THE CRITTENDEN TRAGEDY.

LOVING LAURA STILL IN LIMBO.

Her General Reputation Discussed—What Men Say Who Heard of Her Before.

SNYDER IN A BUTTONED-UP COAT

Did "J. W." Ask Six Thousand for His Testimony?

Mrs. Fair Again on the Stand.

She Gives Another Exposition of Free Loveism.

DOSE NO. 3 OF BILLETS DOUX.

SAN FRANCISCO, April 13, 1871.

There was much of the testimony yesterday in the Fair trial not worth while sending to you for publication; it was the old story over again that has become very stale. I give the evidence in which her chastity is impeached, and there is scarcely a man in San Francisco who has ever had Mrs. Fair pointed out to him but has heard the same remarks made about her that the witnesses swear to. Some additional love letters of Crittenden's are also sent, which will be found about on a par with the others. The usual crowd was in attendance yesterday.

THE DEFENDANT'S CHASTITY.

J. W. Gashwiler, called for the prosecution, and sworn—I have resided in San Francisco for five years; lived in Virginia City from 1859 to 1865; know the defendant by sight; I know of her general reputation for chastity only by general remarks and gossip; heard a good deal of talk about her; she stopped at the Russ House when I first came; she was spoken of as a very handsome woman; her general reputation for chastity was bad.

Cross-examined—No, the talk was not about her connection with Mr. Crittenden; did not hear anything about Mr. Crittenden at that time; heard my partner, Colonel Neal, Jack Neal and others speak of her; the Colonel said (in 1868) that her reputation was bad, that her husband had killed himself through jealousy; that was the prominent point; I heard a great many others speak of her bad reputation.

Q. Well, name some of them. A. Perley was one.

Q. What did he say? A. I don't propose to tell; it isn't proper.

Q. Isn't Mr. Perley a man who talks about almost every woman? A. He is very liberal with his lip; he would talk about almost anybody.

Q. Did you know Mr. Crittenden? A. I knew him in '63, intimately; he was my attorney; the Tahoe House was opened in '63, about September; I heard that he moved there and then to the house on A street.

GENERAL O. I. HUTCHINSON

called and sworn—I reside in this city; have lived here for eight years; I previously lived in Sacramento and in Yolo county for eleven or twelve years; was Mayor of Sacramento; know the defendant by sight, and have met her once or twice; once in the Tahoe House, in Virginia City, and once in Sacramento; during her residence in Sacramento I do not think I knew much said concerning Mrs. Fair's reputation; since then I have heard occasional remarks made concerning her of an unfavorable character.

Cross-examined—I cannot remember what year I was in Virginia City; should say it was in '62 or '63; it was during the cold weather. A party of us went over the mountains; we had some difficulty in securing rooms and were directed to the Tahoe House. I think I was introduced to her then, but am not certain. I cannot say who it was made any remark concerning her reputation in Virginia City; the remarks were probably in relation to her connection with Mr. Crittenden.

TESTIMONY AS TO MRS. FAIR'S GENERAL REPUTATION.

J. F. Hutton was called, and testified that he was an attorney-at-law, living in San Francisco; that he knew defendant by reputation in Virginia City from '62 to '65, and that her general reputation was "not good."

Cross-examined—Was at one time Deputy District Attorney there; never had rooms at the Tahoe House; never was personally acquainted with Mrs. Fair; knew Mr. Crittenden, but not well; he lived at the Tahoe House and at a house on A street; at one time much of this reputation was on account of her relation with Mr. Crittenden, but after that day, a long time, I knew her reputation as a matter of public notoriety; cannot swear to ever having heard any particular thing said against her; cannot name any person who said anything against her; the reputation may have originated in the rumors that she was a good looking woman and that her husband had shot himself.

MORE EVIDENCE AS TO REPUTATION.

W. W. Stow called and sworn—I am an attorney-at-law; I do not know the defendant; I know her by sight and somewhat by reputation; 1863 or 1864 was the commencement of my knowledge of her; I knew a little of her at Sacramento, more at Virginia City during 1864 and 1865; I was acquainted with her general character for chastity aside from her relations with Mr. Crittenden; it was bad.

Cross-examined—During '63 and '64 was engaged in mining affairs in Virginia City; probably spent one-third of my time there in '64; would go over every four or six weeks; in '64 was there six weeks altogether; was in Virginia City several times during '65; went there, I think, in May, '61; don't recollect whether I found Mr. Crittenden there; the first time I saw Mrs. Fair I don't know her was at Sacramento; recollect that I saw Mrs. Fair at Virginia City in the fall of '63; was an intimate friend of Mr. Crittenden; stayed at the Tahoe House in '67; usually put up in the street next above that in which the Tahoe House was; the house at which I stayed was kept by Mrs. Sherman; first heard Mrs. Fair's character discussed when she appeared upon the stage at Sacramento; heard William Ashhurst speak of it; he now is a partner of Reverdy Johnson; heard Mr. Sunderland speak of it; Mr. Whitman, now Judge of the Supreme Court of Nevada; Judge Baldwin, now dead, and his son; Mr. Morgan, at present living in Amador county; A. K. Grim, banker at Virginia City; Mr. Gould; all these were friends or acquaintances of Mr. Crittenden except Judge Baldwin, Jr.

The witness was unable to repeat anything that either of the above had said regarding Mrs. Fair's reputation, and stated that the remarks concerning it mostly arose out of conversation touching on her relations with Mr. Crittenden.

BUSINESS TRANSACTIONS ON THE FATAL DAY.

Mr. Gray called and sworn—I keep a music store; know the defendant; have known her some years; she left an instrument at my store for sale, which I believe was sold; I last saw her, I think, on the day of the shooting, but am not sure; she came to my store to ask for a receipt for the piano; she dictated the terms upon which it had to be sold and which were expressed upon the receipt; I told my bookkeeper to give her the receipt for it; I noticed nothing unusual in her manner on that occasion; she was about the same as she was always known her; I was in the store at the time; the substance of the conversation was to diminish the commission I wanted for selling it; I wanted ten per cent; she said in consideration that she had bought it at my store I only ought to charge five per cent.

Cross-examined—I believe this occurred on the day of the shooting; I remember thinking next day that it was strange that Mrs. Fair should come in and get a receipt for the piano on the day of the shooting; it was between eleven and two o'clock; it might have been earlier.

$40,000 TO LOAN.

Maurice Dore called and sworn—I am extensively engaged in the real estate business; know the defendant; I saw her on the day of the shooting, about two o'clock; she called to learn whether I had yet succeeded in loaning $40,000 on bond and mortgage which she had previously given to me to loan for her; I replied that I had not yet found a suitable investment; that I could not find the security she wanted at the interest; I told her I could find it at ten per cent; she wanted one per cent per month; she merely expressed her great anxiety to get the money loaned; she said it was lying idle in the bank and bringing nothing, and that she wanted the income; noticed nothing unusual in her manner.

[The last question was objected to by the prosecution. The objection was overruled and an exception taken.]

Cross-examined—Was absent when she called; Mr. Cobb was there; she addressed him first, but as I was the person who had her business in hand she waited for me; waited about ten minutes; she had some red garments over her shoulders at the time, and a dark—a black dress, I think.

THE PUPILS OF MRS. FAIR'S EYES.

George H. Powers, sworn—I am a physician and oculist; I pay special attention to diseases of the eye; treat diseases of it.

Q. By Mr. Campbell—Are there any artificial means of producing a contraction of the pupil of the eye? A. There are.

Q. How can it be accomplished? A. It is often the result of a frequent use of opium or nicotine.

Q. Are there any other means? A. It may be produced by the local application of the Calibar bean.

Q. Will the same effect be produced by any other than a local application? A. I am not aware of any at present.

Q. In what form is it used? A. It is dropped in a tincture extracted from the bean.

Q. Have you ever known it to be internally applied? A. It would be a dangerous remedy; I have never seen it done.

Q. How long could that contraction be kept up? A. So far as I am aware it can be used indefinitely; have used it several days without injury to the system; besides contracting the pupil it renders the eye, for the time, short-sighted.

[CROSS-EXAMINED.

Q. How long would one application cause the eye to continue contracted? A. From half an hour to half a day; it would vary according to the condition of the eye and the idiosyncracies of different persons; we use for the purpose usually about the twentieth part of a grain; the ordinary method of applying it is in the form in which it is made in London—viz., compounded with gelatine; it is used in small squares, about an eighth of an inch square; one of these squares is placed on the eye and allowed to dissolve; it would take one of these squares about fifteen minutes to produce the effect; nicotine may contract the pupil; taken internally nicotine has the same effect as opium, only a little more powerful.

Mr. Campbell—In regard to the size of the pupil of the eye, does it not vary in different persons from the original size? A. Very much indeed, and in the same person at different times.

Q. Now, do you notice in persons who habitually take a narcotic, such as opium, whether it has any effect in contracting the pupil of the eye? A. I cannot answer that question from my own experience; I have not seen it.

Mr. Cook—Suppose you wanted to contract the pupil of both eyes, would you use it upon both or only on one? A. The using it upon one eye may produce an effect upon the other, but not generally; I cannot say that I ever saw an instance of that kind; it is not probable.

At the suggestion of Mr. Cook the court took a recess for ten minutes.

The court reassembled, and

J. M. ESTUDILLO,

being sworn, testified as follows:—I reside in San Leandro; am in the real estate business; have resided in Virginia City; lived there in 1864 and 1865; I went there to look at some mines, partly, and partly for pleasure; know the defendant; met her there; have been in the Tahoe House; was in it about the 12th of September, 1864; the defendant kept the house at the time; I remained in the Tahoe House about a month; am acquainted with the defendant's general reputation for chastity outside of her connection with Mr. Crittenden; it is not very good.

Cross-examined by Mr. Cook—Went to Virginia in 1864; was nineteen years old then; did not enter into any business there; Mr. Crittenden had rooms at the Tahoe House while I was there; I left there in February or March; roomed over Wells-Fargo & Co.'s building when I left the Tahoe House with my sister; I heard remarks made about the defendant's reputation in Mr. H. M. Mitchell's office; the matter was talked of by Keating; don't know his first name; I think he is there yet; he was studying law there, and was a young man, about twenty-five years old; do not remember exactly what he said; I do not remember who else was present and heard the conversation; I used to go very often to this office; I do not remember of any other persons that I have heard speak of the defendant; after she moved on A street her relations with Mr. Crittenden were talked about a good deal.

Q. What was talked about a good deal? A. About her building a separate room there for Mr. Crittenden; the room was built a few months after I left the Tahoe House; Mr. Crittenden had rooms at the Tahoe House all the time I was at that house; I did not hear the thing talked about then; I did not hear their relations talked about before he left the Tahoe House; I think I went to the theatre once or twice while I was there; do not remember of seeing Mr. Crittenden and Mrs. Fair; I heard that Mrs. Fair's first husband shot himself, but I heard that here; I formed my opinion in regard to her bad character from what I heard afterward down here; I know they talked in Virginia about her having improper intercourse with people; people said she had a bad character; I can't say what was said in Mitchell's office; could not say whether I heard anything subsequent to that or not; some person from Virginia said something to me about her before Mr. Crittenden was shot; can't remember his name; don't know at what place; it was not at my house; it might have been on the street; it was in the city here; it was about two or three years ago.

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Q. What did he say?

Mr. Campbell—Let's have it out, sir (*sotto voce*). Never mind these women; they can stand anything.

A. I cannot state it; cannot describe him; don't know what his business was at that time.

LLOYD TEVIS

being sworn, testified as follows:—Reside in San Francisco; I was in Virginia City only once; have known the defendant by sight nine or ten years; first saw her here; know her general reputation for chastity; it is bad.

Cross-examined by Mr. Cook—Was a very warm friend of Mr. Crittenden; was in Virginia only two or three days prior to 1863; Mrs. Fair was not living there then; I have heard her reputation spoken of here; I could not say whether it had reference to her character here or in Virginia, but I think in both places.

Q. Who did you hear speak of her conduct before she went to Virginia? A. I think Mr. Perley. (Laughter.)

Q. Where did he speak of it? A. Here; I cannot tell what year, but it was prior to 1863; I have talked with quite a number on the subject; have talked with Alexander Baldwin and Judge Baldwin, A. K. Grimm, Judge Hydenfeldt and others; I could probably name a dozen; have talked with these gentlemen at different times; think that Judge Hydenfeldt was a warm friend of Mr. Crittenden; do not think Judge Baldwin was; I think I have heard him express himself as not being a friend; think Gwin was on friendly terms; have heard Charles Fairfax speak of the defendant.

Q. Have you ever talked with Mr. Crittenden on the subject of Mrs. Fair's character? A. Yes, sir, very fully; I told him what I had heard about it.

JAMES E. ROOT,

being sworn, testified as follows:—I reside in San Francisco; am in the gas fixture business; lived in Virginia from 1863 until the latter part of 1867; I knew the defendant; knew her general reputation; it was bad.

Cross-examined by Mr. Cook—Resided in Virginia from 1863 to 1867; was in the hardware business there; had my family there; was there at the time the defendant first took the Tahoe House, in 1863; furnished a good deal of material for that house, as I was building myself; think the building was put up in the spring; could not tell what time she opened it; knew Mr. Crittenden at that time; saw him every day; think he stopped at the Tahoe House; when Mrs. Fair left the Tahoe House she moved to A street; lived right across the street from her.

Q. Do you know whether Mr. Crittenden had rooms there? A. I saw him come out of them every morning. (Laughter.) The reputation I heard was general reputation; I don't think that her association with him caused that reputation, but it had some weight with me; her reputation was discussed through the streets generally; it was reported through the streets that her reputation was not good; it was generally reported that she was living with Mr. Crittenden; don't know that I can name any one that I heard speak of it in particular; don't know that I ever helped to circulate that report; Mrs. Fair said something one day to my wife about her little child, and I instructed my wife not to speak to her under any circumstances; I told my wife not to speak to her when she first came to Virginia, because her reputation was so bad, and I did not want her to form her acquaintance; I did not hear anything particularly about Mrs. Fair when she first came to Virginia; it was in 1865 that I told my wife not to speak to her.

Q. Now you cannot give me the name of any person whom you heard say anything about her, nor what they said? A. No, sir.

A. Any one occasion upon which anything was said? A. No, sir.

Mr. Byrne said the probabilities were the prosecution would rest; but would like to have until to-morrow to consider the matter.

The Court suggested an evening session; but as Mr. Cook stated it was impossible for him to attend the idea was abandoned, and the court adjourned until this morning at ten o'clock.

SAN FRANCISCO, April 14, 1871.

Yesterday's proceedings in the trial of Mrs. Fair were very interesting. There was some tall swearing and there were some lies told. Somebody was guilty of perjury, and I leave the HERALD readers to judge who it was:—

TESTIMONY OF A. S. OLIN.

At the opening of the court A. S. Olin was called for the prosecution. He testified that he knew the reputation of Mrs. Fair in Virginia, and that for chastity it was bad; kept a livery stable there.

On cross-examination he could not state the precise years when he knew her at that place; could not tell what business she was in there; lived next to me about a year, on A street, in 1865; do not know that Mr. Crittenden lived there; I have heard it, and that his relations with Mrs. Fair were improper; I think that was what gave rise to the bad reputation which I have spoken of; never had a lawsuit with her about a lot; we had some dispute about a lot and there was talk of a suit, but we did not have one.

Redirect—I don't know that Mr. Crittenden's relations with her were the only scandal; don't think it was; I think there was talk before.

To Mr. Cook—I could not name any person who ever said anything against her, nor can I state anything that I ever heard said; I heard talk about her before she removed to A street.

TESTIMONY OF R. C. PAGE.

R. C. Page was called for the prosecution. He testified that he is a real estate agent and stockbroker; do not know the defendant; could not identify her; have heard her talked about a good deal; I have known of her reputation from the time of Colonel Fair's death. The witness was withdrawn, as he did not know the accused personally.

MR. GRAY RECALLED.

This witness was placed on the stand to correct some inaccuracy in his testimony of yesterday relative to the sale of Mrs. Fair's piano. He said he did not give a receipt for the piano when she left.

Mr. Cook asked him to get the date of the sale of the piano and the amount it brought.

J. W. SNYDER'S TESTIMONY.

The divorced husband of Mrs. Fair was called for the prosecution.

As Mr. Snyder stepped to the witness stand there was a perceptible flutter in the audience, and Mrs. Fair, smiling slightly, sank down in her chair as if she did not feel any very strong desire to gaze upon his countenance. His step was more than elastic, it was almost bounding. He wore a coat buttoned across his breast, and not a single fold could be seen in the "nap" of the glossy silk hat which he held in his hand and lay quietly on the railing of the Clerk's desk. When he was called upon to assume the attitude of obligation he did so promptly, threw his chest forward, and his left hand behind and across his back. Having sworn, he mounted the stand, and for a couple of minutes maintained an erect position, then sat down, and in response to questions by counsel revealed the part that he has taken in the transaction. The effect which he left on the minds of those who saw and heard him was not favorable, and the dignity of the people, &c., was not enhanced by the public exhibition of the man.

Mr. Snyder said I was the former husband of the prisoner; have articles of separation from her; I drew them up, and Mrs. Fair, then Mrs. Snyder, and myself signed them.

Mr. Cook said they had put a copy of the agreement in evidence.

To Mr. Campbell—It was after a quarrel; I made a demand that a separation should follow immediately, and drew up the separation; I remained in the house after the signing of the papers about half an hour; the papers were drawn after the demand, within an hour.

Mr. Campbell asked whether Mr. Crittenden had anything to do with it? A. No, sir; nothing whatever; I was not informed by her of her relations with Mr. Crittenden, except that she had been engaged to marry Mr. Crittenden and he had broken the engagement, and she was willing to relinquish it; that was all; I never slept in the same house after she did after the separation; I do not, to my knowledge, know that Mr. Crittenden did anything towards procuring a divorce; never had any conversation with with him about the divorce; I talked with the defendant; we mutually agreed that I should commit adultery and allow the divorce to follow.

CROSS-EXAMINATION.

Mrs. Cook—Did you do it? A. No, sir; I was to do it to all intents and purposes, but not in fact; I was to commit adultery to all appearances; hired a woman for that purpose from Post street; do not know who she was; I was caught in my room by Mrs. Fair and the witnesses; this was in September, I think, about the 15th of September; I went to Mrs. Fair's house afterwards and had a laugh about the arrangement, and how I had succeeded; I had been drinking some that evening; I found that I had not been here long enough to sue for a divorce and so I took the disgrace on my own shoulders of committing myself so that she could get a divorce.

Q. Did you not go to Mr. Campbell's office a few days ago with high boots outside your pants and tell him your testimony was very important for the people? A. I did, sir.

Q. Did you not go to see Mrs. Fair in the county jail? A. I did.

Q. Did not you, about two and a half weeks ago, come to my office, or meet me on the street, and ask permission to see Mrs. Fair in the county jail? A. I did.

Q. Did not I tell you I could not give that permission at that time; that I would let you know the next morning? A. I do not exactly recollect, Mr. Cook, with regard to that.

Q. Did not you call the next morning? A. I called, I think, shortly afterward.

Q. Did not you see Mrs. Fair at the jail? A. I did.

Q. Did not you tell her that you knew enough to get her clear, and proposed to her that if she would give you $6,000 you would do it? A. No, sir.

Q. You did not say anything of that kind? No, sir.

Q. Did not you go to her mother after you had had the talk in the jail and tell her that you had said that to Mrs. Fair? A. No, sir.

Q. Did not you, about two weeks ago, come before I got up in the morning to my house, on Howard street? A. After you had supensed me, I did.

Q. Did not you ride down in the cars with me on that morning? A. I did.

Q. Did not you, during that ride down, tell me that Mrs. Fair had not treated you right? A. I told you that she had treated me in a manner unbecoming a lady, in her action.

Q. Did not you tell me that she had not treated you right or kept her promises with you? A. No, sir; I do not think I made any such remark.

Q. Did not you tell me that you had told Mrs. Fair the only terms which you would testify, and those were that she would pay you $6,000? A. You may want to know a little more about that.

Q. Answer my question. A. No, sir.

Q. You answer no positively. A. I do.

Q. Did not you tell me that if I would go to her and get her to give you that amount you would divide with me? A. No, sir. (Laughter.)

Q. Did not you tell me that you knew the evidence that would clear her; that your evidence would clear her? A. No, sir.

Q. You did not tell me nothing of the kind? A. No, sir; I asked you to keep me out of the case and entirely free from it.

Q. Did not you tell me that your evidence would clear her, but you would not swear unless that thing was done? A. No, sir; I had some conversation with you for the purpose of keeping myself out of the case entirely.

Q. Did I not tell you I would see Mrs. Fair and talk with her and tell you the next day? A. You told me to call every day and see if I was wanted in the case; and I did call.

Q. But did not I tell you to call about that $6,000? A. No, sir; I never heard such a remark.

Q. Did you not call on me for two or three days and ask me if she had concluded to pay you? A. No, sir.

Q. All that you did do was to call? A. I do.

Q. Did not you ask Mrs. Fair to pay you $4,000 down and the balance afterwards, and you would testify? A. No, sir, I did not; I do not intend to talk if I can avoid it; but if you force me to, I shall probably give you further information.

Q. Did you ask her to let you have any money before you would testify? A. No, sir.

Q. Nothing of the kind? A. No, sir.

Prosecution rested.

REBUTTAL FOR THE DEFENCE.

M. Gray, recalled—M. Gray took the stand and read from a memorandum concerning the sale of the piano of the defendant for which a receipt was given her on the day of the shooting, as follows:—

"Piano sold to J. P. P. Newbank, and shipped to Los Angeles March 16, 1871."

Mr. Cook—Sold for how much? A. The price I got for it was $500.

Q. You hold that money now, do you? A. Yes, sir. $500, less the commission.

Mr. Quint—What is the date of that? A. March 16.

MRS. LAURA A. FAIR RECALLED.

Mr. Cook—There is a letter in evidence, dated at New York, written by you to Mr. Crittenden, which speaks of a ring which you had redeemed. Do you know what that means? A ring you had redeemed there, which you had pledged or pawned? A. Yes, sir.

Q. The letter speaks of a gambler? A. Yes, sir.

Q. State the facts about that transaction. A. When I went to Virginia City in 1863 and was about taking the Tahoe House, a fire occurred on A street, where I was stopping at Madame Newman's; we all packed up expecting to be burned out; after the fire I went into Madame Newman's kitchen and was talking there; she began speaking of the Tahoe House and asked me whether I was ready to open it; I said all except my sheeting; she asked why I was not ready with that, and I said because I had not the money; I said if I could pawn this ring I could purchase the sheeting; this gambler, Mr. Buchanan, whom I had never seen before, said, "Madame, I will take it!" I said I would not put it in the hands of a pawnbroker because it was a gift of Colonel Fair, and I might lose it; he said, "I will let you have what you want on it, and give you a year in which to redeem it;" so he gave me $250 and also gave me a note for $500 payable in case he should lose it; he said, "I know your efforts to get along here and wish to assist you." He was an old man and a married man; I accepted his offer and took the $250 and the note for $500.

Q. Afterwards you met him in New York and redeemed it? A. Yes, sir.

Q. How did you happen to know he was in New York? A. I did not know he was there until my brother told me; I had sent the money down here to pay him; when I went to Havana, in 1867, it being four years that he had had my ring, I heard he was in New York; I wrote to him, desiring him to send the ring to me himself; he said he had given it to his daughter to wear during the time he had it, and that his instructions to her were that I should be permitted to redeem it, if I so wished, at any time in the future, no matter how many years might elapse; I then redeemed it and gave him $250; he would not charge me any interest and acted very gentlemanly; I redeemed the ring and have it yet; have had it since 1867, with my other diamonds.

Q. You heard the testimony of Mrs. Abbott yesterday with regard to your having made threats? A. Yes, sir.

Q. When did you first become acquainted with Mrs. Abbott? A. In 1867.

Q. What month and where? A. In June, at No. 331 Kearny street, at Mrs. Hammersmith's.

Q. Had you sent for her? A. No, sir, I had not; she came herself and introduced herself to me; I did not know who she was at all until she did so; there was a gentleman present; I can introduce that gentleman if you wish.

Q. Who was it? A. Mr. Morse, a hairdresser, who was dressing my hair at the time.

Q. Is he in the city? A. Yes, sir; she came in and introduced herself as Mrs. Abbott; I told her to take a seat in the parlor; I did not know who she was.

Q. How long was that before she moved down in your rooms? A. Perhaps a week; the arrangement was made that day; she told me her situation.

Q. What was her reason for coming to your rooms? A. She went to crying and told me she was in poverty.

Objected to. Objection sustained.

Mrs. Fair—She said Mr. Henry was treating her and her children very badly and that he made Clara black his boots; she begged me for God's sake to help her; she said Henry did not support her, and if I did not help her she would be obliged to—the very words she used were, "to go on the town;" she said she was Colonel Fair's sister; I told her I was perfectly willing to help her; I was able to; I gave her a set of furniture, a nice parlor set, and I told her I would give her $100 per month if she would live respectably; I gave her $200 down; after I went to New York I received a letter that she was acting badly. (The Court ordered this last sentence struck out.)

Q. Did you have any conversation with Mrs. Abbott upon the subject of your killing Mr. Crittenden? A. No, sir; not a word.

THE JEWELRY PRESENT.

Q. Did you talk with her about a set which Mr. Crittenden was to give you? A. No, sir; I had a set which he gave me one day; I did not tell her the price, for I did not know it from my own knowledge; Mr. Crittenden said he gave $700 for it; I think it was bought at Tucker's; it was quite a small set of little diamonds, with an emerald in the centre; Mr. Tucker still has in his possession a more costly set which Mr. Crittenden had made for me; I told him I did not wish him to spend so much money; I did not wish any set, for I had so much jewelry.

Q. Where was Mrs. Abbott living on your birthday? A. On Stockton street; I had moved down to the Hammersmith House; I had received this present before I came down.

Q. State about the conversation between Mrs. Crittenden in Virginia in 1865, on A street. A. Mrs. Crittenden had been in my house for nearly a week; I had told Mr. Crittenden that day that I could not stand it any longer, that it was wearing me out, and that she would have to leave or I would leave him; he said if I did leave him he would take his own life and mine; I did not believe him; this night I heard him and her talking in the parlor; I went and at the parlor door she called her into my room; I was not undressed and had not thought of going to bed; I was dressed as I had been all day; when I had commenced talking with her he knocked at the door and opened it, and she turned to him and said, "It is me whom she wishes to see;" he drew a Derringer out of his pocket and pointed it at himself; it frightened me so that I did not tell her what I was going to, but made up some other excuse for calling her out.

Q. Now state the circumstance of your going down to the dinner table at the Occidental Hotel, and Mrs. Crittenden's leaving it, and what occurred at the room afterwards. A. I accompanied them down to the table the first day after I moved upstairs; she did leave the table and went upstairs; after we had finished dinner, Mr. Crittenden requested me to go upstairs, and he went down town; I went into the parlor where she was; she was reclining on the sofa, and excused herself for not rising; I suppose I remained there a half hour; her daughter Carrie played for me on the piano, and I think I played and sang; that is all that occurred in that place.

Q. State the circumstances of Mrs. Crittenden's coming into your room at Mrs. Hammersmith's. A. Mrs. Hammersmith knocked at my door and said a lady wished to see me, and Mrs. Crittenden was shown into the parlor; when I went in she threw back her veil and asked me why I had returned from Havana; I told her I came because Mr. Crittenden said he was dying and could not live without me; he had that morning told me what to tell her—the truth: he expected she would come; she said if I had not come back it would have given her an opportunity to wean him back, and asked me to give him up and go away; I told her he loved me and I loved him—that he was more my husband than he was hers; she said I was committing adultery; I told her no, that it was she who was committing adultery, and that I cared more for his happiness than anything else in the world; I told her I knew there never had been any affection between him and her; I told her that she could see by his appearance that he was dying slowly; she wanted me to leave him—to give him up; I told her if she would bring me even a written request from him that he wished me to give him up I would go and never come back again—that I had made my solemn promise that I would never give him up if he would not request it; I told her that she ought to get a divorce from him; she went on to tell me he would never get a divorce from her; I told her if she was a reasonable woman she would see that my love was love and hers was not; she told me she would fight his getting a divorce till they both died; that he was dying and she would have him; I met him evening, when I told him what I said to her.

Q. Now, I ask you if what Mrs. Crittenden testified to—that in February, 1864, you knew he was married. A. I know nothing of it; I did not know he had a wife.

Q. From that time till January, 1864, did he ever give up his rooms at the Tahoe House? A. He did not; I know they were always occupied because I went into them of a morning with the boy to clean them up, and I would frequently see him go out of a morning.

Q. Did you ever speak to Mr. Crittenden after the conversation at Mrs. Hammersmith's? A. Never.

Q. Did you ever live in the Daggett House, in Virginia? A. Never; it was kept by Mrs. Sheppard.

Q. At Virginia did Mr. Crittenden ever ask you to come into the room with him and his wife? A. Yes, sir, every evening; she sometimes requested it, but she would always tell me that it was at his request.

Q. Did you ever have an arrangement with Mr. Snyder to procure a divorce from him in the way he spoke of? A. I never had the slightest