuggler Belle, closely resembling her sire, brought $315, John Brennan being the purchaser. A Magnolia filly, foaled in 1875, with Hambletonian blood on the other side, was bought by Mr. Reynolds for $250, John Brennan paid $350 for Cassandra, by Thorndale, aged 5, and showing an easy, rapid stride.

Considerable favor was shown by bidders toward young roadsters sired by Messenger Duroc, the sales, in addition to those already noted, being as follows: Lenox, a black gelding, aged 6, record 2:35, to Augustus Graff for $330; a bay gelding, aged 5, to J. W. Godney for $335, as a mate for a horse already owned by Mr. Godney; a five-year-old black gelding, goes at less than three minutes, to Henry Johnson for $415; Middlesex, a three-year-old chestnut gelding, entered for the Breeders' Stakes, to G. H. Bremer for $660; Warner, of the same age, dam Canada Girl, to A. A. Freeman for $185. All of these have Hambletonian blood on the dam side.

The well-known stallion Administrator was sent to the block by his owner, George T. Stevens of Hamilton, N. Y., and sold to Robert Steele of Philadelphia for $2,700. The price was considered low. Administrator is still vigorous, although 16 years old, and as late as last fall trotted a mile in Lexington in 2:27. He is big, shapely, spirited, and dark brown, with a fine head, carried proudly. He sped around the little track as though he knew that he was being admired, while his groom, hanging fast to halter and mane, got a foot to the ground about once every rod. The stallion will probably be sent back to Kentucky and put into Col. Todhunter's stud.

For all Bronchial Affections

Use Ollffie's "Tasteless" Cod Liver Oil, with Lime and Wild Cherry. Sold by all druggists. Depot, 6 Bowery.—*Adv.*

SOME ELECTION EXPENSES.

WHENCE ONE HUNDRED AND SIX THOUSAND DOLLARS CAME.

Even the Women Officeholders Insisting Upon Contributing Toward the Success of Hayes & Co.—The Testimony of Secretary Gorham

WASHINGTON, March 26.—There was richness in the testimony of George C. Gorham to-day before the Senate Committee investigating election frauds. He was not an unwilling witness. He believes in machine politics, and glories in the fact that he last summer and fall got more money out of Republican officeholders for campaign purposes than anybody else ever did. He went about his work systematically. Every officeholder in the United States who received a salary of $1,000 and over a year was requested to contribute one per cent. of his salary. If they did not come down immediately they were reminded that it was their duty to pay promptly, and this failing, they got another notice, to the effect that they were expected to meet their debts of honor. In Pennsylvania, Maryland, Ohio, and New York the Federal officeholders were turned over to the State Republican Committees and bled by them. In all, Gorham collected $106,000, of which $93,000 came from officeholders, and the balance was raised by private subscription in New York city by Eugene Hale. This is independent of the collections made from Federal officers in Pennsylvania, New York, Maryland, and Ohio, who had to pay their assessments to their State Committees.

The Associated Press Report.

Mr. George C. Gorham, late Secretary of the Senate, and Secretary of the National Republican Executive Committee during the Congressional contest of 1878, testified that the feeling in the Committee was unanimous against assessments upon Government employees. It was agreed that all contributions should be voluntary. The witness formulated a circular in May, 1878, which met the approval of the Committee, and was issued by their authority, inviting subscriptions. The entire amount contributed by Federal officeholders was about $93,000, though not all of this was in response to the circulars. Many Government employees contributed without being asked to do so. One per cent. was fixed upon as a guide to the recipient, who else would perhaps be at a loss to know what was a proper sum. It was not considered at all mandatory. In addition to the $93,000 raised from officeholders, &c., $13,000 was collected from sources, making the $106,000 in all, which constituted the whole campaign fund.

The direction given to solicitors was that no lady employed should be asked to subscribe. Two or three lady employees came to the witness and said they were indignant at being excepted, and insisted on contributing. Of course he was too gallant to thwart their wish, and in such cases received their money.

In reply to the question whether these circulars were sent to the employees of navy yards and post offices throughout the country, witness said they were not sent to every officeholder who received $1,000 yearly salary, some of his clerks neglected their duties. The names were taken from the blue book. Of course there were exceptions, such as Cabinet Ministers and foreign Ministers. The request for contributions was responded to more generously than ever before. There only one per cent. on salaries was named against two per cent. in 1876, they received a sum equal to three-quarters of the sum received in 1876. Witness personally knew of no case where an employee had been discharged for non-compliance with the circular request. He had heard it said that a man named Waddell, a Democrat, employed in the Sixth Auditor's office, who was cousin to the commander of the Confederate war steamer Shenandoah, was asked to subscribe and refused, saying he was a Democrat and did not propose to contribute anything to buy a club to beat his own brains out with; and witness had heard that a month afterward Waddell was no longer there.

The $106,000 raised was spent as follows: For telegrams, postage, &c., about $25,000; employees, about $12,000; general expenses, furniture, &c., about $8,000; $54,000 was sent to different States, and $1,500 paid to speakers. Of the balance of $6,000, $300 remained on hand, $5,700 having been lost by the failure of the German American National Bank in which it was deposited.

No contributions were solicited from national banks. Mr. Hale visited New York in September to solicit aid and got from wealthy friends of the cause $13,000. There may have been bankers among the givers. The circulars were sent to employees of the Interior Department instead of solicitors being sent there, in deference to the ascertained wish of Secretary Schurz that solicitors should not be sent to that department. Wherever it was not thought to be disagreeable to the heads of departments, solicitors were employed. Probably $7,000 or $8,000 was subscribed in the Treasury Department. The gentleman who solicited in the Navy Department did not make much headway. The head of the department was away, and Mr. Charles A. Gorham, threw obstructions in the way. Of the $106,000, all but $13,000 came from those in the civil service of the Government. The circulars were addressed to Democrats and Republicans alike. We could not tell a man's politics by the blue book. We could not tell whether a Democrat responded or not unless he wrote an offensive letter.

To Mr. McDonald—Nine thousand dollars was sent to Ohio and $5,000 to Indiana. We were desirous of consulting the proprieties of the matter in