THE WALTON-MATHEWS MURDER.

Trial of Charles M. Jefferds for the Murder of John W. Mathews—Cross-Examination of Mrs. Walton—A Romantic History—Close of the Testimony for the Defence—Rebutting Testimony for the Prosecution, &c.

COURT OF GENERAL SESSIONS.
Before Recorder Hoffman.

FIFTH DAY.

Dec 23.—The trial of Charles M. Jefferds for the murder of John W. Mathews was resumed this morning. Long before the hour for opening the Court the doors were besieged with an eager crowd anxious to gain admittance to witness the proceedings of this remarkably interesting trial. It will be remembered that the direct examination of Mrs. Walton was concluded when the Court adjourned on Saturday evening, Mr. Waterbury reserving his cross-examination until this morning. Mrs. Walton was asked a few questions by Mr. Brady, previous to being cross-examined. She said that she received a letter from Moore, which Mr. Brady read. Mrs. Walton then testified as follows:—

I saw the letter which was produced here, written by Charles to Moore, before it was sent; he was very angry when I told him that Moore called and said that Charles had desired him to ask me for some money, but not to send him any, that he did not require it—that he had money enough; I said, "Where did he get the money?" Moore said, "I gave him some money;" I said, "Did you lend him the money?" he said, "No; Charley and I have a little plan in our hands by which we are going to make some money in advance;" I said, "If Charles borrows any money from you, I want you to understand that I am not responsible for it, but if Charles wants any money sent to him to come home, pay his expenses and I will give you what money it costs to bring him to New York;" I said, "Won't you give me that letter?" he jumped up and put the letter to his breast, and it surprised me that he should prize the letter so; I said, "It is the first time that Charles ever wrote a disrespectful letter about me or said a disrespectful word to me; I don't know what is the matter with him;" I said he must be under some bad influence, and Moore said he was not; that he was in such a rage about me not sending him money that he did not care what he wrote; he told me that Charles had been perfectly sober up at Cutchogue, except one day of the races; he held the letter up to me so that I could see that it was Charles' writing; Charles said that Moore had a fine game on hand, that he was going to help him play it out, and he was going to give him a chance to earn his money; I asked Charles how he came to write me such a disrespectful letter, if he did not think it was very wrong to a mother who had been so very kind to him; he said, "Mother, Moore told me that you had made your will and cut him off of all his portion of the property;" he said Moore told him that I had abused him shamefully, and more to the same effect.

Cross examined by the District Attorney—I kept boarding houses at Fourteenth street, New York, and at Hudson terrace, Hoboken; my daughter Ellen is in her fifth year, and she was born in Clinton place; I lived in Chambers street previous to living in Hoboken; I have lived in Maine, Ohio, South and North Carolina, Maryland, Virginia and Connecticut; I lived in Rochester and four miles out of it.

Q. How many husbands have you had? Objected to.

Mrs. Walton recounted her boy Frank, who was in the Court, to withdraw.

A. I have had three husbands; this signature, I think, is in my handwriting; I have had three husbands—Charles Jefferds, publisher and editor of a paper, father of Charles and Edwin; Captain Frank S. K. Russell, graduate of West Point, and an officer in the United States Army, and John Walton; I have had no other husbands; Mr. Jefferds is dead; he died some time in 1853; was living with him in Broadway the same year of his death; he went from my house home to his father's to die; he never got a divorce from me, but there were proceedings relative to it; I was married to Mr. Russell in 1851; I supposed Jefferds was dead when I married Captain Russell. I lived with him about two years; he was too intemperate and I could not live with him; half the time he had to be kept in the house and in the hospital; he died in the January previous to the June before my Ellen was born; the same year I boarded at Mrs. Smith's; I cannot tell how long I lived in Clinton place; I owned the house there, and think I went into it in April; I lived there till I married Mr. Walton, which was the 17th of October, 1858; the court annulled the marriage with Captain Russell, because Mr. Jefferds was still living, because I did wrong in marrying him; I don't know the grounds on which I applied for a divorce; it might have been for intoxication and adultery; the matter was heard before a referee; I had no husband when Ellen was born; I used to have clandestine meetings with Captain Russell, and met him in Albany and Paterson, New Jersey; after that I went to Rochester to live, in 1848; I was under the impression that the mutual deed of separation between Jefferds and myself would enable me to marry Mr. Morrison. (Mr. Waterbury offered the deed in evidence, showing that Mrs. Walton was the wife of Hamilton Morrison.) I lived in Mr. Morrison's family, with his daughters and sons; some of his daughters were married at the time; we lived at Monroe Springs; Sarah, Louise, Thomas, and sometimes Jackson Morrison, lived there; they stayed at intervals, but did not live there all the time I was in Rochester; I lived three years at or near Rochester; we had a city and a country residence; the country residence was at Monroe Springs; I don't know what street the city residence was in; Mr. Morrison travelled a good deal; I went after him at one time, and found him in a gambling house—I think it was at Elmira; he wrote to Rochester for me to go up and see him; he wanted to go back, and I would not let him; I saw him in Rochester after that; I was with Mr. Morrison in New York previous to that, and travelled around with him; I was on terms of intimacy with his family at that time, for all that I know; I boarded with him in Battery place and at private houses; he never left me, but I left him; I had no difficulty about money that was lost by Mrs. Higgins at the Battery Place Hotel; I left Mr. Morrison because my board was not paid and my clothes were detained for my board; when I was at the Battery Hotel I was not charged with stealing $500 from Mrs. Higgins' room, which belonged to her, and that was not the cause why Mr. Morrison left me; I don't know whether I was accused of taking it or not; Mrs. Higgins lost $1,000 and not $500; Mrs. Higgins and Mr. Morrison were on terms of intimacy; I never lived in Mercer street in my life; I kept a saloon in Broadway like Taylor's confectionary; there were drinks served there, and if any person came into the place and wanted refreshment they could get it; it was not a place kept for the resort of men and women; I had not a private room in back of the saloon, but I occupied the whole of the house; this was after I boarded in Battery place; it was at that place in Broadway that Mr. Jefferds came back to live with me; the men claimed to be my husbands at the same time; it was at a hotel that I found Mr. Morrison at Elmira, and not in a gambling place; I lived on Main street, and kept a candy and confectionery store in Rochester; it was resorted to by some of the most respectable people in the place; I hired the whole house there; Mr. Morrison came back.

Q. Was there any extraordinary occurrence took place connected with yourself?

Objected to.

Q. Do you know John Boardman? A. I do, sir.

Q. Did anything take place between you and Boardman after Morrison got back to Rochester? A. I don't know; Mr. Boardman and I sat in the parlor; Mr. Boardman's family were intimate with Mr. Morrison's family; Boardman and Morrison had business transactions relative to purchasing a farm; we had to go down to a small spring to see a portion of the farm; when we went out Morrison rode with some of Boardman's family; I rode with Mr. Boardman, and he attempted to take some liberties with me; that was the first time I had ever been in his company alone and the first time he took liberties with me; when I came back I told Morrison about what Boardman did, when Mr. Morrison told me to throw myself in his way, and that he would give him a thrashing; this was previous to any separation between Mr. Morrison and myself; I was not living in Main street at that time; I then came to New York with Mr. Morrison; I think we boarded at the Battery Hotel, but I do not remember; Mr. Boardman wrote me several letters, which I gave to Mr. Morrison; Mr. Morrison then wrote letters, and desired me to copy them and sign my name to them; he sent them to Mr. Boardman as though I had answered the letters he sent to me; it was during this time that Mrs. Higgins and Mr. Morrison had a dispute about the money; Mr. Morrison was to buy a house from Mrs. Higgins in Carmine street; the deed was to be made out in Sarah Morrison's name (his daughter), instead of being made out to me, and that caused a difficulty between Mr. Morrison and myself; he went on to Philadelphia and I to Rochester; I sent for Mr. Boardman and told him I was going into business, and asked him how he thought a place like Taylor's saloon would take in Rochester; he said it would take very well, and I opened a saloon in Main street; I met Mr. Morrison at a hotel in Elmira, and stayed with him a few days; I went back to Rochester, refusing to live with Morrison in New York; I told him that Boardman was in the habit of coming to the saloon, and that he was in the habit of going up into the parlor; this was a year after he took liberties with me; Mr. Morrison was displeased at him for turning traitor to him, and said, "Ellen, you ought to let me have satisfaction out of him;" I asked Mr. Boardman, at Mr. Morrison's request, to come up into the parlor when he came next time; I made myself agreeable to him; he attempted to kiss me or to put his arm round my neck; Mr. Morrison came in and gave him a whipping; I screamed loud enough for Mr. Morrison to hear; I don't remember whether there was any action commenced against Mr. Boardman for that or not; my history has been so full of events that I cannot remember every minute event of my life; I do not recollect that I ever swore before a magistrate that I was Mr. Morrison's wife; I might have done it, but if I did I certainly was not his wife; I might have swore before Judge Moore, of Rochester, that I lived with Mr. Morrison in the position of his wife, but I do not remember; I was not very intimate with Mr. Boardman; there might have been liquors sold in the saloon in Main street, but I don't remember; I went to Cincinnati and opened the same kind of a saloon there; I do not remember on waking up one morning that there was extra paint put upon the house in Rochester; I do not remember the name of the person from whom I hired the house; I might have hired it from Dr. Brown; I do not remember whether Mr. Boardman introduced him to me or not; I have taken so many houses and lived in so many places that I cannot remember; I don't know why Boardman took such an interest in me, except it was to annoy Mr. Morrison and family, as they would not like to see their name over a confectionery store. (The District Attorney exhibited a large oil silk sign, having these words on it—"E. M. Morrison, Alhambra Ice Cream Saloon, 101.") This is the sign I used; Boardman never succeeded in taking liberties with me except kissing me and putting his arm round my neck; I did not think it strange, under the circumstances, that I remained in the society of Mr. Morrison; I said Mr. Morrison did not commence a suit against Mr. Boardman for his having sexual intercourse with me; I first saw W. B. Moore at Cutchogue, and told Mrs. Bates that I thought he was a spy; I saw Charles and Moore together, and Moore appeared to hang by him all the time; he was very attentive to us on Sunday, and I thought he must either be a very kind hearted man or else there was something very mysterious about him; we went sailing on Sunday; I was at Mrs. Morse's on the evening of the murder; I know Thomas Pickering, who was a cousin of Mr. Walton; I don't remember that I had any conversation with him about Moore's being a detective; I said to Pickering, when he told me that Charles was going to be tried for the murder of Mathews, I didn't care; I went with Charles and Mr. Moore to the theatre one night; Charles said that Moore had free passes to all the theatres; it might have been the night before the election; I asked Moore why he did not bring his wife, when he said that she went to Niblo's; I consider the theatre the bosom of his family; the letter now shown me is in my handwriting. (The letter was written by Mrs. Walton to Charles when he was at Cutchogue, apprising him that her means were exhausted and that he had better come to New York and try to get some employment.) I have written three or four times to Morrison since the death of Mr. Walton; he now lives in Dayton, Ohio; Mr. Walton ceased to reside in Twenty-third street from the 1st of May, and I remained till the 8th; I was married to him eighteen months before Mr. Walton was killed; I can't tell how long I was in Twenty-third street before Charles came there; I do not know that Charles ever threatened to blow Mr. Walton's brains out; think he lived in Twenty-third street at that time; I was arrested by Wm. T. Walton and Williams, after the 8th of May, 1860, for breaking into my own house; it was when Mr. Walton was living; Wm. Walton did not come to arrest me, but I know that he caused my arrest; I knew he was an enemy of mine; I was taken to some of the courts down town; I think I stated to the officer that day that my husband was at the bottom of this; I did not say that I would have revenge, and I did not, to my knowledge, say that if I could not or did not, my sons would; I think the officer who arrested me was W. P. Smith; Charles went to Europe, I think in the Vanderbilt; Mr. Walton gave him money to go, but I don't know in what capacity he went; I think he went as a kind of employe, and came back in the same vessel; I think he only went one trip; he was twenty-one years of age at that time; I don't think Charles was twenty-two when he went into custody; he was born on the 9th of December, 1837; Mr. Walton and Charles were friendly about his going to Europe, and when Charles returned there were no complaints; I saw Charles have two pistols, one a small one, silver mounted, six barrels; this was when I was in Eighth street; I saw it very often; I saw him have a pistol with a white handle some time after he was acquitted of the murder of Walton; he showed it to me at 40 Beach street, and I told him he had better not carry it about with him; when Charles went to Europe he was not living with me, but when he returned he lived with Mr. Walton and me, in Twenty-third street; he remained till March; when I was in Twenty-second street, at Mr. Slade's, I don't know where he resided; I think he was conductor on the cars; I don't know where my son Edwin lived at this time, but he lived with me a portion of the time; I don't know where Edwin lived at the time of Mr. Walton's murder; I think it was two or three weeks previous to the death of Mr. Walton that I saw Charles for the last time; it might have been the Sunday before the murder; I was in the habit of seeing Edwin every day or two, but I do not remember whether I saw him a week before the murder or not; after he married he did not come to see me at Mr. Slade's so often; I saw a pistol look like the one shown me at the house in Twenty-third street, and also at the Coroner's inquest; Mr. Walton had it; I never saw Charles have a pistol look anything like the one shown me; I did not tell my son Edwin that I would give him $2,000 for shooting Mr. Walton; I did not go out with him at night to point out Mr. Walton, for he knew him, so that it was not necessary to do so; I did not go to him one evening for the purpose of getting him to shoot Mr. Walton, or anything of the kind; I did not tell him to shoot Mr. Walton, and he did not turn to me and say that he could not; I never called my son a coward.

Q.—Can you tell me what induced him to commit suicide? A.—Because he got married and I did not want him to bring his wife there; one cause that he stated was that my name had been so discussed in the public newspapers that he felt as if he would like to die; it was only a short time before Mr. Walton's death that he attempted to commit suicide; I don't know whether it was the week before Walton's death, but I think it was, now that I remember; Mr. Walton had served papers on me for a separation; the account of it was in two or three papers; it was headed "family difficulties;" Edwin told me he took laudanum, and I sent for Dr. Leming; I don't know what I said to the Doctor about the laudanum; I said to Dr. Leming that Mr. Walton had been scandalizing me to a great extent; I think I said he told Dudley Field that I stripped off all my clothes and danced before the servants, and that Mr. Field made use of my name in some argument; another circumstance was that I took a segar in my mouth, put on men's clothes, and drove down Broadway with these things on; I do not remember who told me these things; I told Dr. Leming that Mr. Walton vilified me to his pothouse companions; my sons felt unpleasant about it; I do not know but what I might have said to the doctor that I could not be responsible for what they did; I think it was a week longer than the night of the murder; I did not see Mr. Walton on the night of his death, when I was at Mr. Morse's; the last time I saw him to speak to him was on the 7th of May; I saw him crossing the street; I did not see Charles before the Sunday previous to the murder; I left Mr. Morse's in the evening, went home and dined; I swear positively that I did not leave the house again that night; I saw the account of the murder in the HERALD; after the murder I went to his uncle's, Mr. Pickering; I have been there often; on that Sunday I went to Bellevue Hospital in a carriage; don't remember whether I asked the gatekeeper whether my husband was dead, and hardly know what I said or did; I remember seeing my husband dead, but don't remember anything that occurred at the gate; I did not converse with Mr. Walton after the complaint was made, but he called to see me once, and I told Mrs. Slade that I would have seen him if I had been in; I might have told Dr. Leming that Mr. Walton went to Washington to live if I had a husband living; I heard he came back on Thursday, and was shot on Saturday; I did not know that he went to Washington to get evidence against me before the murder; I heard that Mr. Walton saw Mr. Morrison in Ohio, and he told me himself that he had seen Mr. Morrison, and was perfectly satisfied with what he told him; I don't know Judge Brown, but I have seen Mr. Brown (these gentlemen from Rochester were shown to the witness); I was in Washington three years ago with Charles; Mr. Walton had spoken of taking me to Europe to spend a season; I know Thomas Williams; never made any threats to him about Walton, but he made threats to me about Mr. Walton; I suspect him of murdering Mr. Walton; I do not know that he is in the army at Missouri; he was examined at the Coroner's inquest, and his testimony taken, but not examined on the last trial, although he was at court; I don't know that any person left the house in Twenty-second street the night of the murder; I never heard that Charles had a difficulty with Mr. Walton relative to bringing girls to Mr. Slade's; I do not know where Charles lived before the murder; I know that Charles and Mr. Walton had made up their old difficulties before he went to Europe; I complained to Mrs. Slade that Mr. Walton demanded the money I received from the boarders in Twenty-third street.

To Mr. Brady—When I left the Twenty-third street house Frank was sick, and I stayed longer there than I would because he could not be removed; I left some of my preserves in the Twenty-third street house, and on one occasion returned, rang the bell and then told some boys to go in; I looked through the keyhole and saw an old woman in it; Mr. Williams met me, when I told him that Mr. Walton permitted me to get them; we had a difficulty; I pushed him aside and got the preserves; Williams had me arrested as a common burglar; Captain Bishop first introduced me to Mr. Walton; Dr. Leming was the family physician of Mr. Walton; there were two articles in the newspapers about Mr. Walton; one headed "The widow and the brewer," and the other, "Domestic difficulties;" this was the cause of Edwin taking laudanum; because he considered reproach had been brought upon the family by their publication (Mr. Brady read the newspaper articles); it only took a little liquor to make Charles intoxicated, and I remonstrated with him about drinking.

To Mr. Waterbury—I did not threaten to use a knife upon Mr. Williams when I got into the house, although he swore that on the Coroner's inquest; I saw Charles excited with liquor about three times.

A. Oakey Hall, examined by Mr. Brady—I am a counsellor at law and District Attorney elect; I have the certificate; was one of the counsel for Jefferds when he was tried for the murder of Mr. Walton; was counsel for Mrs. Walton on two suits; the trial of Jefferds took place the 9th, 10th and 11th of July; we did not call witnesses for the defence, and after the closing speeches the accused was acquitted; I think the jury was absent about half an hour; I saw Jefferds twice between that time and his arrest; once I saw him at the office of Brown, Hall & Vanderpoel; he came to tender his acknowledgments for professional services; after some observations he stated that his mother had understood from you (Mr. Brady) that he was liable to be tried again; he asked me if that was so, and I told him most certainly; he then asked if the District Attorney could rearrest him, and I told him "yes"; the papers in the case had been done up and lay on the table, and he asked me if he could have some of the papers, cuttings from journals, anonymous letters and hints to counsel, and private letters also of his; he said, "I would like to take those papers;" I told him I thought it would not be safe for him to take them until after Mr. Waterbury left office; he asked me if Mr. Waterbury or the Court could rearrest him on the pending indictment; the conversation was more about the second arrest and imprisonment than about the trial; something was said about his brother being in the army; I advised him to go into the army as he had no other employment; he then again asked if he could be arrested and sent for; I told him that he could be sent for on an executive requisition, and he expressed some fear as to his being shut up in prison and being tried again; he stayed half an hour, and took some of his papers which I deemed immaterial; some private letters; I did not see him again until a few days before the November election; it was one morning when I was standing on the steps of the Broadway Bank, which lead to my office; several men were standing there with me, holding a candidate's levee, or levy—(laughter)—he and his mother saw me and came up the steps; common salutations passed between us, and as I was talking with several gentlemen they stayed a moment and then left; I said to Charles that Mr. Waterbury could have recommitted him to prison to await trial on the impending indictment; while standing on the steps Jefferds said, "the District Attorney has not warranted me yet;" I never said that when I got to be District Attorney I would give him back the papers; it was impossible for me to have said so, for I never saw him after the election; I said to Jefferds that it was not safe for him to take the papers while Mr. Waterbury remained in office.

Q. During your term as District Attorney, in cases where a weapon is found, did you under any circumstances give it up to the accused?

A. Both things have been done; I remember that Baker got his pistol in that celebrated case, and I also remember another case where it was kept; where articles were not claimed by the prisoner they were retained as part of the case, but when claimed they were returned.

To Mr. Waterbury—There was no testimony given on the former trial relative to the sale of a pistol to Charles Jefferds.

Wm. M. Betts recalled—I saw Jefferds writing a letter which he was writing to Moore; it was a very lengthy one; the letter now shown me appears to have been written upon paper that we use; he wrote it the morning after he came from Greenport; I thought he acted as if he had been drinking the night before; Jefferds told me and I told him also that he was liable to be tried for the murder of Mathews; I told him he ought to be careful of himself and not to drink so much; Mr. Moore was in New York when Charles wrote the letter.

Alanson S. Jones, sworn—I am a physician and have been in this city for twenty years; am surgeon of the Police Department; was subpoenaed by the District Attorney and examined upon the Coroner's inquest; knew Jefferds; first saw him about ten years ago, when he was quite a little boy; saw him after the murder of Mr. Walton at the Home House, about eight or nine o'clock on the evening of the 2d of July 1860; I was sent for to see him; examined his person; I found something about him which would impair his capacity to run; he had two glandular swellings in the groin; one in either of some standing; from the examination it appeared to be a week or two old; it would have been extremely painful, even impossible, for him to have run rapidly on the night of the 30th of June; I think it would have been extremely difficult for him to run, for the glandular swellings in that condition make it exceedingly difficult to walk; I should think it would be almost impossible for him to have taken the route spoken of that the murderer of Walton took and arrive at Brooklyn when he did.

To a Juror—Violent exercise aggravates these difficulties.

To Mr. Waterbury—They were syphilitic swellings, and violent exercise would aggravate such difficulties.

To Mr. Brady—These swellings are technically called "indurated;" I believe that they existed for a week or two before; the swellings could not have been occasioned by violent exercise.

Mr. Brady, by consent of the District Attorney, submitted a measurement of the distances alleged to have been made by the man who killed Mr. Walton.

The court then took a recess of an hour for dinner, the defence having closed their case. The District Attorney said he had some rebutting testimony.

AFTERNOON SESSION.

After the recess Jonah Brown was called and examined by Mr. Waterbury. I reside in Rochester; have practiced medicine; I know Mrs. Ellen M. Walton. Q. Did Mrs. Walton hire a house from you? Objected to. Mr. Waterbury said he wished to impeach the testimony of Mrs. Walton. Q. Do you know the character of the house Mrs. Walton kept?

Objected to. Objection sustained.

S. W. D. Moore examined by the District Attorney—I reside in Rochester; when Mrs. Walton lived there I was police justice; Hamilton Morrison and her appeared before me and made an oath; I have made a thorough search for it; think it was taken in writing, but I could not find it.

Mr. Holmes argued that the affidavit should be produced, but the court decided that the witness might give evidence relative to it.

Q. Did Mrs. Walton make any statement under oath before you respecting her being or not being the wife of Hamilton Morrison? (Objected to. Question allowed. Exception taken.) A. She did; she stated that she was the wife of Hamilton Morrison under oath; this was about ten years ago.

Cross-examined—She left Rochester soon after that; this oath was made on a complaint against John Boardman, for an assault with intent to commit a rape; I think I saw the paper among my papers, but have no recollection of reading its contents for ten years; the police office at that time was at the corner of Buffalo and Sophia streets; there was no other magistrate in attendance, nor was there a clerk connected with it; I took warrants and such papers that accumulated in the police office to my private house; I kept them, and have them still; I searched in my house for the paper in question last summer at the request of William T. Walton, who came up there; I made a search last Saturday for the affidavit; I could not read off to the jury from memory the contents of that affidavit; the substance of it was that Boardman attempted to commit a rape on Mrs. Morrison; the husband swore that he heard screaming—heard Mrs. Morrison screaming—and found Mrs. Morrison on a sofa, while Mr. Boardman was attempting violence on her; I recollect that the word "wife" was in the paper, but can't remember what part of it; Mr. Boardman is a nursery man, raises trees for sale; he is a man of wealth; I knew him very well, but was never intimate with him; I only know him as a citizen; he is living now at Rochester.

To Mr. Waterbury—I was first requested to look for the affidavit in October.

The District Attorney offered in evidence the deed shown to Mrs. Walton, wherein she swears that she is the wife of Mr. Morrison.

Wm. T. Smith sworn and examined by the District Attorney—I am a police officer, and arrested Mrs. Walton.

The prosecution desired to contradict Mrs. Walton respecting her denying that she made threats about Mr. Walton, but the Court ruled the testimony out.

Job Long recalled—I am one of the executors of John Walton; a very good feeling always existed between John and William Walton previous to his death; I was the partner of John Walton; there was a little misunderstanding between them when they dissolved partnership; I heard Mr. Walton speak of the letter which Wm. Walton wrote to him, and if there had been any ill feeling between them I should have known it.

Samuel B. Allen sworn—I am one of the executors of the will of John Walton; knew him and his brother for fifteen or sixteen years; John and William were on very good terms before John's death; I saw them often together; on one occasion John Walton said that William was acting very indifferently.

Dr. Genn recalled—I heard Dr. Jones' testimony relative to the opinion he formed about Jefferds' ability to perform the journey on the night of the murder; I have had such cases as Dr. Jones described, where the patients have gone about, and were not laid up.

To Mr. Brady—Jefferds is of a sanguineous temperament, and I should think if he ran on the night of the murder—if he was afflicted as stated—the sensibility would be increased by the exertion.

Wm. Compton sworn and examined—I live in Newark, N. J.; keep a livery stable; know the prisoner Jefferds; I became acquainted with him over two years ago; I have heard a number of persons speak as to his character; Jefferds lived in Newark for some time; I was only acquainted with him three months; his general character for peace and quietness was bad.

Cross-examined—I heard fifteen or twenty persons speak of Jefferds in the public house near my stable, which he frequented; I don't know that I heard people speak of him before he had a difficulty with me; I heard them speak of difficulties he had with other persons.

Emmons Clark sworn—I am a member of the Seventh regiment; Jefferds was a member of that regiment also; his character for peace and quietness was bad.

To Mr. Brady—I have heard his associates say that he was intemperate, quarrelsome, and threatened the liver of people; he was expelled from the Second regiment for bad character and conduct unbecoming a gentleman; this was three years ago.

Stewart M. Brant—I was a police officer in Newark; knew the prisoner, and have seen him intoxicated and disorderly; his reputation in Newark was bad.

To Mr. Brady—I have seen him intoxicated more than once, when he used obscene language; he was very lively and talked as all drunken men generally do; when he got drunk he went into riotous company; this was in August and September, 1859.

John Williams sworn—I reside in Newark; know the prisoner, and heard people say he was a pretty "hard" boy. [The examination of this witness caused considerable merriment in consequence of his obtuseness when asked relative to Jefferds' general reputation.]

Wm. A. B. Clement sworn—I have charge of the distribution of letters in the New York Post office; knew the prisoner when he was there; he had the reputation of being quarrelsome, and at times, violent; I was often called upon to settle disputes between him and others.

Mr. Holmes—I suppose you know what keeps people in the Post Office as well as I do; men have been kept there for years who have had pretty hard reputations; a number of clerks came to me from time to time complaining about Jefferds; Messrs. Cortland, Young, Yeomen and Geary have spoken of him.

G. L. Champin said—I am employed in the Post Office; and know that the prisoner's reputation is bad.

To Mr Brady—I have heard more about in than out of the Post office; I have heard it said that he was quarrelsome, profane, vulgar, and a fast young man; I have known of his being intemperate several times; on such occasions he would be more noisy than at any other time.

To Mr. Waterbury—Jefferds was appointed and discharged by Mr. Fowler.

John A. Kennedy sworn—I am General Superintendent of Police; Wm. H. Moore is a member of my department; he was detailed by me for special duty in August last; I gave Mr. Moore his instructions orally; after explaining to him the delicate nature of the duty I expected him to perform, I directed him in a general way to make himself acquainted with Jefferds, to associate with him, to go where he went, to see his habits, to notice who his associates were, to listen to his conversation, and to take accurate notes of everything that took place; that if he should introduce the subject of the murder of Walton and Mathews to join him in the conversation, hear what he had to say about it, and to be particular in making a note of it; I also directed him to see the District Attorney and to take any suggestions which he might give him, and that he would probably be better able to suggest things for him to do than myself.

To Mr. Brady—I have resided in this city since 1834, and have been connected with the Police Department since 1860. A day or two after the former trial I saw the District Attorney and felt inclined to chide him for allowing Jefferds to go on his own recognizance, and asked him why he had done so; I suggested that a "shadow" be put on the track of Jefferds at the time I conversed with Mr. Waterbury; I have never known a case where private money was put into the hands of a detective to be used to secure the arrest of a party, nor do I know that it was used in this case, Moore was not to report to me at all, and was not to state what he knew about the case until he was called as a witness.

Mrs. Charlotte Beatty examined by Mr. Holmes:—I know Charles Jefferds from boyhood; he boarded with me four or five years, until he was thirteen or fourteen; he was remarkably obedient and loving; was wild, like all other boys, but if he committed a fault he was always very sorry, and would fall on my neck and ask me to forgive him.

John Robert Beatty sworn—I am acquainted with Jefferds for the last thirteen years; when I went to school with him he was liked by the boys; was rather wild, but not vicious; since then I have known little about him, which was ten years ago.

Joseph Jacobson sworn—I know the prisoner for the last three years, and know nothing very bad, save that he is considered a wild boy; when he was in liquor he was apt to be a little excited and quarrelsome.

Aber Mapes sworn—I know Jefferds for the last eleven years, and, as far as I know, his character for peace and quietness was good.

To Mr. Waterbury—I never heard of his rushing at a boarder at his mother's with a carving knife, and never heard of his cutting the lip of a clerk in the Post Office; I never heard of his drawing a pistol at a man in Newark.

Counsel on both sides said that they had exhausted their evidence; whereupon the Recorder adjourned the court till this (Tuesday) morning, when the case will be given to the jury.

Personal Intelligence.

The Lockport *Union* states that ex-Governor Hunt, while on the way to New York recently, had a tooth extracted at Albany, the bleeding from which continued until after his arrival in New York. A physician had to be called, and it was only after many hours, and the application of powerful remedies, that the effusion was stopped. Though very weak from the loss of blood, the Governor is now convalescent and out of danger.

The Mason-Slidell Affair.

TO THE EDITOR OF THE HERALD.

NEW YORK, Dec. 21, 1861.

SIR—In the fullest belief that I possess some claim to be heard on the political crisis in which we are involved, I have formed the conclusion to request that you will afford me an opportunity, through the columns of the HERALD, to address our fellow citizens on the occasion of our very serious and momentous difficulties, with the most perfect confidence that through this channel of public communication the views I have prepared for publication will be conveyed to the most remote sections of the United States, and with the greatest certainty to the enlightened intelligence of Europe.

ALEXANDER HAMILTON.

As I cannot imagine any one of my fellow citizens could suppose that I would willingly recommend measures for the adoption of the federal government which could, in the slightest manner, compromise the honor of the United States, I do not hesitate to propound, for the public consideration, the propriety of acting in our present difficulties with the greatest possible circumspection. The administration have a trust to perform of the most delicate character; their situation is trying and novel, and, while I am confident they will exercise their best judgment, I feel equally sure they will receive with much satisfaction, the matured opinions of their constituents. In fact, I esteem it to be a duty in every American citizen to enunciate, with freedom and moderation, whatever views he may entertain with regard to the management of our public affairs, while, in so doing, opinions are elicited through which the government will become enabled to discover the true and reliable character of public sentiment. It is not for the people, on occasions of such moment, to remain silent or indifferent as to the measures proper to be adopted. They are the great conservative power, and therefore should not refuse to pronounce judgment. They should make a preliminary demonstration. In this way, and in this way only, can those holding the reins of government have an opportunity to estimate or judge of the wishes and will of their constituents. If the public do not afford any indication of their judgment the whole responsibility falls on the government of construing the law and in initiating a policy, without the legitimate criteria incident to an enlightened republican organization. It cannot be doubted that the passing moment presents considerations of critical importance; and, inasmuch as they involve consequences of the most momentous import to our future prosperity and success, the government have a right to seek confidence and support from our premonitory demonstrations. It is evident that our councils are involved in much perplexity, public opinion having already gone abroad that the capture of the treacherous embassy was not only strictly correct, but in perfect accordance with the settled will of the nation.

In the energy and integrity of the government we have reason to trust; they may, nevertheless, be involved in the dilemma of running counter to the already expressed popular judgment, and thus disappointing public expectation, or, in yielding to its influence, sacrifice the permanent and the dearest interests of the country from an apprehension that the united sense and will of the people may not be relied on for their support. It is therefore on us, the sovereign people, an obligation devolves to give to the administration a direct expression of our confidence, showing to what extent we are prepared to receive with approval whatever course of policy the assembled representatives of the nation may deem to be expedient and wise. In this we must, nevertheless, hope that, whatever may be the decision of the Cabinet, there will be adopted such a system of energy and force that the public mind may not relapse, through disappointment, into a state of apathy or indifference. If, on a review of all the circumstances attending the seizure of the Southern Confederate agents, it be thought advisable that they should be surrendered, let it be done promptly; in our possession they have no value, while in confinement the mountain labors, ominous of increased embarrassment.

If it be not necessary for the preservation of our honor and dignity that we should encounter the sacrifices and calamities of a foreign war, prudence and patriotism would dictate that it should be avoided; and that we are not in a condition to engage in a conflict of greatly increased complications cannot be a question, the more especially as we could not venture on such an issue without coming to the conclusion that we should be compelled to inaugurate a policy of ultra measures, portending a system of general emancipation, stimulated and excited to the most violent ends of insurrection. If we do not respond to the requirements of Great Britain in a spirit of forbearance and conciliation, making due allowance for the extraordinary sensibility they seem to entertain with regard to their wounded pride and the protective importance of their flag, war becomes inevitable, and, without entering into the consideration of what may be the ultimate consequences, it is certain that any increased difficulties at the present moment could not fail to be disastrous. It is therefore for us to determine whether it would not be proper, and even expedient, to estimate the value of the portentous moment, and settle with Great Britain on terms such as we have reason to imagine will receive the approval of continental Europe, especially as in so doing we shall stand independent of the cruel necessity of entering on a crusade against the institution of slavery, as the potent means in our power to succeed in the infliction of a paralyzing, deadly wound. In this emergency we have the strongest inducements to close with Great Britain on terms of the most liberal construction; and, should their tone and language not prove courteous, the mortification and the discredit will be found eventually reactive, a blot on English diplomacy; while we shall lose nothing in declining to be involved in a false collateral issue of offended self esteem, proud Britain will gain nothing by their domineering dictation. It will be but a sacrifice to the imperious demands of our peculiar situation—the humanity of Northern sentiment—for, while it is true that we might fairly attribute the inauguration of a servile war to the dishonorable pressure of foreign influence, we could not evade the responsibility of having been the instruments of giving to it maturity and strength. Its course of violence, we can easily foresee, would prove worse than the worst horrors of St. Domingo outrage, and its progress more enduring, difficult and destructive than the costly Seminole strife an I subjugation, in which the South exclusively gained the most important remunerative advantages. In my judgment, we have no alternative; we have a burthen of great responsibility; we must meet the demands of Great Britain with the best grace in our power. The gravity of the issue which rests on the North, in the preservation of a conservative supervision over the negro population, should they under any circumstances be admitted to the enjoyment of independence, will be found full of embarrassments and difficulties. It is to no purpose we entertain the belief that our relative position would be materially changed had we no intestine troubles, and that it is more than probable if we had our full vigor and strength the reparation claimed would be couched in language of respectful refinement, such as is due from one sovereign nation towards another. Under existing circumstances we must take our troubles as we find them. Their surroundings are not only complicated, but extremely embarrassing, and to an extent of which the casual observer can have no conception, and even many of those who esteem themselves well informed are, unfortunately, most profoundly ignorant.

I have copied the following extract from the London *Times*, as it appears to bear the stamp of a quasi official character; and on that authority we have a right to conclude that the ministers of the Crown are fully sensible of the magnitude and importance of the position they might find it necessary to assume. It is to no purpose, at the present moment, that their foresight is limited to the radius of a circle of extremely limited dimensions; they would seem to be disposed to humble a people full of enlightened intelligence, struggling to sustain political and constitutional liberty, for the miserable indulgence of a jealous desire to break down competition, which, on its surface, and on its surface only, are they enabled to discover the possibility of any injurious rivalry to their national prosperity:—

OPINION OF THE LONDON TIMES.

[From the London Times, Nov. 20.]

The Cabinet met yesterday to deliberate on the steps which should be taken to obtain satisfaction for the recent outrage on the British flag. On so momentous an occasion we cannot doubt that every point was discussed with the utmost care, and that the decision was not arrived at without a full consideration of the possible consequences. Among the members of the present government are men of the greatest experience and the most profound learning. Lord Palmerston has been engaged in political life for half a century, and has conducted the foreign affairs of this country during an age pregnant with revolutions and dynastic changes. Lord Russell has all his life made constitutional history and law his study, and his opinions may always be counted upon in favor of national and individual liberty. It would have been difficult to find at any period a more profound knowledge combined with a more judicial mind than are united in Sir Cornwall Lewis; and in the Lord Chancellor the government has an adviser whose reputation as a jurist is second to none in Europe. Furthermore, it may be stated that the Cabinet has continually availed itself of the assistance of the law officers of the Crown, and that the course it has resolved upon is in accordance with their mature and reiterated opinions. The public will therefore feel that in supporting her Majesty's government they do but assert a claim that is founded in truth and justice. We may say, then, that the Cabinet has come to the conclusion that the act of the captain of the San Jacinto, in seizing passengers on board a British vessel and carrying them forcibly away, is a clear violation of the law of nations, and one for which reparation must be at once demanded. In all probability the next steamer will carry out a despatch instructing Lord Lyons to demand reparation for the ill-advised act of the San Jacinto in seizing Messrs. Mason and Slidell while under the protection of the British flag. Should this just demand not be complied with, we cannot doubt that Lord Lyons will, under the instructions of his government, withdraw with the British Legation from Washington.

The government appears to have considered the case as of the most momentous importance. It seems to have been estimated as a critical crisis requiring the mature judgment of the most experienced jurists, which, as a law question, they have decided somewhat in disregard of precedent, and have left the ministry without any support, subject to appreciate and conduct the difficulty on their own responsibility. If we have offended the government knew their remedy, and, in demanding satisfaction, had it in their power to marshal all their forces to sustain their right to perfect satisfaction. If the Premier, Lord Palmerston; the Secretary of Foreign Affairs, Lord Russel, and the distinguished legalist, Sir Cornwall Lewis, were incompetent arbitrators on English honor, then there must exist a gravity in the arrest, unperceived by ourselves, which the ministry must have felt they could not pass over with any shade of compromise; and, therefore, taking them at their word, in the plenitude of their anxiety, we have nothing left but to regret the unfortunate occurrence in terms