CORTLANDT PARKER'S PLEA.

ON WHAT GROUND HE SAYS BLAIR HAS THE RIGHT TO CLAIM ACQUITTAL.

"Before My God, I am Not Guilty! I Acted in Self-Defence, in Defence of What was Dear and Precious to Me"—Blair's Children in Court—What is a Man's Home?—The Story of a Dying Declaration.

[illegible] Stockton, who is to [illegible] speak in the trial of Joseph [illegible], should finish be[illegible] as he expects to do, the [illegible] to the jury this afternoon. It is not [illegible] Depew's charge will occ[illegible] hour. The anxiety in Montclair and [illegible] in regard to the result is intense. The number of applicants for admission to the court room increases day by day; but after the seats and the back parts of the aisles are full, no more outsiders are admitted by the doorkeepers. The exception to this rule happens when the school girls from the neighboring public schools arrive at about 2 o'clock, after being dismissed from school for the day, with their geographies and arithmetics in their arms, and beguile the doorkeepers into letting them stand huddled together in the forward part of the middle aisle. The air in the room grows very foul in the afternoon, and a visible languor creeps over the audience. Under these circumstances, the fresh faces of the school girls grouped in the middle aisle form a pleasant thing for the eye to rest upon. The gloomy old brown stone court building is surrounded on three sides with well-travelled streets paved with cobble stones, and the windows cannot be opened without admitting noise as well as fresh air. Yesterday Judge Depue ordered that a deputy sheriff should stand in the rear of the room to keep the back windows opened. If the side windows had been kept open, even the jury could not have heard.

Among those seated near the prisoner yesterday was Mr. John Bullard, a director of the Mechanics' National Bank, of which Blair was the paying teller at the time he shot his coachman. Facing the prisoner across the counsel table was Mr. William B. Weeks, son of the late John R. Weeks. Mr. Weeks gathered and arranged the testimony in this case for the defence. He was the first attorney retained by Blair. To the left and in front of the prisoner sat Mr. William A. Torrey, Blair's landlord, who was one of his bondsmen. He has been from the first attentive to the prisoner and his family in court, and when not so engaged gives an eye to the seating and accommodation of the many lady visitors from Montclair. William and Hall Blair, the prisoner's brothers, and Andrew Anguish, his father-in-law, sat in a group. Mrs. William A. Torrey was beside Mrs. Blair and Mrs. Wade, the daughter of Mr. Cearman, one of the prisoner's bondsmen.

Miss Draper, who informed Blair that Armstrong had stopped to get a drink of beer and had afterward lashed his horses, sat behind Mrs. Blair with her mother and sister. The Rev. Dr. Maxwell, rector of the Montclair Episcopal Church, Blair's pastor; the Rev. Dr. Berry of the Montclair Presbyterian Church, and Mr. Henry Clair, manager of the Metropolitan, Park Avenue, and the other hotels belonging to the A. T. Stewart estate, found a seat at the counsel table beside Col. Abeel, the Public Prosecutor.

It was hard for those inside the bar not to notice occasionally the affectionate conduct of the prisoner's two pretty children. Lelia, four years of age, sat for a little while yesterday morning on her father's lap. Her bright golden brown hair was bound with a blue ribbon. She sat still as long as possible, with a determination expressed in her face to be perfectly good. Then she had to find relief in motion. Yesterday morning, while Cortlandt Parker was speaking with fervor of the right which God gives to every man to protect his offspring, Lelia's head was nestled on her father's breast, while with her right hand she was caressing his neck and hair. Soon she gathered herself up and ostentatiously made believe to go to sleep. Then she appeared to wake up, smiling in her father's face. Her next recourse was to nestle down between her father and mother and twine both their hands before her. In half a minute more she was again on her father's lap conferring with Mr. Torrey. The boy displayed a similar uneasiness, but he neither spoke a word nor was noisy in his play.

Cortlandt Parker began to speak at 10:05 o'clock. He is a man of fine carriage, with an aquiline nose, a sanguine complexion, a well-shaped head, fringed at the back with gray hair, and with whitened beard and moustache. He is about 55 years of age, and is a clear and forcible speaker. After he had finished at about 3:15 o'clock yesterday afternoon Attorney-General Stockton, his opponent, after congratulating him upon his address, spoke of a to others as "a remarkably clear analysis of the subject and an effort worthy of Mr. Parker's extended reputation."

Mr. Parker's Speech.

The Hon. Cortlandt Parker, in opening his address for the defence, said: "I shall attempt no flights of oratory. I am going to address myself to the law and the facts in this case, seeking to reach and convince your understanding and not to appeal to your feelings. I do not beg your mercy; I ask for justice. I represent the calm, manly gentleman who has been brought into this unparalleled affliction, when I say he has a conscience in this matter void of offence toward man and to his God. The Prosecutor has told you that he knew from the beginning what must be your verdict. He is mistaken. Not one stain of moral guilt stains the conscience of this man, and, although there were fifty verdicts against him, he would still be able to say, appealing to his Maker, 'Before my God I am not guilty; my hands are not red. It is guilt, not blood, that reddens. I acted under a sense of duty; I acted under the law in self-defence, in defence of all that was dear and precious to me, and upon which was founded my love and my existence.' It is not your fury against a man, that he bears; it is your justice he invokes."

WAS ARMSTRONG A TRESPASSER?

Reviewing the circumstances of the relations between Blair and Armstrong, the speaker said: "Blair was the employer, standing on ground peculiarly his own—what the law calls his castle. The one owed the other obedience, the other owed the employer in turn civility, respect, and self-restraint. The employer had the right to ask all this. Law confines this respect, this civility, to and had, besides, the right to require it in the presence of any of those duties, in essence, of the relations and the immediate departure of the other from his premises. And this without even tender of payment for the interest was to pay by the month, and if during the month the relations ceased by the fault of the employer, no rent and no justice required the payment of any sort of compensation. The position of the hired man is the occupation of the employer. When dismissed from the hiring, he has no right to continue in the occupation of the house or room which constituted a part of his wages. Just as when dismissed from the hiring, he has no right longer to accept wages in money, so when dismissed from the hiring, his right to that portion of the wages which consisted in the right of occupation of the room given him is at an end. From the moment he is dismissed, only allowing him the necessary time to go away, he becomes a trespasser, and the exercise of necessary force to remove him is the duty of the employer. [In support of this claim he cited Smith on Master and Servant, p. 43, and 60 N. Y. Reports (Court of Appeals), p. 221, and referred to the case of the Morris Canal Company agt. Mitchell.] Disobedience, gross and persistent, on the part of an employee, especially if accompanied with insult and opprobrious words and threats, justifies immediate discharge and disentitles the employee to compensation. [See Smith, p. 65.]

THE FIRST PROVOCATION.

"We insist," the counsel continued, "that in each succeeding scene of this dreadful drama the defendant was in the right and the deceased in the wrong. When Mr. Blair went out to remonstrate with the deceased was he not doing just what a perfectly equal right to do and just what he did it in a perfectly legal manner? An intelligent and reliable friend had told him that this man, contrary to his orders, had stopped at a beer saloon, called for and received a glass of beer, drinking it there, near to the railroad station where all the world of Montclair saw him, in a place where this question of temperance and the contrary has been for years one of public dispute and division. He had been told likewise that this man, after thus breaking orders, had driven up the street, lashing the horses violently and cruelly. With this information, what was his right and duty? Certainly it was his duty to go out and remonstrate, and when he did it he did it in a perfectly legal manner, and with the utmost self-restraint, and with more than that of kindness. Few men would have conducted themselves, under these circumstances, in the calm and considerate manner he did.

THE ALLEGED INSULT TO MRS. BLAIR.

"The outrageousness of the conduct of this man is best illustrated by his behavior to Mrs. Blair, when she came out—his application to her of the most opprobrious words known to the English tongue, words which would have excused if not justified great violence, at least of tongue—but they did not provoke it. What epithets were not used? what disobedience was not practised? what insult was not given? and at last came the threat of violence, uttered with violence equal to all previously said to Mr. Blair and his wife. As she stood there, simply saying, 'John, can't you stop this disturbance?' with an oath he replied, 'If you put your foot in this barn, I'll blow yer ——— heads off.' Up to this time no man can say but that Mr. Blair was perfectly in the right. He was right in remonstrating, and in the manner of his doing it; he was right in checking the wicked attack, and for the sake of keeping the man's profanity from his children's ears, saying to him, 'John, stop this swearing.' He was right in view of all these circumstances in discharging the man. He would have been right in refusing to pay him, but he did not do so. He was right in proposing to go to the Justice and leave it to him, and his response to that you will remember was, 'I'll deal with you and your Squire.' He was right again when refused the keys in his quiet persistence in the demand for them. He was perfectly, wonderfully right all through, and the man was as wrong as his employer was right. Armstrong was wrong in every step of the transaction, and caused his death himself by the natural operation of his own violence.

WHY BLAIR WENT FOR HIS PISTOL.

"The next step of Mr. Blair was to get his pistol. Was he wrong in doing so? The man in his employ was raging like a wild beast, and but an instant before had threatened his life. Rosecler, in his imperfect computation of time, speaks as if minutes elapsed between the threat and Blair's going for his pistol, but it was not so, there were but a few seconds. Blair feared the man had on his person the pistol which had been put in his hands to protect the place from burglars. The threat of Armstrong implied that, and such was Blair's belief. Another circumstance was that night was falling. It has been said that he should have gone for a Squire or constable. He did not know where to find either, and could he go away on foot, for that man held possession of the barn, refused to hitch up a horse for him, and threatened to take his life if he entered the barn, and leave his property, his wife and his children at the mercy of that violent, almost lunatic man? Was he bound to do so? Did the law say he should desert his possessions and leave this wild man raging there. As likely as not, had he done so, instead of this dreadful drama, another would have occurred.

"What are we masters and householders for? Why does God give us children and put us in possession of relations in which protection is due from us? Is it that as soon as our authority is defied we shall skulk away and seek protection from the hands of a Squire or constable, where law says, 'You are the protectors, you are the masters. These houses are your castles, and over them you shall exert all power of defence.' Is it the duty of the head of a household to run away when danger threatens his family? Assuredly not."

In support of his propositions, the counsel read from Wharton on Homicide, section 550, and the Pond case, p. 114, of Selected Criminal Cases.

WAS BLAIR DEFENDING HIS HOME?

"A man has a right to have and to carry a pistol. His intent is what may make the carrying of it wrong. The law requires guilty intent before it establishes a crime. There was no wrong in Mr. Blair's intent. He thought the mere knowledge of the fact that he was armed would calm the man, and he would have no more difficulty in getting his possessions. But he did not know John Armstrong when he thought there was anything that would deter him from the most outrageous conduct. John assumed to be master, and his motto was: 'To hell with the Squire.' What is society without the institution of home? and what home could exist if employees within it can assert their occupation as being their own within it, and not the owner of any of those duties, in essence, of the relations, and the immediate departure of the other from its premises. And this without even tender of payment for the interest was to pay by the month, and if during the month the relations ceased by the fault of the employer, no rent and no justice required the payment of any sort of compensation. The position of the hired man is the occupation of the employer. When dismissed from the hiring, he has no right to continue in the occupation of the house or room which constituted a part of his wages. Just as when dismissed from the hiring he has no right longer to accept wages in money, so when dismissed from the hiring, his right to that portion of the wages which consisted in the right of occupation of the room given him is at an end. From the moment he is dismissed, only allowing him the necessary time to go away, he becomes a trespasser, and the exercise of necessary force to remove him is the duty of the employer. [In support of this claim he cited Smith on Master and Servant, p. 43, and 60 N. Y. Reports (Court of Appeals), p. 221, and referred to the case of the Morris Canal Company agt. Mitchell.] Disobedience, gross and persistent, on the part of an employee, especially if accompanied with insult and opprobrious words and threats, justifies immediate discharge and disentitles the employee to compensation. [See Smith, p. 65.]

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THE GREAT HAYDEN TRIAL.

THE FOUR EXHUMATIONS OF THE BODY OF MISS MARY E. STANNARD.

The Prosecution Adducing Testimony to Prove that there was No Tampering with the Body—Close Cross-Examinations by the Defence—The Rev. Mr. Hayden's Admission that he Purchased Arsenic in Middletown.

Yesterday was the fifth day of the trial of the Rev. Herbert H. Hayden, charged with the murder of Miss Mary E. Stannard. The court room in New Haven was packed at the opening of the morning session. Mr. Hayden and his sorrow-stricken wife occupied seats behind the counsel for the defence. The day was hot, and the ladies in the court room found their fans useful. The father and mother of the accused sat at his side during the afternoon session of the court. The son bears a striking resemblance to the father. The old folks keep a hotel at Martha's Vineyard. Prof. White's cross-examination was continued by Mr. Watrous. The reader ought to bear in mind that the testimony on the first day proved four exhumations of the dead girl. It was taken up on Sept. 11, when the stomach, liver, and another important portion of the body were removed by Drs. White, Jewett, and Lee. The second exhumation was on the 7th of October, when Prof. White carried away the head. The corpse was exhumed a third time on Dec. 13, by young Dr. Jewett and Sheriff Byxbee, to see whether it still remained in the coffin. It was dug up a fourth time on the first of last March, when Prof. Hotchkiss removed a kidney, the gullet, a portion of a lung, and an intestinal section.

Yesterday the defence closely questioned Prof. White as to the opportunities for tampering with the liver, stomach, and other important portions of the body while they were in his possession and before they were delivered to Prof. Johnson for analysis. The Professor alleged that they were locked in a strong closet in his private room in the medical college. The room was open to other members of the faculty. The closet is of black walnut, made very strong for the purpose of safely keeping costly instruments. The room is located between the museum and lecture room, and is sometimes used by Dr. Hubbard. There were three keys to the closet. The pattern of these keys was peculiar. The Professor exhibited one of the keys. The following diagram shows its form:

A careful cross-examination elicited the admission that the Professor did not positively know of the whereabouts of all these keys during the time the vials containing the organs were in his keeping. He thought, but could not swear, that no one else had used them. The Professor said that the skull of Mary Stannard was still in his possession. The bones had been dried and the skull washed and preserved.

On a redirect examination Prof. White averred that but one kidney was found when Mary Stannard's body was exhumed on the 1st of March last. After the post-mortem on Sept. 11, 1878, both kidneys were replaced in the body. It was reasonable to suppose that one of them had decomposed before the 1st of March. When the body was disinterred on Oct. 7, the Professor said that he got into the grave and severed the head without uncovering either the face or shoulders. The coffin was raised from its bed and opened at the side of the grave. "No one touched the body but myself," said Prof. Hotchkiss. "My scalpels were clean and I wore new rubber gauntlets. The body was wound in a white cloth. I cut the cloth in two with a pair of scissors. The head was gone, and there were signs of a former post-mortem. I took a kidney from the cavity in the chest. The gullet lay in a natural position. It had been severed both at the collar bone and about two inches above the stomach. I cut it out of its bed and put it in a clean glass jar. The kidney was placed in a second glass jar. I had seven jars in all and used four. All were new. I washed them in New Haven with hydrant water and my own hands. I rinsed in Rockland rinsed them a second time at Lazerne Stevens's well. Sheriff Byxbee drew the water. While searching the cavity of the chest, I found a piece of a lung. This was placed in a separate jar. A small intestinal section was found in the lower pelvic region. It weighed 2 ounces. The general condition of the internal organs was very bad. The kidney was firm, and easily recognized. About a quarter of it showed signs of decomposition. The four jars were wrapped in paper, and I locked in a valise. I washed my hands at the grave before I got into the carriage. I took the valise to Guilford, and visited Mr. Harrison's Prosecuting Attorney's house. At no time was the valise out of my sight. It was not opened until I got home. Then I locked it in a drawer in my house. On the 7th of March I turned the jars over to Prof. Johnson.

On a cross-examination by Mr. Watrous, Prof. Hotchkiss said that he visited Prof. Johnson's laboratory thrice before he found him in. On the second visit he locked the valise in a cupboard in the laboratory, which was afterwards cut out to him by Mr. Jenkins, one of the Professor's assistants. The cupboard was the lower portion of a large bookcase built in the wall. He did not tell Mr. Jenkins the contents of the valise. He had no positive knowledge that the jars were not opened before Prof. Johnson received them.

A JOURNALIST'S RECOLLECTIONS.

Frank B. Root, a New York journalist, was the last witness called. He said he was present at the post-mortem examination of the body in Middletown on Sept. 24, 1878, as a reporter for the New Haven *Palladium*. Mr. Hayden took the stand at that time, and said that on the morning of the day of Mary Stannard's death he drove to Middletown and bought some fallen apples for his cows. He stopped at Phair's drug store, paying thirty-five cents for them. Mr. Hayden offered the druggist a Peruvian dollar in payment, but as the druggist would allow him only eighty-five cents for it, he gave him a dollar bill. He said that he brought the arsenic home with him. He carried the fuller's earth and other articles in the house, but took the arsenic to the barn. He opened the package, and emptied the poison into a tin box. He then placed the box on a stringer in the southeast corner of the barn, and covered it with hay. He said he had never used any of it up to the time of testifying, and had not disturbed it. For aught he knew it was on that stringer at the time he was giving his testimony. Mr. Hayden was carefully comparing Mr. Root's testimony with a printed report pasted in an old postal guide.—Rep.] Mr. Root said that Mr. Hayden gave as a reason for placing the arsenic in the barn that his wife was afraid to have such things in the house. The children might get hold of the poison. He said that he bought it because his house and barn were overrun with rats. He had talked with his wife about the rats, and she favored the use of ratsbane, while he advocated the use of arsenic.

On cross-examination, Mr. Root admitted that when Mr. Hayden made this statement there was no evidence that the dead girl had been given arsenic, or that there had been any arsenic in Rockland. He also thought that the prosecution had asked for a postponement for the purpose of examining the body of Mary Stannard before Mr. Hayden went on the stand. Mr. Hayden's statement was drawn out by his own counsel. He did not say that he went to Middletown to buy fallen apples and fuller's earth. He said he went there to see one Burton, who had promised him some carpenter's tools in return for produce that had already been delivered. He saw Burton's wife, but Burton himself was not at home. He said that he bought in Durham, on his return from Middletown, some cuts, molasses, and sugar. He left home early in the morning, with the intention of obtaining household supplies and of visiting Mr. Burton. Mr. Root could not remember whether Mr. Hayden said he had talked with Thomas Pendleton, a steward of his church in South Madison, and by his advice bought the arsenic to clear out the rats. He said that he stopped at Stannard's coming back because he wanted a drink of water, and because one of his children stood in the door of Mr. Stannard's house and called him. He said that Mary Stannard, her father, and Benjamin Stevens were near the fence in the yard. He followed Mr. Stannard into the kitchen and got a drink. The water was warm. He declared that he had no conversation with Mary except to say "Good morning." Very soon afterward Mary proposed to go after some cool water at a spring an eighth of a mile south of the house. Mr. Hayden said that he stopped at the spring on the way home. Mary was there, and gave him a drink from her pail. He thanked her for the water, and drove home. He said that he got home between 11 and half past 11 A. M.

Mr. Root's memory was frequently freshened by extracts from his report. He qualified his assertion that Mr. Hayden said that he covered the 10 lots of arsenic with hay. He said that the stringer upon which he placed it was partially hidden by hay. The prosecution complained that the defence was drawing out extraneous matter, and the Court was considering the complaint at the hour of adjournment.

"To be or not to be" is the question agitating the hosts of politicians, but Republicans, Democrats, Greenbackers, Working Men, and Independents all unite in approval of Knox's tall shapes of gentlemen's hats. Make an early purchase at 214 Broadway, or at the Park Avenue Hotel.—Adv.

the body to learn whether it had been disturbed since I had seen it on Sept. 11. The head was gone, but in all other respects the body remained as we had left it." [The reader will remember that the head was removed by Prof. White at the second exhumation, on Oct. 7.]

Mr. Hubbard made the cross-examination. At his request young Dr. Jewett described the exhumation on Dec. 13. He directed the sexton to dig a niche at the side of the coffin. The lid was then swept with some brush. A piece of sounding wire was thrown across the coffin; the lid was removed and placed in the niche, and the young physician stood on the sounding and made his examination. He thought the lid was in two pieces. Many young persons stood around the open grave. "The village school had let out that day," said he, "so as to see what we were doing."

MR. HAYDEN'S SUGGESTIONS.

The defence recalled Nehemiah Burr, who was examined on Wednesday. "Do you remember who first suggested that Mary Stannard's body should be taken to the house on the day of the tragedy?" Mr. Jones asked.

"I do not," Mr. Burr replied.

"Did you not give the name of the person while on the stand in the preliminary examination of Mr. Hayden at Madison?"

"I don't know as I did," responded Mr. Burr.

"At that examination did you not say that it was raining when the body was borne to the house?"

"I don't remember that I did," Mr. Burr answered.

"What is your recollection now—was it raining?" pressed Mr. Jones.

"No," said Mr. Burr.

Mr. Jones then read a portion of a report of Mr. Burr's testimony at the preliminary examination, taken from the *New Haven Union*. "Did you not say there that Mr. Hayden suggested that the body should be taken home?" he inquired.

"No," the witness replied.

"Did you not swear that Mr. Hayden suggested the summoning of a Coroner?"

"I remember some question about a Coroner," was the response. "I think Mr. Hayden said that there was a Coroner in South Madison."

Mr. Jones strongly pressed his question, and the witness finally admitted that the Coroner was called at the clergyman's suggestion.

CHARLES SOCRATES STANNARD.

Grand Juror Charles Socrates Stannard was examined by Mr. Harrison. He had long hair and a flowing beard, but did not resemble the medallions of the famous Greek. He affirmed that he attended the post-mortem held at the Stannard House on Sept. 11. Before the coffin was opened young Dr. Jewett asked him for some water. He went into the house to get it. Mary's father told him he would find water in the pantry. He went there and got it. He brought out a tumbler with the pail, because he supposed that the surgeons wanted to drink the water. None of the women folks were home at that time.

Mr. Watrous drew from the witness the affirmation that, at Prosecutor Harrison's request, he had advised the women to leave the house before the post-mortem was held. Mr. Harrison said that they might feel bad if the corpse was brought to the house while they were there.

"Why was the post-mortem made at the house, and not at the cemetery?" Mr. Watrous inquired.

"I don't know," Mr. Socrates Stannard replied. "I was directed to take it there."

Mr. Stannard said that he found the pail of water on a broken-backed chair in the pantry. There was nothing but water in the pail.

"If there had been anything there in solution, you would have noticed it, would you not?" asked Mr. Jones.

"Undoubtedly I would," replied the simple-minded Socrates, and the cross-examination closed in a general titter.

The prosecution recalled Dr. Pliny Jewett. That gentleman said that when the jars were washed he did not think that all the water was poured out. He saw the tin pail near the fence soon afterward, and asked Mr. Socrates Stannard for a drink. Socrates dipped some water from the pail and passed it to him. The water was warm.

"Did you experience any ill effects from its use?" Mr. Harrison inquired.

"I haven't yet, sir," the surgeon responded.

ANOTHER PROFESSOR.

Dr. Wm. H. Hotchkiss, Professor of Surgery and Anatomy in a New Haven medical college, was the next witness. He testified that he attended the fourth exhumation on the 1st of March last. The coffin was raised from its bed and opened at the side of the grave. "No one touched the body but myself," said Prof. Hotchkiss. "My scalpels were clean and I wore new rubber gauntlets. The body was wound in a white cloth. I cut the cloth in two with a pair of scissors. The head was gone, and there were signs of a former post-mortem. I took a kidney from the cavity in the chest. The gullet lay in a natural position. It had been severed both at the collar bone and about two inches above the stomach. I cut it out of its bed and put it in a clean glass jar. The kidney was placed in a second glass jar. I had seven jars in all and used four. All were new. I washed them in New Haven with hydrant water and my own hands. I rinsed in Rockland rinsed them a second time at Lazerne Stevens's well. Sheriff Byxbee drew the water. While searching the cavity of the chest, I found a piece of a lung. This was placed in a separate jar. A small intestinal section was found in the lower pelvic region. It weighed 2 ounces. The general condition of the internal organs was very bad. The kidney was firm, and easily recognized. About a quarter of it showed signs of decomposition. The four jars were wrapped in paper, and I locked in a valise. I washed my hands at the grave before I got into the carriage. I took the valise to Guilford, and visited Mr. Harrison's Prosecuting Attorney's house. At no time was the valise out of my sight. It was not opened until I got home. Then I locked it in a drawer in my house. On the 7th of March I turned the jars over to Prof. Johnson.

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A JOURNALIST'S RECOLLECTIONS.

Frank B. Root, a New York journalist, was the last witness called. He said he was present at the post-mortem examination of the body in Middletown on Sept. 24, 1878, as a reporter for the New Haven *Palladium*. Mr. Hayden took the stand at that time, and said that on the morning of the day of Mary Stannard's death he drove to Middletown and bought some fallen apples for his cows. He stopped at Phair's drug store, paying thirty-five cents for them. Mr. Hayden offered the druggist a Peruvian dollar in payment, but as the druggist would allow him only eighty-five cents for it, he gave him a dollar bill. He said that he brought the arsenic home with him. He carried the fuller's earth and other articles in the house, but took the arsenic to the barn. He opened the package, and emptied the poison into a tin box. He then placed the box on a stringer in the southeast corner of the barn, and covered it with hay. He said he had never used any of it up to the time of testifying, and had not disturbed it. For aught he knew it was on that stringer at the time he was giving his testimony. [Mr. Hayden was carefully comparing Mr. Root's testimony with a printed report pasted in an old postal guide.—Rep.] Mr. Root said that Mr. Hayden gave as a reason for placing the arsenic in the barn that his wife was afraid to have such things in the house. The children might get hold of the poison. He said that he bought it because his house and barn were overrun with rats. He had talked with his wife about the rats, and she favored the use of ratsbane, while he advocated the use of arsenic.

On cross-examination, Mr. Root admitted that when Mr. Hayden made this statement there was no evidence that the dead girl had been given arsenic, or that there had been any arsenic in Rockland. He also thought that the prosecution had asked for a postponement for the purpose of examining the body of Mary Stannard before Mr. Hayden went on the stand. Mr. Hayden's statement was drawn out by his own counsel. He did not say that he went to Middletown to buy fallen apples and fuller's earth. He said he went there to see one Burton, who had promised him some carpenter's tools in return for produce that had already been delivered. He saw Burton's wife, but Burton himself was not at home. He said that he bought in Durham, on his return from Middletown, some cuts, molasses, and sugar. He left home early in the morning, with the intention of obtaining household supplies and of visiting Mr. Burton. Mr. Root could not remember whether Mr. Hayden said he had talked with Thomas Pendleton, a steward of his church in South Madison, and by his advice bought the arsenic to clear out the rats. He said that he stopped at Stannard's coming back because he wanted a drink of water, and because one of his children stood in the door of Mr. Stannard's house and called him. He said that Mary Stannard, her father, and Benjamin Stevens were near the fence in the yard. He followed Mr. Stannard into the kitchen and got a drink. The water was warm. He declared that he had no conversation with Mary except to say "Good morning." Very soon afterward Mary proposed to go after some cool water at a spring an eighth of a mile south of the house. Mr. Hayden said that he stopped at the spring on the way home. Mary was there, and gave him a drink from her pail. He thanked her for the water, and drove home. He said that he got home between 11 and half past 11 A. M.

Mr. Root's memory was frequently freshened by extracts from his report. He qualified his assertion that Mr. Hayden said that he covered the 10 lots of arsenic with hay. He said that the stringer upon which he placed it was partially hidden by hay. The prosecution complained that the defence was drawing out extraneous matter, and the Court was considering the complaint at the hour of adjournment.

AMUSEMENTS.

The Second Joseffy Concert

It is evident that Joseffy will obtain a reputation in this country scarcely second to that of any pianist who has been heard here. His power over his audiences is very unusual. Such enthusiasm, for example, as attended his playing on Wednesday evening of Liszt's Hungarian Fantasie, for piano and orchestra, is rarely witnessed. And, indeed, it was a superb piece of pianism, of almost unparalleled fire, imagination, and brilliancy. The excitement under which it was played was imparted, also, to the audience, and the close was followed by a burst of genuine admiration.

In noticing Joseffy's first concert we took occasion to remark that he was apparently a man of strong individuality. This individuality of course colors all his playing. The most familiar pieces receive a fresh light and new meaning from his suggestive reading of them. And this, too, without any bizarre, odd, or forced interpretations.

Joseffy doubtless plays for effect, but it is always for legitimate effect. His manner with his audience is also in his favor. He does not make too much of their presence, or trouble himself greatly about them. He is reserved, quiet, and dignified, and, like Rubinstein, rarely smiles or relaxes the calm severity of his face, even when the audience is most rapturous. If he is flattered, he is too sensible to show it.

His programme on Wednesday evening (omitting the strictly orchestral pieces) was made up as follows:

1. Concerto in E, flat.....Beethoven
   Piano and orchestra.
2. Piano solo, a. Fuga (A minor).....Bach
   b. Gavotte.....Pedro Martini
   c. Aria transcribed by R. Joseffy.....Gluck
   d. Chant Polonais.....Chopin
   e. Spinnerlied (Flying Dutchman).....Wagner-Liszt
3. Hungarian fantasie.....Liszt
   Piano and orchestra.

The Beethoven concerto was listened to with interest. Many pianists are able to play lesser compositions to the satisfaction of an audience, who fail when it comes to the interpretation of a serious and large classical work like this. But here also Joseffy showed himself a master. There have been broader and nobler interpretations of this concerto. If there was a lack in the manner in which it was given last evening it was in massiveness. To offset this there was throughout an exquisite grace and beauty, and a faithfulness to the composer's thought and intent worthy of every praise.

The shorter pieces, for the piano alone, were beautifully rendered. Joseffy has a touch as light as thistledown, and in these lesser productions, in which graciousness is often the supreme quality required, his rendering is something wonderful. This was notably so in the spinning song from the "Flying Dutchman." The arabesque of notes in which it is set was as delicately worked out as frost tracings upon glass. Many have played this piece in our concert rooms, but none with the beauty and finish of Joseffy.

This evening he will be heard without the orchestra which, under Dr. Damrosch's skilful directions, has so ably assisted him in the concertos that he has played at the first two concerts.

A Newly Wedded Pair Asleep in a Theatre.

Night Watchman O'Brien aroused Janitor Flanagan of Niblo's Garden at 3 o'clock yesterday morning, and told him that a young couple were fast asleep in the centre of the balcony seats. Mr. Flanagan took his lantern and went to the place indicated. There were the pair side by side, the man with his arm entwining the waist of a pretty young woman whose dress showed she belonged to a good family. The janitor and O'Brien and Flanagan stood and cared in amazement.

"Shall we wake them, say?" said O'Brien.

"Let them sleep, for I'm happy," said Flanagan. "But it beats anything I ever saw." Flanagan cautiously approached the pair and gave them a shake. They sprang up in bewilderment and confusion. The woman turned scarlet and hid her face in her hands; the man looked and was sullen. When they realized where they were they speedily retired and took a cab for their hotel. The bride and bridegroom had been married in the morning and after a round of sight seeing had stood for two or three hours watching the military parade. In the last act of the play they had fallen asleep and remained in undisturbed slumber until O'Brien saw them. The pair lived near Utica.

New York Athletic Club.

The championship games of the New York Athletic Club were played in Mott Haven yesterday. The 100-yards dash was won by Edward Merritt; the running broad jump by F. J. Kilpatrick, and the two-mile bicycle race by Clark D. Eldridge. In the last mile, Eldridge and his competitor, Lawson, had a collision, and Eldridge lost a very valuable tail. Racing neck and neck between F. J. Kilpatrick and James Waldron, Kilpatrick was pulled over the line in three minutes. Kilpatrick, who weighs 145 pounds, then tried a tug with Charles B. Waite, who weighs 280 pounds. Waite wound the rope around him, and sat down to watch his antagonist's efforts. Kilpatrick was longer winded, and finally wore his heavier competitor out, and pulled the rope through his hands.

Death at Funerals.

The alarming increase of diphtheria in Paterson, N. J., has at last attracted the notice of the local journals, and they point out that its prevalence is largely traceable to imperfect disinfection and to attendance at the funerals of victims of the disease. A well-known Paterson undertaker is said to be responsible for all the recklessness with which many persons court danger on these occasions.

Horses in a Walking Match.

There is to be a walking match to-day between two horses belonging to Arthur Bunn and A. L. Schwarz, from Riker's, in Little Falls, N. J., to Arthur Bunn's in Newark, a distance of a total distance of about ten miles. The match is for a purse of $100 and a basket of wine.

FINANCIAL AND COMMERCIAL.

New York Stock Exchange—Sales Oct. 16.

UNITED STATES, STATE, AND CITY BONDS (IN $1,000).

10 U. S. 6s, 81	105½	4 Mo. Ga. 8s	105
25 U. S. 6s, 81	105½	2 Mo. Pac. 6s	94-95
10 U. S. 4½s, 91, c.	105½	6 N. C. 6s, ass't	4½
10 U. S. 4s, c.	105	8 Va. 6s, def.	7½
14 Ala. 5s, class 3	49-50	5 Tenn. 6s, new	31½
2 Mo. 6s, '87	104		

RAILROAD AND OTHER BONDS (IN $1,000).

14 B. H. & E. 1st c.	80	82 Mo., K. & T. con.	85
60 Ch. & Alton s. f.	58-34	85 "	82½-82
32 Ch. & O. 6s c'p	76	105 Mo. K. & T. 2d m.	74½-80
1 Ch. & Alton 1st	117	17 Pac. R. of Mo. 1st f.	108
1 Ch. & Alton 2d	90	2 Har. 1st c.	125½
2 C. & N. W. 1st	107	2 N. Y. El. 1st	110½
10 C. R. I. & P. con.	103½-103	30 N. Y. & M. 2d m.	90
3s.	103	17 Ohio & M. 2d	111½-112
5 L. & W. B. cons.	89-88	20 Ore. Pac. 1st	99
25 Am. D. & I. 1st	95	20 Un. Pac. 1st	105½-106
3 N. C. cons. c.	112½	2 U. Pac. L. G.	95
30 N. C. 6s 1st	117	3 U. P. of Mo. 1st	105
2 N. J. Cen. 1st	107	1 Pac. of Mo. 2d	100
2 Del. L. & W. 2d	103½	4 & 5 Pac. of Mo.	99½
3 S. & N. Y. 1st	110	5 K. P. D. & C. Ass.	19½
1 Mich. Cent. con.	90	5 C. A. & I. C. 1st	70½
2 P. & Ft. W. & C. 1st	97	2 C. & I. C. 1st	70
14 D. & R. G. 1st	97½-100	1 "	73
1 Ill. Cent. 1st	107	10 R. W. & O. 1st	60½-57½
372 L. S. & M. S. 1st	101½	15 St. L. & M. 1st	70
5s con.	97½-98	10 "	97½
50 L. L. & M. 2d s. f.	85½-86	10 St. L. A. & T. H. 2d	78
3 Han. & St. Jo.	85	8 St. L. A. & T. H. 2d	80
8s, c.	105½	2 " L. M. 1st	102½
20 Burl. & Mo. 1st	104½	1 " L. M. 2d	102½
9 L. E. & W. 1st s.	95	5 T. & W. con. c. & r.	82½
2 Lac. & R. 1st	95	13 St. P. & N. G. 1st	90
1 Mich. S. & N. I. 1st	95	1st	105½-106
1 Lake S. 2d c.	107	20 Dubuque & Sio. c. p.	50
26 Met. El. 1st	100½	2 Hun. & G. N. 1st p. c.	102

RAILROAD AND OTHER STOCKS.

150 Can. South.	74½-75½	100 Quick. pf.	59½
100 Cent. Pac.	38½	100 Rich. & Dan.	10
27 Chic. & A.	110	Consols	31
100 Chic. & Alton	25	Cony.	61
100 Chic. & E. I.	45	530 Ohio & M.	52½-51½
100 Chic. & N. W.	32½	200 Ohio &