THE M'FARLAND TRIAL.

Interesting Testimony Relative to the Domestic Life of the Prisoner.

The Abduction of Little Percy from the House of the Sinclairs.

The Intimacy Between Richardson and Mrs. McFarland at Mrs. Mason's, the Sinclairs' and at the House of the Gilberts.

Mrs. McFarland Draws $3,000, the Amount of the Policy on Richardson's Life.

The women had the witness stand almost entirely to themselves yesterday. Mrs. Mason, who testified for the defence the day previous, was again before the Court yesterday morning, and underwent a long and exhaustive examination by both sides. Her testimony, however, was not perceptibly shaken. For a woman unaccustomed to the atmosphere of a court room and before a large audience of eager staring men, she told her story with remarkable clearness and steadiness. The usual morbid curiosity to hear stories with a taint of creamy lasciviousness in them lay at the bottom of the anxiety to catch every word which this witness uttered; but little gratification, however, was afforded the prurient faacies of those leering listeners in the court room who were ever ready to grin at the use of any expression which could be termed in the least degree ambiguous.

RIP VAN WINKLE ON THE STAND.

Daniel Snard, a regular Rip Van Winkle in voice, accent and manner, proved himself irresistibly funny and humorous. His appearance in the witness chair was enough to draw a smile from the stern countenance of even the Recorder. He leaned forward toward the counsel and rattled off his voluminous answers always with a tendency to overleap the requirement of each interrogatory and branch off with an unintentionally comic observation of his own. The look of indignation he expressed at the roars of laughter that greeted one of his remarks could have increased the merriment tenfold if it had not been for the prompt interposition of the Court with an order to the ushers for the arrest of any one who disturbed the decorum of the proceedings. Counsel for the defence deemed it necessary to show that the boarding house of Mrs. Mason, rented to her by the witness, was clean and well kept. To this end the question was simply asked, "Is your house a well kept, clean dwelling?" to which came the rapid and overpowering reply:—"You pettner phef it dis. Dees no pettner house nor ash clean a house, nor as gumfort'ble a house in dish city." Counsel, interrupting—"Oh, we know it must be such a house as you say." Witness, without pausing—"Veil, you shust goes up right avay and sees for yourself, and sees if der be any pettner house on Amity-mighty street." This eulogistic outburst over, counsel proceeded to ask if witness ever saw Mrs. McFarland and Richardson together, to which came just as unhesitating and full a reply as to the other question:—

"Yaw, sees 'em all de tolme—all de tolme a talkin' and, I s'pose, a courtin'—all de tolme, all de tolme."

Counsel—Was McFarland present on these occasions?

Witness—"Oh, no, you shust peltef he vosnt; McFarlan' vos away ven Risharson vos goin' on, as I shust tole you;" and thus the witness rolled off his knowledge of the case, talking at locomotive speed and running a tremendous muck against accepted rules of English pronunciation.

THE AMUSING FIFTEENTH AMENDMENT.

The negro youth, William Norris, sat in the witness chair with a consciousness that the fifteenth amendment was passed, ratified and promulgated. He gave his testimony well until the counsel for the defence overwhelmed him by inquiring if he ever saw liberties pass between Richardson and Mrs. McFarland. The word "liberties" had never fallen within the limits of William's vocabulary till the recent passage of the famous amendment, so he had to pause and cogitate over the term for a while. Counsel repeated the question, and William at once responded that he saw no "liberties" pass between them, at which the idle court room grew merry again. Then the question was explained to the witness, and a solemn monosyllabic reply in the affirmative returned. Ears were pricked up at once to hear the honest darky tell the kind of liberties he saw pass between the erring pair. "Now tell the Court and jury," roared counsel for defence, with a gleam of hopeful triumph in his eye that glanced along the front of the jury, swept across the bench and buried itself in the mob of reporters, "what was it you saw pass between Richardson and McFarland? Tell the Court and jury the full particulars in a distinct tone of voice, so that all can hear and understand your evidence. Proceed now, William." The darky looked awed, but after a few moments an almost imperceptible smile might be observed crossing over and meeting midway from the corners of his capacious mouth as he gave forth the answer, "I saw them shake hands, sir." This was too much for the gravity of the court, and merriment once more broke loose.

NEAR THE END OF THE DEFENCE.

The remainder of the witnesses, who were principally ladies, testified as to having at one time or another seen Albert D. Richardson and Mrs. McFarland, but they seemed to have an exaggerated idea of the size of the former, and more especially of his beard. The identity of the man, however, taken in the context of their testimony, could hardly be doubted. To-day the defence expect to close.

ELEVENTH DAY'S PROCEEDINGS.

Mrs. Mason's Testimony.

Mrs. Mason, recalled, said—Mrs. McFarland did not get into the house until three days after my husband vacated the back room; she came twice for letters; the girl gave them to her; I saw her reading them; they came from Hartford; the letters had Richardson's initials on them; Richardson returned a few days after; sooner certainly than Mrs. McFarland said; Mrs. McFarland had a telegram, and she told the girl not to lock Mr. Richardson's door; I first knew of his return during the night the next morning by the girl asking him for the latch key; she said something to the effect that she did not intend to return to her husband; I expressed my surprise; Mr. McFarland seemed much devoted to her; the night she left the house she took some letters away, and went into Mr. Richardson's room and got some of his things; the next day Mr. McFarland came there and looked in her trunks; he found a bundle of letters; I heard part of them read; two of the letters were two of those read here; there was quite a bundle; he took them away; the likeness of Mr. Richardson, a large-sized likeness, was in the trunk; he must have seen it; he left that in the trunk; I first saw it that day; he left the things strewn on the floor; he was there for a three-quarters of any hour to an hour; he was very much agitated; he asked how she came back to the house, and I told him all about it; told him the whole story I have told here: I have sent up extra dishes for a breakfast to Mr. McFarland's room; Mr. Richardson took that breakfast; this was after her return—about three days after; Mrs. McFarland cooked it; while Mr. McFarland was there she cooked when she wanted to; I remember when a washerwoman brought some clothes with a card on it; I saw Mr. McFarland, I think, take it from the clothes; this was before she took the things away.

Cross-examined by Judge Davis—Q. You are a married lady? A. Yes, sir, and living with my husband; Mrs. McFarland had my rooms about three or four months; I don't know what month it was.

Q. What month do you really think it was? A. I really don't know, sir.

Q. Do you recollect the year? A. I think it was in 1867.

Q. Can you not tell what month it was in 1867? A. No, sir.

Q. Who came and engaged the rooms? A. Mrs. McFarland and her little boy.

Q. Did you and she agree upon the terms? A. Yes, sir.

Q. What were the terms? A. I think it was twelve dollars per week, as well as I remember.

Q. Who furnished the rooms? A. I did, sir; they boarded with me.

Q. Who furnished the table? A. I furnished the table with crockery; they did their own cooking; they had no servant; they used my kitchen; their washing was put out; none was done in the house.

Q. Don't you recollect she was accustomed to wash? A. No, sir; except one or two pocket handkerchiefs, she never washed.

This witness was here examined at length as to the construction of the house she lived in. Nothing particular was elicited, except that there was a glass door in the hall, with stained glass in it, beyond the front parlor.

Q. Where were your rooms? A. On the third floor, and I lived in the basement, which was immediately under the room Richardson occupied; we only used the third floor as a sleeping floor and my children used part of it to play in.

Q. Do you know what business Mrs. Richardson was engaged in? A. Mrs. Calhoun told me that Mrs. McFarland was engaged at the Winter Garden; she went out every night or thereabouts.

Q. What time did she use to go out? A. It was about half-past six o'clock or seven o'clock; I have seen her going out about this time.

Q. Danny, the child, was not there? A. I never saw him.

Q. You don't know anything about him? A. No.

Q. Did you hear anything about him? A. Mrs. McFarland told me she sent Danny away a week or two before she came to my house.

Q. Did you not understand that he went to his grandfather's a week or two before she came to your house? A. Yes, sir.

Q. Did not Mrs. McFarland tell you that she went with the boy herself? A. I don't know; she told me that she had sent him away that she might go on the stage.

Q. How frequently did you go into Mrs. McFarland's rooms? A. I went into them, I think, about six or ten times, while Mrs. McFarland went to the theatre.

Q. What time was it that Percy was put to bed? A. About eight or nine o'clock.

Q. Don't you know that he was put to bed before his mother went out customarily? A. No.

Q. Did Percy go to school? A. No.

Q. He remained at home in the daytime? A. Yes; I have known him to go out with Mr. Richardson's boy.

Q. When Mr. Richardson wanted the room did he tell you that he had some persons in his employ, and that they would be there with him? A. Yes; he said three persons—a boy who ran errands, a stenographer and an artist.

Q. Was the bed in the same position as when the former lodger had it? A. No; it was changed to make room for Mr. Richardson's desk. He had a bookcase there as well. (Witness here testified as to the furniture belonging to Mr. Richardson which was in the room.)

Q. Was Mr. Richardson engaged in writing a book? A. I think so.

Q. Did these three persons come with him? A. Yes, sir.

Q. Can you give me their names? A. I cannot; I let them in sometimes.

Q. About how early did they come in the morning? A. I think about eight or nine o'clock.

Q. What were they doing there during the day? A. They were drawing and writing.

Q. Was Mr. McFarland away all night at any time? A. No; I don't remember any one night.

Q. Do you remember any instances when he was away all the evening? A. No; I have seen him generally return about four o'clock in the afternoon; he would go out sometimes to get provisions and be away about an hour.

Q. What time did Mrs. McFarland get back from the theatre? A. I don't know, but I understood it was between ten and eleven o'clock.

Q. What time were you in the habit of retiring to bed? A. It was about nine o'clock or half-past nine o'clock.

Q. Did Mrs. McFarland do the cooking for the family? A. Yes, as a general thing.

Q. Did she do the sewing for the family? A. I never saw her sew.

Q. Was she not writing articles? A. I never saw her writing.

Q. Do you not know that she wrote for the *Riverside Magazine?* A. I have seen her writing two or three times.

Q. How many times were you in the room in the day time? A. About a dozen times.

Q. Who took care of the rooms? A. Mrs. McFarland and my girl.

Q. Have you ever seen his father teaching Percy? A. I heard him reciting Shakspeare, and I have seen him teaching him from the map.

Q. How often have you heard him reciting Shakspeare? A. Once or twice.

Q. What else did you see him instructing the boy in? A. Teaching him to read and explaining geography.

Q. That was in the evening and when they were alone together, Mrs. McFarland had gone to the theatre? A. Yes, sir.

Q. Was the rent paid regularly? A. Yes, sir.

Q. Did it not run over sometimes? A. I don't remember it; the rent was paid regularly every week.

Q. You spoke of Mr. Richardson and Mrs. McFarland being in the room together on three occasions. Were any of the persons employed by Mr. Richardson there at that time? A. No; I knew they were not there.

Q. At the time you speak of did you knock at the door? A. Yes, sir; they did me come in and I walked in; it was Mrs. McFarland who bid me to come in.

Q. You did not hear their conversation? A. No, sir; they were apparently conversing.

Q. The young lady you admitted that afternoon had called several times before, had she not? A. Yes.

Q. How old was this young lady do you think? A. She looked a young lady, but I don't know how old she was; I had seen her there frequently.

Q. She was a niece of Mrs. McFarland, and have you not seen her walk into her aunt's room? A. I think I have seen her knock at the door; I knocked myself on this occasion as I passed.

Q. How many days after Mr. McFarland left did he go to Hartford? A. I am not certain, but I think it was a week.

Witness here at some length recapitulated the circumstances of the letting of the room a second time after Mr. Richardson left, and the arrival of Mr. Richardson in the night.

Don't you remember that Miss Gilbert slept with Mrs. McFarland on that night, and that she breakfasted with them? A. I don't remember it.

Witness was severely cross-examined as to this, but she continued that she had no recollection of Miss Gilbert being there that morning.

Counsel on both sides, at considerable length, argued the admissibility of evidence from this witness of her knowledge of the first shooting of Richardson and of his being driven in a carriage to her house that night.

The Court ruled that this evidence was not admissible.

The court then took a recess of twenty minutes.

After the Recess.

MRS. MASON'S EXAMINATION RESUMED.

Redirect—Before the house was taken Mrs. Calhoun came to me and told me that Mr. McFarland was a thoroughly educated gentleman, a little down the hill at the time, but that she expected that he would soon get a situation under her husband in the Assessor's Office; that Mrs. McFarland was playing at the Winter Garden.

Counsel asked witness about the conversation that had occurred between her and Mrs. Calhoun about Mrs. McFarland playing at the Winter Garden.

Objected to and ruled out.

Q. When Richardson applied to you for a room did he tell you anything that Mrs. McFarland had told him? A. Yes; he said that it was Mrs. McFarland who had recommended him the rooms; witness' girl helped Mrs. McFarland in the cooking; they often went out for their meals.

Q. Did you know of Mrs. McFarland, when she would come in from being abroad, knocking at Richardson's door and his answering those knocks? A. Yes.

Q. On how many occasions did this happen? A. I saw her do it frequently; she would knock at the door and he would answer it; he would then come out and they would talk in the hall for some minutes at a time in a low tone; the rooms occupied by the McFarlands were comfortable; Mrs. McFarland made no complaint to her that they were uncomfortable.

Testimony of Mrs. Maria Benedict.

Mrs. Maria Benedict, examined, testified that she formerly resided at No. 60 Amity street; Mr. Richardson rented a room in that house from November, 1866, to January, 1867; he occupied the front room on the north side, second floor; he left in January, 1867; knew Mrs. McFarland; in the month of December Richardson introduced her to witness; she wanted board for herself, two children and a seamstress; she occupied the front room, second floor, south side; communicated the fact of the introduction by Richardson and Mrs. McFarland's occupying the rooms to Mr. McFarland; was a witness in the habeas corpus proceedings in Boston.

Testimony of Mrs. Ann McCormick.

Ann McCormick, examined, testified that she lived at No. 127 Amity street; was a laundress; washed clothes for Mr. and Mrs. McFarland and Mr. Richardson.

Paper handed to witness.

Know the paper produced; the writing in pencil is mine; I sent the paper with the girl that brought home the clothes.

Q. What clothes were in the basket that the paper was attached to? A. Clothes belonging to Mr. and Mrs. McFarland and Mr. Richardson.

Q. Were there pieces of washing there belonging to Mr. McFarland? A. Yes, and some to Mr. Richardson; Richardson's clothes were by themselves and the McFarland family washing by itself.

Q. Was Mrs. McFarland's washing by itself? A. No; it was with the family washing.

Q. Where did you get the clothes that you took away and returned? A. I sent my little girl to Mrs. McFarland for her clothes, and sent them back by her; that was the reason I sent this writing with them, because I did not take them back myself; I wrote on the paper so many pieces for Mr. and Mrs. McFarland and so many pieces for Mr. Richardson; the writing in ink is not mine.

Cross examined—The clothes belonging to Mr. and Mrs. McFarland did not come to me in the same basket with Mr. Richardson's; I was in the habit of sending for Mrs. McFarland's, but Mr. Richardson always sent his by his boy; he would also send the same boy for them, and if I had them ready I would send them back by him, but if I hadn't them ready I would send them back in the same basket with the McFarlands' clothes as they lived in the same house; I never washed for the parties after the separation; Mr. McFarland brought this paper and showed it to me; I told him then what I knew of the matter; never washed for Mrs. McFarland and Mr. Richardson after that; Mr. McFarland asked me how I came to send that paper with the clothes and I explained the reason just as I have explained it here now.

Testimony of Daniel Snard.

Daniel Snard sworn, and testified—I own No. 72 Amity street, and lived there while Mr. and Mrs. Mason lived there, retaining the second floor; I think there are not many better houses or cleaner houses in New York: I saw Mr. McFarland once or twice—not many times—and I saw Mr. Richardson once or twice.

Q. Did you ever see Mr. Richardson going into Mrs. McFarland's room, and her going into his room? A. Yes; I see that every time I go along; I see them writing together; I see them alone, of course; I saw Mr. McFarland once or twice.

Q. When you saw them going into each other's rooms you did not see Mr. McFarland there? A. Of course I didn't.

Cross-examined—To Mr. Garvin—I have owned the house five years; Mrs. Mason occupied it a year; I don't know how many persons Mr. Richardson employed; I did not call on him nor on Mr. McFarland; I was not acquainted with any of them except by sight; I understood Mr. Richardson was writing for newspapers or so, and writing books, but I never saw his books; all I saw of them was as I was passing through the hall.

Testimony of Eliza Wilson.

Eliza Wilson examined, and testified—Knew Mr. and Mrs. McFarland; lived in the family while they resided in Croton; the family consisted of himself, his wife and two children; lived with them a year and a half; they had removed to the city and were living in Thirty-seventh street, when I left them; I then went to live with Mrs. Samuel Sinclair, No. 8 West Washington place; I stayed there two years and a half; I was living there in the month of March, 1867, when Percy went to Boston, remember the day Percy went; I took him to Boston from Mrs. Sinclair's; that was about two o'clock; went to the railway depot at Fourth avenue and Twenty-seventh street; went in a carriage; Mrs. McFarland gave me the money to go; saw Richardson there that day; he was not present when Mrs. McFarland gave me the money; he was there half an hour before that; don't know who went for the carriage; was told to take Percy to Mrs. McFarland's father in Chelsea; don't know that Richardson saw us off; yes, I do; I now recollect that he was at the door when we started; he might have been in the house when I got the money to go; but I didn't see him; Mr. Richardson was at the door when we started; heard Richardson say that he had ordered the carriage.

Cross-examined—Can't say when Mrs. McFarland came to Mr. Sinclair's on that day; she was there at lunch; that was as near as I remember, between one and two o'clock; Mr. Richardson was in the hall when I heard him say that he had sent for a carriage; he said he had made it all right about the carriage to take me to the depot; I was doing laundry work and cooking at Mrs. Sinclair's; cannot say how long I was with the McFarlands at Croton; lived with them a year and a half in all.

Redirect—I returned from Boston the second day; got to Boston about four o'clock in the morning and left for home the same day.

Q. What message did Mrs. McFarland send with you to explain why you took Percy with you? A. She told me to tell her father and mother that the reason she sent Percy to them was that she was afraid of his getting the scarlet fever.

Q. Did you see Mr. Richardson and Mrs. McFarland together when you returned to Mr. Sinclair's? A. Yes; he asked me if I had delivered the boy safe.

Q. Was any request made to you subsequently, after you had left the Sinclairs, to call upon them? A. Yes.

Q. Did he make you a present of fifty dollars on that occasion? A. Yes, sir.

Objected to.

Counsel proposed to show that these people knew who could give evidence against them, and that in this instance fifty dollars was given to secure this witness from giving testimony.

Objection sustained and answer struck out.

Testimony of William D. Norris.

William D. Norris, colored, testified—Knew Mr. McFarland; lived at present in Georgetown and came on to give testimony in this case; I know the prisoner; I lived in Mr. Sinclair's house in Washington place; was there in March, 1868, when Mrs. McFarland came there; Mr. Sinclair had been in Washington and returned on the 8th March; saw Mr. Richardson in the house that day that Percy went to Boston; he stayed there the remainder of that day; did not see him give money to any one that day before Percy started.

Q. Did you not see a sum of twenty dollars that day given to him by some person? A. I thought at first I did, but afterwards I could not call it to mind; I opened the door when the carriage came to the door; the coachman when he came asked for Mr. Richardson; it came from stables in Clinton street; did not know of Mr. Richardson ordering that carriage; saw Mr. Richardson at Mr. Sinclair's during the winter; saw Mrs. McFarland at the house during the time that Richardson was visiting; saw them together there two or three times; had been there two or three months before I saw Richardson and Mrs. McFarland together; first saw them about Christmas or New Year; after Percy left saw them often together.

Q. How long upon any one occasion would you see them together? A. About an hour; they came to lunch together once or twice; when I saw them they sat close together; sometimes Mrs. McFarland would come first and Richardson afterwards; this would generally be in the afternoon.

Q. Have you ever seen any liberties pass between them? A. Do you mean letters? (Laughter.)

Q. Did you ever see Mr. Richardson putting hands on her? A. I have seen them shake hands; I have seen them kiss.

Q. Who kissed? A. She kissed him.

Q. On how many occasions was that? A. Only once when she was leaving for Boston.

Q. Did you never see her put her arms around his neck? A. Never before that; have seen Mrs. Calhoun there frequently; saw a sister of her's there; she was called Mollie; was examined before Mr. Nones; Mr. McFarland called on me and asked me to be a witness; he came to Mr. Sinclair's and asked me what I knew and I told him and then he asked me to be a witness; I told the whole story to Mr. McFarland; he came to Mrs. Sinclair's house for me.

Cross-examined—Q. When those familiarities took place was not Mr. Richardson sick in bed? Objected to. Admitted.

A. No; he was not sick in bed.

Q. Where was it? A. In the back parlor; Mrs. Sinclair and her sister were present; Mrs. McFarland was just leaving for Boston; that was on the 11th of March, about two o'clock; I was out in the hall; the door was open; the carriage was at the door waiting for Mrs. McFarland.

Q. Who went in the carriage? A. Mrs. McFarland, Mrs. Sinclair and myself; I sat beside the driver.

Q. What did you go for? A. For a ride.

Q. When the carriage came up on the day that Percy was taken away, what did the driver say? A. He asked if Mr. Richardson was there, that here was the carriage for the depot.

Testimony of Miss Mary B. Hague.

Mary B. Hague testified—I know Mr. McFarland by sight for several years; know Mrs. McFarland slightly; can't remember where I made her acquaintance; it was not at an evening party I first met her; have met her at an evening party.

Q. Did you ever see her and Mr. Richardson at an evening party prior to October, 1866? A. I can't be positive; I have no impression at all; I have no means of refreshing my memory on the point.

Q. Did you see Mr. Richardson and Mr. McFarland at an evening party after the separation? A. I never saw Mr. McFarland since the separation; have no recollection of ever having seen them at an evening party at any time.

Testimony of Mrs. Anderman.

Charity Anderman testified—I reside in Newark, N. J.; in 1868 knew a family of the name of Gilbert; don't know his first name; he peddled books; saw Mrs. McFarland at Gilbert's place; she had a little boy with her named Danny; she was stopping there at the time; she came with the Gilberts in May, 1868; remained three or four months; saw Mr. Richardson there; I first noticed him by frequently seeing them walking; saw them one Saturday when I was going up the street; I saw Mr. Richardson coming towards the house; Mrs. McFarland was behind me, and when Mr. Richardson passed me I turned round and saw them meet; Mr. Richardson had a bouquet in his hand; when they came together they kissed each other and Mr. Richardson handed her the bouquet; they met almost every afternoon for some months; I saw him go into the house, but I never saw him come out.

Q. Did you often see a meeting of this kind? A. No; I never saw them meet in that way before; I saw them often after that; I saw them every evening: she would walk up the sidewalk, and after a few minutes Mrs. McFarland would meet Richardson and they would walk to the house together; I supposed them to be man and wife.

Cross-examined—Did not know the names of either Mrs. McFarland or Richardson at the time; was told by a gentleman afterwards that that was the name of each; never talked to either of them; thought at the time that they were man and wife; it was that gentleman there that told me the names (Michael McFarland); the boy was called Danny; often saw him in the yard and in the fields.

Re-direct (Likeness of Mr. Richardson shown to witness)—That looks like the man, but that he had a heavier beard.

Mrs. McFarland's likeness shown.

Witness—That is the likeness of the lady, undoubtedly.

To Mr. Davis—I know this is the likeness of Mr. Richardson by the forehead; never saw him with his hat off, but I thought from the general look of his head he must have a high forehead; he generally carried his head down.

TESTIMONY OF MRS. CALLAGHAN.

Anne Callaghan testified—I reside in Jersey City; lived next door to a family of the name of Gilbert; the Gilbert came there on the 1st of May last; I do not know the Christian name of Mr. Gilbert.

Photograph of Mrs. McFarland shown.

Witness—The lady that represents I saw a week ago last Wednesday; saw her at Gilbert's, next door to me; saw the same lady on the 18th August; she was then heavily veiled; she came to Gilbert's in a carriage; she had a little boy with her called Danny.

Q. Did any one else come with her? A. Yes, a lame gentleman; I understood afterwards that he was the husband of Mollie Gilbert; I saw the same boy a week ago last Wednesday; he is between three and four years old.

Photograph of Mr. Richardson shown to witness.

That is the likeness of a man who came to my house on the 1st of May, 1869, when Mr. Gilbert came for the keys of the house; the lady stayed on and on at the house of the Gilbert's for about six weeks; have since learned that the lady's name was Mrs. McFarland and the gentleman's name was Richardson; the lame man left the Gilbert's the day before Christmas—that was the day Mrs. Calhoun was married; Mrs. McFarland was stopping at Gilbert's when Richardson came there.

Q. Did Richardson stop there? A. He usually came there in the morning; sometimes in the afternoon, and sometimes in the evening; he was there as often as three times a day; Mrs. McFarland was always very gaily dressed, and wore a large diamond ring on her fourth finger.

Cross-examined—Never had any conversation with Mr. Richardson; he sometimes wore a pepper and salt suit, and sometimes a dark brown; he wore a long beard.

Re-direct—This lady, who was off and on at Gilbert's for six weeks, is the lady who claimed Danny as her son, and the gentleman is the same as that picture (Richardson's); saw Richardson coming out of the house at seven o'clock in the morning; the lame gentleman was married to a member of Mr. Gilbert's family.

Witness was asked if Mrs. Calhoun was not married the day before Christmas, and if she knew who married her.

The Court said he did not see how that could affect the case.

Counsel said he had a right to know, as a certain individual held pew No. 86 in Mr. Frothingham's church

Excluded.

Testimony of Mrs. Burdock.

Anna Burdock testified—I was attached to the Winter Garden theatre as general dresser, from November, 1866 to March 1867; knew Mrs. McFarland under the name of Miss Cushman; I had left the Winter Garden and was away for two weeks; when I came back to the Winter Garden she was playing Nerissa in the "Merchant of Venice;" she had been there some time before that, and had previously played the Queen in Hamlet; I first dressed her for the character of Nerissa; saw Mr. Richardson at the theatre for two or three nights waiting for her; saw him come for her and wait for her to the conclusion of the play; did not see them go out of the theatre together.

Q. When did you first see him there? A. It was in the middle of March; I don't recollect distinctly seeing him before that; I went back to the Winter Garden in March; the last night I ever saw Mrs. McFarland there Mr. Richardson came for her; was a witness in the habeas corpus proceedings; had communicated previous to that all I knew to Mr. McFarland.

Q. Did she ever speak to you about her husband—Mr. McFarland? A. Yes, she told me that he was very kind to her; that there was a difference in their ages, but that that made no difference with her; she told me this when I first became acquainted with her.

No cross-examination.

Testimony of Louis B. Engle.

Louis B. Engle testified—I reside in Jersey City; was employed in 1866 and 1867 in the Winter Garden theatre; knew Mrs. McFarland at the time she was playing under the name of Miss Cushman; saw Richardson at the theatre at that time; saw him wait for her on one occasion when they left the theatre one night, going out at the Mercer street door.

No cross-examination.

Testimony of Charles A. Hopkins.

Charles A. Hopkins, sworn and examined by Mr. Gerry—I am the cashier of the Mutual Life Insurance Company; I produce the policy 70,254. Mr. Gerry stated—I offer this in evidence. It is a policy of insurance on the life of Albert D. Richardson to the amount of three thousand dollars, dated January 30, 1865, in favor of himself, with an assignment to Abbe S. McFarland, Boston, Mass., dated in St. Louis 14th of January, 1865, together with an endorsement of payment on the back. Received February 26, 1870, from the Mutual Life Insurance Company, the amount of the policy. Signed, Abbe S. Richardson, formerly Abbe S. McFarland. The District Attorney objected. The senior counsel argued in favor of its admissibility for the purpose of showing that Richardson tempted Mrs. McFarland with a life insurance in his favor, and with every species of gewgaw that could attract and fascinate a woman.

The Court said if that was the effect upon McFarland's mind, the counsel had already shown that by evidence.

After further argument the Court said—Counsel seems in part to lose sight of the considerations which should prevail in this case and as to what this trial is for. Richardson is not here to defend himself, and it would certainly be unjust to his memory that the evidence of these witnesses should be considered as conclusive as establishing the inference of guilt which you seek to establish for the purpose of defending your client. I have permitted, as I thought my duty called me to do, the statements that were made before the Commissioner and other statements which were immediately or afterwards communicated to McFarland, which you claim resulted in insanity, monomania, delusion or what ever it may be. But the question now is this, whether an insurance policy effected by Mr. Richardson upon his life, and which was subsequently assigned to Mrs. McFarland and by her concealed, shall be given in evidence in this case. I cannot conceive that it is material, and I think it should not be allowed.

Counsel excepted to the ruling of the Court.

The hour of adjournment having arrived the Court inquired of the counsel how soon he would finish.

The counsel replied that they had only two or three witnesses more, and would probably close to-morrow.

The court then adjourned to eleven this morning.

ANSON BURLINGAME.

Arrival of the Remains Yesterday—Action of the Chamber of Commerce—The Arrangements for the Funeral.

The Hamburg steamship Silesia, bearing the remains of the late Mr. Burlingame, arrived at the Hoboken dock at four o'clock yesterday afternoon. As soon as the arrival was announced in Hoboken a large crowd congregated at the dock, in the hope of seeing the remains or even the casket enclosing the body, but they were disappointed. Captain Trautmann was there, venerable and genial, giving replies in the most polite manner to a heap of curious and perplexing questions in regard to the programme for the funeral. Of course, he would not allow persons to go on board till the passengers had disembarked and their luggage removed. Still less was he willing to remove the case containing the coffin, pending the arrangements being made for the funeral by the relatives and friends of deceased and by the public bodies in this city and Boston. The remains are enclosed in two cases outside the casket, which was placed in the hold of the vessel at Hamburg on the 6th inst. without any ceremony whatever. The vessel touched at Havre on the 9th inst.; and Mrs. Burlingame, who is in a very delicate state of health, proceeded to Paris and thence to a bathing place for the season by direction of her physicians, leaving her son, now twenty-three years old and unmarried, in charge of the remains.

When the vessel arrived off Sandy Hook yesterday forenoon, telegrams were sent to this city and Boston. The brother-in-law of deceased and about a dozen other relatives, proceeded on a revenue cutter to meet the Silesia, and when the vessels met, a brief conference took place. Mr. C. L. Burlingame, the son of deceased, left the Silesia and came with the party into the city, leaving orders that the coffin should not be disturbed till the committee of arrangements proceed to the vessel to-day. In the meantime arrangements were being made in the city for the funeral.

At a special meeting of the Chamber of Commerce, held yesterday, at one o'clock, the following gentlemen were appointed a Committee of Escort to the remains of the late Hon. Anson Burlingame, from the steamer at Hoboken to the Fall River boat:—Wm. E. Dodge, John A. Dix, George Opdyke, A. A. Low, Moses H. Grinnell, Alex. T. Stewart, F. A. Conkling, M. O. Roberts, H. B. Claflin, Moses Taylor, Peter Cooper, Townsend Harris, Elliot C. Cowdin, John C. Green, S. B. Ruggles, E. D. Morgan, John E. Williams, C. H. Russell, S. B. Chittenden, George W. Lane, William H. Fogg, R. H. McCurdy, F. H. Delano, Wm. A. Booth, G. G. Howland, William G. Lambert, James M. Constable, Henry L. Pierson, S. D. Babcock, Stewart Brown, Jackson S. Schultz, Wilson G. Hunt, Cyrus W. Field, Samuel G. Ward, R. H. Berdell, Jonathan Sturgis, John J. Cisco, William H. Webb, William Butler Duncan, F. Westray, L. P. Morton, William F. Cary, Benj. G. Arnold, Allan McLane, Wm. A. Wheelock, George S. Coe, Wm. Orton, Wm. H. Osborn, Denning Duer, Wm. M. Vermilye.

It was resolved that a sub-committee be appointed to take charge of the details, and notify the Committee of the Chamber when all was completed, and when the transfer of the remains would be made. Messrs. Cowdin, Grinnell and Opdyke were appointed as the sub-committee.

This committee of escort will meet to-day (Wednesday), at the Custom House barge office, South ferry, at precisely one o'clock. From there they will proceed in the United States revenue cutter to the steamer Silesia, at Hoboken, where the body will be taken on board and conveyed to the steamer Providence, of the Fall River line. There it will be taken in charge by members of the staff of the Governor of Massachusetts, which gentlemen will this afternoon accompany it to Boston.

Mr. Edward L. Burlingame and Mr. Edward Livermore, the eldest son of the deceased and the brother of Mrs. Burlingame, will accompany the body to Boston.

OBITUARY.

Duchess de Berri.

Caroline Ferdinande Louise, Duchess de Berri, whose death is reported by cable, was a daughter of Francis I., King of the Two Sicilies, and was born on the 5th of November, 1798. On the 17th of April, 1816, she married Prince Charles Ferdinand d'Artois, Duke de Berri, who was assassinated on the 13th of February, 1820. Seven months after his death she gave birth to a son, the present pretender to the throne of France. When the revolution of July, 1830, broke out, she resolved to leave the Tuileries and go to the headquarters of the insurgents with her son, hoping that by this step she would preserve the throne to the family. She was forcibly prevented. With the other members of the family she went into exile, but returned in 1832 to head the abortive insurrection of La Vendee. Betrayed by an infamous scoundrel she was captured by the authorities and confined in the Castle of Blaye and held there until, her pregnancy becoming known, she was forced to sign a declaration of having married the Count of Campo-Franco. She was then released and ever after lived in exile. The Duchess was a woman of great ability and of masculine courage. In her youth she was noted for the beauty of her person.

BAPTIST EDUCATIONAL CONVENTION.

The National Baptist Educational Convention met yesterday morning, at half-past nine o'clock, in the Pierrepont street Baptist church, at the corner of Clinton street, Brooklyn, for the purpose of discussing the principles and methods of education and the measures for creating and sustaining a popular interest in education in the denomination. There were a large number of delegates present from different States. Professor Green, of the Brown University, read a paper on "The Plan of Academies in the Higher System of Education, the Standard to which they should Aspire and the Condition of their Efficiency," and Rev. G. W. Bosworth a paper on the office and duties of educational societies, in which he argued that the college established by Spurgeon in England was the kind of institution which the interests of the denomination demanded.

THE FIGHTING FENIANS.

Assembling of the O'Neill Congress Yesterday—A Private Session—What was Discussed and the Probability of a Canadian Raid—Winnipeg to be Assisted.

The O'Neill-Fenian Congress met yesterday, at noon, at Masonic Hall, but the session was a strictly private one, and no person not duly accredited as a good man and true to the Congress was allowed admission. There was during the entire day in the hallways leading to the room where the deliberations were held, and in the streets adjoining the building, quite a large crowd of the sympathizers with the O'Neill faction, and speculation as to the doings of the Congress was rife among them. It is said that there was a plentiful sprinkling of British spies in every group of men who had assembled about the place, who exerted their utmost in an indirect way to buy up some needy member of the Congress, from whom they might be able to obtain such information as might lead to the thwarting of the designs of O'Neill. This much can be said about the doings of the Congress, and it comes immediately from one of the members, who, in not telling what the result of the discussions of yesterday afternoon was, does not feel that he is violating his oath in stating what the discussions were about. The most important subject discussed, he says, was the propriety of making

A RAID INTO CANADA AT ONCE.

There were those of the Congress who contended that this would be altogether foolhardy, inasmuch as the exchequer was not quite what it ought to be, and that without the sinews of war the raid would be an extremely disastrous one to the Fenians.

General O'Neill, however, or, rather, his friends who represent his views, argued that as soon as the great body of the Brotherhood had bec me aware that Canada was to be the objective point of a speedy invasion money would be forthcoming from all quarters. The "masterly inactivity" which the Senate had seen fit to plunge the Brotherhood into for years was the cause that had put an end to the usual flow of money into the treasury; but the patriotic spirit of the lovers of old Ireland was not dead yet in the hearts of men, who would contribute to a war for its deliverance when they were once convinced that

WAR TO THE KNIFE

was to ensue. It is understood that many of the leaders believe—and several of them spoke of the subject during the session—that the Fenians could do more harm to the British and reap more benefit themselves by attacking the expedition that is to set out for the Red River country than by making an attempt to cross the Canadian borders at the St. Lawrence. It is a fact that one of the members advocated not only this action on the part of the Brotherhood, but contended that the various circles should pick out their best men and send them out to Winnipeg, where, under the banner of Riel, they could make it both the battlefield of Fenianism and the Winnipegists at the same time. It, he said, Riel would by this means triumph, as he had no doubt he would, hundreds would rally round him who were not neutral or secretly against him, while it would

EXULT THE FENIAN HEART

the world over to such a degree that the members of the Brotherhood would swarm in thousands to join the victors in an attempt to carry the war into the very heart of the enemy's strongholds. This was the great opportunity of the Fenians and it should not be allowed to pass. This gentleman also remarked that while the Canadian government would thus have their hands full in the Red River country, and be compelled to constantly reinforce the first instalments of troops they would send out, a strong body of Fenians could give the "stay at home" Canadians nearer the United States all the fighting they desired, if not more.

General O'Neill contends that the Brotherhood now has some 40,000 stand of arms of as good a quality as ever were manufactured in the United States. These arms, his friends say, have lately been distributed to the various committees whose duty it is to look after their proper distribution and they have all safely reached their destination, although where that is the Brotherhood will not divulge, for obvious reasons.

General O'Neill is in dead earnest and "means mischief," as one of the Canadian spies yesterday remarked to our reporter, and it is thought that the men from the United States will be on their way to the "battle ground" before Thursday night. One of the members of the Congress, in dodging our reporter's questionings, remarked that the papers need not bother their heads about the movement now, for they would hear stirring news from it before the end of the week. This would lead to the belief that the Canadian border, after all, is to be visited before long.

In conclusion, it may be mentioned that the friends of the Senate say that if the Congress decide on an onward movement at once they will support it, and not allow differences of opinion as to minor details of action to interfere with the success of the war.

WOMAN'S RIGHTS IN JERSEY.

The Rose Will Case in Newark—An Important Law Point Involved.

In the Orphans' Court, of Essex county, N. J., yesterday, in the matter of the will of the late Mrs. Maria E. Rose, application was made by Mr. Oscar Keen, counsel for the executrix named in the instrument, favoring the appointment of an administrator *pendente lite*, so that the property of the deceased, chiefly consisting of dry and fancy goods, might be disposed of so as to avoid waste or destruction. It appears, according to