The Sun.

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THE POCASSET TRAGEDY.

FREEMAN AGAIN TRIED FOR MURDER AND ADJUDGED INSANE.

Killing his Little Daughter, as he Believed, by Command of the Lord, Expecting her to Rise from the Dead on the Third Day.

BOSTON, Dec. 5.—Charles F. Freeman of Pocasset, the religious fanatic, was placed on trial for the second time in the Supreme Court at Barnstable to-day for the murder of his daughter Edith. He was adjudged insane and sentenced to the Danvers Insane Asylum for life. Freeman was born in Highgate, Vt., in 1846, and with his father moved to Natick, Mass., in 1847. He enlisted as a drummer in the Twenty-ninth Massachusetts Regiment in 1863, and served in that capacity until the regiment came home. He afterward lived in Lynn, where he married his present wife. Thence he moved to Pocasset, where he engaged in farming. He was admitted to the Methodist Church on probation, but afterward separated from it, with several other members who embraced the Second Advent doctrine. Freeman became terribly in earnest in this new belief. He thought that the Lord demanded as a proof of his faith that he sacrifice his young child. He brooded over this until it became a reality, and on the evening of May 1, 1879, after a consultation with his wife, he deliberately entered the room where the little Edith lay, drew down the clothes, and drove a sharp knife six inches into her left breast, puncturing the heart and killing her instantly. After the murder was committed he acknowledged to Dr. J. M. Smith that he killed her by command of the Lord. He was subsequently tried, adjudged insane, and confined in the Danvers asylum. Some time afterward he was pronounced sane, and since that time has been in jail awaiting his trial.

The court opened at 9 A. M. to-day, with Chief Justice Morton and associate Justice Field on the bench. The Commonwealth was represented by Attorney-General Sherman and District Attorney Knowlton of Barnstable county. The defendant's counsel was Charles A. Tabor, assisted by Mr. Boardman of the Barnstable bar. Prayer was offered by the Rev. Philo Hawkes of the Methodist church. The court room was crowded with spectators, not a few of whom were Adventists who were invited to the prayer meeting which followed the horrible sacrifice, and who thanked the Lord that one had been found of sufficient faith to obey the voice of God, even to the slaying of his first born.

In the impanelling of the jury the prisoner challenged six, the Commonwealth four, and eight were excused because of opinions previously formed. District Attorney Knowlton opened the case, and, after narrating the circumstances of the crime, said that there was no question as to the commission of the act, as that was an acknowledged fact. He claimed that all killing was not murder. The humanity of the law calls upon us to prove and inquire whether it was the directed impulse of Freeman that caused the deed. If it was, it was then murder most foul. If not, then it was the deed of an insane man. The prisoner had been released from an insane asylum on the opinion of the best authority in the land that his reason had been restored. The question for the jury was whether he was sane at the time of committing the crime. If so, he must be adjudged guilty of murder in the first degree. If not, the verdict must be found "Not guilty by reason of insanity," and then the Court must sentence him to be confined in an insane asylum during the remainder of his natural life.

Dr. George N. Mussell of Harwick, the Medical Examiner of Barnstable county at the time of the murder, was the first witness called. On May 2 he heard of the murder, and went at once to the house of Freeman. He found Freeman, at 4 P. M., in his room, lying on a lounge, and his wife sitting on the lounge with her hand on her husband's hand. Freeman led the way to the bed where Edith lay, accompanied by his wife, and placed the body in the same position which it lay when he committed the murder. The bedclothes were covered with blood. The wound was an inch and a half long, penetrating some five inches into the body. Freeman, in the most enthusiastic and excited manner, detailed the circumstances of the "sacrifice," and told witness that he was acting under a direct command from God to sacrifice his child in accordance with the Abrahamic faith; that he asked God that it might be some one besides his child he loved so well, or that it might be himself or his wife, but the command came, and he had to obey. He had been a firm believer in special communications from God to his children, and felt sure that God would stay his hand before the blow fell, but he did not, and he did what God ordered. Freeman also said that for a long time he had felt that God had called him to do some special work, and on the night previous he suddenly arose and felt that God had called upon him to sacrifice his child.

Alfred Wing of Pocasset, a neighbor of Mr. Freeman, saw the child sitting on her father's lap the day before her death, and he was caressing it in the most affectionate manner. He saw the child dead the next day. On the morning of that day Freeman asked witness to tell everyone he said to come to his house in the afternoon. He went to the house at 3 o'clock and found several persons there. Freeman called the people to order, omitting prayer, and began explaining the Bible, taking about Abraham, and saying, "The Lord stayed his hand, but he did not mine." The women began crying, and he said that the child would rise again the third day. He said he felt like a man who had sailed across the Atlantic Ocean and was all ready to step ashore, but could not lose his soul by refusing to obey God's command.

This closed the case for the Commonwealth. Mr. Tabor, in opening the case for his client, said that the defence would not attempt to deny the facts of the crime, but would simply put in evidence to show that Freeman was not in his right mind when the deed was committed.

Walter H. Wing of Pocasset, who had known Freeman for several years, was the first witness for the defence. He had always found Freeman to be an honest, industrious man, and a good neighbor, loving his family, and kind toward his children. Freeman became greatly interested in religion in the spring of 1879, so much so that he sometimes neglected his business. Witnesses corroborated the testimony of Mr. Alfred Wing relative to the meeting at Freeman's house on the day after the murder.

Reuben W. Lawrence of Pocasset had known Freeman fourteen years. His reputation was that of a good man, but of late years he had been an enthusiast on religious matters. He often spoke of receiving messages from the Lord. He once admitted that he had been mistaken, and that a message he thought came from the Lord came from the devil.

Sylvanus P. Handy of Pocasset said that Freeman was always a temperate man, but, although formerly industrious, had in the early part of 1879 neglected his business, and talked about nothing but religious subjects.

James H. West of Sandwich had known Freeman for six years, always found him to be a good neighbor, but noticed that in the early part of 1879 he did not care much for money.

Mrs. A. P. Davis of Pocasset had known Freeman for 10 years. He was always fond of his family, and loved his children as dearly as any father. In 1879 he became absorbed in religion, and went about from house to house attempting to save souls. "On the night preceding the murder," witness continued, "I saw him at Mr. James West's. He seemed sad and depressed. I went to the house on the day after the child had been killed. At that meeting Freeman said that the lightning he saw without thunder was a sign that the kingdom of God was coming upon the earth. After the meeting the body of the child was shown. I remained over night. I noticed that he and his wife appeared strangely for about two weeks prior to the murder."

Mrs. Freeman, wife of the prisoner, then took the stand. She is a ladylike person in appearance, and was neatly dressed, but had a careworn look on her countenance. She said her name was Harriet R. Freeman, that she had been married ten years, and had had three children, only one of whom is now living. She continued:

My husband was very kind to his children and to me. Prior to 1878 he was always attentive to his business, and always provided me with all the necessaries. In 1878 he had a partial sunstroke. In the winter of 1878 there was a revival in the Methodist church, and he became consecrated to God entirely, and from that time became an active church member. He was so absorbed that he began to neglect his business. His nervous system received a great shock in April, because my sister's husband came home from sea and was so wrecked that his wife had accepted the doctrine of the second coming of Christ that he threatened to shoot my husband. It had a great effect upon his nerves and troubled him greatly. He began to have visions, in one of which he heard voices and in another had seen supernatural sights that signified to him the coming of the end of the world. On the night of the death of Edith I went out sick, and for several days he had not eaten anything. He spoke of a great burden he felt, such as Moses must have felt when he entered the mount. On that night I was awakened by my husband, who said that God had called upon him to make a great sacrifice. I saw him leave the room, and when he came back he had the child in his arms. It was dead. He walked the room with it and prayed and wept. He took it to bed with him, and kept it with him all night. The whole scene is like a terrible dream, which one remembers but cannot distinctly connect, and which, when I try to think of, it seems like an awful recollection.

Cross-examination—I was in full sympathy with him, believing it an eternal call, and I gave myself up to it unreservedly. I now most emphatically look upon it differently. I never thought for a moment he would ever injure the child. He had had other tests prior to that time, which had been encouraged by the church with which he associated. At one time he expressed a willingness to leave his family and go to a far-off country if God called him, and I agreed with him, because I thought God had called him. Such things as these prevented me from distinguishing the natural from the unnatural.

Witness then described the lightning seen by her on the night of the murder, which was vivid and unaccompanied by thunder, a circumstance which her husband dwelt upon as a confirmation of his declaration that God had called him to the sacrifice.

At the conclusion of Mrs. Freeman's testimony, a noon recess was taken. When the court reassembled, the court room was crowded, many ladies being present, and it was evident that the sympathy of the audience was with the prisoner, whose wife sat beside him, engaged in conversation with him.

Dr. Charles F. Folsom of Boston, Dr. John P. Brown, Superintendent of the insane asylum at Taunton; Dr. James H. Denny of Boston, and Dr. Peter Pineo of Hyannis, all experts on the subject of insanity, testified that they had made a special examination of the case, and had no doubt that Freeman was insane at the time of the tragedy. Dr. Pineo added that it was not unusual for an insane man to commit only one violent act.

In the charge to the jury Chief Justice Morton advised that a verdict be returned of "Not guilty by reason of insanity," and the jury, after an absence of ten minutes, rendered that verdict. The Court then ordered the prisoner to be sent to the Danvers Lunatic Hospital, there to be confined for the remainder of his natural life.

After the court adjourned Freeman, in company with a deputy sheriff, was in the yard adjacent to the Court House, smoking a cigar and conversing cheerfully with his friends. He expressed great satisfaction at the result.

AMANDA FLUCH'S MURDER.

First Knocked Down and Afterward Carried to a Tree and Hanged.

The Grand Jury of Middlesex county, New Jersey, in session at New Brunswick yesterday, presented an indictment for murder against John Koop, the self-confessed murderer of Amanda Fluch of Quakertown, Pa., otherwise known as Fannie Dunnan. Koop's confession to Chief of Police Fourat and the Philadelphia detectives included many details of the crime.

"The girl accused me of deceiving her while I was in Quakertown, in December, 1882," he said, "and insisted that I should marry her. I refused, and after I went away she wrote to me several times, repeating the request. I finally answered one of her letters while I was in Perth Amboy, and invited her to come. We remained that night at the hotel where I was stopping, and the next morning about 9 o'clock I invited her to take a walk with me in the woods. She walked alongside me, and asked me once or twice if I expected to marry her. She said she loved me, and would make me a good wife, but I said 'No.' I made a proposal to her which she rejected, and I then struck her on the back of the neck with my fist, and she fell on her face, the blood running out of her nose and mouth. I wiped it away with my handkerchief, which was thus stained, and I threw it away."

Koop then paused, and evidently desired to stop there or repeat his previous declaration that he had left the woman where she fell, but the Chief of Police said:

"Tell us the whole truth. It is the best thing to do, because I suppose you know your handkerchief, with your initials on it, was found."

"After she fell down on her face," Koop continued, "she turned over and looked me in the eyes and said: 'Oh, John, don't do it.' I didn't stop to think, but took the rope from around my waist and tied it about her throat. Then I lifted her up on her feet. Some of the blood got on my coat sleeve and I didn't like it. I carried and pushed her along a few feet until we stood under the branches of a tree. I threw one end of the rope over a branch. Then I hoisted her up with the rope and held her there until she died. It took about ten minutes. After tying the rope so it would look like a suicide I crawled out through the underbrush to a back road and went back to the brickyard.

"I remained around Perth Amboy until last September, when the body was found. Then I went to Quakertown. I began drinking last Monday week and kept it up until Friday because I felt so bad over what I had done. It wouldn't have been right for me to marry the girl, because I have a wife and children in Germany."

THE NUTT-DUKES MURDER TRIAL.

Senator Voorhees Appears for the Defence—A Change of Venue Ordered.

UNIONTOWN, Pa., Dec. 5.—This morning being set by mutual agreement for the beginning of the trial of James Nutt, the case was called immediately after court met. A moment later the prisoner, accompanied by his mother, his Uncle Steve, and James Wells, his mother's brother, appeared. Then came his counsel, led by Senator Voorhees, who arrived this morning. The Senator approached the prisoner and shook him warmly by the hand. Mrs. Nutt was dressed in deep mourning and sat with her son at the extreme end of the counsel table. James being at her right hand and her brother, James Wells, at her left. Young Nutt was sober and calm as the Judge. His face was pale and clean shaven. The rest of the prisoner's counsel—Major Swartzwelder and Major Brown of Pittsburgh, and Messrs. Boyd and Playford of Uniontown—also shook hands with the prisoner, and then all took their seats. The prosecution was represented by David Patterson and District Attorney Boyle.

A few moments after the court room was opened the greatest crowd ever held within its walls filled the benches and aisles. After the admission to the bar of the counsel from abroad, the choosing of the jury was begun. The first juror sworn was the twenty-fourth on the panel of eighty. It was Capt. McIlowell, one of the best citizens of this town, and a lawyer. Both sides appeared anxious to have him. At 12½, when the noon recess was taken, fifty-eight jurors had been examined, but McIlowell was the only one sworn in the morning, and four stood aside. In the afternoon jurymen were called and questioned until 10 minutes of 3, when the panel being exhausted, the four who had been stood aside were recalled, and after some wrangling two of them were sworn.

Senator Voorhees then rose, and in a short but effective speech moved for a change of venue. This motion was argued on both sides at length, and at 4 o'clock Judge Wilson ordered that the case be removed to Allegheny county. The reasons alleged in the motion were that, owing to the very general expression of opinion in this county, it would be almost impossible to obtain a jury.

Senator Voorhees will start for Washington to-morrow. The removal of the case to Allegheny county will insure a speedy trial.

THE CHARCOAL PIT TRAGEDY.

A Connecticut Murder that May Equal in Mystery that of Mary Stannard.

MADISON, Conn., Dec. 5.—The mystery that surrounds the murder of Eldridge F. Johnson bids fair to equal that of the Mary Stannard murder, which was committed only a short distance from where Johnson's body was found. Last night State Attorney Doolittle sent to New York for a Pinkerton detective.

Now traces of the struggle between Johnson and his murderer or murderers have been found since yesterday. A stone weighing six pounds, part of it coated with blood, was found near the charcoal pit. Several hairs of the color of the dead man's hair were sticking to the stone. That there was a fearful struggle admits of doubt. One spot was pointed out where Johnson must have fallen under a staggering blow. The ground was rooted up, and a pool of blood was near by. Neither the missing axe nor the lantern which Johnson carried to the pit have yet been found. The dead man's mittens which he wore on Sunday night are stained with blood. The discovery of the mittens on the ground indicates to many that he was attacked while at work at the pit. Johnson's hat, which could not be found yesterday, was this morning picked up at Black Hill, a ledge of rocks right back of the pit. The hat was stained with blood. Two large stones were beside it, also covered with blood. The Sheriffs say that whoever killed Johnson first dragged his dead body to the ledge of rocks. A cavity large enough to secrete a man's body was discovered. Here they say the body was first placed. Then the murderer, fearing that Johnson might be sought for there, hauled the body to the pit and threw it into the burning charcoal to destroy all traces of the crime.

Canvas Backs

Recommend themselves to every class of smokers on account of their superior quality and great economy. They give the best possible smoke for least possible money. One trial will convince you; 5 for 10 cents.—*Adv.*

Monsignor Capel's Lectures.

On Marriage, this evening, in Chickering Hall, at 8 o'clock. Reserved seats, $1. Admission, 50c.—*Adv.*

WAS IT A WEDDING OR NOT?

MISS HIGBIE'S ACCOUNT OF HER MARRIAGE TO A BOY BY A BOY.

How the Ceremony was Performed—An Insight Into What the Line of Defence is to Be—The Audience Gives Over to Levity.

During more than five hours yesterday a young woman faced a halful of men, women, girls, and boys in New Utrecht and replied to lawyers' questions. Though in moderate circumstances, she was richly dressed. Her dark velvet dress, set off with lace trimmings and silver buttons, closely fitted her graceful form, and the rich feathers of her jaunty hat rested above the waves of black hair that fringed her youthful and attractive face. The color of her face was scarlet, for her testimony was to prove whether or not she was simply Anna Higbie or Mrs. Anna Vaughan, bride of the son of a well-to-do iron manufacturer in Maiden lane. The marriage ceremony had been performed at a party in Flatbush, and it rested upon her to prove that it was understood to be in earnest, and upon him to show that it was done in jest. Her youthful-looking mother, sitting with her sister, Mrs. Mundy, watched her as she told her long story. Her alleged husband sat beside his portly and jolly father, a few feet in front of her.

Justice Cornelius Ferguson, Jr., presided, and Counsellors Leggett and McCarthy, for the girl, opposed Counsellors Pelton and Poucher, for the boy. Court opened early in the evening, and the country people swarmed into the room. They laughed immoderately whenever they got an excuse. The case came up in a police court because Vaughan was arrested on the technical and criminal charge of abandonment. Both boy and girl are 17 years of age.

"Mrs. Vaughan," said the lawyer, "take the stand."

She tripped to the stand and took the vacant chair on the bench beside the handsome young judge. She said: "My name is Anna Evadne Vaughan. E-v-a-d-n-e; it's a French name." Then, in a low, girlish voice, and with flaming cheeks, the witness told the following story, being interrupted by requests that she speak louder and by legal wrangles. She talked readily enough, however, and kept the stenographers at a strain. Every time she touched and retouched upon any point in her story she used precisely the same words.

"I live at 403 Malbone street, Brooklyn, with my parents. I used to live at 902 Beverly street. About a year ago last Miss Walter, in Flatbush, she introduced me to Walter Vaughan. I can't say exactly how many times I met him, but I should say over thirty times at sociables, in church, and, in fact, all over. I was staying with my sister in Flatbush avenue, Brooklyn, while my mother was out of town. Mr. Vaughan would come and spend evenings with me. He walked home with me from sociables. He would put his arm around my waist and make love to me all the way.

"On July 19, at the residence of J. A. Case, in Flatbush, Mr. Vaughan asked me to become his wife, and I answered 'Yes.' He led me up to Mr. Areson, saying, 'Here, Charley, I want to be married; marry us.' Then Mr. Areson performed the ceremony. He said, 'Walter, will you take this woman to be your lawful wedded wife, to love, cherish, honor, keep, protect her, for better or worse, for richer or poorer, in sickness or in health, all the days of your life?' And Walter answered, 'I will.' Then he repeated the ceremony to me, and I answered, 'I will.' He said: 'Now, Annie, remember this is lawful and will stand the law.' I expressed my liability in what words I do not know. He said: 'I'll prove it.' He led me up to Mr. Case and asked him whether such a ceremony was legal, and Mr. Case said it was. He said: 'Now, are you satisfied?' I said: 'I suppose I'll have to be. I s'pose.' He said: 'Well, to satisfy you, I'll send it to you in black and white. He introduced me to a friend, Frank Meather, as his wife, and I introduced him to Mrs. Hamlod as my husband. When walking home he said: 'Now, Annie, need not be at all surprised if you find yourself walking home to Clarkson street.' Surely, Anna,' he said when we were about to part, 'You are not going to allow your husband to go home without kissing him?' I kissed him about half a dozen times. Next day I received this letter:"

NEW YORK, July 20, 1883.

Mrs. J. Walter Vaughan.

DEAR WIFE: By mistake and forgetfulness, and also being so wrapped up in your charms, I carried away your valuable manuscript, and I return it by same mail as this. I arrived home safely at 12½. Good morning, and am none the worse for my walk.

Hoping you were O. K. after your first night's married life, I remain your loving husband,

J. WALTER VAUGHAN, 103 Maiden lane,
Or Clarkson street, Flatbush, L. I.

She replied to this that she had told her mother who he was, and that her mother said she would like to see her son-in-law. He replied as follows:

NEW YORK, July 24, 1883.

DEAR ANNIE: Yours of yesterday to hand, and I can assure you it was an unexpected pleasure.

If it would do you any good I would also like to have your mother see her new son-in-law, and if she is at your sister's house to-morrow night I will not charge more than $5 to let her look at me. If indistinctly you are tired of reading this, so I will put a stop to my scribbling. Will be up to see you to-morrow (Wednesday) night, between 8 and 8½ P. M., when I expect to be able to give you a full account of ride to the beach. Hoping this will find you in excellent spirit (not brandy), I am ever yours, Your loving husband, WALTER VAUGHAN.

N. B.—Please excuse business paper, as it is so seldom I write to young ladies, it don't pay to keep note paper on hand. JEROME.

She continued her testimony:

On the following Sunday my sister and I met a Mr. Snyder, and we went to the gate to see if we found Walter there. I ran from Mr. Snyder and took Walter's arm. I introduced him to Mr. Snyder as my husband. Mr. Snyder was indignant and asked what it meant. Walter said because I was his lawful wife. Mr. Snyder asked who the minister was that performed the ceremony. Walter said if he would wait he would hear from himself. Mr. Snyder asked the witness, he said, turning to my sister, "Here is one and only" is Mr. Meather, to whom I have introduced her as my wife, and that gentleman said that was so. Walter said he had proved it to me in black and white and done all he could to prove the sincerity of the marriage.

Mr. Vaughan, the elder, laughed silently until he shook all over with mirth. He eyed his son roguishly, but the boy looked uncertain how to bear himself. A letter was introduced, in which he wrote, addressing her simply as "Dear Annie," and saying he "desired to make an engagement for Sunday night if agreeable to her, signed only "J. Walter Vaughan." She went on:

On his first visit after our marriage I met him at my sister's. I talked some time, and then he told me his financial affairs, saying he had an account in a savings bank and another in the office, but he had drawn considerable, and must stop sending me money. He said he had both save together. He invited me to a straw ride, but mama would not let me go. On Aug. 1 I received this letter from him in the extreme: "Dear Annie: I was agreeable to hear from you so soon and that it was such a nice letter. Will be up to Mrs. Mundy's Thursday evening. Yours sincerely, WALTER VAUGHAN."

He called shortly afterward, on Thursday evening, and on this night we were alone together for the first time. Here the witness exhibited great confusion, and when asked to speak louder she said, "Oh, how can I?" She then added in a sentence that a new relationship began between her and Walter. I told Walter that Charley (the person who performed the ceremony) was not an ordained minister, and Walter said it made no difference; that I was his lawful wife, and I should only believe I was. On the next visit Walter quoted Scripture, and said: "Annie, thy people shall be my people and my people shall be thy people; where I go you shall go." He took my little nephew on his knee and said: "Come and kiss your father Walter."

On Aug. 9 Frank Hodgkins, Miss Gertie Bennett, and I went to take a walk. Walter left me and went to Gertie, and I walked on ahead. Walter was walking with another girl, and Walter came back to me and told of Mr. Hodgkins to go away. Afterward he said that my name was not Miss Higbie any longer, but Mrs. Vaughan. I did not see him until the following Wednesday morning. He told me about his business. He wanted to go to Buffalo to get $3 a day. He was only getting $2.50 in the city. I told him I thought he'd better remain with his father. He kissed me.

She then told of passing Walter while going to church, and said she was very angry to see that he had a lady companion. She wrote to him about it next day. The question whether Walter had contributed to her support was excluded. She said, however, that her parents are supporting her. On cross-examination Mr. Pelton held her original affidavit in his hand and reading from it, asked whether she was a pauper. She said 'no.' Any danger of your being a pauper? he asked. 'Yes,' she said, because my mamma told me I must go to my husband or elsewhere. So did papa, as soon as I told them I was married.' She said she never told Walter of her poverty. When Lawyer Pelton asked her if she knew the nature of an oath, she replied: "No, sir, not very well. I don't."

The elder Mr. Vaughan, whose countenance had been contorted with his efforts to remain immovable, burst into subdued laughter at every amusing incident that made the audience laugh, and also at many points that seemed to amuse him especially. It is said of him that he told a visitor the other day that he had to leave the room and straighten his face every time he thought of this case. As the cross-examination proceeded, the nature of the defence became very apparent. She admitted that she and a Mr. Snyder performed in a dialogue in a church exhibition as man and wife after the ceremony with Walter. She denied that she was thereafter called "Mrs. Snyder" except by Walter. No young man except Walter ever kissed her or put his arm around her waist.

Here came a sensation. Lawyer Pelton asked her if Areson, the man who performed the ceremony, was in the room. She said yes.

"Stand up, Mr. Areson, if you please," said the lawyer.

There arose from one of the foremost benches a sandy-haired, smooth-faced, giggling boy, who blushed and hung his head, and dropped back into his seat. The assemblage roared, and the magistrate threatened to clear the hall.

Q.—Did any one propose to play or to mock marriage? A.—No, sir.

Q.—Didn't you propose it yourself? A.—No, sir; I never said no such a thing.

Q.—Suppose several persons swear you did, wouldn't it alter your recollections. A.—No, sir, not at all.

The lawyer proposed to show that the farce had been gone through with by something like a dozen persons; that some went through it before Miss Higbie did; that she swung right around and was married to Frank Hodgins, and that she and Gertie Bennett had a tiff or quarrel as to who was Walker's wife, she or Gertie. She denied all this, though she admitted that others were married after her on the lawn. She didn't remember Hodgins having asked her if she wasn't afraid she'd be arrested for bigamy after having married him and Writer on the same day. She never said the wedding was a joke. She regarded it as serious from the moment it occurred. She afterward admitted she thought it was not legal.

Her letter to Walter bidding him come home and telling him patience had ceased to be a virtue was read and followed by Walter's reply, in which he said that some one must be trying to make a fool of her; that the wedding was a fiction and a mere game, and that death would be preferable to a wife so utterly devoid of delicacy as one who would resort to such a measure to get a husband.

She continued her testimony:

Q.—How did you get this letter? A.—A colored gentleman called and asked if Miss Annie Higbie was in. I told him yes. I told him I had nothing to send to Mr. Vaughan. I would write. (she acknowledged that she was always called by her maiden name after the ceremony, and that all Walter's letters to her were addressed, "Miss Annie E. Higbie." Her first letter to him was signed as his wife; the others were signed Anna Evadne H., and one Anna Evadne H. V.)

Q.—When Walter and his two friends called on you and your mother, and were discussing this mock marriage, did you not say in the presence of the company, "Oh, what's the use of talking. It was only a joke, and done as a joke; when the lawyer said it was legal I laughed in his face?" A.—No, sir; I didn't say it.

Q.—Did your mother say "Shut up; you're young and inexperienced?" A.—No, sir.

Q.—If they all swear to the things I have stated would that change your mind? A.—No, sir.

Adjourned to Tuesday afternoon.

WAR WITH FRANCE IMMINENT.

Massing all Available Land and Sea Forces for the Protection of Canton.

HONG KONG, Dec. 5.—Admiral Peng-Yu-Lin, whom the Emperor of China sent to Tonquin to investigate the position of affairs there, has returned to Canton. He has notified all foreigners that war between China and France is imminent, and has ordered the massing of all available land and sea forces for the protection of Canton. The Admiral holds France answerable for precipitating a war, and warns neutral powers to observe treaty stipulations and the rules of international law.

PARIS, Dec. 5.—The Yellow Book on the Tonquin affair was distributed to the members of the Chamber of Deputies to-day. It contains the Chinese memorandum which Prime Minister Ferry, on the 28th ult., gave to the Tonquin Credits Committee. The memorandum says that France had imposed upon Annam an unjust treaty, ignoring the rights of China; that France had invaded Annam and manifested an intention to take Bac-Ninh, the key of the Chinese empire, and that China, while feeling compelled to resist aggression, appealed to the honor of France to prevent bloodshed.

The Marquis Tseng, in replying to the latter proposition, says that he regrets that France regards the occupation of Sontay and Bac-Ninh by her troops as indispensable to the settlement of the question. He also says that he fails to perceive the necessity of France occupying those places, which she is aware the Chinese hold.

The Marquis Tseng comments on the statement of Prime Minister Ferry in the Chamber of Deputies on Oct. 31, in which he declared that the French Government did not believe that China would declare war, nor had France any intention of doing so; that France was desirous of firmly establishing herself in the Red River Delta by gaining possession of Sontay and Bac-Ninh; that when that was achieved nobody would be able to drive her out; that with patience, sang froid, and her forces she would be proof against everything, and that prudent policy would lead to the settlement of the Tonquin affair. The Marquis says that this statement produced a painful impression at Tonquin, and became a question of the possession of Tonquin, further negotiations would be useless, as it would be impossible for China to agree thereon.

On Nov. 30 M. Ferry declared that the ideas of the French Government had not changed during the last three years. The French policy, he said, was guided by the principles which formed the basis of the treaty of 1874. Our plan of the campaign has not been modified, and cannot be modified. It is not with us that the responsibility for a conflict will rest.

The Marquis says it is clear that M. Ferry's negotiations with the Marquis Tseng aim at the conclusion of a treaty on the basis of the formation of a neutral zone between China and Annam. The same paper asserts that Earl Granville, the British Foreign Secretary, has informed the Marquis Tseng that if China does not make important concessions England will leave France complete liberty of action.

There have been active negotiations between the Marquis Tseng and M. Ferry since the latter's note of Nov. 30.

St. Petersburg, Dec. 5.—The *Journal de St. Petersbourg* declares that nothing is known in St. Petersburg relative to Russia participating with the other powers in a joint protection in Chinese waters of foreign persons and property in the event of a war.

Lord Lorne Lauding Canada.

BIRMINGHAM, Dec. 5.—Lord Lorne delivered a long lecture here last evening upon Canada and its products. He particularly praised the salubrity of the climate of the Dominion, and said fevers, which were too common in the United States, were unknown within its boundaries. He lauded Canada as a field for emigration, and expatiated upon the marvellous progress made in that country. He mentioned Pictou in Nova Scotia, which, he said, with its cheaper labor, will soon rival Glasgow, Belfast, and London as an iron shipbuilding port. The said Toronto is one of the most prosperous cities on the American continent, and one that is destined to have a great future. Lord Lorne concluded by saying that the Canadian people are thoroughly devoted to the connection with the mother country; otherwise they would have long ago discarded their allegiance, of which they are proud. With the Dominion of Canada and the Australian colonies in close relations England need never fear that her proud position in the world will be shaken or questioned.

Dr. Stoecker Challenged.

BERLIN, Dec. 5.—Herr Phillips, editor of the *Volks Zeitung*, and a member of the Reichstag, has challenged Dr. Stoecker to fight a duel, owing to obnoxious remarks made by the latter in regard to the Liberal press. Dr. Stoecker has declined the challenge on the ground that he is a clergyman.

The Supreme Church Council has summoned Dr. Stoecker, the court chaplain, to either abandon his anti-Semitic agitation or resign his position. This action is due to the violent speeches recently delivered by Dr. Stoecker in London.

Irish Murder Conspirators Indicted.

DUBLIN, Dec. 5.—In the Court of Assizes today a true bill was found against Elliott, one of the men arrested for the murder of Mrs. Smythe, wife of a baronet of Westmeath, who was shot and killed on Sunday, April 2, 1882, while riding home from church. True bills were also found for conspiracy to murder against fourteen others in connection with the same murder. The Crown counsel said if the prisoner, also arrested for complicity in this affair, were ignored.

The French Language Prohibited.

METZ, Dec. 5.—Baron von Manteuffel, Governor of Alsace-Lorraine, has annulled a resolution adopted by the District Diet of Upper Alsace allowing the use of the French language in its debates. The ground of the Governor's action was that the Diet had exceeded its legal powers.

Great Fire in Constantinople.

CONSTANTINOPLE, Dec. 5.—The Haskieui quarter, inhabited by Turks and Jews, has been on fire all day. Hundreds of houses have been destroyed, and much distress prevails.

A Detective Accused of Shielding Gamblers.

CHICAGO, Dec. 5.—Charles Haley, who has been employed as Chief of the Chicago and Northwestern Railway detective service, has been arrested charged with compounding a felony. A general claim is made against Haley that he has been directly connected with an organized gang of innate sharps, and that by giving them his official protection has shielded in his moneys obtained from gullible travellers, and particular instances are cited where he shielded train gamblers who had obtained large sums of money by three card monte and other well-known confidence methods.

Special Messages from the President.

WASHINGTON, Dec. 5.—It was learned at the White House to-day that the President will make the Mississippi River improvements, the Hennepin Canal, and other public works the subject of special messages to Congress. Reference to these subjects was omitted from the regular message, with the view of treating them more in detail in supplemental communications.

A Verdict Against Mouck.

A sealed verdict in the case of Francis W. Mouck, the Christian healer, who was sued by William A. Henry for $875 wages as a private secretary and agent, gives Henry $600 and $134, which Henry admitted he had received, and $66 for board in Mouck's house.

HIS HAND BLOOD-STAINED.

DID PATRICK M'FARLAND MURDER PHŒBE PAULLIN?

The Public Prosecutor Thinks he Is the Man—Released from the Penitentiary Just Before the Crime—Seen in the Vicinity.

NEWARK, Dec. 5.—Between 7 and 8 o'clock to-night Detective Rever and Sergeant Conroy took to the county jail in this city a man who is believed to be the murderer of Phœbe Paullin. These two officers have worked together on the case, and several days ago they heard of stories about Patrick McFarland which startled them. McFarland was discharged from the penitentiary at Caldwell on Nov. 22, the day that John Chisholm was hanged. On the Sunday morning that Phœbe Paullin's dead body was found he was seen at the Orange station of the Delaware, Lackawanna and Western Railroad by a man who knew him. He wore a long light overcoat and carried his hands in his pockets. It is said there were bloodstains on the coat. His friend talked to him, and during the conversation McFarland pulled one hand out of his pocket. There was blood on it. His friend said to him:

"Hello, what have you been doing?" It's a good thing no murder has been committed around here, for you would surely be arrested."

McFarland soon afterward left the station. When the detectives learned this story they shadowed the man, and at the same time pretended to be working on other clues. They became satisfied at last that McFarland was implicated in the murder, and early this evening they went to John Gill's hat forming factory in Lumber street, where he was working, and arrested him. It is said they did not tell him what they wanted him for, but said:

"Come along with us. We want you."

McFarland turned pale and trembled, he was hustled into a coach and was rapidly driven to the jail and placed in a cell. The jail warden was directed to allow no one to see him except with the permission of Prosecutor Keene.

On the way to the jail the prisoner talked very little, he said, however, that he did not commit the crime.

McFarland has been twice in the penitentiary. In the first case the evidence of the crime was not complete, and Prosecutor Abell accepted a plea of guilty of assault and battery, and McFarland went to the penitentiary for six months. About six months ago he was sentenced to a like term for assault and battery, and it was this term that expired on Nov. 22.

Detective Rever started for Brooklyn after leaving the jail, to get more facts about the prisoner. It is said he was in a saloon in South Orange about 8 o'clock on the night of the murder. This town is only three or four miles from Eagle Rock. Prosecutor Keene, under whose direction Rever worked, refuses to talk about the arrest, but he and the officers believe the right man is in custody.

Policeman O'Brien says he saw McFarland at 12 o'clock on the night of the murder at the Delaware and Lackawanna Railroad station. McFarland told him he had just came from Brooklyn by the south shore in a point opposite Elizabethport, there to connect with some one of the great trunk railways to the West, thus making Staten Island a depot for heavy freight and avoiding the expensive terminus at New York or Jersey City.

Mr. Barton represents the Vanderbilt and other interests, who propose to effect the same object by building what they call a terminal road from the Barton property on Staten Island, via Rossville, and connecting with the Bound Brook line. The Commissioners have therefore a hard jury to decide upon the dispute between these strong conflicting interests.

At the hearing yesterday Mr. Franklin B. Gowen testified to the great value of the Barton property, in view of the present pressing demand for water front in and near New York. In the course of the proceedings yesterday, Mr. Albert Boardman, of counsel for the rapid transit road, said that the granting of the required privileges to that road would not interfere with the necessary crossings of other roads. Then Mr. Jesse Johnston, of counsel for Mr. Barton, said he believed such was the fact it would be well to have it plainly set forth by the Commissioners in their report, so that there should be no future quarrel or misunderstanding between the conflicting interests. The report of the Commissioners will not probably be made for some months.

SEVERAL HOURS TOO LATE.

Looking for a Runaway Couple who had Gone Home Man and Wife.

Mr. Ralph D. Goddard of 119 West Forty-first street called at Police Headquarters last evening and caused the following alarm to be sent out:

Look for Miss Genevieve Goddard, aged 20 years, black turban hat, black cloak with plush trimming. Long and loose gold colored handkerchief tied around her neck under her cloak, light hair, medium height. In company with a young man 19 years of age, under medium height. Left Connecticut on 8:40 A. M. train for purpose of getting married. Examine hotels in your precinct.

An hour and a half later Mr. Goddard again called at headquarters and said that the young woman had been married, had returned home, and was now under lock and key.

Miss Goddard lived with her mother in Madison, Conn. Her father, R. B. Goddard, lives with his two sons, Richard and Ralph, at 119 West Forty-first street, and does business in tintographs at 60 Park place.

The young husband is Charles Way, a ticket agent at East River, Conn., not far from Madison. He earns $75 a month, and is said to be a respectable young man.

An Unexplained Broken Arm.

Detective Shaughnessy of Brooklyn saw two men acting suspiciously in De Kalb and South Portland avenues at 8 o'clock. While he was watching them from the opposite side of the street a coach drove up and a man got out and the other two men got in. "Get to New York as soon as possible," said one of the men to the driver. At this point the other man crossed over and asked what the trouble was. As he did so, he fell and had come with the coach run off. Shaughnessy then got in the coach with the other two men and drove to the Myrtle avenue station. One of the men gave the name of Warren Clay, 236 Bay street, and the other that of Geo. E. Lake of Providence, R. I. The latter had a broken wrist and a severe cut on his forehead.

Each of the men carried a loaded pistol and revolver and skeleton keys. In their pockets also were found two gold watches and a quantity of ladies' jewelry. They were locked up. It is believed that they had committed a second story robbery, and that one of them received his injuries by falling while making his escape from the house. The third man, who escaped, hired the coach at a livery stable in Fulton, near De Kalb avenue. He said a friend of his had broken his arm, and that he wanted to take him to French's Hotel in New York. He is described as being about 25 years old, 5 feet 8 inches in height, black hair and moustache, and had on a black diagonal suit and Derby hat. There was a solitaire diamond in his scarf.

Gov. Cameron on the Danville Riot.

RICHMOND, Dec. 5.—Gov. Cameron, in his message to the Legislature, refers to the recent trouble in Danville as follows:

"Far be it from the Governor of this Commonwealth, whose duties are purely executive, to critic