

Mary Stannard's Murder

OR,

THE MADISON HORROR.



THE ONLY FULL AND AUTHENTIC ACCOUNT

OF THE

ARREST AND TRIAL

OF THE

REV. HERBERT H. HAYDEN.

—••—
A TERRIBLE HISTORY.
—••—

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1879.

72 1/2

THE SAD AND HORRIBLE DETAILS.

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Her Father Finds her Body; her Throat Cut and her Hands Crossed.

The Thrilling Story of the Inquest.

Rev. H. H. Hayden's Arrest and Painful Separation from his Family.

The Trial before Justice Wilcox in Madison.

Sensations in the Court Room.

The Experts find Human Blood on Rev. Mr. Hayden's Knife.

Susan Hawley and Mrs. Studley tell how Mary Stannard Accused the Preacher.

The Remarkable and Abrupt Close of the Hearing.

Rev. Hayden Rearrested and Imprisoned in the New Haven County Jail.

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The Finding of Arsenic in her Stomach.

The Indignation of the People of the Surrounding Country.

How the Methodist Clergymen Sustained Rev. Hayden.

The Minister in Jail.

Other Particulars of Exciting and Engrossing Interest.

MARY STANNARD'S MURDER.

In the history of crime, rarely in these latter days has anything occurred in this, or any other state, that has so excited the attention of the whole country, and caused such a shock to the moral sense of the community, as what is known in almost every household in Connecticut as the Madison murder. The experienced novelist might stretch his vivid imagination to the utmost, and not devise a plot into which should enter so much to stir the sympathetic heart profoundly. Poor Mary Stannard! While her innocent but fatherless boy, little Willie, still lived, with the undeserved shadow of shame above him, to cloud his young life, it seemed hardly credible that there could exist one so pitiless and inhuman as to bring him new misfortune. When Mary Stannard's lifeless and cold form was found in the path, no wonder that the spectator was aghast with horror! That spectator was no other than her own father. Was there ever a scene more pitiful or more dramatic? Tenderly her body was borne back to the home she had left with the flush of health on her face, a few hours before, and the wail of her doubly bereaved boy echoed through the home of death. Such a wail might appall the stoutest and hardest heart. It was at once a wail and an appeal to that terrible God who saith "Vengeance is mine; I will repay."

So far as is now known, Mary E. Stannard was last seen alive a little after one o'clock on the afternoon of Tuesday, September 3, 1878, and by her father, Charles Sylvester Stannard. About six o'clock of the same day, Mr. Stannard found her lying dead, with her throat cut—the jugular vein being entirely divided. Mary left her father's house, which was in Rockland or North Madison, in the town of Madison, the next station beyond Guilford, on the Shore Line railroad, taking with her a tin pail, and saying that she was going to the "Big Rock," about a quarter of a mile distant, after berries. When her father, becoming alarmed at her absence, made search for her and found her body, she lay on her back, a little on her right side, her hands crossed over her stomach, and her head thrown back, undoubtedly the same position into which it was forced, that her throat might be

reached by her murderer. The tin pail she brought with her was lying three or four feet away, turned upside down, and when afterwards examined, no berries nor berry stains could be found inside of it. When Mr. Stannard first saw his daughter, he cried, "Mary !" as he ran towards her. He got no answer ; and hurrying to her side, touched her hands and face and found they were cold. He then started for help. The first house he came to was that of Francis P. Mills. From there the terrible news soon spread, so that in a short time there stood around the body of the unfortunate girl her father, Mr. Mills and his two sons, Frederick and Burton, N. R. Burr, Luzerne Stevens, Sylvester Hawley, and other neighbors, to the number of about a dozen. Among them was the Rev. Herbert H. Hayden, the Methodist minister of the place, and Mary's pastor. A search was at once instituted for the weapon with which the murder was committed, but none was found, and as the daylight was fading and some rain was falling, the search was adjourned till the next morning. The body was taken to the late residence of the deceased, and Justice Henry E. Stone notified. He summoned a jury of inquest, and there was also a post mortem examination made by Dr. Rufus W. Matthewson, of Durham, at about three o'clock Wednesday morning. He found, besides the throat wound, a wound on the right side of the head, jagged and star-shaped, and apparently made by a blunt instrument.

All day Wednesday the interest in the terrible tragedy was on the increase. Thursday it was the same, and the suspicion seemed to point only in one direction. In whispers neighbor told neighbor of the awful rumors in circulation, until but one man's name was in everybody's mouth, coupled with the murder. It was plain that matters were approaching a crisis. It came when Grand Juror Charles S. Stannard (not related to the afflicted family), in pursuance of what he believed to be his duty, came down from North Madison, and at two o'clock Friday morning, aroused Justice H. B. Wilcox from his slumbers with a request that he should sign at once a warrant for the Rev. Mr. Hayden's arrest. Mr. Wilcox was shocked at the trouble that was menacing his beloved pastor, and he told the Grand Juror that he had sat under Mr. Hayden's preaching the Sunday before, and heard him preach a very good sermon ; it did not seem possible the minister could be guilty, and he would rather sign his own death warrant than that arrest warrant against Mr. Hayden. At sunrise the Friday morning after the Tuesday afternoon upon which the murder occurred, Deputy Sheriff Hull went to North Madison and arrested Mr. Hayden, taking him at once down to Madison

The parting of the minister from his wife was very painful. She had but recently given birth to a child, her third, of which all are living, and she was very weak. But few knew of his arrest, and scarcely thirty persons were present at the Town Clerk's office, where the hearing occurred. Mr. Hayden was perfectly at ease, showing no excitement whatever, and plead not guilty to the charge on which he was arraigned. The examination was continued until the following Monday, Mr. Hayden being meanwhile placed in the custody of William Miner, the well-known ship builder, of Madison. The next day, Saturday, the newspaper reporters flocked to Madison to interview Mr. Hayden, but while perfectly willing to talk upon any other subject, he persistently refused to discuss the murder, and has continued of the same mind since, except when on the witness stand. To show the general feeling with reference to the accused, it will do to quote from the *Hartford Courant* of Saturday, September 7. It said:

"Of his guilt, as the case appears now, there can be very little doubt; and it looks as if he was led through fright to commit the murder, and yet did it in so bungling a manner as to make it almost impossible for him to escape suspicion and arrest."

What the circumstances were that led so many people to believe in his guilt will be given later in this account.

Monday morning, September 10, the hearing began at Madison, in the Town Hall, located in the basement of the Congregational church, before Justice Wilcox. For the State appeared Judge H. Lynde Harrison, of the Court of Common Pleas, and James I. Hayes, of New Haven. The Hon. James P. Platt, son and law-partner of the State's Attorney, was also present, intently watching the proceedings, that he might keep the State's Attorney fully posted in all the details of the hearing in this famous case. For the defense appeared L. M. Hubbard, postmaster at Wallingford, but whose law office is in New Haven, and Samuel F. Jones, the noted Hartford criminal lawyer. It is reported that the latter gentleman was engaged by leading Methodists of Hartford to defend Mr. Hayden, solely because of the assertion in the *Courant* that Mr. Hayden must be the guilty one. Messrs. Harrison and Jones were well matched so far as ability was concerned, both holding high rank as lawyers; but Mr. Jones came into the case with a criminal experience unequalled in the State, and entered into the defense with an earnestness and zeal that had hardly ever failed to prove successful in the past. The court room was a low-ceilinged, stifling, dirty room, almost a cellar, and so dark that kerosene lamps had to be kept burning all day to furnish light. There was no chance for fresh air to circulate. For nine days, in this close room, was the hear-

ing in progress, and each day's proceedings were given in detail by the leading newspapers throughout the country, the New York press being represented by reporters sent up, who remained throughout the trial. Interest never flagged, and each and every detail of the terrible affair was eagerly sought for with the greatest anxiety. The leading illustrated papers gave pictures of Miss Stannard and Mr. Hayden, and the scene of the murder; and in many other ways was shown the great interest that had been excited. While the hearing was in progress, the accused minister was in charge of a town officer, in whose house he slept each night.

WHAT LED TO MR. HAYDEN'S ARREST.

Probably the best way to give the reader a correct idea of what the trial brought forth, will be to give the important parts of the testimony of each witness. But first it will do to publish the facts and rumors that led to Mr. Hayden's arrest. Mary Stannard had the reputation of being a very simple, easy-minded girl. She was easily influenced, and a designing person could find in her an obedient tool after a proper ascendancy over her weak mind was obtained. This was known to every one in the neighborhood where she lived, so that when, a year or more before her death, she gave birth to an illegitimate boy, the father being a young married man now residing at Wallingford, there was more of pity shown for her than usually falls to the lot of unfortunate girls. Indeed, in her case, no one accused her of having a particle of viciousness in her composition, and her unfortunate plight was the subject of general commiseration, and every effort was made to encourage her and raise her up, as well as to strengthen her and prevent future disgrace. She was cared for in her humble home during confinement, and, it is said, her young friends sought by every means in their power to show that, in their estimation, she had been more sinned against than sinning. The infant thrived, and in time the bitter sting of the disgrace passed away from the young mother's mind, though the memory was ever there, as was shown at times in the future. She knew that she must not fold her hands and idle away her time, however, but must labor for the support of herself and her fatherless one. She sought service among the neighbors, and was ready at any time to do any labor, no matter how menial, that would result in her being able to contribute to the family fund, that herself and child should not become a burthen.

Thus it was that she became an inmate of the Rev. Mr. Hayden's house. Mrs. Hayden was not a very strong woman. At times she sought help in her household labors. Mary

Stannard was quick and willing. She was often sent for to do washing and aid Mrs. Hayden in other ways. During Mrs. Hayden's confinement Mary was also in constant demand. Finally she was hired to work during the winter of '77, coming in December and remaining till March. Mr. Hayden, the neighbors thought, was too much interested in Mary. There were scandalous stories of meetings in lots and other unfrequented places, evenings. The stories, no doubt, grew as they were repeated. Very few in North Madison but heard them. There was one story that flourished for a time, about the minister going to an oyster supper with his wife, one evening, Mary remaining home. During the evening, Mr. Hayden, according to these stories, excused himself from the supper, and returned to his own house. During his absence it is alleged that he was guilty of improper intimacy with Mary Stannard. August 18, 1878, Mary went to live with Mrs. Jane Studley, of Guilford, and eleven days afterwards, she, having acted in a desponding manner, and so attracted the attention of Mrs. Studley, confessed, in reply to questions by that lady, that she had been criminally intimate with the Rev. Mr. Hayden, beginning one night in March, 1878, and she believed herself to be five months advanced in pregnancy, and that he was the father of her unborn child. Mrs. Studley, being a woman of considerable experience, examined Mary, and found two well-recognized signs of pregnancy, and became convinced that Mary was in that condition. Mrs. Studley then advised the girl to go home, see Mr. Hayden, and ask for assistance in some form. Mary accepted the advice, but first wrote a letter to her half-sister, Susan Hawley, at Rockland, containing another, enclosed for Mr. Hayden. She told Mrs. Studley, before sending the letter, that in it she asked Mr. Hayden to come to Guilford and take her to New Haven for an operation, and then to return her to Mrs. Studley for any sickness that might follow. Susan Hawley got the letter the following Sunday afternoon; but in the meantime Mary had been sent home by Mrs. Studley, for reasons given below, and she secured the letter before Susan had delivered it to Mr. Hayden, and burned it, saying to Susan that she could see Mr. Hayden in person, now that she was home, and tell him all she had written. The letter was mailed Friday night, August 30, and after that Mrs. Studley told her son of its contents and all that Mary had told her, including the proposition to come back to Mrs. Studley and recover from the contemplated operation. Mr. Studley said no such thing must occur at his house, and bade his mother have Mary ready to go to her own home at Rockland, Sunday morning. He drove her over himself.

In addition to these facts which, through Mary, had come to the knowledge of the Studleys, she told her half-sister the whole story of her trouble, repeating that Mr. Hayden was the father of the child which, she then thought, would be born in a few months. Before the coroner's jury Susan Hawley repeated what Mary had said, and to a committee the jury sent to see the Studleys, they told the same story, Mrs. Studley not knowing that Mary was dead at the time. The final result of the statements of these three witnesses, added to the many rumors in circulation, was that Mr. Hayden was arrested for the murder. Following is given the substance of the testimony of the principal witnesses for the prosecution and defense. Many of the witnesses were recalled several times, and to make a more connected account, the story of each witness is given without break:

MARY'S FATHER'S TESTIMONY.

Charles Sylvester Stannard was the first witness summoned at the hearing, which began Monday, September 9, six days after the murder, and which was not finished until the 26th of the same month, though the court only sat nine days. There were many delays, caused by the prosecution following up new evidence and securing witnesses. While the lawyers are getting ready, and the six Madison Justices of the Peace are taking seats on the little platform in the low hall, beside trying Justice Wilcox, all eyes are turned upon the minister. The *New Haven Union* said:

"A fair view was now obtained of the accused, the Rev. Mr. Hayden, as he sat near the platform or arose to welcome numerous out of town friends who pushed through the crowd to greet him. He is of short stature, with pointed chin-whisker, rough, red face, betokening exposure to the weather, and a good head of dark hair, inclined to curl, and combed down low on his forehead, giving him the appearance of being very low-browed. He was dressed in black and carried a small bouquet in his hand, which he often applied to his nose. He did not seem nervous nor cast down, but moved about easily, greeting his friends with a pleasant smile. His age is 28, and he looks far more the farmer than the minister, the only sign of the latter profession being the white tie he wore. His coat or vest did not button up to the neck, but left a fair expanse of clean linen visible. Altogether he had a sort of boyish, unministerial appearance, was not at all ill-looking, and looked very little like a murderer. This, from glimpses of him before the work of the examination began, and while he flitted from friend to friend in the rather feeble light of the lamps."

Finally, all being ready, and the court quiet, Mr. Stannard took the stand. He was a small, hairy looking man, his whiskers and hair long and uncared for. He was about 40 years of age, of low size, rather deaf and dull of comprehension. He testified that after his daughter had gone berrying, as al-

ready stated, he went to a meadow near by and stayed there raking hay for some time. He came back to the house between four and five o'clock. Noticing that Mary had not returned he began to get concerned about her, and started out in the direction in which she had gone, calling out her name at intervals. He did not find her, and at half past five or six o'clock he started out again, fearing she had got lost. Finally he found her as already described, lying dead. After alarming the neighbors, help was secured and the body removed to the house of witness. The body lay on a board in the yard of the house until three o'clock the next morning, when the jury met. After the inquest the body was carried into the front room.

"Did you ever see that before?" Mr. Hayes asked, holding up a checked sun bonnet clotted with blood.

The witness looked at it in a stolid manner, and answered that it was his daughter's, and he saw it when it was found under her as she lay dead. Further on witness said Mary had not told him of her supposed pregnant condition, nor did he know or imagine anything of the kind.

Cross-examined by Mr. Jones—Witness said when the deceased came home from where she had been living at Guilford, the Sunday before the murder, he asked what the matter was, but had no unpleasant words with her about her coming home. He never said he would not have her in the house if she came back in the same condition as when she had the child before. In his family, the Sunday Mary came back home, were Susan Hawley, his stepdaughter, Mary Stannard, the deceased, and her little boy, and Benjamin Stevens. Witness said that Mr. Stevens was a single man who lived near by, and he had slept at Mr. Stannard's house off and on, often remaining there a week at a time. He employed Mr. Stannard to help him in farm work, and the two used to get up together in the morning and start out for the day's work. The forenoon of the murder, Mr. Stevens came to the house while witness was at work in the field, and remained for dinner. He left shortly after Mary, and witness did not see him again until the next day.

DESCRIBING THE POST MORTEM.

Dr. Rufus W. Matthewson of Durham, the nearest town to Rockland, was the next witness. He testified that at 3 a. m., Wednesday, the morning after the murder, he conducted the post mortem examination "by lamp and lantern light." He first described the jagged head bruise, and gave it as his opinion that it was made before death, and would have been sufficient to have stunned her—to have knocked her down if she

had been standing up. The throat wound was more of a stab than a cut. It cut the internal jugular vein, and almost severed the carotid artery. The larynx was partially divided and gaped open. In such cases death is almost instantaneous. The instrument used must have been a pointed one, and the wound made was about an inch deep and two inches long. Witness judged that when this wound was made she lay on her right side, for the blood on her clothes was all on that side ; afterwards, it would appear, she was rolled over on her back and her hands crossed. Understanding that she was reported pregnant, the witness examined the womb and found it perfectly natural and no signs of pregnancy. He had no doubt but that the deceased was murdered, and had not committed suicide as at first reported.

At this stage Judge Harrison, for the State, asked for an adjournment that the body of the girl might be disinterred, a careful examination of the wound be made, and the proper organs examined to find traces of poison which it was reported had been administered.

Mr. Jones opposed a postponement. It was not fair. His client could not afford to pay for delays caused by the State. If another post mortem was needed, let it begin that night, but not delay the trial.

Mr. Harrison replied that it would be better for the accused that the present examination be thorough and exhaustive. "Common criminals can seek loop-holes of the law to crawl out of, but the Rev. Mr. Hayden cannot afford to do it in his position. Let that girl's body be dug up and the stomach be examined. I am informed that Mr. Hayden purchased poison in a drug store that day in Middletown. Is that poison in the dead girl's stomach?" Counsel concluded that he could, with time, get witnesses from Middletown, who saw Mr. Hayden and the girl in Middletown together.

Mr. Jones wanted no hints made darkly, but stated broadly. He admitted that his client did purchase rat poison in Middletown the day of the murder. He submitted that the trial ought to go on, for it was a wrong to him to keep him in unnecessary suspense.

Mr. Harrison replied, and threatened that if the court did not give the State an adjournment, the State would have to throw up the case for the present, and the result would be that a new warrant would be issued for Mr. Hayden and the whole ground gone over again.

Justice Wilcox ruled that the case should go on. He saw no cause for an adjournment at this stage.

SUSAN HAWLEY'S TESTIMONY.

Susan F. Hawley, half sister to the murdered girl was the next witness, and the one the State's lawyers most depended on. She was not a very bright girl, and it was easy to see she was fully convinced Mr. Hayden killed her sister ; nor did she seem to care who knew it. In addition to what Mary had told her, which was exactly the same as that told the Studleys of Guilford, she had told her that she had seen Hayden the day after she came home, and told him of her supposed condition, and that he had promised to get her some medicine that week ; that after Hayden came back from Middletown, the morning of the murder, he signed her (Mary) to meet him by a spring near by ; that she went and he told her to keep up good courage, for he had been to Middletown, seen a doctor, got some " quick medicine," and if she would meet him in an hour by the " Big Rock " he would help her ; and finally, before she left with the pail in her hand that Tuesday afternoon, she told Susan she was going to meet Hayden for the purpose of keeping her appointment with him. All this Susan Hawley was ready to swear to, and it can be seen she was a very important witness. But there was one thing that might close her mouth on the witness stand. She could not tell what Mary had told her. That was hearsay evidence, and the defense made a point that such evidence was not admissible. As will appear later, Justice Wilcox so ruled.

Miss Hawley began her testimony by telling of the intimacy that existed between Mr. Hayden and Mary, and of his taking her to Middletown in his team one time, that she might purchase calico and other articles. Witness then told of Mr. Hayden's calling at the Stannard house the forenoon of the murder on his way home from Middletown, whither he had driven *via* Durham, to make various purchases. The minister asked for a drink of water. There was something said by Mr. Stannard about the water being too warm and not fit to drink, but Mr. Hayden answered that it was good enough. Then he got into his buggy and drove towards his home, which led him past the spring. In the same direction Mary started with a pail, at the same time, to get water for cooking purposes, she said, before leaving the house. The witness said Hayden had beckoned to Mary to go to the spring when he was at the house, but witness did not see the beckoning—Mary had told her of it.

Now began the contest, which lasted through the whole trial, as to the admissibility of this hearsay evidence. Its admission would undoubtedly result in Mr. Hayden being bound

over and that his counsel took the same view, would seem to be shown by the fight they made against its being heard. Mr. Harrison claimed the evidence was admissible according to law. This Mr. Jones denied, and both gentlemen read from the authorities to support their respective claims. The difference between the counsel seemed to turn upon whether the declarations of the dead girl were too far removed from the crime to be admissible as evidence. Mr. Harrison said :

A GRAVE ARRAIGNMENT.

“We are prepared to show, if this testimony is admitted, that three or four days before the murder she wrote the prisoner a letter concerning her condition ; that she had asked him for help, and that it had been the advice of friends to go to him. We can show that her last words on earth, except to her murderer, were that she had an engagement at this spring to meet Mr. Hayden, and she is seen going forward. We can show that she and he were both absent from the sight of any one for an hour or two, at the same time on the same day, and that during that time the murder was committed. Are not, then, these declarations of hers, that we ask to have admitted, closely connected with her murder ? I think, and your Honor must admit, they are.”

Mr. Jones denied that the dead girl's statements, made several hours before, that she was going to meet this man, were admissible. These declarations were too remote from the murder to be admitted into this trial as evidence.

Justice Wilcox thought the testimony should not be admitted, and he accordingly ruled it out.

The defendant's lawyer now began at the witness, and elicited that until the death of her sister, witness was on good terms with Mr. Hayden ; that Hayden's children frequently visited the Stannards, and the forenoon of the murder, when Mr. Hayden stopped there, the children were there and he took them into his buggy ; that witness did not see Hayden beckon to Mary, nor did he speak to her before she took up her pail and started for the spring ; that all witness knew of the oyster supper was what she heard from others—she was not there.

Mr. Harrison took hold of the witness again, and she swore that it was Mary herself who told her that Hayden beckoned her to go down to the spring, she (Mary) sitting in the front room so that she could see him as he sat out in his carriage. Later in the trial witness was recalled, and she said that the Monday morning after Mary got home from Guilford, and the day before the murder, she went down to call on Mr. Hayden. He

was away, and she went in the same direction twice more during the day, once for butter to a neighbor's, and once to Mr. Hayden's to borrow a rake for her father. Mary took some laudanum Monday afternoon—not quite a teaspoonful—to quiet her nerves, she told witness. It was the Sunday forenoon Mary came home, that witness first learned that the deceased thought she was in trouble. Five minutes before Mary left to go berrying, she took a towel, which was after death found in her pocket, folded it up and took it with her, all in witness's presence.

The letter which Mary sent to witness from Guilford, with one enclosed for Mr. Hayden was next taken up. Mr. Harrison stated, by way of explanation, that the letter, though mailed Friday night, had been in some way delayed, and Mary had reached home before it. This being the case, she had destroyed the letter for Mr. Hayden, as already told by the witness, while she had kept the letter which Mary had sent to her. The latter part of this charged Susan Hawley to deliver the enclosure to Mr. Hayden and to not let her father see it. Mr. Harrison wanted to show, if this letter was admitted in evidence, that Mary was intimate with the minister, to the extent of writing him a letter. This was an act, a something done; and counsel thought His Honor could, and ought to, admit it as evidence. Mr. Harrison quoted at length from the trial of the Rev. E. K. Avery of Bristol, R. I., in 1831, before the Rhode Island Supreme Court, to show that letters, even more remotely connected with the case than this one from Mary Stannard to her sister, were admitted, and eminent counsel for the defense did not object.

THE AVERY HORROR.

The history of the celebrated Avery case is as follows: On a chilly morning in December, 1832, a farmer of Tiverton, R. I., found the body of a young woman suspended by the neck from a stake which projected from a haystack. In a pocket in her dress was the following letter:

If I am missing inquire of the Rev. Mr. Avery, Bristol. He will know where I am gone.

S. M. CORNELL.

The Rev. Ephraim K. Avery was a Methodist minister, who lived in Bristol, R. I., and preached in Fall River. He was about thirty-five years of age, had a wife and children, was a popular and effective preacher, and of excellent reputation. A coroner's jury, hastily assembled, pronounced that Miss Cornell had committed suicide, and that a married man (meaning Avery) had, by his wicked conduct, driven her to the act.

The people of the vicinity were not satisfied with this verdict, and the authorities instituted a rigorous investigation. That investigation showed that Avery had been intimate with the murdered girl, that she had been seduced, that he had been seen going, one bitterly inclement night, toward the lonely place where the body was found, and that he could give no satisfactory account of his whereabouts at the time the crime was supposed to have been committed. Avery fled, but was captured in a friend's house in Massachusetts, the father of the late Senator Sumner being a party to the arrest. The trial excited absorbing interest throughout the whole country. Jeremiah Mason conducted the defense, and the jury acquitted the prisoner. Avery went to Ohio, where he became a farmer, and where he died a few years ago. The mystery of Sarah Cornell's death was never solved.]

Mr. Jones argued, in reply to Mr. Harrison, that the letter didn't amount to anything unless it was brought home to the man. It was the receiving of the letter by Mr. Hayden that would make such letter admissible.

Justice Wilcox thought the letter was not admissible, but would take the advice of eminent counsel during adjournment, and deliver his ruling the next day. To aid the Justice, Mr. Harrison asked him to submit the case thus to those from whom he might seek advice :

"The State having proved the fact that Mary came from Guilford to North Madison on Sunday, in a condition which led her to suppose she might be in trouble ; and having proved the fact that she went to Mr. Hayden's house on Monday morning before 8 o'clock ; and having proved the fact that Mary had an interview with Mr. Hayden on Monday afternoon ; and having proved the fact that she did have an interview with him Tuesday morning near the spring—the State offers to show that on Friday Mary wrote upon a sealed envelope the Rev. Mr. Hayden's name and address, and enclosed it in an envelope addressed to her sister at Rockland, with instructions enclosed to her sister to deliver the enclosed envelope, with her own hands, to Mr. Hayden without her father's knowledge. Also, that Mary arrived home on the Sunday before the letter was received by her sister ; that some time after her sister had opened the letter, Mary took the envelope addressed to Mr. Hayden, destroyed it, and said she would see Mr. Hayden the next day herself. The above, the counsel claimed, he had a right to introduce as tending to show an intimacy between them, and a motive for the crime."

Mr. Harrison, having begun with the letter, continued his statement of all the ruled out hearsay evidence in the case, and asked that Justice Wilcox submit the whole to some Judge of the Superior Court, and get an opinion as to its admissibility. Mr. Jones then insisted that Justice Wilcox submit the following on behalf of the defense at the same time he submitted Mr. Harrison's :

"The defense do not object to any declaration made by Mary Stannard or any body else, provided those declarations were made in the presence of the defendant. The declarations sought to be proved by the State cannot be introduced to affect the defendant, unless upon one of two grounds, viz.: First, that they were made in the presence of the defendant, or second, were so connected with the thing done—the *res gestae*—to wit, the homicide. That the declarations sought to be proved if made at all, and as claimed by the State, were at a different time and a different place than where the homicide was committed, and part of them in another town. The defense object, upon the same ground, to any letter, note or memorandum, claimed to have been written by her, and which the State admits never came to his knowledge. That all of this offered evidence is hearsay in its character and must be excluded. The defense have asked the prosecution to give them some authority for their claims, and the only authorities offered by the State are two pamphlets published by private parties, sensational in character, published by no authority, and whether truthful reports or not, nobody can say. The one is a report of the trial of the Rev. E. K. Avery in Rhode Island, issued in 1833, the other the report of the trial of Edward E. Bradley in Connecticut, in 1857. The defense claims that while those books are no authorities, even they do not teach the doctrine claimed by the State. The defense claims that whether the testimony offered proves much or little, its introduction must be governed by the same legal rule."

The next day Justice Wilcox reported that he had consulted the Hon. George H. Watrous (at that time attorney for the Consolidated railroad, now its president), and in a conversation, necessarily brief, owing to the lateness of the hour, Mr. Watrous had dictated, as his opinion, the following, to the Justice, referring to the letter in dispute:

"It is very remote on the question of motive, but does tend to show a secret intimacy between the accused and the deceased, and should be admitted if its character could be proven." Justice Wilcox, in accordance with this advice, ruled as admissible evidence the testimony that a letter to Mr. Hayden was sent by Mary. The witness (Susan Hawley) was again examined, and she testified that she received the envelope shown in court, addressed to herself, the day Mary came from Guilford. It was addressed to witness, and on opening it she found it was from Mary, and contained a sealed envelope addressed to Mr. Hayden. Witness said when Mary came home that Sunday, she told her father she left Guilford on account of trouble about her (illegitimate) boy, but privately she told witness the reason already given, saying among other things, "she was in a bad condition and wanted to see a person in Rockland. She came home to get out of her trouble. She wanted to keep it private from her father."

BENJAMIN STEVENS ON THE STAND.

The next witness heard was Benjamin Stevens. The defense had not been idle while the State was investigating and working up the case against the prisoner, and for a time the friends of Mr. Hayden held that there was far more reason to

accuse Mr. Stevens of the murder than Mr. Hayden. He was often at the Stannards', and the day of the murder left the house just after the deceased, and going in the same direction. Then he was a drinking man, and there was only his own word that all that fatal afternoon he was home alone and knew naught of the terrible tragedy. So, too, it was currently reported by many that Mary's father, becoming aware of her supposed pregnancy, might have committed the murder to prevent the repetition of the disgrace that had once before fallen upon the family from the same source. But later developments led all suspicion away from the two; the father because he knew not of his daughter's supposed condition before death, and Stevens because he was an old family friend and co-worker with her father, 61 years old, worth \$10,000 or more, and a widower who could readily have married her if he had been the author of her trouble. He had no motive.

And so, to repeat, later developments have taken away from Benjamin Stevens a great deal of the interest that was attached to him at the time he testified when he was under suspicion himself. He was closely examined, but told a straightforward story, clear in the main, and seemed to be a rough, yet honest old fellow. He testified among other things that Susan Hawley kept house for him two years. When Mary spoke of going for berries that Tuesday forenoon, he told her there were some near the "Big Rock," and she left to go there about one o'clock, he following on his way home fifteen minutes or more later. He did not see her alive afterwards. He got home at two o'clock, spent the afternoon looking after his cattle, etc., and then lay down, and had no knowledge of the murder till the next (Wednesday) morning. Then he saw Mr. Hayden among others, and he spoke of the Stannard family or Mary, being subject to insanity, but witness said Mary was a good, smart girl, and he didn't believe she was insane, though her mother had been "out of her head for a spell."

Henry E. Stone, who presided at the coroner's inquest, testified that he called Hayden in to testify, and he said to the jury that he first saw Mary that Monday afternoon; that she called at his house and appeared to be melancholy; he did not ask nor did she give the cause of her melancholy. Hayden next saw her at her own house Tuesday morning, next at the spring and next, a corpse; he was, he told the jury, doing some work in the swamp at the time of the murder. Witness did not reduce Hayden's nor any of the others' testimony before the jury, to writing.

James I. Hayes, of New Haven, testified that he was an attorney, and was employed by Grand Juror Stannard the Sat-

urday afternoon after the murder, to assist the prosecution. Sunday afternoon he carefully inspected the scene of the murder, and his attention was first attracted by a rude seat of stones near by where the girl's body was found. He remarked at the time, to the Grand Juror, that the girl might have sat there before the murder, and casting his eye around, it fell upon a stone as large as both his shut hands, one end broken off, with the edges jagged, and seemingly covered with blood. He called the Grand Juror's attention to it, and picking it up, gave it to him. The stone lay just thirteen paces from where the body was found. The stone was given to Mr. Harrison, and he gave it to Professor Moses C. White of Yale College for examination. The theory of the State is that Hayden struck the girl as she started to run, inflicting the deep cut on her head, and stunning her. Then kneeling over her, he turned her head to one side and cut her throat.

Dr. P. A. Jewett, a physician and surgeon at New Haven, in actual and constant practice since 1840, next testified that with his son and Dr. M. C. White, he, at the request of the prosecution, made a post mortem examination of the body just a week after the murder. He found substantially the same wounds as detailed by Dr. Matthewson. The skull was uninjured; it was removed and the brain found in a like condition. The lungs, heart, spleen, kidney and intestines were found in a normal condition. No other injuries were found on any other part of the body, except that the *æ*sophagus had been cut, at the time no doubt the other neck wound was made. The liver, stomach, uterus, bladder, rectum, and vagina were removed and placed in a new, clean jar, for further examination. In answer to a question, the doctor said he could not reconcile himself to the idea of suicide—it was murder. Whoever did the murder must have had some knowledge of where the blood vessels were. Later Dr. Jewett testified that further examination showed no signs of pregnancy nor any sign that an abortion had been performed upon the deceased, nor did it appear a rape had preceded the murder.

Mrs. Eliza Mills, a mild-mannered, extremely nervous lady of middle age, who has never fully recovered from the fright resulting from the Wallingford tornado, which passed over a section of country near her, told her story in a thrilling manner. She lived north of Mary Stannard (whom she knew for eleven years) and had been at her house the afternoon of the murder, about two o'clock. She was going home on the road near where the body was found, when she heard a shrill scream which caused her to cry to her little boy, who was with her, "Hark!" Terrified, she listened. "If I had thought at that

time it was a human voice, I should have gone there, weak as I was. I went home, and as soon as Mr. Stannard came and told my husband of her body being found, I said : ' That was Mary Stannard's voice I heard ; it was her last scream.' When I got home I looked at our clock and it was just twenty-five minutes to four o'clock. The clock was about fifteen minutes fast, and it took me about five minutes to walk home from where I heard the scream." Francis P. Mills, husband of the former witness, testified that his wife returned that afternoon between three and four o'clock. Soon after came Mr. Stannard with the news of the finding of the body, and Mr. Mills, with eight or ten others, hurried to the scene, and helped carry the body to Mr. Stannard's house.

THE MINISTER'S BLOOD-STAINED KNIFE.

After vain attempts to get an adjournment, that the State might look into Mr. Hayden's visit to Middletown, as well as give Professor White more time to examine a knife of the prisoner's, which had been given to him, Mr. Harrison finally put the Professor on the stand to show that he needed more time to complete his examination. The scene that followed was very dramatic, and both lawyers and spectators were worked up to a high pitch of excitement. Professor White began by testifying that he had received a knife to examine microscopically, at the same time producing a common two-bladed jack-knife. Mr. Harrison requested the Professor, at this stage, not to let the knife pass out of his hands. Mr. Jones objected, and asked that the knife be handed to the Court. Mr. Harrison was willing to let the Court take the knife, but it must not go out of the Court's hands. Mr. Jones insisted that the Court rule that the counsel for the defense had a right to take and handle the knife—not taking it out of court. Justice Wilcox ruled that the knife, if put in as evidence, must be open to all to see and handle. " Then," said Mr. Harrison, " I withdraw the knife at this stage."

" Now," said Mr. Jones, sharply, " I insist that the Court order the witness to deposit the knife as evidence." " Don't you do it!" exclaimed together J. P. Platt and J. I. Hayes, counsel for the State associated with Mr. Harrison.

Mr. Harrison told Professor White, who during the foregoing had held up the knife between his forefinger and thumb, in plain view, " Please close that knife ; wrap it up in the paper ; now put it back in your pocket."

Mr. Jones arose in high dudgeon, and in rather violent language denounced Mr. Harrison ; that gentleman showed

temper in his reply, and for a time words that counsel claimed were insulting, passed between the two gentlemen. One accused the other of blackguardism, and for a while there was great excitement, the Justice rapping vainly for order, until the lawyers cooled down somewhat.

Mr. Harrison said he would ask the Professor a few questions, just to show the importance of his testimony, and why the knife should be so jealously guarded at this stage.

Mr. Harrison—Have you, Professor, examined that knife, microscopically?

Dr. White—I have.

Mr. H.—What did you find on the blades?

Dr. W.—Blood.

Mr. H.—Animal or human blood?

Dr. W.—Human blood. (Sensation.)

Mr. H.—Have you finished your examination yet?

Dr. W.—No, sir.

Mr. Harrison now claimed that the knife shown was the knife of the accused, and it was shown there was human blood on it. The State wanted more time to examine it. Mr. Harrison insinuated that if the defense took the knife, it might be tampered with.

In great indignation Mr. Jones arose and uttered a scorching tirade against Mr. Harrison using very violent language, which he claimed was fully justified by Mr. Harrison's "contemptible insinuations." At this time all was uproar in the court room. In conclusion Mr. Jones said: "Now I ask your Honor to order that knife into the custody of the Court, subject to the order of the Court."

In reply Mr. Harrison denied any intention to reflect on any one—he only feared something might happen to the knife, and he wanted it said when this case went before the Superior Court, that the knife had not been out of the custody of this witness. In reply to the Justice, Professor White said that handling the knife might displace the blood on it. The quantity on it was small, but he was positive it was human blood. Witness then went on to describe his search for blood, the method pursued and the result, so far as he had gone. He also examined blood corpuscles from the stone found near the murdered girl by Mr. Hayes, and from the sun bonnet found under her, and they corresponded nearly in size and exactly in appearance. Later in the trial, Dr. White said that he had found but a small drop of dried blood on the knife, but had not yet completed his examination. He had examined Hayden's hat and found no blood on it, and with the naked eye could not see blood on other portions of Hayden's clothing.

To offset Dr. White's testimony, further on in the case, Dr. Leonard J. Sanford, Professor of Anatomy and Physiology at Yale College, was called by the defense. He, too, was familiar with the microscope, and he would not have expressed so confident an opinion as did Dr. White, that the blood found on the knife was human blood, with so few corpuscles to found it on. He would need three times as many to examine before he would express an opinion. Dr. Sanford also testified that he examined Hayden's shirt and trousers, for the defense, and found no blood upon them.

THE MIDDLETOWN DOCTOR'S TESTIMONY.

Dr. Leonard Bailey was called by the State, as a very important witness. He lived at Middletown, and was an old friend of Hayden's, and he it was, the State claimed, Hayden saw the forenoon of the murder when he went to Middletown to get, according to Susan Hawley, a "quick medicine" that would relieve Mary Stannard of her supposed trouble. Dr. Bailey, when first put on the stand, said he met Hayden in Middletown before the murder—the day he could not remember, but at about nine o'clock in the forenoon. He asked the witness a few questions, as he often did, about family matters, but these questions witness refused to repeat, exercising his privilege as medical adviser to the accused. The witness answered, however, that Hayden only consulted about his wife's condition (she had lately been delivered of a child), and nothing was said about any other female. When Dr. Bailey was again put on the witness stand, despite the objections of defendant's counsel, Mr. Harrison asked if Mr. Hayden didn't ask witness that forenoon, in Middletown, in substance, if it was possible for a woman five months pregnant to have her regular periods. Witness replied that some question was asked, which he could not recall in full, but it referred to hemorrhage or menstruation, and the Doctor thought it referred to Hayden's wife, for he first asked: "Do you have many cases like my wife's?" The witness, in answer to further questions, said that when Mr. Hayden resided in Middletown, he seemed to take great interest in anything connected with the practice of medicine, and he was always asking such questions. Mr. Jones brought out, on the cross-examination, that the subject of Mrs. Hayden's troubles was first broached by the Doctor himself, that forenoon.

MRS. JANE STUDLEY AND SON TESTIFY.

Mrs. Jane Studley, when on the stand, was not allowed to tell what Mary said to her about Hayden, Justice Wilcox

making the same ruling as he did with reference to Susan Hawley's hearsay testimony, and asserting that he consulted eminent legal lights in the matter, and they endorsed his ruling. Witness, however, did say, that she had examined Mary's left breast and found it hard, and on making a second examination afterwards, found it had grown still harder. In addition, Mary's underclothing was examined and found discolored, but not as usual. Witness and Mary both thought the latter was pregnant, judging by the appearance of the breasts, and Mary grew very despondent before witness sent her home.

Edgar Studley was also debarred from giving hearsay evidence, so all he could tell was that he directed an envelope for Mary, to Susan Hawley. (In this, it is asserted by the State, did Mary send the letter to Hayden.)

Burton Mills, a boy, was present with those who first went up to help carry home the dead girl. He then ran down to Hayden's house to tell him that "Mary Stannard has cut her throat, or some one has." Hayden appeared to be reading something, but he at once got up, and the couple being joined by Luzerne Stevens, Hayden's next neighbor, proceeded at once to the scene of the tragedy. The three walked pretty lively, and the only words exchanged were when Stevens said it was a sad affair, and the minister answered yes.

C. E. Scranton was the witness who heard Mr. Hayden, among others, say there was no doubt it was a case of suicide, at the time the body was first reached by the neighbors. Witness told of Hayden riding around with him for two hours while a jury was being summoned, but nothing particular relating to the tragedy took place during that ride. Witness also testified that Hayden took hold of deceased's head and shoulders to help lift the body on a board to carry it home.

Andrew Hazlett was the witness who testified that the morning after the murder Hayden met him and asked him if any one was suspected. Witness replied that there was only "a surmise" and Hayden passed on.

Mrs. Luzerne Stevens and her husband substantially testified that they saw Hayden drive away from home early the morning of the murder, in a top buggy, and alone. At 11 a. m. he returned in the same carriage, and with him his two children. He was next seen about 4 p. m., coming through his lot, walking "considerable" fast, just as rain began to sprinkle. He had on his working clothes—farmers' straw hat, check shirt, and pants of similar cotton material, and no coat. Mrs. Stevens saw Mary Stannard pass her house twice that fatal forenoon, each time accompanied by Hayden's children.

Mrs. Stevens' cross-examination brought out an important fact in the prisoner's favor. She was intimate with the Hayden

family, and often saw the minister on the floor playing with his children. She knew of his little boy cutting his fingers more than once with his father's knife, and once witness had occasion to talk to Mrs. Hayden about the danger of allowing the boy to play with his father's knife.

FROM HAYDEN'S HOUSE TO THE MURDER.

The Rev. Joseph Wilbur Gibbs, who took Mr. Hayden's place as pastor of the North Madison Methodist church when the latter began preaching at (South) Madison, lived near the Haydens and Stevens. To get from Mr. Hayden's house to the place where the body was found, a person would have to go a third of a mile in an opposite direction and cross three highways. To get from Mr. Hayden's wood-lot (where he said he was at the time the murder must have been committed) to where the body was found, witness thought a person could keep in the woods most of the way, "and it's my impression, if I tried, I could keep out of sight the whole way." To walk from Hayden's house to his wood-lot, then through the woods and bushes to where the body was found, would take an hour, or two hours to go and come, wasting no time. Witness afterwards said there was a trifle more direct and less exposed route, where a person would be hid by trees and bushes most of the time, except when crossing an open meadow, when he would be in sight of the houses of Mr. Hayden, Luzerne Stevens, Joseph Stannard, and Fillmore Scranton, for a few minutes.

Sheriff Hull thought to come from the scene of the murder to the potato patch, where Hayden was seen after the murder by Mrs. Luzerne Stevens, would consume about twenty-five minutes.

Sylvanus Butler, civil engineer, of New Haven, made a topographical map of the whole locality. From where the body was found to the spring, by the path, was 2,000 feet, and the distance from where the body was found to the potato patch was about 3,200. It would take fifteen to eighteen minutes to walk the distance. One road crossed in going this distance was ten or twelve feet wide; the other road was the one Hayden lived on, and the distance across it and the open meadow near by, was 210 feet. There was enough water at the spring to allow a person to wash the hands and face if desired, and it was convenient. Edward B. Stannard, Sylvester Hawley (who was Mary's half-brother), and Odell Stevens, walked, on a trial, and pretty fast, from the potato patch to where the body was found, in just twelve minutes.

MARY SAID TO MRS. HAYDEN: "OH, DEAR, I'VE A GOOD MIND TO KILL MYSELF."

Without any preliminary flourishes, but in a plain, everyday sort of way, Mr. Jones, senior counsel for the defense, put Mrs. Hayden on the witness stand, the afternoon of the seventh day of the trial. While she stood up that her rocking chair might be moved forward for her to sit in while testifying, for she was still an invalid, the spectators were enabled to get a tolerably good view of her. She was quite a good-looking young woman, of full face, clear complexion, and dark brown hair. She seemed very weak and embarrassed in the beginning, and spoke very low in answer to the questions from her counsel. It seemed as if she would break down before her examination was finished, but she managed by a great effort to continue through. Any reference to her husband's faithfulness to her, affected her almost to tears, yet she firmly denied any belief in his inconstancy. She was moved once or twice so, at some allusion to her home or children, that she wept, yet when her counsel kindly suggested that she retire for rest or air, she replied that she preferred to continue on the stand. Not a person who saw or heard the poor woman as she sat there testifying for two long hours, whose heart did not throb with sympathy, and there was an almost universal regret that one so true and pure as she showed herself, should be placed in such a terrible position. When the young wife detailed the struggles and trials of her first years of married life, and how she and her husband toiled and worked to secure a home, there were but few dry eyes in court. The implicit faith of the wife in her husband's innocence, and the noble trust she has shown in him through all the great ordeal, has made many friends for him, and caused many others to hope that, if only for her sake, he may come out of the dark valley vindicated and unscathed.

Mr. Jones began by warning Mrs. Hayden that she was not compelled to answer any of the questions that might be asked. She replied with firmness: "I am willing to testify to all I know of this matter." She continued: I am 29 years of age; I am not now in good health; my last child is only six weeks old; I have been married seven years; I was married in Carver, Mass.; I first went to live at East Greenwich, where my husband was studying at the Seminary; we were married during his vacation; we lived there two years and then moved to Middletown; we lived there about two years, Mr. Hayden attending college there; I think in April, 1875, we moved to West Rocky Hill; he then left college and took

charge of a church, remaining till April, 1876; we then removed to Rockland, where he was appointed by the presiding Elder to preach in the Methodist church; he preached one year; he did not preach from August, 1877, till he began to preach at South Madison; since living at Rockland I have taught school fifty-two weeks (in two years); my husband has also worked at carpentering for various persons, and worked on the little farm we had; my husband's indebtedness at Middletown for his education has been partly paid: my first child was born at East Greenwich, my second in Middletown; Dr. Bailey attended me in Middletown; I then had female troubles, continuing through confinement; my husband has always seemed fond of me; I have never (weeping) seen any reason to doubt it; I first knew Mary Stannard the first summer we lived at Rockland; she was recommended to me by some of the neighbors as a good girl to work; she first came to my house at my request, I having heard she had become interested in the prayer meetings, and wishing to talk with her; she came to work for me first in April, 1877, at my request in person, she remaining till July 3—the time I was keeping school; each night she went to her own home; in December, 1877, she again came to work for me, remaining until March; during that time she remained nights at my house, my husband then teaching at South Madison, only coming home Friday nights, returning Saturday afternoons in time to preach Sundays; she only worked regularly for me these two times, though she has worked for me occasionally since; she came at all times at my request, I only sending another for her on one occasion, when my child was born; the other times I think I went for her in person; she has worked for other neighbors as well as me; during all that time I never noticed any familiarity between her and my husband; I do not know of my husband going often to her house, nor of often walking with her: she rode in a carriage three times with my husband to my knowledge; twice it was I who caused her to ride; once I asked my husband to take her to Middletown, that she might purchase needed articles, she having taken care of my house for me; she showed me calico on her return that she said she had bought; I think she thought much of me; she came frequently to my house for milk, eggs, and anything I happened to have that I thought she would like; I first knew she was dead that night, Luzerne Stevens' little daughter coming in and telling me of the body being found; my husband at once went out and went up to the scene; he came back about 8 o'clock in the evening; I was nervous about the matter for I was in feeble health; he said he was going away

again, and I asked him not to go and leave me ; he went, however, with Henry Stone, about 10 o'clock that night ; I don't know what time he got back for I was in bed ; the Sunday before the murder he was from home at South Madison preaching ; he returned about 3:30 p. m., Monday, bringing some fruit and oysters in the shell ; there was about a peck of oysters ; I saw Mary that Monday morning about 7 o'clock ; she came to my house, I suppose to make a visit ; she always came down to see me when she came home after an absence ; she remained twenty minutes or so ; went to the well and got me a pail of water ; I think she asked me for some milk ; I saw her again about 9:30 a. m., when the children came running in and told me she was passing ; she stopped in coming back and said she could not get some butter she had gone for ; she stayed fifteen minutes and then went home ; she came again about 4 p. m., for the third time that day ; Mr. Hayden was then home, sitting in the dining room, smoking ; she said her father wanted to borrow a rake ; Mr. Hayden went to the barn and got it : she, meanwhile, had taken up the baby for a while, then laid it in the cradle and stood talking to me ; nothing passed between Mr. Hayden or Mary except what I heard, and it referred to the rake ; at neither of her previous visits did she inquire for my husband ; the Tuesday morning (of the murder) I saw her twice ; she first came, my husband being absent, and borrowed a pitchfork ; she came again about 10 a. m., on her way back from the store, and told of having to make two trips that day to make purchases, when one ought to have been enough ; she never intimated to me of any improprieties with my husband ; that Monday afternoon, as I have stated, my husband got home about 3:30 o'clock ; he worked some about the house, picking up stray chips and doing odd jobs ; on Tuesday morning (of the murder) he went away between six and seven o'clock, he said to buy some oats ; I told him I wanted some molasses and sugar to preserve the fruit (pears) he had brought home the day before ; he returned about 11 o'clock, having taken the children into the wagon on his way home ; I sat that forenoon by the window watching for him to return, and saw the carriage top as he passed the spring ; he brought home some molasses, sugar and fuller's earth for the baby ; he was dressed in his good clothes ; I had done nothing about dinner, and he helped get it ready ; he opened those oysters, using the large blade of his jack knife, as he had often done before ; I made tea and toast, and we had dinner that day at about a quarter to one ; the pears I had, were not peeled, and he handed me his knife to peel them with ; I put it on the shelf over the wood-box, where it lay,

so far as I know, till the middle of the afternoon ; I got through dinner and put up the dishes not far from 1:30 o'clock ; after dinner he made up the beds, and then we discussed an administrator's letter in relation to my mother's estate, and he signed it ; he smoked, too, and played on the floor with the children ; I think then it was about a quarter past two o'clock ; then he said he must go over in the swamp and throw out some wood (to a place where it could be got at for cartage) ; I sat by the north dining room window and watched his departure, as I had often done ; the children went with him to the fork of the road ; I saw him go along the right hand road and past Burr's barn, out of view ; I next saw him about 4 o'clock ; he had been gone an hour and three-quarters ; I saw him in the potato patch ; he called for Emma (his daughter) to get him a basket, and he picked up some potatoes and brought them in ; he was home from that time till the news of the murder came ; he looked as usual ; he hauled from the swamp the next morning two loads of that wood he said he had gone down to throw out ; I peeled those pears Wednesday forenoon, while he was after the wood ; little Jennie Stevens saw the pears besides myself and husband ; Mrs. Talcott Davis (a neighbor) preserved the pears for me, I having sent for her to come ; with her came her daughter ; from the time Mr. Hayden had opened those oysters with his jack knife till I used it to peel the pears, it lay on the shelf over the wood-box ; after peeling the pears, I put the knife back, and when he asked for it Wednesday afternoon, I told him where it was ; Wednesday, Lennie, my little boy, while my husband was in the swamp lot, got the knife ; I opened it for him that he might play with it, as he had often done before ; he used the large blade, and I don't recollect that he ever used the small blade ; Mrs. Luzerne Stevens has uttered warnings against our letting the boy play with that knife ; he has cut his fingers several times, and I have done them up in rags ; Mary Stannard has done up my boy's finger, cut with that same knife ; it's not later than two months ago since he last cut his finger : I have seen blood upon the blade and handle of the knife from those cuts ; I know my husband cut the forefinger of his right hand with that knife, while he was at work on our well ; I have used the small blade of that knife to cut ham and steak ; it was the only jack-knife my husband had ; the large blade was notched and dull, the small one sharp ; I cut steak with it because our only carving knife was dull ; I find it more convenient to peel apples and pears with a jack-knife ; since he has had that knife, I think a third of the time it has been in the house for family use ; going to the woods that

Tuesday, he had on his brown striped shirt, and brown checked pants and straw hat (shown and identified by witness) ; I first knew Mr. Hayden was suspected the morning of the funeral (Thursday) ; he told me in our room ; he was lying on the bed, crying ; said I :

“ HERBERT, WHAT’S THE MATTER ? ”

He told me then of what he was accused. (The clothes shown and identified as worn by the accused the day of the murder, were the same examined by Dr. Sanford.)

Cross-examined by Mr. Harrison—Mary was a good girl only quick-tempered, and took excellent care of my children ; I have a clock in my house which I often look at ; I let my boy play with my husband’s knife because it amused the boy, who always liked to have papa’s knife ; it was 3 o’clock that Wednesday afternoon that my boy was playing with the knife in connection with a pumpkin and some sticks ; I first knew my husband went to Middletown the morning of the murder, by reading it in a newspaper ; I had said I would like to have him see Dr. Bailey some time, about my condition ; Mary seemed sad when she first came to see me that Monday ; on Tuesday she asked me if she looked poor and pale, and I said she did ; she said she had a good mind to swear, at which I expressed surprise ; speaking of a Mrs. — Davis’ (a neighbor) recent death and post mortem examination, Mary said if she should die, she didn’t want to be cut open. (Poor Mary ! since her death, her body has been exhumed four different times, and little else beside her extremities now remain where first deposited.) Then she said : “ Oh, dear, I’ve a good mind to kill myself ; ” she said she had been offered more wages to come back to her Guilford place without her baby, but she said they had lied to her there, and she would not return ; Mr. Studley had said he was going away, but he did not, and I thought that was the reason Mary left her place—she was afraid of the men after her trouble, and did not like to have them around ; I always thought her a modest, well-behaved girl ; I never until that morning thought she was insane—until I heard that talk ; the day I saw the carriage at the spring, my husband told me he saw Mary, and stopped to get a drink ; Mary, last Winter, stayed at her own house, when my husband was at home, that is Friday nights and Saturday mornings ; the rest of the week Mary stayed nights with me ; since last March, when my husband has been at home, he has gone most of the time for our cow in the evening, and done most of the out-door work ; last March, in the middle of the week, my

husband came home (from South Madison) to an oyster supper ; I got Mary to come down and tend the children while he and I went to the supper in the church parsonage ; it was in the evening we went, about 6:30 o'clock ; I stayed until about 1 o'clock in the morning ; my husband was with me, except the time I asked him to go over and put the children to bed : he was gone about ten minutes ; Mary was of a filial nature, and not fond of dress ; she told me she thought she ought to help her father at home all she could on account of her boy being there ; the only reason I know why my husband left the Rockland (North Madison) church, was because they said they could not pay him the salary he had been getting—I think it was \$350 ; if anything has been wrong about my husband at Carver, Middletown, or Rockland, I do not know of it ; I have led a perfectly happy life with my husband since marriage, so far as he was concerned. (This was said earnestly, and with much feeling.)

To Mr. Jones—I never distrusted his fidelity ; I did not tell him at that oyster supper to hurry back when he left to put the children to bed at my request ; the water in that spring was cool and good, and I often sent the children up for some with a little pail.

As Mrs. Hayden left the stand a number of ladies crowded around to greet her, and help her down from the small platform. One lady saluted her with a loud kiss. During Mrs. Hayden's testimony she kept her eyes fixed on her husband most of the time, and he looked at her continuously.

The forenoon of the eighth day of the trial opened with Mrs. Talcott Davis, a neighbor of the Haydens, on the stand. She testified that she was intimate with them, having nursed Mrs. Hayden in sickness. They were very affectionate. One Sunday morning, about three months before, witness saw Hayden's boy come into the house with a cut finger, saying he had cut himself with papa's knife. She had also seen the boy's fingers done up in rags a number of times. Witness was sent for, the day after the murder, being told that Mrs. Hayden was in very poor health. That afternoon she heard Hayden inquire for his jack-knife, of his wife, and saw him get it off the shelf. Witness assisted in preserving some pears she judged had been pared that day. That Wednesday morning the Hayden family washing was brought to her house, but no blood was on Mr. Hayden's clothing. The witness often saw the Hayden boy play with his own little knife, but never with his father's, though the day he came running in with his finger cut, he said his papa's knife did it. Witness complained of their carving knife being so dull, and Mrs. Hayden told her she often used his jack-knife.

MR. HAYDEN, COOL AND COLLECTED, TELLING HIS STORY IN COURT, AND DENYING ALL KNOWLEDGE OF THE MURDER.

The afternoon of the eighth day Mr. Hayden was on the stand. A stir went round as his name was called, for there was the greatest anxiety to see how he would conduct himself and hear what he would say. He took the oath looking full at the Justice, and holding up his hand without a tremor. He was dressed in black, his coat being a frock, but not high-buttoned, and instead of the usual white tie he wore a black one, pushed underneath his turn-down collar. He spoke very distinctly, but not too loud, and although taking time, occasionally, to think, did not seem to hesitate in his answers. He testified: My first name is Herbert, and I am 28 years of age; I heard my wife when she testified, and she told a correct story of our early history; I knew Mary Stannard since April, 1876; I have no knowledge, direct or indirect, of the cause of that girl's death.

Mr. Jones—I desire to ask you whether there have been any criminal relations between you and that girl?

Witness—Never, sir (firmly).

Mr. Hayden continued—I have had only the one jack-knife since last January; it has been in the house a good share of the time, my wife and I using it to cut ham, dress chickens, cut steak, etc.; my little son has repeatedly cut himself with that knife; my wife, Mr. and Mrs. Luzerne Stevens, Mary Stannard, and, I think, Gilbert Stone, have seen cuts on my boy's hand from that knife; I have repeatedly cut my own fingers with it, and have a cut on my finger now (showing cut on forefinger of right hand) that the knife made about two weeks before my wife's confinement, while I was alone at work on a well curb; the cut was made with the small blade, which was the sharpest; Tuesday noon I left the knife home, and did not have it again until Wednesday afternoon; there were four of us present when I asked for it then, and my wife went to the shelf and got it; I do not recollect what I wanted it for; Wednesday, between 3 and 4 p. m., I got my first knowledge that I was suspected of the murder, from Valentine Miller, of Middlefield, who told me what Dr. Matthewson, of Durham, had said that same morning; I was never out walking in the fields with Mary Stannard; she rode with me, the first time with my wife and children to get cherries; the next time, at my wife's request, I went to Mary's house and carried her down to my house; the next time was six or seven weeks ago I carried her, at my wife's request, to Middletown, to do some shopping; Saturday before the murder I was at my house pre-

paring for Sunday services ; I left for South Madison Sunday at about 9 o'clock, to preach ; I left for home about 1 p. m., Monday ; bought oysters, pears, etc., to bring home ; arrived home between 3 and 3:30 p. m. ; I did not know then that Mary Stannard had got home ; I saw her after I got home and did my chores ; I sat smoking and reading in my dining room, in the presence of my wife and children ; Mary came in and wanted to borrow a rake ; I went out to the barn and got it ; I had no conversation with her except about the rake, and in my wife's presence ; I went to Middletown Tuesday morning ; I wanted feed for my horse ; I started between 6 and 7 o'clock ; I also wanted to see Lafayette Burton in regard to carpenter's tools he had promised me ; I also wanted sugar, molasses and fuller's earth for my wife ; I am overrun with rats both in house and barn ; I talked often with my wife of getting rid of them ; I talked of getting arsenic and mixing it with meal ; rat's-bane was also mentioned, but I had no faith in it ; my wife feared to have poison in the house ; in Middletown I bought at Tyler's drug store a box of fuller's earth,

AN OUNCE OF ARSENIC.

and nothing else ; then I came down to Durham and bought there oats, sugar and molasses ; also got the mail ; started for home, and when I got to Stannard's I saw my little girl, who wanted a ride home ; I drove up, and she and my little boy got into the wagon ; I there saw at the gate of Stannard's house, Benjamin Stevens, Mr. Stannard and Mary ; I asked Mr. Stannard for a drink of water, went into the kitchen to get it, threw it away as it was too warm, and then returned to my wagon : I may have said to Mary, "Good morning," but nothing else ; I think I heard Mary say she wanted some cool water, and she took her pail and went out to get it ; I said nothing to her about going to the spring ; before I left I talked to Benjamin Stevens about some lumber, from three to five minutes ; while driving down near the spring I met Mary coming back ; I asked her for a drink, got it, thanked her, got into my wagon, said nothing else, and got home about 11 o'clock ; I told my wife of getting a drink from Mary ; the arsenic I carried into the barn, the other articles into the house ; my wife did not want any poison in the house on account of the children, so I took it into the barn ; I have not used a particle of that arsenic yet, and for all I know it is there now ; after taking care of my horse I returned to the house, and began opening the oysters for dinner ; wife cooked the oysters while I took care of baby, then she took the baby

while the children and I sat down to eat ; then I took the baby and she made toast for herself and ate it ; I used my jack-knife to open the oysters, and afterwards gave it to her to peel the pears ; got through dinner about 1:30 ; then I cleared the table, emptied the slops, made three beds, looked over the statement of my wife's administrator's account, signed it, smoked and read ; it was a very hot day, and while smoking I lay on the floor playing with the children ; then I told my wife I must go into the swamp and pitch some wood ; it was 2 or 2:30 o'clock when I started, my children accompanying me to the fork of the road ; then I went down to Burr's barn, turned and threw my wife a kiss, let down the bars and proceeded to where the wood was ; I calculated to throw up, so as a team could get to them, four horse loads of wood ; the route I took that morning was the same I always took ; I was in the woods one and one-half to two hours, and was engaged the whole time throwing up wood ; I had on a straw hat extremely dirty, a thick shirt, pair of pants, thick stockings, and a pair of Irish brogan shoes ; the shirt and pants have been shown here in court ; I quit working at 4 o'clock and came home, because I had thrown out all the wood I started to ; coming back I took another route for I wanted to look at my corn patch ; this brought me out in my potato patch ; I saw my little girl by the window and called to her to bring me a basket so I could pick up some potatoes ; I finally had to go for it myself ; I picked a peck or so of potatoes, and took them in about a quarter past four ; I then picked up chips, cut kindling wood, changed my sweaty shirt and sat at the back door and smoked ; then I came in the house, and lay on the floor and talked to wife ; then I made a fire, went into the barn and fed my horse ; then I went into my study and wrote a postal card, to a Mr. Dudley, and had almost finished directing it when I heard Burton Mills come running in crying that Mary Stannard had cut her throat or some one else had cut it ; I then went up to where the body was, as already told by others, and the only opinion I there heard expressed was suicide ; Andrew Hazlett, Nehemiah Burr, and myself, went down to where they had been burning charcoal, got a wide plank and three sticks, and on the plank placed the body, and helped carry it to Mr. Stannard's ; I said a coroner ought to be called and an investigation made ; I then went down to my house, where my wife said she could not stay alone ; I remained with her until a Justice of the Peace came along, and he said that all who saw the body must be present at the inquest ; so I rode up with him ; this was about 10 p. m. ; I then started out with Charles Scranton to help summon the jury, but had to go home to my

wife ; when I testified before the jury, I said I hoped they would make my examination final, as I had to go to South Madison for help for my wife ; the next (Wednesday) morning, I hauled two loads of that wood I threw out Tuesday, and Odell Stevens, Edgar Stevens, and Edward Stannard saw me haul them ; Silas T. Ives called upon me Thursday afternoon, after the funeral ; I was sitting in front of my house and he came into the yard and began talking to me ; we both agreed it was a very sad affair, and a full investigation ought to be made, and the guilty party brought to punishment ; I don't recollect that he told me, as he has testified, to be circumspect, nor to be careful ; I told him I would not run away, for I had no occasion to ; I don't remember that he said anything about securing counsel, nor did I ; the relations between myself and wife have always been most pleasant ; any rumors of trouble between wife and self about a woman are untrue.

THE MINISTER'S CROSS-EXAMINATION.

All my wife said in her examination was correct, except that when we lived at Carver, Mass., we rode over to Plymouth to get married ; don't remember having any particular talk with my wife over Mary's seduction when she lived in Northford ; I preached when Mary went forward for prayers one time, and I think I might have talked it over with wife ; I never heard anything bad of Mary except her first trouble ; she was not of wanton mind ; she was in good health except occasional headaches ; I don't remember that my wife ever spoke to me of Mary's physical condition, nor of any female weakness she had ; I don't think I ever thought Mary insane ; her father told me his wife had been insane at one time ; I don't know of Mary ever being intimate with any man or men ; or of her having a beau or beaux when at my house ; I heard she had a beau some six or seven weeks ago ; I have no knowledge of anything pointing to the cause of her death ; I never studied medicine ; I studied physiology—Carpenter's work—mostly animal physiology ; I thought when I saw the body that night, though I noticed the way her hands were folded, that it was suicide, mainly because the others said so ; the only strange thing that occurred to me that night was, that there was no weapon to be found ; my wife told me of Mary being down-hearted, but I made no special inquiry of her (wife) about it ; I think I last sharpened the small blade of my jack-knife two months ago, before I cut my finger, on a whetstone ; I always gave my son my knife when he asked for it ; the story that Valentine Miller told me, that made me first

think I was suspected, was that Mary Stannard's body had been found in the road opposite my house, and that Dr. Matthewson said I had got myself into a scrape and wouldn't preach again for some time ; the only pasture I had for my cow was the one where the spring was ; the chief object of my Middletown visit that Tuesday, was to get carpenters' tools ; I met Dr. Bailey there and he asked me about my family and about my wife's condition ; he asked me if her condition was the same as when she was confined four years ago ; I asked him if he had many cases like my wife's.

Mr. Hayden kept pretty cool the whole time he was on the stand, except a little nervousness he showed under cross-examination. His story, like his wife's, created a very favorable impression. While he was giving his testimony, Benjamin Stevens sat perched upon a bench back in the rear of the hall, resting his chin on the palms of his hands, and listening with great intentness, though his face was as expressionless as ever. It was on this day that photographs of the various places mentioned in connection with the murder were introduced.

THE MINISTER DISCHARGED.

The forenoon of the ninth and last day of the hearing was devoted to hearing unimportant testimony, though Mr. Burton corroborated Hayden's story about his calling for carpenters' tools at Middletown the forenoon of the murder, and counsel for the prosecution made a strong fight for more time—for an adjournment that more evidence might be sought for, he claiming that with time he could get it. But Justice Wilcox ruled, just before the noon hour, that the case must go on, and that time enough had already been allowed counsel for the State. When the afternoon session began, Mr. Harrison was absent, and Mr. Hayes, when asked about his senior associate, looked solemn but said nothing. Finally Justice Wilcox asked after Mr. Harrison. Mr. Hayes arose and said that Mr. Harrison felt pained at the action of the Court in refusing an adjournment, which prevented counsel from looking into several matters which had just come to his knowledge, and which were thought very important in the case, and accordingly had withdrawn from the case, the speaker only returning as an act of courtesy to the court, to the counsel on the other side, and to deny a rumor that Mr. Harrison had gone to Rockland to absent himself purposely, and thus force an adjournment. Of course this news created a great sensation, and for a time there was much excitement.

When quiet was restored, Mr. Jones arose and said that he was not responsible for the conduct of any one in this case,

but himself. He thought Mr. Harrison had lost his temper. His going away was an insult to the Court. "The proceeding now is tantamount to an acquittal. I have never, from the beginning of this case, doubted the innocence of Mr. Hayden; never, never, never! There isn't a particle of evidence in this case that I can't crush to atoms!"

Warming up with his subject, Mr. Jones asked, even if that poor girl wrote that letter, and enclosed a letter to H. H. Hayden, is it to be inferred that that should mean guilt? What is the duty of a minister except to help the unfortunate, assist the poor, and care for the weak. The man that saw evidences of crime in the actions of this man cannot have read that better Book—cannot have read that better Book. Now it is left to the year eighteen hundred and seventy eight, left to the little town of Madison in Connecticut, to promulgate the doctrine that to help the unfortunate is an evidence of crime! And it is left for the counsel for the other side to claim to be the patentee for that doctrine. Look upon that prisoner! Looks like a murderer, does he? Not an impartial man or woman in this court room, but knows and feels that this man is innocent. The speaker concluded by hoping that there would be no further delay while the State looked for further evidence.

Mr. Hayes thought a continuance ought to be granted, and asked what possible harm it could do the accused to have a short delay. If none was granted, the counsel for the State would assuredly withdraw.

Mr. Jones—Well, if counsel has withdrawn, there's no use asking for any binding over.

Mr. Hayes—We don't withdraw if his Honor sees fit to grant us a continuance.

Justice Wilcox said he had heard all along, intimations of what was coming. He had adjourned the case from time to time for the convenience of the State, and while it was conceded the accused had not languished in jail, yet he had been deprived of his liberty and put to great expense. The State had had full time; had gone over all the ground; had summoned all needed witnesses. And now the defense comes on with all its testimony, and the case is virtually through except the rebuttal evidence the State may bring on. The speaker knew not what might come, but it seemed to him there could be no further evidence. If he thought there was, he should cheerfully adjourn the case.

Mr. Jones asked for a summing up and a verdict.

Justice Wilcox, after looking over his notes, began a *resume* of the case. He spoke of points which at first looked black

against the prisoner, but which had been explained away till they were of little value to the State as evidence. The blood on Hayden's knife, he at first thought was damaging evidence against the accused, but it had been explained away to the satisfaction of the Court. The Justice, while on this point, quoted the fact that he himself had at that moment a knife in his pocket which must have been full of blood resembling human, for he had recently killed a dog with it, and a dog's blood resembles that of a human being.

He continued that he couldn't doubt a single word that Mrs. Hayden had said—he didn't think she would tell a falsehood to save her husband from the gallows. She identified the clothes her husband wore, and there was no blood on them; whereas it was evident that the murderer could not have avoided some deposit of Mary's blood. "There is no question in my mind but that this was murder; it was not suicide. Some person foully, wickedly murdered that poor girl; and God alone knows who—and the man himself. And now, before I close," said the Justice, arising and speaking with great solemnity, "I cannot forbear to say that I have given the State the fullest chance for investigation, and the defense the same, for the reason that no one hereafter may say that injustice has been done to the State or to the person charged with the crime; and further let me assure the gentlemen and others that they don't know me if they suppose, or have supposed, for one moment, that I would discharge the prisoner if there could be found any evidence to warrant his commitment to a higher tribunal. If he were the nearest and dearest friend I had on earth, and had committed such an awful crime as that of murder, he would receive no mercy at my hands. In conclusion, let me say—from the testimony given—that if I were as sure of Heaven and eternal felicity as I am that this man is guiltless of the crime of killing of Mary E. Stannard, I should rest content. Mr. Sheriff, please discharge the prisoner."

AFTER THE VERDICT.

The court room immediately rang with cheers, friends crowded forward to congratulate the prisoner, and for a time great confusion prevailed. A number of ministers present, from surrounding towns, also shook hands with Mr. Hayden, who looked pleased, but showed no particular emotion. While this was going on Mr. Jones hurried to Captain William C. Minor's house, where Mrs. Hayden was staying, and first broke the glad news to her. She was coming down stairs and Mr. Jones called out that the trial was ended. She asked fearfully,

"What is it?" Mr. Jones replied: "Your husband has been honorably discharged," repeating in brief Mr. Wilcox's closing sentence. Mrs. Hayden's face grew a shade paler than usual, but she said nothing, only continued her way down the stairs. Arriving at the bottom, she faltered out, "I can't—can't say anything," and immediately began to weep violently. Soon she recovered, and her reception of her husband was very affecting. Until late in the evening, throngs of people crowded the house, congratulating the minister and his wife on the happy termination of the trial.

PUBLIC OPINION.

It seemed to be generally understood that Mr. Harrison withdrew by the advice of the State's Attorney. The press commented variously on the result. The *Hartford Courant* said that just before the verdict the belief in the minister's innocence had been daily growing stronger in the community where all the parties were known, and that the testimony of the minister and his wife went far to explain away the circumstances that threw suspicion on him and led to his arrest. The *New Haven* papers commented but little, but the outside papers were not slow to condemn the Justice's action. The *Springfield Republican* said: "The local Justice before whom the examination has been held, has rather prejudiced Hayden's case by ruling steadily in his favor, and has now capped the climax by discharging him entirely. This is a mistake, for there was certainly evidence enough against Hayden to justify and demand a more thorough trial, which may indeed yet be held, but there is no reason to suppose a jury will yet convict him."

In conversation with a *New Haven Union* reporter, the morning after the discharge of Hayden, Judge Harrison explained why he withdrew from the case. In the beginning, and before the examination had progressed three days, counsel for the State were informed by a prominent and truthful resident of Madison, that Justice Wilcox had said there was no evidence against Mr. Hayden, and he should discharge him; and counsel for the State were advised to abandon any further proceedings against the minister. They immediately consulted with the town authorities, and finally concluded to go on with the case, and at least hear what Hayden had to say if he chose to go on the stand. Mr. Harrison also quoted to the reporter the case of the Rev. E. K. Avery of Rhode Island (previously noticed), where two magistrates, brother Free Masons of the accused, discharged the prisoner, though

there was a strong case against him. This led to a great deal of anti-Masonic excitement, with the result that Mr. Avery was again arrested, tried before a magistrate not a Mason, and bound over for trial. In the Madison case, Justice Wilcox and Mr. Hayden were members of the same Masonic lodge, and Mr. Harrison (himself a prominent Mason) thought there was a great deal of similarity between Avery's and Hayden's cases. Mr. Harrison also quoted the fact that it was remarked that although Justice Wilcox had no means of knowing the case would conclude when it did, yet he had his decision written out, with the reasons for it. Further, Mr. Harrison was told that the Justice had written in his closing sentence, where he said he wished he was as sure of Heaven as he was of Mr. Hayden's innocence, words referring to his being equally certain that he (Hayden) had no illicit intercourse with the girl. That part he scratched out, and Mr. Harrison wondered—"did he doubt it?"

In reply, Justice Wilcox denied that he had said he should discharge Mr. Hayden, as alleged by Mr. Harrison. Until the noon of the last day Mr. Wilcox had written none of his review of the case except a few unimportant preliminaries, and at noon he wrote the closing sentence. The latter he thought best to have ready, and if there were any new developments that would change his opinion he could throw it away. He had the impression the case would close that day, and wanted to be ready and not cause further delay. Mr. Wilcox added that he thought when the State finished its side there was something of a case against Mr. Hayden, but after hearing the defense he changed his mind. Mrs. Hayden told Mr. Wilcox, after the trial, that "if Herbert killed Mary Standard he ought to be hung; but I am satisfied he did not."

MR. HAYDEN AND HIS FRIENDS.

September 29, Mr. Hayden preached his first sermon after his trial on a charge of murder. Bouquets graced the altar furniture, and a dozen towns were represented in the audience that crowded the rather small Madison church. Justice Wilcox sat on the platform near Hayden. When the minister entered he walked composedly to the pulpit and entered into conversation with the Rev. Mr. Latham, a retired Madison clergyman. He was dressed in a black broadcloth suit, and a small white neck-tie encircled his throat. Although he must have been conscious that all eyes were scanning him curiously, his wonderful composure remained undiminished. Mr. Hayden read the 27th Psalm, "The Lord is my life and salvation,

whom shall I fear?" and also read from the 5th chapter of St. Matthew, "And seeing the multitude, He went up unto a mountain." The minister did not talk about his late trial, having been advised to allow time to intervene before alluding to it. The only reference made to it was by the Rev. Mr. Latham in his prayer. He thanked God for the support and guidance that He had extended to the pastor in the terrible and trying ordeal, the equal of which seldom comes to any one. He prayed that it might make Hayden still wiser and better, and that God's blessing would rest upon his wife and little children. The allusion to the family of Mr. Hayden awoke evident sympathy for Mrs. Hayden, who was in the audience. Hayden preached gracefully and easily, and his manner remained the same throughout the service.

Mr. Hayden's congregation made the next move in connection with this remarkable case. September 30, "we, the persons, officers and members of the M. E. church and congregation of Madison, Conn.," passed resolutions of unqualified and continued respect for Brother Hayden as a man and minister; that his late arrest was made on the most criminally frivolous grounds, and was therefore a great outrage upon him and society at large; that they rejoiced he was a free man, honorably acquitted, despite "the wicked designs of evil men, and the ungentlemanly, unwarrantable, unscrupulous and inhuman course pursued by the prosecuting attorney for the Commonwealth;" promising him moral and financial support; calling upon the world and especially the Bishops and others in authority in the Methodist Episcopal church, to take notice of this declaration of firm belief in Brother Hayden's innocence; expressing pain and sad grievance at the course pursued by the secular newspapers in commenting upon the affair; but more especially at the *Christian Advocate* of New York, the leading organ of the Methodist church, for turning a cold shoulder upon Brother Hayden during his trial; and finally thanking by name many of those who had stood by the minister, and overhauling those who believed in the minister's guilt.

The promulgation of these resolutions stirred up much feeling, and a few days afterwards the New Haven *Palladium* gave a detailed summary of the evidence upon which the State relied to convict Mr. Hayden, but which was excluded by the court, which had the effect of creating somewhat of a public feeling that the State had not had fair treatment, and that the facts were sufficient to justify the bringing of Mr. Hayden before an unbiased jury. In this *resume* it was claimed that the testimony of Susan Hawley, Mrs. Jane Studley and Edgar

Studley, ought to have been admitted, and if it were, Mr. Hayden's conviction was certain ; that there was evidence to show that the throwing out of the wood in the swamp, which Hayden swore took him an hour and a half to two hours, could have been done in ten minutes or less, and that it could be proved he could have gone from where his wife last saw him, unobserved by mortal eye, to the place where the dead girl's body was found, in twelve minutes, and that thus he had a full hour and a half for an interview and a murder ; that Hayden's subsequent conduct might count for much or little ; and that just such a knife as Hayden had, and on which human blood was found, did the murder. Further, Mary Stannard told the same story to three different persons, and she always had a good reputation for truth among the neighbors, so it must have been true. She had what would be taken for signs of pregnancy, and certainly she thought she was in that condition. She did not ask Studley to go to Hayden as she did, for the purpose of blackmail, because Hayden was so poor he had to borrow money of Susan Hawley.

HAYDEN REARRESTED.—ENOUGH ARSENIC IN MARY'S STOMACH
TO KILL TWENTY PERSONS.

While this feeling already mentioned as growing against Mr. Hayden was at its height, the country was startled on the morning of the ninth of October by reading that the preceding night the minister had been rearrested on a bench warrant issued by Judges Hitchcock and Culver of the Superior Court, and that he had been brought to the County Jail at New Haven. The main fact that led to his second arrest was the finding by Prof. M. C. White, who, it will be remembered took the stomach of Mary Stannard for analysis, of over fifty grains of arsenic in it, or enough under ordinary circumstances to kill twenty people. Prof. S. W. Johnson, who holds the chair of chemistry in the Sheffield Scientific School, New Haven, assisted Dr. White in the analysis. The poison, strange to say, was not absorbed but lay in a mass. Mr. Hayden was as composed as usual when arrested, but the parting from his wife was very touching. He was at once brought before the Superior Court and at the request of State's Attorney O. H. Platt, a mittimus was issued committing the prisoner to jail, pending the coming in of the Grand Jury. The prisoner refused, as before, to say anything about the case, but his counsel, L. M. Hubbard, told the reporters that the defense, the same day Hayden had told where he left the arsenic in the barn, had sent up to Rockland and secured it, and it would transpire that the original package had not

been broken, and that the man who took it from the barn was a man of undoubted integrity and honesty. It was understood, and the State's Attorney admitted it, that the State had other evidence against Hayden, but it was mainly corroborative and of no special importance.

October 14, the Grand Jury met. Hayden was brought down from the Jail, and in the court room, though every eye was fixed upon him, he never showed that he was aware of the great scrutiny, but sat cool and easy, as if he were an uninterested spectator. At 10:45 a. m. the Jury retired and nearly all the witnesses who appeared for the State in the hearing at Madison appeared before them. It was expected it would at least take two days to hear all the State's evidence, but after hearing the principal witnesses the Jury were satisfied, and that same evening Foreman E. A. Cornell endorsed a true bill, and the minister was at once remanded to jail there to await his trial. For a time his counsel talked of making a motion for bail, though the State's Attorney insisted the case was not aailable one. But no motion was made. Soon afterwards the State authorities sent and obtained from Talcott Davis, who took it from the barn at the request of counsel for the defense, the arsenic bought by Hayden in Middletown. It was given to Prof. Johnson, and he, according to Hayden's counsel, weighed it and found it to contain 475 9-10 grains or within about five grains of the full ounce Hayden purchased at Middletown. The last complaint on which the minister was arrested contained two counts; one for killing Mary E. Stannard by cutting her throat, and one for killing her by administering arsenic. Mr. Jones, when told of the finding of the arsenic, said: "They had a big thing, they thought, when they found the blood on the knife, but that's all exploded; and now they've got the arsenic, and when we come to it, we'll knock the bottom out of that."

Since his last arrest Mr. Hayden has languished in prison—and not exactly languished either, for he has had many friends call upon him and they have allowed him to want for nothing. He has done no work, passing the time mainly with books. Now and again there have been rumors about another bloody knife being found, of finding metallic buttons in ashes found in Hayden's stove, of a man being seen to cross the lonely road in the neighborhood of the spring, and lastly an apparently well-authenticated story that Mrs. Edgar Stevens, while washing Benjamin Stevens' trousers the Friday after the murder, saw so much blood on them that she fainted. This sent the reporters out to see Mrs. Stevens at Madison, and while she admitted that she had a fainting spell, caused by exhaustion while washing Mr. Stevens' clothes the day in

question, she flatly denied seeing any blood on them or saying that she did. The other rumors will amount, probably, to about as much ; and it is safe to say that beyond some corroborative evidence of more or less importance, the State, in the coming trial, will have nothing to offer but what will be found in these pages. Hayden was to have come before the January term of the Superior Court, but owing to State's Attorney Platt being elected United States Senator, and therefore not having time to go on with the case, it was postponed till the April term of the Court. Just before Christmas last, a pastor of a Methodist church in the New Haven District issued an appeal for aid for Mrs. Hayden and her children, who were in distress, what little personal property they had having been sold to pay lawyers and meet the expenses of the former trial. She was homeless and had to seek shelter with friends, the little Madison church being too poor to care for her. About \$235. were raised in various churches and from private individuals and forwarded to Presiding Elder W. T. Hill.

HAYDEN IN JAIL.

A newspaper reporter thus describes a visit to the minister in jail last January : Mr. Hayden sat to-day on a chair at the foot of his bed in the little cell in the County Jail, and his wife sat sewing on another chair set in the narrow space between bed and wall. There was hardly room enough to turn around in the remaining space, yet both of them politely arose from their chairs when the reporter stood in the cell doorway, and invited him to a seat inside. Mr. Hayden looks as well and healthy as ever, and smiled just as pleasantly as during those September days, when his every action was noted and published far and near. He was neatly dressed and his curly locks showed as careful attention as ever. Mrs. Hayden looked pale but not worn, and managed to call up a half smile to welcome the visitor. As usual Mr. Hayden would converse upon any subject but the crime which is laid to his door. His wife managed to see him twice a week, he said. She was stopping at Madison—"not keeping house," she interposed—no, boarding around among friends. (The smile faded a little when he told of her dependence on others.) But, and he brightened up again, she was shortly coming to New Haven, where she was to stop with kind friends while his trial was in progress. Mr. Hayden said he had many visitors and from many quarters he was told to ask for anything he might want. He wished for nothing he was thankful to say. He was very thankful for the contributions for his family. In Madison a

lecture had recently been given for her benefit, and his people were generously paying him his salary all along. His parting, "Don't say anything bad about me," was accompanied by a laugh as if he had no care nor fear of future trouble. Sheriff Byxbee told the reporter that Mr. Hayden had as many as twenty-five visitors a day, many of them strangers drawn by curiosity. Finally, the prisoner had insisted that all visitors' names must be sent before he would see them. There were many requests for his photograph, but he would not grant them, as it had come to his knowledge that the New York illustrated papers had offered as high as ten dollars for a picture of him, from which to make a cut to print from.

IN CONCLUSION.

The sorrowful story of shame and crime which has been faithfully detailed in the foregoing pages, is somewhat relieved of its sombre and repulsive character, by the development of one or two movements promoted by practical sympathy. It is not an unsubstantial satisfaction to reflect that there is, in the human heart, a sense of tenderness for suffering which responds promptly and kindly to suggestions for ameliorating the sad effect of fallen humanity's misdeeds. It is understood that generous proposals have been made for providing a home by adoption, for poor Mary's unhappy orphan boy, whose forlorn condition aroused an active solicitude among many good people. Moreover, in towns contiguous to that in which the tragedy was enacted, some effort has been made to procure a suitable memorial stone for the grave of her whose lips are sealed in death. There is a sorrowful pleasure in mentioning numerous small contributions in behalf of little Willie Stannard, made by visitors from various places to the scene of the murder, and that the idea of raising a fund toward the support of the child has found general approval.

Thanks to Connecticut's love of law and respect for constitutional rights, a fair trial by a jury of his peers is the privilege of every accused person. May the Right, which is only another name for Justice, prevail, and may the innocent be delivered from even the suspicion of evil, and the guilty detected and made subject to a proper penalty! It is devoutly hoped that the impressive lesson taught by the dreadful occurrence herein given, may not soon be forgotten, but that the sacred declaration—the wages of sin, is death—may be recognized of all men. We should not, however, overlook the fact that laws, though made by legislators wrinkled and grey perhaps in experience, are, after all, but earthly devices, and the whole truth of any matter is only revealed to the eye of One whose ways are not as our ways!

THE CLAIRVOYANT'S STRANGE STORY.

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There remains yet to be told the story of Grand Juror Charles Socrates Stannard's visit to a clairvoyant to secure assistance in unraveling the great mystery. It is printed here to show a strange phase of this strange case, and must be taken by the reader for what it is worth. The fact of the visit and its result, created great excitement at the time. Dr. Hunt of Fair Haven, a medical clairvoyant was the person visited by Mr. Stannard. When the newspapers got hold of the affair, Dr. Hunt was visited by the reporters. He said Mr. Stannard had called, saying he was prosecuting officer at Madison, and desiring the Doctor to "sit" for him. The clairvoyant did so, but insisted that he, being in a trance, could not remember what had transpired. All he knew was that after the sitting Mr. Stannard was satisfied and seemed to be in a hurry to get away.

Next Mr. Stannard was interviewed. At first he was very reticent. Finally he admitted that the Saturday after the Tuesday of the murder, he made a twenty-five mile journey to Fair Haven to see Dr. Hunt. The two-dollar fee Mr. Stannard paid out of his own pocket, and then came the doctor's trance. While in it, he minutely described the scene of the murder, the victim and the murderer and what led to the commission of the crime. He told of a man who answered Mr. Hayden's description exactly, on his way home from Middletown that fatal Tuesday, stopping at the spring in the morning, and talking to a young woman whose appearance was exactly that of Mary Stannard. An appointment was made to meet in the afternoon. His journey from his house to the swamp lot and then around to the rock near where Mary was in waiting, was detailed by the clairvoyant, until the girl and her alleged murderer were seated side by side on the little rude seat of stones near where her body was afterwards found. He told her of his visit to Middletown after medicine to relieve her in her supposed pregnant condition, and after some talk she asked him for fifty dollars with which she might go away to some city and be relieved of her child and thus escape the disgrace that would attend such an event

if she remained at home. (Mr. Stannard said he got the impression from the clairvoyant that Mr. Hayden had been giving Mary ergot, but it had not produced the desired result.) The clairvoyant continued that the minister claimed he had not the money, nor could he get it. He was poorly paid, and needed all his small earnings for his family. Mary then replied that she would tell Mr. Hayden's wife the whole story. This aroused the minister, angry words followed and in his passion he raised a large and jagged stone and hurled it at the girl. It struck her on top of the head with considerable force. With a wild shriek Mary turned to fly, but after running a short distance (forty feet) whirled dizzily, and fell senseless to the ground, striking heavily on her face.

Then the clairvoyant in his trance saw Hayden look horrified for a moment at the result of his mad anger, and gaze as if dumbfounded at the poor girl lying prone upon her face. Suddenly a gleam of hate shot across his face, and approaching her, he turned her over and looked at her, then he quickly put his hand in his pocket, drew out his clasp-knife, and after pulling back his shirt sleeves to the shoulder (he had no coat on) he turned her head carefully to one side, and without a moment's hesitation, plunged the knife blade into her neck. Her hands he folded across her stomach with one of his hands, so that no blood could get on them in her dying struggles. Then he started to return home leaving her as she died. On the way he passed by the spring and he stopped and washed his hands and arm, and the knife. Then he hurried home, the clairvoyant following him in his trance and telling of the woods he went through. This story Mr. Stannard believed implicitly, and consequently he was and is firmly convinced Mr. Hayden murdered the girl. He quotes, too, in support of his statement that the clairvoyant told the truth, that the day after this visit to the doctor, Attorney James I. Hayes came from New Haven to look up evidence for the State. On his way to the scene of the murder with Mr. Stannard, the latter told him what the clairvoyant had said, and on arriving at where Mary's body was found, behold! the rude seat of stones was noticed near by, and close at hand was picked up the very jagged and bloody stone Dr. Hunt had described in his trance, "all going to show," said Mr. Stannard, "that the rest of what the clairvoyant saw must be true; for no one had thought of or found that stone before." While thus talking with Mr. Stannard, he let fall that the Tuesday following the first visit to the clairvoyant, he had made him another one. But what he had learned he would not tell; it was too important to come out at that stage of the trial. At length, on

being asked if anything was said concerning a rumor at that time afloat that Mr. Hayden had burned the clothes he wore that fatal day when he went down to the swamp, Mr. Stannard looked wise and finally admitted that his later information touched upon that point. After much urging he wrote on a slip of paper the words: "SATURATED WITH CARASENE—BURNT," adding, "Mind you, I hav'nt *told* you; but it makes me bile, knowing what I do, to sit in that court (pointing to where the trial was in progress), day after day, and hear that false evidence given."