THE SUSPENSE NEARLY OVER

IMPASSIONED APPEALS TO THE JURY FOR AND AGAINST THE CONVICTION OF HAYDEN.

The Ghost of Mary Stannard Summoned into Court by Mr. Waller—Mr. Watrous Warns the Jury that They Must Not Risk the Danger of Being Pointed at by the Children of the Accused as their Father's Murderers—The Case to Go to the Jury To-Day.

The Hon. Thomas M. Waller began the closing argument for the prosecution on the fifty-fourth day of the great Hayden trial. The crush in the court room, although admission was by ticket, was unprecedented. Mr. Hayden's near relatives were seated within the bar. The Stannard family were unrepresented. Mr. Waller's manner was impressive, and his voice as clear as a bell. He opened his argument as follows:

At last, gentlemen, we are approaching the final labor of this protracted trial. I can scarcely tell you how thankful I am, personally, that I can soon retire from public gaze and the notoriety of this trial to the grateful obscurity of my own home and my ordinary quiet avocations. I am thankful for you, gentlemen, for soon the judicial seals will be taken from your eyes and your ears and your lips, and you will be permitted to go out and mix and intermingle with your fellow-citizens, with the right to read and see what you can, to hear what you like, and talk with whom you please. Fervently I pray, gentlemen, that you may go back after this verdict, and with a consciousness of having striven to do your duty like intelligent, high-minded, and honorable men. Gentlemen, despise me if you think I flatter you. There is no man among you that ever had, that ever will have, whatever can occupy as responsible a position as you do today. Accident makes you to day not town representatives, not county representatives, not even State representatives. You are to-day, gentlemen, national representatives of the jury system. You, yourselves, and each of you, are today on trial by the country, for it so happens that to-day there is no place in this vast country that does not take interest in this case. The country, gentlemen, are your jurors, and they will pass upon you, and each of you, when you have returned your verdict.

Mr. Waller then referred to the influences that might have been brought to bear upon the jury. To be patronized in the way that people can patronize without breaking the law, to hear this and that casual remark—these and other things might possibly have produced an effect. Sympathy might have been aroused. "I beg of you, for your own sake," said the speaker, "if there be one among you that feels that you are too weak—too womanly—that you elevate your character. You are supposed to be able to do your duty though it break your hearts, and if you are not men that can do this, I pray God to help you."

On the question of time, Mr. Waller said that the prosecution had been compelled to try five cases. It was an *e pluribus unum* case. The defence raised the case of a conspiracy of a father against a daughter; they raised possible issues of murder against Hazlett, Studley, and uncle Ben Stevens, and the prosecution had been forced to try them all.

The newspapers and others had spoken of the expenses of the trial. Are the prosecution to blame? Must they fall on their knees and beg pardon? The trial may cost the State $20,000 or $30,000. The prosecution had been accused of plundering the State treasury.

Why, whether the fault is there (pointing to the bench behind your Honor's pardon. They fix the payments and sign the bills, and they alone are responsible. Shall we, because we have discovered a murder, because the punishment of a murderer, when $120,000 a year are ready to provide a place where our Legislature make laws, and verifying some mighty railroad corporation? He sent a poor girl to her death? No, gentlemen. In the same palatial houses of a poor village lived a poor girl—a girl, not only poor, but frail, and this girl was betrayed by a man. It was that luck that poor girl met home and murdered her.

Mr. Waller then thanked the counsel for the defense for their courtesy, saying that it was the most remarkable because it had been maintained under adverse circumstances. He continued:

THE METHODIST CHURCH AND MR. HAYDEN.

When are we trying, gentlemen? We are trying a man who is an active religious organization; we are trying a man that if there is a possible doubt of his innocence has the sympathy, and ought to have it, of that great body. We are trying a man who, if he be guilty, has a church, a church organization is more strenuous in favor of a murderer's innocence, and I trust the time will be far distant when such a church will be found. I respect the poor sinner as much as the rich. God has ordained it so, that those who seek in his vineyard, in the road and the hedge, shall be brought as rich and good as those who seek in more fertile places. The thought of the poor sinner always brings to my mind the description of the good by Goldsmith. Think God, for amongst all the gifts that poet is vested in ten thousand place in our country.

But our ministers are not all good. There is no profession, no, not even that of a minister, is inerrable. If he does the morals and belief of his profession, charity, there is no such assumption that he will not commit the crime of murder. Did not Christ himself, knowing the heart, select one who betrayed him? He selected the twelve, he selected Peter, who was weak, and John, who was strong, and he selected those but one against even of old could say whether the proportion of bad men was greater or lesser.

Mr. Waller then carried the jury to Rockland. For three months the little village had been minutely examined. Men and women had been placed under the microscope, and their actions had been carefully scrutinized. What was the result? He did not believe that any village in the State could stand a similar scrutiny and come out as well. He described the houses and their occupants on the day before the murder—Mr. Hayden and his wife in their little cottage, Luzerne Stevens, Henrietta Young and mother across the way, Hazlett working at Nehemiah Burr's, Charles Stannard and his daughter, Mary and Susan, in their humble home, the boy and Minister Gibbs at the parsonage, Lucy Ann Stevens, Henrietta Young and mother across the way, Hazlett working at Nehemiah Burr's, Charles Stannard and his daughter, Mary and Susan, in their humble home, the boy and Minister Gibbs at the parsonage, Luzerne Stevens cared for Mr. Hayden's cow in his absence. Stannard supplied him with summer and apples in return for neighborly favors. Susan Hawley loaned him the only mower owned in the world, and the swill from the house to feed his pig. Mr. Hayden's pig. Were they so pig malignant in these neighborly actions? And yet Mr. Jones would have this jury believe that Henrietta Young and her mother committed perjury because Mrs. Hayden had not invited them across the street to see her new baby! Perjury! Perjury! shouted the speaker. Was there any malignity anywhere on the day before the murder? Do you believe that such neighbors can come into court and perjure themselves in the face of a jury that will send them to State prison for life?" Mr. Waller continued:

THE SCENE OF THE MURDER PICTURED.

Out of sight of the house comes the victim, and her murderer. On his way he passes the dead body of the young girl and goes deeper into the woods. There were bruises on her face, her head and her neck was gone in her throat. In conjunction with the wounds, you will find was killed by poison. It was killed by poison and the throat was cut. It was killed before the throat was cut. Do you suppose that the throat would have bled before the throat was cut? Ask yourselves if that poor girl could have lived a day. She was killed in that place. Some one killed her. Was it a brave act murder? She had confiding girl, for she was a girl, and that she had confidence in the man who killed her. Was it a coward act? Ask yourselves if that man who killed her was a man who would have the courage to look his victim in the face?