THE GREAT HAYDEN TRIAL.

THE ACCUSED CLERGYMAN AGAIN PUT ON THE STAND AS A WITNESS.

The Defence Rest—Blood Stains Said to Have Been Found in the Woods—Another Clergyman Called—The Surprising Testimony of Mark Collins—A Juror's Memorandum.

Yesterday was the forty-fifth day of the Hayden trial. The interest has visibly subsided since the close of Mr. Hayden's cross-examination. Spectators are now satisfied with a scrutiny of the family group within the bar. Ladies gather in knots at intervals, stare at them and make audible comments. As the testimony becomes monotonous, some of them carefully steal to the door, and are ushered into the hallway in silence. The first witness yesterday was L. M. Leach, a Durham merchant. After expressing his views concerning the spot of blood found under Mary Stannard's body, he said that the "found knife" picked up in the bushes 200 feet from where the body was found forty days after the homicide) was identical in make and size with six that he had in his store in May, 1878. He sold two before the date of the homicide. George Johnson, a boy living near Rockland, bought one of them. Mr. Leach had an impression only concerning the sale of the other knife, and was not allowed to give it.

Detective Perry testified that he had received the found knife since the beginning of the trial, and had discovered that Leach's was the only store within ten miles of Rockland where such knives were sold. He found that the Johnson boy had given the knife to Henry Davis (who was in Mr. Hayden's house while the clergyman was changing his shirt on the afternoon of the homicide). He then visited Mr. Davis and saw the knife. Here Mr. Davis passed the knife to Mr. Perry, and it was identified. The detective said it appeared to be a mate to the found knife, but the blades had been ground down. Deputy Sheriff Morgan corroborated Detective Perry's testimony.

MORE BLOOD.

After further testimony regarding the size of the spot of blood where Mary Stannard's body lay, Atwood Severance was called. He said that on the second Sunday after the homicide he visited the scene of the tragedy with Talcott B. Strong and Egbert I. Morse. They found what they took to be a clot of blood in the open bushes, about ten feet north of where the body lay. It was four or five inches in diameter. On poking it with a stick, he found it was alive with worms.

On cross-examination Mr. Severance said that he had not mentioned this discovery to any one until about two weeks ago, when he told one of his fellow workmen. He said that after leaving the spot he and his companion agreed that they saw no blood stain where the body had been found. He thought the clot in the woods was blood, but would not swear to it. He had not mentioned the matter because he did not wish to be summoned as a witness, and he would not have spoken of it two weeks ago if he had not understood that the trial was nearly closed.

Detective Perry was recalled. Mr. Waller showed him the found knife, the Johnson knife, and a knife from the Leach package before him. On cutting into the handles, the detective admitted that the wood was not the same. The handle of the found knife was made of wood red in color. The other two were black.

Talcott B. Strong and Egbert I. Morse corroborated the witness Severance as to the alleged clot of blood that they claim to have found in the bushes north of the spot where the body was discovered. Both declared that the alleged lump was of a dark red color, and full of worms. Strong said that he thought he saw two clots, but would not like to swear to it. He told his wife about it a week ago, and that was the only time he had spoken of the discovery since the visit to the old road. He kept silent, because he had never been a witness, and he was a little afraid of lawyers. Mr. Morse said that he had not opened his head about it since he had been to Rockland. He did not closely observe the clot, but he believed that it was blood.

Dr. Joseph J. Meigs of Madison testified that, in his opinion, a small cystic tumor would produce no symptoms of approaching maternity.

SURPRISING TESTIMONY.

Mark Collins, a peddler of Middletown, testified that he went to Rockland on the afternoon of the homicide, intending to trade horses with Fillmore Scranton. "I was dissatisfied with Fillmore's horse," he said, "and we went over to Burr's barn to look at my horse. While there a boy came up, and said that Mary Stannard was lying in the woods with her throat cut. Fillmore Scranton, Nehemiah Burr, a man whom they call Hazlett, and a stranger started up the road. I hesitated about going at first, as it looked rainy and I had a long distance to drive. Finally I went after the four men, and soon overtook them. We went up the old road and found the body. No one was with it. Mr. Stannard and Mr. Mills were coming up the hill behind us. The girl's head was inclined to the right. Her left hand lay on her breast, and the right hand was thrown out from her body. Both shoulders were squarely on the ground. Her legs lay apart, and her clothes did not begin to cover them. Two of the party requested the father to pull down the clothes. I saw somebody pull down a skirt, but cannot say who it was. I saw somebody place the right hand on the breast. Mr. Hayden came to the spot afterward."

This testimony produced some astonishment. It was a flat contradiction of the testimony of Mr. Stannard, Mr. Mills, Fillmore Scranton, Nehemiah Burr, and Andrew Hazlett, and others. In cross-examination Mr. Collins admitted that Scranton, Burr, the man called Hazlett, and the stranger reached the body together. It was hard to tell who saw it first. The position of the dead girl was visible to all. Mr. Mills and Mr. Hayden were probably 300 feet behind the party in coming up the hill. The witness swore that he had never told a different story, and denied to tote a different statement to Prosecutor Harrison.

MR. HAYDEN AGAIN ON THE STAND.

The defence then rested. Mr. Jones said that they had asked the prosecution for the shoes worn by Mary Stannard at the time of her death, and had been informed that they had since been lost or worn by Susan Hawley. As this defeated their purpose in calling for the shoes, they withdrew their request. Mr. Jones said that as Ben Stevens was sick and as the law would not allow the prosecution to take his deposition, the defence would ostensibly do so by asking his name, age, and residence. The prosecution could then legally cross-examine the witness, bringing out necessary facts, and it is understood that this cross-examination shall then be treated by the defence as a direct examination. In order to fill the requisite 'form of the law, the direct examination is to be turned into a cross-examination, and *vice versa*.]

Mr. Waller said that he still had hopes that Mr. Stevens might appear in the court room, even if he ought to come on a couch, and meet all insinuations against him.

Mr. Watrous said that from what he had frequently heard he did not believe that it would be necessary to bring Mr. Stevens into the court room on a couch unless he was suddenly taken worse.

The prosecution then called Mr. Hayden on rebuttal. Mr. Waller questioned him as follows:

Q.—You say you wore a white shirt on the afternoon of the homicide? A.—I did.

Q.—Do you not swear it on that afternoon? A.—Between 4 and 5 o'clock.

Q.—Did you change it before retiring that night? A.—I did not.

Q.—Did you say that you put on your rubber boots at the same time as the shirt? A.—I did not. I say I think I did.

Q.—As you sat at the back door smoking that afternoon, did you have on your white shirt and the rubber boots? A.—I had on the white shirt. I am doubtful about the boots.

Q.—Did anybody see you that afternoon wearing the white shirt? A.—Anybody who saw me could see the shirt.

Q.—Did you tell us that you collected money for the tables at the oyster supper? A.—Not for all of them; I did for two. There were four or five tables.

Q.—Did you collect for the table at 11 o'clock? A.—I think so.

Q.—Did you collect for the one at half past 10? A.—I think not.

Q.—Who collected the money for the other tables? A.—Elsworth Scranton.

Q.—Do you not collect for tables when you were absent? A.—No money was collected while I was absent.

Q.—Then you were not absent? A.—Ten minutes only.

A CLERGYMAN CONTRADICTING MR. HAYDEN.

The Rev. Richard S. Eldridge, a Methodist Episcopal clergyman of Middlefield, testified that he conversed with Mr. Hayden at his house the day following the homicide. It was between 4 and 5 o'clock in the afternoon, he said. "I asked what he knew of the case, and he said he knew nothing but what he had heard. I asked what led to the suspicion against him, and he said that he knew no cause for it. He positively affirmed that there were never any improper relations between him and Mary Stannard. He said he knew the girl was not in trouble from her peculiar sickness. I think that he said he got this information from his wife." [Mr. Hayden has sworn that he made no such statement.]

On Mr. Jones's cross-examination, the Rev. Mr. Eldridge said that this conversation was held either in Mr. Hayden's door yard, or outside his gate. He visited the house again on the day of Mr. Hayden's arrest. Mrs. Hayden was at home, but her husband had been taken to Madison. He talked with the wife twenty minutes or half an hour. He could not remember the conversation, but he was very positive that he had no talk concerning Mary Stannard's reputation. "I know," said he, "that Mrs. Hayden said, 'Rev. Mr. Hayden as long as you have Mr. Eldridge, you know that he would not be guilty of such a thing,' and to this I assented." Mr. Jones questioned the reverend gentleman very closely, and Mrs. Hayden shook her head at some of his answers, as though confident that he was unwittingly making misstatements. Mr. Eldridge was positive that Mr. Hayden said nothing about arsenic.

WAS THE BODY CARRIED TO THE OLD ROAD?

Dr. Matthewson, Sr., was recalled. He examined Mary Stannard's body on the night of the murder. The back of her dress and other clothing were saturated with blood. There was a pathway of blood from her throat around her side to her back. He thought that when the gash was made something was held over the wound to keep the blood from spurting. He went to the spot where the body was found before daylight the next morning. The blood stain was a foot one way and ten inches the other. It had been somewhat washed out by the shower, but fibres and coagulated blood remained. He thought it had penetrated the ground one or two inches. It looked as though several pins had oozed from the body, and he thought from the looks of the clothes that several pounds of blood had been lost. He said that Mr. Hayden had bought medicine from him in Durham, but had never inquired for arsenic. He had always kept arsenic for sale. He had acted as a physician in the Hayden family.

On cross-examination Dr. Matthewson said that he had frequently prescribed for the Hayden family, and claimed to have had a general oversight over them. He was their family physician up to a short time before the homicide. Mr. Jones pinched him so hard that he finally acknowledged that he had never prescribed for any of them but twice, once in 1876 and again in April, 1877, when Mrs. Hayden had the scarlet fever. He went to the house once after that to see Mary Stannard when she was suffering from poison ivy. He finally admitted that he could not remember whether Mr. Hayden had ever bought any drugs from him or not.

The Doctor's testimony was confirmed by that of his son. The young Doctor swore that the coagulated blood on the ground at daylight on the morning after the homicide was nearly an inch and a half in thickness. There was at least a quart of it there. He said that while making the post-mortem he found some blood in the body, but not more than usual. On cross-examination he admitted that he had incised the wound in the throat to ascertain its depth, and astonished every one by saying that he saw one of the jurymen taking little shavings from the larynx with his pocket knife.

James Hill, an antique farmer of North Madison, testified that he lived five miles from Rockland. He walked up to the spot where the body was found on the second day after the homicide. There had been heavy rain on the previous night. He saw the blood stain on the ground. It was from ten to eighteen inches in diameter. He saw clots of blood and pieces of blackberries that had been washed down the slope from three to six feet from the stain. He first met Andrew Hazlett at the preliminary examination in Madison. Silas Ives made the introduction and called the man Hazlett. The cross-examination of the old farmer was amusing. Among others, Mr. Watrous asked the following questions:

Q.—Did you pick up any of the clotted blood? A.—No, sir.

Q.—What did you do? A.—I stood and looked at it. I know a clot of blood from rotten wood.

Q.—Do you know a clot of blood from algæ? A.—I know the two weren't much alike about these clots.

Q.—Did you see any flies on the stones about there? A.—No. I wasn't looking for any.

Q.—You say that it rained on the previous night? A.—Yes. It rained hard enough to wash an old-fashioned iron kettle down the hill.

Q.—How do you know? Were you there that night? A.—I could tell by the looks of the hill.

Q.—You say there was a depression in the ground that the blood stain covered. How do you know it? A.—Why? I seen it on the ground as plain as I can see this spittoon.

The lawyer then spun a web over the blood stain, and had just got the old farmer's legs fastened in it, when he broke away with the words, "I've told all I know. I didn't come here to tell what I don't know, and I did come here to tell what I did know." He left the stand amid much merriment.

MR. HAYDEN AGAIN CONTRADICTED.

James Hill, 2d, said that he was a member of the Coroner's jury. He heard Mr. Hayden testify that he left home for the wood lot on the afternoon of the homicide at 1 o'clock, just after dinner. [Mr. Hayden has denied this point blank. He says he left his house about a quarter past 2.] Mr. Hill had made a memorandum of the testimony of Mr. Hayden and other witnesses before the Coroner's jury. It was made in his own house, at the close of each day's hearing, and from memory. He had known Andrew Hazlett for several years, and was introduced to him by Silas T. Ives as Hazlett. He said he never heard Ives called Hazen or Hazley. Mr. Hill visited the scene of the homicide at 4 o'clock on the morning after the tragedy, remaining until after daylight. He thought there must have been nearly two quarts of blood soaked in the ground where the body lay.

On cross-examination Mr. Hill said that Coroner Stone was the man who asked Mr. Hayden what time he went to the wood lot. He did not tell this at Madison because he forgot to do it. He had talked with Jas. Scranton, another member of the Coroner's Jury, about this matter, and had found that he was correct in his recollection of the fact. The Court adjourned.

THE MARYLAND SCANDAL.

Letters from Col. Aydelott that Have Shaken his Friends' Faith in his Innocence.

BALTIMORE, Dec. 30.—Several letters written by ex-Senator Aydelott to William S. C. Polk of Pocomoke City, whose wife he is charged with having attempted to assault, were made public here to-day. The letters, which are three in number, were written in answer to excited epistles from the injured husband demanding redress for the alleged insults offered his wife. In the first letter the ex-Senator says: "I have no language to adequately convey my feelings in making you a reply. If a lady who I esteem to be of the purest and unblemished worth, and who I have regarded as my worthy friend, has misunderstood any word or act of mine, I am more than pained at my misfortune."

A violent reply to this drew forth another letter from Col. Aydelott, who, in a rambling, almost incoherent manner, protests his innocence, and adds that, if his intentions were misunderstood by Mrs. Polk, it was his misfortune, for which he begged the pardon of his two best friends with all the sincerity of his soul. The letter continues:

"My first impulse was to hand your letter to my wife for her perusal, but further reflection leads me to hope the matter may never be heard of except between you and myself, as a scoffing world would morbidly magnify a harmless note into a mountain. My friend, I am now 63 years of age, and, with all my faults in life, such a crime as you intimate shocks me. But I trust I have said enough. I know you are a reasonable man, and you have known me these many years and cannot think I would thus act. Then, in conclusion, let me pledge to you my sacred honor to what I have written, and beg you to restore me to your confidence."

Mr. Polk, in reply to this, wrote to the ex-Senator in violent terms, declaring that he had in his (Polk's) possession a letter from Col. Aydelott to Mrs. Polk which was grossly insulting, adding: "I will show you the letter, and if you are innocent you shall have the benefit of it. If guilty, I will hold you accountable."

To this Col. Aydelott replied that he had pledged his honor that he was innocent of any guilty intentions, and implored Mr. Polk, as a friend and husband, to let the matter drop.

"There is nothing in it that ought to give you or her cause for further trouble. Yet there is enough to give a gossiping world fuel that may greatly injure innocent parties, and cause unpleasant relations, both in your fireside and mine, which time cannot heal in haste, and all for nothing."

Since the contents of the letters have been made public the faith of many of Col. Aydelott's friends in his innocence has been greatly shaken. True to his promise not to live with his family until his innocence is proven, Col. Aydelott has left Pokomoke City until his trial shall begin.

SIDNEY P. NICHOLS'S CASE.

The General Term Decides Upon the Mayor's Appeal from Two Orders.

The General Term of the Supreme Court yesterday announced its decision upon the appeal by Mayor Cooper from two orders of Judge Westbrook, one allowing the writ of certiorari granted to Mr. Sidney P. Nichols to review the proceedings had before the Mayor whereby he undertook to remove Mr. Nichols from the office of Police Commissioner; the other directing a return to be made to such writ.

The following is the opinion of the court *per curiam*:

We are of the opinion that a writ of certiorari may properly be used out to review the action of the Mayor in cases of this character. The allowance of such a writ rests in the sound discretion of the court to which application is made, and this court will not interfere with the exercise of such discretion in allowing the writ, where it appears to us clear that it has been palpably abused. Without considering or in any way passing upon the merits of the case, which we think are not properly before us for that purpose, we dispose of the case upon the ground that the order of the Mayor in suspending the relator, such a case as this, and that the action of the court in granting the same was not an abuse of its discretion. In so deciding we do not depart from the rule, nor do we feel inclined to say that a return was made and filed, and by the writ of prohibition heretofore granted in the case the limit of the rule of the proceeding was sent to the proper tribunal. It became quite important to determine whether or not the Judge should under the circumstances have directed a return to be made, and we think that a dispositon of the case should be by dismissing the appeal from the order. The motion to dismiss the appeal from the order allowing the writ should be denied, and the order should be affirmed.

Court Calendars This Day.

SUPREME COURT—CHAMBERS.—Nos. 49, 50, 97, 105, 206, 207, 282, 284, 288, 293, 294, 309, 311, 314, 316, 317, 321, 322, 324, 325.

COMMON PLEAS—EQUITY TERM.—No. 5.

MARINE COURT—GENERAL TERM.—Nos. 4, 6, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 21, 22.

UNITED STATES DISTRICT COURT IN ADMIRALTY.—Nos. 150, 151, 125, 114, 105, 115, 73, 101, 120, 130, 109, 101, 117, 133, 135, 111, 153, 178, 121, 233, 139, 152, 144, 228.

The year now drawing to its close has brought to many a revival of prosperity. Let gentlemen who wish to start with the new year, fresh and bright, purchase their hats at Knox's, 212 Broadway and Fifth Avenue Hotel.—Adv.

STOCK OPERATIONS BY MAIL.

FACTS GAINED AFTER LONG AND PATIENT INVESTIGATION.

Neither Money Orders to be Cashed for Certain Concerns in Wall Street, nor even Registered Letters to be Delivered to Them.

The Postmaster-General has ordered the Postmaster of New York to decline to pay postal money orders or to deliver registered letters to Lawrence & Co. of 19 Broad street; Adams, Brown & Co., 28 Broad street; Allen, Jordan & Co., 54 Wall street, and Barnes, Garrison & Co., 11 Broad street and 55 Exchange place. All these firms have advertised extensively throughout the country, and sent out circulars setting forth the "capitalization or pooling system" of dealing in stocks. They have received remittances of $10 upward, which they have professed to aggregate and to speculate with in stocks under the direction of "experienced capitalists." In due time their patrons have been informed that the operations of the pool showed a profit, but that the original investment and the profits would next be used in a new transaction whose prospects were unusually favorable. This second transaction invariably showed a loss, owing to an unfortunate change in the market, but the patron was assured that by a further investment the loss might be retrieved and a profit made.

The four firms named in the order are not the only ones who have transacted this peculiar business. But while Wall street has been morally convinced of the swindling character of the other firms, the proof against them has not been perfected.

One of the tricks of the firms now ostracized is that of selecting a name under which to do business very closely resembling that of a reputable firm of brokers. This fact, and the nature of the business done by the proscribed firms, have given the members of the Stock Exchange so much annoyance that, in November, 1878, the Law Committee of the Exchange was authorized to employ means of exposing the swindlers. The case was given to Mr. Ralph Oakley of Oudin & Oakley of 60 Liberty street. As THE SUN has constantly endeavored to expose these and other swindlers, and is in daily receipt of complaints and inquiries relative to these stock concerns, Mr. Oakley requested that solicitation be made through its columns of correspondence from persons who had had unsatisfactory dealings with Lawrence & Co. and others. Then he began work upon the mass of correspondence thus acquired.

After many months of labor, evidence was obtained that these firms did not conduct a square business. But the Department Attorney, before whom the evidence was laid, ruled that though the evidence of fraud was morally convincing, the circulars and other communications of the concern were drawn with such legal nicety as to evade prosecution. It would be a task of difficulty to get an indictment for conspiracy to defraud.

Of late, Mr. Oakley has obtained tangible proof that the four concerns named in the Post Office order were owned and controlled by Benjamin Hunter, a swindler. One of the employees of one of the concerns absconded with $4,000 of the money received by the concern. His employer did not dare prosecute him, as, by so doing, they would reveal their business. Afterward the employee became valuable in obtaining evidence against the concerns, and to the evidence he furnished was added that of some of the persons who have of late been conducting the business for Buckwalter.

Prior to the 1st of September last, Buckwalter was the sole owner of Lawrence & Co. and Adams, Brown & Co., and co-owner of Allen, Jordan & Co. and Barns, Garrison & Co., ostensibly he sold his interest in the four concerns to W. D. Duff and H. Lassing. They executed to Buckwalter a series of notes of even date, one due every month and of different amounts for each concern. The aggregate amount of the notes for each month was $22,833. These notes extended over a period of five years. Other notes, due monthly and running over another period of five years, were given. The aggregate amount of these every month was $10,833, making a total of $1,369,992 that was to be paid for the business in ten years. To secure his interest, Buckwalter placed his own men in the concerns to watch the receipts, out of which the notes were first paid every month. From copies of the books obtained it appears that the notes were paid out of the receipts of the first three weeks of every month, and Duff and Lassing had the receipts of the fourth week, less the expenses, for their share. The expenses were comparatively light, though the annual advertising contract of Lawrence & Co. was $40,000. The losing necessarily is estimated in part from the fact that during the past year the concern mailed over a million circulars. For addresses the mercantile registers and directories of all towns of importance were used. The concerns employed many girls to address their circulars and do other clerical work.

Mr. Oakley says that the advertising support that the religious papers have given these concerns has added them considerably.

After the evidence had been laid before the Post Office authorities, and been investigated by them, the order was granted on the same ground as that of the order affecting the lottery companies.

Buckwalter is in Wall street nearly every day. He is about 30 years of age, of medium figure, and remarkably engaging in manners. His record has been traced several years back when he was a sewing machine agent in Newark, Ohio. He came to this city about five years ago, and went to Newark, N. J., where he continued the sewing machine business. In December, 1876, he began business on a grand scale as a banker at 10 Wall street. He rented an office for $3,000, fitted it up elegantly, and employed many clerks. It is said that a few weeks ago a remittance bought for his account $100,000 of Government bonds. He lives in a luxury near Orange, N. J. At one time he was conspicuous among the young gentlemen who attended Dr. Crosby's church, and last winter, while living in a fashionable up-town hotel, he was a regular attendant at Dr. Chapin's church.

THE KITTY HAWK MYSTERY.

Capt. Swayne's Body Cast Up by the Sea—No Light Thrown on the Affair.

BALTIMORE, Dec. 30.—The schooner M. & E. Henderson of this port was wrecked on the night of Nov. 30, in a perfect calm, on the North Carolina coast, near Kitty Hawk. She had on board when she sailed, Capt. Swayne of Philadelphia, Chief Mate Prentiss, Second Mate Hiss, a steward whose name is not known, her crew, and Capt. Swayne's wife and two daughters. Shortly after the schooner went ashore, three sailors reached the land, and passed the life-saving station without making any report of the disaster. As the sea was calm and the moon shining brightly, the suspicions of the men at the life-saving station were aroused. The schooner soon went to pieces, but no bodies were washed ashore. The suspicion was strengthened that the officers of the schooner had been murdered and their bodies thrown overboard while at sea, and the women outraged, and that the sailors who landed had run the vessel ashore, to cover up their crime.

A report of the affair, together with the surmises, was sent to Philadelphia, and an investigation was begun. Two of the sailors were arrested in this city on Dec. 11. They said that Capt. Swayne was at the helm when the schooner struck, and that all hands were washed overboard. The third survivor of the wreck, Santas Aquia Lopez, was arrested two days later. He acknowledged that there had been trouble on board the schooner, and that the Captain had caused threes of the crew to be put in irons. The arrested sailors were held to await further developments, on a charge of murder and the intentional wrecking of the schooner.

Inspector of Navigation Archibald Stirling, Jr., received to-day a letter from Washington saying that the body of Capt. Swayne was washed ashore a few days ago near the scene of the wreck. The body was much changed by being in the water, but was readily identified by the initials of the Captain's name in India ink on its forearm and by his silver watch in a pocket was a letter addressed to him. A $10 note was found in his pocket. The remains were taken in charge by the coast officers at that station, but owing to the time that has elapsed it is impossible to learn whether he was the victim of violence. The bodies of the two missing mates have not been found.

The seamen who were arrested on suspicion are still in jail here.

Contents of The Weekly Sun.

THE WEEKLY SUN, published this morning, contains:

The Agitation in Maine—Almost a Riot in Bangor on Christmas Day—How Garcelon Taking Measures to Prevent Fraud—A Sad Story of Disappointed Love—Letter and Speech: Terrible Calamity in Scotland—A Railroad Train, with all its Passengers, Sunk in the Firth of Tay—The Calamity of which a Detective Bridge was the Cause; The Work in Alleghany—Mr. Bergh's Successors—The Kinney, Wonderful Pedestrianism—The Best Six-Days' Race on Record—Hart, the Colored Boy's Great Victory; Lynch Law in Colorado; Abolition in Cuba; The Trouble with the Utes—Darey Suit Terminating—Gen. Hatch's Perilous Position; Gen. Grant for Peace—His Arrival in Washington and Reception; Dr. Ferguson's Visit to Mexico; The Hayden Murder Trial—The Prisoner's Cross-Examination Concluded—The Evidence Nearly All In; The Third Term Canvass—Republicans who are Opposed to it; Sherman's Cabinet; Gen. Logan's Views; The Great Rise in the Edison Electric Stocks; The James Boys of Texas—Visit to their Retreat; John Brown in Kansas—An Amusing Incident; Sabbath Reading of the Day: The White Mare—A Story of the Plains; Poetry—A Shooting; Driving Home the Cows; The Legend of Lovel; Story—Marina Jacobi; Latest Telegraphic News; Sunday Morning; Notes on Science and Industry; Science Department; Many Columns of Editorial Articles and Agricultural Matter; Financial Intelligence and Markets.

THE WEEKLY SUN contains a complete epitome of the news of the week from all parts of the United States and the American continent. Copies in wrappers ready for mailing to the old country may be had at the desk of our publication office. Price four cents. For sale by all newsdealers in city and country.

THE DEATH OF DAVID LEAVITT.

A Business Career Dating Back Nearly to the Beginning of this Century.

David Leavitt, for many years a prominent merchant and banker in this city, died yesterday morning at the house of his son, Edward Leavitt, at 33 West Nineteenth street, in the 89th year of his life. He was born in Bethlehem, Litchfield County, Conn. His father was a wealthy country merchant. David Leavitt and his brothers were prepared for college, but, instead of taking a collegiate course, he came to this city in 1813 or thereabouts, and went into a produce house as clerk. At his father's death he invested his share of the estate in a partnership in a wholesale grocery business with the late David Lee. In 1814 he married Maria Clarissa Lewis of Goshen, Conn. She died eleven years ago. In 1824 he built a residence at Sands and Washington streets, Brooklyn, which is still standing. He was about this time elected President of the Fulton Bank, in this city, which position he held only a short time. He advanced money to a friend who, with others, had begun the manufacture of white lead in Brooklyn. Fearing that he might lose the money he had advanced, he took hold of the enterprise himself, and in 1825 he secured a charter for the Brooklyn White Lead Company, still existing and having an office in Maiden lane. It is said that for forty years he drew an average of $50,000 a year in salary as President of the company and in dividends. He was a man of originality in expedients, and it is told of him that when a duty was laid on pig lead he caused lead to be cast into images abroad, which he brought into this port free of duty as "works of art."

In 1828 Mr. Leavitt built a residence for himself on Brooklyn Heights, at which time only three other houses were in sight on the roads leading southward. He became a trustee of "the village of Brooklyn," and was substantially owner of the New York (now the Fulton) Ferry. In 1838 he was elected President of the American Exchange Bank in this city, and was interested in several large enterprises in Western States. In the panic of 1857 Mr. Leavitt stood on the steps of the American Exchange Bank and addressed the throng in the street, telling them that the bank would not stop payment, and that every man was at liberty to withdraw his deposit at once. But at the close of the day the bank stopped payment as a measure of precaution, as did the other banks of the city. Some twenty-five years ago he built a country house in Great Barrington, Mass., which is still famous for the old-fashioned picture gallery containing the original of the "battle of Monmouth," by Leutze. He was at one time President of the Housatonic Railroad.

The following story of one of his exploits before he was 25 years old is told: "The Colombian Government was engaged in a local war, and wrote to their agents here to have a vessel built, armed, and equipped. The agents were unwilling to undertake the task. Mr. Leavitt learned of the wishes of the Government, and undertook the job. He built a vessel, interested the United States Government to such an extent that they assisted him in arming it, and he he himself took command, arriving safely at Caracas. He returned home on a man-of-war with $100,000 in his pocket, and a draft on London for $100,000 more. This draft was not paid at once, and Mr. Leavitt, though so young, made no effort to collect it, thus showing what afterward became well known, that he was a believer in precedent. The draft was afterward paid, principal and interest."

Mr. Leavitt was a Presbyterian. He almost invariably wore a white "choker." He was not rigid in his observance of church conventionalities, but was an admirer of horse racing, and greatly enjoyed a game at cards. He retired from active business in 1858. He leaves three sons and one daughter. His sons Edward and Henry live in this city; the third, David, is in Dresden, Germany. His daughter is Mrs. Esther Howe of Brooklyn. It is said that four of his immediate relatives lived to be over 90 years of age. His mother died in the 98th year of her life.

No arrangements for the funeral of Mr. Leavitt will be made till the arrival of his son, Edward Leavitt, from Europe. He sailed in the Westphalia, expected to arrive to-morrow.

WHO WILL BE THE SPEAKER?

The Gathering of Politicians in Albany—Mr. Skinner's Canvass.

ALBANY, Dec. 30.—There are only few politicians here as yet. Mr. Skinner of Jefferson County is the only aspirant for the Speakership in the city. He says that before the organization it will be found that there is some one else in this fight besides Gen. Sharpe and Gen. Husted. Skinner has been at work among the grangers' and farmers' alliance, and it is whispered that there is a surprise party in store for the politicians when the members from the rural districts arrive. Rockland's Bill Eagle will be here to-morrow, said Gen. Sharpe will come in time to take part in the inauguration of Gov. Cornell on New Year's day. It is expected that a few members of the Legislature will also come to see the ceremony, but the great rush will not begin until Friday. By Saturday two-fifths of the members of the Assembly, the 32 Senators, and the 17,000 place seekers will all be here, and from that time until Monday evening, when the caucuses will be held, things will be red hot, and the man that the machine wants will be the Speaker. Clerk Yeomans of the Senate and Clerk of the Assembly are here getting things ready. They are both almost certain to be reelected.

Electric Light Stock Sales.

Two shares of the Edison Electric Light Company's stock were sold yesterday at $3,500 per share. It was learned that $4,500 per share is bid for a lot of ten shares. A member of the company who holds 200 shares said yesterday that he was offered $7,000 for his holdings a week ago, but refused to sell at the offered price. In this connection it may be added that transactions were had in Keely Motor stock yesterday at 26.

MERE MENTION.

The pilots and boat hands of the Jersey City ferry are being examined for color blindness.

The fair of the Church of the Transfiguration in Mott street is to be kept open until the 15th of January.

The Pullman car works at Detroit have just finished ten new cars for the Sixth Avenue Elevated Railroad.

William Kelly, the Manhattan Bank burglar, sentenced to life imprisonment in prison, was taken to Sing Sing yesterday.

Annie Hoaglandt, a German girl, set her clothes afire in a stove at 829 Third avenue, yesterday, and was burned, it is conjectured, fatally.

The Kings County Supervisors, yesterday, passed bills amounting to $17,798.91, for the recopying of old records by County Clerk John Delmar.

The Aldermen's resolution to ask the Legislature to prohibit women from taking part in walking matches has been approved by the Mayor.

The Surrogate's Court will hereafter be held in the new room set apart for that purpose in the second story in the new wing of the Court House.

Mayor Cooper has vetoed the Aldermen's resolution extending the Forty-second Street, Manhattanville, and St. Nicholas Avenue Railroad Company's time to build.

The receiver of the defunct Paterson Fire Insurance Company, Mr. James Jackson, cashier of the Second National Bank of Paterson, has declared a dividend of forty per cent, which is allowed and proves claims.

Mr. Michael A. Kodiman went to the City Prison yesterday, and read to Chastine Cox the decision of the General Term of the Supreme Court affirming his conviction as the murderer of Mrs. Hull. Cox was unmoved.

John Brown, also called John McPherson, the negro burglar, who was captured by Kate Brady, the servant, in Gen. John Hendrickson's house, at 144 West Forty-eighth street, was identified yesterday, by Warden Finn, as an old offender.

The question of jurisdiction in the case of Patrick Burke, the crate driver, who was recently arrested for robbing the trunks of passengers by the Pennsylvania Railroad, was settled yesterday, decided in Jersey City by turning the prisoner over to the authorities of this city.

The cable between Port Natal and Zanzibar, along the east coast of Africa, was completed on Saturday last, and the first direct message to this country was received in New York at 10:30 A. M. yesterday. It was an order from Port Natal for goods of American manufacture to the value of over $10,000.

The American Bible Revision Committee finished the second revision of the Book of Revelation on Saturday. At their next meeting they will take up the final conclusion of the British Company. The revised New Testament is to be published in England in 1881. The Old Testament revisers are at work on the Book of Job.

Gov. Robinson commuted the sentence of imprisonment for life of Thomas Lowndes, who, in June, 1874, was convicted of the murder of his wife in Brooklyn, to eight years and four months' imprisonment. In consequence of the deduction for good conduct, this term expired on Friday last, and Lowndes has returned to Brooklyn.

The meeting of the Broadway property owners was adjourned yesterday sine die. No further published call, the committee to ascertain the views of property owners not being yet ready to make a report. Property owners are requested to call at the office of L. Stewart, 54 William street, to signify their individual views on the matter.

A contest has been begun in the Surrogate's Court, in Westchester County, over the estate of John Sutwell, formerly a well-known merchant in the Bowery, who bequeathed nearly half a million dollars to his second wife and his children by her. The children of the first wife, who were not remembered, aver that Mr. Sutwell was unduly influenced in his last sickness.

In THE WEEKLY SUN of Nov. 26 we said, in answer to an inquiry concerning the standing of several firms of brokers in this city—among them Alex. Frothingham & Co. of 12 Wall street—that we are assured these firms have no financial standing. A more thorough investigation satisfies us that Frothingham & Co. are a responsible house, doing business in a legitimate way. They have a large account in the Fourth National Bank, and their purchases and sales for customers are made through reputable firms in this city. They conform to the Stock Exchange rules. Their transactions in stocks of all kinds average 1,500 shares a day, and an examination of their books, letter files, and bank accounts convinces us that their customers promptly get their remittances when their investments are on the winning side. The representative of the firm is John A. Dodge, a property owner in this city, and a trustee of Rutgers Female College. Mr. Dodge courts investigation of his business methods, and asks that any specific complaints be brought to his attention.—*N. Y. Weekly Sun, Dec. 24.*—*Adv.*

JOE COBURN TO STAY IN JAIL

GOV. ROBINSON DENYING THAT THE SENTENCE IS COMMUTED.

A Careful Examination of the Assertions that the Ex-Prize Fighter was Unjustly Sent to Prison—Their Falsity Established.

ALBANY, Dec. 30.—Gov. Robinson and his family vacated the Executive Mansion to-day, and took apartments in the Delavan House. He will remain there until after the inauguration of Gov. Cornell. He will then go to New York for a few weeks. Gov. Cornell began moving into the Executive residence to-day. I called upon Gov. Robinson this afternoon, and drew his attention to an article in Jay Gould's *Tribune* that said he had commuted the sentence of Joe Coburn to four years. The Governor said that there was not a word of truth in the story, and added that he was not surprised to see such a statement in the *Tribune*, as that newspaper had persistently misrepresented of late everything in relation to himself. "The fact is," said the Governor, "a large number of gentlemen, most of them of respectable standing in the community, have urged me to interfere in the case of Joe Coburn. According to these representations Coburn was the victim of a conspiracy on the part of the police and others. It was said that he did not have a fair trial, and that he was railroaded to State prison. So much was said that I determined to inquire into the facts. I got the printed minutes of the trial, and read all the testimony from beginning to end. I found that he was tried before Judge Sutherland, a very able and fair man, and that, instead of being railroaded, he had been accorded every possible facility for his defence. I failed to find a single extenuating circumstance in his favor which would induce me to interfere with the sentence. He had been fairly tried and was justly sentenced, and I declined to interfere. I am satisfied that most of the gentlemen who applied to me to interfere had not examined the case at all, but had their sympathies aroused by stories told by Coburn's friends. The fact, however, that I had been appealed to in behalf of Coburn, and was, as in duty bound, examining into the merits of the case, seems to have been sufficient to warrant the *Tribune* in announcing that I had commuted his sentence."

AMUSEMENTS.

Frank Mayo at the Grand Opera House.

If a packed house and liberal applause may be considered criterions of merit, the production of "The Streets of New York" at the Grand Opera House on Monday evening, with Mr. Frank Mayo as *Tom Badger*, was a decided success. Every seat was occupied, and the assembly testified unstintedly to its appreciation of the performance.

The play is too well known in New York to need description. Parts of it, such as the double tenement house scene, are very realistic. Every character in the piece was well and effectively played, but Miss Blanche Mortimer is especially attractive as *Lucy Fairweather*. A little moderation will doubtless be exercised in future in the distribution of the snow storm. On Monday night, when the entire tempest came down at once, accompanied by a portion of the apparatus, and in an instant heaped the rear of the stage with snow, it looked very much as though something had given way above.

The admirable effect of the house fire engine dashing up to the blazing tenement house in Baxter street was a little impaired by its dragging with it so large a portion of the drawing room scenery of the next act, entangled with its wheel, that the entire strength of the Fire Department was needed to dislodge the encumbrance.

The play, however, was excellently put upon the stage, and the scenery of Brooklyn Heights and the Fifth Avenue Hotel, as well as that of the more lowly parts of the city, are deserving of all praise.

Mr. Wallack's Reappearance.

One of the most interesting and encouraging signs of the dramatic season is the resuscitation of Wallack's Theatre and the restoration to its stage of taste and common sense and Mr. Wallack himself. The change is fully understood and appreciated by the public, and "She Stoops to Conquer" has been accorded a warmer and more enthusiastic greeting than almost anything that has been produced at any theatre in the city this winter. On Monday night numbers of people left the doors of the house unable to gain even standing room, and there is every reason to suppose that the present revival of the sterling drama will be attended with the most gratifying and unequivocal success.

It did not occur to one that Mr. Wallack ever acted the part of *Young Marlowe* better in his life, or that M