MR. DOUGLAS ON HIS SOUTHERN PILGRIMAGE.

Extracts from his Opening Southern Speech at Memphis, Tenn.

He Sticks to his Kansas Hobby of "Popular Sovereignty."

[From the Memphis Eagle and Enquirer, Nov. 30.]

Judge Douglas arrived in this city on Sunday, and yesterday delivered a political speech at Exchange Building. The Judge was accompanied on the stand by a large number of his political friends. Among them we noticed Gov. J. C. Jones, Hon. E. W. M. King, Hon. J. Knox Walker, S. P. Walker, Esq., I. N. Barnett, B. F. Dill, Esq., and others.

Judge Douglas was introduced to the audience by Gov. Jones, as follows:—

LADIES AND GENTLEMEN—My pleasant and agreeable duty is to announce to you the Hon. Stephen A. Douglas, of Illinois. (Cheers.) In addition to that pleasure, I have the higher pleasure of saying that he is here to address you upon the great political questions that agitate the country. Of him it is not necessary that I should speak; he has shown himself able to speak for himself.

The rest of the introduction was lost amid the cheers with which it was greeted.

The Judge, on rising, was greeted with shouts of applause, but quiet being restored, and he, having mounted a chair that he might be better seen and heard, proceeded to speak as follows:—

LADIES AND GENTLEMEN—I feel no small degree of reluctance in attempting to make a political speech to you to-day. I have had quite as much experience in public discussions during this year as was agreeable to me. Of all things on earth most unpleasant is it for a man to be called upon for a speech after the election is over. Pending a contest, when the passion and sentiments, and the patriotism of the people are aroused, a speaker has something to animate him, and to induce him to exert himself to present his sentiments in a clear light to his audience. We have just passed through a struggle in Illinois involving issues which I believe to be vital to the perpetuity of this Union, and to the peace and harmony of the different sections of the republic. I would not to-day yield to the request to address you, but for the fact that I desire to know whether democrats are the same in Tennessee as they are in Illinois. We have had in Illinois, during this summer, Governor Jones, and our democrats say that he preaches the same doctrine to them that we hold to be orthodox in our own community (immense cheering.) So long as we live under a common constitution, any political creed which cannot be proclaimed wherever that constitution is the supreme law of the land, must be ruinous and fatal. Principles ought to be avowed the same in Tennessee as in Illinois; the same in Louisiana as in New York; the same in South Carolina as in Massachusetts; the same wherever the American flag waves over the American soil. A creed of one political party in this country which cannot be thus announced and proclaimed, must be radically wrong. In Illinois it has been my place to fight against a political organization, sectional in its character, sectional in its principles, sectional in its policy, and sectional in its organization. The republican o'abolition party North constitutes the main body of all the enemies of the democracy. There that party is necessarily sectional, appealing to Northern passions, Northern pride and ambition. (Cries of "That's so.") I have had occasion to say this on many a "stump" in Illinois this year, that they dare not cross the Ohio river and carry their principles with them. Can any political organization be sound or safe which is confined to one section, and derives its entire strength by stimulating passion, prejudice and hostility against another section? I am going to address you to-day as I am in the habit of addressing Illinois audiences. I do not expect to say anything but that I have said over and over again during the late canvass of my own State. In Illinois, Mr. Lincoln, as the nominee of the abolition party, has distinctly defined his principles in his opening address. And prominent in his platform are two articles, namely—that a house divided against itself cannot stand, that this government divided into free and slave States cannot exist; that they must all become free or all slave—all become one thing or all another, otherwise this government could not personally exist. The other proposition that he advanced was a crusade against the Supreme Court of the United States because of the Dred Scott decision. Upon those two propositions I took a bold, erect, explicit and unequivocal issue. I maintained that this government can exist forever, divided into free and slave States as our fathers made it, each retaining the sovereign right to protect slavery just as long as it chooses, and abolish it whenever it pleases. (Cheers.) It is fatal heresy to say that the local and domestic institutions of the various States must be uniform and equal. Uniformity in the local and domestic institutions is neither possible nor desirable. There are many individuals North and South who think because a particular institution is beneficial in their own locality, that therefore it must necessarily be wise and useful throughout the whole republic. I for one believe that this confederacy was not predicated and founded upon the basis of uniformity among the different institutions of the different States. On the contrary, our fathers knew, as well as we know, that in a republic as large and broad as this, with such a variety of climate, soil and production, there must necessarily be a corresponding variety in the local and domestic institutions of the different States, each adapted to the interests and wants of each locality. Our fathers knew that the institutions adapted to the granite hills of New Hampshire were unsuited to the rice growing plantations of South Carolina. They knew that the laws and institutions which were well adapted to the rich and fertile plains of Illinois, were unsuited to the mining districts of California. They knew that variety of climate, soil and production necessarily created a corresponding variety in interest, requiring a dissimilarity of institutions and laws adapted to the wants and interests of each. Hence, it does not follow because African slavery is a good institution for you in Tennessee, that it is a wise one in Vermont or New Hampshire. All I say on that point is this: that this republic was founded on the principle of State's rights sovereignty. (Cheers.) When the constitution was made the republic consisted of thirteen States, twelve of which were slaveholding and one was free. The doctrine of uniformity did not then prevail, as I had occasion many times to say. But suppose this doctrine of uniformity had prevailed in the convention that framed the constitution, and when they were about to sign it had risen and said that "a house divided against itself cannot stand." "This Union divided into free and slave States cannot endure; they must all be free or all slave." Suppose they had announced to the framers of the constitution that assumption—what would have been the result? Do you think that the one free State would have outvoted the other twelve slaveholding States, and abolished slavery everywhere? On the contrary, would not the twelve slaveholding States have out voted the one free State, and established slavery by an irrevocable provision of the constitution on every foot of the American continent? (Great cheering and applause.)

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I firmly believe that there is no safety to this republic; there can be no peace, no harmony between the North and the South, there cannot be perpetuity in this government except by the administering it in good faith upon these principles, upon which it was made—to wit, the right of each State, old or new, free or slave, to manage its own affairs to suit itself, and then mind its own business, and let its neighbors alone. (Immense applause.) I was glad to find Mr. Lincoln boldly avowing his principles in his opening speech. I had no desire to make the fearful contest in which I was involved, unless its results should settle permanently some great political principles. When Mr. Lincoln took his position I went heart and soul into that contest, in order to ascertain whether or not there was any common platform upon which Northern and Southern people may live in peace forever under a common constitution. (Applause.) I think I am doing my opponent no injustice when I say that I have driven him, step by step, from almost every plank in his platform. Just at that point Mr. Seward, the great leader of the republican party, stepped into the arena and made his Rochester speech, and held up to the world the great creed that Mr. Lincoln was about abandoning on the plains of Illinois. Mr. Seward's Rochester speech does not contain one new idea nor proposition; each and every one are taken from the debate in the Illinois contest, and hence when that speech was made I did feel rather a desire to make the Northern route to Washington to make one speech in reply to Seward's version of Lincoln's platform. But it matters not whether the platform is made by Illinois or New York—whether Mr. Lincoln or Seward be the standard bearer. The question is whether or not this novel doctrine of uniformity between local and domestic institutions shall prevail in this government, or the old fashioned doctrine, the sovereign right of each State to decide for itself, shall be maintained forever in this republic. (Applause.) We have a proposition which Mr. Lincoln reviewed on behalf of the republican or abolition party in the Illinois contest—a great crusade against the Supreme Court on account of the Dred Scott decision. Under that proposition various points were made. First, that the Dred Scott decision is unjust, wicked and monstrous, because it was intended to deprive the negro of the benefits of that one clause of the constitution of the United States which declares that the citizens of each State shall be entitled to all privileges and immunities of the citizens of the several States. In other words, that decision intended to deprive the negro, slave or free, of the benefits of citizenship. I then stated, as I now repeat, if such was the object or legal effect of the decision, it was the strongest argument that could be urged in support of its correctness. I hold that this government was made by white men for the benefit of white men and their posterity; and to be administered by white men and none other, and that the negro is not, cannot be, and never ought to be, a citizen of the United States. (Cheers.) I have not failed to advance that proposition in every political speech that I have made for the last two years.

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The question arises, what is the nature and extent of the rights we avow to extend to the negro? My answer to that question is this: it is a question which each State, under the constitution, has a right to decide for itself. We in Illinois have decided that question. We began as a Territory, establishing hereditary slavery within it and maintaining it for twelve years, until we found it was not good for us to have slavery, and hence we abolished it. When we abolished it we provided that the State would not hold slaves, nor could the negro hold citizenship there. I will not stop to inquire of you whether you like or dislike that system of policy which we adopted in Illinois. I shall not discuss it for the reason that, with all due respect, it is none of your business whether it is a good policy or not. (Immense applause.) It is enough for my purpose that Illinois is a sovereign State, and by virtue of her sovereignty had the right to adopt that line of policy. It suits us, and that is enough, whether it suits any one else on earth or not. (Laughter.) If you, people of Tennessee, don't like our policy, just stay at home and let us alone. Having thus settled a line of policy for ourselves in Illinois, one that we believe to be just and proper to ourselves, we have exhausted all the power we have upon that subject. We have nothing to say whether slavery is right or wrong, whether it is a blessing or a curse, whether it is necessary or unnecessary in other States. We say to you, gentlemen, do as we did—work out your own salvation by your own experience. If it is a blessing, hug it to your bosoms; if it is not—if it is a curse—live under it until you can dispose of it as you may think best. All we ask is, that we in Illinois shall have the liberty to maintain our own line of policy without interference of New England on the one side, or Southern States on the other. I am aware that our policy in regard to negroes differs from every other State in the Union. In New York they allow a negro by vote if he owns $250 worth of property. While I never saw the wisdom or justice of his voting at all, nor that of making the property qualification a test, New York being a sovereign power, if she chooses to retain that line of policy, it is her business, not ours. In Maine they allow the negro to vote on an equality with the white man. While I would never permit a negro to vote at all, nor exercise any political rights, nor be a citizen in any State where I could control it with my vote; yet if Maine is content with her policy, and will pursue it and mind her own business, and let us alone, I will not interfere with her; but she must not try to engraft her policy upon us. She must not send her missionaries among us. We do not choose to argue it with them—we argue it with our own people; we argue it at home, but not with other States. If you want slavery here in Tennessee, have it; if it is for the good of your people, keep it. You must be satisfied with it at home, and not try to force it upon us. We have just as much right to exclude it as you have to introduce it. If you will be content with exercising that power which, under the constitution, Tennessee possesses, and let us alone, we will be friends with one another without any disturbing cause of irritation. So far as this question of slavery is concerned, it is so clear that it is a local and domestic institution, that no other State has a right to interfere with, that it seems to me it cannot, does not, admit of an argument. What is the just institution and policy with reference to slavery in the Territories?—that has been the great disturbing element between the North and the South? The North have seemed to labor under the delusion that it, as a section, had a distinct right and interest in making as many free States and Territories as possible. Many of you in the South labor under the same delusion, in making just as many slave States as possible. With all due respect to your actions on this subject, permit me to say, *that neither the North as a section, nor the South as a section, has any right or interest in that question of slavery in Kansas.* (Applause.) The constitution recognizes no such distinction as North and South. The constitution recognizes one republic—thirty-two sovereign States—and all other distinctions than those separate States are unauthorized by the constitution. For the North to interfere and try to deprive the people of Kansas of slavery when they want it, is a violation of the rights of the people of Kansas, but not of the South. For the South to interfere and try to plant slavery in Kansas contrary to the will of the people, is a violation of the rights of the people of Kansas, but not those of the North. It is no violation of Northern or Southern rights to say that the true principles of its constitution shall be carried out in all the States to come. Hence, whether slavery shall or shall not exist in Kansas, is a question for the people of Kansas, with which no State of the Union nor the federal government has any right to interfere one way or the other. Now, I will tell you right here why it was that I opposed the Lecompton constitution, though I never intend to revive the strife and acrimony that grew out of it—yet I will tell you why I opposed that instrument. I stated in my opening speech that I opposed the Lecompton constitution, not because of the slavery clause contained in it; I opposed it because I believe it was not the act and deed of the people of Kansas. (Applause.) Others think it was the act and deed of that people. But I say you had no right to force it upon Kansas unless it was their act, embodying their will. I stated then and repeat now, that if Kansas wanted slavery she ought to have it; if she did not want it, she should never be forced upon her if I could prevent it. Whether she should have it or not is her own business, and nobody else's. But I do not believe that the Lecompton constitution was their act and deed, or embodied their will. *I then asserted, and I repeat to you to-day, that under our system of government, no power on earth can rightfully force a constitution down the throats of an unwilling people; it is a violation of the great fundamental principles of self-government.* It is no excuse for a slave State to say that slavery is a good thing; it is no excuse for a free State to say that freedom is a blessing. Bear in mind, you had no right to force a good thing on an unwilling people. But by assuming that it is a good thing or a bad one, you violate the great principles of State sovereignty. It is for the people of Kansas to decide for themselves whether freedom or slavery is a good or a bad thing; and the very question of its goodness or its badness is to be decided by the people who are to live under that constitution, and not by the North or the South outside the new State. I shall not go into an argument to show whether I was right or wrong on the point as to whether Lecompton embodied the will of the people of Kansas. *I only state that the result of the votes on the English bill, rejecting the Lecompton constitution by eight to one, is sufficient testimony to my mind that the people did not want it.* If they wanted Lecompton, I was willing that they should have it. If they wanted a new one, it was willing that they should have that. I intended then, as I intend at all times, to stand firmly by the principles of the constitution, and the sovereignty of the States, no matter whether it benefits this or that section. (Applause.) And permit me to say to the democrats here present, that I never knew a democratic party, if they departed from its principles on a plea of expediency, without in the end receiving just retribution for the abandonment of that principle. (Applause.) The policy is ever of Union men, of constitution loving men, of friends of State rights, and State governments to stand firmly by our principles and carry them out in good faith; then should expediency take care of itself. It is not right for me to go before the Northern people and ask them to abandon the principles in order to give greater power to the North by securing another free State? And if you admit it to be treason to the constitution to appeal to Northern passion, interest and pride, how much less treasonable it is for a Southern man to say, let the South seek by the same means to strengthen herself, although it is a violation of principle. I do not pretend to say whether there has been an abandonment of principle; you decide for yourselves whether Lecompton embodied the popular will of Kansas. If it did, it was right. If not, it was wrong; and no Southern support could make it right—no Northern opposition could make it wrong. I say Lecompton is dead. Peace to its ashes! I hope that another such question will never arise. *I believe that a Territory making a constitution, and coming into the Union, should have just such a constitution as they want, and I will resist any attempt—whether for the benefit of the North or the South—to force it down their throats against their will.* (Cheering and applause.) One word more. Several gentlemen have called on me, and asked me what I meant or thought by this doctrine of popular sovereignty, as enunciated in my Freeport speech, in Illinois. I mean that I stand by the constitution as our fathers made it; by the constituted authorities as they exist; by the decisions of the Supreme Court as they are pronounced. (Applause.) By the decision in the Dred Scott case, it will be found, by reading Chief Justice Taney's decision, that slaves are decided to be property on an equal footing with other property, and that consequently the owners of that species of property have the same right to take it into a Territory as the owner of any other property. (Cries of "Good" and immense applause.) The Illinois democracy accept that decision as the authoritative exposition of the constitution, and on that point I concur. (Good.) Now, the question arises, what is the condition of that property after it gets into the Territory? You in the slaveholding and we in the free States, whatever our occupation may be, have an interest in knowing what our legal rights are when we get there. *I believe I said in Freeport that when you get into the Territory with your property on an equal footing with all other property, it is all subject to the local law for its protection without reference to the different character of it. If you go there with your horses and your mules, whether it shall be taxed or exempt is a question for the Territorial Legislature. If you go there with your dry goods, whether you shall sell without license or be compelled to get a license, is a question for the local Legislature. If you go there with your liquor, the manner of your selling it is a question to be determined by the local laws.* You may say you do not think it just for them to discourage one species of business for the benefit of another; but how are you going to help it? I do not wish to mislead you by these views. If you are wise you won't be misled, but will think for yourselves. *If your slave property is not subject to the local law for its protection, what protection have you got for it? Suppose the local Legislature do not make any slave law at all; suppose they do not pass any law furnishing a remedy for the violation of your rights, can you hold your slaves a day? Non-action is exclusion. The omission to furnish law protection amounts to practical exclusion.* Is there any lawyer, any well informed man who will controvert that proposition? Now, suppose the local Legislature refuses to make a law to protect your property, how are you going to compel them to do it? Perhaps they they will make it and perhaps they will not. I will tell you when they will and when they will not. Wherever a Territory has a climate, soil and production making it the interest of the inhabitants to encourage slave property, they will pass a slave code, and give it encouragement. Wherever the climate, soil and production precludes the possibility of slavery being profitable, they will not permit it. You come right back to the principles of dollars and cents. I do not care where the migration in the Southern country comes from; if old Joshua R. Giddings should raise a colony in Ohio and settle down in Louisiana, he would be the strongest advocate of slavery in the whole South; he would find when he got there his opinion would be very much modified; he would find on those sugar plantations that it was not a question between the white man and the negro, but between the negro and the crocodile. He would say that between the negro and the crocodile, he took the side of the negro. But between the negro and the white man, he would go for the white man. The Almighty has drawn the line on this continent, on the one side of which the soil must be cultivated by slave labor; on the other by white labor. That line did not run on thirty-six degrees and thirty minutes, for thirty-six degrees and thirty minutes runs over mountains and through valleys. But this slave line meanders in the sugar fields and plantations of the South. [The remainder of this sentence was lost by the confusion around the reporter.] And the people living in their different localities and in the Territories must determine for themselves whether their "middle bed" is best adapted to slavery or free labor. Hence, under the constitution there is no power to prevent a Southern man going there with his slaves any more than a Northern man. His property when it gets there is subject to local law for protection. *There will be found in that local Legislature power of deciding if they do not want it, and of encouraging it if they do want it. It is folly for you to entertain visionary dreams that you can for slavery where the people do not want it; and it is equal folly for the Northern fanatic to think that he can abolish it by law where the people do want it.* The people of each locality are the best judges; they will act for their own interests. They won't care whether they are penetrating New England or South Carolina; they will look to their own homes and firesides and the interests of their children and grandchildren as their own good and the good of posterity may require, regardless of the controversies North or South. It is no use to disguise the fact: if the people of a Territory want slavery they will have it; if they don't want it you can't force it on them. I am content with that result. I don't think that under our system of government slavery ought to be forced upon any people against their will. You of the South must be content in leaving your slave property in the same category, to be protected in the same manner, by the same principles as all other property. *Whenever you take the ground that slave property requires different protection from other property, and you call upon Congress to furnish it, * * you might as well entrust your infant to the tender embrace of a bear as your infant Territory to the gentlemanly embrace of Northern abolitionists.* If, therefore, we act upon the principle laid down by Mr. Buchanan in his acceptance of his Cincinnati nomination, and as expounded by the Supreme Court under the constitution, that Congress should "keep hands off" and never interfere one way or the other, but that the Territory shall be free or slave just as our people desire, then there will be peace and harmony between all the States of this Union. I do not believe there is any other common ground of peace for these great principles. If non-intervention of government, State rights and State sovereignty can be maintained, the Union can exist. If these principles of State sovereignty in the old States and the new are maintained, then America can fulfil the expectations of its most sanguine friends in all time to come—then these United States can fulfil its destiny, being the light to teach the nations of the Old World a just constitutional liberty—then America will increase and expand indefinitely as our republic shall increase. It is folly for us to imagine that because we now have territory enough we never shall need any more. When this republic was made its original boundaries were enough, but a few years' increase found us cramped, and we demanded more. We required Louisiana to open a road to the Rocky Mountains. We required Florida to open a road to the Gulf. We annexed Texas, with California and New Mexico. We have now territory enough; but how long will it be enough? One hive is enough for one swarm of bees, but a new swarm comes next year, and a new hive is wanted. Our nation is a young nation, increasing by natural growth and increasing by emigration, and our boundaries must be enlarged. You may like it or you may dislike it—you can never fulfil your destiny without it. Men may say we shall never want anything more of Mexico. We were told so when the treaty was made—that the present boundary should never be disturbed except by the consent of the two republics—declaring that if any question arose, and would not annex it. I knew the time would come when we would be compelled to take more. [Judge Douglas here alluded to his resistance to the ratification of the treaty with Mexico, and also touched upon the Central American question, but owing to the confusion around him our reporter was unable to hear what he said.] He said that General Cass asked him what we wanted with Central America? He replied that the time would come when we were bound to have it. "Why," said he, "it is too far off." Yes, a great way off, it is nearly half way to California, and on the direct road there. (Laughter.) I do not want Central America any more than I did in '50; but the time will come when our destiny, our institutions, our safety will compel us to have it. I am unwilling now to pledge our faith as a nation to that which I am certain our grandchildren would do. So it is with the Island of Cuba. I do not care whether you want it or not. It is a matter of no consequence whether we want it or not; we are compelled to take it, and we can't help it. (Immense applause.)

The Judge here alluded to the fact of its commanding the entrance to the Mississippi, and that although it was now subject to the Spanish crown, that the Spanish crown was fast falling to pieces, and said that when the time came that Cuba must go into the hands of France, England, or any other European Power, we would be bound to take it. Hence, he would never consent to any line of policy inconsistent with our taking it when our interest, our honor and our safety required us so to do. He did not wish to hasten the acquisition of any more territory. He said it would come fast enough. But our brethren must be prepared for it, and not have your guest come and take us by surprise and find us unprepared to give him a night's lodging when he comes. Our policy must be in harmony with our destiny. Our destiny is to increase until we become the strongest Power on the face of the globe. We must go on until we are capable of carrying out, in good faith, the great constitution and principles upon which our government was founded. This government is a confederation of sovereign independent States, each having the right to have just such a constitution as it pleases—each having a constitution different from every other, and requiring laws and institutions different from every other. Variety, dissimilarity, local law and local institutions, is the great principle on which the safety of the republic rests, and not that fatal heresy that the States must "all be free or all slave."

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The New Haven Divorce Case.

MARY A. BENNETT VS. DR. GEORGE BENNETT.

[From the New Haven Journal, Dec. 4.]

At the opening of the court an application was made for an order for the payment of an additional sum of money to Mrs Bennett, by her husband, for the preparation of her case. Without making a decision, the examinataon of Mrs. Bennett was resumed:—

Mrs. Mary A. Bennett continued—When living in New York, in the winter of 1849, husband proposed to get an office in Broadway, and have it beautifully fitted up, darkened and lighted with gas during the day, and he would advertise his pills—would dress me beautifully, and i should sell the pills and be the attraction to customers. I refused and was shocked, and as my health was extremely delicate, he could not press me into the scheme. When I had been married about three months and was boarding with Bennett's sister in Stepney, he was going out of town with his younger sister, and he refused to take me, because his brother was there, and he was afraid he would examine his books and get hold of his uncollected accounts for his own benefit. After he had gone, I was invited to tea with a neighbor; I said the Doctor had forbidden me going away; his sister, Mrs. Penfield, persuaded me to go, and while I was absent the Doctor returned home; he was vexed because I was gone, and drove down there; I was sitting by the window; he beckoned me out; I went, and he scolded me for leaving home; told me to put on my things and come home; I went in and put on my things, and, while I was preparing, he drove home alone, and left me to go on foot in the hot sun; was in "delicate health" at the time; in the summer of 1851 I was going with him to his father's, in Trumbull; we had to pass the house where my brother and his wife boarded, in Birmingham; I wished to call on them; he refused to stop until he had driven across the bridge to Huntington, and then he let me get out and walk back, and carry my baby; he waited for me; in the spring of 1853 we moved to George street; that summer I went to Branford Point with my children, expecting to stay two weeks; we went in the Doctor's covered wagon, in the evening; the babies were sleeping in the cradle; I wanted the Doctor to have the porters at the hotel lift out the cradle, with the babies; he refused, and took the sleeping children out of the cradle roughly, and laid them on the piazza, sleeping; there was a lady there, who might have prevented their actually touching the piazza; do not precisely recollect; when we had been at Branford two days, the Doctor changed his mind, and wanted to return home; expostulated, and he went home alone; he used to come over in the day, and go back at night; one morning, when he came over, he would say, "I had a young lady to stay with me last night;" I supposed he did it to annoy me, and told him I did not believe it; he said it was so, and told me her name, and said he gave her a gold ring; I asked him where he got the ring, and he mentioned the name of the jeweller he got it of; she was a girl who worked at the Doctor's business, and after that she used to come to the house and inquire for the Doctor, but would not come in; once I went to the door; could not persuade her to come in; Doctor went out into the hall to see her; I stood at the top of the stairs, and saw them talking together in the hall; she had her fingers in the buttonhole of the Doctor's coat; during that summer the Doctor was very unkind, and I could not keep a girl; he interfered with the cooking and fire, and swore at the servants; in the fall he would not allow fire in the furnace; used to let the fire down and open the windows; I had a small babe, and it annoyed me very much; once, while entertaining a lady in the parlor, the Doctor turned off the gas and left us in the dark; at other times he turned off the gas in the cellar when I was to receive company; the next spring, in 1854, I was again "in delicate health;" we were having the house repaired, and we roomed at home and took meals at the City Hotel; I had two children—one of them a babe, one and a half year old; we rode from the house to the hotel, and he used to drive off alone to his dinner, leaving myself and children to walk; I sent the servant for my meals; this occurred once or twice; when we did go, he would not wait for the servant and baby to have their meals, but hurried them off; some of the time he would not wait for me to get through, but would drive off and leave me to walk home; on one such occasion the landlord got me a carriage to ride home in; I omitted saying, yesterday, that on going to the New Haven House was the first of my contracting bills of any amount; the Doctor would not give me money; I thought if I was placed at the hotel I should be suitably dressed, and not having anything of consequence before that, my bills were larger than they would otherwise have been, and he talked a great deal about their amount; in the spring of 1854 I had a bonnet fixed over; the first time I wore it I came home before tea; Doctor saw it for the first time, and asked me where I got it, and if I had it charged; I said yes, and he caught hold of it with violence, twitched it from my hand, and tore it all to pieces; it was ruined, and I got another one; about that time he got vexed at me again, and tore a collar from my neck, tearing it in two; it was the only nice collar I had; at another time, after I had urged him for a long time to get a washwoman, he consented; I told him we had no coal; he said she could sift the ashes from under the furnace; told him it would take too long; at last he got some charcoal; he was so annoyed because I insisted upon the coal that, as I was coming up stairs from the garden, he tore my sun bonnet and mantilla off me, and seized hold of my dress and stripped that off—catching hold of the bottom of the skirt and leaving it in rags; the next day the woman came to finish, and he paid her half a day's wages to go away, though there was still work for her to do; the evening he tore my dress off I told him I could not stay with him; he got an acquaintance of ours—a lawyer—to call upon me and try to conciliate me; I told him all about the circumstances; after I got through, I said "Now, did'nt you, Doctor?" "Yes," he said, "but I can get you another;" I told him it was not dresses I wanted; I was in tears all the evening, but told the circumstances as well as I could; I showed our friend the torn dress; he always seemed to think when he was unkind, that if he got me a paper of candy or some oranges it would, or ought to, conciliate me; I used to bear all I could in the house, and then if I had anything to say to him I used more frequently to go to his office, and say it before the bookkeeper and the girls; once I asked him for money to pay for clams I had bought; he would not give me any, and said I must give them back; he went off to his office, and the man had to take the clams back; the amount I asked for was thirty-two cents; usually I did not go down to the office to ask him for things until my patience had been exhausted at home; on one such occasion he said—(a violent oath;) once when my father came to the house, Doctor charged him fifty cents for his meals; he paid thirty-seven cents, and said he thought fifty rather too much; when father was going away he gave me his daguerreotype; while I was looking at it Doctor snatched it away, tore the case, threw it on the floor and ground it under his heel; he gave as a reason for charging father for his meals, that he was going to travel for a Mr. Baker, who was in the same business with him; Doctor's general excuse was that he was not going to be troubled with his wife's relations; at another time father was going to New York; came by way of New Haven; took tea with us; at 9 P. M., Doctor came in and said, "Old man, what do you want here? go out! I have thrown your hat and coat out, and if you don't go out I will throw you out after it; no one wants you to stay here; if you want to stay all night go to the hotel;" father was waiting for the evening boat; I told Doctor he made me hate him, I could not live in peace with him, and if he was going to act so I really hoped he would die. [Here the witness was very much affected.] If I had not had two little ones sleeping up stairs I should have gone off that night; in the spring of 1854 I was in "delicate health"; my husband sent for Dr. Chas. Hooker; I stated my case; my husband said it was not so; Dr. Hooker gave me some medicine and said if I was right it would have the desired effect, and if I was wrong it would have no more effect than water; before he called Dr. Hooker, he took me to another physician and got medicine from him for me; I did not take it, because I knew what it was intended for and what the result would be. [Here the witness desire to narrate a portion of her evidence privately to the counsel for Dr. B., and it was agreed that the evidence should be given privately, or put on paper for the information of the Court and counsel, it being stated that it was not proper for public repetition.] I did not take Dr. Hooker's medicine, which my husband used to pour out for me; but when my husband went out I would throw it out of the window; at one time I threw it into the slop pail; Dr. B. discovered it and was angry, and broke my parasol across the bedstead; he said "that's the way my money goes, is it?" said I was putting on airs, "didn't I marry you a poor girl," on one occasion he ordered a servant not to scrub the kitchen floor when I told her to, and said he would give her fifty cents if she would not; at another time he went to the safe and found some potatoes which had moulded from being kept over; he brought them into my dressing room, placed them on my bureau, and scolded me for not taking care of them; he once found a gridiron, which was unused, rusted, and he put it on the marble table in the parlor; I did not discover it until some company was shown into the parlor, when they discovered it; Doctor swore at me for neglecting the gridiron; at another time he got vexed, disarranged the parlor, tied lace curtains up in knots, heaped the furniture together, turned the tete-a-tete upside down, &c.; I remember retaliating on him only twice, and this was the first time; as he had disarranged my parlor, I went up stairs and disarranged a package of his letters; I was fond of flowers, and we had a fine garden; also had a great many marble vases and urns in the house; I would fill them with water and arrange flowers and vines in them; Doctor would pull out the flowers and vines and throw them and the water on the carpet and floor cloths; once when going to ride horseback with Doctor, and as the children cried because I was going, to please them I said they might play on the pavement; he said, "send them into the house;" I told him if I changed my directions they would lose confidence in me, and because I would not tell them to go in he refused to go to ride, and we got off our horses; after I had taken off my riding dress I went into the garden and gathered a bouquet; Doctor was so vexed that he caught the bouquet from me and tore it in pieces; I consulted attorneys in regard to getting a bill of divorce, in 1855, and a petition was brought; when Doctor found I really would leave him he made promises, and to show he was in good faith he made over some property to me, and begged on his knees, and took oath on the Bible, that if I would accept the property he never would give me cause of complaint again; I refused at first, and told him that I could not live with him any longer; when he found he could make no arrangements with me he called in my sister and father and his aunt, and promised my father to buy him a house if he would prevail on me to live with Doctor; Doctor talked and cried, and walked with his hands in his hair about the house, and excited my sympathies, though I had no faith in his promises, and though he felt sorry then he would return to his own ways; at last, by appeals on account of my children, I was persuaded to accept the deed of the house and some notes of the School Society of $4,100, and abandon the petition:—

Whereas, there has been in time past such conduct towards me on the part of my husband, as to render my life with him insupportable, and I had instituted proceedings for a divorce from him, to insure the comfort, safety and happiness of myself and children; and whereas the said George Bennett, recognizing the justice of my complaints and the proceedings contemplated by me, as is witnessed by his signature hereto, promises and agrees, if I will stay proceedings, to give me no cause of offence in the future, and to conduct in all respects as to win my confidence, esteem and affection—Now, then, in consideration of such his agreement and promise, and my earnest desire to avoid the pain and distress consequent upon making public the unhappy state of things heretofore existing between us, I agree in good faith to make another trial with my self husband, and if he does so conduct in future as to win my confidence, esteem and affection, that in that event all the past shall be forgiven; but if he fails to keep his agreement as herein made, my signature to this paper, nor my stay of proceedings for a divorce, nor any thing done by me this day, shall be construed as a forgiveness or condonation in law of the past, but my right to proceed for a divorce shall be entirely unaffected thereby.

GEORGE BENNETT.
MARY A. BENNETT.

In presence of E. K. FOSTER, JOSEPH SHELDON, Jr.

In the presence of Mrs. Newman and my attorneys, I told Dr. Bennett he would not keep his promises; that he never did; he had used personal violence, had sworn at me, kicked me—turned my aged father from the house, thrown his hat and coat out; you've tried to destroy my children; gave one of them laudanum; and you have succeeded in destroying ——. I related all the atrocious things I could think of, and then said, "Didn't you do so, Doctor?" He said, "Oh, yes, yes, but I won't do so any more." That afternoon the deeds were made to my father, and from him to me. For two or three weeks he was very pleasant and kind. Then, when I invited a lady to visit me, Doctor said she should not come; but as I had invited her, I did not like to deceive her; so Doctor went to bed and took medicine, and I sent the lady word he was ill, and her visit must be given up. After that, until we went to Cuba, he was more pleasant than he had ever been since the marriage, though he soon began to show his old ways again. I omitted saying that when we lived in Dixwell street, Doctor was in the habit of using profane language before my child, two years old, and it learned from him to use profane words itself. Doctor said before the witnesses, at the withdrawal of the divorce petition, that I should have separate apartments. [The testimony relating to this topic was reserved for a private statement.] Doctor wanted me to go to Cuba in the fall of 1855, but I did not like to leave my children; Doctor knows that my sympathies are readily excited by suffering, so he took to eating gruel and pretending to be ill; he would get up when the mails arrived and go to the Post Office, and come home and go to bed again; he said his health demanded that he should go to Cuba, and at last I thought my duty to him required that I should go; Doctor sent me to New York alone to engage passage to Cuba and get passports from the Spanish Consul; on the boat to New York a New Haven gentleman informed me that it would be improper for me to go alone to the places I should have to go to, and offered his assistance, which I gladly accepted; when we started on the passage to Cuba, we had hardly got out of the harbor—[here some more testimony was recserved for a private interview]; in Havana Doctor would send me with other gentlemen, giving them my arm and asking them to walk with me, while he would sit down listening to music on the Plaza; Doctor went one hundred and fifty miles into the interior, and left me at a hotel in Havana in charge of a gentleman with whom he had no previous acquaintance; he was gone four or five days; he desired me to come to him alone, and I, not understanding the language, objected; he said it was all right—nothing out of the way in it, and said it would save the expense of his coming for me; I spoke of it in the presence of the gentleman in whose charge I was left, a Mr. Gardiner; he said it was highly improper, and contrary to the habit of the country, and not safe; Doctor insisted that it would be right, but at last Mr. Gardiner persuaded him not to make me go alone; Doctor returned for me and took me into the country; one evening we rode out on horseback with some friends; the horse I road was hard to ride; we went slow, in single file; I became tired, and as I could ride more easily on a canter, so I rode on first; a gentleman boarding at the same house followed me, and as I supposed he belonged to the family and knew the road, I followed his lead, until I began to fear he had led me away designedly; I could not speak Spanish; Doctor had before this left the party and returned home; while we were in the interior of the island.—[More evidence reserved.] As soon as we reached Cuba, Doctor commenced persecuting me for the notes and deeds, and almost every word that passed between us, he would swear at me, and say he would not do so and so unless I would give up the deeds; in the interior of Cuba, he threatened that I could not return unless I yielded to him the point on which I am to testify privately; cannot describe to any one how I could be induced to yield, because Doctor's perseverence passes all description; he was so annoying and persistent, it was impossible to resist him; he made me yield, and to conciliate me said he would have my children painted on ivory and set in a breast pin; however, he did not keep his promise; we came home Feb. 1, 1856; found January bills awaiting us; Doctor would tell me he would not pay them; would have the house full of sheriffs, and would attach all the furniture unless I would give up the notes for $4,600; the sheriff did come; the board of our children was sued for; Doctor abused the sheriff who served the writ; he threatened to sell the horses and carriage if I did not give up the notes, and persecuted me so that, at last, against the advice of all my friends, I gave up the notes for $4,100, and thought that if that would secure peace it would be very cheap; he promised me never to ask for deeds, and to get long mirrors and re-furnish the parlors, if I would give up the notes; he did not get the mirrors, or the curtains, or the furniture; I had hardly given up the notes before he began about the deeds; he said he would continue to persecute me until I should be glad to give up the deeds; his use of profane language was of daily occurrence; said he "would support me like hell;" said he was not going to have a conservator over him; said Webster or Clay would not submit to it, and he would not; he sent away his horses, and said they should not come back until I gave up the deeds; he forbid the store keepers I was in the habit of purchasing of to trust me; he also ill treated my father again, and turned off the gas when he had family worship, threw his cane out into the street, wouldn't wait on him at table, and was constantly unkind to me, and said he would continue to be so until I gave up the deeds; I told him if that was the way he kept his promises I would leave him; he then renewed his promises, and I was but too willing to forgive him, and I gave up my intention to get a divorce; the very evening he found I had consulted my lawyers the horses came back; he was kind to me for two or three days, and then he commenced again about the horses, and advertised them for sale; he had the water conductor soldered up, so that we could get no rain water; he sent away men who supplied us with necessaries, such as the butcher, baker and grocer, and would not allow the milkman to leave but a pint of milk a day; would allow no fire in furnace or parlor grate, but got a small air-tight second hand stove, and put it in a back dining room, and this was all the fire we had, except in the kitchen; in the spring of 1854 he proposed to warm the room by a small iron furnace, which we used for ironing, which he would raise up on two "pill casks" high enough to reach the stove pipe hole in the wall; I remonstrated, and he gave it up. Witness narrated instances of her husband's refusing or neglecting to provide fuel and other necessaries; on one occasion, when I had sifted a scoop full of coal out of the ashes and made a fire, the Dr. came in and kicked the grate down; this was the only other instances when I retaliated; I was vexed that he put out the fire after all my hard work, and I went into his office and mixed (pied) up the type he used to print his handbills. On another occasion when it was cold I could get no wood sawed; I made up a fire out of four foot wood, in the cellar fire-place, and wrapped myself and children up in shawls and sat before it. Doctor did not provide clothing for children; after Doctor ordered merchants not to trust me, I exchanged a collar I had bought at Waterman's for some woolen stockings for the children; the Doctor had previously refused to furnish children with clothing; in the winter of 1856–7, not a family in town