chases of silver destined or shipped to the East, making a further drain on the stock of bullion, since the date of the last return, of upwards of £220,000. There are, however, several fresh supplies of gold, namely, £30,000 from America, £87,820 per the Copenhagen from Melbourne, £58,240 per the Water Nymph from Melbourne, and £76,000 per the Teviot, making together £252,330 now in the market, which will suffice to satisfy for a few days the prevailing demand.

Very large arrivals of silver have come in from the Continent. The total this week is something like £500,000, and the mail of the 4th inst. is likely to take out £700,000 or £800,000 for India and China.

The railway market presents no change at present to-day, prices being about the same as yesterday, and business dull.

The demand for money keeps good, at firm rates—the very best bills not being done under 2½ per cent.

APRIL 1—2½ P. M.

There is scarcely anything doing on the Stock Exchange. Consols are 95¾ a ⅞.

[From the London News (City Article), April 2.]

The market opened this morning at a fractional reduction, but purchases quickly followed, leading to a rise of ¼ per cent. Toward the close of business the market was less buoyant, but the closing quotations of consols were still about 1-16 per cent better than those of yesterday. In the other departments of the Stock Exchange considerable steadiness continues to prevail, but there are many complaints of the inactivity of business. The demand for money to day was active at the bank minimum, and the applications at that establishment were large.

To morrow is the last day for the payment of one million pounds on the East India Railroad debentures.

The amount of the mercantile engagements maturing on the 4th is likewise large. A sustained demand is consequently looked for during the next two or three days. Owing to the recent arrivals there were no further withdrawals of gold from the bank to-day.

The shipments of specie by the steamer Ceylon, leaving on the 4th inst., will reach the extraordinary aggregate of about £950,000. The £76,285 in gold by the Teviot has been purchased for the Continent.

[From the London Times (City Article) April 2.]

The funds were flat at the commencement of business to-day, but in the absence of any disturbing foreign news, the market closed steadily at an advance of ⅛.

The division in the House of Commons, and the consequent uncertainty with regard to the Cabinet, seemed to exercise no influence. The applications for discount at the bank to-day were numerous.

In the foreign exchange this afternoon the rates were generally about the same as last post.

The shipments of silver for India and China on the 4th will amount to nearly one million pounds, of which about £400,000 is on account of the government. The colonial produce market, although influenced by the existing political uncertainties, have exhibited rather more steadiness during the latter part of the week. The aggregate traffic returns of railways in the United Kingdom, for the week ending March 26, exceeded, by £19,482, the amount for same week last year.

The Alliance (French and English) Bank was in course of being wound up. It was said that Mr. Stokes, the *gérant*, had departed for America, and that the accounts were in confusion, but that all creditors would be paid.

WRIGHT JUNIOR AND CO.'S CIRCULAR.

LIVERPOOL, April 1, 1859.

Since issuing our circular advices of 25th ult., per Canada, we have experienced a steady demand for cotton; but although the daily sales have been to a full average extent, at firm prices, the market has ruled inanimate, and holders have evinced a willingness to meet the inquiry with very liberal offerings. The import is restricted and our stock diminishes sensibly, but large supplies afloat, and the promise of additional incomings arriving to a paying market, induce all classes to take advantage of the existing opportunity to lessen their interest. The trade must now be holding some excess beyond their consumptive requirements, and are thus fortifying their position against the influence likely to be produced by decreasing receipts at the American shipping ports, and the consequent tendency to lower crop estimates, which, in their turn, bias the action of speculators and exporters, whose operations continue on a fair scale, and contribute to the maintenance of present rates. Both home and Continental political matters engross attention, and although less importance is attached to their course in commercial circles, they must not be regarded as undeserving of notice; the duties of the Congress are, however, likely to absorb some time, and in the interim the probable issue is favorably reviewed. Money matters continue easy, but a Russian and French loan, together with an addition to the Indian fund, and the large exportation of silver to the East, implies a tightening influence to discount rates, and have the effect of depressing the Funds and other public securities. The ministerial defeat on the Reform question, and the adjournment of the House till Monday, have not exercised any influence on to-day's market, which closes without animation, and very liberal offerings give the purchaser the advantage of selection. Sales are estimated at 8,000 bales—2,000 to speculators and exporters—at prices within the range of our quotations.

The total sales of the week, including what has been forwarded from the ship's side, amount to 63,260 bales, of which 49,860 are American. Speculators have taken 9,070, and exporters 10,070, leaving 44,120 bales of all kinds to the trade.

The import for the same time is 27,245 bales, of which 21,935 are American.

The quantity known to be at sea from American ports is about 180,000 bales.

PRICES TO DAY.

	Fair.	*Middling.*	*Ordinary.*
New Orleans....	8¼d.	7¾d.	4¾d. to 6¾d.
Mobile.....	7¾d.	7¼d.	5¼d. to 6¾d.
Atlantic	7¾d.	7¼d.	5¼d. to 6¾d.

	1858.	1859.
Total bales taken for consumption.....	517,580	591,310
Export (actual).....	28,566	48,505

	Bra-zil.	*Egypt.*	*East India.*	*West India.*	*American.*	*Total.*
Stock this day...	292,570	11,840	15,880	6,850	370	327,510
Same time 1858	352,520	29,420	7,630	68,680	2,700	460,950

In Manchester the demand for goods and yarns, though on a comparatively small scale individually, nevertheless sum up tolerably large in the aggregate; and, although the Indian merchants are less inclined to enlarge their orders, value is pretty well sustained by contracts in hand. Production consequently proceeds without stocks accumulating, and all that can be said of an adverse character is that the market has lost some of its former buoyant tone.

Our grain market continues to present the same uninteresting aspect so long the prevailing feature of the trade. Wheat and flour are taken as required, without being altered in value, but scarcely so easily moved. Yellow Indian corn is slightly lower, but white realizes full prices, though the demand is only in retail.

Ashes are in moderate demand, without change in value. Bark—Retail transactions are reported at 8s. for Baltimore, and 10s. for Philadelphia first, per cwt. Beeswax is worth £9 2s. 6d. a £9 5s. per cwt; but there is no stock in first hands. Clover seed has been sold to the extent of 350 bags, at 54s. a 56s. per cwt; an advance on these rates is now demanded. Timothy seed is less inquired for, and operations are limited to 30 bags, by auction, at 33s per cwt. Lard—Only small sales have been effected at about 58s. per cwt. Linseed cake is very dull, and £9 per ton for good thin oblong is with difficulty obtained. Rice—Transactions are confined to 50 tierces fair to good at 21s. 6d. a 22s. 6d. per cwt. Rosin—Sales embrace 3,000 barrels, chiefly common, at 4s. 5d. a 4s. 7d., up to 16s for fine qualities, per cwt. Tallow is firmly held at 53s a 54s. 6d. per cwt. for good to fine quality. Turpentine—About 300 barrels spirits have been taken at 41s. a 41s. 6d. per cwt.

Anniversary of the Battle of Cerro Gordo.

PARADE OF THE SCOTT LIFE GUARD—THEIR VISIT TO HOBOKEN AND RECEPTION BY GENERAL WINFIELD SCOTT.

The twelfth anniversary of the battle of Cerro Gordo, fought on the 18th of April, 1847, by the American army, during the war with Mexico, under General Winfield Scott, was celebrated yesterday by the Scott Life Guard, composed of those who shared in the triumphs of our arms, and which paraded many whose scars showed that they had been in honorable service, and true defenders of the honor of their country. The history of this eventful occasion was published in full in the HERALD of Monday, and it therefore has been fully laid before our readers The Scott Life Guard since their organization determined to celebrate the victory achieved on that day, and yesterday, under command of Capt. J. H. H. Ward, paraded at out fifty men, and, accompanied by Robertson's Band, paid a short visit to the city of Hoboken. They left their armory, Broadway, near Broome street, about two o'clock, and marched down to the Park, where they rested for a short time, and then took up their line of march to the Barclay street ferry. On their arrival at Hoboken they were received by a delegation from the Highwood Guard, who escorted them to the City Hotel, Hudson street, and where was in waiting a sumptuous collation. Among the guests present were Brigadier General James T. Hatfield, Captain Yard, U. S. A.; John McCleod Murphy, Esq.; Captain J. P. Newkirk, and others. After due justice had been done the bounties laid before them, the health of Brigadier General Hatfield, of the Hudson Brigade, was drank. The General responded in his usual happy manner, and concluded with giving as a toast, "The Scott Life Guard." "The Day we Celebrate—the Battle of Cerro Gordo," was then drank with nine hearty cheers, and which was followed with a toast in honor of the Commander-in-Chief of the army—General Winfield Scott.

This was received with tremendous applause, which seemed to recall to the memory of many of the Guards days passed upon the battle field under their old and venerable commandant. Speeches were then made by Captain J. H. Hobart Ward, of the Guard; Captain Newkirk of the Highwood Guards; Captain Yard, U. S. A.; Lieutenant Sweeney, of the New York Volunteers; Lieutenant Brown, Lieutenant McGregory, John McCleod Murphy, Esq., Lieutenant Hopper, of the Highwood Guards, and Sergeant William Parison. The company then were escorted to the armory of the Highwood Guards, Odd Fellows' Hall, where they were hospitably entertained with another collation, and at five o'clock they made a short parade around Hoboken, returning to the city. The Guards then proceeded to the residence of Gen. Winfield Scott, Twelfth street, where they were received by the General and Col. Scott, of the United States army. After passing in review, they were invited to partake a glass of wine with the Commander in Chief. General Scott was attired in his full uniform, and upon welcoming them to his house, gave as a toast "Our noble comrades who fell in the field of battle," and which was drank in silence. The visit to the General was but brief, and on their falling into line they again passed in review, and proceeded to their armory, where they dismissed. The Guards made a very creditable parade, which was witnessed by many of our citizens, a large number gathering in the Park to see them reviewed by the Mayor, but, by some misunderstanding, his Honor was not aware of their intended visit.

PREPARING TO LEAVE.—The Little Rock (Arkansas) *Gazette and Democrat* publishes an advertisement of Mr. Henry King, a colored man of that place, offering for sale his two houses, lot, with fruit trees, shrubbery, &c., so that he may be prepared to remove, as required by law, on which the *Gazette and Democrat* comments as follows:—"Henry King is a free colored man, and, in obedience to the late act of the Legislature, is making preparations for leaving the State. We have known him from our boyhood, and take the greatest pleasure in testifying to his good character. Wherever he may go, we wish him well, and the community in which he casts his lot will always be blest with that 'noblest work of God,' an honest man."

THE WASHINGTON TRAGEDY.

Trial of Daniel E. Sickles for Killing Philip Barton Key.

Decision of the Judge Admitting Evidence of the Adultery of the Parties.

TESTIMONY OF THE WITNESSES ON THIS POINT

John B. Haskin, Salad and Champagne.

KEY'S DESCRIPTION OF MRS. SICKLES, &c., &c., &c.

IMPORTANT DECISION OF JUDGE CRAWFORD.

WASHINGTON, April 18, 1859.

The Judge has just rendered a decision admitting the evidence to prove the adultery. Its rendition creates most intense excitement in court. It is difficult to tell where this evidence will lead to or when the trial will close.

PROCEEDINGS BEFORE THE COURT.

WASHINGTON, April 18, 1859.

The Court opened at twenty minutes past ten, the usual large audience being in attendance.

Mr. Sickles was soon afterwards brought into court.

The petit jury which had been directed to be in attendance to-day had their names called, and were excused from further attendance till this day fortnight. This would indicate an intention on the part of the Judge to admit the evidence offered.

Counsel for the prosecution are inundated with country newspapers containing editorial comments in regard to the conduct of this trial. They have little time, however, to read or profit by the sage suggestions therein made.

It is true that Mr. Sickles would have preferred not to have his wife's confession published. It is not true, however, that the paper was obtained surreptitiously, and copied without the knowledge of the counsel for the defence, as has been asserted in communications to some of the New York papers. Neither is it true that it was first published in a Washington journal, and then sent to the Associated Press. It was telegraphed to New York before any second copy was made.

THE ARGUMENT ON THE ADMISSION OF TESTIMONY CONTINUED.

District Attorney Ould proceeded to close his argument against the admissibility of the evidence offered to prove the adultery. He had been endeavoring, he said, when he closed his remarks on Saturday, to show that the facts offered in evidence on the part of the defence did not amount to legal provocation, much less to justification, and that the questions of provocation, justification and cooling time were mere legal questions. He had been interrupted, politely, of course, by a question from Mr. Brady, asking on what were the jury to pass if the Court determined the justification and the cooling time. It was the duty of the jury, he held, to pass upon the facts as connected with the killing, and to apply the law as enumerated by the Court. With reference to justification, provocation and cooling time, the Court has its peculiar functions, and so has the jury. If there were no other questions in the case that was the fault of the case—one of the incidents of the case. If a man were indicted for poisoning would the learned counsel claim that evidence of justification, provocation or cooling time should be given? Did not the law declare that in such a case there could be no justification, no provocation, no cooling time? The jury pass upon the truth of the facts offered; their sufficiency in law was a question exclusively for the Court. If the Court decided that they were sufficient in law then the question of their truth went before the jury; but if the Court decided that they were not sufficient in law, then, of course, they did not go before the jury. It was the constant practice of the Courts to pass upon provocation, justification and cooling time.

The Judge—At a different stage from this, however.

Mr. Brady—We utterly refuse to enter into any discussion of any question at this time, except what relates to the particular point before your Honor for determination. We offered to prove habitual adultery; the objection was made to that. As to justification, provocation and cooling time, we propose to be heard at a future stage in asking the Court for instructions, and we mean to insist that the jury are judges of the law and the facts; but that time has not arrived yet.

Mr. Ould certainly misunderstood the arguments of counsel if the questions of justification, provocation and cooling time were not now before the Court.

Mr. Phillips—If the evidence has a tendency towards justification that is sufficient.

The District Attorney held that it had no such tendency, for in law the facts amounted neither to justification nor provocation. He referred the Court on this point to Addison and to 6 Iredell, 178 and 181, the State against John P. Creighton. In the case cited by the other side—Manning's case—the question of provocation was before the Court, and the Court there declared what would be and what would not be provocation. Did not every Court in cases of murder necessarily decide upon the sufficiency of the evidence to constitute legal provocation? Undoubtedly it did. Here the facts sought to be put in evidence were admitted, but the question was whether they amounted to a provocation or a justification. The same doctrine came up incidentally in Selridge's case as to the effect which the law ought to give, and which the jury must give, to certain questions affecting honor and dishonor, and there the Court decided the question. Counsel referred to vol. 2 Archibald's Criminal Practice.

At this point the Court interrupted Mr. Ould to have the Grand Jury called.

The Court relieved them from further attendance until this day fortnight.

Mr. Ould, resuming, replied to the proposition of Mr. Phillips that this evidence was competent for rebutting the question. That he (Ould) thought was begging the question. Was the evidence of such a character on its face as would be a legal rebuttal of malice? If not it was not competent. It had been also argued that the evidence was competent as affecting the question whether the passion was real or feigned. It was immaterial for the jury to find out whether it was real or feigned. It had been also argued that the deceased was giving the signal of adultery, and that therefore the evidence was competent; but if, as the prosecution held, the adultery itself was not a legal provocation or justification, how could an invitation to adultery be? The other learned counsel had argued that the evidence of adultery was always properly before the Court; that was not so. In Iredell's case the evidence came before the Court whether the evidence of adultery could be admitted to reduce the grade of homicide, and there the Court rejected such evidence. He contended that where such evidence was admitted, it was admitted only as part of the *res gestæ*.

The Judge—In the case of Fisher, 8 Carrington and Paine, the whole case is detailed: the interview between the father and the man in whose house the crime was committed; it was committed more than once; and yet all the circumstances were gone into, so that there it was impossible that the facts proved could have been part of the *res gestæ*.

District Attorney—The case in vol. 6 Iredell was precisely the kind of case alluded to.

Counsel for Mr. Sickles—There all the proofs were got in.

District Attorney—They were made a part of the evidence of the prosecution, and were put in as evidence connected with the homicide. He challenged the defence to point out a case where objection was made to such evidence and not sustained. It had been also set up here that the indictment recited that the deceased, at the time of the homicide, was in the peace of God and of the United States, and that he was not so in point of fact, and that, therefore, the indictment could not be sustained. The words are mere surplusage, and might have been omitted. They meant simply that he was under the protection of the laws of God and man; nothing more than that. If Mr. Key had been engaged in a riot, or if he had been blaspheming, would it be contended that any man might kill him?

Counsel for Mr. Sickles—In an effort to prevent him committing a crime, it would not be murder to slay him.

District Attorney—Would it be proper to kill a man to prevent him committing an assault and battery?

Counsel for Mr. Sickles—I take the ground that if a man assaults me I have a right to resist him to the death.

The District Attorney—That depends altogether on circumstances.

The Judge—It would depend on the nature of the attack.

The District Attorney proceeded to argue that the testimony in regard to the handkerchief did not connect the parties with any adulterous intercourse. This was, therefore, not a proposition to continue evidence already partially given, but to give new evidence on a distinct point. He held to his position that it was for the Court, and the Court alone, to pass upon the nature of the evidence offered. It was only for the jury to pass upon the facts allowed to be given in evidence. Trial by jury was a creature of the common law, and the constitution of the United States gave to the arraigned the privilege of trial by jury in accordance with the course of the common law and in no other way. The common law had been announced by Hale and Foster and East and others, and what he contended for now was one of the principles of that common law. It had been alleged by the defence that the case now presented was analogous to that of Jarboe. He proceeded to show that no such analogy existed. In the case now before the Court the prisoner made the declaration at the time of the homicide, "He has defiled my bed." In Jarboe's case the question was by the prisoner to the deceased "What do you intend to do?" and the answer was, "You will see what I intend to do." That was a matter which did not explain itself, and therefore it was right for the Court to allow the evidence to be given to explain the declarations. Here the declaration of the prisoner explained itself, and therefore no evidence was necessary to elucidate it. The facts themselves carried no further impression to the human mind than the expression itself does. There was another distinct on between the two cases. In Jarboe's case the expression was made use of both by the deceased and the prisoner; here no expression was made use of by the deceased. His Honor, in Herbert's case, drew a distinction between the declarations made by the deceased and those made by the prisoner. Otherwise a party might manufacture testimony in his own case, while no such objection could possibly apply to the declaration of the deceased. He insisted that the instruction of the Court in Jarboe's case applied to this case here—namely, that the facts did not justify the act, or constitute a legal provocation, and that the killing was murder. In regard to the question of insanity, his Honor's rulings hitherto had been that no declarations made by other parties to the prisoner could be admitted as proof of insanity, and on that ground the evidence must necessarily be ruled out. What then was left as competent evidence in law? Nothing but that the prisoner was a witness to the adulterous intercourse between deceased and the prisoner's wife. The last ground on which this evidence had been urged was on the ground of its being *res gestæ*, that it was competent as explaining the declaration of the prisoner that the deceased had violated his bed. The declaration itself was part of the *res gestæ*, and was receivable; but the evidence of the truth of the declaration was not *res gestæ*, and was not receivable. As well might the United States go into a long evidence of the manufacture of firearms, and detail the manner of making the pistol which had been offered in evidence in this case. But, say the defence, the declaration of the prisoner shows his motive, and this evidence ought to be received because it explained the declaration. That raised the direct question whether the fact of adultery constituted a legal provocation or justification, and he had already shown that it did not. It had been hinted rather than argued on the other side that the prisoner at the time of the homicide was but defending his wife from future advances of the deceased. The law, however, says that for the taking of human life such an excuse affords no justification or excuse. Nothing but an attempt to commit a felony can excuse the taking of life. It must be distinctly and satisfactorily shown that the deceased was at the very time attempting to commit a felony. But an invitation to adultery does not rise even to the dignity of a trespass.

THE DECISION OF THE JUDGE.

The Judge—Five propositions are stated as the basis of an offer to prove the fact of adultery in this case, and that that fact is known by the prisoner. The proposition is not to introduce evidence of adultery as proper under all or any circumstances, but whether, under the existing state of the evidence already given, the defence are entitled to adduce further evidence than they have already given to the jury. It is a question of competency of evidence for any purpose; what may be its legal effect is not the inquiry. On that the Court may be called upon to give an opinion before the trial terminates. But I will not anticipate it. That opinion must be founded on all the evidence, and can be properly investigated when the evidence on both sides is closed. A great mass of testimony has been received, going to show the adulterous intercourse, the frequenting by deceased of the immediate neighborhood of the defendant's house, the exhibitions of a handkerchief—what did they mean? Have not the jury a right to understand what they meant? By themselves they might be regarded as weighing very little, or as having more or less influence on any particular point raised. The jury must pass on them, and on all the evidence. Can they do so without a full knowledge of what that testimony imports? At the time of the homicide the prisoner declared that the deceased had dishonored his house, or defiled, or violated his bed, for all these expressions have been used by the different witnesses examined. This declaration is a part of the principal fact. It is important to the jury to have it explained, and it is the right of the defendant, in all justice, to have it explained. Jarboe's case has been referred to as a decision rendered by this Court. On great deliberation, it is one from which I am not disposed to depart. In that case, considerable testimony having been given, it was proposed to prove what passed at an interview between the witness, who was the father of the prisoner, and the deceased and the prisoner himself, in regard to the engagement of marriage. This interview, it will be observed, was two or three months before the homicide. [Here the Judge quoted his ruling in that case, and proceeded.] It is said, however, that the expression of the prisoner here at the time of the homicide—that the deceased had defiled his bed—explains itself, and that it is not susceptible of any further elucidation. It was certainly not stronger than this case of Jarboe, where the prisoner asked the deceased if he was going to marry the unfortunate girl, his sister, and he said no; you see or you will see what I am going to do. The plain English of that is, "I am not going to marry her." In this case, it is true, the expression used by the prisoner is one that might be ordinarily understood in a particular sense; but men may have various ideas of phraseology, and the jury are to pass on this case on the evidence. That declaration, to be sure, is in proof by the United States, but still there may be a different construction put upon it by one man from that put upon it by another. Be that as it may, in order to insure perfect understanding by the jury as to what was meant by that declaration, I think on that ground also the evidence is admissible, the Court reserving, of course, an opinion on all the evidence until, in accordance with the ordinary course of practice here, that opinion is asked in the shape of what lawyers here call prayers. I am of opinion that the evidence is admissible.

The silence in the court as Judge Crawford pronounced this decision was almost painful, and as he closed there was a perceptible, though silent, expression of satisfaction.

TESTIMONY OF MRS. NANCY BROWN.

Mrs. Nancy Brown was then recalled. Examined by Mr. Ratcliffe—I was sufficiently acquainted with Mr. Key to know him; the last time I saw him was on the Wednesday before he was shot, when he went into the house on Fifteenth street; I saw him take a key out of his pocket, unlock the door and go in; he came out in about an hour; I am acquainted with Mrs. Sickles; I saw her go backward and forward often; I saw her go in and then out the back way; he would go to the back gate and let her out, and then he would come out of the front door.

Question—How long were they in the house?

Answer—About an hour.

Question—How did you know that it was Mrs. Sickles?

Answer—I inquired at different times; I saw Mrs. Sickles at her own house after that; then other persons were present; she was the lady I had seen go into the brick house.

Question—How often had you before that Wednesday seen him go into that house?

Answer—I saw him go in three times before, when he took the key from his pocket and unlocked the door; saw Mrs. Sickles go with him and have hold of his arm, except the Wednesday before Mr. Key was killed.

Q.—What time elapsed between these three times you saw them go into that house?

A. About a week; I saw them go in three times within three weeks; Key came up to my door in October; he rode up; he stepped on the porch, and asked me whether the house was occupied; I said no; he asked me who the house belonged to; I told him to a colored man named John Gray, and he lived somewhere on Capitol Hill, and that the colored people could give him all the information; he came about three weeks after that, and tied his horse to my tree; I asked him whether he did not know that that was against the law? (Laughter.)

Mr. Ould—I suppose that is not evidence.

Witness—I asked him not to tie his horse there again.

Mr. Ould—That's not evidence. Stop, Mrs. Brown

Witness—I was only telling you what it was; he said, I won't tie it there any more; he said, I rented this house for a friend of mine, and want to see how it is situated; I don't know whether he said it was for a member or Senator; he then untied his horse and went away; I never spoke to him any more.

Q. Did you notice anything Mr. Key had with him?

A. I noticed, on that Wednesday, he had on a shaw when he went in; it was on his left arm; but hadn't none when he came out; this was the Wednesday before he was shot; when he first came to the house, we laughed when we saw the smoke come out of the chimney; he went down the yard, and got wood to make a fire; saw a white string tied to the up stairs shutters, so that, when the wind blowed, it would swing.

Q. Have you seen the shawl since?

A. I saw the shawl, but, you know, there are so many alike, I don't like to swear to this one.

Mr. Ratcliffe (to officer)—Tell Mr. Mann to bring the shawl in.

Witness—I don't want to tell a lie. (A shawl was produced—it had a gray and red border.)

Witness— (examining)—This looks like it; he had it folded up on his left arm.

Q. How was Mrs. S. dressed?

A.—She had on a little small plaid silk dress, which she wore open, and she had a black raglan—a cloak, you know, as I call it—fringed with bugles, and a black velvet shawl, with lace; and I saw her in a brown dress, like a travelling dress, the Wednesday she went in and out the back way; in entering the house the back way—it was where they put the wood—the mud was that depth (four or five inches); the alley was not paved.

Q.—What was the state of the weather?

A.—It was always fair when I seen them.

Mr. Ould—That's not evidence.

Mr. Brady—You say Mr. Key told you he hired the house for a Senator or member. Did anybody occupy it except Mr. Key and the lady?

A.—Never saw anybody go in but theirselves; I am sure I did not.

To Counsel for defence—Saw them go up and turn back; they saw two policemen standing down K street; they were at the gate; I was at my gate; they went up Fifteenth street as far as I could see them.

Mr. Stanton requested that the prisoner might retire during this examination. To this the prosecution said they had no objection.

Mr. Sickles accordingly retired, accompanied by an officer.

Counsel for defence—Did you see them come back that day?

Witness—Not likely; they were so scart, they run away. (Laughter.)

Cross-examined by Mr. Ould—Whereabouts do you live?

A.—I live next door but one to John Gray's; (there are three little houses); in a small frame; I live on the north.

Mr. Brady here put in a true copy of the survey of the premises from the Surveyor's office.

Mr Ould examined the witness particularly about the houses and their tenants in that immediate neighborhood. She said the first time she saw Mrs. Sickles was three weeks after Mr. Key told her he had taken the house; never held a conversation with her until she went to Mrs. Sickles' house; I think it was in November when Mr. Key first came to Gray's house; I took no particular notice; I was standing at my gate.

Q.—How many feet from Gray's house?

A.—I never measured it. (Laughter.)

Mr. Ould—About as far as the back part of this room from where you stand?

A.—I don't think it's so far.

Q.—How do you know it was Mrs. Sickles?

A.—Because I inquired, and was told; I asked different people, and they all told me it was her, and when I saw her at her own house I knew it was the same person.

Q.—Why did you go there?

A.—I went to see if it was the same lady.

Q.—What was the occasion of your going there?

A.—She sent for me to identify her, whether she was the same person; it was the Tuesday after the killing.

Q.—How many times altogether did you see them go into the house?

A.—Three times, and at another they only came to the gate; as I said before, Mr. Key unlocked the door for her to come in.

Q.—How far off were you?

A. Not so very far, from here to there (illustrating); she had a black bonnet on but no veil at the time I seed her; could see her features; I knowed her afore, and of course knowed her agin; I was standing at my front door when I seed her go in the front door; she passed by me and looked in my face; she was with Mr. Key each time; the policemen were standing at the corner of K and Fifteenth streets, talking, when Mr. Key and Mrs. Sickles came there the last time; they passed on to go into the house; did not go further; they saw the policemen, and immediately turned back.

Q. I suppose they saw them?

A. I know they did, for they started off.

Q. Did they return that day?

A. It is not likely that they returned that day; not likey, gentlemen; I did not watch more aft that. I know they were not so foolish. (Laughter.) After they seed the police, not likely after that. (Renewed laughter.)

Q. Where does Mr. Seeley live?

A. His alley opens very near to the back opening of Gray's house; the white string was put out every time that he came first and made the fire.

Q.—How do you know that it was he that made the fire?

A.—Because there was nobody else to make the fire, and because I saw him go down and fetch the wood. (Laughter in Court. The Judge ordered it to be suppressed, as there was no cause for laughter.) Never saw Key go there by himself except the first time when he came about the house; saw the string out of the window three or four times; if I had looked oftener I might have seen it oft[illegible]

Q.—How [illegible] you come to notice it?

A.—Because I knew it was the signal, of course; (laughter); she was with him every time I saw him out that once; I saw him go down the yard for wood four or five times; of course when I saw him go down for an armful of wood he was there.

Q.—You did not know whether he was there by himself

A.—I should think he was not when I saw the signa flying. (Laughter.)

To Mr. Ratcliffe—It was Mr. Mann who called for me to go and see Mrs. Sickles, and I there identified her as the person who I used to see go to that house; the shaw was shown to me the next week after the death of Mr Key; the other man, I never could speak his name (Mr Gentry), was there when the shawl was shown to me; could not identify the shawl, but I stated at that tim that I thought it the same shawl; I think it now the sam shawl, but I could not swear to it exactly, because ther are so many shawls like it.

To Mr. Brady—I saw the same lady on Pennsylvania avenue; I never thought she was no lady when I saw her come to the house; I thought she was a servant girl; I saw her getting out of a carriage in the avenue, and asked a gentleman who she was, and he told me she was Mrs. Sickles; I also saw her in the market.

To Mr. Carlisle—I saw the person go in the same day the shawl was shown to me; I think the house was opened the Monday after Mr. Key's death; I did not see people go in; saw them at the door; have no knowledge of any person breaking into the house; I could hear a noise of some persons inside, but I could not see them; this was two or three weeks after Mr. Key's death.

To the District Attorney—Did not hear anybody in the house the week after Mr. Key's death.

Here the Court and jury took a recess for a few minutes

Mr. Brady exhibited to the jury the lock taken off the front door of the assignation house in Fifteenth street, and showed how it was fitted by one of two keys found in the pocket of deceased. The second key belonged to the door of a house in C street.

TESTIMONY OF CHARLES MANN.

Chas. Mann examined by Mr. Ratcliffe—My business is that of a policeman; am acquainted with the location of the house in Fifteenth street; I was in the house; Mr. Magruder and yourself (Ratcliffe), and a third person were present; I found this shawl there, a pair of gloves, a comb and some cigarettes; saw some chunks of wood there; found a shawl in the bed in the front room; this is the shawl; I showed it to Mrs. Brown, the last witness; Mrs. Brown went to the house of Mrs. Sickles with me for the purpose of recognizing her; I took her there at your (Ratcliffe's) instance.

To Mr. Brady—On the first floor of the house there were two rooms and a kitchen; they were furnished in a plain style; there was a carpet, chairs, tables and bookcases; on the second story there are two rooms communicating with each other; in the back room of the second story there was a bedstead and bedding, basin and pitcher, and perhaps a bureau; the bed looked as if it had not been made for a week or two; there were soiled towels lying about; the shawl was found in the bed in the front room; that bed looked as if it had not been made up for some time; have not here the gloves and comb I found there; have them at home; I got into the house over the fence; there was a colored man inside who admitted me; I took the key from the sideroom door, and found it opened the front door; I unlocked it to admit Mr. Magruder and Mr. Ratcliffe.

To the District Attorney—I got in through a back window into the entry; a person opened the back window, and I went in; the window opened easily; I hoisted it myself, and went in; the other person did not go in; this person opened the shutter for me; did not open the back door at all; it was between one and two o'clock the day after Mr. Key's death; I left the premises the way I came in; I did not examine the back door; I tried to get in that way, but did not succeed; I found it locked; these beds had not been made since they were occupied; the gloves I speak of are not riding gloves, but a pair of ordinary yellow kid gloves; that was the only time I was in the house; I went with Mrs. Brown to Mrs. Sickles' some two or three days or a week after that.

To Mr. Ratcliffe—Think Mr. Key resided in the neighborhood of the Court House.

To Mr. Carlisle—Do not think the person who let me into the house was a white man; he was light complexioned, he followed with me from the jail; I do not know at whose request; never saw him previously or since; saw him at the jail, and asked him to go along with me in the carriage, and he said he'd meet me there.

Q.—What had he to do with the house?

A.—I calculated he was to assist me.

Q.—Why did you think he could admit you more than you could admit yourself?

A.—I do not know about that; the attorneys of Mr. Sickles requested me to go to this house; I never received anything for it, nor have I been promised anything; there was a man at the jail, and I asked him to step into the carriage and come up to the house.

Q.—Was this John Gray?

A.—I do not know John Gray.

Q.—Did you not hear that this was the owner of the house?

A.—I understood at the jail that this negro fellow was to accompany me to the house.

Q.—Did you not say you did not know whether he was colored or white?

A.—Neither do I; I was at the jail, and employed to do this business. I heard from some one of counsel—Ratcliffe, I think—that this man was to go with me; he followed us out to the gate, and, as I knew he was to go with me, I asked him to get into the carriage.

Q.—Did you inquire, or did anybody tell you, for what purpose this man was to accompany you to this house?

A.—I inquired very little about it; I calculated that this man was to go with me.

Mr. Carlisle—That does not answer the question.

Witness—I hardly know how to understand you (laughter); nobody told me why that man was to accompany me to the house, nor did I ask anybody the reason why; I did not know what business I was to do after getting to the house; I knew I was to attend to some business.

Q.—Who explained the business to you?

A. I found out myself after I got there.

Q.—It did not strike you before you got to the house?

A.—It struck me before I got there.

Q.—Where did it strike you?

A.—That is a nonsensical question. (Laughter.)

Mr. Carlisle—Not at all, sir; you need not trouble yourself to express your opinion. I ask you where you were when the idea struck you?

A.—When I left the jail I knew I was going to the house in Fifteenth street, and when I entered the house I found the articles I have described and took them away.

Q.—Nobody instructing you to do so?

A.—Yes; I was instructed to take them away by Mr Ratcliffe; Mr. Magruder and Mr. Ratcliffe went with me, and told me to take possession of these things; this other man was there when we got there; have never seen that person before or since; I tried the front door, and he showed me round the back way and opened the shutter; he had not been there before; I thought we might find the back way open; I would like to have that man here to see whether you could tell whether this man was white or colored; I carried the shawl to two or three persons, to see if they could recognise it; I carried it to Mrs. Brown and Mrs. Seeley; I went to the jail that morning of my own accord, and while there I was engaged in this business.

To Mr. Brady—Am not much acquainted with that neighborhood; don't know whether the houses are occupied by white or black people.

Mr Magruder—When it was decided that counsel should visit the house it was agreed to take a policeman, and this man was suggested as the person to show the house.

Mr. Carlisle—Now you distinctly recollect that this man went to point out the locality of the house?

A.—I do.

Witness was directed by counsel to go home for the other articles found.

Mr. Ratcliffe, one of the counsel, was placed on the stand, and related the circumstance of the visit to the house; he said they did not knew at the time that this person (Crittenden, he believed), was a colored man, but somebody suggested that he was, and so they did not take him into the carriage.

Mr. Brady—Describe what you found there.

Witness—We found up there a bed all in confusion, and on that bed we found a shawl; thinking I had seen such a shawl in possession of Mr. Key, it was suggested that the officer take charge of the shawl; looking about we found a pair of gloves on the mantel and a parcel of cigarettes; it was also suggested that he take charge of the gloves and comb found there; cannot say that this is the same shawl, but it is like it; it was handed to Mr. Mann, and he was requested to take charge of it; I think Mr. Key resided in C street, about a mile from the house in Fifteenth street; Mr. Key was a widower with four or five children; they had often been in my house; Mrs. Key has been dead some four or five years.

Mr. Brady—That is all.

Mr. Ratcliffe to Mr. Carlisle, with mock politeness—Any question, Sir?

Mr. Carlisle—No, Sir. (Laughter.)

TESTIMONY OF JOHN M. SEELEY.

John M. Seeley recalled and examined by Mr. Brady—My attention was first called to the visits to the house in Fifteenth street by Mr. Key and a lady between the middle of January and the beginning of February last; noticed Mr. Key and a lady go there frequently; the last occasion was on the 15th February; Mr. Key's outside garment was usually a steel mixed gray sack, and on other occasions a plum-colored coat; did not notice a shawl; saw Mr. Key put a key to the lock and walk in.

Q.—When Mr. Key and the lady were there the first time, had she walked with him?

A.—I did not see her at any time except on foot; do not know that she had hold of his arm; did not see them come out on that occasion; it was between one and two o'clock; I noticed that after they went in, the door was shut; the next occasion that I particularize was Saturday, the 12th of February; that was about the same hour.

Mr. Brady—Describe the whole incident

Witness—I was going up Fifteenth street; they were going up before me; was walking leisurely; as I passed the door of the house in Fifteenth street, they stopped and went into the house; the lady, as she went in, drew up her veil and looked at me, and I looked at her; I have known Mr. Key for years.

Q.—Did you observe whether the door was unlocked at that time?

A.—He unlocked it; I presume he took out the key; saw them come out of the house that day; they were there about an hour or an hour and a half; they came out separately—she first; both came through the front door; some four or five minutes elapsed between her coming and his; she passed on toward her house, and he passed in the opposite direction; the only Sabbath I ever saw them go into the house was on the 20th of February; it was about one o'clock or perhaps half past one; I saw him enter, but no lady with him; I immediately went up to a back room in the third floor of my house and looked out the window; I saw the same lady come up through the alley leading from K street to L, which forms rather a T; saw Mr. Key come to the back door, and walk down toward the gate, and they returned together to the house; to my certain knowledge that was Sunday, the 20th day of February; am not prepared to say how long they stayed on that occasion—perhaps an hour or an hour and a half; the lady came out the way she went in, but I did not see how Mr. Key came out; also saw her pass into the house the Wednesday or Thursday before Mr. Key's death; she passed in by the back gate; that was somewhere about two o'clock; did not see Mr. Key there at all that day; cannot state how long she remained, for I was compelled to leave on my own business; the house had been of unfortunate repute when I went to the neighborhood; the parties left and the owner occupied it a short time; after he left it remained unoccupied till I saw Mr. Key and the lady go there

Q.—Did you ascertain who the lady was?

A.—I