THE VILLE DU HAVRE.

Private Letters from the Rescued Passengers.

MR. WAITE TO HIS FAMILY.

STATEMENTS OF OTHER SURVIVORS.

Letter from C. Burritt Waite, One of the Rescued Passengers.

Mr. C. C. Waite, of the Brevoort House, has received the following letters from his son, who was one of the saved from the Ville du Havre, giving highly interesting details of the sad event:—

ON BOARD SHIP TRIMOUNTAIN, Nov. 29, 1873.

MY DEAR FATHER AND MOTHER:—

Here I am safe and no worse in health than when I left New York, but in a sad state of mind, hard to describe, considering what I have passed through. I have only Providence to thank for being alive and able to write.

Now to my voyage:—Shortly after leaving New York gales commenced, breaking one blade of our screw on Monday. From that time till Friday morning there were continuous fogs and gales, when it cleared and we had a lovely day, also a fine evening, with clear sky and stars. Julia, poor darling, had stayed below till that evening. About eight o'clock we went for a walk on the deck. I went down with her about nine o'clock, and remained in the ladies' cabin until half-past ten. She then retired. I, not being sleepy, again went on the deck, and remained until twelve o'clock, when I also retired. At a little before two I was startled by a shock and noise, which to me seemed to indicate the breaking of the screw. I cried out to the ladies not to be alarmed, to keep quiet. I immediately ran on deck to ascertain in regard to the damage, when I was told it was a collision; and upon looking over the starboard side I saw a hole reaching from the kitchen, extending about 40 feet aft and penetrating about 10 or 12 feet into the deck and far below the water line. I was back again in my cabin in a moment and found Julia dressing. I told her and the ladies to hurry, but not be alarmed, as all would be right. She dressed quickly and seemed very calm and composed. As quickly as I was dressed we went together to the deck. Then I looked at the situation and decided in an instant what course to pursue. Seeing the large starboard quarter boat lying partially on the deck, one of the davits having been broken by the collision, I placed Julia, with Mrs. Buckley, Miss Buckley (her daughter) and Miss Wagstaff, and told them to stand still a few feet from the boat. I then went to work with two other gentlemen, cut the cover off and was in a fair way to get it afloat: but while at work the steamer gave one last plunge and the waves rushed over, covering her at once. As I saw the water come over the side,

CREEPING UP THE DECK.

I thought it only a wave, so I jumped from the boat to the deck to pull Julia and the three other ladies to a dry place. I had my arms around them, when we were all carried over the side of the steamer. For an instant we were together; then I was struck with a piece of timber on the head, which for a moment rendered me insensible. When I returned to consciousness I saw no one near. I then struck out and swam for a time, when a timber, such as sustains the cover of the boats, floated near me. I got astride of it and floated for a time. Then two children came near me. I caught them and held one under each arm, until my strength failing fast, I was obliged to let them go. Shortly after I was picked up by the boat of the French steamer and taken on board of the ship which had sunk us. It proved to be the Loch Earn, from London to New York, an iron clipper, Captain Robinson commander. She had broken her bowsprit short off and stove her stem down to the water line. Otherwise she had received no damage. We were all taken care of by the Captain and steward. I found I was one of the first saved, coming in the first boat, together with Captain Surmont, of the steamer, who was found swimming in the sea, having sunk with his ship and risen again.

THE PURSER,

brave man, was picked up by the same boat with scarcely any clothing; but instead of coming on board the English ship remained in the boat, and rowed from an hour and a half to two hours, saving many people. Miss Bilninger was with us. I helped pull her in. Her mother was lost. There were several others saved in the same boat. When I got on board the English ship I found it was ten minutes of three o'clock, so I must have been about three-quarters of an hour in the water. It could not have been more than 10 or 12 minutes from the time the ship struck us before the steamer sunk. It was half-past four o'clock before all the people came on board, so you can imagine my feelings during that time, looking at each one as they came over the side of the ship, with the hope of seeing Julia, but, alas! she came not. She must have gone down without a struggle, as Mrs. Buckley, of whom I spoke before, says a piece of timber came between her and the rest of the party and she saw them all go down. She thinks I must have been the only one saved of the little party of us who were together a few minutes before, as she is confident the others did not come up. Finally, when the last boat came, I gave up all hope of ever seeing Julia again. It is so sad that she should have been lost for me, as she would not have come had it not been for my comfort; so, in a certain degree, it is my fault that she is lost. I suppose I ought not to feel thus, as God, in His all-wise providence, plans all things to His liking, and so has taken Julia to her home to Him. About eight o'clock Saturday morning a ship was sighted, and, being signalled, came near. She proved to be

THE AMERICAN SHIP TRIMOUNTAIN,

Captain Urquhart, from New York for Bristol, England. By the advice of Captain Surmont, who thought the English ship too much damaged to be seaworthy, we were transferred to the Trimountain, were taken on board and cared for as well as human beings could be under the circumstances, Captain Urquhart is a noble man and has done nobly by us all. He gave up everything to us, and, having carried his wife often with him, was able to provide the ladies, of whom there are 11, with dresses and other comforts. Of course the provisions were very plain and not very plenteous; but he has been able to give the ladies three meals and the men two every day. They have been mostly of salt meat and pork, but, as the cargo was principally of flour, we have plenty of good bread. Twenty-four of us slept on the floor of the cabin on improvised beds. Of the conduct of the officers of the steamer I think those saved did everything in their power to save the passengers, but the steamer sunk so quickly that there was hardly time to launch the boats or do anything. I would give you a longer account of the disaster, but there is no spare paper on board the ship, but will write you at length when I get on shore. I shall go directly from Bristol to Paris via London. I saved my drafts and some money, and lost all else.

THE FAULT OF THE COLLISION

was with the second lieutenant of the Ville du Havre, so far as we are now able to form an opinion. Goodby. Remember me to all at the house. Kiss dear little Minnie and Lilie for me. It seems I am so far away from every one, and must wait some time before I can see see any of you again! I dare not go home just now; first, because I fear reaction when I get on shore, which the excitement here has overcome, and, again, because I cannot go to you yet without the poor darling that was lost in the sea. God bless you both and help you to bear this great trial, and believe me ever your own loving son, CHARLIE.

"THE LADIES BRAVE AS LIONS."

SUNDAY, NOV. 30—4 P. M.

MY DEAR FATHER AND MOTHER—I have found another small piece of paper and will give you a few more items. We are off Cardiff, with a pilot on board. Shall be at anchor within an hour. It seems so good to see land again. I would not pass through the anxiety I have suffered the past nine days for all there is in this world. It has been fearful waiting so long. Yesterday we had a severe gale, but the ship being well handled came out all right. I am better, and hope I shall continue to improve, although I fear the reaction when I get ashore will lay me up for a few days. The ladies are becoming quite contented and more reconciled to their grief. One poor woman, Mrs. Spafford, of Chicago, who lost four children, has been very low, and we feared for her life. Of the Mixter family, of Boston, only the two daughters remain. Mr. Barbanson and Mr. McCreery send their kind regards. Shall leave Cardiff to-morrow pass Tuesday in London and reach Paris on Wednesday. I must take Miss Breeden to her mother at Versailles. The ladies on the steamer were as brave as lions—Julia particularly so. C.

STATEMENT OF MR. CRAMER, OF TROY.

TROY, N. Y., Dec. 15, 1873.

A letter from Le Grand C. Cramer, of this city, a passenger on the ill-fated steamer Ville du Havre, published in the *Times* this morning, gives a thrilling description of the collision by which that vessel was lost. He says there was

A LAMENTABLE LACK OF DISCIPLINE

on the steamer; that it was manifest during a heavy storm which prevailed prior to the disaster, and that the passengers felt apprehensive on that account. He (Cramer) went down with the ship, and coming up again secured a support and floated until picked up. He was badly hurt and was twice pulled under by drowning persons. He says the officers and crew of the steamer abandoned the passengers to their fate, going off in lifeboats and leaving them to look out for themselves.

WHAT THE OFFICERS SAID.

When he first came on deck the officers told him the ship had struck a small vessel and was uninjured.

Narratives of a Sailor, the Steward and a French Pasteur—The Captain Did His Duty.

[From the London Times, Dec. 3.]

The following is the narrative of one of the seamen belonging to the Ville du Havre, which is related as nearly as possible in his own words. He says:—

I think it was about twenty minutes to two o'clock when I felt the shock of the collision. I had been on the sick list for some days, and was then sleeping in my berth. The first thing I heard after our ship was struck was a call for all hands to come on deck. I rushed up the gangway at once and then I saw at once what had happened. We—that is, myself and some of my mates—tried to get one of the boats ready, but the panic was so great that we could not do it. The passengers were crying, shrieking and calling out "Help! help!" They made a rush at the boat, and I don't believe you could have kept them back; no, not even if you had threatened to shoot them. Didn't we see the Loch Earn coming? Well, yes, I believe somebody must have seen her, for there were 20 men or more on deck. Heard that the second officer saw her 15 minutes afore she struck us; but, of course, I can't say. The Captain came out of his berth just as her jibboom was a comin' over our bulwarks, and he ses to the quartermaster, "Why didn't you call me?" He blew the whistle, but it was too late then. She was down on us with a crash like a thunderclap, and the water came pouring in terrifically. Don't say anything against the Captain, for he had been three days and nights keeping watch, and only laid himself down that night on the sofa about half-past 11. When she was struck the passengers, as I said, came rushing up from below and began to fill the boats. There were about 50 of them in one of the long boats when the mainmast fell bang on it; and oh! I shall never forget that there scene. Some of them were killed right out; some had their heads smashed, others had broken their arms and their legs. The squealing of the women—but, there, a can't tell how awful it was. The mast struck me across the forehead as it fell, and the boatswain was killed by my side. Some of the sailors I picked up with their legs broken, but all we could do was just to move them out of the way, poor fellows! The mainmast brought down the mizenmast along with it, and that, too, smashed a boat with 50 or 60 people in it. I think everybody in that boat was either killed or injured. Could not we have got some of the others into the boats? Lor bless you, sir, they were too frightened and excited. If they had been quiet and waited a bit we might have saved some of them; but there was no order, not a bit. But there, it's always so. I've been shipwrecked three times myself, and nobody knows what them scenes are that don't go through them. The Loch Earn smashed two of the boats with her spars and rigging, and when the two long ones had been broken up by the falling masts there were only four others left, and two of them were small. It was them masts, however, that did all the mischief afterwards. If they had not a fell, and if we only could have kept the passengers quiet a bit, I don't believe 20 of them would have been lost. Why did not they jump on the Loch Earn's bows? There warn't time for that sir. She was going at 12½ knots and we were doing 12, so that she bounded back and was gone from us almost directly. Our captain remained on his bridge all the time giving orders, and was on it when she went down below the water. I went down with her, too; I should think 20 or 30 fathoms. On coming to the surface again I looked round and saw many a poor struggling creature in the water. Then there was a boat near me, and I held on to the keel until I could get inside. I pulled in three or four women; leastways, I gave them a hold on to the boat until they could be dragged in. Then I pulled off some of my clothes and jumped into the water and swam to the Loch Earn. Three or four lines were thrown out to me and at last I was hauled on board. That's all I can say about the collision, but I should just like to say a word or two about our captain. He was always very careful, and in the fogs never seemed to like trusting much to his officers. He was the last man on the bridge, and remained there till the very last moment. The second officer was a very good officer, but it's my belief the captain had a good deal of suspicion of him and used to watch him close. I don't like to say much about him as he is gone, but I do think he might have called the captain sooner than he did.

A Steward's Account.

An account of the melancholy event is given by Alcide Lalauze, who was one of the French stewards on board the ill-fated ship. He says:—

The Ville du Havre left New York about two o'clock in the afternoon of November 15. The weather was fine then, but a day or two afterwards it became very hazy and for four or five days dense fogs prevailed. On the second day after leaving New York we lost a blade of our propeller, and consequently were obliged to be very careful not to put on full speed for fear of breaking the others. The night of Friday, the 21st, was clear and starlight, but there was no moon shining. We had our head sails and topsails set and were going before the wind at about 12 knots an hour. I went to bed that night at about half-past nine, and was awoke by the collision. I immediately rushed on deck, saw the Loch Earn astern of us and heard some one call out that we were sinking. I went back to my bunk for the purpose of putting on a pair of pants and found the water already up to my knees. On returning to the deck I went to help to get one of the longboats over the side. The passengers were all rushing backwards and forwards, some crying, "Save me! save me!" Meanwhile others fell down and prayed. They were all so excited that we could do scarcely anything. I tried to help some of the sailors to get No. 4 boat off, but the passengers were all jumping into it and frustrating our efforts. As soon as our ship began to fill she commenced to lean over the port side; this I think accounts for the snapping of the mainmast, which brought down the mizzenmast with it. The captain just happened to come out of his room before the collision occurred, and as soon as he opened his door he saw the Loch Earn's jibboom over the bulwarks. After going on the bridge he made every possible effort to keep the people quiet and get the boats over, but the passengers all seemed so terror stricken that we could do nothing scarcely. It was fearful to see the women and children running about the deck crying and entreating us to save them. We did all we could for them, but the time was so short that that all was very little. As soon as I saw her below water I jumped off the rail astern and swam towards the Loch Earn. The cries of the struggling people behind me I never, never can forget, and I seem to hear them now ringing wildly in my ears. After being in the water a few minutes I got hold of a buoy, which enabled me to keep afloat for nearly an hour, when I was picked up by one of the Loch Earn's boats. From what I have heard I should think the Loch Earn was seen five or six minutes before she struck us. I heard from the man on the lookout that she had no side lights burning; but whether that is true or not of course I cannot say. I certainly did not see any, and it seems to me very likely that she had none burning.

Religious Consolation.

TO THE EDITOR OF THE TIMES:—

SIR—In the account given by the purser of the Ville du Havre there is a very regretable omission. He speaks about the Catholic priest conveying to those around him religious comfort and consolation. We all admired the noble conduct of that faithful clergyman, but the narrative adds:—"While around the priest there was a terrible excitement and frenzy." That is not correct. Never have I seen people so calm and resigned as the passengers of the Ville du Havre. Not one shriek, not one cry, was heard from the moment the Loch Earn struck us to the moment we went down. Every one was composed and wonderfully calm.

A young lady was pressing her mother on her breast, saying, "Courage, dear mother; it will be one minute's struggle, then we shall enter together in heaven." Four sweet little girls were surrounding their mother and two friends who were with her, saying, "Let us pray; let us ask God to keep us." About 10 or 12 ladies were a little further on engaged in earnest prayer. I have never witnessed such a manifestation of the power of faith.

After we had been taken on board the Trimountain we had religious services every day—one day in English, one day in French; and all the rescued officers of the Ville du Havre and the passengers were regularly present.

No words can render the meek and submissive attitude of the ladies after the catastrophe. The poor mother whose four children had gone down, almost dead with cold and fatigue, told me when we met on the Loch Earn, "The Lord had given me those dear little ones; He takes them away. I will submit to His will."

It will comfort the numerous friends of the unfortunate and bereaved passengers of the Ville du Havre to know that the Lord sustained them, and that both Protestants and Catholics felt they were under the mighty and tender care of the same merciful Father. Believe me, yours sincerely,

TH. LORRIAUX,

Pasteur à Paris, one of the passengers of the Ville du Havre.

LONDON Dec, 2, 1873.

How Saved.

[From the London Daily Telegraph, Dec. 2.]

Mr. James Bishop, No. 36 Broadway, New York, left the ship on a plank, floated about three-quarters of an hour, then was picked up by a French boat. Mr. Henry Bilknap, No. 8 Mount Vernon street, Boston, swam from the wreck, was picked up about an hour after by an English boat. Mr. Andrew Mercery, No. 8 Rue Beaujean, Paris, left before she sunk; picked up about one hour after by a French boat. Alfred Barbancon, No. 20 Rue de Namones, Brussels, swam from the wreck without support one hour; picked up by a French boat. Mr. Theophile Lorrian, No. 9 Rue de Batignolles, Paris, floated direct to the English ship on a raft; picked up by French boat. Mr. Le Grand Cramer, Troy, N. Y., sunk with wreck; severely injured about the head; floated about one hour; saved by English boat; lost an aunt. Mr. R. D. Withaus, Jr., No. 31 West Thirty-fourth street, New York, swam from wreck; found support; floated about one hour; picked up by English boat. Mr. William R. Swift (Swift & Allen), New Bedford, United States, jumped overboard with life preserver; floated about one hour; picked up by English boat; lost daughter. Mr. Francisco Slado, Nos. 132 and 134 Maiden lane, New York, and No. 35 Rue de Luxembourg, Paris, left ship before she sunk; floated on plank one hour; picked up by English boat. Mr. C. B. Waite, Brevoort House, New York, and No. 62 Avenue D'Alma, Paris, sunk with ship; swam for a time, then found a piece of timber and floated three-quarters of an hour; picked up by a French boat; lost sister. Mr. McRoskey Butt, New York, sunk with ship; floated with piece of timber three-quarters of an hour; picked up by French boat. Mrs. M. Buckley Rige, New York, sunk with ship; floated with timber one hour; picked up by English boat; lost daughter. Mrs. Henry D. Stafford, No. 159 La Salle street, Chicago, Ill., sunk with ship; floated with timber one hour; picked up by English boat; lost three children. Mrs. William R. Swift (Swift & Allen), New Bedford, left the ship with life preserver; floated one hour; was picked up by English boat; lost one daughter. Mrs. Chresto, Paris, sunk with ship, floated with timber one hour, and was picked up by a French boat; lost husband. Miss Addie Breeden, No. 27 Avenue de Paris, Versailles, France and New York, sunk with ship; floated with timber one hour; picked up by French boat; lost father. Miss Fanny Bininger, No. 39 Broad street, New York, sunk with ship; floated on pilot's steps three-quarters of an hour; picked up by French boat; lost mother. Miss Mary Hunter, No. 12 K street, Newport, R. I., sunk with ship; floated on timber one hour; picked up by English boat; lost father, mother and one sister. Miss Annalu nter, No. 12 K street, Newport, R. I., sunk with ship; floated on timber one hour; picked up by English boat; lost two sisters. Misses Madeline and Helene Mixter, No. 195 Beacon street, Boston, Mass., sunk with the ship; the former floated on timber three-quarters of an hour, and the latter on the pilot's steps one hour; picked up by English boat; lost father, mother, two sisters and grandfather. Miss E. Egnar, No. 22 East Seventeenth street, New York, sunk with ship; floated on timber one hour; picked up by English boat; lost mother and sister.

Left on board the Loch Earn—Rev. Emile Cooke, Paris; Rev. —— Nathaniel, Paris.

Officers saved—Captain Surmont, sunk with ship; swam for three-quarters of an hour; picked up by French boat. Second Captain Parry, sunk with ship; floated with timber for two hours; picked up by French boat. First Officer Gaillard, at his post, lowered his boat and saved those rescued by the French boat. Purser Vie, sunk with ship; picked up by French boat and then assisted to save passengers. Second Purser Dorbeck, swam from ship nearly to the English boat, and was then picked up by French boat. Second engineer, sunk with ship, floated with timber three hours, and was at last saved by the English boat.

The ship's papers were not saved.

The names of the crew rescued are:—Captain Surmont, First Mate Dugaray, Second Mate J. Gaillard, First Purser Vie Fendion, Second Purser J. Dorbeck, Engineer Maitloid.

The crew were chiefly French and American sailors, who, with stokers, made up the remainder of them. Their names are Lepiraux, Mercier, Charles, Coorick, Erout, Fanucart, Trylass, Mosterau, Celo, Thomas, Moal, Poursott, Caillauroe, Maro, Daniel, Guildoma, Royalt, Alliver, Lefebre, Rossitor, Harvey-Lorgeret, Meaneur, Lefrancis, Lemaire, Lemiere, Cousin, Courtes, Houssen, Liqueree, Gardoune, Gourieou, Lecoat, Marius, Arnoy, Selcalnec, Lefebre "2," Davy, Cody, Roudel, Mossett, Henry, Bartard, Ferrano, Legris and Sido.

ART MATTERS.

The Passion Play Album.

Every one who has read "Quits," by the Baroness Tautphœus, the clever authoress of "The Initials," will remember the description of the passion play of Ober-Ammergau, and of the peasant artists taking part in it, to which the seventeenth and eighteenth chapters of the first volume of "Quits" are devoted. The tradition runs that in 1633, when the village of Ober-Ammergau was decimated by an epidemic, the Monks of Ettal (a monastery on the mountain of that name, which overlooks the village) induced the parish to unite with them in a vow that in thoughtful devotion and for edifying contemplation they would, every ten years, publicly represent "the Passions of Jesus, the Saviour of the World." The tradition adds that the parish was immediately freed from pestilence, and we believe it is a matter of history that the passion play has once in ten years been represented by the Ober-Ammergau peasants from that date until the present. Such being the case, it seems strange that the idea of constructing a passion play album and bringing it out as a Christmas gift book should not sooner and more widely have been made use of. True, there were difficulties in the way. The superstition of the villagers rendered it almost impossible for any photographer to obtain permission from them to apply his art to the reproduction of their performances and the various episodes connected therewith. It was only at the request of Ludwig II., King of Bavaria, that the villagers could be prevailed upon to allow such a task to be done. Sixty large photographs, taken by Albert, of Munich, were thus obtained. Subsequently Mr. John P. Jackson, desiring to expand a little guide book, written by himself, to the passion play, received permission from the King to purchase copies of these photographs. Two hundred copies were then bought by him. In the spring of 1872 Mr. Jackson spent several weeks at Ober-Ammergau, receiving, during his researches, valuable aid from the aged minister, the Geistlicher-Rath Daisenberger, editor of the passion play as it was performed at Ober-Ammergau in 1870. In addition to the drama Mr. Jackson procured the addresses made by the choragus or chorus leader. No attempt of the kind had previously been made either in German or English. By this means the foundation of an album, which we have introduced under the title of "The Passion Play Album," was laid. With the royal photographs have been incorporated a number of woodcuts and about twenty drawings reproduced in heliotype. The woodcuts are portraits of the Geistlicher-Rath Daisenberger and of Tobias Pfunger, Rupert Schauer and of Joseph Maier, natives of Ober-Ammergau and the respective delineators of Christ in the passion play in 1850, 1860 and 1870. The drawings are by the well known artist, Mrs. Eliza Greatorex, and are 18 in number. A small instalment of these albums reached the establishment of the Putnams, in Association Building, Twenty-third street and Fourth avenue, at a late hour on Saturday evening, and will be visible there this morning and afterwards. It is hardly necessary to add that they are intrinsically interesting as giving permanent and artistic expression to a unique and very picturesque institution of which every one has heard, but which comparatively few have witnessed. The size of the work is large quarto. It is printed on fine tinted vellum paper, made especially for this purpose, and is handsomely bound. The size of the photographs is 9¼ inches by 6; with the cartons, 14 inches by 10. To these dimensions the etchings and wood engravings correspond. The price, $100 in currency, is somewhat costly, but not disproportioned to the labor, time and skill expended. The woodcuts, in addition to the portraits we have mentioned, represent the monastery of Ettal and the Passion Theatre. Mrs. Greatorex's drawings delineate the pilgrimage to Ober-Ammergau, the valley of the Ammer, evening in the village, a view through the trees, washday under the Kofel, the church beyond the Ammer, the village home, the gossips' fountain, the gathering of the village band, outside the Passion Theatre, the churchyard gate, the homes of Gregor Lechner, Gregor Stadler, the Pfungers, the Zwinks and Jacob Hett (the respective delineators of Judas, Annas, Mary, Pilate, Mathew, John, Peter and Christ), and the homes of the anonymous actors of Lazarus and the Scribe. Of the 60 photographs one-half are themes chosen from the Old Testament. The others represent events in the life of Jesus. "Christ Foretelling His Own Betrayal" forms the frontispiece. Then comes a photograph of the Ammergau stage, with the chorus of Schutzgeister. The order in which the photographs, representing scenes in Christ's history, then occur is the following:—"The Adoration of the Cross," "The Entrance into Jerusalem, "The Buyers and Sellers of the Temple," "Mary Magdalen Anointing Christ's Feet," "Christ's Departure from Bethany," "The Last Journey to Jerusalem," "Judas Tempted to the Betrayal," "Christ Washes the Feet of His Disciples," "Judas Receives the Blood Money," "The Agony in the Garden," "The Betrayal," "Christ Reveals Himself to the Soldiers," "Christ Before the High Priest Annas," "Christ before the High Priest Caiaphas," "Peter's Denial," "Peter's Penitence," "Christ Abused by the Soldiers," "Christ Sentenced to Death by the Sanhedrim," "The Despair of Judas," "Pilate Declares Christ Innocent," "Christ Before Herod," "The Scourging," "The Crowning with Thorns," "Pilate Arguing with the People," "Christ Sentenced to Death by Pilate," "Christ Bearing His Cross to Golgotha," "The Crucifixion," "The Descent from the Cross," "The Sepulchre," "The Resurrection," "The Ascension."

THE DEATH OF MR. ARMSTRONG.

Further Testimony Before Coroner Herrman.

Yesterday morning Coroner Herrman took further testimony in the case of the late Thomas Armstrong, whose body was found floating in the Staten Island ferry slip, as previously reported in the HERALD.

Patrick J. Nevill, Patrick O'Connor and Patrick Ginnerty, the boatmen, who found the body and who claim the reward ($500), were examined, but their evidence was of no special importance. They saw Peter Noone, driver of the deadhouse wagon, partially examine the body, removing therefrom the gold watch and chain, gold sleeve buttons, memorandum book, &c., but the two diamond studs were not then removed from the shirt front by Mr. Noone, who, with assistance, placed the remains in the wagon. Officer Blair, of the First precinct, and one or two of the boatman, saw the diamond studs in the shirt bosom of the deceased. On the way up town, Mr. Noone, driver of the wagon, had occasion to stop two or three times, and on reaching the Morgue one of the studs was missing. What became of it Mr. Noone is unable to say, and he feels very much aggrieved to think Mr. Fitzgerald, executor of the estate of the deceased, should suspect him of purloining the jewel and appropriating it to his own use. Mr. Fitzgerald near the close of the investigation seemed to think the manner of examining and removing valuables from drowned bodies was not what it should be, and so stated to Coroner Herrman. The latter took exception to some remarks of Mr. Fitzgerald on the subject and a few sharp words were exchanged. Probably today Mr. Fitzgerald will give his testimony. He stated that undoubtedly the deceased was a little bewildered in consequence of excitement, occasioned by his approaching marriage. He was to have been married the day after his disappearance.

THE DEATH OF JUDGE NELSON.

Adjournments of Courts Out of Respect to His Memory.

TRIBUTES OF THE BAR AND BENCH.

Arrangements to Attend His Funeral.

Most of the courts adjourned yesterday out of respect to the memory of the late Judge Nelson. Bar and Bench united in words of feeling eulogy upon the illustrious departed jurist. A report of the proceedings in the various courts will be found below and shows the high estimation in which the profession held this great legal luminary of our country, whose light gleamed with increasing brightness through half a century. It will be seen also that there was a largely attended meeting of the Bar, where arrangements were made to attend the funeral of the deceased at his late home in Cooperstown.

United States District Court.

Shortly after 11 o'clock yesterday morning, Judge Blatchford took his seat on the bench of the United States District Court, there being present at that hour several members of the Bar, who were in expectation that some action would be taken in regard to the death of the Hon. Samuel Nelson, ex-Associate Judge of the Supreme Court of the United States, which was announced on Saturday last. In this hope they were not disappointed, for immediately after the Judge had entered the court room, Mr. Bliss, United States District Attorney, said that since the adjournment of the Court news had reached this city of the death of Judge Nelson, who had so long presided in the Circuit Court and also been a member of the Supreme Court of the United States. It seemed to him highly proper that the Court should adjourn and make the proper entry on its minutes of the sad event. It was not for him, however, in making this motion, to make any extended remarks, and for two reasons—first, as a young member of the Bar he did not have any great experience before Judge Nelson; and, second, because the members of the Bar had taken measures to express their opinions with respect to the death of the Judge at a meeting to be held in this building to-day. He, therefore, moved the adjournment of the Court.

Mr. Erastus C. Benedict seconded the motion, briefly expressing his regret for the death of the distinguished Judge, whose merits and reputation as a judicial officer were fully recognized by all the members of the Bar.

Ex-Judge Beebe supported the motion, stating that it was eminently fit the Court should adjourn on account of the death of the great jurist who had just passed away. It appeared to him that it would be right to have an expression of opinion on the part of the members of the Bar who knew Judge Nelson well, apart from the general meeting of the Bar which was about to be held to-day. The memory of Judge Nelson would rest with them forever. His simplicity, kindness and goodness of heart, combined with great firmness and decision of character, fitted him to be what he was—a great judge.

Mr. Van Santvoord also supported the motion, stating that to adjourn the Court would be a proper tribute to the memory of a great judge and a good man, whom they all venerated and loved.

REMARKS OF JUDGE BLATCHFORD.

Judge Blatchford said:—

The Court recognizes the propriety of the motion which has been made, and I cannot refrain, on this occasion, from adding a few remarks to those so appropriately made by the gentlemen who have addressed the Court. It was my good fortune to make the acquaintance of Judge Nelson before I attained the years of majority, now some 35 years ago, and his personal kindness and consideration I owe my admission to the Bar, after a course of study of much less duration than was required by the rules of the Court at the time, to his personal action in dispensing, in my favor, with a portion of the time of study; and ever since that time, to the latest moment of his life, to the last time I saw him, my intercourse with him was most affectionate and intimate, in all the relations that I bore to him, as a friend, a member of the profession and an associate upon the Bench. He was, as we all know full well, the perfect model of a judge. I think I may truly say that no one has ever occupied the judicial bench of any Court of the United States, or the bench of any Court of the States, who combined more fully in himself those qualities which go to make up a great judge. Integrity, firmness of purpose, courtesy, and judicial, personal and mental equanimity, were qualities combined in him in the highest degree. Those are the qualities that go to constitute a judge, in the highest sense of the term. After a judicial service unexampled in this country, and almost unequalled in the world, wanting a few months of fifty years' continuous service upon the bench, he resigned his place while he was in full possession of his mental faculties and powers, but at a time when he himself felt, conscientiously, that he could no longer perform the full measure of the duties of his office. He resigned at a period when, perhaps, in the public judgment, he might still well have remained upon the bench for a longer time. He resigned enjoying the respect, the affection, and the consideration of all who knew him, both on and off the bench. His sun has sunk to rest in an unclouded sky. He has gone to receive his reward without any long duration of sickness; without any impairment of his mental faculties, and has passed away in a manner most fitting, as the close of a well spent life. I therefore direct that the Court be adjourned until to-morrow, and that the cause of the adjournment be entered in the minutes.

Some conversation then took place with regard to the day fixed for the funeral.

Judge Blatchford said he was just informed by Mr. Stilwell that the funeral would take place on Thursday at Cooperstown, and it was the intention of himself and Judge Woodruff to attend it.

Mr. Erastus C. Benedict moved that a report of the remarks made by Judge Blatchford on the present occasion be inserted on the minutes of the Court.

This motion was agreed to, and the proceedings then closed.

Supreme Court—Circuit—Part 3.

Mr. D. C. Calvin moved the adjournment of the Court, as follows:—

MAY IT PLEASE YOUR HONOR—It has been suggested to me by the learned counsel upon the other side (Mr. Vanderpoel) that there was a propriety in making some due recognition of the recent decease of one of the most distinguished judicial officers who have adorned the Bench of this country, Mr. Justice Nelson. It seems to me eminently fit that we should take some suitable action in respect to it. I am advised that the other courts, in conformity with the general sentiment of the Bench and Bar, have seen fit to adjourn for the purpose of attending a meeting of the Bar to suitably remember the great services of this distinguished Judge. Called upon as I am at the present moment, I do not deem it desirable to elaborate at all with reference to the virtues and great ability of the deceased. Suffice it to say, that so distinguished a judge as the recent Chief Justice Chase availed himself of the opportunity upon a public occasion to say that he regarded Mr. Justice Nelson as the ablest Judge in the world, and that, without exception, he regarded him as the fittest model, in following which he might apply all his energies and judicial ambition. I therefore, as a testimonial of our high respect for his virtues and ability, move the adjournment of the Court.

Mr. A. J. Vanderpoel seconded the motion:—

MAY IT PLEASE THE COURT—It seems to me that there is an evident propriety in our suspending business at this time, for the cause which has been suggested by my learned brother. It is less than a year since, as a member of the Bar in this city, I had the pleasure to wait upon Judge Nelson at his residence, Cooperstown, tendering to him the resolutions which had been passed by the Bar of this city and judicial district on the occasion of his retirement from the Bench. He was then apparently in hearty and tolerable health for a gentleman 80 years of age. Our brethren of the Bar as well as the Judges of the various courts are now holding a meeting on the other side of the way, making arrangements for attending the funeral at Cooperstown, and I therefore second the motion made for an adjournment.

Judge Van Brunt said:—

Justice Nelson has occupied, I believe, the bench for a longer period than any jurist of whom history makes mention, he having been upon the Bench for nearly 50 years. He has left a record behind him which is without spot or blemish, and to which all Americans should refer with pride. More than that, he was of a class of American citizens who, unfortunately for the future of our Republic, are becoming too few—who believe in the constitution, in its restrictions and limitations, and who believe that these restrictions and limitations were embodied in the constitution by its framers for a wise end, to avoid, as far as human foresight could anticipate, the dangerous tendencies which all history shows that republics have always developed in their growth, prosperity and power, and who believe that it is not expedient and well to set aside these limitations and restrictions because of an imagined necessity, but that they should be clung to as safeguards of the Republic. Mr. Justice Nelson was not a man of brilliant mind; but still he had a strong, clear mind, full of good common sense, and good common sense is the foundation of all sound religion, sound law and sound morals. It is but fitting that we should recognize the loss to the community of such a man as Judge Nelson. I shall, therefore, direct the clerk to enter upon the minutes the fact of the adjournment of the Court out of respect to the memory of Samuel Nelson, late Associate Justice of the Supreme Court of the United States.

Oyer and Terminer.

District Attorney Phelps moved the adjournment of the Court, and said:—

YOUR HONOR—Very recently it was my duty to move an adjournment of this Court because of the removal from a position of high usefulness and distinction of an honored member of the Court of Appeals, and almost as soon as the doubt in regard to his fate had ripened into a sad certainty of his loss, and before his sorrowing friends throughout the State had performed the last sad offices of respect which they were permitted to pay to his memory, we received intelligence, on Saturday last, that another great and good judge had been removed from the sphere of his usefulness in the State which he had adorned so well and so long. Fortunately for him and for us he was taken away by no such calamity as that which deprived us of the services of Judge Peckham, in the ripeness of his intellect and usefulness. On the contrary, when the hand of death touched Judge Nelson, it touched him lightly; it came to him rather like a benediction on the close of a well spent life. Before many who are now within sound of my voice were even born Judge Nelson sat upon the Supreme Bench of this State, adorning it with great learning and integrity and a spotless reputation. Passing from his position as Associate Justice of a Supreme Court to that of Chief Justice of the Supreme Court of the State, he sustained nobly the high position to which he was called, and passing on still higher, he became a member of the Supreme Court of the United States, which is the tribunal of last resort in this country, and a place on whose bench is a reward for high character, learning and fidelity, which any man may be proud to win. For many years he sat in that high position, until at last, having nearly completed a half century of public life and usefulness and honor, a little more than a year ago, overcome by age, and finding it proper, as we all recognized it was, that he should seek in the decline of life a long rest from the labors of an industrious and faithful career, he resigned and retired to his peaceful home, there, on Saturday, without a struggle, without premonition, without suffering, there passed away a great and good man gone to his rest. And, sir, I should but deem it proper on this occasion that we should express our sense of his high services and great worth by adjourning this Court in honor to his memory, and I move that we adjourn now.

Mr. William A. Beach seconded the motion as follows:—

I beg permission to second the motion, and although this is not a fitting occasion to express the sentiments we all feel as we should like to express them, it is impossible to permit it to pass without bearing some testimony to the character of a noble and distinguished judge lost to our profession. It rarely falls to the lot of humanity to pass as long, stainless and honorable a natural and professional life as was borne by the Associate Justice of the United States. I remember him, sir, in the earliest part of my career. Although I am somewhat of an old man, when I first began to practice he was a distinguished and honored of our State courts, and for a judicial life of 50 years he has before the country and the profession in the most eminent situations which can be occupied by human intelligence; and in all that career and in all the multiplied and varied duties which he performed never has the breath of suspicion or calumny attached to his reputation. He was not only an honest, learned and upright judge, but I believe, by all those who came in contact with him, he was regarded as a gentle, kind and considerate officer. It is not possible that a character like this can pass from the scene of earthly effort without leaving behind him an influence and an example that we can all feel and imitate. I second the motion and render but a very ordinary and imperfect testimony to the character we honor. Undoubtedly, it was on the retirement of Judge Nelson a pleasure on the part of the most eminent gentlemen of the profession to tender him an evidence of their high esteem and regard, and it will be a pleasure to the profession, at some fitting time and in more enlarged terms, to render a fitting evidence of that respect.

Judge Daniels said:—

I think, gentlemen, it is entirely proper under the circumstances and as a tribute of respect to the memory of the deceased Judge (Judge Nelson) that the Court should adjourn. He is one of the few persons whose life extended back almost to the dawn of our State government. He was born a little over 10 years after the State government was formed, and has been a public servant almost from his majority to the present time. In 1821 he was a member of the Constitutional Convention, forming the second constitution under which the State was governed, and which was regarded as a monument of learning and ability, and he has continued on the bench from the day of his appointment down to 1845, when he was transferred to the Supreme Court of the United States. In all these positions he faithfully discharged his duties to the satisfaction of the public and the profession, and done to the close of his life the opinions which were written by him stand as monuments of integrity and learning. There is probably no contemporaneous person now living whose life has extended so far through the history of our government and who was connected with the public service so uniformly. He was elected a member of the Constitutional Convention of 1846, but I believe he did not participate. He was a participant in the settlement of the controversy between this country and Great Britain, arising out of the war, which was arranged so satisfactorily. No person has passed away for many years whose services were so constant and beneficial to the State and nation as Judge Nelson. Through all the changes of our law and constitution and all the perils of our government he has been entirely faithful to the duties he was called upon to perform. I direct that the Court adjourn.

Superior Court—Trial Term.

The motion for adjournment of this Court was made by ex-Judge Fullerton and seconded by Mr. William Booth, in most feeling and appropriate remarks by both.

Judge Monell, in granting this motion, spoke as follows:—

A great loss has befallen our State