THE ROCKLAND CRIME.

Beginning the Eleventh Week of the Hayden Trial.

FREE MEDICAL LECTURES.

Yale Professors Discuss Poison, Blood and Obstetrics.

NEW HAVEN, Conn., Dec. 16, 1879.

The testimony in the Hayden trial to-day was mainly on matters involving medical questions. It was like much of the other testimony of this character that has been presented. That is, it was somewhat indefinite and with admissions of so many exceptions to the rules cited that the jurymen must have been more or less puzzled as to just what to believe. However, so interesting were the questions and the replies that there was no lack of attention. The two main topics discussed were the ovarian tumor with which Mary Stannard was afflicted and the probable loss of blood from such a wound as was inflicted on her throat. The court room was thronged throughout the day and many resident physicians were present, also students of the medical department of Yale College, who were permitted to leave their lessons for the day.

Stephen G. Hubbard, Professor of Obstetrics in Yale College, recalled, was questioned by Judge Harrison, for the State, as to whether he had since the last court day investigated the question as to whether there was any way of ascertaining exactly the amount of blood in a human body; he replied that there was not, in his opinion, any way of determining. Continuing, he said that his examination of a portion of Mary Stannard's body satisfied him that menstruation had ceased before death. This testimony is opposed to the defence's theory that the condition of the girl explained the taking with her into the woods on the fatal afternoon the folded towel discovered in her pocket. Professor Hubbard being questioned at length on these points, Mr. Watrous finally checked the inquiries by stating that the defence would make no claim regarding the girl's condition.

A MEDICAL LECTURE.

Judge Harrison again resumed his queries on the interesting medical question as to whether a cystic tumor on the ovary would or would not produce symptoms of pregnancy. Professor Hubbard repeated his previous testimony that it would not.

Q. Now, Professor, do you remember a single instance of a cystic tumor of the ovary which you have treated? A. Yes, sir; I have treated one within three months; the patient is living.

Q. Have you discovered any of the symptoms of pregnancy? A. Not one, sir.

Q. Have you not read that cystic tumors in their early stages produce symptoms of pregnancy? A. Yes; but the statements do not accord with my personal observation.

Q. Sometimes physicians treat for ovarian tumors when the real trouble is dropsy? A. Yes, sir.

Q. You have made that mistake yourself? A. Yes, sir, but in that case the diagnosis was made by others, and all outward symptoms indicated a tumor.

Judge Harrison, in supporting the State's theory, next asked the witness whether he had read certain authorities, holding that cystic tumors, in their early stages, produce symptoms of pregnancy. He quoted from works on diseases of women by Dr. J. G. Thomas, London, page 632; Dr. Thomas S. Lee, London, 1877, page 140; J. Y. Simpson, Professor of Obstetrics in the University of Edinburgh, 1863, page 316; Dr. Spencer Wells, 1872, page 156; Dr. E. R. Peaslee, page 91, and Dr. Emmett, of Bridgeport.

Professor Hubbard—Now this is not quite fair, Mr. Harrison. These all refer to large tumors. This was a small one.

Judge Harrison closed his reference to the authorities by quoting from Professor Churchill's work, American edition of 1867, page 412; Dr. Baker Brown, 1856, page 178, and Ziemsen's Encyclopædia. After each quotation the witness interrupted with suggestions that the writers referred solely to tumors in their early stages.

Q. What effect would a tumor have beyond irritation? A. A cystic tumor which had caused no inflammation of the ovary certainly could not produce any symptoms that would be noticed.

Q. Did you examine this tumor through a microscope? A. No, sir.

Q. Do you mean to say that a cystic tumor three-quarters of an inch in size would not irritate the ovary? A. It would not produce symptoms of pregnancy, any way.

Judge Harrison stepped up to the witness, and, holding up a blue glass marble, three-quarters of an inch in diameter, inquired:—Wasn't the tumor as large as that? A. No, sir; I don't think it was; it was collapsed when I saw it.

Q. If Dr. White and Dr. Prudden told you it was originally as large you would believe it? A. I presume so.

Q. Then wouldn't it have produced irritation? A. I can't say but what it might.

Judge Harrison stepped back with a smile of satisfaction. The witness was exhaustively cross-examined for twenty minutes or more.

Mr. Watrous now took the witness on redirect examination. Professor Hubbard repeated his assertion that he could not believe that the ovarian tumor afflicting Mary Stannard could have given rise to any symptoms leading her to believe that she was to become a mother. No symptoms of any character would be apparent until the tumor attained the size of an orange and pressed upon adjacent organs.

Q. Do you know of any authority wherein it is laid down as a dogma or a deduction that such a tumor as this one ever produced any symptoms? A. I do not, sir.

SOME REMARKABLE ADMISSIONS.

Dr. William H. Carmalt, of New Haven, professor of ophthalmology in the medical department of Yale College, testified that he had examined the ovarian tumor; his description was substantially the same as that given by the previous witness, and as to size, he compared it to a walnut; these tumors are not, he said, of uncommon occurrence; they are found in females of all ages, even infancy, but he had never heard of tumors so small as this one producing any symptoms of pregnancy; it was doubtful, indeed, whether the person would be conscious of its existence; at the dissecting table he had found many of larger size, no symptoms of which had ever been reported by the patients.

The questioning then turned upon the theory that Mary Stannard may have been killed elsewhere than where her body was found. The position of the corpse and character of the throat wound being described, Dr. Carmalt was asked:—

Q. What proportion of the blood would be lost? A. About one-third, or, for a person of Mary Stannard's size, fifteen pints.

Q. How much would have saturated the ground as found? A. A pint, I think.

Q. If when the body was opened very little blood was found what would you say, thereon, as to whether the body had not been bled elsewhere? A. It would depend upon how much remained in the larger vessels; also upon several other causes; the loss of the small quantity found on the ground would scarcely cause death; I should say that more blood had come out of that body somewhere.

Mr. Waller cross-examined the witness.

Q. If the space saturated was a foot in diameter and two inches deep, with clots on the surface, how much blood would there have been lost? A. About two pints, I think, but it is rather a matter of calculation.

Q. Would you say the loss, then, was sufficient to cause death? A. In a general way I should say it was; however, if the trachea was cut some blood would flow into it, and suffocation would come in as another factor in the problem of death.

Q. Now supposing there was a wound on the head and sixty or seventy grains of arsenic in the stomach and this quantity of blood was found beside the body, would there be any doubt that she died there, judging from the blood? A. No, sir; but I would expect to find blood somewhere than immediately beside the body.

Q. If the arsenic had nearly stopped the circulation, and the woman was lying upon her back when her throat was cut and very nearly dead, would the blood not merely gurgle rather than spurt? A. Assuming that the circulation had nearly ceased, no matter from what cause, there would be a relatively small amount of blood lost; but there would, I think, be some scattering of blood, owing to the irritation of the severed trachea.

Q. But if the force was diminished by the checked circulation, it would go but a little distance? A. Yes, sir.

On cross-examination regarding the tumor, Dr. Carmalt said that Barnes, on "Diseases of Women," writes of tumors being perceptible when containing six ounces of fluid.

CONFERRING THE DOCTOR.

Mr. Waller, producing a piece of paper, tore it under the Doctor's directions into the shape of an ovary, and producing the glass marble before referred to, inquired whether a tumor of this size, about one-third the bulk of the ovary, would not produce some effect noticeable by the patient. Dr. Carmalt thought it would not, and said that many authorities so asserted; the Doctor next asserting that the tumor, to be perceptible, must be as large as an orange. Mr. Waller held up his piece of paper again, and, representing the orange by a small tumbler, inquired whether it was reasonable to suppose that a tumor several times larger than the organ to which it was attached, would not be felt unpleasantly or otherwise by the person afflicted. The Doctor said this was possible. In fact, in a recent post-mortem examination he had seen a large tumor on each ovary and the patient had never complained.

Q. Would you be surprised if an intelligent girl, afflicted with a tumor and having hardness of the bosom, and knowing reasons for being pregnant, should then suppose herself in that condition? A. She might suppose so.

Mr. Watrous, in redirect examination, asked—If Mary Stannard had only the very slight symptom described, and was at the same time afflicted with measles, do you think she could reasonably have supposed herself pregnant? A. I do not think she ordinarily would.

On further cross-examination by Mr. Waller on this point Dr. Carmalt, with a smile, remarked, "There is no limit to the imagination of a hysterical woman."

EXPERTS DISAGREE.

Dr. Francis Bacon, ex-professor of surgery in Yale, testified that his examination of the tumor did not convince him that it would produce either inflammation or irritation. He corroborated the statements of previous witnesses that these growths were very commonly unnoticed by the persons afflicted and that it was almost impossible that a tumor of this size should have produced any symptoms of pregnacy. Taking up the question of the loss of blood, he said that from such a wound several quarts of blood would flow and some would be splashed around in the vicinity; arsenic would have no effect on the flow unless the circulation was nearly checked by the poison; the flow of blood from a person dying from chloroform would be slight, but in arsenical poisoning the heart pulsates, and would tend to increase the flow until after exhaustion from the prolonged effects of the poison.

Q. If there were only a very small quantity of blood saturating the ground in a ten-inch circle adjacent to the corpse, would you suppose the killing was done there? A. If I found only that small amount I would look somewhere else for the rest; the loss of the small amount you describe would not produce death.

On cross-examination, Mr. Waller's first question was, "Do you agree or disagree with Dr. Carmalt that the tumor may have caused hardening of the bosom?" Objected to; but the Court ruled it proper, and Mr. Waller remarked that he wanted to see whether the defence's experts agreed. The witness finally replied, "I don't think I can answer that categorically." Mr. Waller, "That's enough for me. I won't press it." On further sharp cross-examination (Dr. Carleton, one of the State's experts, prompting the lawyer), Dr. Bacon admitted that it was possible for the tumor to have also disturbed the menses.

Q. Now we will take another subject. Supposing a young woman takes ninety grains of arsenic; it is followed by terrible pain; she screams; she then starts to run home; is struck in the head with a stone, is stopped and wrestled with; the arsenic affects her so that she falls to the earth and her throat is then cut—would not the circulation have been so checked that there would have been a less flow of blood than usual? A. There might be, under those circumstances.

Nothing of interest was developed on further examination by both State and defence.

SHREDS OF TESTIMONY.

Dr. Thomas P. Gibbons, of New Haven, characterized the tumor as "benign," or not painful, as compared with the "malignant" type. He estimated that the flow of blood, under the circumstances of the throat wound, would be six pints. The State secured no important admissions on the cross-examination. Dr. Gibbons, when asked whether, if the body had been carried a considerable distance, it would not have dripped blood all the way, replied that if it was bled elsewhere it would not.

L. M. Hubbard, Jr., counsel for the defence, was sworn and testified that he was counsel for Mr. Hayden at the preliminary trial. In that capacity he received the shirt and working trousers worn by the accused on the day of the murder and delivered them to Dr. Sanford, of Yale College, for examination for blood stains.

Dr. Sanford, who is brother of the Associate Judge in this trial, being called, testified that for seventeen years he has been professor of anatomy at Yale; that he received the Hayden clothing, examined it for blood stains by various tests and found no blood anywhere.

Dr. Treadwell, the State's expert, also examined this clothing and reached the same result; the blood found by him was on Hayden's pocket knife and on a working shirt which Hayden denies wearing on the day of the murder.

The Court adjourned to nine o'clock to-morrow.

THE WEST ORANGE MURDER.

John Meierhaeffer, an aged German residing on his farm at West Orange, N. J., was foully murdered in his house on October 19. His wife, and a young man named Frank Lammens, also a German, who had been living with the Meierhaeffers, were arrested on suspicion of being the murderers, and indicted. Yesterday they were taken to the court in Newark to plead. The woman, through counsel, pleaded not guilty. Lammens was without counsel, and was very much excited. He insisted upon being allowed to speak. "Let me speak! let me speak!" he shouted in court, addressing himself to Judge Depue. The Judge told him he must simply plead guilty or not guilty, but he went on shouting, "Let me speak! let me speak! I will make you wash your hands clean of my blood. Let me speak and I will tell you something new!" On learning that he had no counsel the Court assigned him Counsellor Bordorling, and a plea of not guilty was entered and the pair were remanded to jail for trial, which was set down for January 19.

THE MATE OF THE CASHMERE.

The examination of Mortimer M. Van Kleeck, chief mate of the American ship Cashmere, who was accused of having assaulted Albert Mekow, a sailor on board that vessel, was concluded yesterday, and the case was dismissed by United States Commissioner Allen, of Brooklyn. The Commissioner says, with regard to holding the mate for the assault upon Andrew Janssen, that the fact that the latter put his hand on his knife did not justify the defendant in firing a pistol over Janssen's head. It is left for the District Attorney, however, to determine whether any further proceedings ought to be taken in the matter. The charge of having assaulted with a belaying pin one John Jefferson, a seaman, since deceased, will be examined to-day. The accused is out on bail in the sum of $2,000 in each of the cases pending against him.

AMUSEMENTS.

ASSOCIATION HALL—THE UNIVERSITY SINGERS OF NEW ORLEANS.

A large audience assembled last evening in the Young Men's Christian Association Hall, on Twenty-third street, to witness the performances of the above named company. The object they have in view is to supply funds for a colored orphan home in Louisiana. During the intermission a clerical looking gentleman stated that they had been two years in raising $6,500 for the purpose, and that $2,000 more were necessary, somewhat of which the audience were requested to subscribe in the shape of purchases of photographs and bits of music from the respective performers. While these people deserve sympathy if their purpose is sincere, no Southerner would recognize them as "to the manner born." They sing sweetly and afford evidence of much practice. Their voices harmonize admirably, and in a measure they imitate the rude plantation melodies; but neither in dialect nor action do they represent the locality from which they are advertised to come.

STEINWAY HALL—SEVENTH REGIMENT ARMORY FUND CONCERT.

A concert was given last evening at Steinway Hall for the benefit of the Seventh Regiment Armory fund before an audience that was fair in size and excellent in quality. The programme was admirably selected, and as it was well interpreted by many of the principal members of Her Majesty's Opera Company, Mme. Chatterton-Bohrer and Mr. W. J. Lacy, the affair was a most enjoyable one and well worthy of the patronage it received.

MUSICAL AND DRAMATIC NOTES.

The Strategists will give a performance at the Broadway Opera House this evening for the benefit of the Provident Dispensary of Working Women.

The success of "Der Mann der Debutantin," at the Thalia Theatre, is such that the management have determined to keep it on the boards during the week.

Miss Amelia Herbert, who is playing Pompadour in "Narcisse" with Mr. Daniel E. Bandmann at the Brooklyn Park Theatre, is one of the best personators of the character who has yet been seen in this country.

Messrs. Aldrich & Parsloe and their entire company have volunteered a performance of "My Partner" to-morrow afternoon at the Park Theatre, Philadelphia, for the benefit of the Actors' Order of Friendship.

The Germania Theatre will be closed to-morrow, owing to the performance for the benefit of the German Hospital at the Academy of Music by Mr. Neuendorff's company, including Mme. Irschick in the "Fechter von Ravenna."

To-morrow (Thursday) evening a concert will be given at the Nyack Opera House in which a number of excellent artists will assist, among whom are the following:—Mrs. Florence Rice-Knox, contralto; Miss Florence Copleston, pianist; Mrs. G. D. Wilson, soprano; Mr. Franz Remmertz, basso, and Mr. Vincent Falvella, flute.

A SPECIAL ELECTION.

A special election in the Eighth ward, Brooklyn, to fill the vacancy in the Board of Aldermen occasioned by the death of Alderman McIntyre took place yesterday. The result was as follows:—James Weir, Jr., regular democrat, 1,073; David S. Arnott, republican, 886; Patrick McGowan, independent democrat, 760; Robert F. Mackellar, independent democrat, 122.

GARY ANSWERS HAMPTON.

How South Carolina Defeated Tilden in 1876.

TRICKERY AT ABBEVILLE.

Alleged Conspiracy Between Toombs, Hampton, Cothran, Hoyt and Others.

WHERE WILL IT END?

[BY TELEGRAPH TO THE HERALD.]

COLUMBIA, S. C., Dec. 16, 1879.

The interview between General Mart W. Gary and a HERALD reporter, and the sharp rejoinder of Senator Wade Hampton denouncing Gary's statements as false, published in the HERALD a few days ago, have occasioned great excitement in Columbia, and in fact all over South Carolina. For the past few days the matter has been discussed at the street corners, in the lobbies of the State House and the hotels. Both Hampton and Gary have hosts of warm friends and supporters throughout the State, and the people are very much excited over the controversy between them. Opinions are divided as to which one of the disputants has the advantage. To-day I had short, informal interviews with a number of prominent members of the Legislature, which disclosed the fact that the Gary stock is rising rapidly while the stock of Hampton is decidedly on the wane. A distinguished Charlestonian remarked with considerable warmth:—"Gary is as much entitled to credence as Hampton, and I want something more substantial than the latter's mere denial of the grave imputations. The onus of disproving Gary's charges rests there, and it will not do for him to retort by denouncing them as false." One of the leading lawyers of the State, who has always been an ardent supporter of Hampton, remarked that the whole thing is an ugly piece of business, and a few more such interviews would elect Gary Governor.

OPINIONS ADVERSE TO HAMPTON.

Another prominent politician expressed himself in very pointed terms, declaring that the effect of Hampton's bitter denunciations was to make Gary tenfold more popular than he ever was. I asked a leading colored republican of this city what the colored people thought of the controversy, and he replied that it was "no funeral" of theirs, but as far as he was concerned he would prefer to take Gary's word to that of Hampton. So uneasy have the opponents of Gary become that they are making efforts to get him out of the race for Governor. A proposition was actually made to-day to elect him Chief Justice if he would withdraw from the race. He declined the proposition in unique style, declaring that he would not take the position, for he had serious misgivings as to his ability to fill an office which required such profound legal knowledge. The people are on the *qui vive* to see Gary's reply to Hampton's charges.

GENERAL GARY REPEATS HIS CHARGES.

This afternoon, with a view of ascertaining what the gallant General was going to do about it, I called upon him at his hotel, and with some difficulty induced him to reply to my interrogatories, as follows:—

CORRESPONDENT—General, I suppose you have seen the interview with Senator Hampton published in the NEW YORK HERALD, in which he asserts that your statement relative to the infidelity of some of the leaders of South Carolina to Tilden in 1876, and in regard to the proposition made by Governor Hampton to you to withdraw the electors of the democratic party for President and Vice President at the mass meeting at Abbeville in 1876; also concerning the meeting that night at which Hampton, Toombs, McGowan, Cothran and others were present, is utterly and absolutely false?

General GARY—I have.

CORRESPONDENT—Have you anything to say in reply?

General GARY—Well, yes. In the first place allow me to say in that interview concerning Mr. Tilden I assert simply what every one knows, and what has long since been published all over the United States—viz., that Tilden was sacrificed for the benefit of the South, and the allusions to Senator Hampton were to show that the disposition to withdraw the electors of the democratic party for President and Vice President existed in South Carolina early in 1876, and culminated in the electoral fraud by and through which Hayes and Wheeler were unconstitutionally declared elected, the republican party secured the continuance of their party in power, and the South, to some extent, the recognition of the doctrine of local self-government. Whether it was a wise trade or not is a grave question which the future must decide. This State is redeemed now, and we are all discussing the question as to who shall be President, and when asked my honest opinion I have given a frank reply, in which I have stated that Tilden was sacrificed by some of the leaders and not by the people of the South, and that if he received the democratic nomination the masses of the South would again give him a hearty and cordial support.

HAMPTON DID ASK HIM TO "WITHDRAW."

CORRESPONDENT—What about the question of veracity between Hampton and yourself?

General GARY—It is evident that Senator Hampton is angry with me for alluding to what has been an open secret for three years, and (as he states himself), has been discussed in the papers of Georgia and this State. The distinguished Senator is again mistaken as to my being the author of the article alluded to by him. It is bitter prejudice and hatred to me, no doubt, that has and will continue to induce him to believe that I am the author or inspirer of every article that dares to criticise his public acts. He, like the rest of us, must, without complaint, receive a just criticism from the people, whose servants we are. Every one in South Carolina knows that he hates and has long hated me as the Devil does "holy water." He seems to nurse his wrath to keep it warm, and occasionally lets it off as he did at Greenville last year, when he called me "impertinent," and then had me "gagged" by the State Executive Committee. I decline to exchange epithets with him, but am willing to stand by the record. Now, to come down to the gist of the matter.

THE REPLY TO HAMPTON.

I reiterate that Hampton did approach me on the speaker's stand after I had finished my speech at the Abbeville mass meeting in 1876, as I have stated in my former interview, with the proposition to withdraw the democratic electors, and to this proposition I replied:—

First, that as South Carolina had sent delegates to and fairly participated in the National Convention which nominated Tilden, the withdrawal of the electors would be a piece of bad faith.

Second, I said it could not be done without calling another convention.

To this Senator Hampton responded that it might be done through the State Executive Committee. Without acquiescing, I answered Hampton that if he and the rest were resolved to do it I wouldn't make war upon the conclusion. It thus appears that I told Hampton then and there I regarded it as an act of bad faith to the national democratic party, and I here repeat that I have always regarded it in the light of a treacherous disaffection to Tilden before his election. In stating that if he (Hampton) "and the rest were resolved to do it I would not make war upon the conclusion," I meant that I would obey orders from the headquarters of the democratic party, my judgment then and now being that it would have proved fatal to the campaign, as it would, to have made an attempt to change front, not only in the presence of the enemy, but in the midst of the fight. It will be seen that the reported interview does not raise an issue of veracity upon the proposition that I have stated that he made to me, for he says that "I consulted with General Gary on this matter or any other during that canvass or before it or since has entirely escaped my recollection, if this ever occurred." Now let Senator Hampton's memory be as treacherous as it may, the above statement of what occurred between us at a mass meeting at Abbeville, in 1876, is the truth and nothing but the truth.

THE "HOT TIME" AT MRS. NORWOOD'S.

So far as the next point upon which we differ is concerned as we stand in my interview—viz., "I've since heard that a meeting was held at night, which I did not attend, but at which Hampton, Toombs, General McGowan and Colonel Cothran were present; there was a hot time; McGowan wouldn't agree no how and the project fell through"—I have only to say that I did not state it upon my own knowledge, but from a statement made to me by some of those who were present. I believe it is true, because made to me by responsible parties and corroborated by General McGowan since the appearance of Senator Hampton's interview in the NEW YORK HERALD in reply to mine published in the same paper. In an interview with General McGowan he has stated to me, in the presence of two gentlemen—first, that a meeting was held at the house of Mrs. Norwood, in the town of Abbeville, on the night of the day of the mass meeting at Abbeville, in the year 1876; second, that Hampton, Toombs, McGowan, Colonel Cothran and others were present; third, that at this meeting Colonel Hoyt, a member of the State Executive Committee, was also present, and that he (Colonel Hoyt) submitted to that meeting the proposition to withdraw the electors of the democratic party for President and Vice President from the canvass of the State, and that there was a hot time over its discussion and that he warmly opposed the proposition, which fell through, and that General Wade Hampton—now Senator Hampton—was chairman and presided over the meeting. I take it that this will be conclusive as to the facts that I stated in regard to that meeting being, as he asserts in his interview, "utterly and absolutely false."

JUNKETING WITH PRESIDENT HAYES.

As to the proposition submitted by Senator Hampton to me, and also to this meeting, of the withdrawal of the electors for President and Vice President from the canvass, is not the evidence conclusive of an attempt to act in bad faith to the democratic party? And may it not be fairly regarded in the light of a "traitorous disaffection" to Tilden before his election? I am willing to leave the decision of these issues of facts and the conclusions I have drawn from them to an unprejudiced and unbiassed public. Having been inadvertently led into the above statement of facts, I now reluctantly add that there is other evidence to show Hampton's disposition to ignore Tilden's chances for the election and his unwillingness to give up the electoral vote in South Carolina. First, that he advised some of the electors not to cast their vote for Tilden; second, his advocacy of Hayes' Southern policy and his travelling with Hayes in his Northern, Southern and Western tour, in which he played a conspicuous part in attempting to reconcile the South to the great Presidential fraud whereby the democratic party lost Tilden, who should have been declared the President of the United States.

NOT A PERSONAL QUARREL.

CORRESPONDENT—What are your personal relations to Senator Hampton and what will be the result of this trouble?

General GARY—I have already stated that I do not propose to bandy epithets with Senator Hampton; and as to his remarks as to my being "unwise, narrow and dangerous," I am willing to leave that to the soldiers who fought under us both during the war and to the people of South Carolina, who have known us all our lives; for we are both on record by our acts and speeches. I see nothing to come out of it except a newspaper discussion, by which no one but Mr. Tilden can be benefited. I have no disposition, under existing circumstances, to make it a personal issue. It is true he dislikes me, or rather hates me. Although I have served in the war under him as my commanding officer, and have done so since as my political leader, with all the energy, courage and ability that I possess, my so-called "opposition" has never been of a personal character, and was simply in the conscientious discharge of my public duty. Although I have on many occasions supported him, and given him the highest evidence of a desire to do him justice, I have always had his bitter and unrelenting opposition to carry, and I suppose he will continue to keep me down until he or I die.

At this juncture our conversation was interrupted by the entrance of a number of visitors, and the interviewer took his departure.

VIRGINIA'S NEW SENATOR.

VIRTUAL ELECTION OF GENERAL WILLIAM MAHONE, THE CHIEF OF THE NEW REPUDITION PARTY—HOW HE MAY VOTE—HIS PAST CAREER.

[BY TELEGRAPH TO THE HERALD.]

RICHMOND, Va., Dec. 16, 1879.

The election of General Mahone to the United States Senate for the long term, commencing on the 4th of March, 1881, was not accomplished without an unusually strong exhibition of feeling by the defeated wing of the late conservative party in the Senate. The nominating speeches, which were dignified and manly, led to an acrimonious debate, during which personalities were indulged in. The nominations in the House were brief and pointed, but they were followed by a comical and ridiculous set of speeches which kept the members and the crowd of spectators in an excellent state of humor during the whole morning. Dr. E. H. Smith, a republican member, at the conclusion of this scene in a few appropriate remarks placed in nomination General William C. Wickham as a representative of the national republican party. Mahone was elected by a majority of 19 on joint ballot over all and by 25 over Withers, getting all the republican votes except five, which were cast for Wickham.

UNPLEDGED AND UNCLASSIFIED.

During the debate in the House there were frequent demands by the conservative minority as to Mahone's relations to the national parties, which the readjusters evasively declined to answer. Mahone, it is understood, will occupy a position similar to that of David Davis, of Illinois. Though in size, in statue and in weight he is his very opposite, he will in politics be his counterpart. He is elected by a new mixed party called into existence by a single local issue, the difference among the conservatives as to the proper mode of effecting a permanent settlement of the debt question. This party, which has well nigh absorbed the entire voting strength of the republican party, is yet in its infancy, and has had neither the time nor the opportunity to declare its principles on either State or national issues.

TANGIBLE PROFITS.

A tangible result of the alliance of the republicans and the readjusters has been the enunciation of the broadest and most liberal views as to the civil and political rights of the colored race, and by a fair and equitable division of the offices which had to be filled with the republicans. Mahone, therefore, as a representative of the component parts of the new party cannot be called either a republican or a democrat. He can best be classed as an independent. This is the position he will occupy, at least until the adoption of a platform by the new "liberal" party. In advance of such a declaration of its principles he declines to express himself on either State or federal issues. He is elected without the embarrassment of a single pledge or obligation to any party, and especially to either of the two national parties, the representatives of both of which exhausted every expedient and resource to defeat him. As far as they are concerned he stands pre-eminently independent. As he does not take his seat until March, 1881, his friends say that it is quite unnecessary that he should expound his views at this early day.

THE PROCEEDINGS.

In the House the nominees were Robert E. Withers, General William Mahone and W. C. Wickham, the vote resulting—Mahone, 56; Withers, 40; Wickham, 2. In the Senate the only nominees were Withers and Mahone. At a quarter past three P. M. the vote was taken, resulting—Mahone, 23; Withers, 13; Wickham, 3; John W. Daniel, 1. The joint vote was as follows:—Number of votes cast, 138; necessary to a choice, 70, of which Mahone received 79, Withers 53, Wickham 5 and Daniel 1.

The two houses will meet in joint session to-morrow, at noon, when a formal ballot will be taken and General Mahone be declared the duly elected United States Senator.

The readjusters, in caucus to-night, commenced the nominations of county judges, beginning the list in alphabetical order. Ten judges were nominated. To-morrow, in accordance with the joint resolution adopted last week, the wholesale decapitation of the judiciary of the State will begin.

General Mahone, the United States Senator-elect, was serenaded to-night.

SKETCH OF MR. MAHONE.

Mr. William Mahone is fifty-one years old and was born in Southampton county, Virginia. After a little schooling and some experience behind the counter of his father's country store he was sent, at the age of seventeen, as a State cadet to the Virginia Military Institute, at Lexington. He was graduated when twenty years old, and became a teacher of mathematics at Port Royal, Va., but soon afterward engaged in civil engineering. He helped in the building of the Orange and Alexandria and the Norfolk and Petersburg railroads, and as a reward for his conquest of great natural obstacles in the construction of the latter was elected to the position of president of the company. During this period he married a daughter of Dr. Robert Butler, a former Treasurer of the Commonwealth and a leading democratic politician.

At the commencement of the rebellion Mahone was a lieutenant colonel of militia. He was given command of a battalion of State troops which had been raised at Norfolk for the defence of that city, and remained there until its surrender to the federal government. Being promoted to the command of the Sixth Virginia regiment, he led it in one of the actions of May 31, 1862, on the Chickahominy, and was dismounted by the wounding of his horse. He became a brigadier general, and the brigade which he commanded won fame second only to that of Stonewall Jackson's. He participated as its leader in the seven days' battle around Richmond, and was wounded in the second engagement of Manassas. He was thus disabled from following Lee in the first invasion of Maryland. Mahone's industry and attention to details were so great that he performed himself almost all the work which is regularly assigned to the staff of a brigadier general. After the battle of the Crater at Petersburg he was made a major general. At the surrender of Appomattox his division was one of the only two in the rebel army which was still intact and in condition for further conflict. He had taken part in nearly all the battles fought by Lee and always with great success in the share of duty which was deputed to him. After the war General Lee commended him as one who, if he himself had been removed by death, could have successfully carried on the struggle.

General Mahone, who had attended to his railroad responsibilities while fighting for the Confederacy, returned to civil life to devote himself entirely to the interests of the company of which he was the chief. He effected a consolidation which gave him the control of a continuous line from Norfolk, Va., to Bristol, Tenn., a distance of 404 miles, and organized a new company which assumed the ownership of it and retained him as its president at a salary of $25,000 a year. In 1874 the "hard times" forced the company into bankruptcy and a receiver took his place.

In 1869 General Mahone gained a great influence in Virginia politics by running Gilbert A. Walker as an independent republican candidate for Governor against Withers (conservative) and Wells (radical). Walker was elected. It was subsequently by the aid of Mahone that Kemper was nominated and elected to be Governor. In the late campaign in Virginia he overcame obstacles more formidable than any he had previously encountered and achieved a complete victory.

MINISTERIAL PHILIPPICS.

Second Day of the Appeal Before the Long Island Synod.

SCATHING ARRAIGNMENT OF DR. TALMAGE.

Arguments in Favor of a Reversal of the Presbytery's Acquittal.

The town of Jamaica seemed to have awakened yesterday morning to the realization of the fact that in its midst a large body of distinguished ministers were discussing and adjudicating upon the "common fame" of one of their brothers. The little Presbyterian church was well filled at an early hour and work was begun early. The peculiar features of the day were the stern denunciation of Mr. Talmage by the complainants and his arraignment in addresses compared with which the most violent of the trial before the Presbytery paled into insignificance. The HERALD was quoted by a number of speakers in support of their arguments. Dr. Talmage was not present during the day, but wherever he was his ears must have tingled with the bitter words that were spoken of him.

The Rev. Arthur Crosby in opening for the complainants took the platform and examined the evidence offered before the Brooklyn Presbytery. In the acquittal of Dr. Talmage the Presbytery had placed its official seal on a code of morality that was painfully and shamefully low. By its action it had indorsed both falsehood and deceit as personified in Mr. Talmage. The tendencies of the times were toward looseness, especially among young men, and it was the duty of the Church to reform those matters and uphold the cause of truth, honor and morality. The clergymen of the Church should be above reproach in everything. The verdict had been denounced as improper under the testimony by the New York papers.

Mr. Crosby then referred to the affidavit of General O. O. Howard, which he claimed had been introduced improperly under the rules of the book of discipline. Taking the testimony in detail he pointed out what he thought to be the gross inconsistencies of Dr. Talmage's statements. In these ways had "religion and morality been brought into contempt."

It was for the synod to decide whether it was proper for a Christian Minister to "beat the devil around the stump" and practise falsehood and deceit simply to pay off the church debt. The reverend speaker then took up the connection of Mr. Talmage with the *Christian at Work* and made a scathing arrument in favor of sustaining the charges of fraud and deceit in that connection. Five false statements made by Dr. Talmage had been conclusively proved. He had deceived a number of men and had been guilty of dishonest and deceitful practices. The synod then took a recess for dinner, reassembling at two P. M.

ALLEGED DECEPTIONS.

After the recess Mr. Crosby resumed his argument. His summing up and presentation of the proofs of the truth of the charges against Dr. Talmage in their new light was a powerful effort. He said:—"And now let me briefly summarize the main points established by the evidence. Under specification one we claim, first, that Mr. Dickinson, Mr. Remington and the other gentlemen connected with the *Christian at Work*, as well as all the subscribers and intending subscribers to whom it was sent were deceived by the circular issued in the fall of 1878 announcing Dr. Talmage's continuance as editor, and that it was Dr. Talmage, and he alone, who accomplished this deception. 2. That Mr. Bright, the managing editor of the paper, was deceived, when he left the office on the 9th of October, with the assurance of Dr. Talmage that the paper was all right, and that as Dr. Talmage had already written the valedictory, which was to be afterward secretly inserted, he consciously and intentionally deceived Mr. Bright. 3. That all the officers of the *Christian at Work* were deceived by the secret insertion of that valedictory and by the instructions to the pressman to have the presses run all night, in order that the edition of the paper might be sent off earlier than usual on Tuesday, before the others should discover what it contained. And here, again, Mr. Talmage was a conscious and intentional deceiver. 4. That Mr. Hallock was deceived into buying the paper under the impression, as Dr. Talmage himself said in his pulpit notice of the following Sunday, that he would go with it as editor; and certainly no one gave him that impression but Dr. Talmage himself.

"Under specification two we claim:—1. That his whole congregation of Sunday, the 15th of October, were deceived by the explanation he gave from the pulpit of his reasons for leaving the *Christian at Work*. 2. That the public generally were deceived by the publication of that explanation in all the leading newspapers, and especially by its publication, under Dr. Talmage's own editorial sanction, in the Chicago *Advance*.

"Under specification 3 we claim:—1. That the people who heard Dr. Talmage give the notice that the seats in the Tabernacle were assigned without reference to the dollar question were deceived by it and many of them were induced to join the congregation and select pews, and when they found that they had been deceived 'hundreds of them' (according to Mr. Hathaway's testimony) said that Dr. Talmage told falsehoods when he announced that.'

"FALSE ACCUSATIONS."

"Under specification 4 we claim:—1. That Dr. Van Dyke was deceived by Dr. Talmage's false accusations of Mr. Hathaway, so that he watched him carefully and made especial inquiries concerning him at Princeton, being doubtful and anxious lest he should have recommended a dishonest man to that institution. 2. That Mr. Hathaway was deceived into the belief that Dr. Van Dyke has slandered him and that Dr. Talmage had not spoken against his character.

"Under specification 5 we claim, not that there was any actual deception, but that there was, on Dr. Talmage's part, an attempt to deceive and to induce others to join him in the proposed deception—an attempt which only failed through the greater honesty of his nephew and Mr. Hobbs. Had his plan succeeded he would have desired—1 The three others' whom he mentions in his first telegram as being ready to do the same if John F. Talmage and Mr. Hobbs would each subscribe $5,000. He would have deceived them into making large subscriptions toward the debt of the church under a false impression of the facts. 2. He would have deceived the whole congregation, who, as he said to the Presbytery's committee of investigation, were to be inspired by those false subscriptions.

"Now, surely no amount of acute ingenuity, no sophistical argument, no amount of chop logic can explain away these facts. There they are and there they will stand, and, whatever your decision may be, you cannot vote them out of the minds of men, and in the face of these facts you cannot vote to sustain the verdict of the Presbytery of Brooklyn without indorsing and sanctioning a moral philosophy which an intelligent pagan would scorn to adopt.

DR. SHERWOOD'S ADDRESS.

Mr. Crosby sat down amid the greatest silence, having talked for two hours and fifteen minutes. The Rev. Dr. J. M. Sherwood followed in a most earnest, and at times impressive address, which occupied one hour and five minutes. Whatever the Presbyterian Church might do, he said, the world at large would never condone Dr. Talmage's "disgraceful conduct." The question in this case was one of morality, and a great interest was at stake. Dr. Talmage's practices were productive of injury to the entire church. There were no reasonable doubts as to the proving of the facts, for he himself had admitted them. In doing this he had acted shamefully. Speaking of the result of the trial before the Presbytery, which resulted in the acquittal of Dr. Talmage by a vote of 25 to 20, the speaker said:—"The instant the vote was declared he sprang to his feet and strode in front of the Court, and pulling a manuscript from his pocket delivered himself of a written speech so extraordinary in conception and language, so vindictive and insolent in tone, that I will not trust myself to characterize it, save to say that there was in it not the faintest trace of the Christian minister, the meek man of God or the gentleman.

NO PERSECUTION.

Dr. Van Dyke arose next and briskly made his way to the platform. He said it was the theory of the defence to show entire innocence on one side and malignant persecution on the other. This theory was conceived before the trial and carried out ever since. He should demonstrate that it was not true, notwithstanding the fact that Dr. Talmage was constantly putting the idea forward. The speaker then read from the HERALD an interview with Dr. Talmage, in which the Doctor was asked "who were the malcontents." He answered, "Drs. Cuyler and Van Dyke." "After that," continued Dr. Van Dyke, "Dr. Cuyler had nothing to do with the trial. He retired from the case, but Dr. Van Dyke remained." He then read an extract from a morning paper, which he designated as an rrrow forged and tipped with venom against him by a member of the Synod who was not present.

"He is not present; so I will not mention his name; but I can name him and will if any member desires it."

Dr. Van Dyke then commenced reading the communication from the trustees of the T