ENDING THE KISSING CASE.

THE TESTIMONY IN THE HIGBIE-VAUGHAN TRIAL ALL IN.

Miss Bennett, Upon the Witness Stand, Admits that the Defendant Kissed Her—Mr. Leggett's Speech—Mr. Vaugaan Amused.

The Methodist Church in Flatbush, which has been indirectly an object of interest in the Higbie-Vaughan abandonment case, is a small spireless, brick church in Diamond street, off Flatbush avenue. Its congregation is not so well-to-do as the other church congregations in the ancient and wealthy town; which accounts for the number of gatherings that are mentioned in the testimony in this peculiar suit. Flatbush avenue is the link that connects Flatbush with Brooklyn. Horse-cars run along it from the city to the village. Flatbush is the next door neighbor of Brooklyn, and there is more of Brooklyn's Prospect Park in Flatbush than there is in Brooklyn. The Vaughans and all their witnesses have always gone to the New Lots Court House in one of the Prospect Park scenes. The Higbies and their slender following have had to go by three changes of cars. The Higbie house is one of the first houses in Flatbush. It is a pretty, white dwelling in a quarter of an acre of ground, laid out in a lawn. The hammock, which is a distinctive feature of the case, is broken now, and dangles in the wind by one rope from a fruit tree ten feet from the house, to which the other rope was attached at the time that Miss Higbie's evidence was undergoing formation. It is an object of curiosity in the town, and even the conductors on the passing horse cars point it out to their passengers. Every other hammock in the town—several of which are mentioned in the testimony—has been taken down. Some of the elderly town people say they will never be swung again.

The town is a pretty village full of old homesteads, ancient and gigantic trees, and families of ante-Revolutionary origin. It is laved and lighted; has water works, a newspaper, and four churches, besides the Methodist Society. The town is in a state bordering on destruction. It had slumbered many 200 years before it was awoken. Twenty stocks in twenty thousand dollars' worth of property represent the prosecution of her case. Thousands of the suit are nearly all well known there. Mr. Munday is in business in the town. Mr. Bennett is connected with a great New York ice company. Mr. Higbie is a real estate agent. Sewell is a prominent engineer. Mr. Vaughan is a wealthy resident and an iron manufacturer in New York, and Mr. Snyder State in the hardware business there. The excitement consequent upon the testimony as to the familiarities between the young folks has made all this city that would matter-of-fact be expected.

In the Post Office yesterday a group of citizens talked the case over. They were indignant because some newspaper had said "the first society" had been shaken by the disclosures. "Humbug!" said one citizen in a Dutch accent. "Why, no!" and was not concerned in the matter at all. One man boldly expressed the opinion that the Higbies were unfortunate in being strangers, and, consequently, having the opposition of the Flatbushites, whose sympathy was not with the Vaughans, who are identified with the town.

In the drug store it was said that the Flatbush boys had angered all the households in which there are daughters by their flippant testimony, and that there would not be so much kissing and caressing in the village hereafter. The *Gazette*, the enterprising local newspaper, came out yesterday with the following:

> The Higbie-Vaughan trial this week has developed to a certainty the fact that excessive lying has been indulged in by some one, and as the preponderance of evidence favors the side of the young lady in the suit, we may reasonably look for a decision in her favor. That the case will be carried to a higher court there is little doubt, but the evidence taken at the trial should be considered, and we do not see how the plaintiff can well expect to realize anything from it, even if kept along until it reaches the court of appeals. There is no sympathy here for the girl, hence the removal of the trial to New Utrecht. Counsel authority was shown by defendant's counsel to prove that mutual consent must be given and that in a civil contract, such as marriage is, fun cannot be made legal. Upon this authority we see no way but for Justice Ferguson to dismiss the case, because the plaintiff has not proven any mutual contract, and at the same time the whole affair is well shown to have been in fun.

The Rev. Dr. Wells, pastor of the Dutch Reformed Church said he would not notice the affair in his Sunday sermon. "It was merely a youthful thoughtless escapade," said he, "and there was no intention to do wrong, a thought it has proved a serious affair. The testimony is in no sense a reflex of social customs here. Flatbush is one of the purest towns in its morals in the world. In twenty years there has been no scandal in the church either. It is not fair either to connect the matter with the Methodist Church. That Church is not responsible for the behavior of these young people when they were absent from it, and they are not members of the church either, I understand. There has been much made of this, but it is a tempest in a teapot. In fact, if I am correctly informed, instead of its reflecting Flatbush customs, but few of the parties are properly Flatbush people."

Miss Anna Higbie is not a Methodist. She used to be a pupil in the Sunday school of the Sixth Avenue Baptist Church in Brooklyn and afterward attended Dr. Talmage's Tabernacle. The Vaughans are not Methodists. "The fact of the matter is," said one of the conspicuous residents of the town, "the young people in this suit form a clique that attended the entertainments given by the Methodist church, but do not belong to the church."

Just before the hour for the arrival at the drug store of the Park carryall, which was to take Mr. Vaughan's sons witnesses to New York, it was found that the young ladies, the Misses Bennett, Bergman, Mowlem, Overbeck, Palmer, and the other young women who have been attending the trial would not go to court that afternoon. It had been supposed that at least those of them who had been mentioned as having been subpœ'ed to the caresses testified to by the boastful lads would make the journey in order to contradict these allegations. At the last moment it was said that the second judgment of a young maiden was that the women and girls all thought it best, for the sake of money, the men and boys should go to court alone.

The consequence was that the carryall went away without any women, and Miss Higbie's friends were the only women who went from Flatbush. These were Miss Mary Fanny Higbie, and Mrs. Higbie, Counsellor Joseph H. Leggett accompanied them in the horse car. He carried with him a letter signed "Justice," giving minutely information of still another young woman who was ready to testify that Walter had introduced Annie to her as his wife, and the following note from Mr. Mowlem, father of one of the young lady witnesses:

> *Joseph Leggett, Esq.*
>
> Dear Sir: During the examination of Walter Vaughan on Tuesday he testified about as follows: "Here is sheet of a transcript of Walter's testimony as he is having it signed and kissed Miss Carrie Bergman." Miss Bergman is willing to go upon the stand and swear that the above is untrue, that aside from games at parties as parlor game of the place, she never sat on a lady's lap or other with him or with any other, and that such a scene concerning her with hammocks is utterly groundless. Yours, &c. J. MOWLEM.

The family would like a vindication publicly.

The court room was packed with men. There were only two benches on which women were seated. Where the matrons had previously sat some strange ladies made themselves at home. In front of them sat Mrs. Higbie her daughters, and friends. There few women there in a dark color against the black background of male garments. There had been a murmur of applause when Miss Anna Higbie entered the court. Later on the audience, which contained but few Flatbush folks, took frequent occasion to manifest sympathy for her. Lawyers Pelton and Poucher for Mr. Vaughan were in their places facing Counsellor Leggett when the scholarly young magistrate, Judge Ferguson, announced the court open. The boys belonging to the Flatbush kissing circle were then in the side seats to the right of the lawyers. Walter Vaughan being among them, and his father having taken a seat near the lawyers. The first witness was Master Frank Neefus, the handsomest of the boy gallants. He testified that both Walter and Annie Vaughan introduced to Miss Higbie together in February, 1883, at a meeting of the elocution class. As to the weddings at Case's sociable, he said:

> Walter, I, Frank Hodgins, Ed Berry, and Charles Arson went to Case's sociable together. After the refreshments I went away. When I came back Annie were just forming the marriage ceremonies, and I took part. I was married to Miss Belle Boutman. I did not see Annie married. I was only married once. I was the eligible among the boys as to whom Annie was married. I saw the girls squabbling. They were fighting for Walter—that is Gertie Bonnett and Annie Higbie were. I have seen Annie several times since at her sister's house. I never took her home from church.
>
> Q—Have you ever kissed Annie? A.—Think I have.
>
> Q—Why don't you know? A—I am sure I have, sir, several times. I have sat in the hammock with her.
>
> I know John Snyder. I have heard Annie called Mrs. Snyder. I won't be positive that I have called her so.
>
> Q—When you asked Annie, did Annie kiss back? A.—I won't say for certain.

The witness told of a Sunday when he and Walter called at the Munday's, and Annie was away from home. Annie had sworn that when she returned on that occasion Walter told Snyder she was his lawful wife, and that he was not ashamed of it. The witness said he did not hear Walter say that. He would have heard him if he said it. He did not hear Walter say the other things Annie testified were said by him on that occasion.

Q—Did Walter ever tell you one in your presence that he had given Annie evidence of the marriage in black and white? A.—No, sir.

Q—Did he ever tell you to keep your hands off Annie? A.—Not to my recollection. I would have remembered it if he had.

Q—Is this true: Miss Higbie testified, as to that Sunday night when you and she and Walter were together, she said, "Here is Mr. Neefus, to whom Walter introduced me as his wife, and Walter said he had done so?" A.—That did not occur.

On cross-examination, Master Neefus said he had known Walker ten or eleven years, but had known Annie not quite a year. He was not present at Annie's wedding, because he had gone home to take his young ladies home. Miss White and Miss Selover. He was asked on what occasions he kissed Annie. He said:

> One occasion was in the latter part of July. I went with Mr. Arson. We were sitting in the hammock, and I kissed her then.
>
> Q—Don't you remember when you tried to kiss her and she slapped your face? A.—I don't remember it.
>
> Q—Will you swear positively that she didn't? A.—I think if she did I'd remember it. I'm sure she didn't.
>
> Q—Tell us another occasion. A.—I kissed her several times that evening. Some other occasions? Why, I went there several times with Mr. Vaughan. I think one time was the next Sunday after Mr. Case's sociable.
>
> Q—Do you attend the Flatbush Methodist Church? A.—I have, several times.
>
> Q—And the sociables? A.—Yes, sir.
>
> C.—Then you belong to this Flatbush kissing coterie? A.—Well, we didn't establish ourselves as a kissing society.

Thomas J. Selover, an adult and a bookkeeper for F. E. Pinto, in Brooklyn, was the next witness. He was called to testify as to an alleged occasion when Walter introduced Annie to him as his wife. This was sworn to by Miss Munday. Mr. Selover had no recollection of "calling of the king. It never occurred, he said. When asked if he couldn't remember more than he had testified to of what did occur on that evening, he said: "There's something else I remember, but I don't know as I oughtto state it here. I will if I'm compelled to."

"Well, go on," said Mr. Leggett.

"When Miss Annie Higbie came into the room and recited," said the witness, "it struck me very forcibly that she was a fool. It made an impression on me that I shall never forget. The abrupt manner in which she came in was very remarkable. I'll tell you how she came in and you can judge for yourself. She was up stairs, and came down at a full run and said, 'Well, if I must, I must,' and went on with her piece. I'm telling you what you compelled me to, that's all."

Miss Anna Higbie was put upon the stand to contradict some minor points in the opposing testimony. She wore her blue plush dress trimmed with white lace. She was followed by her fourteen-year-old sister Fanny, who said:

> About Walter testy that he did not come into the house and introduce Annie to her as his wife. He met Annie and came up stairs. He told me he co-lowed Annie down stairs. Then I came up and he was talking with Annie. He stayed an hour.

There was a stir in the court room as Miss Gertie Bonnett took the stand. She had come from Flatbush long after the others quitted the town. She is a 16-year-old, fair haired, soft-voiced girl with a sparkle of fun in her eyes.

Did you hear Walter testify that he had hugged and kissed Annie while in a hammock with you?" Lawyer Leggett inquired.

Messrs. Pelton and Poucher both sprang to their feet at once, crying "Stop! Nothing of the kind occurred. He said 'sitting in a hammock.'"

"Well sitting," said Mr. Leggett.

"There's a big difference," said Mr. Pelton, dramatically: "You won't find any of these two witnesses testifying to lying in any hammock."

"Answer the question, Miss Bennett," said Mr. Leggett.

"Well, I heard Walter say he'd sat in a hammock."

"Didn't you hear him say he had hugged and kissed you?"

"Yes, Walter has kissed me; but I don't think Walter meant I had sat in a hammock with him. I know another young lady did. (Sharp: "Never mind! never mind!" by the lawyers.)

"Did he sit in the hammock with you or not?"

"No, I didn't sit in a hammock with Walter."

"That is he," and end of sensation. Miss Gertie sat among the boys, and the elder Mr. Vaughan came and sat by her.

Mrs. Higbie, mother of the plaintiff, was then examined privately as to the proofs of the alleged relationship between Walter and her daughter.

This ended the testimony, and Mr. Pelton, who had virtually summed up when he closed his case for the defence, magnanimously refused "to insult the intelligence of the Court" by making a single remark. Then Mr. Leggett arose, and the audience, with one accord, sat back to listen to the argument for the girl. Mr. Leggett was witty, indignant, pathetic, and solemn in various stages of the argument. These are some of his paragraphs:

> I regret that the brilliant talents of counsel on the other side were not employed in a better cause.
>
> The question before the court was simply the question whether there was a marriage. If that has not been proven to your satisfaction, then these proceedings must fall.
>
> Note that in Miss Anna's testimony every question is answered. Her mind is clear on all the facts. There is no such thing as an "I don't remember."
>
> She is a girl who never had been on the witness stand, and is for the first time confronted by Mr. Pelton, whose voice is like the sundown gun on Governor's Island, and not only that, but his questions were galling and insulting to her womanhood. Is the intended for his client it is the only excuse I can make for him; he forgot he was a gentleman. When she testified to the act of Walter on Aug. 2 he asked, "At whose suggestion was it done?" Yet, though he tried to make her think she was going to State prison, she did not contradict herself. [Applause.]

As to the testimony of the Flatbush girls he said:

> There was Mr. Poucher, smiling so sweetly on the young ladies, who, I suppose, didn't have such a word to hurt his case; behaving toward them all in a manner I positively admire. Indeed, I was so struck with admiration I forgot to take an expression to his question.
>
> It is as palpable as the sun is bright that they were precluded against Annie Higbie. Walter, as Gertie has testified, was a general beau. Annie they knew very skilfully, and with easy transition, that Annie Higbie should come in and monopolize the attentions of the general beau.
>
> At the sociable he had eaten of the seductive sponge cake and drunk of the exhilarating lemonade, when he went in and asked her to be his wife. The form or ceremonies of the marriage is immaterial. No form is necessary in common law. Unfortunately the law is so strong in Flatbush that not one was willing to come here and testify to the facts. [Applause.]
>
> What could all this hugging and kissing go on? Was it in The Allen's notorious resort? Was it in the vicious resorts on the Bowery or Hester street? No. Where was it? Was it at a church sociable? At a sociable of the Flatbush Methodist church. It is time a blow was struck at mock marriages. These sociables are disinvitable hotbeds of vice, where young girls are smutched with the leaves of young Bacchanals, and left to rot like dead things there.
>
> Even the child Fannie could not escape his impulses. He testified he tried to kiss her, but she wouldn't let him.

Finally Mr. Leggett, in words chosen for their force, pictured the wretched future of the girls, "left to be raised by the honored name of wife or mother," if the decision should be adverse to her. Mrs. Higbie was unable to suppress her tears, and burst into a paroxysm of crying. Miss Annie succumbed also and wept in her handkerchief. The elder Mr. Vaughan was sitting up, facing the audience and behind the Judge. When the lawyer so moved the people that they applauded and the women wept, Mr. Vaughan found it impossible to conceal his amusement.

The Judge will announce his decision three weeks hence.

LEASING CHEROKEE LANDS.

The Leases Sued in the United States Court for Violation of the Statutes.

ST. LOUIS, Dec. 15.—The United States, by District Attorney Bliss, filed suits in the United States Circuit Court yesterday against Robert D. Hunter, Albert G. Evans, and Henry L. Newman for penalties of $1,000 each for violation of the United States statutes in relation to the leasing or attempted leasing of lands in the Indian Territory. There are five cases in all.

The first two cases are against Robert D. Hunter and A. G. Evans, and the allegation is that the defendants on July 5, not being in the employ of the United States, attempted to negotiate a treaty and convention with the Cherokee Nation of Indians for a lease of certain lands, by inducing Dennis M. Bushyhead, principal chief of the Cherokee Nation, and L. B. Mervins, A. J. Day, M. N. Bednor, Ben S. Miller, J. W. Hamilton, S. Tuttle, Anderson Drum, E. W. Payne, and Charles Eldred, directors of the Cherokee Strip Live Stock Association, to sign the same, a copy of which is embodied in the complaint. The lease is dated July 5, 1883, and limits the occupancy to grazing purposes only. It embraces the unoccupied lands of the Cherokee Nation living west of the 96th meridian and west of the Arkansas River, not including any part of the Pawnee, Poncas, Nez Perces, Otoes and Missouris, Osages, and Kansas Indians lands, or the lands set apart to be leased separately under act of Congress. The consideration for the lease was to be $100,000 per annum, payable to the order of the principal chief, and was to continue five years. The rent was to be paid in semi-annual installments during each of the five years.

The other three cases are against Henry L. Newman, Robert D. Hunter, and Albert G. Evans, for a like penalty in each case. The complaint alleges that the defendants attempted to make a treaty with the Cheyenne and Arapahoe tribe to lease for ten years three million acres of land in the Indian Territory, held and claimed by said tribe, at an annual rental of $65,000, to be paid in semi-annual installments. In all these cases Col. A. G. Boudinot is the informer, and is entitled to half the penalties if the suits are successful.

Mourning Ribbons on a Statue of Liberty.

ASBURY PARK, Dec. 15.—The Commissioners of Aspatong of Neptune Township refused to lower the assessment on Liberty square, owned by James A. Bradley, the founder of Asbury Park, at the time they reduced some of his other taxes. Mr. Bradley has decorated the handsome statue of Liberty which stands in the centre of the square with black and white mourning ribbons. His action has caused no little comment, and considerable jokes have been indulged about it. Today he said, "I placed the ribbons on the statue because liberty is dead here as long as the Republican Ring can control the township offices."

The ribbons were torn down once, but they were replaced by Mr. Bradley.

Rumored Assault on a Washington Train.

BALTIMORE, Dec. 15.—It was telegraphed from this city to-night that "The 4 o'clock Washington express was fired into below Elkton, the bullets shattering two windows, narrowly escaping a lady and several passengers, among whom were ex-District Attorney Reed of Chicago, Dr. Fitter of Philadelphia, Mr. Hayes of Washington, and others." Elkton is in Cecil county, on the Philadelphia, Wilmington and Baltimore Railroad. The officials in charge at the Union Depot tonight disclaim any knowledge of the assault, and the facts cannot be learned to-night.

Dr. Zukertort's Chess Playing.

BALTIMORE, Dec. 15.—At the Baltimore Chess Club rooms to-night Dr. Zukertort played six simultaneous consultation games against three at each board. He had the first move in each game, won five, and one was a draw.

JUNIUS BRUTUS BOOTH'S WILL.

His Daughter Marion Instituting a Suit to Set it Aside.

PHILADELPHIA, Dec. 15.—The law firm of Bracken & Ackley of this city and New York have begun proceedings in behalf of Marion Booth, daughter of the late Junius Brutus Booth, to set aside the latter's will. Mrs. Agnes Booth, the decedent's widow, will be party defendant. Junius Brutus Booth was first married to a Miss Le Bar, from whom he was separated. His second wife was Harriet Mace, the mother of Marion. She died intestate in California in 1850. Marion, under the laws of that State, became part owner with her father of a valuable property on Kearney street, San Francisco. Mr. Booth returned East, and married the widow of Harry A. Perry, a well-known comedian, who has since become widely known as Agnes Booth. She is now playing at the Chestnut Street Opera House. After his third marriage Mr. Booth brought his daughter from San Francisco and placed her at school in the Academy of Notre Dame, in West Rittenhouse square, this city. His health afterward became precarious and he retired from the stage and opened a hotel, the Masconomo House, in Manchester-by-the-Sea, a summer resort, near Boston.

In 1874 Booth called on his daughter at Notre Dame and represented that he was in pecuniary distress. Marian was then in her eighteenth year. He said that she could assist him if she would sign a paper conveying to him her interest in the Kearney street property. The girl executed the deed of trust, her father, on his part, it is said, agreeing to provide for her during the remainder of her life. The San Francisco property was sold under the deed. Mr. Booth used the proceeds in enlarging the Masconomo House. Marion left the convent and went on the stage. She did not make a great success, and after a few years she returned. She is now living with a near relative in New York. She did not live with her father for any considerable time after her mother's death. The cause of their living apart is declared to have been the coldness existing between her and her stepmother. The relations between herself and her father, it is said, were always kind. The remittances that she received from her father came regularly and were small. Friends of the girl took steps to induce the father to pay her a part of the money received from the Kearney street property, and he eventually paid her $15,000, which, he said, was half what the property was sold for. It was afterward learned that he had received $59,000.

Booth died in September last, before the matter was finally settled. He left his estate to his wife absolutely. He had two children by his second marriage, but neither they nor Marion were named in his will. He died a citizen of Massachusetts, and his property was subject to its laws. By a law of that State a child who is not spoken of in the will of its father is nevertheless entitled to a full share in its father's estate, unless an intention on the part of the parent to disinherit the child can be shown. In the present case, it is said, no such intention can be proved. In addition to their technical plea, it will be averred that undue influence was brought to bear upon the decedent as against his daughter. A petition setting out the facts and averments was a few days ago sent to Boston, where Booth's will is on file. It was submitted to Col. Blackmar, counsel for Mrs. Booth, who suggested that there probably would be no virtually contested case, the decedent's widow and her children having amicably compromised upon the actual appeal to the courts. Unless the case is compromised in the mean time, suit will be entered in the Superior Court in Boston next week. It is understood that action will be begun to recover the balance in money claimed to be coming to Marion Booth on account of her interest in the San Francisco property.

A PRIZE FIGHT IN INSTALLMENTS.

After Six Rounds the Fighters go to Bed and Resume the Battle Next Day.

PITTSBURGH, Dec. 15.—A rattling prize fight occurred on the New Brighton turnpike, four miles from Allegheny City, last night and this morning. The principals were John Fox and James Greener, two local pugilists, and the purse was $200. Last evening about thirty persons left Allegheny City and arrived at the point selected about 9 o'clock. Lamps were procured and a ring pitched in an old barn, and after some trouble selecting a referee time was called. The men were stripped to the waist and wore light shoes.

Fox led off with his right hand, and, catching his opponent under the chin, floored him. In the second round they pummelled each other in good style. After thumping each other for ten minutes, Greener got in a blow on Fox's nose, which knocked him off his pins and drew first blood. Then the sports began betting 2 to 1 that Greener would win.

In the third round the pugilists did not do much fighting. Greener was knocked down without much trouble by his opponent. In the fourth round both men came into the ring badly battered up, especially about the face. Fox led off and struck Greener a good one on the side of his head, which staggered him so much that he came near falling, but recovered his feet and struck a terrific blow with his left, which took his opponent on the left cheek bone, cutting a gash two inches long and sending him to grass.

In the fifth round, after some wild sparring, Greener got in a lick on Fox's nose, knocking him down. Greener started the sixth round by hitting Fox a hard blow on the chest. Then both men begged each other to hammer each other, neither one having the best of it. Finally they stopped fighting and walked off to their corners. The backers interfered, and the finish was postponed until morning, the principals going to a farm house and the crowd making themselves at home in the barn.

About 7 o'clock the pugilists put in an appearance, looking decidedly the worse for wear. When time was called Greener forced the fight by striking his opponent a hard one under the right eye. Both men fought hard, but Greener appeared to have too much for Fox, and finally knocked him down. In the next two rounds Fox tried hard to win, but Greener proved to be the better man. In the last round he hit his opponent such a hard lick under the left ear that he knocked him senseless. He was immediately brought to and set up for another round. He would not fight, however, but turned to his backers and said:

"Gentlemen, it is no use. I can't fight any more. I am done out."

The fight was then decided in favor of Greener.

SHOOTING AT THE CONDUCTOR.

A Man who Stole a Ride and was Put Off a Hudson River Train.

Conductor Henry Fales, in charge of the 8:10 A. M. train out of the Grand Central Depot on the New York Central road, was shot and slightly wounded in the depot at Hudson a few moments after the train got there at noon yesterday. He gave this account:

"At Catskill a middle-aged German, apparently a tramp, got on the train and went into the smoking car. I asked him for his ticket. He answered that he had no ticket and no money. I told him he must get off when the train stopped at Hudson, and told the head brakeman, Frank Britton, to see that he did get off. At Hudson Britton went to him and marched him out. He stood for a moment on the ground. I was coming through the smoking car when Britton sprang up the steps and ran into the car. I came out on the platform and saw the tramp. I thought he was throwing stones. He fired a revolver at me. The bullet struck my heavy pocketbook in my right-hand breast pocket, and glanced from a rib. I found it afterward in a crease of my coat. My clothing took fire, he stood so near to me. The tramp crawled under the second car of the train and was captured there. The Sheriff of Columbia county took from him a large sheath knife. I left him in charge of the Sheriff and went on to Albany with my train."

The prisoner refused to say anything at Hudson, and was locked up. Conductor Fales says he never saw him until yesterday. The conductor's wound is not dangerous.

A Woman Lawyer Refused Admission to Practice.

PHILADELPHIA, Dec. 15.—Common Pleas Court No. 2 to-day, with Judges Hare, Mitchell, and Fell on the bench, refused the application for the admission to practice in that court of Mrs. Carrie B. Kilgore, wife of Damon Y. Kilgore. Mrs. Kilgore had previously been admitted to practice in the Orphans' Court. She had passed a satisfactory examination before the proper Boards, but Judge Hare, in refusing the application said that the uniform rule and practice of the courts of Pennsylvania was against the admission of women lawyers, as he was not disposed to take upon himself the responsibility of introducing the innovation. If the people of the State desired that women should be admitted, it would be an easy matter to have a law to that effect passed by the Legislature. Moreover, he considered that there were special objections to the admission of married women under the existing laws of the State, which permitted them to carry on unpunished the most glaring frauds. If the Legislature passed an act admitting them to the bar, he should insist that the matter should be accompanied by a provision that they should be liable to the same extent as men. He did not attach importance to the technical objection of the Orphans' Court, because each court was the sole judge of its own rule. Unless required by the Legislature Court No. 2 would not admit a woman, even upon a certificate from the Supreme Court. An application for the admission of Mrs. Kilgore will be made to the Supreme Court early next month.

Fatal Explosion in a Colliery.

SHAMOKIN, Pa., Dec. 15.—A terrific explosion of gas occurred at the Cameron Colliery here this afternoon, completely demolishing the doors and brattices in the mine, and fatally burning Elias Noll and seriously injuring John Smith, miners. Noll was burned almost to a crisp.

MR. DUNN TELLS HIS STORY.

AN ACQUAINTANCE WITH ROSE KEISER IN UTICA IN 1877.

He Says She Persecuted Him at the Windsor Hotel, and that He Wrested a Pistol from Her at Saratoga—Mrs. Dunn's Narrative.

Rosa E. Keiser, who killed herself on Thursday night in the room of Mr. George W. Dunn in the Windsor Hotel, lived last fall and winter at 211 West Twenty-second street, a boarding house kept by a Mrs. Duff, who now lives at 233 West Sixteenth street. Mrs. Duff's housekeeper said yesterday:

"Miss Keiser said she was a stenographer, and went out every day. Where she went I do not know. Mr. Dunn visited her constantly, and she appeared to think the world of him. She kept no other company. A man sometimes came who she said was her guardian from Utica, and a young man who she said was her brother. Her mother also called once or twice. Miss Keiser often went out at night with Mr. Dunn to theatres and other places of amusement. His mother also came to see Miss Keiser, and appeared to think a great deal of her. I thought that there would be a match between Miss Keiser and Mr. Dunn, but I never heard Miss Keiser say that she expected to marry him."

Mr. Dunn, in the presence of his wife, and in the room where Miss Keiser shot herself, told last night this story of his acquaintance with her:

"I went to Utica in 1877 to attend the races, which were then being held, and while there was taken by a friend, who was on familiar terms with Miss Keiser's family, to her house. I was introduced to her. I remained in Utica for a week. On the day I left I called and bade Miss Keiser good-by. This was the last I saw of her for several years. I had almost forgotten her, when, at the West End Hotel, Long Branch, in 1881, a card was handed to me. On one side was engraved "Rose E. Keiser." On the other was written this:

> You may remember having seen me in Utica four years ago. I would be pleased to renew our acquaintance. I am stopping at Mrs. Murray's cottage.

"Mrs. Murray kept a respectable place near the West End Hotel, and also keeps, I believe, a boarding house on Fifth avenue, this city. I called at the cottage and saw Miss Keiser. She said that she had left her home in Utica a year before, and had since resided in New York. She told me that she was employed by Morton, Bliss & Co., the bankers, as stenographer, and that they were paying the expenses of her vacation. She had been in Long Branch three weeks before I went there, and stopped about ten days more. She told me that she had left home in consequence of a quarrel that she had had with her family, and which had had a very unpleasant origin."

"You ought to tell what the unpleasantness was about, in justice to yourself," Mrs. Dunn put in.

"The truth is this," Mr. Dunn continued. "Miss Keiser had a love affair with a young man in Utica, which her people found out. Her whole family went against him. Miss Keiser had insane freaks, I think, for at that time she became possessed of a pistol, with which she threatened to take her brother's life. I saw her after she came back to New York, and then she lived at the residence of Mrs. Duff in West Twenty-second street. She always expressed the greatest regard for me, and seemed anxious that I should always be in her society. She always worked for her living. When she left Morton, Bliss & Co.'s, she became a turn stenographer for two well-known business men. Not long ago she told me that a Judge was going to get her the situation of court stenographer. She never had the abundance of money and jewelry which has been commonly reported. My mother called on her when she lived with Mrs. Duff, but has not been to see her for six or seven months.

"Miss Keiser's conduct toward myself became so importunate that I determined to end our acquaintance. When I was at the Grand Union Hotel, in Saratoga, last summer, she came there, and when I saw she had a pistol in her hand I wrested it from her. She said that she intended to kill Mrs. Alexandre, now Mrs. Dunn, who was at that time in the hotel with my mother. I induced her to go back to New York. She continued to harass me by letters and appearances here to the Windsor Hotel. She would come to the door in a cab, and send word that a lady wanted to see me. I finally refused to see her altogether. I am accustomed to take a daily ride, and Miss Keiser would meet me on horseback or in her cab in the stable. 'Come and see me, if only for a moment,' she would say. Three weeks ago she made her way into the corridor opposite my mother's room, and when my mother saw her she said that she intended to kill Mrs. Dunn. She often before had said the same thing to me. The clerks had orders not to allow her to come up to my room. Her professed affection for me of late seemed to have turned into a desire for revenge, because I would no longer go to see her."

"Did she ever threaten to take your life?"

"No. She always said that she would kill herself on my account. As to what occurred on Thursday afternoon my wife can tell you better than I can."

"It was about 4 o'clock in the afternoon," Mrs. Dunn said, "when I heard a knock at the door. I opened it and saw a veiled woman standing in the hallway. It was Miss Keiser. She swept aside her veil and said: 'I want to see George.' Then she brushed past me and came into the room. Her manner was violent. Mr. Dunn told her that she did wrong to come, and requested her to leave the room. She said: 'I will rain you both. I cannot endure that you two should be happy here while I am so wretched. I will ruin you. It will all be in the to-morrow papers.' Mr. Dunn told her to go out again, and she said other violent words. He said, 'If you do not leave the room at once I will put you out by force.' He advanced toward her, but I stepped between them and begged him to do nothing. They then sat down on a corner of the lounge. What claim have you upon him?' I asked Miss Keiser. 'I will show you,' she replied. She retreated toward the door. 'I want to betriend you,' I said. 'I will do anything for you that I can.' 'I don't want your help,' she said. 'Are you not afraid?' 'Not for myself,' I answered, 'but for you.' 'You lie! you lie! you lie!' she cried. Then she put her hand on the door knob. The next instant she had drawn a pistol from her pocket, raised it to her head, and fired. She fell to the ground. She did not speak afterward."

Mrs. Dunn said that she first met Miss Keiser six months ago, when Miss Keiser brought to Mr. Dunn's mother some bonnets which she had been making for her. She said that Miss Keiser's brother lives in this city, but that he would not notice his sister even by a nod. Mr. Dunn says that he never was engaged to be married to Miss Keiser, and never gave her so to understand.

Mr. and Mrs. Dunn will leave the Windsor Hotel in a few days.

Mr. Richard G. Murphy says that he was never associated with Mr. Dunn in any stock speculation or any other business.

Was Henry Lane Murdered?

RED BANK, Dec. 15.—Coroner Jehu V. Cooper visited Sandy Hook on Wednesday with Dr. Edwin Field and a jury to review the body of Henry Lane, which was found floating at Spermaceti Cove on Oct. 5. The body was so much decomposed that it was impossible to ascertain whether violence had been done. The skull, therefore, was brought to Red Bank for examination. Dr. Field said to-night that he could find no bruises or fractures of bones, but he said a blow sufficient to stun a man would not necessarily cause fracture. Coroner Cooper and State Detective J. Frank Paterson say they have evidence that Lane was murdered. They refuse to give the names of their informants, but they are understood to be star Ferry and a negro, both of Red Bank. When Lane left Red Bank on Oct. 3 he had $75, but on his body no money was found, except a little change. A second inquest will be held as soon as Detective Paterson is ready, which will be in a few days.

Yesterday Charles Cooper was arrested in Malaga by Detective George M. Hendrickson. Cooper confessed, it is said, that he planned and participated in the robbery of John Girard Keyport, and secreted the money and valuables to the amount of $2,000 were found.

In the barn of George Hance a valuable diamond and a field glass were found lately by Detective Paterson. They were stolen from Mr. Lippincott of Little River last fall.

James Jack Acquitted of Murder.

NORRISTOWN, Pa., Dec. 15.—The jury in the case of James Jack, charged with the murder of his wife in July last, returned a verdict this evening of not guilty. Mrs. Jack was found dead in bed on the night of July 4, having been strangled. Her husband and Alfred Harvey, who, with several others, had been drinking heavily at Jack's house on the night in question, were both arrested, and Harvey a few days afterward committed suicide by hanging in his cell. The prosecution endeavored to show that Jack murdered his wife through jealousy, on account of an alleged intimacy between her and Harvey. The defence asserted that the murder was committed by Harvey, and that his suicide was the result of a guilty conscience. The verdict was received with loud applause, which the officers of the court were unable to suppress.

The New Orleans Tragedy.

NEW ORLEANS, Dec. 15.—A. E. Lincoln, Thos. Buckley, and E. H. McGinty were arrested to-day and remanded without bail, affidavits having been made against them from information received, charging them with participation in the murder of the seventh ward Democratic primary voters, in which Leon Queen was killed. The statement that Benny Counts in March, one of the murdered men, was a supporter of Ogden for candidate for Governor was not correct. He belonged to the McEnery party.

Mr. Randall's Coachman.

WASHINGTON, Dec. 15.—The statement printed in a New York paper that Mr. Randall employs as his coachman a man who is in Government employ, who receives no pay for his services as coachman, is not true. The man referred to is a night watchman in the employ of the Government, but for such services as he renders Mr. Randall in the day time he receives wages from Mr. Randall.

WINTRY AND WINDY.

Effects of the Sudden Arrival of the Coldest Weather of the Season.

People who travelled along under the lines of the elevated roads yesterday were enveloped by clouds of white steam whenever a train passed, vapor condensed so rapidly in the clear, cold air. Walking was a luxury to the warmly clad, where the wind did not fill the eyes with dust. Grand, Fourteenth, and Twenty-third streets, Broadway, between Tenth and Thirty-third, and Fifth and Sixth avenues, were thronged with rosy-cheeked, bright-eyed shoppers. Furnishing goods houses did an enormous business in gloves and wraps. The park seats were not occupied by loungers. Only an occasional persistent smoker stood on the front platforms of the street cars, and the passengers within growled when he threw away the bitter end and walked in through the front door. The heated cars were crowded. The ticket sellers at the elevated stations said that the day had been ten per cent. better than an average. The licensed peddlers who had roasted chestnuts, red hot peanuts, pulse warmers, ear muffs, and fur-clad dancing monkeys did a thriving business, while those who had two-foot rules, indelible pencils, and apples shivered in idle envy.

The average temperature, as registered by Hudnut's thermometer on Friday, was 45½°. At 3 o'clock yesterday morning the temperature was down to 28°. During the day it ranged in the vicinity of 19°, but at 6 o'clock it had fallen to 16°, and at 9 o'clock last night to 13°.

At the Signal Service Office it was said that to-day would be much the coldest day of the season. The thermometer throughout the Middle and Eastern States was low. The greatest fall was at Boston, where it dropped 30°. At Buffalo the fall was only 19°, but at Utica the fall was almost equal to that of Boston. The wind blew dust into the eyes of every one out of doors at the rate of twenty-one miles an hour. The Signal man called that a brisk wind.

At the corner of Park place and Church street an enterprising bootblack had an armchair warmed by a kerosene burner.

Forty-eight years ago to-night, at 9 o'clock, the "big fire" of New York broke out. The snow was two feet deep in the city at the time, and the cold was so intense that the water froze solid in the hose when the firemen tried to fight the flames.

DISAPPEARANCE OF A MERCHANT.

Not Seen Since he Left a Letter Unfinished in his Office on Friday.

Mrs. A. D. Taylor of 148 West Forty-seventh street reported at Police Headquarters yesterday that Benjamin Frank Smith, a tea merchant who lives in her house, was missing. Mr. Smith is 51 years old, and has a wife and family of four adult children. His friends conjecture that his mind may have become disturbed. It is supposed that he had no more than a few dollars with him. He carried a good watch and chain.

Dr. J. L. Wheeler of 332 West Forty-eighth street, who was a schoolmate of Mr. Smith said last night that Mr. Smith was for fifteen years employed by Goodhue & Co., a tea firm, and was afterward in the firm of Weston, Gray & Co. Of late he had been in business for himself at 31 Water street. He went to his place of business as usual on Friday morning. Between 10 and 11 o'clock he left the office. He wore an overcoat and carried a silk umbrella. He did not return to his home at night. He had not been away from home over night for twenty-five years. His son Warren went down to the office at night, and found on his father's desk an unfinished letter, the desk key, and the safe key. The letter was a business letter.

Mr. Smith has been subject to attacks of vertigo. Dr. Wheeler notified the police of Brooklyn to look out for him, and searched the hospitals of both cities. Mr. Smith is of medium height, stoutly built, and has large yellow eyebrows. His hair and side whiskers are brown. He wore a heavy overcoat with a velvet collar, a silk hat, and Congress gaiters.

CHANGES IN THE MINISTRY.

**A Sh