

Trial of Professor John W. Webster : for the murder of Dr. George Parkman in the Medical college, November 23, 1849. Supreme Judicial Court for Suffolk, March term. Present Chief Justice Shaw, Associate Judges Wilde, Metcalf and Dewey. Counsel for the Commonwealth - Hon. John H. Clifford, George Bemis. Counsel for the Defence - Hon. Pliny Merrick, E. D. Sohier / Stenographic report, carefully revised and corrected.

Contributors

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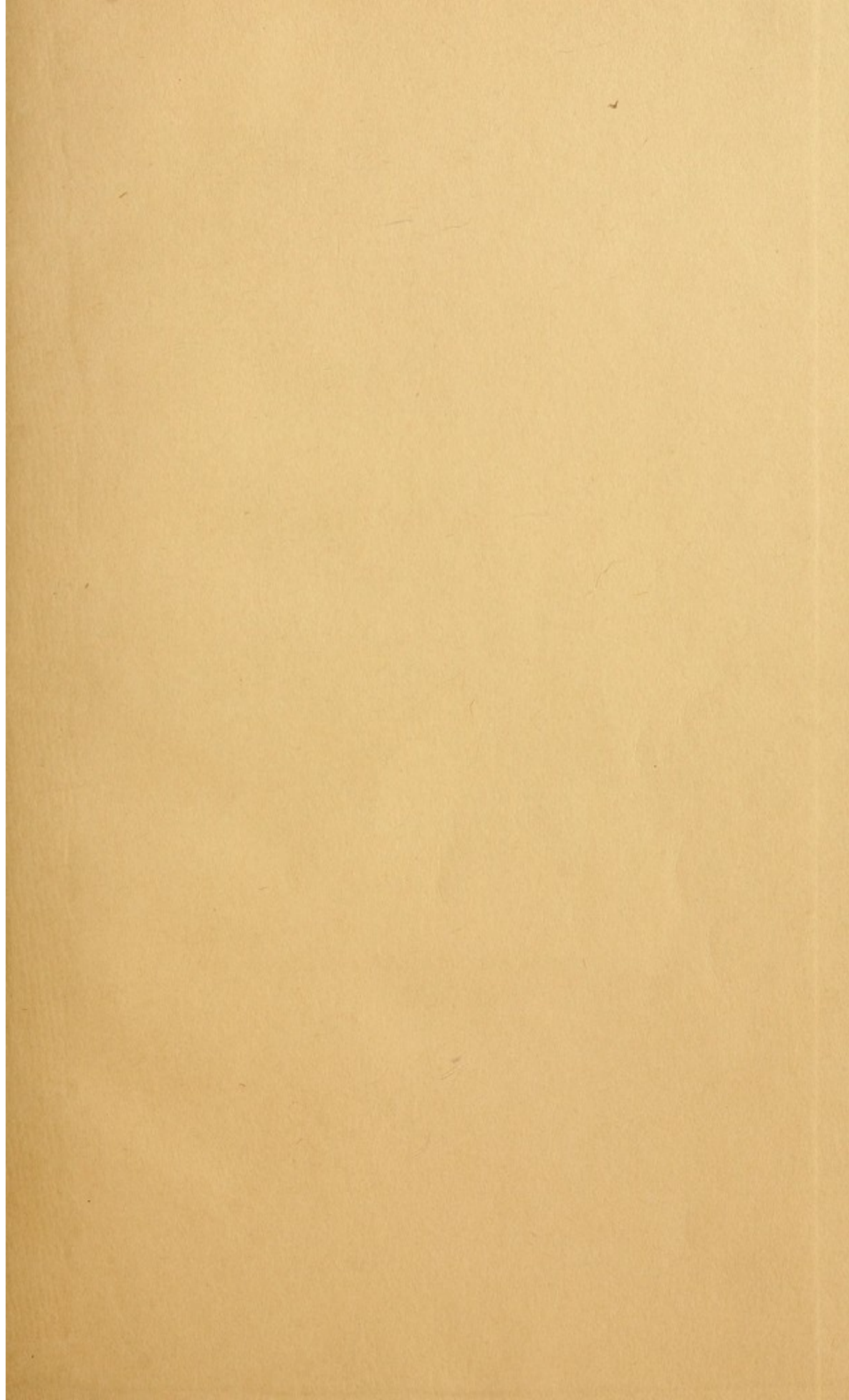
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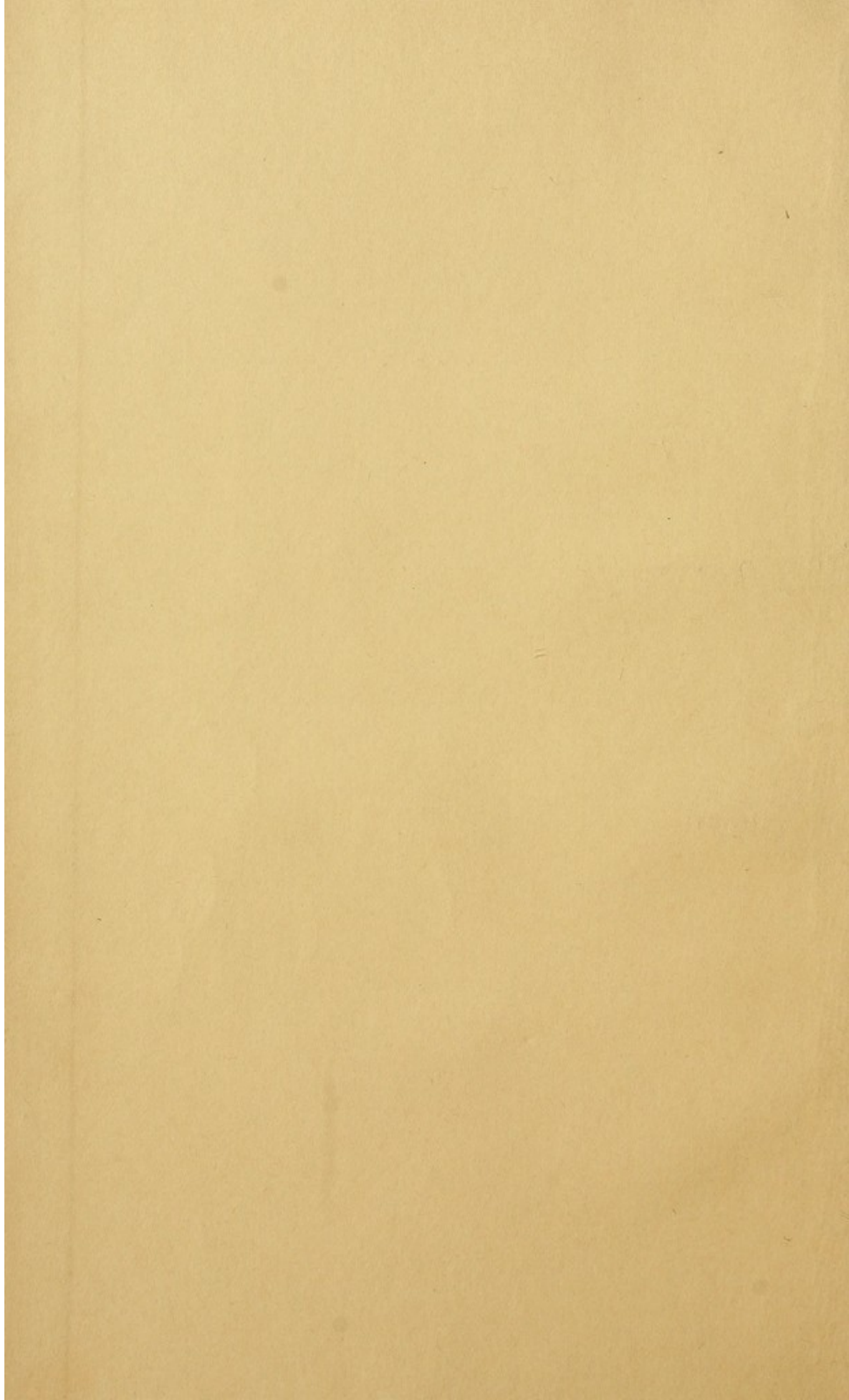
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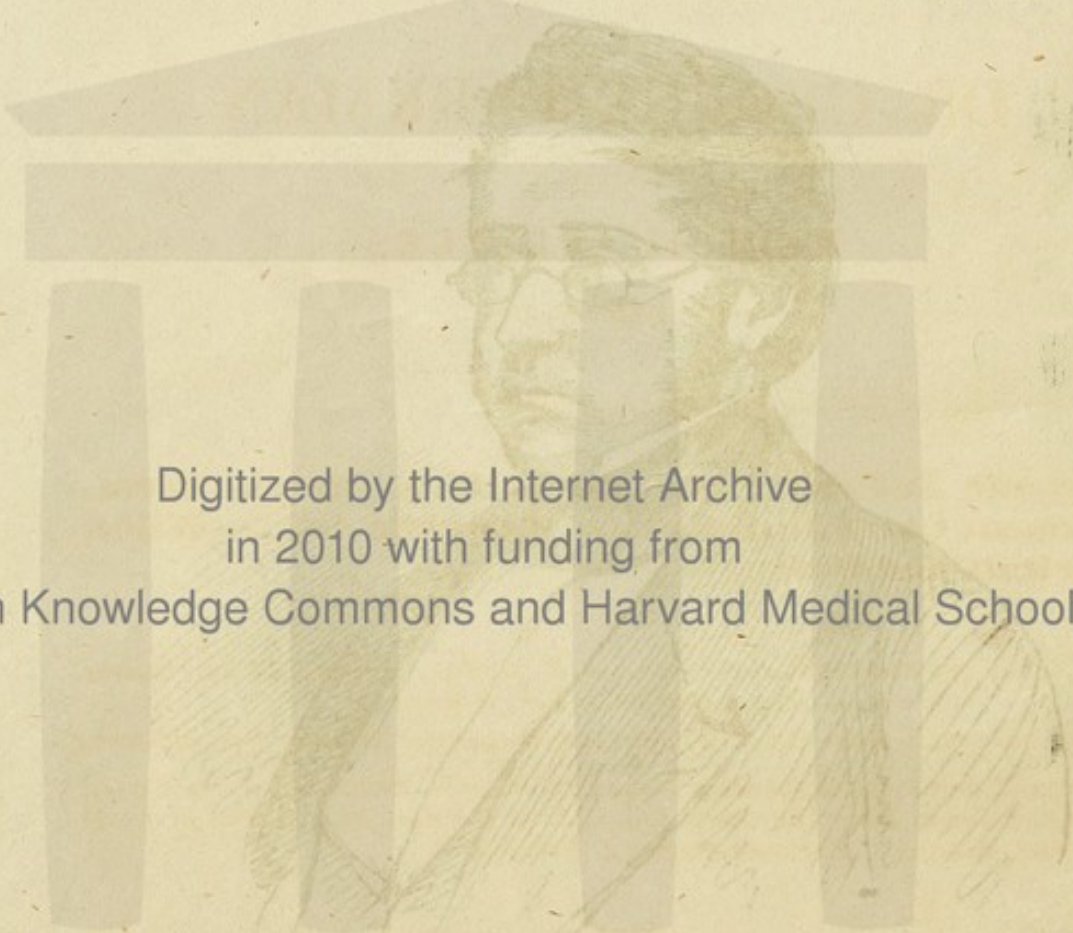
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TRIAL
PROFESSOR JOHN W. WEBSTER.
MURDER
DR. CURRIAN
PROFESSOR JOHN W. WEBSTER.
PROFESSOR JOHN W. WEBSTER.

PORTRAIT OF PROFESSOR JOHN W. WEBSTER.



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PORTAIT OF PROFESSOR JOHN W. WELSH



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TRIAL

OF

PROFESSOR JOHN W. WEBSTER,

FOR THE

MURDER

OF

DR. GEORGE PARKMAN

IN THE

MEDICAL COLLEGE,

NOVEMBER 23, 1849.

**Supreme Judicial Court for Suffolk, March Term.
Present Chief Justice Shaw, Associate Judges Wilde,
Metcalf and Dewey.**

COUNSEL FOR THE COMMONWEALTH—HON. John H. Clifford, of New Bedford, Attorney
General; George Bemis, Esq., of Boston.

COUNSEL FOR THE DEFENCE—HON. Pliny Merrick, of Worcester; E. D. Sohler, Esq., of Boston.

THE JURY—Robert J. Byram, foreman; Thomas Barrett, John Burrowscale, James Crosby;
John E. Davenport, Albert Day, Joseph Eustis, Daniel T. Fuller, Benj. H. Greene, Arnold
Hayward, Frederick A. Henderson, Stephen A. Stackpole.

Stenographic Report, carefully Revised and Corrected.

SPLENDIDLY ILLUSTRATED.

JOHN A. FRENCH,
BOSTON HERALD STEAM PRESS,
1850.

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DR. GEORGE PARKMAN

MEDICAL COLLEGE

NOVEMBER 22, 1840

Supreme Judicial Court for Suffolk March Term.
Present Chief Justice Shaw, Associate Judges Wilde,
Metcalfe and Bowry.

Counsel for the Commonwealth—Hon. John H. Clifford, of New Bedford, Attorney
General, George Harris, Esq., of Boston.
Counsel for the Defendant—Hon. Philip Mather, of Worcester; E. D. Sobier, Esq., of Boston.
The Jury—Robert J. Hyam, Foreman; Thomas Barrett, John Barrowack, James Crosby,
John M. Davenport, Albert Fay, Joseph Kettle, Daniel T. Peltier, H. Green, Arnold
Hayward, Frederick A. Hastings, Stephen A. Satchols.

Stenographic Report, as given by Revised and Corrected.

SPLENDIDLY ILLUSTRATED.

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BOSTON HERALD STEAM PRESS,

1860.

THE TRIAL.

FIRST DAY.

TUESDAY, March 19, 1850.

As early as seven o'clock, this morning, excited groups of men and boys were to be seen jammed together at the entry leading to the gallery of the Court Room, anxious to obtain ingress, and the bustle among the crowd, and rush to all parts of the Court Room when the doors were opened, showed the deep interest and excitement that universally prevailed.

Some female witnesses entered the court room shortly after the doors were opened, and the various reporters of the public press, the officers of the court and several members of the bar, soon filled up the body of the room.

ENTRANCE OF THE PRISONER.

A little before nine o'clock, and some time before the judges took their places upon the bench, the prisoner entered, and immediately took his seat in the dock. His step was light and elastic, in crossing towards his place, and his countenance betrayed a degree of calm and dignified composure, which created some remark from persons at the time in the court.

On taking his seat, Professor Webster smiled, as he saluted several of his friends and acquaintances, to some of whom he familiarly nodded; and a stranger would have taken him for an ordinary spectator.

He wore his spectacles, and sat with ease and dignity in the dock, occasionally shaking hands with some of his friends.

The countenance of the prisoner indicated to the physiognomist strong animal passions, and irascible temperament. The cheek-bones are high, and the mouth, with compressed lips, betray great resolution and firmness of character. The forehead is inclined to angular, rather low, and partially retreating. Standing below the middle height, and by no means a man of strong muscular strength, his general appearance makes no very favorable impression.

About nine o'clock, the judge entered the court room, and soon every available place of accommodation was jammed up to excess; the court room being filled to its utmost capacity.

On the prisoner being called upon to plead, he stood up firmly in the dock, and pleaded "NOT GUILTY," in a strong and firm tone of

voice, and while several of the jurors were being examined and questioned by the Court, as to whether or not they had formed or expressed an opinion, he manifested much anxiety as to the answers given in the course of the examination.

Officer Edward J. Jones attended the prisoner at the dock, and his counsel, William D. Sohler, Esq., and Judge Merrick, took their places immediately outside, near the prisoner, and were actively engaged in scrutinizing the jury panel, and attending to the swearing in of the jurors.

ASPECT OF THE COURT ROOM.

There was a degree of deep solemnity about the court room, as the examinations proceeded, and the grave appearance of judges upon the bench, the constant buzzing that prevailed as several of the jurors were set aside, added to the interest of the entire proceedings.

Among the many leading citizens in Court, we observed Rufus Choate, Esq., and several others who seemed to take a lively interest in the proceedings.

When the jury were sworn, and the Clerk of the Court proceeded to read the indictment, the prisoner stood up in the dock and listened to the reading with marked attention.

He betrayed the same degree of firmness and resolution, which he exhibited from the time of his first entrance into court, and almost every eye was turned towards him at the time.

The proceedings from the hour of the opening of the court, we give below in detail.

PROGRESS OF THE TRIAL—EMPANNELLING THE JURY, &c., &c.

At nine o'clock precisely, Chief Justice Shaw with the associate Justices Wildes, Metcalf and Dewey entered. Justice Fletcher was too ill to attend. For a few moments a death-like silence pervaded the room, and was first broken by Justice Shaw, who ordered the Clerk to call over the names of persons summoned to serve as jurors in this case—the number amounting to sixty-one. George Pratt, Francis P. Wallace, John C. Tucker, and John H. Foster, sent into court certificates from their physicians that they were unable to attend the court on account of ill health, and were excused.

Robert E. Newman, Charles G. Greene, Esq., of the Post, James A. White, Sylvanus Packard, George W. Thayer, and Wm. Duff appeared and made oath, backed by physicians' certificates, that their ill health would not

permit their serving on the Jury without serious detriment, and were excused.

Peter B. Brigham made excuse that he belonged to the militia, and being liable to be called upon at any moment, was therefore exempt by the statute from serving on a jury.

James Ingersoll was excused on account of age.

John B. Orcutt and Francis G. Whiston made the same excuse as put forward by Peter B. Brigham, and the validity of the excuse was admitted and they were discharged.

Samuel D. Fiske made oath that he resided out of the county, and was exempt from serving on a Jury in Boston. He was discharged—thus making 15 excused on the ground of inability and exemption by statute.

The State Attorney, Clifford, now moved that Professor Webster be placed at the bar for trial.

The Clerk of the Court having advised the prisoner that he had a right to challenge peremptorily twenty of the jury, proceeded to call the names.

William B. Adams' name was first called, and he was peremptorily challenged.

At this stage of the proceedings—

Chief Justice SHAW addressed the jurors upon what the statutes considered as disqualifications in a juror, such as relationship, the formation and expression of an opinion, prejudices, &c., and instructed them to answer under oath, whether they considered themselves as coming within the boundary of the disqualifying statute.

Charles H. Appleton's name was next called, but he answered on his oath, that he had formed an opinion, and expressed it, upon the subject. Disqualified.

Wm. H. Bailly was next called, and was disqualified on the same grounds as Mr. Appleton.

Chief Justice SHAW again addressed the jurors, charging them that if they had any such opinions on the subject of capital punishment as would preclude them from finding a verdict of guilty, under any circumstances, that they were disqualified by statute, and were to make answer under oath, whether or no such prejudice was entertained by them.

George Bemis, was opposed to capital punishment—discharged.

James Bliss, had expressed an opinion in the premises.

John Borrowscale, was unbiased—accepted and sworn.

John Bowker, Jr., had formed and expressed an opinion—discharged.

Hiram Boswell, was peremptorily challenged by prisoner.

Robert J. Byram, accepted.

B. Chandler, challenged.

George H. Chapman, had expressed an opinion and was discharged.

D. F. Childs, was opposed to capital punishment—discharged.

James Crosby was accepted, and being unbiased, was sworn.

Thos. Cunningham—absent.

John E. Davenport accepted, and being unbiased, was sworn.

Albert Day was accepted and sworn—he ac-

knowledged that he was somewhat biased, though not enough to influence his verdict.

Wm. L. Eaton—challenged.

Geo. C. Frothingham—challenged.

D. F. Fuller was accepted and sworn, being uninfluenced by bias or subsequently formed opinions.

C. B. Gould, challenged.

B. H. Green, sworn—attempted to be excused on ground of opposition to capital punishment but his excuse was not admitted.

Daniel Hall, challenged.

Arnold Hayward was accepted and sworn—was unbiased.

F. A. Henderson unbiased, accepted and sworn.

J. B. Hughes entertained opinions against capital punishment, and was discharged.

Alonzo Jones, Jr. had formed and expressed an opinion in the premises—discharged.

Geo. W. Learned challenged.

M. A. Manimus challenged.

Wm. Melvin challenged.

Ed W. Pierce had expressed an opinion, and was discharged.

G. C. Sanborn challenged.

Stephen A. Stackpole was accepted by prisoner, and being unbiased was sworn in.

The jury was here filled and sworn in the case. They are:—

JURORS.

Thomas Barrett, Printer;

John Borrowscale, Slater;

Robert J. Byram, Locksmith;

James Crosby, Clerk;

John E. Davenport, Painter;

Albert Day, Dry Goods Dealer;

Joseph Eustis, Merchant;

Daniel D. Fuller, Apothecary;

Benjamin H. Greene, Bookseller;

Arnold Hayward, Carpenter;

Frederick A. Henderson, Furnisher;

Stephen A. Stackpole, Clerk.

Robert J. Byram was appointed Foreman.

The indictment was then read.

Commonwealth of Massachusetts—Suffolk, to wit: At the Municipal Court of the City of Boston, begun and holden at said Boston, within and for the County of Suffolk, on the first Monday of January, in the year of our Lord one thousand eight hundred and fifty, the Jurors for the Commonwealth of Massachusetts, on their oaths present, that John W. Webster, of Cambridge, in the county of Middlesex, gentleman, on the twenty-third day of November last past, at Boston in the county of Suffolk, in and upon one George Parkman, feloniously, wilfully, and of his malice aforethought, did make an assault, and that he the said John W. Webster, with a certain knife which he then and there in his right hand had, and held him the said Geo. Parkman, in and upon the left side of the breast of him the said George Parkman, then and there feloniously, wilfully, and with malice aforethought, did strike, cut, stab, and thrust, giving to the said George Parkman, then and there with the knife aforesaid, in and upon the left side of the breast of him the said George Parkman, one mortal wound of the length of one inch, and of the depth of three inches, of which said mortal wound the said George Parkman then and there instantly died. And so the Jurors aforesaid upon their oaths aforesaid do say that the said John W. Webster him the said George Parkman, in manner and form aforesaid, then and there feloniously, wilfully, and of his malice aforethought, did kill and murder, against the peace of the Commonwealth aforesaid, and contrary to the form of the Statute in such case made and provided.

And the Jurors aforesaid upon their oaths aforesaid do further present that the said John W. Webster, at Boston aforesaid, in the county aforesaid, on the twenty-third day of November last past, in and upon the said George Parkman, feloniously, wilfully, and of his mal-

ice aforethought did make an assault, and that he the said John W. Webster then and there with a certain hammer which he the said John W. Webster in both his hands then and there held, him the said George Parkman, then and there feloniously, wilfully, and of his malice aforethought did strike, giving unto him the said George Parkman, then and there with the hammer afore said, in and upon the head of him, the said George Parkman one mortal wound, of which said mortal wound he the said George Parkman then and there instantly died, and so the Jurors afore said do say that the said John W. Webster him the said George Parkman, in manner and form afore said, then and there feloniously, wilfully, and of his malice aforethought did kill and murder, against the peace of said Commonwealth and contrary to the form of the statute in such case made and provided. And the Jurors afore said, upon their oath afore said, do further present that the said John W. Webster, of Boston, afore said, in the county afore said, on the 23d day of November, last past, in and upon the body of the said George Parkman, feloniously, wilfully, and of his malice aforethought, did make an assault, and that the said John W. Webster, then and there, with his hands and feet, him the said George Parkman, feloniously, wilfully and of his malice aforethought, did strike, beat and kick on and upon the head, breast, back, belly, sides, and other parts of the body of him the said George Parkman, and did then and there feloniously, wilfully, and of his malice aforethought cast and throw down the said George Parkman unto and upon the floor with great force and violence there, giving unto the said George Parkman then and there, as well by beating and striking and kicking him the said George Parkman down as afore said, several mortal strokes, wounds and bruises, in and upon the head, breast, back, belly, sides and other parts of the body of him the said George Parkman, of which said mortal strokes, wounds and bruises, he the said George Parkman then and there instantly died, and so the Jurors afore said do say that the said John W. Webster him the said George Parkman in manner and form afore said then and there feloniously, wilfully, and of his malice aforethought, did kill and murder, against the peace of said Commonwealth, and contrary to the form of the statute in such case made and provided.

And the Jurors afore said, upon their oaths afore said, do further present that the said John W. Webster at Boston afore said, in the county afore said, in a certain building known as the Medical College, there situate on the 23d day of November last past upon the said George Parkman, feloniously, wilfully, and of his malice aforethought, did make an assault on him the said George Parkman, in some way and manner and by some means, instruments and weapons, to the Jury unknown, did then and there feloniously, wilfully, and of his malice aforethought, deprive of life, so that he the said George Parkman, then and there did, and so the Jurors afore said, upon their oath afore said, do say, that the said John W. Webster him the said George Parkman, in the manner and by the means afore said, to the Jurors unknown, then and there feloniously, wilfully, and of his malice aforethought, did kill and murder, against the peace and dignity of the Commonwealth afore said, and contrary to the form of the Statute in such case made and provided.

DANL. RHOADES,
Foreman Grand Jury.

John H. Clifford, Attorney General.

The remaining jurors were now dismissed from further attendance until further notice.

The confusion incident to the retiring of the jurors having subsided, the Attorney General of Massachusetts, the prosecuting officer in behalf of the State, now rose to address the jury.

MR. CLIFFORD'S OPENING ARGUMENT.

Gentlemen of the Jury:—In a case of such importance as the present, none of us, it need not be said, but must feel impressed with a sense of the necessity of keeping himself free from all excitement that may prevail, or that has prevailed—for excitement in this case has affected the whole community. But here, in the calm, clear light of this temple of justice, we are to investigate the facts connected with it, simply on the evidence that is to come before us. We are all engaged here in services not of our own seeking—but services that are imposed upon us by various obligations—services to the Common-

wealth, to the community and to the prisoner at the bar. The Grand Jury of this county, after a patient investigation, upon their oaths, have charged the prisoner at the bar with the crime of murder, and you have been selected from among the mass of your fellow citizens, to hear the evidence, to listen to all the answers, and receive such instructions as will enable you to apply the rules of evidence, and then pronounce upon the issue. This is your high responsibility, and the evidence to be produced will, I trust, lead you to some such result as will satisfy your own minds and convictions, as to the guilt or innocence of the prisoner.

The learned counsel next proceeded to say that an idea was common in the community, to the effect that it was in contemplation on the part of the prosecution to press this trial and prosecution beyond those limits that occur in ordinary cases of such a character. He repudiated such an idea, and if such a demand were made upon him, he would not hold his official position for one hour. He appeared on that trial for the Commonwealth, and to protect its rights, as well as to perform his duties with fairness to the prisoner. With this view he would confine himself to plain and simple statement of facts; and not pre-occupy their minds or forestall their opinions by any remarks, not consistent with his public duty. He would content himself with presenting such an outline of facts, only as were in possession of the Government, and such as would facilitate the enquiry they had to make. That enquiry involved two general propositions. First, whether the late Dr. Parkman was murdered? and second, whether the prisoner had committed the murder? He would be able to show, by evidence the most unexceptionable, that Dr. Parkman was alive, in good health and cheerful spirits, on the morning of the day he was missing. That he was engaged on that day, and up to about ten or fifteen minutes of one o'clock in the afternoon, was seen alive, entering the Medical College in North Grove street.—They would be able to show, that he did not return home that evening, a fact in itself which would appear the more remarkable, as he had been always scrupulously careful of being at home, among his family, never absenting himself, without intimating such intention to them. He was bound up with his family, and on the very morning of the day he was missing, he was administering to the wants of a sick chamber, at home. Having purchased a quantity of lettuce, which he intended to take home, on that day, he left it in a shop adjoining the medical college, and to that shop did not return. His friends then became alarmed. They waited until next morning, and then a general search was commenced throughout the city, on Saturday. The police were summoned to aid in the investigation, and in the course of the day it became apparent, that Dr. Parkman had met with foul play. Notices were then posted throughout the city, and everywhere that his friends were. They were informed, that he was seen as late as 5 o'clock on Friday afternoon, on the day he was missing, and in tracing these remarks, it was ascertained, on following them up that it turned out the parties were mistaken in respect to the time at which

they had seen him. Handbills were then posted up, offering the most liberal rewards, and whatever might have been the hopes or expectations of those who offered them, to the amount of some \$3000, the conjecture in the end was that Dr. Parkman was not in the land of the living. In the course of Tuesday, the following day, his friends learned from the prisoner, that he had been in Dr. Parkman's company about two or three o'clock on the Friday. This was after the posting of the notices, and the circumstances he would take occasion to advert to again. The search was continued throughout the week, until the following Friday, and it may here be stated that as far as it came to the knowledge of the government, there existed no evidence to show that Dr. Parkman was seen after he entered the medical college. He would state that in order to show the jury, how thoroughly the search was made, that the rivers and the dwelling houses, every where were searched. On Monday and Tuesday, there was a search at the Medical College, in the rooms occupied by Dr. Webster. At that time there was no suspicion attached to Dr. Webster. On the 30th of November, the Friday following, in a vault and privy were found part of the remains of a human body consisting of the pelvis, the right thigh, and part of the left leg, and with them some towels upon which were marked the initials of the prisoner. There were also found in a furnace a great number of pieces of bones belonging to a human body, which were mutilated, and there were found in the laboratory in a remote corner, a tea chest covered with a quantity of minerals, and embedded in a layer of tan some parts of a human being. These remains were submitted to the examination of competent medical and scientific men. The whole were put together and found to correspond in every particular. The evidence would show that these remains belonged to a person like Dr. Parkman, who was about 60 years of age. The height of the owner while living, must have been about five feet ten inches and a half—taking the average from the missing parts. The witnesses would explain how they arrived at such conclusion, namely, that the height must have been about five feet ten and a half inches. They would be able to show also that among the fragments of bones found in the furnace and in the tea chest, not one fragment was met with that could be called a duplicate—that is, that the whole when placed together, showed that they belonged to different parts of one human body, and could not belong to two or more bodies. There was also evidence to show that some of the bones or fragments that were found, were fractured, before ever they were subjected to the action of fire. They would also introduce in evidence a block of mineral teeth, which were found in the chest, and which they could prove were made by one of the most distinguished men in this city, were made by him for Dr. Parkman, so far back as the year 1846. This circumstance was so strong, and the gentleman could prove it so conclusively, that if he saw these same mineral teeth anywhere, even beyond the seas, he would be able to prove that he made them for Dr. Parkman—such was their peculiar characteristics. This would be shown by the testimony of Dr. Keep, and that the bone

of Dr. Parkman's jaw had a peculiarity about it, that no other human being could have. It would appear also from the evidence, that these mineral teeth must have been cast into the furnace where they were found in connection with the part of the head found there. This would be proved by medical men. The bones of the right lower jaw, they would also be able to show, were broken—and that these bones belonged to Dr. Parkman. This was to be the nature and character of the evidence which they intended to produce in connection with the Medical College. There one or two points to which it may be proper to advert, that the thorax found in the tea chest exhibited a perforation, which plainly shows the taking away of a portion of the bone, entertaining near the region of the heart. This they could prove by chemical analysis. It would also be shown, that these remains could not be those of a subject for a medical college; they would also offer evidence to show a business connection between the prisoner and Dr. Parkman commencing in the year 1842, of a pecuniary character; and that at the time of this occurrence, all the personal property of Dr. Webster was under mortgage to Dr. Parkman. Dr. Parkman was a large property holder in this city—he was a man that was liberal in his donations, and a just man, and scrupulously careful and exact in his pecuniary dealings—honorable in his transactions, he would endeavor to exact the same from others. In 1842 he gave a sum of \$400 on mortgage to Dr. Webster—he made an advance of this certain sum of money, and arising out of this transaction Dr. P. took the mortgage on Dr. W's personal property consisting of his household furniture and his cabinet of minerals. In 1849, a friend of Dr. Webster had an interview with Dr. Parkman, when it appeared that a sum of \$456.97 was due by him to Dr. Parkman. About this period, the friend in question stated that his (Webster's) property was sold to himself, he being the brother-in-law of Dr. Parkman. This property being under mortgage, it will be recollected, at the time when Dr. Webster made this proposition, to Mr. Robert G. Shaw, the party in question. On this occasion, Dr. Webster represented his necessities as great, and that an officer was about to enter his house and seize his property. Mr. Shaw said he would give him \$1200. Subsequently Doctor Parkman learned of this transfer by Professor Webster to Mr. R. G. Shaw, and was displeased at it. After this he constantly pressed Dr. Webster for the amount of the mortgage. Dr. Webster then promised to pay him when he would receive the amount of the proceeds of his lectures. He had a professorship at Harvard College, and also at the medical college. He promised this when he would receive the amount of the tickets for his lectures. These lectures commenced on the 7th of November last, and Dr. Parkman, as early as the 9th of Nov., called on him, to compel him to pay the amount of the tickets. Dr. Webster then requested him to wait further; that he had not received the money for his tickets; and induced him to wait for further time; that there were already debts hanging over him to some large amount by his fellow professor,

Dr. Bigelow. Some time afterwards, Dr. Parkman called on Mr. Petty, Dr. Webster's agent, to send a message to Dr. Webster, to the effect that he was "a dishonest and dishonorable man." On 9th November Dr. Parkman called on Dr. Webster again, and with great decision demanded that something should be done about the debt. On the day following, he writes to him to the same effect, and on the 23d November, Dr. Webster called at the residence of Dr. Parkman, and made an appointment with him to meet him at 1½ o'clock that day, in order to pay him the money, to come to his room. At this time, it would be recollected, that the rooms were vacated by the students. In a conversation with a party who would be produced, he made these remarks at the same time, "that he would have no further to do with Doctor Parkman—that he had suffered enough from him already. A check for \$90, which he had received, and which it would be shown he had in his possession, was put in the Charlestown River Bank by him, the day after Dr. Parkman was missing. On Friday, that same day, they would also be able to show that Dr. Webster remained until a late hour after candle light; that he was there again on Saturday, and also on Sunday; that the doors which he usually left unfastened when he was from the college, were then fastened and locked; that the key of one of those doors, which was usually left deposited in one place, was removed and carried away by him from the college. That on Saturday, when it was usual to clean up the rooms, the janitor went into Dr. Webster's room, and when he attempted to go down to the laboratory, he was driven back by the Dr., who would not allow him to pass through. Dr. Webster's relations with Dr. Parkman's family would also be shown in evidence, and the circumstances attending the first disclosure, when he stated to some of the family that he saw Dr. Parkman as late as five o'clock, on the evening that he was missing. Many other facts and circumstances connected with this part of the evidence tending to show inconsistency on the part of the prisoner, would be introduced in the testimony. It would also be shown that Thursday, the 29th of November, was Thanksgiving Day, and that Friday Dr. Webster could have no business in the College. That at that particular time, he wanted no fires at his rooms—and yet he had fires of more intense heat than ever was known there before. They would also be able to show that about this period, he made a purchase of several large fish-hooks—that on the Friday following the disappearance of Dr. Parkman, there was found a large grapple, and the fish-hooks were fastened on a very peculiar species of twine, and that around the thigh above was some of the same tied, and put on with a hook, which were part and parcel of these very articles found on the premises. Then in respect to the prisoner's deportment and conduct on the occasion of his being called upon by Mr Kingsley, Dr Parkman's agent, who went there with officers to make another search, and went through the rooms. That it was also stated the privy was a private privy. They would also show, that during the search, the tea chest

in which the remains were found, embedded in tan, there were found over the whole, a layer of minerals. Then it would appear that on Monday Dr Webster gave instructions to the express man to bring him certain things from Cambridge—and also that he was directed to bring some faggots. That again he went to the place where Dr Webster used to leave the key and it was not left there, also—that Dr. Webster stated that Dr. Parkman was seen that day, going over to Cambridge. His manner upon this occasion it would be shown, was peculiar, and his declarations would be shown were irreconcilable with each other. They would be able to show that he got constructed a tin box, of such a description as he had never used before. Much had been said in relation to moral duties in connection with this case, but on the other hand, they were going to show mute nature speaking out in this matter. The learned counsel again adverted to the visit to the privy, and commented upon the declarations made to Mr. Littlefield, who suspected, he went on to say, that Dr. Webster knew more than any body else, about this horrid murder—Mr. Littlefield communicated his suspicions of Dr. Webster, and believing the facts, during the whole of that week, he acted with perfect consistency in that college. He, on Thursday, determined to make an entrance to the doctor's room, and commenced the work, and made something of an approach to it; he communicated his suspicions to others, and on Friday morning following up the advice of Dr. Bigelow, he set his wife to work, to watch Dr. Webster's approach. He would next call attention to the testimony to be introduced by Doctors Jacob and Henry Bigelow; showing that Dr. Webster's declarations were inconsistent with each other, and inconsistent with his own belief. He charged them with being conspirators, and his whole demeanor, after his arrest, up to the time of his being taken to the police court, showed nothing but inconsistency. They would show a complete change in the manner of Doctor Webster all from this time. That he then for the first time asked Littlefield, if he was a Free Mason, and whether he had purchased his Thanksgiving dinner, and his offering to give him the price of a turkey at the time, which was the first time he ever did so in his life.

The learned counsel here adverted to the manner in which the indictment was drawn—the counts being drawn up in conformity with the laws of the Commonwealth; and concluded.

His address occupied precisely two hours and twenty minutes, and the bad accommodations, the difficulty of hearing, from the remote corner in which our reporter was located, rendered it almost impossible to catch, with accuracy, a single sentence that fell from him.

Mr Clifford now moved to introduce testimony in behalf of the Government.

EXAMINATION OF WITNESSES.

CHARLES M KINGSLEY called.—I have been the agent of Dr Parkman since April or May, 1836; I was accustomed to see him once a day at least, and often more than that; Dr Parkman owns considerable property near the College; I reside in Blossom street; the Doc-

tor has an estate near my residence; I used to call at his house and he would sometimes call at mine. On the afternoon of his disappearance I wished to see him and called at his house in Walnut street before 3 o'clock, and was told that he had not been home to dinner—his usual hour was 2½ o'clock, he was usually very punctual in his engagements—I left word where I could be found, that afternoon heard nothing from him in the afternoon and went to his house early the next morning and learned that he had not been home during the night. I was told that he had an engagement to meet a person at half-past one o'clock on the preceding day; at once began to seek with whom the engagement was made; I traced the Dr. to Washington street, to Court Square, and from thence out into Cornhill Square, near Joy's buildings, thence into Water and Devonshire streets, then into Exchange and State streets to Court street, and back to State st., thence into Lynde street, Vine and Blossom streets, and in this latter place, I learned from the boy that Dr. Parkman had been there the day before, at about half-past one o'clock, and purchased lettuce there, but had not carried it away. I afterwards traced the Doctor to Grove street, and to the Medical College. I continued my search until the middle of Saturday night; on Saturday afternoon the first reward was offered through the presses; in what papers it was offered I don't recollect; afterwards on Saturday got hold of a story that he had been seen in East Cambridge at the Registry of Deeds; did not go until I had examined the houses belonging to the Dr. on the jail lands; went the next day to East Cambridge, where I remained until 11 o'clock A. M. I next returned to Boston, and went to the College with constable Starkweather; we went all over the building and dissecting room, and looked into the large vault for reception of the offal from the dissecting rooms, we didn't go to the cellars, we went into Professor Webster's room—it was then a quarter or half past 11 o'clock, we found the room door locked.

Here the court adjourned until half past 3 o'clock, P. M.

AFTERNOON SESSION.

The court entered and recommenced proceedings.

Continuation of the examination of Mr. Kingsley.

I think I was accompanied to the Medical College in company with officer Starkweather and Mr. Littlefield; we had knocked once without gaining admittance, and Mr. Starkweather had just turned to go down stairs, when Littlefield said that the Professor was in, and that we could gain admittance; Professor Webster soon came to the door but did not pay much attention, or speak to us; we entered and went through his rooms and then went down stairs; on the following day I again went to the college in company with officers Clapp, Rice and Fuller.

We went into Littlefield's apartments and searched every room—also his coats and panta-

loons, we made quite a thorough search of the apartments and looked under the beds, &c. We don't know but that we might find some papers or documents belonging to Dr. Parkman. We afterwards went down into the cellar thro' a trap door and then to the apartments of Professor Webster. Professor Webster came to the door. Mr. Clapp stated to him that we had come to make a search of the whole building and also of the neighborhood. Mr. Clapp said that as an officer he was obliged to go where he was sent, but that no suspicion rested on any one attached to that Institution; we then entered the Laboratory; Mr. Clapp, after looking through the Laboratory approached a small private room, upon which Professor Webster told him that he kept his valuable and dangerous articles there, and so he did not go into the room, contenting himself with merely looking in through the half opened door; I looked into the furnace of that room, and perceived a quantity of ashes in there; we afterwards went down into the lower room on Saturday, and on looking into the furnace, I perceived a bright fire burning but no ashes beneath the grate; it appeared as though it had been lately swept; in another room we saw a tea chest filled with tan, with some minerals thrown on top; Messrs. Clapp and Webster did all the talking while we were going through the rooms; we took notice of the minerals on the tan; some enquiries were made concerning the privy, which had not as yet been entered, Mr. Webster said that the key of it was lost on going down stairs, I noticed several spots on the stairs, which appeared as though made by water; my attention was directed to them the more particularly, as I had noticed them here the day before, and they did not appear to have dried any; the officers and myself did not at the time, make a very critical examination, as Mr. Clapp had remarked to Prof Webster, on entering, that there was no suspicion resting on any one attached to the Medical College; we did not think much at that time of the remarks we made, or of the conversation made.

The first reward offered was to the amount of \$1000 for the recovery of Dr. Parkman, and afterwards a reward of \$3000 was offered. I carried some of the hand-bills to Chelsea myself.

I went to the Hospital on Friday night, (a week from the time of Dr. Parkman's disappearance); I inquired for Mr. Littlefield, and found him in about 15 minutes. He had borrowed some tools, for the purpose of breaking through the walls. As I stood knocking at the front door of Littlefield's house, and while I stood there, I heard a dull sound, as though some one pounding on a wall—this was after the arrest of Professor Webster. I was at the jail that night about 10 o'clock, and there I saw Prof. Webster; he was laying on the floor of the lower lock up, face downwards; he did not seem to be able to raise or hold his head up; the officers managed to get him up and carry him up stairs; when he got there he asked for water; some was given him, and he attempted to take it in his hand, but he trembled so that he shook the water all over himself; the attendants afterwards held the glass of water to him and he stooped down his head as if to

drink but he did not appear to do so; I never saw a man in such a condition before; we asked him if he would go to the College and explain appearances there; he said he would go there but he had no explanation to make; he was perspiring very freely at this period, and Mr. Parker (County Atty.) asked him if he was ill; he said his extremities were freezing; Prof. Webster was carried to the college in a carriage, and was led from it to his laboratory by two officers, one each side of him; on going into the room I asked where the key to the privy was; he said that it was at the end of the shelves; it was not to be found however; and we were obliged to go down to the lower laboratory and break open the door; I did not notice the demeanor of Prof. Webster for some time, as my attention was directed elsewhere; we went down through a trap door to where the hole was made in the central wall through to the privy; after we entered we found the right thigh and right leg of a human being. [Here the defence pressed the question whether it was the right thigh and leg, or left thigh and leg, inasmuch as the Government Attorney had stated in his argument that it was the left leg and thigh.] I did not notice any thing peculiar in the behavior of Prof. Webster at that time and place. We stood looking at the fragments of the body for about 15 minutes, and then left the College. On the following day, (Saturday,) I was at the College with officer Fuller and some others. Mr. Fuller discovered in the tea chest before mentioned the thorax and left thigh of a human body. I was up stairs at the time, and came down at their request, and saw the officers dragging the chest from the shelves to the centre of the room; we took them out of the chest, and from the bottom of it there fell a large sized jack-knife, as I should call it; we afterwards found in a closet a pair of pantaloons and a pair of slippers, upon which were some drops of what we took for blood; Dr Chas T Jackson was present at this time; an officer took charge of the pants and slippers, and wrapped them up in a piece of paper; I saw the saw which they took down from the nail on which it was discovered hanging; we found on the handle of it some marks, which we supposed were made with blood.

While at the laboratory I asked for a pen, and Littlefield handed me two, one of which appeared to be made of a reed; and Mr. Littlefield remarked when he handed it to me, that he didn't think I could write with it; I was not present when the towels were discovered.

The general appearance of the parts of the body found—was those of Dr. Parkman's—he was a very slim man—don't know what his weight was—knew it thirteen years ago—there was some peculiarity in his jaw—should not like to say positively that the parts of the body found at the college were those of Dr. Parkman.

Have heard Dr Parkman use severe language on some occasions but never heard him use profane language.

I was not at Professor Webster's house in Cambridge, at the time the notes were found.

Cross-examination—I went out to Professor Webster's house I think on the 18th of December—went to Cambridge in the hourly and then took a carriage; did not have a search warrant on that occasion; have heard Dr. Parkman use very severe language; he would sometimes call a man a knave or a dishonest man; have heard him talk harshly to people who deserved it; never heard him use profane language. [Here, from the confusion in the court room and the distance of the reporters seat from the witness stand, some of the testimony was unavoidably lost.] Littlefield knocked twice at Professor Webster's door rather loudly; don't know as there was anything peculiar in the manner of knocking; don't remember whether there was any conversation in the lecture room; officer Starkweather went with me to the lecture room; Prof. Webster was dressed in his working dress, that is to say, he had on an apron and cap, the first time we saw him; he was also dressed in the apron and cap the second time; Prof. Webster said that Mr. Clapp had taken the privy key away; I saw tan in the tea chest; am sure of it; I saw a saw there also; it was a *butcher's saw*; I use that expression because it was a fine tooth hand saw, such as butchers use; saw something on the handle of the knife which I thought was blood.

Direct Examination. The saw was such as carpenters use for fine work.

PATRICK MCGOWAN called.—I lived with Dr Parkman at the time he disappeared; remember that a man called between 8 and 9 o'clock in the morning of the 23d November, to see Dr Parkman; can't say whether the prisoner at the bar is the one or not; Dr Parkman was at that time passing from his study to the office, and he advanced to meet the man who called; I heard the Doctor say that he would meet him at half past one o'clock that day; the Dr. left the house shortly after, and did not return to dinner; Dr. Parkman was a very punctual man.

Cross-Examined. I went to live with Dr P. the 6th of September; I attended the door; do not know how many others called to see him that day; didn't tell any body that day that the Doctor had gone away and would not be back again.

ROBERT G. SHAW called. Am brother-in-law to Dr. George Parkman; he was 66 years of age at the time of his disappearance; was intimately acquainted with the defendant; I last saw Dr. Parkman on the morning of the day he was missing, about 10 o'clock: there was nothing unusual in his appearance at the time; we walked together from my house to State street. On the Saturday following, his wife sent for me. I went to her house and found her in great distress; I immediately took measures, in concert with the relatives of the family, to solve the mystery of the Doctor's absence; our suspicions rested on a man who had several months before robbed the Doctor; a reward of \$3000 was immediately offered for the recovery of the Doctor alive, or \$1000 for his body; the first reward was offered the Saturday after his disappearance; I saw the remains found at the Medical College put together.

By Government. Do you believe they were

the remains of your brother-in-law, Dr. George Parkman?

Objected to by defence as incompetent testimony.

[The bench held a consultation upon the objections urged by defence and decided that the question was admissible, as showing that there was good reason to believe it to be the body of Dr. Parkman in the mind of the witness.]

The attorney general urged the question.

When I saw the remains of the body found, I recognised them to be parts of the Doctor's body, (as I believe,) by the hair on the breast, from its color, and by one of his legs, which I saw one day in my office. I discovered nothing different in the appearance of the remains from the parts of the body of Dr. Parkman. I knew, also, that he wore false teeth, similar to those found at the College.

Mr. Shaw was here requested by the government counsel to relate what he knew of the pecuniary embarrassments of Prof. Webster. He stated that in the latter part of 1848 Professor Webster called upon me and said he was in great distress, pecuniarily, and that he should like to get from me some money, on a mortgage of his mineral cabinet.

He said an officer was about to seize his furniture, and that his family were in great distress; told him that I hadn't got the money at that time, but if he could get my note discounted he might have it; he said he thought \$600 would relieve him for that time; he took the note, got it discounted, and gave me a receipt. [Here Mr. Shaw read a paper signed by Professor John W. Webster.] This paper was an acknowledgement of the receipt of six hundred dollars from R. G. Shaw, in part payment for a cabinet of minerals at that time, in his (Webster's) possession, containing about five thousand specimens. On this cabinet Mr. Shaw showed by documents that he had advanced a further sum of \$600—in all \$1200. I asked Dr. Parkman a short time afterwards what salary Professor Webster had at Cambridge, and said that he appeared somewhat pressed for money, inasmuch as he had but a short time before, (April, 1849,) sold me a cabinet of minerals to raise money; at this Doctor Parkman remarked that they were not his (Webster's) to sell, and he told me if I would come to his house he would show me the mortgage of the cabinet to him by Professor Webster—the Doctor seemed very angry—I remarked that if Professor Webster had told a falsehood in the matter he ought to be severely punished—here the Attorney General Clifford read a copy of the mortgage given by Webster to Parkman whereby he (Webster) mortgaged all his furniture, books, minerals, chemical apparatus, &c., constituting his entire personal property, this mortgage was recorded in Middlesex county, Feby. 13th, 1847. I mentioned this circumstance to a friend of mine some time afterwards and offered to subscribe on paper my name for \$500, with the intention of buying the Cabinet to present to the College provided others would subscribe a sufficient amount to purchase the minerals—I subscribed the \$500 with the understanding that that amount should be offset by what was due me from Professor Webster. The amount of \$1200

was raised, the Cabinet purchased, and the balance of seven hundred was paid to me.

Cross-examined. I believe the remains to be the body of Dr. Parkman from the fact that the Dr. was missing as much as from the hair on his breast—if he had not been missing I should not thought anything about the peculiarity of his hair.

Direct examination resumed. I got the mortgage which has just been read, from Dr. Parkman's house after his death, and before the session of the Coroner's Jury.

At this juncture, it being near 7 o'clock, the court adjourned un'til 9 o'clock Wednesday, A. M.

On motion of the Government Counsel the Court instructed the jury to proceed, in the charge of three constables, specially sworn in for the occasion, to view the Medical College in North Grove street.

His Honor, Chief Justice Shaw, instructed the officers to exhibit to them the rooms occupied by Professor Webster as Laboratory, &c., together with the privy and the perforation of the central wall made by Littlefield, before his discovery of the remains in the privy vault. His honor charged the officers and the counsel to tell the jury merely what apartments they were shown, without comment. The jury were further instructed to proceed to the Medical College at half past seven o'clock A. M., and return in time to attend court by nine o'clock.

SECOND DAY.

WEDNESDAY, March 20—A. M.

The excitement and interest connected with this extraordinary trial, seems if possible on the increase. The court-room and gallery, at an early hour, this morning, were crowded to excess, with anxious spectators, and the avenues leading to the main entrance, were filled with persons, who wanted to catch a glimpse of the prisoner on his passing in. A little before 9 o'clock the prisoner entered the court-room, and took his seat in the dock. He exhibited the same calm and dignified demeanor, that marked his appearance since the commencement of the trial, and shook hands with some friends whom he recognized in Court.

Some delay to the proceedings was occasioned, in consequence of the jury and counsel having gone to inspect the scene of the alleged murder at the Medical College, and in the interim, a large sprinkling of the junior members of the bar occupied the seats in the body of the court room. At a little before 10 o'clock, the jury returned, when the judges immediately entered and took their places upon the bench. The names of the jurors were hereupon called over, each answering. The Attorney General and counsel for the prisoner immediately took their seats, and the clerk having opened the court, the trial proceeded.

FRANCIS TURKEY, (City Marshal,) called—

I am City Marshal, and as such have the direction of the Police; under my directions all the search was made that could be made to discover the body of Dr. Parkman; Mr. Blake came to my office at 10½ or 11 o'clock A. M., on Saturday, the 24th of November, and told me that he wished to see me at his office; I went with him, and met at his office Mr. R. G. Shaw; they then told me that Dr. Parkman was missing, and that they wished me to institute a search for him; I immediately sent for the West End police, and told them that Dr. Parkman was missing, and ordered them to make diligent search for him. At two o'clock P. M., the same information and order was given to the whole police; after that Messrs. Blake and Shaw came to my office and asked what was to be done; I advised them to advertise in the press. The Police learned nothing further than that he had been seen at the West End at half-past one o'clock, Friday afternoon. The first notice of the fact was given November 25th, and merely stated the fact that the Dr. was missing. On Monday a handbill, offering \$3000 reward for the recovery of the Doctor—a day or two after a reward of \$100 was offered for a watch, without stating whose watch it was. We gave in that notice a description of the watch known to have been in the possession of Doctor Parkman at the time he disappeared; a reward was afterwards offered amounting to \$1000 for the recovery of the body of Dr. Parkman; of these hand bills about 28,500 were distributed; all efforts that could be made by me with the force at my disposal were made; a story was circulated in the city that Dr. Parkman had been seen at 5 o'clock on Friday afternoon in Washington street going south; on the Friday night of the next week succeeding the disappearance of Dr. Parkman, I was informed by Littlefield while at my office that he had succeeded in piercing the centre wall of the Medical College, and had found in the vault of the privy of Prof Webster's Laboratory, the remains of a human body; I put a revolver in my pocket, and started immediately for the house of Robert G Shaw, Jr, informed him of the facts stated by Littlefield, and he went in my company and that of Dr Henry Bigelow, the younger, to the Medical College in North Grove street; we entered the building, and descended through the trap door before referred to, into the cellar; we passed along the foundation of the centre wall of the building, until we came to the hole in the wall made by Littlefield; it looked as though lately made; pieces of broken brick lay around the spot.

A well executed model of the medical college, together with a map or plan of the ground floor and building, were here introduced, with a view to facilitate the enquiry, and fix the localities in the building where the searches were made, and the remains found. The model was neatly executed, each story of the building being well represented, and finished in such a manner as to draw off like the corner of a trunk or hand-box. Its construction, according to the plan and specifications of the building, was most ingenious, and presented an accurate representation of every locality. The model was examined with great care and attention by the court,

jury and counsel, and seemed to excite much attention in court. It was made by Mr. James Hobbs, of this city.

Mr. Bemis, junior counsel of the Government, exhibited the plan of the building to be introduced in evidence, to the jury, giving a full and elaborate description of it.

Examination of Mr. Tukey resumed. We looked into the vault through the hole, and could hear the water splashing in the vault, and there saw the remains as first discovered; after looking at them a few moments I ordered officer Trenholm and Littlefield to enter the privy and bring out the parts of the body. Littlefield went to get a plank, and they entered and brought forth the remains; I asked Dr. Bigelow if those were parts of a human body; he replied that they were; I asked him if that was a proper place for them to be put in; he said no; when Littlefield and officer Trenholm were in the vault, we heard some one walking above us; Littlefield came out of the vault and said that Dr. Webster was in his room then; with that we went up stairs, and searched the building, asking the officers first, if all was secured about; they then replied yes; by my orders the officers then looked all over the building, but found no one; asked the officers if they had searched the lecture room; they said yes. We went also to the Laboratory, and it was discovered that Prof. Webster was not there; when we went there and looked into the large furnace about that time I saw Constable Clapp with something in his hand; I examined it and saw that it was a slag or cinder of coal, mixed with fragments of bones.

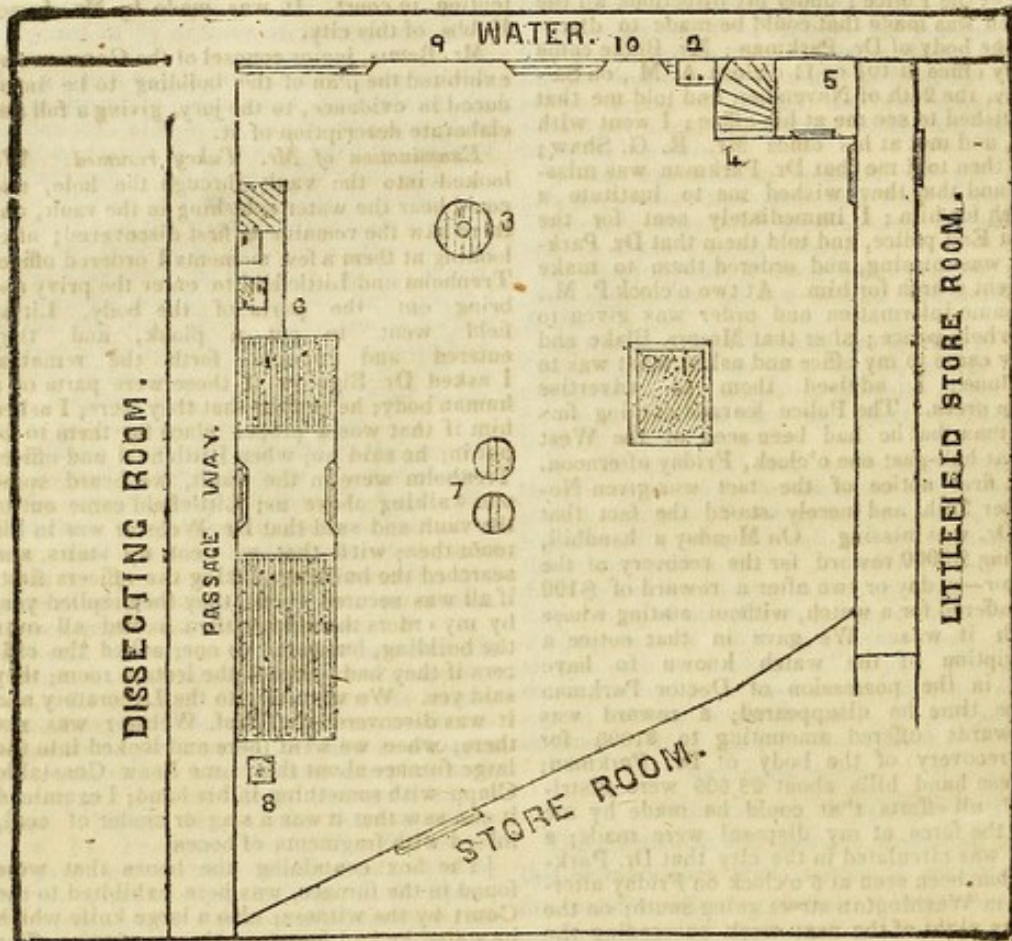
[The box containing the bones that were found in the furnace, was here exhibited to the Court by the witness; also a large knife which he stated he had found on the premises. The production of these articles created a thrilling sensation, and a general buzzing noise in the gallery. The blade of the knife was somewhat like that of a large bowie knife, extremely pointed.]

Cross examined. The first handbill was written by me, I think Saturday night, but was not printed till Sunday; on entering the aperture made through the brick wall, we were about one foot from a line with the hole of the privy over head; the remains were lying a little to one side from a direct line with the hole of the privy; can't tell the precise distance; can't say which particular piece of the remains was most directly in a line with the hole; they lay a little toward the north wall; the hole in the privy was 18 inches wide.

By Government. Can't say whether the tide ebbs and flows into the vault. The foundation walls of the building are strong and compact enough to exclude any solid object, but can't tell whether or no the tide could enter; don't know whether or no the inner walls of the vault had any projections or not; did not enter the privy vault.

CALVIN G. MOORE called. Reside at the corner of Vine and Bridge streets; kept a grocery store opposite my house; saw Dr. Parkman on the afternoon of Friday, the 23d Nov. 1849, in the store of Paul Holland, corner of Vine and Blossom streets; I went in to get some articles, and while there the Dr. came in;

PROFESSOR WEBSTER'S LABORATORY



Explanation of the Diagram.

1. A wet sink, connecting with the vault by a small pipe.
2. Sink, with Cochituate water.
3. Stove.
4. Staircase leading from the Laboratory to the Professor's private room, and encircling the privy.
5. Privy, immediately under which the pelvis, right thigh, and lower part of the left leg were found.
6. Furnace, in which were found the miner-

al teeth, and some small particles of the shin bone.

7. Two large casks, used for chemical purposes.
8. Tea chest, in which the thorax and left thigh were discovered.
9. A very large window, overlooking the water, and about two feet above it at high tide.
10. Another large window, but not so wide as 9; also overlooking the water. Both windows without blinds or curtains.

was between one and two o'clock; it was about twenty minutes before two o'clock; he entered from Vine street; the next day, Saturday, the officers came to my house, and asked me at what time I had seen the Doctor; I told them; when the Doctor entered the store he bowed to me, and we passed the time of day together; he then asked Mr. Holland about some sugar which he wished to purchase; he pointed to a bucket which he told Holland to put in; after he got through with the purchase of the sugar he asked Holland if he had any good butter; Holland said yes; he asked to look at it; they both went to the butter chest or firkin, and had some talk about it; after the Dr. had finished his business with Holland, he conversed a mo-

ment or two with me about the weather; said it was very fine weather for the time of year, and that nobody could complain of weather like this; he passed me and went to the door opening on Blossom street; he appeared to hesitate and stop as he opened the door; he stooped over the counter and said something to Holland which I did not hear; after which he went out; didn't notice which direction he took.

Cross Examined. The Doctor appeared as he always did, as though he was in a hurry; I dined that day at half past 12 o'clock; if I am not in a hurry I take a longer time to eat my dinner than when I am in a hurry; was called to testify before the coroner's jury; don't remember whether I said before the jury that I

left my own house at 20 minutes before 1 o'clock on Friday; don't know whether anybody wrote down the statement made by me concerning the time I left my house; Kingsley told me that Dr. P. had not been seen since the day before at 2 o'clock, and I came to the conclusion that I had seen him about that time on Friday the 23d, after this fact was told me by Kingsley; my wife's name is Martha.

Mrs. MARTHA MOORE called. I reside corner of Vine and Bridge streets; knew Dr. Parkman by sight; didn't see him on Friday the 23d of November, 1849; I sent my son George to go to school that day at ten minutes before 2 o'clock; he (my son) was on the sidewalk; I remember seeing a truck near the sidewalk; spoke to my son from the window which was open at the time; know it was ten minutes before 2 o'clock because I had just looked at the clock; my attention was called to this fact of sending my son to school about one week from this time.

Cross examination. My son attends the school; it commences at 2 o'clock, P M; he is not usually late at school; nor do I customarily remind him not to be late; I remember that this was on Friday because I heard people talking about it; my son George also told me within a day or two, or it may be a week, that he had seen Dr. Parkman on the Friday afternoon of his disappearance; this was stated to me by George in common conversation; no one else was present at the time; do not remember of any thing else which reminded me that this occurred on Friday the 23d of November.

To Government. My son George came to the court with me this morning.

GEORGE L. MOORE, called. I am 12 years of age; I live at the corner of Vine and Bridge street; knew Dr. Parkman; saw him on Friday, the 23d November, in Fruit street; I was standing near a truck in the street; he was passing down towards Grove street; [here the witness was shown a plan of the streets of and near Fruit street.] It was about ten minutes before 2 o'clock; remember the time, because my mother had just told me to go to school; another boy was with me at the time; his name is Dwight Prouty, Jr.; we went to the Phillips school, in Pinckney street; it was about a quarter of a mile from my father's house; we got to school just before it was tardy, or late, on that day.

*Cross examined—*Dr. Parkman passed me on the same side of the street—I mentioned it to the other boy—saying "there goes Dr. Parkman;" told my mother of this the next day.

*Dwight Prouty, Jr., called and sworn—*am 13 years of age, saw Dr. Parkman on Friday the 23d November, 1849, left my own house for school that day at quarter before 2 o'clock—I met some other boys near my house, I live at 24 Bridge street, heard George Moore's mother tell him that it wanted ten minutes of 2 o'clock—she was looking out of the window—think Dr. Parkman wore an over-coat on that day—we went right to school without stopping—after Moore's mother spoke to us the Dr. had passed us a few moments before, and was going in the direction of Grove street.

Cross examination of this witness, declined.

ELIAS FULLER called.—I carry on an iron

Foundry, known as Fuller's Foundry; my office is at the corner of North Grove and Fruit sts; knew Dr Parkman, have had many business transactions with him; he has a claim on the land occupied by my foundry; on Friday, the 23d of November, I stood at the front of the counting room, waiting for a man by the name of Harris; Dr Parkman passed me as I stood there a few minutes before two; I had inquired of some person about, some time before Dr Parkman came up, what time it was, and was then answered, "20 minutes of two o'clock"; after the Doctor passed I again enquired what time it was, and was told that it was but a few minutes of two; the Doctor was passing towards the Medical College in North Grove st.; as the Doctor passed me he saluted me.

*To the Court—*Dr. Parkman was on the other side of the street, and he came over where I was; there was no sidewalk on the opposite side of the street.

Cross-examined. The Doctor was walking fast when I saw him; think he was dressed in dark clothes; he wore a frock coat.

*Albert Fuller, called and sworn—*I carry on an iron Foundry in North Grove street—knew Dr. Parkman—have had business with him—he passed me on Friday the 23d, while I was standing at my counting room door—Grove st., don't think he saw me—I thought at first he was coming in and so stepped back—Dr. Parkman came across the street, I last saw him within forty or fifty feet of the Medical College this was between the hours of half past one and two and the nearest two—I was weighing castings at the time and I remained in that place all the afternoon; my position was directly opposite Fruit st., and if he had come out of the College by that way during the afternoon. I should have seen him; there are two ways by which the Doctor might have left the College. My brother Elias enquired the time of me that day about the period when the Doctor passed. I heard of his disappearance the next day afterwards; I knew where Dr. Webster resided at that time; on the Tuesday after Dr. Parkman's disappearance, Prof. Webster came into my counting-room to sign a check; Mr. Littlefield came to my counting-room on Friday of the next week after the disappearance of Dr. P., to borrow some tools to break through the wall; he borrowed a hammer and chisel; the remains were found that evening; Littlefield borrowed the tools at the same time—think my brother Leonard had lent him something previously; didn't go to the men; called to see what use Littlefield made of the tools; Mr Kingsley came to me that afternoon to inquire about Littlefield, and he went to the door of the College; Prof Webster said, when he came to my counting room, to fix the check, that nothing had been heard of Dr Parkman.

The cross examination of the witness elicited nothing of importance.

LEONARD FULLER called.—I am brother of Elias and Albert Fuller; Littlefield borrowed a drill about four feet in length on the day of the arrest of Professor Webster; he borrowed some other tools from the establishment; he was dirty and perspiring at the time; he took a chisel and hammer from my brother and went to the college; I did not see him again that night; I have

known Dr. Parkman for the last ten years; he was in the habit of coming into our counting room every day; he was very prompt in his manners: saw him on Friday the 23d; there was nothing unusual in his appearance at that time.

Cross-Examination. Didn't have any conversation with him that day; was in my chair at the time I saw him; don't remember what kind of clothes he had on.

PAUL HOLLAND called. Was at my place of business corner of Vine and Blossom streets, on Friday the 23d of November; saw Dr. Parkman on that day between 1 and 2 o'clock; he came into my shop and staid about 15 minutes; he bought 30 pounds of crushed sugar and 6 pounds of butter; he brought a paper bag with him into the store, and asked permission to leave the bag in the store for a few or 5 minutes; don't recollect which; I stood behind the counter when he went out; he said any time would do to send the articles purchased to his house; the bag remained in my store till evening; I then opened it, and found that it contained lettuce; sent the articles purchased to his house in the evening of the same day; heard that the Doctor was missing the next day, from Mr. Kingsley; there was some one in the store with me when Dr. Parkman came into the store; I have a clerk; the clerk was absent at dinner at the time; he (the clerk) usually dines at one o'clock.

Cross-examined—My clerk generally gets back from dinner at 2 or a quarter before 2 o'clock; I live in Spring street. Dr. Parkman did not appear to be more in a hurry than usual; he wore a black frock coat, vest and pants, and silk or satia cravat.

JABEZ PRATT, Coroner, called.—Am one of the Coroners of this city; was called upon, in my official capacity on the night of Friday, November 30, to hold an inquest on some remains found in the Medical College in Grove street; I went immediately to the house of the County Attorney, S. D. Parker; had known Professor Webster before this time; saw him that night in the jail in Leverett street; went into the lower lock up, under the jail, in company with Dr. Martin Gay. Prof. Webster was lying on his face, on a cot, apparently in very great distress; Dr. Gay endeavored to soothe his feelings, and to get him up. Prof. Webster said he was unable to get up; he trembled all over, and exclaimed, "What will become of my poor family." We carried him up stairs. The officers had to lift and carry him up the stairs, he called for water, and some person offered him water, but he could not drink. As we were going to the county jail, we were instructed by the County Attorney not to talk with the prisoner. Mr. Parker stated to Prof. Webster that some discoveries had been made at the medical college, and asked him if he was willing to go down there and make an explanation; didn't remember whether Prof. W. gave anything more than assent to go down to the college or not. When he entered the carriage he was in the same condition that I first saw him; we had to lift his feet into the carriage after we got his body in; heard him complain of feeling cold; when we arrived at the college we went up to the front door of the

building, and Prof. Webster was carried between two officers; in the carriage he complained of the manner in which he had been taken from his family; we entered by the south front door; went into the lecture room; the officers who had hold of him were Cummings and Leighton, I think; they had some conversation with the prisoner; we then went from the lecture room to the upper Laboratory, and broke open the door; some one inquired for the key of the little room or closet in the Laboratory; Prof. Webster said that he kept his dangerous articles there, and that officer Clapp had the key; it was finally broken open with an axe; we saw a coat hanging there which was the one the Professor wore to lecture in; Professor Webster told us to be very careful or we should break some of the bottles and do great mischief; we came to the shelves with drawers, and broke open several of the said drawers; Webster objected to the breaking the drawers, and said we would find only demijohn bottles. Some enquiry was made for the key of the privy, Professor Webster said he hung it on a nail near the shelves. As I expected to be called upon to perform some official duty and I did not take so much notice of the rooms as I should under other circumstances—while I was in the Laboratory, the key was tried in the privy door but did not fit it—we broke open the privy door and tore up the seats. Some one said where is the chimney, I went to the furnace and found something like pieces of bones in it, I directed the people standing about to let it remain as it was—it appears as though there was some minerals there likewise;

Can not give a description of the behavior of Professor Webster on that night; it was different from what I ever saw before, he appeared like a mad creature; when the water was offered to him he seemed to snap at it with his teeth, and then he pushed it away as though it was very offensive to him; Professor Webster appeared very calm whilst in the upper room than while in the Laboratory; I went into the cellar through a trap-door, and saw the remains brought out from the privy vault; I noticed that the Professor was very much agitated at the time; after the prisoner had returned to the jail, the remains were carried into the Laboratory of Prof. Webster; don't remember whether it was before or after Professor Webster was carried to the Jail; I made no further search that night; don't know what the officers did; summoned a Jury to sit in inquest on the remains at 4 o'clock, P. M., on the next day; I took out the contents of the furnace either before or after the session of the jury; can't say exactly which of the police officers assisted me in taking out the contents of the furnace; I directed the officer to take out all the pieces of metal and bones which they could find among the slugs; there were some pieces of metal that looked like lead, and some that looked like gold; after taking out a little more than half the contents of the furnace I found that there was a considerable quantity of fragments sticking to the bricks; the fragments were not very large.

At this juncture, the court adjourned until half past three o'clock.

AFTERNOON SESSION.

The court came in at twenty-five minutes before 3 o'clock.

JABEZ PRATT, Coroner, *re-called*. There was a piece of an artificial jaw with some mineral teeth found in the furnace near the bottom; there were two or three other teeth found among the cinders; these teeth were put by my orders into the hands of Dr Winslow Lewis; the teeth were about two thirds of the way from the top of the furnace; the furnace was about a foot in depth; a considerable portion of the ashes and cinders were put by my orders in the hands of surgeons and scientific men; don't know what portion of the bones Dr. Wyman took; that matter was settled by the doctors themselves; some of the bones were put into a box for safe keeping; all of them had not been taken out of the slags; they were taken out about 9 or 10 o'clock A. M., and before the jury of inquest were summoned; don't recollect what officers were left in charge of the college; can't undertake to say what the bones were that we found in the furnace; I have in my custody a tin box, made by Mr Waterman for Webster after the disappearance of Parkman; while we were taking out the cinders from the furnace; the teeth fell through the grate.

[The tin box, with the cover, in which some of the bones were found, was here produced and shown to the Court and the jury. The box measured about two feet in length by eighteen inches in width, and about a foot high. It was heavily soldered at the different joinings, and appeared quite new. Its production in Court created some stir and excitement in the gallery, and at the same time the multitude outside the court loudly shouted.]

Cross Examined.—Can't tell what the substance sticking to the sides of the furnace was composed of; I broke them off the day they were discovered, and they fell among the ashes; there were pieces of bones in the fragments broken off; don't recollect what officers were left in charge of the College, I did not go as far as the hole made by Littlefield in the wall of the vault.

DR. WINSLOW LEWIS *called*. I was at the Medical College on Saturday, the day after the arrest of Prof. Webster; Dr. Charles T. Jackson, Dr. Martin Gay, Dr. Jas. W. Stone, were there also; the coroner sent for me to attend; Dr. Stone took charge of the bones and of the pantaloons supposed to have blood on them; Drs. Stone, Geo. H. Gay, and myself undertook to furnish a report upon the peculiarity of the parts of the body found in the College. (Here the report was produced, the signature of Dr. Lewis exhibited to and acknowledged by him, and the report was read by the junior council for the Government, Geo. Bemis, Esq. A diagram also was shown by Dr. Lewis meanwhile, and the report was illustrated to the jury by means of it.)

We will here state that the surgeon who made the examination, said that the wood cut of these remains given in the Third Edition of Tuesday's Herald, is as accurate as could be made.

The Report of the Committee of Physicians Appointed by Coroner Pratt to Examine the Remains found in the Medical College, North Grove St.

(Reported for the Boston Herald.)

The following is a *verbatim* report of the autopsy of the surgeons, read in Court yesterday afternoon:—

Messrs. George H. Gay, Winslow Lewis, Jr. and James W. Stone, being severally sworn, on oath depose as follows:—

Having been directed to make a post mortem examination, at the Boston Medical College, in North Grove street, attended to that duty Dec. 2d, 1849, at 10 o'clock A. M., and examined five portions of a human subject, viz: a thorax, a pelvis, two thighs, and a left leg. The thorax and left thigh were discolored, apparently with tan and some caustic substance. The three remaining ones were white, fair, and appeared as if they had been soaked in water—the cartilage on the head of the left thigh bone was colored black. The following is a description of the five portions separately:—

1st. Remains of thorax, and parts attached to it, which consisted of all the bones except the sternum or great bone. Fracture of the fifth right rib, apparently recent, and about four inches from the junction of this rib with the sternum. Both clavicles and scapulae present, the clavicles large; both lungs present but collapsed; left lung had plural adhesions; structure of both lungs apparently healthy; anterior thoracic muscles cut up from the ribs about six inches from the centre on each side, and with the skin thrown back; posterior portion of integuments from left scapula to right lumbar region, of a dark mahogany color, and hardened; remaining portion of integuments generally of a natural appearance, except a little greenness under the right axilla, probably from commencing decomposition, and some blueness under the left axilla, leaving the skin soft and easily broken through artificial action acting upon the hair and skin as far forward as the section in the median line. An opening slightly ragged, about $1\frac{1}{2}$ inches in length under the left nipple, between the sixth and seventh ribs, entering into the cavity of the chest;—Remains of the thoracic aorta and thoracic oesophagus. Heart and diaphragm wanting.—Trachea divided through cricoid cartilage.—Spleen contracted, externally granulated and internally red. Left kidney in its natural position, and contracted. No liver, right kidney, pancreas, stomach or intestines.

Nota Bene. The right kidney was discovered on the next day and given to us.

Sixteen Vertebrae present, consisting of 3 lumbar, 12 dorsal, and the greater portion of the 7th cervical, which appeared to have been sawed through the upper part.

The 2d—Pelvic portion, consisting of the bones of the pelvis; 2 of the inferior lumbar vertebrae; all the integuments, muscles, organs of generation, and the pelvic viscera; all the

intestines remaining was about six inches of the rectum through the anterior and external portion of which a section had been made, and the mucous coat separated from it, 4 or 5 inches throughout the whole circumference, but not cut off at the lower end. Hair upon this portion of a sandy gray, both thighs separated from it in a very irregular manner. Integuments and muscles divided down to the pelvis, down to the median line. On placing the pelvic portion in apposition with the thoracic, the 3d and 4th lumbar vertebrae corresponded precisely.

The spinous process of the 3d lumbar vertebra, with a portion of the transverse processes of the same, was absent from the thoracic portion, but were found attached to the 4th lumbar vertebra, which was on the pelvic portion.

3d. Right thigh, on being placed in apposition with the pelvic portion of the bones, muscles, and skin, corresponded perfectly.

Good muscular developments, with but little of fatty matter, Patella attached; some ossification of femoral artery.

4th. Left thigh, had a string about $2\frac{1}{2}$ ft long, tied just above the condyle, leaving loose ends. Patella attached. On being placed in apposition with the pelvis, the bones corresponded, but some portion of the skin and flesh appeared to have been removed or contracted from artificial means. On the anterior surface of the thigh, and somewhat on outer parts, there were appearances of the action of fire or some caustic matter.

5th. Left leg, of natural appearance, fair size; and on being placed in apposition with left thigh, the articulation corresponded.

MEASUREMENT.

	inches.
Thoracic portion, (length)	17 $\frac{1}{2}$
" " circumference below axilla, 30	9 $\frac{1}{2}$
Pelvic " (length)	9 $\frac{1}{2}$
" " crest of ilium, 30 $\frac{1}{2}$	18
Both thighs of the same length, - - -	18
" " circum. largest part of each, 18 $\frac{1}{2}$	16
Left leg, length to outer malleolus.	16
Total length, - - - - -	61
Circum. of largest part of left leg, 14 $\frac{1}{2}$	
Deduct distance from bottom of pelvis to top of acetabulum, - - - - -	3 $\frac{1}{2}$
Total length, - - - - -	57 $\frac{1}{2}$
All the parts being placed in apposition the distance from the 7th cervical vertebra to the outer malleolus, - - - - -	57 $\frac{1}{2}$
Difference, - - - - -	10 $\frac{1}{2}$
Total length of parts as above, - - - - -	57 $\frac{1}{2}$
Distance from the sole of foot to the outer malleolus on another subject, - - - - -	3
Distance from top of head to 7th cervical vertebra on another subject, - - - - -	10
Total length 5 feet 10 $\frac{1}{2}$ inches, or - - - - -	70 $\frac{1}{2}$

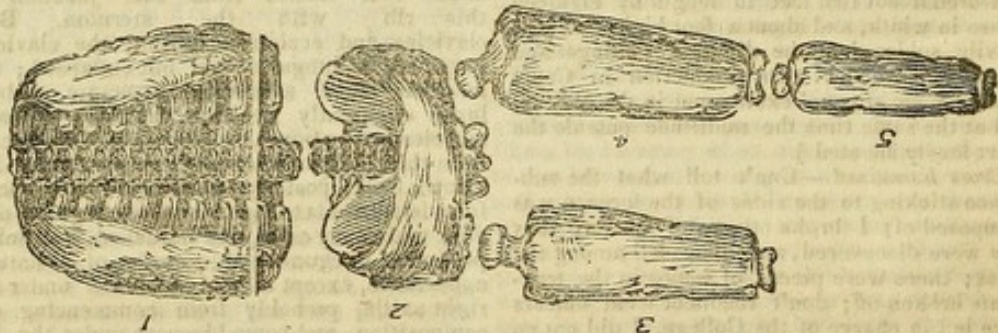
The foregoing described portions appeared to belong to a person between fifty and sixty years of age. The muscular system was well developed, and there was very little of adipose matter.

WINSLOW LEWIS, JR.

GEO. H. GAY.

JAS. W. STONE.

J. L. ANDREWS, Sec'y.



No. 1. Represents the vertebrae and thoracic cavity which is charred, and contains the lungs.

No. 2. Represents the pelvic cavity, covered by flesh in its lower part.

No. 3. The right thigh disarticulated from the pelvis.

No. 4. The left thigh disarticulated from the pelvis.

No. 5. The left leg disarticulated from the thigh and foot.

Question by the Government—Would it not be requisite, in order to cut up the body in the manner as stated in the report, that the person doing it should possess some scientific skill?

Ans.—In my opinion it would require considerable scientific skill. The separation of the sternum from the ribs appears to evince some knowledge of Anatomy.

There was nothing in the remains found that would lead one to suppose that they belonged to a subject for dissection, and not to the body of Dr. Parkman; they were evidently not separated for the purpose of dissection, if they had been, we should have found in the veins and arteries some preserving fluid, such as it is cus-

tomary to inject into the organs for circulating the blood, at the time they are received at the College; am perfectly satisfied that they are the remains of one and the same body; a block of mineral teeth were handed me by the coroner; I carried them to my house and kept them for the purpose of showing them to Dr Keep, for the purpose of identification; I gave them to Dr Keep.

Cross-examined—Have been acquainted with Dr. Parkman about 30 years. There were no marks about Dr. P.'s body that were peculiar to him; the comparison of one body with parts of another body, as to height, will give the stature almost to a certainty. There were two per-

forations of the parts of the body—the thorax and left thigh. The flesh of the parts was easily torn, and it was somewhat friable; the usual quantity of blood in a person of Dr. P.'s size is about 2 gallons. There would be about 2 quarts of blood—the venous system of a man of his size after death; can't say how much time it would have taken to consume the parts of the body that were missing by fire, because I have not now in my mind the quantity of fuel the furnace would contain; there was nothing in the appearance of the remains that would indicate the age of the body with any certainty, within ten years; the parts of this body and the muscles were well developed; I gave the mineral teeth to Dr. Keep; he returned them to me, and I gave them to the coroner.

Direct resumed. If a person had received a wound in the region of the heart, he would in most cases bleed inwardly; can't tell how long it would take to burn the parts of the body that were missing with any certainty; never burned a human head in my life.

Cross examined. The blood of a person after death is stagnated in the venous system.

DR. J. W. STONE called.—I was present at the examination of the remains found in the Medical College, in the capacity of secretary. There was a considerable quantity of hair on the back of the body; that on one side was somewhat burned. Have known Dr. Parkman about six years; the appearance of the remains was that of those belonging to a person between sixty and seventy years of age. The manner in which the parts were separated would lead one acquainted with anatomy to the conclusion that the person who separated those parts was possessed of some anatomical skill. The dissection of the sternum from the breast bone indicated this more clearly than any thing else, there was no appearance in the parts which indicated that they had belonged to a subject for dissection; the body had not been injected as is common with subjects of the dissecting room. If the injection were only arsenical, after a while the appearance of it would be likely to disappear; sometimes glue is mixed with it, and then it could not disappear; these were not injected with glue. A portion of one of the intestines had the appearance of having been operated on with a knife.

Cross examination. The flesh of the parts was very soft and easily broken; it was also apparent that fire had been applied to it; we looked for a wound in the chest but we found none; nor was there any indication on the thorax or chest that it had been penetrated by a knife.

DR. GEO. H. GAY called.—I was one of the committee of Surgeons appointed by the Coroner to examine scientifically the parts of the body found in the Medical College; think that the head was separated from the body by a saw; it would be a difficult thing to separate the head of a person from the body with a knife; don't know whether the hole in the thorax was made by taking it out from the tea chest or not; I saw a perforation of the membranes between the ribs just after it had been taken out of the chest.

Cross examined. The hole was about an inch and a half in length, and was between the sixth and seventh ribs; but there was no indi-

cation that it was done by a knife; I thought that it was done with a stick when I had first seen it.

Direct resumed. This observation was made at 3 or 4 o'clock Saturday afternoon.

DR. WOODBRIDGE STRONG, called. I have dissected a good many bodies in my day; I had a pirate given me in warm weather in the year —, and as I only wanted the bones I dissected him rapidly, and as there was a good deal of fat about him, I thought that it would be as good a way as any to burn him up; I therefore made a roaring fire and kept at work throwing on piece by piece all night, and at 11 o'clock the next day I found I had not got done by a good deal; I consider it a great job to burn up a human body; pitch pine would be the best thing to do it with, it is necessary to keep the fire well stirred up during the process or it will go out. I have known Dr. Parkman several years—saw him for the last time on the Friday on which he disappeared at 12 o'clock, in or near Belknap street going towards the common, I had the intention of speaking to him but he turned off still towards the common before I reached him. I went to the Medical College on the Tuesday succeeding the disappearance of Dr. Parkman—as I did not expect at the time to bear testimony before a court, I did not take notes of what I saw; when I saw the remains they were on a board; I observed that they appeared to have been separated by one acquainted with anatomy; I enquired if there was any perforation between the ribs, and was told that there was none, but on turning the chest over I found between the sixth and seventh ribs what appeared to me to be a *clean cut*, penetrating in a posterior direction, and apparently made there by a very sharp knife. The wound was made in the direction of the large blood vessels; the hair on the remains was mixed grey hair; the skin had lost the appearance of elasticity which characterises that of the young subject; and had the appearance of belonging to a body between 50 and 60 years of age; there was a peculiarity in the position of the shoulders and the hips; the body had the appearance of being disproportionately long.

Cross-examined.—have known Dr. Parkman many years; have done business with him; have been in his office often, and he in mine, and I flatter myself that I was somewhat acquainted with him; don't know that I ever saw any part of his naked body; have made anatomy my study for years, and always examine the form of every person with whom I meet; if I meet a man in the street whose shoulders are too much behind, I notice it; if I meet a lady with a crook in her back, I notice that too; never attempted to burn a human body in a furnace; think the furnace in the laboratory in the College, from which the slags were taken was a very poor thing to burn a body in; a stove would have been much better; if too much human flesh is put on to a fire of anthracite coal it will go out; a person wounded in the manner indicated by the wound in the thorax found in the chest, would bleed inwardly perhaps entirely, and the wound penetrating the great aorta near the valve, would cause the wounded person to faint, and I doubt if he would ever breathe again.

To a Juror.—The proportions of Dr. Parkman's

body had often been scrutinised by me. [Witness here was very facetious in giving his answers; and the prisoner smiled repeatedly at the manner in which they were given. At one time indeed, Prof Webster laughed heartily with the crowd in court who were convulsed with laughter.]

DR. FRED. S. AINSWORTH, called. I am demonstrator of anatomy at the Medical College in North Grove street, and any subject for dissection which comes to the college must pass through my hands; I keep an account in a book of all subjects received; had my attention called to this account book during the session of the coroner's jury, and found that I had all the material that I ought to have exclusive of these remains; the conclusion I came to on examining the remains, was that they did not belong to the body of any subject sent to the college or to me; I am accustomed to inject the arteries of all subjects that come to the college for dissection, with a solution of arsenic acid or chloride of zinc, alum and sulphate; Dr. Webster had nothing to do with preparing the bodies for dissection; my opinion was, upon viewing the remains, that the person who cut them up, did not know anything about anatomy; he might have seen a body cut up there, but I doubt whether the person who did the cutting on these remains ever had the knife in his hand before. The sternum was separated from the ribs in the only way they could have been disjoined with a knife, and this was the only part of the body which did manifest the least degree of anatomical knowledge in its separation.

The Court here adjourned until 9 o'clock on Thursday morning.

Before the court was adjourned the dense crowds that thronged every available place of accommodation, both inside, and in the gallery, as well as in every avenue outside leading to the court room, seemed more excited than since the commencement of the trial. The Sheriff had occasion to repeatedly call upon the spectators in the galleries to preserve order and regularity, or they should be put out—This had the desired effect.

THIRD DAY.

THURSDAY, March 21, A. M.

The Court room was, as usual, crowded from an early hour, long before the opening of the Court. The prisoner was brought into Court a little before 9 o'clock, and the anxiety of the crowd to see him, seemed, if possible, on the increase. On taking his seat in the dock, he conversed freely with several of his friends, who warmly shook hands with him, and he appeared to be in better spirits than when leaving the Court room on the previous evening.

The four Judges entered and took their seats upon the bench, precisely at nine o'clock, when the Clerk called over the names of the jurors, each answering. Some of the jury seemed to bear their confinement not so well as on the 19th

or two after they were first sworn in; and the witnesses, who have been daily kept in close confinement since the commencement of the trial in an adjoining apartment, also evidently feel much fatigued. The dignified solemnity of the Bench—the grave appearance of the court-room—the increasing interest that is hourly manifested by all classes both inside and outside of the scene of the trial—(now going on the third day) have added considerably to the excitement connected with it. Fresh batches of visitors to the court room were constantly crowding in, in the early part of the day, and several friends and relatives of the prisoner, and the late Dr. Parkman appear in Court, and show much anxiety as to the result.

The Clerk proceeded to call the witnesses when the Court was fully organized:

TESTIMONY FOR GOVERNMENT RESUMED.

Dr. C. T. JACKSON, called and sworn.—I am a chemist by profession. I was one of the persons called to examine the Medical College shortly after the discovery of the remains—went on Saturday afternoon, Dec. 1st, 1849—I went with Dr. Martin Gay and met Dr. Winslow Lewis there. Dr. Lewis made the preliminary arrangements for the examination, the chemical examination was undertaken by Dr. Gay and myself—the remains were handed over to the surgeons; am a physician by profession also; I undertook a chemical analysis of the slags found in the furnace, and also of pieces of the skin and flesh found; the manner in which the parts were separated would seem to indicate that the person who did accomplish the separation was somewhat acquainted with anatomy; the flesh was cut up boldly towards the ribs, and the cartilages were divided in a skillful manner; I found by examination that the portions of the remains in the tea chest had been treated with a strong solution of caustic potash; I was acquainted with Dr. Parkman; there were some peculiarities I think in the figure of the Dr.; the Dr. was broad and flat in the pelvis; [here the report made by Dr. Jackson to the coroner's jury, was read to the court by Mr Bemis, junior counsel of the government,] as follows:—

Report made to the Coroner's Jury by Dr. C. T. Jackson, on the articles found in Webster's Furnace, &c &c.

[Read in Court and reported verbatim for the Boston Herald.]

List of articles found in the Laboratory furnace cinders, delivered to us by the jury of the Coroner's inquest at the Mass. Medical College in Boston, Dec. 1st, 1849. These articles were sorted on Sunday by D. S. Wyman, Ainsworth and myself, Dr. Gay having been obliged to leave for the day.

BONES FOUND IN THE CINDERS FROM THE FURNACE.

Right os calcis, right astragalus, tibia and fibula phalanges, probably of the middle or ring finger.
Coronoid process of lower jaw.
Numerous fragments of a skull.
A human tooth that had a hole in it as if once filled by dental operation.

Three blocks of artificial mineral teeth were also found in the cinders, without the gold plate.

A pearl button was found in the ashes and was partially melted.

Numerous little cup-shaped pieces of copper, similar to some seen in one of the Laboratory drawers, were also found.

Many pieces of glass were mixed with the slags, and pieces of metal were found among the cinders.

To save our articles were all completely examined, and such as needed chemical assays were subsequently taken by Dr. Gay and myself, and examined.

The lump of metal most abundant in the furnace cinders were tea chest lead, an alloy of tin and lead, in nearly equal proportions, the tin predominating in the pieces assayed:—

Tin—17.19.
Lead—11.95.

The cinders being pounded and worked, disclosed some small oblong gold, and an alloy of silver and gold. The amount of gold found was small, 30 grs. The amount of silver was small.

After your examination of the human body, committed to you, I made some chemical examinations of the surface which had been dissolved on the chest and one thigh, and found that they had been imbued with a solution of potash. This I determined by chemical analysis, finding potash and a little sea salt. There was an evident corrosion of the surface of the skin, by the action, probably, of the potash, aided by heat. I found potash in the skin of both the thigh and thorax, and in the muscles at each end of the dissected thorax, the alkali being very strongly marked. The dark color of the skin which had been acted upon by potash, was, probably, in part colored by the tan, the potash aiding in this coloring. I found no alkali in the interior of the thigh, nor in the flesh of the back beneath the skin.

I observed that the hair on the left side of the thorax had been singed by fire. I noticed that the skin was corroded by potash and was quite tender near the opening in the skin opposite to the sixth and seventh ribs, and that the edges of this opening appeared to have been corroded by the alkali.

I dissected out portions of the femoral arteries and flesh of both thighs and the artery and vein of the leg, to examine to ascertain whether the body had been injected with the fluid used for preserving bodies in the dissecting room. These I gave into the hands of Dr. Martin Gay for analysis, and he has caused an examination of one of these pieces to be made in my Laboratory by Mr. Richard Crossley, who found no traces of zinc or arsenic substance used in the preservation of bodies in the dissecting room.

The spots on the wall, door and furniture, shown us by the jury and police, were submitted to the examination of Dr. Jeffery Wyman, as were also the spots on a pair of pantaloons and sippers, submitted to our inspection; and his results will probably be reported to you by that gentleman.

The results to which I have arrived are, that portions of a human adult skeleton were found in the cinders and coals submitted to my examination; that a chest lead had been thrown into the fire; that the gold found may have been derived from the set of mineral teeth found in the fire; that the silver was in small quantity; that the skin and parts of the thorax of the body you examined had been subjected to the action of potash, and an attempt had been made to burn the thorax in the fire, but had not been perceived.

These are all the conclusions we are authorized to draw from the premises herein set forth, and from the examinations submitted to the chemical department of your committee. Respectfully submitted.

By your obedient servant, C. T. JACKSON.

Began examination Saturday December 1st, 1849.
Ended December 8th 1849.

Amount of gold obtained by all the researches in the furnace, is 133.65 grains. Value, \$6.94.

By me,	45.6
By Dr. Gay,	47
By Mr. Andrews,	81.05

In all, 173.55

I dissected out the blood vessels from the thighs found in the college, and they and their contents were analysed by Dr. Richard Crossley, a very skilful chemist, who is in my employ; the result of the analysis showed that the arteries and veins had not been injected with any of the usual solutions used in the injection of bodies for dissection.

The best thing to dissolve a human body is

caustic potash. The quantity required would be about half the weight of the body. The time requisite to consume a body, bones and all, would be about two hours. Nitric acid would be the next best thing to caustic potash to dissolve a body in. The requisite quantity would be equal to the weight of the body to be destroyed.

Potash is best because it can be used in any common vessel made of metal; such as iron, copper, or tin; the potash used in dissolving a body should be boiled during the operation, which would be greatly expedited by the application of heat; nitric acid would require peculiar kinds of vessels to consume flesh in; I saw several bottles in the closet of Professor Webster's laboratory; some of which contained nitric and some muriatic acid; there was not I think more than ten pounds of nitric acid in all; the bottles there—on the walls and on the staircase leading from the lower to the upper Laboratory were drops or splashes of a greenish liquid which by the employment of test papers I discovered to be nitrate of copper—the splashes looked as though made separately upon each stair, and not as a consequence of a quantity of liquid accidentally spilled from above.

In the ashes of the furnace were found some punched pieces of copper which had apparently been subjected to the action of nitrate acid to produce nitrate of copper. I call them punch pieces, because they resembled the pieces that are struck out from the bottom of a cullender with a punch, by the manufacturer. These punch pieces found in the furnace, were of precisely the same size and form as those found in a drawer in Prof. Webster's laboratory, only they were somewhat thinner, in consequence probably, of the action of the acid upon them. From the slags taken from the furnace, there were separated in all, one hundred and seventy-three and sixty-five one hundredth grains of gold; of this quantity Dr. Gay separated forty-seven grains, Mr. Andrews eighty-one and five one-hundredth grains, and myself forty-five and six-tenths grains; have been acquainted with Prof. Webster several years; we have visited each other often in a friendly way. (Here the singularly formed knife was exhibited). I have seen that knife in Prof. Webster's Laboratory; saw it there before Parkman's disappearance; when I saw the knife at the laboratory after the disappearance of Dr. Parkman, there was a small quantity of oil and whiting on it as though it had been recently cleaned; there is a small portion of oil and whiting on the knife blade now, similar to that I observed on it at the laboratory on Saturday, Dec. 18th, 1848; think the cover of furnace was sufficiently tight to keep the odor of any burning substance from getting into the room.

Cross examined. The drops on the wall and staircase were nitrate of copper; am certain of it; not knowing Dr. Parkman to be missing, I should have no reason to believe that those were his remains found in the Medical College; there was nothing that indicated that the parts had been boiled in potash; I found caustic potash on both ends and sides of the thorax, but none in the interior of it; a body dissolved in nitric acid would become K-

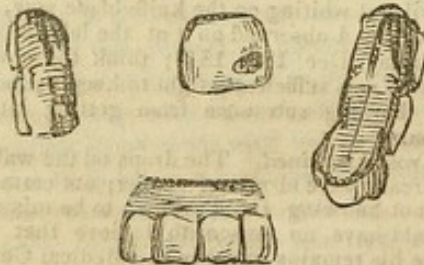
quid; a thick yellow liquid; flesh would dissolve in nitric acid quicker than bones; the bottles seen by me in the laboratory were nearly full at the time; was there on Saturday and Sunday; the splashes of nitrate of copper on the walls could not have been made a great while; when I first saw them the color would have been different if they were there longer, for their color has changed much since that time.

To the Court. A few minutes of the joint action of potash and fire would be all the time requisite to soften the flesh of the thorax and thigh, to the degree that it was softened when first found. I took a piece of the Norway pine on which were the spots supposed to be blood, from the stair case, (which I now produce) and subjected them to the action of nitrate of copper, but did not ascertain by that process whether the spots were caused by blood or not.

RICHARD CROSLY, called.—I am assistant to Dr. C. T. Jackson; am a practical chemist by profession. I analysed the arteries and veins and their contents, taken from the remains found at the Medical College, to discover if there was any arsenic acid, or chloride of zinc in them, and the result showed the negative. I analysed the drops of nitrate of copper, and the result corroborated that obtained by Dr. Jackson.

DR. NATHAN C. KEEP, (Dentist,) called.—I am a dentist, and was acquainted with Dr. George Parkman; attended him on an occasion when he was sick in 1825, and have known him ever since; there was shown me some time since a block of mineral teeth; it was on the Monday after Thanksgiving day that the teeth were shown to me; I recognised them to be the teeth made by me for Dr. Parkman in 1846; there was a great peculiarity in Dr. Parkman's jaw, and the peculiar structure of it left an impression on my mind; when I made the teeth for Dr. Parkman he was in a great hurry for them; he said that he was going to speak at the opening of the Medical College in North Grove street, and that there was but two days intervening before the day on which the college would be opened; he ordered that the utmost skill that could be employed should be exercised in the construction of the teeth; he said if he could not have the teeth then he did not

MINERAL TEETH IDENTIFIED BY DR. KEEP.



want them at all. I went to work in the usual manner to take an impression of each jaw—this

was done by putting soft wax into the mouth and pressing with a piece of metal upon it until it becomes chilled—this is then taken out, and a liquid plaster is carefully poured into the mould thus made and the form corresponds exactly with the jaw on which the mould is made (here the plaster cast of Dr. Parkman's jaw was exhibited and explained by Dr. Keep there were apparent fac similes of 4 natural and 3 stumps of teeth) with the cast thus obtained an impression or mould, is made in a preparation of foundry sand, and a cast corresponding with the original plaster cast, is made in zinc or brass, by various other processes the teeth are formed and the gold insertion plate affixed to them. There is a great resemblance between the piece of jaw found in the furnace of the laboratory and the mould taken by me of Dr. Parkman's jaw in 1846. I had to work all the night before the Medical College was opened in order to get the teeth finished. I got them done just thirty minutes before the ceremonies of opening the Medical College commenced.

[Here the city bells rung for fire, and it being announced that the Tremont House was on fire, the Court granted an intermission, to allow the Attorney General, who boarded at the Tremont, to save his papers, which were deposited there.]

At 20 minutes past 12 o'clock the court entered, the jury were re-summoned, and the proceedings resumed.

Examination of DR. KEEP continued.—I had just time to finish the blocks of teeth before the ceremonies. I ground off the lower edge of them near the gum in order to make the jaws fit better. This operation destroyed the pink color, made to imitate the gum, and somewhat marred the beauty of the work. At ten o'clock on the same night of the opening of the medical college, in 1846, after I had retired, some one came to the door and rang. I was told by the servant that it was Dr. Parkman; he came in, and said that the spring of the teeth had broken, and he wanted it repaired. I worked on the block about half an hour; the Dr. left the house and went home. I never had any professional intercourse with him after that time; I was in New York at the time of Dr. Parkman's disappearance and received a letter stating that his artificial teeth had been found in the furnace of Professor Webster's laboratory; I soon afterwards returned to Boston and the teeth were brought to me, and I at once recognised them as the teeth which I had made for Dr. Parkman and with which I had taken so much pains. [Here the voice of Dr. Keep was frequently interrupted by sobs and he was finally obliged to wait for some time until his emotions would allow him to proceed.] I was satisfied that the right upper teeth which were put into my hands by Dr. Lewis were Dr. Parkman's; there could be no mistake about them; Dr. Noble assisted me in their manufacture; the other parts of the artificial teeth were somewhat damaged by the action of fire.—[At this point the Attorney General requested Dr. Keep to stand immediately before the jury and explain to them the points of resemblance between the mould and the blocks of teeth found in the laboratory furnace; the bench also examined the blocks of teeth and the mould with mi-

note attention under the explanations of Dr Keep.] The interior of the jaw bone found in the furnace was calcined.

To a Juror. The last time I saw Dr. Parkman, which was the day before his disappearance, I saw the teeth in his mouth while talking.

Question by Attorney General. Do you know anything concerning the appearance of the teeth that would indicate that the teeth were in the mouth of the head while in the fire?

Answer. Such is the nature of these mineral teeth, that while in a person's mouth they absorb a minute quantity of water in the pores of the mineral matter, and if these teeth had been thrown directly into the fire while wet, they would have been fractured into a great many pieces; the teeth which were found in the furnace indicate that they were slowly subjected to the action of the fire and not instantly. If the teeth had been thrown into the fire without a muffle and dry, they would have cracked.

Cross-examined. Don't know at what time after I heard of the disappearance of Dr. Parkman, that I came to the recollection of the circumstances attending the manufacture of them. The combination of the impressions made on my mind by an examination of Dr. Parkman's jaws, preparatory to manufacturing the teeth, together with the view of the teeth themselves, led me to form the opinion and belief that the teeth found in the Laboratory furnace were those made by me for Dr. Parkman; don't know whether I can state the events which I remember in connection with the manufacture of the teeth in order, but I do remember that the teeth were made by me before I went to Europe. Dr. Parkman's name is on the plaster cast of his jaws—I put it on them at the time the jaws and teeth were manufactured.

Direct resumed. I said before the coroner's jury that there was part of a natural tooth adhering to one of the blocks of mineral teeth—were thrown into the fire enclosed in the head.

DR LESTER NOBLE called.—I was an assistant of Dr. Keep from the 12th of September, 1846, until the middle of the last July, (1849.) I am now prosecuting my studies in Baltimore. I remember making mineral teeth for Dr. P., in 1846; wrote Dr. Parkman's name on the model. The inscription on the model is "Dr. Parkman, October, 1846." I recognized the teeth the moment I saw them as those made by me for Dr. Parkman, as well from the general configuration as from several peculiarities, which I remembered; noticed, also, the defacement given them by Dr. Keep, in grinding down the edges. Am positive that these are the teeth made for Dr. Parkman; have as good reason to believe these teeth were made by me, as I have to believe any fact which I know. Remember that they were to have been done by the day that the Medical College was opened; remember the circumstances of the opening. Gov. Everett delivered the speech; I was present and watched to see if Dr. Parkman would speak in order to discover how the teeth would work; he did not speak as I inferred he would when he was complimented by Gov. Everett for his generosity; I understood that Dr. P. had given the land on which the Medical College stood, to Harvard College.

Here the court adjourned until 3 1-2 o'clock.

AFTERNOON SESSION.

At half past three o'clock the Court resumed its sitting, amid much excitement and confusion among the crowd outside.

Dr. LESTER NOBLE, *re-called.* I had just commenced studying dentistry with Dr. Keep at the time when Dr. Parkman's teeth were made; the first operation is to take a cast in wax of the gums; I made the cast or mould in the sand, and then cast the metal model. I have had experience concerning the action of fire on mineral teeth; never knew mineral teeth thrown into the fire without cracking; they may be heated gradually up to a great degree of heat and then cooled off, but sudden heating cracks them; I had a subsequent operation on these teeth; Dr. Parkman came to the office to have the teeth repaired; he had had them in his pocket, and they were bent together so as to be unserviceable. I repaired them. Don't remember exactly what time this was.

Dr. JEFFRIES WYMAN called. Have been Professor of Anatomy for the last six years; was professor of anatomy to Harvard college on the 2d day of Dec., 1849. An arrangement was made that I should attend to the anatomical examination of the bones found; my attention was called, though not specially, to the fleshy portions of the remains found; the box which is now exhibited contains the fragments of bones found in the furnace, &c. The diagram which I hold is a representation of the parts found in the vault of the privy. My opinion was on seeing the chest or thorax that the parts had been taken out by a physician as at an ordinary *post mortem* examination; the manner in which the sternum was separated from the ribs, seemed to corroborate this opinion; I thought the separation of the thigh bones from the joints seemed to indicate a knowledge of the location of those joints; I noticed that there was a great coincidence between the parts when placed in apposition; I saw nothing which would not warrant the idea that the parts found were the parts of one and the same body; my anatomical knowledge extends to all parts of the human body; don't know how difficult it may be to separate the head of a person from his body with a knife; a blow or stab inflicted between the sixth and seventh ribs, near the nipple, might cause blood to flow inwardly except that coming from the separation of the skin; if a person were first struck on the head and then stabbed, and the blood should flow inwardly, it would be an easy task to remove that blood by opening the body; it would require some care. I made a microscopic examination of some of the spots on the staircase near the lower landing and was satisfied that they had not been made by blood. I saw on the walls drops of what I thought to be nitrate of copper, first saw this on Sunday, was afterwards told by some of the Physicians that they were drops of nitrate of copper. I made an experiment with nitrate of copper to see if it would destroy the globules of blood so that they could not be detected by the microscope—found that the action of the nitrate of copper was not immediate but in a few hours I found that the globules were destroyed and could not be detected by microscopic examination. My opinion is, therefore, that nitrate

will destroy the globules in blood beyond the power of microscopic action. A pair of pantaloons and slippers were brought to me from the laboratory, and were supposed to have upon them some drops or splashes of blood. I discovered that these spots were made by blood—don't know what the red substance on the slippers is—it looks like Venetian red, and is similar to what was found on the floor of the laboratory. [Here the slippers and pantaloons were exhibited to the jury.] There is an indication which satisfied me that the blood did not fall down upon the pantaloons. I came to this conclusion from the fact that the drops or splashes are flat and were not in the elongated form which drops of blood would manifest when falling along a perpendicular surface; the blood drops are on the left leg of the pantaloons; the name of "Dr. Webster" is on the lining of the pantaloons; the paper which I now exhibit was given to me by one of the officers in the laboratory; there is a drop of blood.

Here Dr. Wyman exhibited the bones taken with the slags from the furnace to the jury telling what part of what bone he exhibited illustrating his remarks by the use of the diagram, alluded to in another part of our report. Are satisfied that the bones which I exhibited constitute the main portions of the right half of the lower jaw of a very old subject the teeth are all missing, three large grinders of the right jaw are missing and their sockets filled up indicating a person advanced in years.

There is a great resemblance between the form of the bones of the jaw, when placed in apposition—and the plaster cast made by Dr. Keep.

Among these parts of bones I do not find any duplicate; they are all fragments of the bones of one and the same body; on each side of the jaw of a well developed subject there are 8 teeth, viz:—2 incisors, 1 cuspid, 1 bicuspid, and 4 molars; the three molar teeth or grinders were absent in the parts of the jaw discovered.

Cross examination. I have examined the brick taken up from the laboratory floor, on the suspicion that some blood had percolated the crevices between them; did not find any blood on them; there was none on the mortar; did not examine the sand; I saw a hole between the ribs of the chest or thorax; the flesh was torn near the pole, which might have been caused by cutting the cartilage of the sternum; a drop of blood falling from the height of three feet, and striking a vertical surface, would trickle down, and would not be splashed as it is on the pantaloons. After the first 48 hours, the blood would assume a dark brown hue; after which, it would not change, even for years. The hue of the blood on the pantaloons and slippers was somewhat obscured by being on a dark ground.

Dr. Wyman's Report.

The following is Prof. Wyman's catalogue of the fragments of bones found in Dr. Webster's furnace—referred to in his testimony, given on Thursday.

CATALOGUE of the fragments of bones taken from the ashes of the furnace in Dr. J. W.

Webster's laboratory, at the Medical College in Grove street, and first seen by me December 2, 1849 (Sunday.)

The list of fragments of bones given at the Coroner's inquest is subjoined. The present catalogue includes the parts there enumerated as well as others which were determined subsequently to the Coroner's inquest.

The numbers which follow the names in the Coroner's list, are those which designate the same parts in the present catalogue:

No. on Coroner's list.	No. on new list.
1. Fragments of cranium,	7
2. Fragments of the orbit of the eye,	1
3. Two fragments of the lower jaw,	11
4. Fragments of a humerus,	14
5. Tip of the olecranon process of the Ulna,	15
6. Terminal phalanx of a finger,	19
7. Fragments of a Tibia,	21
8. Right Astragalus,	24
9. Right Os Calcis,	23
10. Fragment of the Atlas,	12
11. Cervical vertebrae (body united with the Atlas, since detached),	13
12. Phalanx of a toe,	30
13. Fragments undetermined,	35

Re-examination: received the fragments Jan. 24th, 1850.

Names of the bones identified, and the characters by which they were determined.

Those about which a question existed, are marked as doubtful.

No. 1. *Frontal bone*—Outer angle of the orbit, left side—on this may be seen the outer portion of temporal ridge. Part of the cavity of the orbit. Supraorbital notch. Part of the frontal sinus.

(This is No. 2 of the Coroner's list.)

No. 2. *Temporal bone*—Petrous portion of the left side. Internal auditory foramen. Jugular fossa. Carotid canal. Fenestra ovalis.

No. 3. *Temporal bone*—Digastric fossa of the left side with a portion of the "additamentum" of the squamous junction.

No. 4. *Spheroidal bone*—Base of the great wing on the right side. Foramen rotundum. Foramen ovale. Spheroidal sinus. Midian canal. Suture.

? No. 5. *Temporal bone*—Mastoid process. Mastoid cells.

No. 6. *Parietal bones.* Two tables. Vascular canals. Glands of Sacchioni.

No. 7. Two fragments of the *Occipital bone*—*a* Occipital protuberance. *b* Left lateral portion, with lateral sinus.

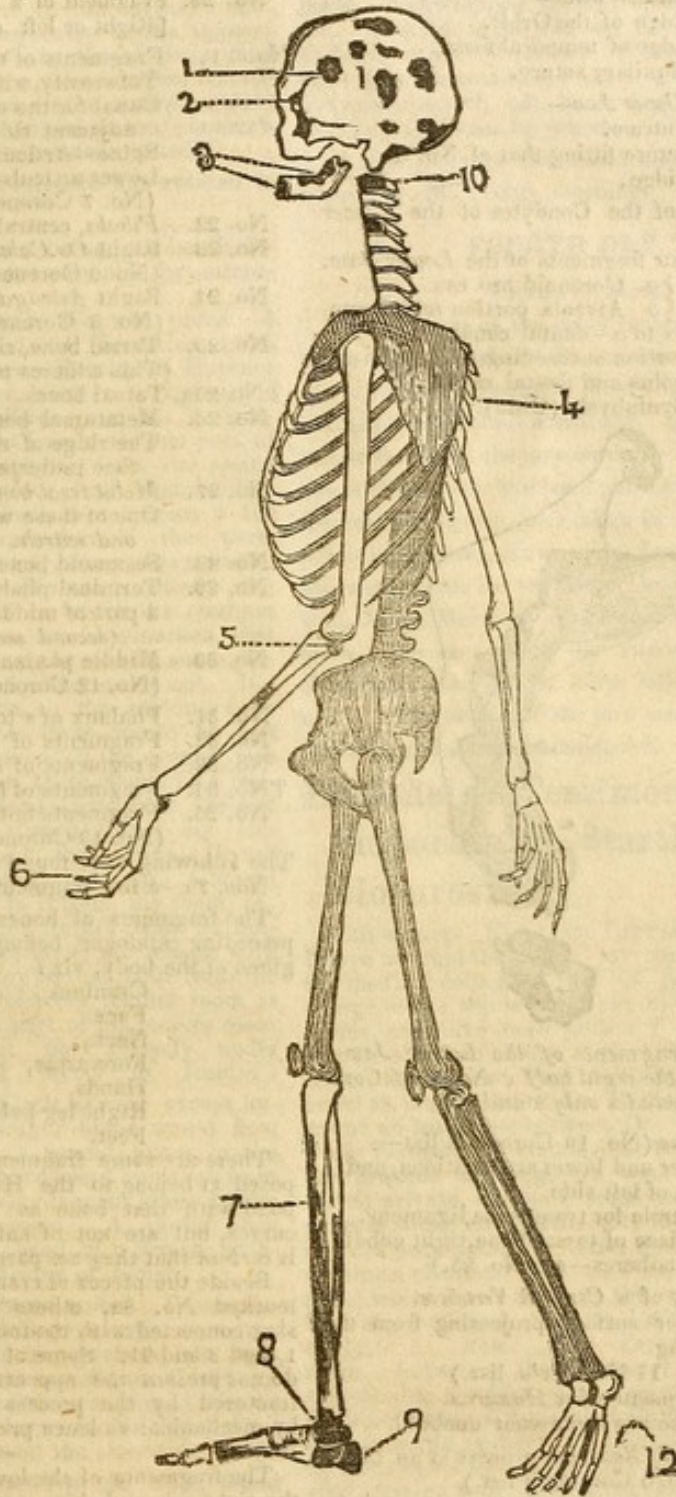
These fragments are continuous portions

No. 7a. Fragments of cranium not determined—some of them indicate fracture previous to burning.

N. B.—A few of these were found during the second search of the ashes made at the Marshal's office.

(No. 1 of the Coroner's list.)

Restoration of Dr. Farkman's Skeleton.



Designed by Rowse from a sketch by Dr. Jeffries Wyman, and engraved by Taylor & Adams
Especially for the Boston Herald.

The above is a correct copy of the diagram exhibited by Prof. Jeffries Wyman, in the course of his examination, on Thursday. It is the restoration of a skeleton, as made by Prof. Wyman, from the bones found in the vault, tea-chest,

and the furnace, in the part of the Medical College occupied by Dr. Webster.

The shaded parts of this figure represent what was found in the vault and tea chest; the black parts what was discovered in the furnace; and the white parts what was not found at all.

- No. 8. *Left Molar bone*—
Edge of the Orbit.
Edge of temporal fossa.
Maxillary suture.
- No. 9. *Left Upper Jaw*—
Antrum.
Suture fitting that of No. 8.
Ridge.
- No. 10. One of the Condyles of the *Lower Jaw*.
- No. 11. Four fragments of the *Lower Jaw*.
No. 3 } a. Coronoid process.
Coroner's list } b. Alveola portion which succeeds to a—dental canal.
c. Portion succeeding to b, with alveolus and dental canal.
d. Symphysis (Chin).



[No. 11. *Fragment of the Lower Jaw*—inside of the right half. No. 3 of Coroner's list includes only a and b.]

- No. 12. *Atlas* (No. 10 Coroner's list—
Upper and lower articulations, and
Arch of left side.
Tubercle for transverse ligament.
(A piece of tarsal bone, right cuboid,
adheres—see No. 25.)
- No. 13. *Body of a Cervical Vertebra*.
Under surface projecting from the
slag.
(No. 11 Coroner's list.)
- ? No. 14. *Fragments of a Humerus*.
These are somewhat doubtful.
- No. 15. *Tip of Olecranon process of an Ulna*.
(No. 5 Coroner's list.)
- ? No. 16. *Fragment of a Radius or an Ulna*.
- No. 17. *Scaphoides* of the left side.
- No. 17a. *Trapezoides*. (Side right or left
doubtful.)
[This was found on the second search.]
- No. 18. *Second phalanx of a finger*. [Side ?]
[Found on second search.]
- ? No. 19. *Terminal phalanx of a finger*.—
[Side ?]
[No. 6 of Coroner's list.]

- No. 20. *Fragment of a Radius*.
[Right or left doubtful.]
- No. 21. *Fragments of the Right Tibia*.
Tuberosity, with spine on the right.
Canal for the nutritious artery and
adjacent ridge.
Spine—Articulation with fibula.
Lower articulating surface.
(No. 7 Coroner's list.)
- No. 22. *Fibula*, central position.
- No. 23. *Right Os Calcis*—nearly entire.
(No. 9 Coroner's list.)
- No. 24. *Right Astragalus*—nearly entire.
(No. 8 Coroner's list.)
- No. 25. *Tarsal bone, right cuboid*.
(This adheres to No. 12.)
- ? No. 25a. *Tarsal bones*.
- No. 26. *Metatarsal bone of the great toe*.
The ridge of the articulating sur-
face indicates the right.
- No. 27. *Metatarsal bones*—distal portions.
One of these was found on the *sec-
ond search*.
- No. 28. *Sesamoid bone*.
- No. 29. *Terminal phalanx of the little toe*—
a part of middle phalanx adheres.
(*second search*.)
- No. 30. *Middle phalanx of a toe*.
(No. 12 Coroner's list.)
- No. 31. *Phalanx of a toe*. (*Second search*.)
- No. 32. *Fragments of fingers and toes*.
- No. 33. *Fragments of cylindrical bones*.
- ? No. 34. *Fragments of bones of face*.
- No. 35. *Fragments not determined*.
(No. 13 Coroner's list.)

The following were found on the *second search*:
Nos. 7a—a few fragments, 17a, 27, 29 and 31.

The fragments of bones enumerated in the
preceding catalogue, belong to the following re-
gions of the body, viz:

Cranium,
Face,
Neck,
Fore arms,
Hands,
Right leg below the knee,
Feet.

There are some fragments which were sup-
posed to belong to the Humerus; they corres-
pond with that bone as to their angles and
curves, but are not of sufficient size to render
it certain that they are parts of a humerus.

Beside the pieces of cranium in the package
marked No. 8a, others are to be seen in the
slag connected with the fragments marked Nos.
1, and 3 and 21. Some of the pieces in No. 7a
do not present the appearance of having been
fractured by the process of calcination, but
by mechanical violence previous to the calcina-
tion.

The fragments of the lower jaw are those of
the right side and chin—and belong to a person
from whom the teeth had disappeared between
the coronoid process and the region of the first
molar or second bicuspoid. The alveoli have been
absorbed and replaced by a flattened surface with
a ridge on one of its borders. This would indi-
cate that many months had elapsed since the
disappearance of the molar teeth.

The bone of the leg (the Tibia) is unquivo-
cally that of the right side.

The additional fragments enumerated in this

list and not mentioned in the coroner's list, were determined subsequently to the inquest and the examination of the Grand Jury, and were (with the exception of such as are recorded as having been found on the *second search*) found in the package marked on the coroner's list, "No. 13, fragments not determined."

[Here a recess of ten minutes was granted to the jury.]

The blood of a human being can be distinguished from that of some animals, by microscopic examination.

Dr OLIVER WENDELL HOLMES *called*. I saw Dr. Parkman on the 23d November, 1849; am Dean of the Medical Faculty of Harvard College; Prof. Webster lectures four times a week throughout the course, and his Laboratories and lecture rooms form a distinct part of the college, entirely separate from the rooms of all the other professors. Prof. Webster lectures from 12 till 1 o'clock, myself from 1 till 2 o'clock. The separation of the parts very evidently showed some anatomical knowledge. Doctor Wyman called my attention to the manner in which the sternum was separated from the ribs. I remarked that the sternum was cut from the ribs by some person who knew in what direction to cut. If a wound should be given in the region of the heart, directed upwards there would be but very little effusion of blood—if the wound was given horizontally, then there would be a considerable effusion of blood—remember the day when Dr. Parkman disappeared—my lectures had commenced that day—Doctor Webster's rooms are not so situated that I can hear noises in it from my room; never was disturbed in my lecture room by noises in Prof. Webster's rooms; the reason why I don't hear noises in my lecture room from the Professor's is, that when my lecture room is occupied, his is not; a part of his lecture room is under mine, but not directly under the part where I stand to lecture.

Cross-Examined. Can't answer except hypothetically as to whether blood would flow externally or not from a wound given in the region of the heart; I have heard applause from Dr Webster's students in his room, while I have been in my operating room. A mortal blow might be given on the head of a person without there being any effusion of blood.

WM. EATON, Policeman, *called*. I was present at the Medical College at the time the thorax was taken from the tea chest; the thorax was taken out of the tea chest and laid on its back; saw that the skin was turned over on the ribs; saw the hole between the ribs and remarked that it was about the size of the knife.

Cross-examined.—I refer to the knife found in the tea chest; put my hand on the fissure between the ribs; those around said, *don't touch the body*; I brushed off the tan from the thorax with my hand; there were about five or six others in the room; no one but myself at the time I first saw the thorax; attempted to brush the tan off; saw the hole in the thorax when I took it up; didn't know that the remains were in the tea chest until it was turned over; officer Fuller and myself stood for some time side by side taking out minerals, there were two layers of

them. I unwrapped several species of minerals. I staid night and day at the Medical College, after Professor Webster's arrest, until the body was taken away; did not turn the body over myself, but knew that it was turned over, do not know by whom.

At this juncture the court adjourned, until 9 o'clock A. M. Friday morning.

FOURTH DAY.

FRIDAY, March 22—A. M.

The galleries of the court room were opened to the public at about 20 minutes before 9 o'clock, and were instantly filled almost to suffocation by an excited multitude. At 5 minutes before 9 o'clock the jury entered. At 9 o'clock the prisoner, who had been placed in the dock a few minutes before, was taken in custody of his official attendant, Edward J. Jones, to one of the ante rooms in the court house, to consult with Judge Merrick, senior counsel for the defence. He entered at ten minutes past 9 o'clock, and was shortly after followed by the court. The names of the jury were next called and the proceedings commenced.

Littlefield's Testimony--Very Important --- Startling Disclosures.

26th witness. EPHRAIM LITTLEFIELD *called*. I have no middle name; my connection with the medical college is that of janitor; I have charge of the whole building; make fires in the rooms, and have been janitor 7 years. Since last October had charge of the college in Mason street; have known Prof. Webster since I first acted as janitor; knew Dr. Parkman; was present at an interview between Dr. Parkman and Prof. Webster; on Monday the 19th of November, towards evening, we were in his (Webster's) private room; I stood near the stove, stirring some water with salt; there were three candles burning at the time; the Professor was reading a chemical book, as I supposed, at the time; while I was stirring the water, I didn't hear any footsteps, but on looking up, suddenly, I saw Dr. Parkman in the room. I observed that Professor Webster was surprised to see him appear so suddenly. Dr. Parkman said, as I thought, Professor Webster are you ready to meet this to-night? The doctor afterwards said something about Dr. Webster's having sold something to some person, which he (Webster) had before sold to him (Parkman). Professor Webster said—"I do not remember that it is so—I had forgotten it." Dr. Parkman showed Webster some papers and then went towards the door, and raising his hand said "Professor Webster,—something must be accomplished to-morrow." Dr. Parkman left the room and I have not seen him since; the following day about 1 o'clock, as I was standing outside the medical college, Professor Webster came to the door and asked if I was

busy; if I was not he wanted me to carry a note to Dr. Parkman, and said if I could not he should have to carry it himself; I took the note and gave it to my boy named John Baxter; I told him to take the note to Dr. Parkman as soon as he could; Dr. Parkman was at the College on the forenoon of the same day of the interview in the evening (alluded to above); Prof. Webster asked me if the vault used to put the remains of subjects for dissection in, was repaired, and that the faculty had said something about having a new one made; he asked me how the vault was built under his coal bin, between his Laboratory and the dissecting room; told him that there was a leak in the coal bin that let the scent all over the building, and that the vault had been all filled up with dirt; he asked how I had got down to it; told him that I had taken up the brick floor, and then cut up the wooden floor beneath; he asked me if that was all the vault in the building; he asked me if he could get a light into that vault; told him no; he asked me if I was sure; I replied that I was, for I had already endeavored to get a light into the vault a day or two days before; he said he wanted to get some of the gas out of it.

To the Court. The foul air would put a light out.

Dr. Ainsworth had given me a skeleton to put in the vault a little while before to mascerate; I attempted to put a light down there to find it, but the foul air put out the lamp; he told me he wanted to get some gas out of there to try an experiment; I said to him, "How will you get it out?" Afterwards, said it would be a good time then, for the tide was up and was pressing the gas up; he said he had an apparatus to do it with, and said when he wanted the gas he would let me know; that was the last I ever heard of it. On Thursday W. said he wanted me to get him some blood for his lectures; took a glass vial holding about a quart from one of the shelves, and asked him if that would do to get it in; he replied, "Yes, get it full if you can, from the Mass. Hospital;" I saw a student who attended in the apothecary's shop in the Hospital, and told him that there was a glass jar, that Dr. Webster wanted some blood in it; he replied, "I think likely we shall bleed some one to-morrow morning, and I'll save the blood;" on Friday morning I went over to the Hospital and saw the student; he said that he hadn't bled anybody and so couldn't get any blood; I went to Professor Webster's room about half-past eleven o'clock, and told him I couldn't get any blood, he said, he was sorry—don't recollect that any thing further was said about it, don't recollect any further interview on that day. In the morning (Friday) after I had made the fire in his back room I took a brush and swept the floor and threw the dirt in the fire, went to put the brush behind the door of the Laboratory and there I saw a sledge hammer, had seen the sledge in the lower rooms but never up there before—the handle was about 2 feet long and of white oak; should think that it would weigh six or seven pounds.

To the Court.—The sledge was about as large round, on the face of it, as an ordinary orange, cut in two; never saw the sledge any where

but in the lower room before. I took it down stairs into the laboratory and set it up against the large vault where he makes gasses. [Here the plan of the laboratory was exhibited, and the position of the vault shown to the Court and jury.] Have never seen the sledge since; at about 2 o'clock I was standing in the front entry looking out of the front door; I thought when I testified before the coroners jury that it was about half past 1 o'clock, but I think now I was mistaken; I saw Dr. Parkman coming down Grove street very fast; he was about opposite Fruit street; I laid down on the settee nearest the furnace or register, and the door, waiting for Dr. Holme's lecture to finish; didn't hear any one go into or come out of Prof. W.'s rooms; laid on the settee until a few minutes before 2 o'clock, and then went up stairs; always wait at the door of the lecture room until the lecture is out; I went down stairs and shut the front door just after Dr. Holmes went out; afterwards went down stairs, cleaned out the furnaces, and left the materials for building the next morning's fire; then went up stairs into Prof. W.'s back room, and cleaned out the stove; I then went to the medical lecture room and cleaned he furnaces out there.

[Here the wooden model was exhibited, and Littlefield pointed out the position of the settee on which he had lain.]

I then went down to Prof. Webster's laboratory, to clean up there; went to the door of the laboratory under the privy stairway, leading to the private room; this was the door under the laboratory staircase; found that the doors were bolted on the inside; I then went round to the other door of the laboratory, on the same floor, and found that locked or bolted. (Here the model was again brought into requisition.) Thought I heard him in there walking, and the Cochituate water running; I then went up stairs to the door that leads into the lecture room, in the front entry—put the key into the lock to unlock it; I found that it was unlocked and bolted on the inside; afterwards went down stairs into my kitchen and laid down; about 4 o'clock, a lady who was from Medford, and staying at my house, came into the bed room and said a gentleman wanted to see me; went to the door and found that it was Mr. Petty; he had come to fill out a ticket for a student named Ridgeway who was going away; We fitted out for him all but one for Professor Webster's lectures, that one I gave him myself—I had some of Prof. Webster's lecture-tickets; after Petty went away, (he staid about 15 minutes) I again went to the door of the Laboratory found the doors all fastened at first. I went then to fix his fires and clean the room up; he, Prof. Webster, used to leave on his tables the glasses and vessels used in his lectures, and always requested me to clean them up. At about half-past 5 o'clock, as I was in my kitchen, I heard some one coming down the stairs of the back entry. [Here the position of the stairs referred to was exhibited in the model.]

The person was Prof. Webster; he set the candle down.

To the Court. He had a candlestick in his hand and a candle burning; he set the candle

down on the settee and went out the east entry.

Did not hear any more of Prof. Webster that night; I went to a party after that, where I remained till half past nine o'clock; got home about ten o'clock; I went to Mr. Grant's; when I got home I went to the kitchen, took off my coat and went to lock up the building; went to the laboratory stairs door, and I found that it was fast.

To the Court—I mean the one that leads from my cellar.

Next went to the dissecting room to lock up them, and tried the door of the store room, unlocked the dissecting room door but saw no one there. The students sometimes dissect till 9, 10, or 11 o'clock, P. M. I bolted the outside door and shortly after went to bed—never knew the doors of Professor Webster's Laboratory to have been locked before, at night. On Saturday—the next day I made fires in all the rooms of the Professors excepting Professor Webster's; went next to the dissecting room, and found that it was unbolted; it was near 7 o'clock, A. M.; I thought at the time I had fastened some student in the night before; nobody had a key of the outer door, to my knowledge, excepting Dr. Leigh, librarian. On Saturday I went to Professor Webster's lecture room to make a fire; passed down through the lecture room, and to the door between the lecture room; and his private rooms never had any keys to that door; he had two locks to his door, to lock up his rooms during the summer vacation; left the door and went down to my part; pretty soon after that Prof. Webster came into the College through my entry; think he had a small bundle under his arm; he turned to go up the stairs that he had come down in the night; I followed him up; he took the key of his lecture room door and went in; I followed him in; he took out his keys and unlocked the door of his room; he said to me, "Mr. Littlefield make me up a fire;" I made it in the stove; asked him if he wanted anything else done; he said he did not; then started to go down stairs through the laboratory; he stopped me, and told me to go out the other way; I turned round and went out; don't think I was in the laboratory again that day; I saw Prof. Webster once more after that, about 11 A. M.; met him in the lower entry, coming into the college; he had a bundle wrapped in a newspaper, under his arm; I paid Prof. Webster \$15 in half eagles, the amount received from the student Ridgeway; don't recollect anything further that took place that day; Prof. Webster went up to his room to work. Saturday is my sweeping day; I couldn't get into his rooms any more than I could on Friday; generally swept his lecture room once in two or three weeks. Tried the doors several times that day; I heard him in his room, I mean, I heard some one in the rooms; don't remember of seeing the Professor again that day; I heard some one walking in Professor Webster's room, and could hear the water running all the time; it was not in the habit of running so; didn't see Professor Webster in the college all day on the next Sunday; on Sunday night I was in North Grove street, facing Fruit street, with a Mr. Culhoun.

We were talking about the mysterious disappearance of Dr. Parkman; Mr. Kingsley had told me of it on Saturday afternoon; Mr. Culhoun exclaimed there is one of our Professors now; I looked up and saw Professor Webster coming towards us; he came from Bridge into Fruit street; he came directly up to me and said did you see Dr. Parkman during the latter part of last week? I told him I had; he asked me what time I had seen him? I replied last Friday about 12 past 1 o'clock; he asked where did you see him? I said about this spot; he asked which way he was going? I said right towards the College; he asked, "where was you standing that you saw him?" I answered in the front entry near the door; he struck his cane on the ground and said, "that is the very time I paid him four hundred and eighty-three dollars and sixty-odd cents;" don't recollect the cents precisely; Webster didn't say sixty-odd cents; I told Webster I didn't see him (Parkman) go into the lecture room or the laboratory; he said he had counted the money down to Dr. Parkman on the table in his lecture room; he said Dr. Parkman had grabbed the money up without counting it, and run up the steps from the lecture room as fast as he could, two steps at a time; he said Dr. Parkman told him he would go over to Cambridge and discharge a mortgage; Dr. Webster said "I suppose he did, but I haven't been over to see;" he (Webster) said he had come over to see about it; I heard him say that he had been to Francis Parkman's to see about it. When Dr. Webster talks with me generally, he holds his head up and looks me in the face—this time he looked down all the time, and seemed to be agitated—never saw him look so before—he looked pale; can't say which way he went when he left me; think he went to North Grove street, towards Cambridge street. On Monday I couldn't get to his rooms to make the fires; tried the doors twice; I afterwards went into my kitchen, and my wife came in and told me that Dr. Samuel Parkman wanted to see me, and had just gone up to see Professor Webster. I asked how he (Webster) could have gotten up stairs when all the doors were fastened. She said that one of the cellar doors was open, I went up to Professor Webster's lecture room and saw Webster and Dr. Samuel Parkman; Professor Webster stood in the door of the lecture room and Dr. S. Parkman stood near him, they were talking about Dr. Geo. Parkman; they said something about money, and Professor Webster said that he seemed very angry; shortly afterwards my door bell rang and on going to it I found there a gentleman in specs; did not know him at the time; it was Dr. Parkman Blake; he wanted to see Prof. Webster, and requested me to carry his name to the Professor; I went to the door of his lecture room, and tried it, but could not get in; I then went round to the other door of the room, and found Prof. W.; I told him that Mr. Blake was at the door, and wanted to see him. He seemed to hesitate, but finally said, "let him in." This was about—in the morning; I then went up stairs to the laboratory door, and tried it, again between 10 and 11 o'clock, and found the doors locked; just after one of the door bells rung and I went

down stairs and found Mr. Kingsley and officer Starkweather and another; Kingsley said, "we want to look round this college, for we can't trace the Doctor any where but here;" just then Dr. Holmes came up and said "you don't want to haul all our subjects out of the chest do you?" Kingsley said, "no, we want to look about the attics, &c. Then Doctor Holmes told me to take them up and show them all round. I went up to the lecture room of Dr. Webster and gave two or three loud raps on the door. The Professor came to the door and merely put his head out. I told him what the officers business was, we passed in and through into the lower Laboratory and then down into my cellar. The Dr. didn't say anything to my recollection on that day—dont recollect whether he followed us down stairs or not, the officers Mr. Kingsley and myself went all round over the building—dont recollect whether the officers went through my apartments or not; I heard the Professor in his rooms afterwards; went up to the Laboratory and tried his doors, but found them locked; on Tuesday morning I went and tried all the doors of Professor Webster's rooms in order to get in and make the fires, but couldn't get further than the lecture room; afterwards went into the lecture room and found Professor Webster there; he had overalls on; I went round to his back room and saw that he had a fire in the stove; he went round the table towards the back room; I asked him if he wanted a fire made in his furnace; he replied "no! the things connected with my lectures won't stand much heat"

(Here the jury had leave to retire for a few minutes.)

After an intermission of fifteen minutes, the court returned.

Continuation of the examination of Littlefield.

I left his room and went out the way I came in, by the front entry. A short time after that while standing in the wood shed, I saw Mr. Kingsley and officers Clapp, Rice and Fuller, coming towards me. They came into the shed and said, we are going to search every foot of land in the college and neighborhood, and they should begin at the college, for if the college was searched first the people in the neighborhood wouldn't have any objection to their own houses being searched, I said I would show them over any part of the building which I had access; at that moment Dr. Bigelow came forward and I told him what the officers wanted, he ordered me to show them all over the building, one of the officers then said let us go to Professor Webster's room, we went up and found his door was locked went round the other way and we found the door there locked; I rapped first with my knuckles and next with my open hand very loudly, and Professor Webster came to the door; I told him what the officers wanted and we passed in; do not recollect hearing Webster say any thing; officer Clapp went towards the small room in the laboratory and tried to open the door, but Professor Webster said "That is the place where I keep my valuable and dangerous articles;" we then all went down into the lower laboratory and the officers went towards the privy; I thought

the Professor tried to turn their attention from that part of the room, as he opened another door and called their attention in another direction. The officers said they wanted to search the dissecting vault; they wanted to lower a light into it; I told them there was nothing in there but what I had put in myself; that no one but myself had access there, and that it was kept locked and the keys were in my possession; they wanted to lower a light down into the vault, but I told them it wouldn't burn; in the vault; the width of the receptacle for the dissecting room refuse is about two feet; it is about two feet above the floor; they were satisfied and did not attempt to look there; we next got a light from my kitchen; Messrs Clapp, Fuller and myself descended through the trap door leading down to the foundation wall; Mr Fuller wanted to go to the back side of the building, and I had to go on one hand and knee; the officers wanted to get into the vault of the privy of Prof Webster's Laboratory, and I told them that they could not do it without cutting through the wall; they then came up through the trap door, searched all my rooms and then went off; about four o'clock that afternoon Professor Webster came to the College and went to his room; I heard him unlock the door of his room as I was standing in the entry; I heard him unbolt the door of his lower laboratory, and started to go into the kitchen, when his bell rung; I said to my wife, "I guess Professor Webster has got his doors open now so that I can go into his room;" I went up and found him standing at a table in his laboratory with a newspaper in his hand reading; he asked me if I had purchased a Thanksgiving turkey; I said I had not, and as I intended to spend the day out I did not think of getting one; he asked me if I knew where Mr. Foster—near the Howard Athenæum—kept? I said yes; he then gave me an order on Mr. Foster, and said, "take this to Mr. Foster and get a nice turkey, as I make a practice of giving away several at this time, and besides I want you to do some more jobs for me shortly; he then gave me another order on Mr. Foster to send him some sweet potatoes; I carried the order to Mr. Foster's and picked out a turkey, and gave him the order for the sweet potatoes; he never gave me a present before this time even to the value of a cent; came back home, and sometime after heard him coming down the stairs. I started out to go to the Odd Fellows' Lodge; he saw me, and asked me where I was going; I said to my Lodge; he then asked, "Are you a Free Mason?" I replied, "I am part of one." We walked up Grove street together, and he turned towards Cambridge street; next morning (Wednesday) Professor Webster came to the College pretty early and went to his room, I went up to the Laboratory door and hear him moving things about the room, I listened to the door and tried to "peep" through the key-hole, but couldn't see through the key hole on account of the spring being down—I looked around and saw my wife looking at me from below—I afterwards tried to cut through the joints of the partition walls, but thinking that Professor Webster heard me I desisted from my work; I afterwards laid down on the floor near the door and looked through the crevice between the door and the floor; presently I saw Profes-

sor Webster come along with a coal hod in his hand; I could see as high as his knees. he went to a coal bin which is in the Laboratory near the privy and which contains coal and bark which had been put in before the lectures commenced—I heard him moving things about the room—I laid in this position about 5 minutes and then went back to my wife. About 3 o'clock I went up through the Laboratory entry and discovered that the right hand walls along the stairs were very hot. I knew that the heat proceeded from a furnace where I never made a fire, I couldn't bear my hands on the walls but a short time. I was afraid that the building would take fire, and went to the store-room to get my keys; tried several of the doors, and found them locked; I then went to the lecture room to see if I could get into the laboratory, but the doors were all locked; I finally got into one of the laboratories, where the small furnace (not the furnace which heated the walls) was, and going to that found that there was some fire; it (the rim of the furnace) was covered over with minerals and stone pots; I then went and got into the lower laboratory through the window, and on looking into the hogsheds, found that the water which had filled them previously, had been taken out. There was a copper spout leading from the hogsheds to the sink. I looked into the barrels used to contain pitch pine kindlings, and it looked as though about two-thirds had been taken out; I went up the stairway to the upper laboratory, and then I saw spots of a peculiar appearance, not like anything I had ever seen before. I tasted of the material, and thought it was acid; in going into his back private room, I noticed the same peculiar spots on the floor of that room. The Cochituate water was still running. What made this appear unusual, was that when some time before I had left the water running, he had stopped it and said he didn't like to have it running; I had noticed in the entry a box of grape vines, and a bag of tan, and they laid in the entry sometime. I tried several times to put them into Prof Webster's room, but the doors were fastened, and I could not do it. My wife told me to put them down cellar. I received the order for the turkey on Wednesday, not Thursday as stated before the coroner's jury; I made the mistake and told one of the jury of it; the afternoon on which I had the order for the turkey given me Professor Webster sent me to buy for him a piece of lime about as big as my head.

Here the court adjourned until 3 1-2 o'clock P. M.

AFTERNOON SESSION.

At the afternoon session, the court was crowded more densely, if possible, than during the earlier part of the day. The large number of aged gentlemen that appeared in court, some over seventy years of age, as mere spectators, were made the subjects of remark. Some with specs on nose—some with bald heads, and others with their silvery locks—it may be taken as the best commentary upon the general excitement that prevails throughout the community

in relation to the facts connected with this extraordinary trial. Littlefield resumed his place upon the stand, when his direct examination was proceeded with.

EPHRAIM LITTLEFIELD, *re-called* — On Thanksgiving day I put the box of grape vines and bag of tan in the cellar in the forenoon. I actually made the attempt to put them in the Professor's room. On that day in the afternoon about 3 o'clock I began to work at the wall under the vault. I wanted to satisfy myself as to whether there was anything under the vault, for I could not go out of the College without somebody saying to me that Dr. Parkman was in the Medical College, and that he would be found there, if he was ever found anywhere; all the rest of the building had been searched except that part of it; that I knew hadn't been searched, because I had the key of it; I went down the front scuttle, lifted up the trap door, went to the back side of the wall, where officer Fuller and myself had been the Tuesday before, and began to work; I had then a hammer and a morticing chisel; I worked some time, got out two courses of brick; but as I couldn't do more with those tools, so I gave up work about 4 o'clock P. M.; that night I went to the Thanksgiving ball of the Shakspeare Division of the Sons of Temperance, at Cochituate Hall; next morning I got up about 9 o'clock, and as I sat at breakfast, Dr. Webster came into the kitchen and took up a paper and appeared to be reading it; he said "is there any more news?" I said there was none; he said that he had been in Mr. Henchman's apothecary shop, and Mr. Henchman had told him that a woman had seen a large bundle put into a cab; she remembered the number of the cab, and the cab was found, and discovered to be all covered with blood. I replied that there were so many stories about Dr. Parkman that we couldn't tell what to believe. Prof Webster then went up stairs. Some time after this I was overseeing the arrangement of some busts which I had employed some men to bring for Dr. Warner's Museum. Doctor Bigelow was present; I told Dr. Henry J. Bigelow that I had commenced digging through the wall. I understood him to say, "Go ahead with it;" I told Dr. Bigelow all about Professor Webster keeping his doors locked—[this last was ruled out as incompetent]—I went into the demonstration room, and there I found Dr. J. B. S. Jackson alone. I told him I was digging through the wall; he got up and came toward me; said he, "Littlefield, I feel dreadfully about this matter, and do you go through that wall before you sleep," he asked me what I should do if I found anything there. I told him I should go to Dr. Holmes's, he said "dont you go there, but go to old Dr. Bigelow in Summer street and then come and tell me, write your name on my slate and I shall understand it," I did so.

ATTORNEY GENERAL, oh! well we'll come to that presently.

I then went to Leonard Fuller, I believe, and asked him to lend me a crowbar, he asked me what I wanted to do with it, I told him I wanted to dig a hole in a brick wall to carry a lead pipe through the hole for

water—he then replied, I “guess you do.” I then went to the house and locked all the outside doors, and left the keys on the inside, so that no one, not even Prof. Webster, could get in; let down the latch of the front door; I then told my wife to keep watch and see if any body came, for I was going to work at the wall; told her if she saw Prof. Webster come, to give four raps with a hammer on the kitchen floor, so that I could hear it, before she let him in, but if the other Professors came, to let them in; but not to disturb me; then I got a pair of gloves, and went to work at the wall; did not make much progress and finally came up and went over to Fuller and asked for a cold chisel; he gave me just such a one as I wanted; went back to work and got along for a short time very fast, but presently heard four raps above; I ran up and my wife said “I saw two gentlemen pass and thought one of them was Dr. Webster, but they were only Mr. Kingsley and officer Starkweather; they came to the door and inquired for you.” I went out and Mr. Kingsley asked me what private place there was in the College that had not been searched. I told him, and he said “Let us go into his (Webster’s) rooms,” and I replied that those rooms were all locked up and we could not get into them. They then went away, do not know which way. I saw officer Trenholm standing in the street, and told him that in half an hour or twenty minutes I could give him the result of my labors, and I then went into the house and my wife said “you’ve just saved your bacon coming up for Dr. Webster has just now come in (objected to by the defence as incompetent.) I didn’t go to work again immediately. Didn’t see Prof. Webster go in but saw him come out. He came out of the shed and spoke to me and Mr. Trenholm. Said that an Irishman on the other side of Cambridge bridge offered a \$20 bill to pay his toll of one cent. He said they had kept the bill and the City Marshal had asked him if he had offered that bill. He (the Irishman) had replied that he couldn’t swear to it, and Webster then went off. I returned to my work at the wall and using the crowbar got a hole clear through in five minutes.

To the Court. I had got a small hole punched through before I came up, when my wife knocked.

There was such a strong draught that I liked to have lost my light, but I shaded it with my hand, and put the light and my head through at the same time and the draught stopped; the first thing I saw was the pelvis of a man and the two parts of a leg; the water was running down from the sink, and I knew that that was no place for those parts to be; I went up stairs and told my wife to go for Dr. Bigelow, and to fasten the cellar so that no one could go down; my wife spoke to me first, when I came up.

Question by Attorney General. What was your own condition when you came up out of the cellar?

(Objected to by defence, but sustained by the Bench.)

Answer. I was very much affected.

I locked the cellar door, and went down to

Dr. Bigelow’s—the old gentleman’s; a girl came to the door; I asked for Dr. Bigelow; he was not at home, and Mrs. Bigelow came to the door; I told her I must find Dr. Bigelow; she asked what was the matter with me, calling me by name; I then ran down to young Dr. Bigelow’s, Chauncey Place, and told him what I had discovered; we then together went to R. G. Shaw Jr.’s; the city marshal shortly came in and I told him what I had found; he told me to run right down to the College, and he would follow on directly; I went to the College, and arrived there before the rest of them; I found Mr. Trenholm at my house; he (Trenholm) told me that he had been down to the cellar; the City Marshal came in about ten minutes afterwards, didn’t hear the City Marshal’s testimony; the hole was near the north corner of the wall; we could stand up straight near the wall.

The ground slanted from the hole of the privy down to the sea wall, here the plan of the building was shown to the jury and the nature of the ground plan was illustrated. I there examined the foundation of the walls near the privy and I do not think any solid substances could have floated into the vault, there is cement piled up all round, the tide flows into the privy every day, the vault where the offal from the dissecting room is thrown was tight until about two years since and for that space of time the tide flows in and out, but this is not sufficient space for anything solid to float out. I was in the vault with Mr. Trenholm, when we heard the steps overhead. I have since found out that the noise was made by my wife and children running from the cellar overhead. Marshal Turkey ran up to get his revolver; we then went up to the laboratory and found the bones in the furnace. Officer Trenholm was left in charge of the College until after the arrest of Professor Webster. Some time afterwards officer Spurr came to my door and said they had Professor Webster out there, and that he was very faint. I opened the door and let them in; Professor Webster came in between two men, who seemed to support him entirely; Webster said to me, “Littlefield, they have arrested me and taken me away from my family without allowing me to say good bye;” he was much agitated, and sweat much; I thought he trembled some; we went to the lecture room, and we went to the laboratory; the doors were locked, and we asked Prof. W. for the keys; he said they had taken him away so suddenly that he didn’t have time to get his keys; the officers broke down the door; we got in the lower laboratory through the cellar door, the way I always did. Professor Webster had left that open when we got into his private room. We asked where the key of the little room was. He (Webster) made the same answer that he did before. The officers asked where the privy key was. Webster said to me, you know where the key is. I told him I did not. Then he said, there it hangs on the shelves. We took down the key but found it would not fit the door. The door of the little room was broken open. I looked for a hatchet which used to be in the room to break the door open. It was a shingling hatchet. I could not find the hatchet at first, and asked Prof. Web-

ster where it was, he replied, in the sink. I went down and found it there, returned, broke open the door of the little room. We next broke open the privy door, and then went into the Laboratory, and while there he asked for water. I got him a glass and he took hold of it but could not drink. He tried to bring it to his mouth, but when he raised it he began to snap at it like a mad dog. One of the officers told him to let him have the water, and give it to him. The officer took it and gave him some to drink, but it appeared to choke him very badly; we went to the furnace, uncovered it, and took out some of the minerals; Mr. Andrews was there at the time, and I think Mr. Parker also; Coroner Pratt said, "Let everything be." After that we went down to the privy and brought up the remains and put them on a board; Professor Webster was also brought in, and the rest who were about came in; I heard somebody ask Dr. Gay if those were parts of a human body; he replied that he thought they were, Prof. Webster was very much agitated and perspired a great deal; I thought I saw tears running down his cheeks at the time; officer Spur or Baker was left in charge of the Medical College after Professor Webster went away; have seen the slippers now exhibited at the College; there was blood on one of the slippers when I saw them last; never saw the *saw* now exhibited before the Saturday after the discovery of the remains. I have seen the knife exhibited before. Dr. Webster showed it to me himself the Monday before the disappearance of Dr. Parkman; this was a bowie knife which was found. Dr. Webster said when he showed me the knife, "Littlefield see what a fine knife I have got;" I looked at it and he said "I got it to cut corks with;" I answered, "well, I should think it was just what you want;" the Professor used to wear a pair of blue cotton overalls and an old coat to work in; have not seen those overalls since his arrest; the last time I saw them was when he had them on at the time the officers called to search the house on Monday or Tuesday; the Professor used to have a key to the dissecting room, and those to his own department; didn't know whether he had any others; there was a bunch of skeleton keys found in his back private room.

[There was some objection urged by the defence, against the introduction of this bunch of keys in evidence.]

I know that some towels were found in the privy vault; one diaper roller and two crash towels were found; there were marks on the towels; I knew the roller, but didn't remember having seen the others before; don't know whether the roller was marked; never knew any parts of a human body of any consequence to be used by Professor Webster; he has sometimes asked me to get him small pieces of flesh to try experiments upon. Have seen him explode bladders of gas in his lecture room and these make considerable noise. Have heard noise in his lecture room when he was experimenting with this gas or with the galvanic battery. [Here the discolored and torn towels and the remains were exhibited and he prosecuting officer remarked that the spots

were caused by acid and not blood as had been supposed.]

At this period the Government rested the examination of Littlefield, and the defence commenced their cross examination, when His Honor, Chief Justice Shaw, adjourned the Court until to-morrow at 9 o'clock A. M.

FIFTH DAY.

SATURDAY, March 23, A.M.

The court entered at 20 minutes after 9 o'clock. The doors of the court house were thronged at an early hour by an excited multitude anxious to hear the cross-examination of Ephraim Littlefield the most important witness called by the government. The names of the jury having been called, the proceedings commenced.

Littlefield's Cross-examination.

At the opening of the Court, on Saturday, EPHRAIM LITTLEFIELD was called to the stand, and his cross-examination was taken up by Mr. Sohier, on part of the defence. A vast concourse of anxious spectators flocked to every available place of accommodation in Court, to hear his cross-examination, which commenced as follows, at the sitting of the Court:

MR. SOHIER. You stated, Mr. Littlefield, in your direct examination, yesterday, that on Monday, the 19th November, you saw Dr. Parkman with Dr. Webster, at his rooms in the College. I want to know about what time.

Answer. I can't tell the hour. It was dark, and they had to have lights.

Q. In which room did you see them?

A. In the laboratory; I mean the back one.

Q. In what position did you see Doctor Webster?

A. He was standing by the stairs.

Q. You saw Dr. Parkman come in?

A. I did; I can't say if he saw me.

Q. Did you hear any thing pass between them?

A. I did. When Doctor Parkman came in, I heard him say to Dr. Webster, "Dr. Webster, are you ready for me to-night?" "No," said Dr. Webster. He then put his hands in his pockets for some papers, which he took out, and accused Dr. Webster of selling something which he said "he had sold before."

Q. Well, what else?

A. Dr. Parkman then raised his hand.

Q. You say that Dr. Parkman raised his hand. When did he do so and how?

A. When he went out; he was near the door at the time; he stood at the door and made a motion with his hand; he then turned round and said to Dr. Webster "something must be done to-morrow."

Q. He was excited?

A. Yes.

Q. How long did you remain there that evening?

A. I remained there about an hour.

Q. You say it was on Friday the 23d that you took up the broom to sweep off the ashes from the stove; now, from what place did you take the broom?

A. I took it from behind the door; it was

sometimes left behind the door and sometimes in the lecture room.

Q. Did you not have a particular place for it?

A. No; it was left everywhere. (Laughter)

Q. You say you saw a sledge in one of the rooms there?

A. Yes; it was a sledge that was left there since last summer by some workmen that were working for Dr. Webster.

Q. Was it a sledge such as people use for any particular kind of business?

A. It was such a kind of one as is used for breaking up stones.

Q. On what particular kind of work was it used or brought there?

A. It was used by workmen who were engaged in building up a flue at the time for Dr. Webster, or in opening a flue for the Doctor last summer.

Q. How long after the building of the flue was it when you first saw the sledge?

A. I can't say; it may be one, two or three weeks.

Q. You stated that the faces of the sledge were rounded?

A. Yes.

Q. One end was shorter than the other?

A. Yes.

Q. Did you ever use it?

A. No.

Q. Was there any other sledge there?

A. Yes; there was a small one, that had but one face; and weighed about two or three pounds; that one was in the laboratory.

Mr. BEMIS. Tell me, was not that what they call a geologist's hammer?

WITNESS. I don't know what they call it. (Loud laughter)

Mr. SOHIER. What time did you dine that day?

A. At 1 o'clock.

Q. What time do you usually dine?

A. At one o'clock. I always dine at one o'clock.

Q. You say, that on this particular day you were detained out longer than usual?

A. Yes; I had tickets to settle about that day. That day was appointed to examine the tickets; I had to examine them with Dr. Holmes.

Q. How long did it take?

A. About fifteen minutes. After the class came up, I stood at Dr. Holmes' door about fifteen minutes. The class came up and went on. They made a considerable rush.

Q. You say that it took fifteen minutes?

A. I think it did, because I always stop behind.

Q. Was the door shut?

A. The door is always shut; there is a spring to it.

Q. Do you know how long you remained there, and to what time?

A. To about ten minutes of two o'clock.

Q. Did you go to sleep when you were in the room?

A. No, I sat down upon the settee.

Q. You stated in your direct examination, that it was on the afternoon of Monday that you think you heard some body walking in the laboratory. Are you certain of this?

A. The sound came from it; I took it for the laboratory. I thought the sound was from there.

Q. What were you listening there for?

A. What was I listening for? I can't say; I believe I was waiting for water.

Q. How long did you listen?

A. I can't say.

Q. Which way did you go back?

A. I went back in the kitchen.

Q. You stated, in your direct, that when Dr. Webster went down to the kitchen, you saw him. Did he say anything?

A. No sir, he did not say a word.

Q. You say you went to a party that night. What time did you get home?

A. I went about six o'clock, and came back early.

Q. What time did you return?

A. I called at the Albion House at my return.

Q. Before you went to the party, did you try the doors?

A. Yes, to try if they were secure. I always do so. It sometimes takes me half an hour to do them up, and sometimes more.

Q. After you got back from the party you locked the second room door?

A. No; it shut itself.

Q. Did you put out the light?

A. Yes.

Q. Were there any persons there at the time?

A. No, I saw no one, and heard no one.

Q. Did you try Dr. Webster's door?

A. No; I did not.

Q. How often did you try it that day?

A. I tried it after Dr. Holmes' lecture.

Q. I am speaking of the evening now of the party.

A. I tried all the doors excepting his lecture room up stairs.

Q. How many doors led towards that lecture room?

A. There are two doors; one of them I never saw open.

Q. Is there not a slide in the door?

A. No, sir; there is not.

Q. The panels open, don't they?

A. They have buttons on the inside.

Q. Do they ever open?

A. I have seen some wash pans through them.

Q. Where were you on Thursday night previous to Dr. Parkman's disappearance?—what time were you home?

A. I was home at 1 o'clock.

Q. Were you there that night?

A. I can't say.

Q. What time did you go out to the ball?

A. I went there and remained till 12½ o'clock.

Q. On the last occasion, until after you left home, that last night, and on the 23d of Nov., were you there?

A. I don't know as I was.

Q. Had you not made use of the Doctor's room, on that night, to play cards?

A. I decline answering that question. (Roars of laughter.)

Q. Had you not been there gambling?

A. I decline answering that question. (Renewed laughter.)

Q. Do you know that the Doctor found out you were gambling?

A. I don't know. He never said anything to me about it.

Q. When examining on Friday the 20th, was the water running all the time?

A. No, sir.

Q. How were the pipes kept from freezing?

A. The water was left running.

Q. During the day, was there any object in leaving the water running?

A. We used it all, to keep the pipes from freezing and for that purpose.

Q. Upon the Friday you used to draw the pipes?

A. Yes.

Q. How long did you see to the pipes?

A. I don't know.

Q. This was previous to the arrest?

A. Yes.

Q. You stated in your direct examination that you had changed your testimony in some respects. I wish you now to state in what particular?

A. I changed it after the Coroner's Inquest, and recited it before the Grand Jury.

COURT. In what respect?

WITNESS. In regard to when I was asked about the turkey—as to whether I received it on Tuesday or Wednesday.

Mr. SOHIER. How did you state it before the Coroner's Jury?

WITNESS. I said it was on Wednesday.

Q. Did you say before the Coroner's Inquest that he gave you the turkey before or after the search?

A. I said it was on Wednesday.

Q. What I now ask you is simply this and answer me, if you please. Did you say before the Coroner's Inquest, that it was before or after the search, or before four o'clock?

A. I said it was before 4 o'clock.

Q. Now answer my question, which I shall put again. Did you say before the Coroner's inquest, that it was before or after the search, this turkey was given you?

COURT. You said that the examination was made on the same day; was that on Wednesday instead of Tuesday?

Mr. SOHIER. No; your Honor. He now states that it was made on Tuesday instead of Wednesday.

COURT. He says now, if we understand him right, that he can't tell exactly when.

Mr. SOHIER. Mr. Littlefield, do you mean to say now, that you stated before the Coroner's inquest that you did not know whether it was before or after the search, that the turkey was given you?

A. I can't say.

ATTORNEY GENERAL. I think it will appear that it was after.

COURT. Witness, you don't think, you say, that this turkey was given on Tuesday?

A. I don't think it was. I say it was on Tuesday that Dr. Webster gave me the order for the turkey.

Mr. SOHIER. Did you not say before the Coroner's Jury, that after you got through the examination, Dr. Webster came to you and followed you down stairs, and offered you the turkey?

A. I presume I did, because I wrote it down.

Q. Did you write it down after or before the Coroner's inquest?

A. I wrote down the heads of it. I did not write down half what I testified to yesterday.

Q. You said before the coroner's inquest it was Wednesday instead of Tuesday.

A. That was a mistake.

Q. How came you to get Wednesday and Tuesday so confused together in your mind?

A. Can't say.

ATTORNEY GENERAL. He wants to know how you discovered your mistake.

Mr. SOHIER. Did you make any other mistake, which you did not alter, in regard to this transaction of Wednesday?

A. I made no other mistake—I don't think I have.

Q. When did you first arrange in your mind those facts, you testified to here yesterday?

A. I don't know; it was after Dr. Webster was arrested—in that week.

Q. All along that week that impressed them on your mind?

A. Yes.

Q. How early did you begin to take a memorandum of the facts?

A. I began it on Sunday night.

Q. What hour on Sunday night?

A. As soon as I went into my room—I told my wife about it.

Q. It was on that Sunday night you began to watch Dr. Webster?

A. It was.

Q. Were you hunting round the neighborhood?

A. Yes; I hunted round, and went into an adjoining building and to an old cellar that was near.

Q. Did you tell any one you were to get the reward?

A. No; I did not.

Q. Did you tell Dr. Webster that you were?

A. No; I did not.

Q. You say your suspicions were excited that night you speak of about Dr. Webster?

A. Yes.

Q. When you saw Dr. Webster, the day you state in your direct, passing along the street, at which side of the street was it?

A. He was at the northwest side of Fruit street.

Q. Was he near the sidewalk?

A. There was no sidewalk.

Q. Were you standing in such a position as that he should pass you?

A. No; he walked on the flat walk, and then went to the sidewalk.

Q. This was about sundown on Sunday?

A. Yes.

Q. You took particular notice of his face?

A. He looked particularly pale, much paler than I ever saw him before.

Q. He looked on the ground?

A. Yes.

Q. You now then, pretend to say, that then you suspected him of having something to do with Dr. Parkman's murder?

A. I did.

Q. You then suspected him, you say, of killing Dr. Parkman?

A. I did.

Q. I wish you would state in words what Dr. Webster's words were, when he told you he last saw Dr. Parkman?

A. He said "that was the very time that I gave him \$433 63; he then counted the money down on the table, and went off as fast as he

could go, up two steps at a time;" he also said "that Dr. Parkman told him he was going to Cambridge to discharge a mortgage;" he then said, "he did not know that Dr. Parkman was missed;" he then left and went off.

Q. You said that the Monday after the occurrence, your wife told you that Dr. Parkman's brother had gone up to the college, and he and Dr. Webster were there together?

A. On Monday I saw them together; they were then talking.

Q. You said that you then had suspicions of Dr. Webster; did you state it to any person?

A. I don't know, I went down stairs.

Q. Had you then in your mind any suspicions about Dr. Webster?

A. I don't know; I saw Dr. Parkman's brother then with him.

Q. You don't understand my question. On Saturday you say you saw Dr. Webster?

A. Yes.

Q. Now I want to know, that it on the Monday your suspicions were excited, whether you called to mind what occurred between you and Dr. Webster on the previous Saturday?

A. I don't know that I thought of them on the moment, but I was thinking of them all the time.

Q. Do you say that you had suspicions of Dr. Webster on Monday morning?

A. Yes.

Q. You went up, you say, into the laboratory and saw Dr. Webster and Dr. Parkman talking together?

A. I saw them, and I went back down to the laboratory.

Q. How long was it before Dr. Parkman left, and when did he go?

A. I went down into laboratory, and in the room door.

Q. Now after that, how long did Dr. Parkman remain there?

A. I don't know. I believe until after 12 o'clock.

Q. You also saw Mr. Kingsley on that day. Dr. Webster's brother was at the College?

A. Yes.

Q. Where was Dr. Webster at the time?

A. He came down himself, and put his head out of the window, and asked us "who was there."

Q. Did the Doctor stop there?

A. I can't say.

Q. You say in your direct that you went into the back laboratory the first?

A. I believe I went in the first, and they all followed me.

Q. Then you went down stairs?

A. Yes, and left them there. The Doctor was there at the time.

Q. Did you see Dr. Webster after the examination on this Monday?

A. I can't say whether I did or not.

Q. At what hour?

A. I can't say.

Q. Where did you go on Monday night?

A. I went down to *Bryant's Dancing Academy*. (Immoderate roars of laughter.)

Q. Did you try all the doors before you went to the Academy?

A. I did try them all.

Q. What was your object in going to the laboratory?

A. My only object in going there was to do the work.

Q. What did you do then? Did you pass down to his room and ask him if he wanted a fire?

A. I did, and he said "he did not."

Q. How long after was it that you made the examination?

A. I think about eleven o'clock.

Q. Who led these gentlemen into the Laboratory when first they went there?

A. Dr. Webster himself.

Q. You recollect stating that you went down stairs after leaving them in the lecture room?

A. Yes.

Q. Who else passed down?

A. Dr. Webster and the other gentlemen. They passed by the Cabinet, and Dr. Webster said "it was there he kept his valuables."

Q. You stated in your direct examination that Doctor Webster seemed to lead them away from the privy?

A. Mr. Clark and the others all went past the privy. I saw Mr. Kingsley in the recess there.

Q. Was this before or after you say that the Doctor said, "this is my private privy"?

A. I don't recollect.

Q. You say some one remarked "here are other rooms"?

A. Mr. Kingsley said "here is another room." There was a dark corner in the room.

Q. You stated that you were standing in part of your premises and saw Doctor Webster at work?

A. Yes.

Q. You say you were watching Dr. Webster?

A. Yes.

Q. After you left did you go back to watch him again?

A. Yes.

Q. You went back, then, for the purpose of keeping an eye upon him?

A. Yes; I then went down the Laboratory stairs to hear if the bell would pull.

Q. How many bells are there in the house?

A. Three bells fixed in different places; they ring in different places.

Q. The bell was rung that evening at four o'clock?

A. I don't recollect.

Q. Did you not swear before the Coroner's Jury, that you did not see the Doctor from the time those gentlemen went to make a search, until 6 o'clock that evening?

A. It is very likely I did, because I made a mistake about the turkey. (Great laughter.)

COURT. This, you say, was the same mistake?

WITNESS. Yes.

MR. SOHIER. Now, let us know how long after was it, before you went back with the turkey? (Laughter.)

A. It was about 6 o'clock.

Q. What did you do, after you got home?

A. I stepped into the kitchen and took my tea.

Q. You say your wife asked you before, "where you were going?"

A. Yes; I said I was going to the lodge.

Q. You did not try the doors until you were going to the lodge?

A. No.

Q. Did you try them after you came from the lodge?

A. I can't say; I got home near 11 o'clock; Dr. Webster told me that night, that he wanted no fire during the week.

Q. Did you wash anything for him that week?

A. I said that I used to wash glasses for him. He used always to leave the glasses after him for me to wash—I don't think he moved the glasses from his table.

Q. Did you not swear, that you heard foot-steps in that room, on Wednesday a little after 1 o'clock?

A. I don't recollect.

Q. Did you not swear at the Coroner's Inquest, that you went there about 9 o'clock, and a little after hear foot-steps or noise?

A. I don't recollect that I did say so.

Q. For what purpose were you watching the Doctor when you were listening on the Tuesday?

A. He told me he should want no fires that week. I knew Dr. Webster always wanted hot fires in his room. He came there early on Wednesday morning, and I thought it very strange, that he should be there without fires in his room so cold a morning.

Q. Did you say before the Coroner's Inquest that you heard any one in the Laboratory, before you went in there on Monday?

A. I can't say.

Q. When you were watching Dr. Webster on Wednesday before you went out, had you any reference to this business about Dr. Parkman?

A. I had.

Q. How long did you wait?

A. I waited until I heard his footsteps and I then heard him drag something along the floor.

Q. In what direction did you hear it move—or towards where did you hear the dragging?

A. I heard it move on the floor towards the coal-bin; I afterwards saw him move towards the furnace, on looking through.

Q. Had you any idea of his burning anything there?

A. I was not thinking about the burning.

Q. This increased your suspicions?

A. Yes.

Q. Where did you go after this?

A. I went into the room, and there was great heat there. I thought the heat was great.

Q. How did you know that the heat was great?

A. I put my hand to the wall, and the wall was hot.

Q. How high was the flue?

A. I think the furnace was about three feet high.

Q. That was the place where the heat came out of?

A. Yes.

Q. You did not uncover the furnace?

A. No.

Q. Now, you said that on the top of that furnace were some crucibles?

A. Yes, and mineral stones.

Q. You spoke of another furnace—were there mineral stones there?

A. Yes.

Q. How were they?

A. They were all in papers at the time.

Q. Did you look into the ashes?

A. No.

Q. Did you look into the coal hole?

A. No.

Q. You stated in your direct that you looked into the water, with the expectation of finding Dr. Parkman's body there?

A. Yes.

Q. How many keys had you belonging to that building?

A. Sixteen, I believe.

Q. Did you try to get into the privy that afternoon you stated?

A. I did not.

Q. Have you got closets in the college?

A. Yes—but no locks on them.

Q. Was not this a very common sort of lock upon the privy?

A. Yes—I should think it was a very common sort of lock.

Q. Did you not try to get into the privy?

A. I did not.

Q. Did you go home that night?

A. I did not.

Q. Where did you go?

A. I went to a cotillon party. (Loud laughter.)

Q. You stated that you had suspicions about the privy, and that you did not go into it, but yet went to a cotillon party? (Laughter.)

A. Yes.

Q. Did you notice any blood at that time?

A. I noticed some blood on the stairs, and I tasted one of the drops with my finger. I saw spots in the laboratory.

Q. To whom did you first communicate the matter on Tuesday?

A. To Dr. Haniford—next to Mr. Thompson.

Q. Did you, on Thursday, communicate it to any one?

A. No, except to my wife.

Q. You swore to one knife, did you ever swear to the other?

A. No.

Q. Did the Doctor keep tools in his room?

A. Yes.

Q. You stated the Doctor showed you a knife, when did you see it after?

A. I saw it in the tea chest.

Q. Had it blood upon it?

A. I can't recollect.

Q. Did you ever see that paper (handed to witness, offering the reward.)

A. I did.

Q. What did you do when you first saw it?

A. I went down to the college and showed it. I saw some of them stuck up round the college in all directions.

Counsel here read the notice offering the reward for the recovery of Dr. Parkman.]

Mr. MERRICK, (on the part of the defence.) Witness will you permit me to ask you, if you were not at the toll-house, on the Sunday after Dr. Parkman was missing?

A. I was, I went over there on Sunday evening.

Q. You asked the toll-man if he was the man that said he saw Dr. Parkman pass over on Friday?

A. I did. He said it was the young man that said so.

Q. Do you recollect saying to any one there that you saw Dr. Parkman go into the College on the Friday, and go out again?

A. I did not. I said I never saw him go in or go out.

Q. Did you ever say to any one there that you saw Dr. Webster pay Dr. Parkman money?

A. I never did.

Q. Did you not say so to a gentleman named Green, who was there?

A. I did not.

Q. Do you know a Mr. Green?

A. I do not. I do not think I do.

After some few questions on the direct examination, which was resumed, and some further cross-examination, of no particular import, witness withdrew from the stand.

Portrait of Ephraim Littlefield.



Drawn by Rowe, from a Daguerrotype by Chose — Engraved by Marsh.

27th witness—ANDREW A. FOSTER, called. I am a provision dealer in Howard street near the Howard Athenaeum. I delivered a turkey to Mr. Littlefield on an order from Professor Webster, on Tuesday afternoon, the 27th of November, 1849 between 3½ o'clock and 4 o'clock, P. M. Received another at the same time from Littlefield, signed J. Webster for some sweet potatoes.

Cross-examined. Mr. Littlefield came to my store some time since and wanted to look at my books to see the order. I think he remarked that he had made a mistake in relation to the time.

28th witness—MRS. CAROLINE LITTLEFIELD called. Am wife of Ephraim Littlefield. Myself and husband resided in the basement story of the medical college; on Sunday I gave my husband caution against communicating his suspicions of Prof. Webster. (The defence objected to the introduction of this conversation in evidence; the bench ruled it competent.) I was standing in the kitchen at the time, and he (my husband) beckoned me to him, and told me his suspicions of Professor Webster. [The Court ruled out the conversation of Mr. Littlefield, but admitted that of Mrs. Littlefield on the occasion.]

I said 'don't for mercy sake say so again, or mention it to any body, for if the Professors hear of it, they will make trouble for you.' I noticed that Prof. Webster's rooms were shut on the Friday afternoon of Dr. P's disappearance; the Professor had asked me to get him some clean water, I sent some up soon after by my little girl. She returned and said the door by the laboratory stairs was locked; I told her that she must be mistaken, for the door was always unlocked. I went up and found that the door was locked. I went several times on Saturday and Sunday and tried the doors of the Laboratory; on Monday morning I found the door of the Laboratory unlocked once, I again found them locked; think it was the same morning that the expressman left the grape vines, a box and a bag in our apartments; said things were never left there before the expressman used to call frequently and leave things at the college in Professor Webster's rooms; he could always until this time get into the rooms occupied by Professor Webster; he tried the doors in my presence; they were locked and he said "you see now the doors are locked and I can't get in;" I wanted to get the grape vines and ran out of the way because the children were playing with and scattering it about the rooms; don't recollect how long Dr. Samuel Parkman staid at the college on the day he called; don't remember exactly the time that Prof. W. came to college on Friday morning; he said to me, "Mrs. Littlefield, have you heard anything about Dr. Parkman?" I replied no; he then repeated the story of a woman seeing a large bundle put into a cab, &c; Mr. Littlefield said "there are so many stories told that I don't know what to believe;" Prof. W. was not present when Mr. L. said this; it was mentioned by my husband that he was digging on the wall on Thursday; should think he had been to work about an hour when he came up again; on Friday my husband went to work again in the cellar; the doors were locked

and I was ordered by my husband to knock four times on the floor if Prof. Webster came; I thought that I saw Prof. Webster and knocked for my husband; he (Mr. L.) came up; I found I had mistaken the person of Mr. Kingsley for Prof. Webster; my husband went out, and while he was out, Prof. W. came in Professor Webster took the grape vine, bag and bundle and set them in his laboratory, he shortly afterwards went out and I saw him talking with the police officers; my husband came in some time afterwards and went down to work again; in about an hour he came up again.

Question—How did he, Mr. S., appear when he came up out of the cellar?

He looked dreadfully, [Defence objected to this testimony but the bench sustained it;] I never saw him look so before; he seemed very much affected; he burst out crying; I said to him—

Attorney General, you needn't repeat the conversation.

WITNESSES. Well! then I cannot say anything.

[At this reply the members of the bar laughed heartily, and the witness joined in the merriment.]

My husband ordered the doors to be all locked, and went out. Mr. Treutolin came in and I got a key and unlocked the cellar door to let him go down; he went down, and shortly afterwards came up saying that there was no mistake about it; my husband returned with Dr. Bigelow and several others; I never saw any bed clothes left at the Laboratory by the expressman.

Cross examined. I don't recollect exactly what time I got the water for Prof. Webster; it was after the officers had been there; there was a bag and bundle brought by the express man; I didn't see Prof. Webster take the bag, bundle and box into his laboratory; but when he met up stairs they were in the entry, and when he came down they were missing, so I concluded that he put them in his room.

29th Witness JOHN MAXWELL called. I live in Fruit street place; know Dr. Parkman; he lived in Walnut street; a few days before the Dr. Parkman disappeared, I carried a note from Prof. Webster to Dr. Parkman, and delivered it to him in his own hand.

Cross examination of this witness declined.

30th Witness, JOHN HAWAY, called. Am engaged at the Massachusetts Hospital to compound and deliver medicines. Mr. Littlefield applied to me for a jar of blood, I think on Thursday, a week before Thanksgiving; didn't get the blood for Mr. L. I attended all the lectures on Chemistry.

Cross-examined. I fix the day on which Mr. Littlefield applied to me, by the fact that there was but one more lecture on Chemistry in the course.

The court here addressed the jury, saying that he was under the painful necessity of stating to them that the trial would progress into another week, and that they would be obliged to remain in the custody of officers. He said they must withhold the expression of their opinions, and abstain even from the formation of opinions on the subject, because they had only thus far heard a part of one side of the case.

The court here adjourned, until Monday, A. M., at 9 o'clock.

SIXTH DAY.

MONDAY, March 25—A. M.

The jury entered at five minutes before nine o'clock, and were followed by the Court at five minutes past nine. The names of the jury were called and the proceedings commenced.

30th witness. Miss SARAH BUSSELL, called by government and sworn—Am acquainted and related to Mr. and Mrs. Littlefield, am niece of Mr. and Mrs. Littlefield; I visited Mr. and Mrs. Littlefield on the 19th November 1849, and staid till the 27th; heard of the disappearance of Doctor Parkman on Friday, Saturday, Monday and Tuesday. On Friday a gentleman came to the door between 4 and 5 o'clock in the afternoon. I went to the door to let him in—it was Mr. Petty. I didn't let him in at the front door; the key wasn't in, and I didn't know where to find it. So I looked through the side light of the door, and saw a gentleman, who asked for Mr. Littlefield. I replied to him that Mr. L. had laid down, but that if he would go round to the other door, I would go and call Mr. Littlefield he went round and I went down stairs to call Mr. Littlefield and when I got down there I saw Mr. Littlefield coming out of the bed room in his *stocking feet*, and passed into the kitchen, and Mr. Littlefield, went to the door.

Cross-examined I know that it was between 4 and 5 o'clock P. M., because it was after the lectures were over, and after Mr. L. had laid down. I first called these facts to mind about 2 weeks since; I was at Medford, and Mr. and Mrs. L. were there, and we were talking about it, and my father asked who went to the door; then I thought of these things.

31st JOSEPH W. PRESTON Am a student of medicine; attended the last course of Professor Webster's lectures; I saw Prof. Webster on Friday, Nov. 23, 1849, after the lectures were over; it was about 6 o'clock; saw him about 10 or 12 feet from Mr. Littlefield's carriage shed; he was going towards it; am not able to say whether he entered the College or not; am perfectly confident myself that this was on Friday evening; I was coming from the dissecting-room.

Cross-examined The shed was on the opposite side of the College, into which the Professors used to drive their carriages; the shed is called the East shed; I was to meet two young medical students on Hanover street that Friday night, and I had told them I could not meet them on any other night; I have thought of it several times; I thought it was a remarkable fact meeting Professor Webster that night at that time; I mentioned it as a remarkable fact to Mr. Richardson, a member of the bar, in the cars; I don't remember whether it was before or after the disappearance of Dr. Parkman. I fix the hour from the fact that I usually have my tea at half-past six o'clock, and was to have met the young students referred to at 7 o'clock; I came from the dissecting room; I don't remember seeing any one in the dissecting room at the time I left it.

Direct examination resumed Thought the meeting Dr. Webster Friday night remarkable, because I never saw him before at that time; this was the second course of lectures I had attended.

32d—WM. CALHOUN. I drive a team for Mr. Fuller; am acquainted with Littlefield; live at the corner of Fruit and Grove streets; was with Mr. Littlefield talking on the Sunday after the disappearance of Dr. Parkman, and saw Prof. Webster in North Grove street, opposite the College; he came down Fruit street; I think it was about 4 o'clock; It was clear enough to see; he (Webster) came up to Mr. Littlefield and said to him; did you see Dr. Parkman last week; Mr. Littlefield said he saw him on Friday going towards the College. Prof. Webster asked where he (Littlefield) was, when he saw Dr. Parkman. Littlefield replied that he was standing at the front door of the College, but didn't see Dr. P. when he went to the College, as he had gone and laid down on a settee at a distance from the door. Prof Webster asked what time on Friday afternoon Littlefield had seen Dr. Parkman coming towards the College. Littlefield replied about half past 1 o'clock P. M.

Professor Webster said "that is the very time I paid him \$483, to discharge a mortgage," and that "the Doctor grabbed the money and run off as fast as he could," and as he was going Prof. Webster said to him "now go to Cambridge and discharge the mortgage;" didn't see anything remarkable in the appearance of Dr. Webster at the time.

[Cross examination of this witness was declined.]

33d witness—Dr. JOHN B. S. JACKSON, called. I am Professor of Physiological Anatomy, at Harvard College, in the city of Cambridge; Mr. Littlefield had an interview with me on Friday at the college at about 1 o'clock. [The introduction of this conversation was objected to by the defence, but was allowed to proceed by the bench to test the relevancy of the subject matter of the conversation.] That he couldn't go into the street without being told that Dr. Parkman was within the walls of the Medical College, and that he meant to dig to the privy vault and examine it; I told him to go on, and if he discovered anything to go to Dr. Bigelow first, and then come to me; enjoined strict secrecy upon him in case he made no discovery, and pledged myself to the same; when I came home that evening, I found him (Littlefield) at my place; don't know whether Webster used anatomical subjects in his department or not.

Cross examination of this witness declined by defence.

34th witness G. W. TRENHOLM, Policeman. My beat was at the west front of the city last November, near the Medical College; never known Littlefield the janitor of the college; know Professor Webster. Saw Professor Webster on the Sunday afternoon after the disappearance of Dr. Parkman. I was standing talking with Littlefield when he came up, he (Webster) said to me "What about that \$20 bill?" I told him I didn't know anything about it, he then told the story of the Irishman offering the \$20 bill to change for a toll of one cent; [here witness said he was mistaken, and said that he was talking with Mr. James H. Blake, (late city Marshall,) instead of Littlefield.] Webster came up and spoke to Mr. Blake, and said that the first he had heard of the disappearance of Dr. Parkman, the evening before, he said he had

had an account of it in a paper—Prof. Webster said that on the day of his (Dr. Parkman's) disappearance, he had paid him \$483 and some odd cents, to discharge a mortgage, and that he (W.) had come to the city to tell his (P's.) friends; did not see Prof. W. during the interval between that Sunday and the Saturday of his arrest; Mr. Littlefield told me on Friday afternoon about 4 o'clock, that he had told the officers that every place in the College had been searched except that, and he meant to penetrate the walls, and see if there was anything there; he said he (L.) had felt the walls of the Laboratory very hot some time before; I felt of the walls—but did not feel any heat there then;—it was on the Friday afternoon when the remains were discovered, the conversation took place about the \$10 or \$20 bill, offered by the Irishman in payment of toll Prof. Webster said that the City Marshal had got the bill from the tollman, and had sent for him (Webster) to identify it. He (Webster) said he didn't identify it as one paid by him to Dr. Parkman. Prof. Webster then went away; just afterwards Littlefield came out and said he should be through the wall in an hour or so; in about an hour afterwards Littlefield came up and said he had found Dr. Parkman in the vault, and that he was going for Dr. Bigelow. He went off, and I went into Mr. Littlefield's house, intending to go down the cellar to see the result of Mr. Littlefield's discovery. Mrs. Littlefield asked me if I was not afraid to go down; told her no, and she then gave me a lamp and opened the cellar door. I went down, and looking into the vault, through the hole in the wall, saw the parts of the body described. Shortly Marshal Tukey, Dr. Bigelow, and the others came down.

To the Court—The remains were taken out of the vault and laid on a board. They were left there till the party came down.

Direct—I was left in charge of the College until Professor Webster was brought down by the party. He (Webster) was brought down about 11 o'clock at night. I was not at the door when he (Webster) came. Littlefield came up stairs and told me that Prof. W. had come; the party went to the Laboratory, the door of which was forced in; we went to the privy and asked where the key of it was; Littlefield replied that Prof. W. had it; Prof. W. said he had not got it, but that it was hanging up on the shelves; we took down the key he showed us, and went to the under Laboratory and tried it, but it would not fit the lock of the privy; the door of the privy was then broken open; Prof. Webster appeared to be confused while in the lower Laboratory; was more agitated than when in the upper one; he called for water, and when it was brought to him he snapped and bit at those who offered it. Officers Adams, Rice and myself remained at the cell all night; I remained there until Sunday afternoon; was relieved from duty only a few minutes at a time during this interval; I was not under orders to keep a strict watch upon Mr. Littlefield or any one else at the time; the place was properly and securely guarded; the remains were put in a box, nailed up and placed in the privy; an inquiry was made for the hatchet belonging to the Laboratory. Webster replied, "down in

the sink." I think Littlefield succeeded in finding the hatchet.

Cross examined.—Professor Webster accosted me on Friday afternoon, saying, "What about that \$20 bill?" he said something about the city marshal at Cambridge, in connection with this bill; I was acquainted slightly with the Professor at that time; I saw Littlefield on Saturday, the day after the disappearance of Dr. Parkman; he was talking with Mr. Kingsley; he (Littlefield) said he had not seen Dr. Parkman for three or four days.

To the Court. Mr. Littlefield was talking with Mr. Kingsley, on Saturday afternoon, the 24th November, and I understood him (Littlefield) to say that he had not seen Dr. Parkman for three or four days.

ATTORNEY GENERAL. State all you know about this conversation.

WITNESS. Littlefield afterwards corrected this statement to the City Marshal.

[This was objected to by the defence, and ruled out as incompetent by the bench.]

Some enquiry was made for the hatchet on Friday night at the College; I think Mr. Adams broke open the privy door; the lock was afterwards taken off, or it dropped off; the privy door was afterwards nailed up.

35th witness—NATHANIEL D. SAWIN called. I run the Cambridge and Boston express; know Professor Webster; have been in the habit of carrying articles to and fro for him; carried some articles to the College from the Professor's house on the 12th of November, on the 26th, and also on the 23d of November, on the 26th I brought in some bundles for him, some grape vines, which I took for faggots at the time; a box and bundle; I left them in Mr. Littlefield's cellar by order of Prof. Webster.

To the Court—He (Webster) said "you leave them in the cellar and I will take them into the Laboratory."

Direct resumed—I never had similar orders given me before by the Professor; have been to the college on business for Prof. W.; something like two hundred times in the course of three years; I used to leave things in the Laboratory; used to get the key from Littlefield's kitchen; I tried the door of the Laboratory thinking I might have mistaken my orders; found the door locked; on Wednesday I carried two boxes from Cambridge to the Laboratory; one of the boxes was about 2½ feet long and a foot deep, and same width, and the other about a foot and a half square.

To the Court. The box had something in it; I left the boxes in the cellar, and noticed the grape vine and other articles that I had brought before, still in the cellar.

Direct resumed.—After the arrest of Professor Webster, I went to the College for the purpose of ascertaining if the remains were in the College still.

Cross-examined—I have been in the constant habit of carrying things from Cambridge to the Medical College for Professor Webster; always been in the habit of going in and out of the laboratory; saw the knife now exhibited, (bowie knife) in the hands of Professor Webster, in his garden at Cambridge, on the 17th of November, 1849, he was cutting some grape vines; he remarked to me that he had a peculiar kind of knife. As I stood by him he cut his finger,

and the blood ran upon the knife. Cross examination of this witness declined.

35th witness—DEBRASTUS CLAPP, constable, called—Am one of the constables of Boston; have been constable 20 years.

(Here two mortgage notes and an account current, showing the business relations of Prof Webster and Dr. Parkman, on the 23d November, 1849, were exhibited to the Court and to the witness.) I saw these papers for the first time, on the 5th December, 1849, at the house of Professor Webster, Cambridge. This was the second search made of the house. I was directed to go to Cambridge by the city Marshal (Tukey) and get a Cambridge officer and search the house of the defendant; according to my directions I asked Mrs Webster if she had and would give me a bundle of papers given her by Professor Webster, she replied that she had some papers in her possession; shortly afterwards, officer Sanderson came down stairs with a bundle of papers among which were the papers now exhibited, as there were many papers in the bundle not mentioned in the said warrant and I returned them to Sanderson and told him to put them in the trunk where he found them.

I took the papers now produced to the court, and gave Mrs Webster a receipt for them. I took one note from Professor Webster to Dr Parkman, for \$400, dated June 22d, 1842, a verbatim copy of which we give below.

A recess of ten minutes was granted to the jury.

\$400.

Boston, June 22d, 1842.

For value received I promise to pay George Parkman, or order, the sum of Four Hundred dollars, in fifteen months from this date, with interest to be paid.

J. W. WEBSTER.

In presence of

"This is to be given up on payment of Webster's note of January 22d 47"

Endorsed as follows:—

"1845, July 10th. Interest is received to date by receipt, and seven dollars of principal, leaving due \$333. Oct 10, seventy-five dollars."

In pencil mark—

"\$483 65 bal paid, Nov 49."

The writing of the endorsement upon this note was acknowledged by Government to be that of Dr. Parkman. The other note, taken by constable Clapp, from Webster's person, was read to the Court, a correct copy of which we give here below:—

Boston, January 22, 1847.

Value received, I promise to pay George Parkman or order, twenty-four hundred and thirty two dollars within four years from date, with interest, yearly and quarter of said sum, said sum being to be paid yearly.

J. W. WEBSTER.

Witness—Charles Cunningham.

In pencil mark on the same note, as follows:—

"50 of the above is G. P.'s. $\times 332 = 832$."

Also reversed on the same note the following:

"On payment of eight hundred and thirty-two dollars of this and interest, Dr. W.'s other mortgage and note to G. P. of June 22d, 1842, is to be cancelled."

And in pencil again —

"Copy W. has \$831 23 corrected"

This note is also endorsed as follows:

"1843, April 15th. received a hundred and eighty-seven dollars 50-100 by Ch's Cunningham. I gave receipt. G. P."

"Nov. 11th. A hundred eighty-seven dollars 50-100 by C. C. I gave receipt."

And again in pencil marks: "7—Nov'r 3rd, \$17 56 by receipt."

Here the account current containing a statement of the business relations of Prof. Webster and Dr. Parkman was read to the court—a true copy of which we give below.

Account Current.

The third paper read was a memorandum dated April 25 1849 and signed G. C. directed to Dr Webster, in which is a statement of several money transactions between Dr Webster and the late Dr Parkman, showing that the note for \$2432 was to cover the following sums. It read as follows:

Loaned	\$1600
Due Dr. P. agreeing with Dr. W.'s account,	\$348 83
Due me Pre-cott,	\$200,00
Due A. and . . .	\$234,00
And for amount of bills paid which exceeded the \$1600, but allowed by several individuals on settlement,	\$49 62

Consequently the \$348 83 is included in balance of your notes, and Dr. P. took his security in the note for \$2432, and mortgages for that sum, because he did not consider the security he had sufficient for the \$348.83, and declined surrendering the note until the debt is paid. He says:

You received a document from him dated January 1847, stating the amount of \$2432 covers both debts to him. The note for \$2432 is in his favor, and is held by him. Your debt to him appears to be the old balance of \$348 83.

Loaned you of the 1600	\$500
Deduct paid him,	375—125

\$473 83

He says you paid him Nov. 3d, 1847, and have receipt for

17 56

Without interest,

\$456 27

After loan of 1600 net, 1847, you owed Dr. P., as above,

\$ 25,00

W. Prescott's advance 1500—paid him

312,50

187,50,

125,00

Mrs. P. advanced 200—paid her 75,

50,00

Mr. Nye advanced 200—paid him 150,

25,00

C. C. advanced 100—paid him 75,

\$637,50

I have seen Dr P. this evening, as requested by you, and trust the above contains all the information you wish.

In pencil thus:

"But due Dr P. is - - - \$456 27

27 37

- - - - - \$483 64

\$483 64

Also in pencil:

"The interest as above calculated."

Direct examination of CONSTABLE CLAPP resumed.—I took a wallet from Professor Webster at the jail, and put my marks on the memorandum.

[They will be found annexed:]

"Mr. A. Friday, received - - - \$510 00

234 19

and Dr. Big. 275 90

Pettes Cash

"Dr. P. came to lecture room, forward left hand seat. Students stopped—he waited till gone, and came to me and asked for money. Desired him to wait till Friday 23d, as all the tickets were not paid for, but no doubt would be. Then he, good deal excited, went away. Said I owed him \$483 64. Friday 23d, called at his house about 9 o'clock A. M.—told him I had the money, and if he would call soon after one, I would pay him. He called at 3 o'clock, and I paid him \$483 64.

On the second page of the sheet containing the above, was also written the following:

"9th—Due Dr. P., who called at lecture, \$483 64—

by his act. Desired him to wait until Friday, 23rd—
 Anery. Friday, 14— I said him to clear mortgage Note,
 Feb 13 1847, in c. odd g small one \$2 37—125 due in on
 loan, which the large note covers; g, he agreed to give
 up towards sale of minerals. Balance due, 463 61—
 paid; and he gave me up two notes. Had not the
 money, but said he would go and cancel it. Had
 paid him 375 by Smith,
 125 due,

Rec'd from other persons—Mortgage, 22d June 1842,
 Note, 400, June 2, 1842,
 Note, 242, Jan. 2, 1847.

After this a small scrap of paper was exhibit-
 ed to the court by the Government and put in
 evidence, it had on it several words such as
 molasses jug, solder, paint, &c, it was dated
 Friday the 23d November, 1849.

Direct examination resumed—On the night
 when we went to the College to make the
 search we went with Mr. Littlefield, to the
 door of the Professor's Laboratory and Little-
 field knocked, he knocked twice before Pro-
 fessor Webster came; when Professor Web-
 ster came to the door I recognised him at
 once; had known by sight for a quarter of a cen-
 tury. I said to him, "We have not the slightest
 idea of searching your rooms, but we thought
 that if we began by searching the College the
 other people in the neighborhood couldn't say
 anything against having their own houses search-
 ed." Professor Webster let us in, and we pass-
 ed through the upper and lower laboratories; I
 didn't take much notice of the rooms at the
 time I went towards the privy, and some one
 called my attention from it; do not re-
 member which door we went out of—wheth-
 er it was out of Littlefield's door or the
 front door; we went to the dissecting vault; the
 impressions made on my mind by that search
 were not very vivid, inasmuch as I did not
 suspect in the least that Dr. Parkman was
 inside the College rooms. We made a very
 thorough search of Littlefield's apartments.

We searched the garments of the male and
 female portion of Mr. L's family on Friday
 night, when Professor Webster was arrested; I
 was sent to the College by the City Marshal; I
 went down the cellar and saw the remains in the
 privy vault; came up and went through the La-
 boratory and examined it thoroughly; saw a pan
 in the lower Laboratory which was covered over
 by several pieces of freestone; I lifted
 the freestone off the pan with the assistance of
 another officer and found some hard coal with
 pieces of bone attached to it; I was shortly
 afterwards sent by the City Marshal to Cam-
 bridge to arrest Prof. Webster; I went to
 School street, got a coach, took in officer Stark-
 weather, and proceeded to the Boston side of
 Cambridge Bridge; then I took in officer Spurr;
 we drove over to Cambridge to the
 house of Professor Webster. We stopped the
 coach when within five or six rods of his house,
 and went up and knocked at the door, and in-
 quired for the Professor; he came forward to
 see what we wanted; we told him that we
 wanted him to go with us and assist at one
 more search of the Medical College, in North
 Grove street; he said something about its hav-
 ing been searched two or three times before,
 but was very willing to accompany us; he put
 off his slippers, drew on his boots, and came
 out; just as we started, he remarked that he had
 forgotten his keys and that he would go back and

get them. I told him that we had keys enough
 to unlock all the rooms in the college, and it
 would not be necessary for him to go back after
 them—he said it was very well and got into the
 coach. The driver turned towards Boston and
 as we rode away, Prof. Webster conversed on
 indifferent subjects; he talked of the Greenbush
 railroad &c. &c. The conversation finally turn-
 ed on the disappearance of Dr. Parkman.—
 Professor Webster then said that a Mrs. Bent
 of Cambridge had seen Dr. Parkman at a very
 late hour on the Friday evening when he
 disappeared, and he said as she lived near the
 bridge we might call and see her; I declined to
 go, saying we could go some other time; in
 coming over the bridge, Prof. Webster asked if
 anything further had been done in the search
 for Dr. Parkman; I said that the hat of Dr.
 Parkman had been found in the water at
 Charlestown, and that the river had been drag-
 ged above and below the bridge; as we came
 along, the coachman drove past the street
 leading to the Medical College, and proceed-
 ed up towards the jail. Professor Webster
 remarked that he was going in a wrong direc-
 tion. I replied that he was a new coachman
 and somewhat green, but that he would doubt-
 less discover and rectify his mistake. This rea-
 son satisfied him. The coachman still drove
 on, and shortly after arrived at the jail. I got
 out of the coach and went into the jail, in order
 to see if there were any spectators there—found
 there were not, and then went back and said
 to the officers and the prisoner, "I wish, gentle-
 men, you would alight here for a few moments."
 The officers got out of the coach, and the pris-
 oner followed. We passed into the outer office
 and I then said, "Gentlemen, I guess we had
 better walk into the inner office. We went in,
 and then Prof. Webster looked at me and said,
 "what is the meaning of all this?" I said to
 him, "Professor Webster, you will perhaps re-
 member that in coming over Cambridge bridge
 I told you that the river above and below it, had
 been dragged; we have also been dragging in
 the College, and we have done looking for the
 body of Dr. Parkman, and you are now in custo-
 dy, on the charge of being his murderer." He
 uttered two or three sentences which I did
 not distinctly understand, but which I supposed
 at the time to refer to the nature of the crime
 with which he was charged; he finally spoke
 plainly and said he would like his family to be
 told of his arrest; I told him if his family
 were told, as he requested, it would be a
 sad night for them, and told him further,
 (as he was beginning to talk) that he had
 better not say anything to me or anybody
 at that time. I afterwards left the prisoner
 in custody, and made out a mittimus
 directed to Mr. Andrews who was absent at
 that moment; the jailer directing him not to
 commit the prisoner to the cells until he heard
 again from me; I went down to the college
 after this, and looked about the laboratory,
 and shortly afterwards the prisoner was
 brought down there; he was greatly agitated
 and looked as though he did not know
 what was going on about him; he
 appeared to me to act precisely like persons
 whom I have seen in delirium tremens
 some one handed him water but he
 couldn't drink, and snapped at the

glass like a mad dog; I broke open the privy door and the lock fell off; at the jail I searched the pockets of the prisoner and took from him a wallet containing papers, a gold watch, two dollars and forty cents in money, an omnibus ticket case and 5 keys, one of the keys (the one now exhibited) fits the lock of the privy; my search at the house of the Professor in Cambridge did not amount to much.

Here the court adjourned until 3½ o'clock P. M.

AFTERNOON SESSION.

The jury came in at twenty-five minutes past 3 o'clock. The court entered at twenty minutes before 4 o'clock, and the proceedings commenced.

Derastus Clapp recalled. Cross-examined. When we went down stairs to the Laboratory, we tried the doors of the privy and private room; I think the doors were tried; Professor Webster went down ahead of us; saw some mineral on the furnace. When we had arrived at Professor Webster's house, at Cambridge, we told him we wanted to make another search of the College; Professor Webster said that he should not be the loser if Dr. Parkman hadn't discharged the mortgage; think he said also that he believed Dr. Parkman was an honest man; he said something about the railroad and about Doctor Parkman having been seen at several places by different people since his disappearance. The conversation between us was very free, and it was my endeavor to keep it so; we arrived at the jail at ten o'clock; know the hour, because I looked at my watch.

37th witness—*Charles W. Little called.* Am a resident of Cambridge, and a student at Harvard College; knew Dr. Parkman by sight, I met him on Thursday, day before that on which he disappeared, near the Mount Auburn road; he was in a chaise, and inquired of me where Professor Webster lived; I pointed out to him his residence, and he rode on; I met him about ¼ or ½ of a mile from Prof. Webster's house, I fix the first day, from the fact that I went to New York the next day; I returned the next Sunday; Dr. Parkman was riding alone.

The cross-examination of this witness was declined.

38th witness. *SETH PETTEE, called.* I do business in this city, am clerk in the New England Bank, and I collect the funds of the Medical faculty; I began this last office the 7th of November, 1849; I sold 55 tickets to Professor Webster's Chemical lectures, at \$15 per ticket, amounting to \$825; I disposed of all the tickets for the Faculty's Lectures; I disposed of about one hundred tickets in all, for some I received promissory notes, and some were given free, according to custom, [looking at an account;] I disposed of 93 tickets to Prof. Webster's lectures; 38 I disposed of for promissory notes, and 7 remain on hand. I collected two of the promissory notes on half tickets. Prof. Webster would realize \$15 on the account thus collected. All therefore collected on the tickets sold by me amounted to \$825 plus \$15. The \$15 I paid to Dr. Bigelow, Treasurer of the Faculty, by order of Prof. W.; I have a list of

107 students who attended the whole course of the Faculty's lectures; there was one other ticket to Professor Webster's lectures which I have not mentioned; Mr. Littlefield sent to me to come to his house and fill out a ticket for a student named E. R. Ridgeway; there were two other tickets which I have not named; there was due Professor Webster out of these tickets sold for the 1st Division, \$510. I paid that in the following manner: I paid Dr. Bigelow a note dated April 1849, in his favor against Professor Webster, for \$225.89 and interest \$8.21, making the amount of the note \$234.10. The balance of the funds, amounting to \$275.90, I myself paid to Professor John W. Webster.

The next division was on the 14th or about the 14th. I credited him with thirteen tickets sold amounting to \$195. I drew a check for it on the Teller of the New England Bank, the check is dated on the 14th November; Professor Webster endorsed the check and I gave him the money for it. The next division was on the 16th for two tickets amounting to \$30, this I paid Mr. Littlefield on an order from Professor Webster; I also gave the rest of the tickets on hand to Littlefield, on the order. The last division I paid Professor Webster was on Friday the 23d November, 1849; I gave him a check on the New England Bank for \$90 and charged him with it. I have now some funds on hand belonging to Prof. Webster; the first time I saw Dr. Parkman was on the 12th of November, 1849; he came into my office and inquired if I collected the money for the Medical Faculty. He asked me if I had any money belonging to Prof. Webster. I said I had not, as I had paid Prof. Webster but a few days before. He (Parkman) made some remarks, and left the bank; in a few moments he returned and took a dividend belonging to his wife and signed his name "Geo. Parkman." I asked him if Prof. Webster owed him anything. He said, "I should think you might know by my manner." He came in a few days afterwards, and asked again if I had collected any more funds for Professor Webster; I said I had just paid him \$195; he said, "I thought I had given you a hint to retain the money for me;" I replied that I had no authority to retain the funds, but was ordered to collect and pay them over; he said, "you would have been doing justice to Professor Webster and myself, if you had paid the money to me, because now I shall have to distress Prof. Webster and his family; now I shall have to trustee him;" he made some further remarks, and then said "Prof. Webster is a dishonorable man, and do you tell him so from me;" I never saw Dr. Parkman afterwards; I went to the Medical College about 9 o'clock in the morning of the 23d November; I inquired for Mr. Littlefield; there was hanging in the entry a notice in the advertisement that I wished to alter from Thursday to Saturday.

To the Court. This was a notice given by myself to the students that I would be at the College Saturday to dispose of the tickets. I went into the College, and down stairs through the entry into the Laboratory; the door was not locked; I passed into the back private room and found Professor Webster there. I excused myself for coming in at that hour in the morning; he said—"Walk in;" I then stated to him the reason I came; I told him that Doctor

Parkman had been to me several times to see if I had funds belonging to him, (W.) with the intention of trusteeing me, and as I did not like to have any money belonging to him (Webster) in my possession, and I had come to pay it over to him. He remarked, Dr Parkman is a singular sort of man, very nervous, and that he was accustomed to have fits of aberration of mind, so much so, that he has been obliged to put his business into the hands of Mr Blake, a relative of his; he (Professor Webster) died, "You will have no further trouble with him (Dr Parkman) for I have settled with him." I gave Professor Webster on that occasion \$90; I called again on him the afternoon of the same day (Friday the 23d) at the request of Mr. Littlefield; I went to the front door, and found it locked; a girl came to the door and told me to go round the other way; I went down stairs to the other door, and Mr Littlefield came to the door in his stocking feet; we then arranged about the tickets, and I went away; I called at the College the next day, went into the lecture-room, and there saw Mr Littlefield. [Here the defence objected to the introduction of this testimony on the ground that the government introduced this evidence merely to corroborate the collateral testimony of another witness. The government urged the question, but the bench overruled the introduction of such evidence.] I went to the College with the intention of paying him the money I then had in my hands belonging to him; don't think he knew I intended to pay him any money that morning, or whether he expected to see me; I don't recollect hearing Dr Parkman using any profane language during the interview at the New England Bank; he made use of some expression when I told him I had paid Prof. Webster a day or two before, that sounded like "The devil you have," or something like it; don't really know whether he used profane language or not; told him I would not carry any expressions like those he applied to Prof. Webster, to him for any man.

Cross examined. I have only a list of those students who buy tickets of me—don't know whether there were more at the lectures or not, or by whom the others were supplied. The expressions used by Dr. Parkman relative to Prof. Webster were very harsh—don't know the man well enough to say whether he was angry or not, he was a good deal excited at the time.

Direct examination resumed. I do not think I communicated any expression to Professor Webster from Dr. Parkman similar to "you are a d—d scoundrel—whelp, or the like."

39th witness—JOHN B. DANA, called—Am cashier of the Charles River Bank—Professor Webster kept his bank account there. The bank book now exhibited is one belonging to him, the deposits made by Prof. Webster in the month of Nov. are as follows:—

Nov. 10th. \$275 90—a check on the Freeman Bank.

Nov. 24th. A check for \$90, on the same bank.

On the 23d of November, the balance due to Prof. Webster, in the bank, was \$139 6.

On the 1st November, until the 10th, he had on hand, in the bank, a balance due him of \$42; on the 10th he deposited the sum of \$275,90;

the 18th of November he drew on a check in favor of a Mr. White for \$93 75; on December 3d he drew a check for \$5 and another for \$19. These were the last sums paid. There was a balance due him on the day before his arrest amounting to \$68 78; this amount was trusteeed on Saturday, the day after he was arrested; the trustee writ was issued in the name of one Richardson, coal dealer; I sometimes pay checks on one day, and don't charge them until the next; am certain that I paid the last check on Saturday, and not on Monday, as charged. (*Cross-examination of this witness declined.*)

40th witness. Dr. DANIEL HENCHMAN, called and sworn. Am a druggist doing business in Cambridge street; am acquainted with Prof. Webster. Professor Webster asked me if I could give him bills for a check to the amount of \$10; I did so; gave him one bill; he gave me a check on the Charles River Bank; it bears date the 22d November, 1849; it was handed me on the morning of the 23d, 1849, at about ten o'clock in the morning; I never have received any payment for that check up to the present day. The check was presented at the bank on Saturday and they said there were no funds.

Cross examined. Don't know of my own knowledge that they said there were no funds; don't know that it was presented on Saturday; the man that I gave the check to for collection, told me so.

Mr. SOHIER, well; get down then.

41st witness. J. H. BLAKE, called and sworn. Am nephew to Dr Parkman; on the Sunday after the disappearance of Dr. Parkman, I was standing on the jail lands with some police officers when Professor Webster came up; he had no overcoat on; the day was rather unpleasant on; he said he had read in the Transcript that Dr. Parkman was missing and he had come into the city to tell his (Dr. P.'s) family that he (Webster) was the man who had called at Dr. Parkman's house on Friday forenoon to make an appointment to meet him at half-past one o'clock—that the Doctor had called upon him, and he had paid him \$483 64 due on a mortgage, and that he had trusted in Dr. Parkman to discharge the mortgage; he (Webster) said "we all know Dr. Parkman to be an honest man, and he has, (ot will) do it"; he made some further remarks and then went into the College; I did not see Professor Webster again on that day; came up North Grove street—turned down towards the jail land, and had stood there about three minutes, when Webster came up; he might have come up North Grove street without my knowing it. When he accosted me he shook and held me by the hand during the whole time of the interview; I thought it was rather singular behavior; I was not much acquainted; he said he had trusted the mortgage deed with him, Dr. Parkman; he said also "I've got the note."

Cross examined.—I was searching for Dr. Parkman at the time, but did not mention it to the Professor at the time of the interview. Prof. Webster said he went to church in the forenoon, and had come in to see the Park family in the afternoon about the disappearance

of the Doctor; he didn't tell me how he came in from Cambridge.

421. Witness, DR. FRANCIS PARKMAN, (Brother of Dr. Geo. Parkman.) called. Have known Prof. Webster since his boyhood; his father's family attended my church at the North end; I also was acquainted with him while at college, and have visited the Prof. until within 2 months of the disappearance of my brother; I baptized the grand-child of Professor Webster at Cambridge, I think the latter part of September, 1849, at the request of the family. At about 4 o'clock in the afternoon of the Sunday after the day of my brother's disappearance, Prof. W. called at my house; none of the family had been to church that day; Prof. W. came in and without making customary salutations, said, "I have come to tell you that I saw your brother on Friday last, about half past one o'clock, and paid him some money; I didn't come over before because I didn't see the notice in the papers till Saturday night, and I thought you would be to church in the morning"; some one in the room said, "then you are the gentleman who came to see George, and made an appointment with him on Friday morning."

Professor Webster replied, "Yes, I am the one." I said, "we are very glad that we now know who the person was who called that day to make the appointment with 'George,' (Dr. Geo. Parkman) we feared he might have been betrayed by some one who had allured him to East Cambridge and there destroyed him." Prof. Webster said—"I saw him at half past one in the College, and paid him \$483 (and some cents)—he (Dr. Geo. Parkman) seized the money and took out a bundle of papers, from which he selected one and dashed a pen across it in a wild and singular manner. I (Prof. Webster) accompanied him to the gate, and left him going out—he (Geo. Parkman) said he would go to Cambridge and discharge the mortgage."

We questioned Prof. Webster upon the behavior of my brother, and the Professor made some gesticulations, in order to convey to us an idea of the manner in which my brother had behaved at the interview. After some further conversation Professor Webster left the house. I thought he (Professor Webster) manifested a most singular behavior; his interview with the family appeared to be merely a business one, and he manifested no sympathy with our distress; he displayed much nervous excitement in his demeanor, but not more than is, I believe, usual to him; never knew my brother to use a profane word.

Cross examined—Two men called at my house on Saturday, (or Sunday morning) and said that they had seen my brother on Friday afternoon, at a quarter past one o'clock; their names were Fessenden and Ireland; they both stated they had seen him at a distance.

The court here adjourned until 9 o'clock tomorrow morning.

SEVENTH DAY.

TUESDAY March 26, A. M.

The Jury entered at five minutes before 9 o'clock, and the Court followed at ten minutes past 9 o'clock. The names of the jury having been called, the proceedings commenced.

43d Witness. RALPH SMITH called. Am in the liquor business; my place of business is in Exchange street; am acquainted with Professor Webster; had some business with him on the 15th October, 1849; I do not know that the letter now exhibited is the one I received from him on the 15th October, 1849; it isn't marked as I usually mark letters; he was owing me at that time, and I wrote to him for payment; the letter received by me was his reply.

The letter was read, and was as follows:—

CAMBRIDGE, Oct. 15, 1849.

T. K. SMITH, Esq.—Dear Sir: I will call and pay your bill, on receiving my fees from the medical students, until when I ask your indulgence.

Respectfully yours, J. W. WEBSTER.

44th witness, SAM'L B. FULLER, Policeman, called. Am one of the Policemen; have been one for some time; know the prisoner by sight, but have no acquaintance with him; had an interview with him in Cambridge on the Sunday after the disappearance of Doctor Parkman; I went over to Cambridge to the registry of deeds to see if Dr. Parkman had been over there to cancel the mortgage. The clerk of the registry office looked over the books, but not finding the mortgage readily, he said it would be better to go and see Professor Webster, and get the original papers. We therefore went to Prof. Webster's house for the purpose of getting these papers; the Professor was at home and we informed him of the object of our visit; he took a book and turned over the leaves of it for some minutes, and then got up and left the room; thought he was somewhat agitated. He shortly returned and looked in a trunk under the table, but did not find what he was looking for; he held some conversation with the clerk who was with me, and told him finally that the mortgage was on personal property and not on real estate; I then said, "we will go to the city clerk's office and see if Dr. Parkman has been there;" didn't see Prof. Webster again that night; I was at the college on the Tuesday after the disappearance of Dr. Parkman in company with Mr. Kingsley and some others; we went down stairs to the laboratory and knocked at the door, but no one came; we all then went up to the lecture room and having knocked at that door, it was opened to us by the Professor himself; at that interview I asked him, "Who was with him at the time he paid Dr. Parkman the money?" Prof. Webster replied, "No one. There was no one present but Dr. Parkman and myself." I asked Professor Webster if he would point out to me where Doctor Parkman stood when he (Webster) paid him (Parkman) the money. Professor Webster said, "He stood on that side of the table or counter and I on this." We then went down into the laboratory, and Prof. W. said, "Gentlemen, this is my private Laboratory;" Mr. Kingsley, or some one else, looked at the privy and said, "what is this?" just then Professor Webster said, "here, gentlemen, is a room that you haven't looked at yet"—meaning his private back room; I observed his demeanor at that time, and it excited my attention; Professor Webster spoke rather loud and earnestly; after looking over the Laboratories, Mr. Littlefield and myself took a lamp and went down stairs, into the cellar under the building, and as far as the walls would let

us go; I asked Littlefield whether this was the outside wall which stopped our progress; he said it was not the outside wall, but the central wall separating the privy vault from the building; we afterwards came up and went away; I have examined the walls of the cellar under Professor Webster's Laboratory, and am satisfied that nothing solid could float through them with the tide; I was at the College again on the Saturday (30th November,) after the arrest of Prof. Webster, and in company with six or eight others; I had been searching in the Laboratory from half past 8 o'clock, A. M. until 4 o'clock, P. M. I had remarked the tea chest in the corner of the Laboratory, which appeared to be filled with minerals, and as we were searching everything, I thought I would look into that; so I began taking out the minerals; I found them all wrapped in papers like those found in other parts of the Laboratory, but they appeared to me to have been newly labelled; I went on taking out the minerals, and presently discovered a hunting knife lying among the specimens of minerals; took it out and opened it; looked at the blade, shut and put it in my pocket; went on a little further and presently found the chest or thorax of a human being, and a thigh inside of it; I remarked that I guessed I had a knife in my pocket that would fit the hole exactly; didn't brush off the tan from the thorax myself, and forbid the others doing it; I had orders to watch Littlefield closely, and not let him go out of my sight; the seat of the privy is nine and three quarters inches both ways; it (the sea) was taken off after the remains were found in the vault; we tried (Mr Littlefield and myself) to put the thorax through the privy seat, but we couldn't get it through; having tried experiments to see whether noises in Professor Webster's laboratories or lecture rooms could be heard in other parts of the building, found that they could not. I saw a plate on a bench in the lower laboratory.

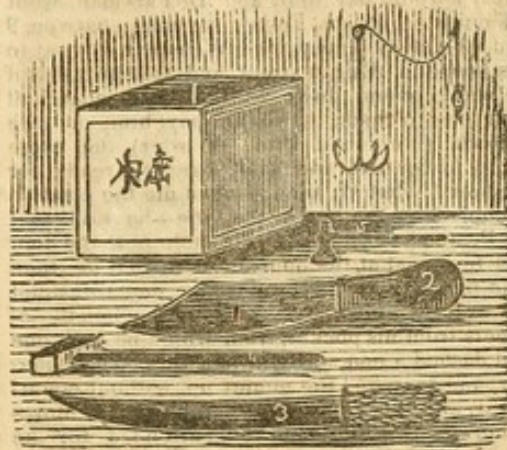
Cross-examined—Littlefield and myself tried to put the thorax through the privy seat; we couldn't put it through the hole without forcing it I found some tan in a barrel in the laboratory; found the knife in the tea-chest and put it into my pocket immediately; think it was shut when I found it; the *thorax*, when I turned it out of the chest, was back up towards me; I stood looking at it several minutes, and the others gathered round me; some one took it up and we found the thigh inside; I saw the hole in the thorax when it was turned over; officer Butman said, "I'm going to scrape the tan off to see how it looks;" I forbid him, the thorax was left alone till coroner's jury sat in inquest; We kept the thorax under strict guard until the coroner's jury had seen it; I brushed a little tan off it with my hand; I was at the medical college on duty from the Saturday after the arrest of Prof. Webster until the 5th of January, 1850, a space of five weeks; I have remarked that I thought Professor Webster was excited at the time of the interview in Cambridge, on the Sunday after the disappearance of Dr. Parkman; have also remarked that it (his behavior) might be natural to him; don't recollect that I said before the coroner's jury that Prof. Webster said at the College that Dr. Parkman was there at half-past one o'clock on Friday, the 23d Nov; think I said between half past 1 and 2 o'clock;

must have said to the Coroner's jury what I've said here to-day; made a memorandum of the conversation had with Professor Webster, and also a memorandum of the testimony given by me before the Coroner's jury; those memoranda are over at my office. I have not said that Professor Webster trembled at the interview on Sunday; I said that he appeared agitated. When the officers searched the laboratories, we went into the cellar before going to the laboratories; the privy at the angle of the wall is over a trench into which the tide flows. The ground near the privy slopes towards the privy wall; can't state the angle of the slope. I found the towels under the privy. The labels for the minerals looked as though they were newly written; they looked as though they had been written 5 or 6 months.

Mr. SOHIER. The ink wasn't fresh was it?
WITNESS. No.

Mr. SOHIER. Step down Mr Fuller.

Direct examination of S. B. Fuller resumed.
Mr. Eaton was there at the time of the discovery of the thorax in the chest.



- 1—Tea chest; which the thorax and left thigh were found embedded in tan.
- 2—Bowie knife found in the tea chest, with blood upon the blade.
- 3—Turkish yatagan, elegantly chased silver handle, found in the laboratory.
- 4—Sledge-hammer alluded to in the testimony of Littlefield and others.
- 5—Hatnet, found in one of the drawers in the Professor's cabinet.
- 6—Three large fish hooks tied together, found attached to the remains in the vault.

45th witness. SAMUEL PARKMAN BLAKE, called and sworn. Am a relation (nephew) of the late Dr. Parkman. I took a very active part in the search for Dr. Parkman; devoting my time exclusively to that subject. The Monday after the disappearance of Dr. Parkman, I went to the college and as I was going up the steps met a student, of whom I asked whether Prof. Webster lectured that day; the student replied that he did not know, but would call the janitor, Littlefield. Mr. Littlefield came and I asked him if Prof. Webster was in his laboratory; he said he didn't know but would see; we went to the laboratory door and knocked but did not gain admittance; Mr. L. said he would go round the other way, and if I

would give him my name he would communicate it to Professor Webster; I gave him my name and after waiting for some time (I thought a very long time,) I was let into the lecture room; Prof. W. came out of his laboratory in a working dress; I asked him to relate to me the particulars of his interview with Dr. Parkman on Friday the 23d Nov; Prof Webster stated that on the Tuesday previous (to Friday the 23d Nov.) Dr. Parkman had come into his lecture room while he was delivering his lecture, and sat down on the left hand side of the room in a front seat, and waited patiently for the lecture to finish—that after the lecture was over Dr Parkman had come up to him and said, "You have \$500 in your pocket and I want it;" Professor Webster made an expression of face to show how Doctor Parkman had looked, and I (witness) thought that Professor Webster manifested a good deal of anger himself at the moment; Professor Webster continued: "I told him (Dr Parkman,) that I hadn't got all my money for the tickets, but as soon as I had I would pay him; and Dr Parkman went off quite angry; on Friday morning, between 9 and 10 o'clock (continued Webster) I went to his house in Walnut street, and told him that if he would come down to the College, at half past one o'clock, I would pay him; at one o'clock (continued Prof Webster) he came to my Laboratory and said, 'Are you ready for me now?' Prof W. then showed me the position occupied by the two at the time—he said that Dr P. stood at the end of the table next the door and he stood at the opposite end; that he then paid him 483 or \$484, and some cents—cannot say exactly which; that Dr P. took a bundle of papers from his pocket, from which he took one and dashed a pen across it in a very wild manner, and snatched the money up, without counting it, and was going off, when he said to him—'There is that mortgage to be attended to;' he said he had forgotten the mortgage deed, but would attend to it at once; he (Dr. P.) then ran out of the room, with the bills exposed to sight in his hand; have been acquainted with Dr. P. several years; I thought at the interview on Monday, that his manner was very singular, and that he did not exhibit his wonted cordiality; he appeared to throw himself on the defensive, and to avoid answering questions by a king others; he didn't appear to sympathize with our family in the least, or to manifest any regret; he said he had paid Dr. P. a \$100 bill on the New England Bank, and various other denominations.

Cross-examined. Littlefield came up to the lecture room after me; I did not see him come up; heard of the disappearance of Dr. Parkman on Saturday, and was very apprehensive of his fate at the time; when I entered the lecture room Prof Webster was putting a jar on the table; he said he was to lecture the next day; I passed into the Laboratory, and looked round out of curiosity to see what sort of a place it was; the settee on which we sat was in the lecture room, and not in the Laboratory; we did not set down in the Laboratory; Prof. Webster talked on various subjects; he said he had paid Dr. Parkman a \$100 bill of the New England Bank, and some other small bills of which he did not remark the denomination or the bank.

[Here a recess was granted to the Jury]

The jury being returned the proceedings recommenced.

46th witness—CHARLES B STARKWEATHER (Police officer) called. Have been police officer 4 years; took part in the preliminary search for Dr. Parkman from the day of his disappearance until the time his remains were found; on Monday (before the remains were found) Mr. Kingsley and myself went to Dr. Bigelow's and told him we had come to search the college; he said he had no objection, and we went in; we first found Mr. Littlefield, and then went to Professor Webster's laboratory and knocked at the door; we waited some time; should think a minute before the Professor came; we told him what we had come for; we entered the room and went down stairs to the laboratory; Prof. W. came down stairs and as he stood on the lower stairs he said, "these are all my apartments;" we looked round a short time and then went away. I was one of the officers who went to Cambridge to arrest Prof. Webster; we conversed in the coach on the way into the city, upon indifferent subjects, the railroad, &c.; we spoke also of Mrs. Bent of Cambridge Port, having said she seen Doctor Parkman late on the afternoon of Friday, the 23d, going to Cambridge Port. As we came over the bridge and passed 2d street, the Professor remarked that that was the street they ought to have turned into to go to the Medical College; something was said about the driver being a little green, and that he would find his way, and we proceeded up Leverett street to the jail; there we stopped and alighted from the coach; we went into the jail office, and then Professor Webster said to Mr. Clapp, "Mr. Clapp, what does all this mean?" Mr. Clapp replied, "Professor Webster, we have done looking for Doctor Parkman." Messrs. Clapp and Spurr then left the prisoner with me with orders not to commit him to the cells until they returned. Professor Webster asked for some water, I gave him some but he could not drink; he asked me where they had found Dr. Parkman. I told him it was not possible for me to answer any questions like those he asked. He then asked if the whole of the body was found, and added "Oh! my poor children—what will they do? what will they think of me, how did you get the information?" I asked him if any one had access to his private rooms, he said no one but the porter who makes fires, and immediately added—"The villain, he has ruined me;" after this the Professor walked the floor and wrung his hands—he shortly put his hand into his vest pocket and raised it to his mouth—a few moments afterwards he had a violent spasm, like a man in a fit; I asked if he had been taking anything; he replied: that he had not; told him I should like to commit him, and put my hand on his shoulder, to lead him away, but he could not walk and I was obliged to call for assistance; I was going to call for a Doctor, but Mr. Clapp told me not to send for one then, but wait and see if he [the prisoner] grew any worse, and in case he did, to send for one; we took him up and laid him on a bed, his side, and he rolled over on his face.

I was at the College the time that Professor Webster was carried down there on the night of his arrest; there were a number of persons present at the time; Professor Webster was very

much agitated at the time; he appeared to be more agitated in the lower than the upper Laboratory; some one asked for the keys of the privy. Professor Webster looked up and said, "It hangs on the shelves;" we took down the key, but it did not fit the privy door lock. Mr. Littlefield went up to the furnace and showed that to us. I assisted at a further search in the laboratory after the Professor was recommitted. The grappers or fish hooks now exhibited were found in Professor Webster's private room, together in one bundle, wrapped in a newspaper; they have been in my possession ever since they were found, and have not been touched; I was at the laboratory on Saturday and being in the lower room heard my name called from the upper one; went up and saw Mr. Fuller taking a thigh and another part of a human body from a tea chest; there was a piece of string tied round the bone of the thigh; I cut off a piece of it; I found the skeleton keys in Professor Webster's private room (back) under a little shelf; they were tied together in a bunch excepting one which was found in Webster's wardrobe. [The witness was proceeding to tell what doors the keys fitted when the defence objected to any testimony on that point without knowing in what manner the government intended to use the testimony thus adduced.

The attorney general stated that he should endeavor to show by the testimony of the witness that the keys fitted other doors in the college than those belonging to Prof. Webster's apartments, and that Prof. Webster had said that the keys had been found by him in the street. The bench ruled that the evidence was admissible on the ground taken by the attorney general.

Examination resumed. This key (which I now exhibit) fits the door of the dissecting room and the laboratory doors; the other one (which I now exhibit) fits the lecture room door and the door of the store room also. The (third) key which I exhibit fits the front door and the door underneath the front door steps; this key was found in Professor Webster's private room. [Some attempt was here made to introduce in evidence the finding of a considerable quantity of wine and liquor in a cupboard in the Laboratory—but it was overruled.] When Professor Webster was carried to the Police Court, and while he was in the judge's private room, I said to him, "I have found some keys in your Laboratory. What, [said he] the ones that are filed? I found them in Fruit street, and threw them into the Laboratory cupboards."

Cross-examined.—I testified before the coroners jury; wrote down some part of the conversation with Professor Webster; have looked at it since; was at the Medical College on the morning of Friday, the 23d Nov., and asked Littlefield if there was any private place or room in the College that had not been searched; he replied, "everything but Professor Webster's private rooms, but those are locked, and Webster has got his key with him." I then said that I would come the next morning and look at those rooms; three of the keys would fit doors in the building not belonging to Professor Webster's apartments; remember hearing Webster say at Cambridge that he would go back and get his keys, and also constable Clapp saying that

he (Clapp) had got keys enough to fit every door in the building.

47th witness—CHAS. B. RICE, (Policeman) called. I am connected with the police of this city; was at the college employed in the examination of it before the arrest of Prof. Webster; Prof. Webster went over his rooms with us; was at the college at the time when Prof. Webster was brought down on the night of his arrest; I heard something said about the furnace, but did not go near it myself; saw Mr. Andrews, the jailor, there, with the others.

Cross-examined.—I saw the tea chest turned over by officer Fuller; and saw the thorax and thigh turled out of the box; went into the lower laboratory on the day of the first search at the College, and heard the allusion made to the privy in the laboratory. Professor Webster stood in an opposite part of the room. He said something about there being another room, which we had not seen before.

48th witness—SAMUEL LANE, JR., called. I am in the hard-ware business in Dock square; have been in Dock square one year and a half; have known Prof. Webster since 1835; some few days after the disappearance of Dr. Parkman, Prof. Webster came to the store and asked for some fish-hooks; the time is not accurately impressed on my mind, because I had been in the habit of doing business with Professor Webster before.

Cross-examination of this witness declined.

49th witness. STEPHEN B. KIMBALL, called and sworn. I know Professor Webster by sight; I keep with N C Warren; on Thanksgiving week he came into our store and enquired for some large fish hooks; Mr Lane was in the store at the time; we did not have any fish hooks of the kind he wanted.

Cross-examination of this witness declined.

50th witness. JAMES W. EDGERLY, called and sworn. My place of business, (hardware) is No. 3 Union st.; I was called upon to sell some fish hooks on Tuesday the 27th day of November, towards night; the person who called, bought six fish-hooks and went out; should think the hooks [now exhibited] were the ones I sold the person who called; they are of unusual size and value; we have had them in the store a long time; I have seen the person who bought the hooks, since, at the jail and in this court; didn't know him at the time.

Cross-examination of this witness declined.

51st witness. WM. W. MEAD, called and sworn. Am in the hardware business at No 5 Union street. On Friday the 30th November a man came into the store and said he wanted some fish-hooks of the largest size; he said he wanted to make a grapple of them; I showed him some and showed him how to make a grapple; those exhibited are not the ones he bought of me; can't say that the prisoner is the man who purchased the hooks of me; I was taken to the jail to see Prof Webster in order to discover if I could recognise him; I did not recognise him at the time, he had on a smoking cap and was dressed differently from the individual who bought the hooks of me. I told the officers if they could get him to put on his clothes I might probably recognize him. Prof Webster put on his hat and coat, and I thought I did recognize him as the person who bought the hooks.

Cross-examined.—It was about one o'clock when I saw Professor Webster at the jail.

To the Court—I sold the man three hooks.

52d witness—WM N. TYLER *called*—Am a twine manufacturer; have been in the business 45 years. There is something peculiar in the twine now exhibited, it is called two threaded marline; have not the least doubt that the twine exhibited and that found round the fish hooks and the thigh found in the medical college, is the same kind of twine; it is of an unusual make at the present time; it is made of Russian hemp; that exhibited was carelessly made, as is indicated by the irregularity of the strand.

Cross examined. Have no doubt that the twine first showed and that found on the fish hooks, &c, is of the same fabric; it may have been cut off the same piece; it is sold by the pound; there is about 5 cents per pound difference in the price of this and the common kind of twine; the difference between this twine and that found on the remains, is that the latter has been soaked in water and has become discolored and "longer jawed," as it is technically called.

53d witness: NATHANIEL WATERMAN—*called and sworn.* Am a manufacturer of tin plate ware, 83 and 85 Cornhill; am acquainted with Prof Webster; he was in my shop about 10 o'clock in the morning of Friday, the day he was arrested; I saw him talking with my foreman and stepped up to and accosted him, and said, "Excuse me, Doctor, but seeing you here I must ask what Dr Parkman did when you gave him the money?" Prof W. said, "he snatched up the money and ran out of the college in a strange manner;" I said "some one must have seen him with the money in his hand, and enticed him into one of his own buildings and killed him; and if he is ever found, he will be found in his own cellar; there is a story about his going over to Cambridge, but I do not believe it"; Professor W. replied, "but he did go to Cambridge, I am sure of it;" some one said, "only think, the mesmerizer says that he went away in a cab, and Mr. Fitz Henry Homer has found the number of the cab, and there are spots of blood on it."

Here the court adjourned until 3½ o'clock.

AFTERNOON SESSION.

The jury came in at 25 minutes past three o'clock and the court entered at 20 minutes before four o'clock. The proceedings commenced.

NATHANIEL WATERMAN, *recalled.* I told the Professor how the tin box should be made; told him it should be made with the edge coming up straight, (here the tin box was exhibited.)

To the court. I meant that the edge should not be turned in.

He said he was going to put small things in it, such as books, etc; he said he should like to have a strong handle put on the cover; he spoke about soldering the top up himself, and said, "you know I can do such things myself;" I left him talking with my foreman; he only wanted one handle put on the box cover; he did not say at what time he wanted the box to be done;— [Here an account between Professor Webster and Mr Waterman was exhibited; and said by witness to be a correct statement of the ar-

ticles made him for Prof Webster for 2 years. He (Prof. Webster) never ordered any such thing before; the box was completed on Saturday morning (the day after the arrest of Prof. Webster;) it was never called for; the label on the box is, "To be called for," and "charge;" my store is near the Cambridge hourly depot.

Cross-examined. He had it made in this manner of his own accord; he said he wanted to put small things in it.

54th witness—CHARLES P. LOTHROP, *called.* I am foreman to Mr. Nathaniel Waterman; Professor Webster called at the shop on Friday, the 23d of November, about ten o'clock in the morning; he said he wanted a box 13 inches square and 13 inches deep, made for him out of thick tin; I told him we generally made such boxes of light tin, unless it was necessary to exclude the air; he said he wanted it made tight, with a handle on top; he wanted to know if I could not make it without having a groove in it; Mr. Waterman came up and made some apology for interrupting him, and asked him how Dr. Parkman acted when he took the money; Professor Webster said, "He took the money in his hand and darted off." Mr. Waterman said that he didn't believe that Dr. Parkman went over to Cambridge, but had been murdered in one of his tenements near North Grove street. Prof. Webster said there was no doubt that he went over to Cambridge, because he was seen going over the bridge. There was a little more conversation about a mesmerizer having seen Dr. Parkman in a cab, and after the cab being found by Mr Homer and of his discovering spots of blood on it; I told Prof. W. if he would send in the box when he had filled it, we would solder it up for him; he said he had the requisite tools at home and as it was going out of town he would not send it back again.

Cross examination of this witness declined.

55th witness. SAMUEL BROWN *called.* Am one of the toll-gatherers on Cambridge bridge; knew Dr. Parkman, and am acquainted with Professor Webster; on Friday afternoon, the 23d of November, I saw Professor Webster from the windows of a grocery store at the corner of North Grove street; it was about 4 o'clock; I walked out of the toll house, towards Cambridge bridge; asked him if he could recognise the \$20 bill; early on the morning of Friday, the thirtieth of November, an Irishman gave me a \$20 bill on the Freeman's Bank to take a toll of one cent out of; I told him I should have to give him small change for it, which I did; I took the bill over to Mr. Hadley, the toll gatherer the other side of the bridge, and he advised me to keep it, and I asked Professor Webster if he thought he could recognize the bill, as I thought it might have some connection with the disappearance of Dr. Parkman; Webster said he could not recognize it, because he had paid Dr Parkman several different denominations, and couldn't tell what they were; I saw Dr Parkman the last time on the Wednesday previous to his disappearance; he passed on the bridge two or three times, and had stopped two or three times at the toll house to inquire if I had seen Professor Webster pass.

Cross-examined.—I mentioned that I had received the bill as soon as I got to the other side of the bridge.

56th witness—BETSEY N. COLMAN *called*—

Have known Prof. Webster several years; saw him on Friday the day of his arrest, at my house about 4 o'clock P. M. The servant let him in and I came down stairs and recognized the Professor at once; he asked me at what time I had seen Dr Parkman last; I replied on Thursday a week before Thanksgiving, he asked, was it not on Friday that you saw him, "no it was not on Friday, but Thursday." He asked, "how was he dressed?" I replied, "in dark clothes." Professor Webster said "there has been a coat found with spots of blood on it which is said to be his, and a hat also known to be his, (this hat was found in a dock in Charlestown, and recognized by a clerk of R. G. Shaw brother-in-law to Dr P.) when I told him that I had seen him (Dr Parkman) on Thursday, he said "Oh! dear, then I'm afraid he has been murdered;" he (Prof. Webster) asked me again at the door when he was going out, wasn't it Friday; he then left the house, and I don't know which way he went.

Cross-examination of this witness declined.

57th witness. SAM'L D PARKER, (Co. att'y,) On the evening of Friday the 30th of November, the door of my office opened and Marshal Tukey, R. G. Shaw, the Drs. Bigelow and one or two others, entered and stated to me that the remains of a human being had been found by a Mr. Littlefield in the vault of a privy connected with the laboratory of Professor Webster at the Medical College in North Grove street, and it was believed by them that Professor Webster was the murderer; they wanted a warrant, therefore, to arrest him on the accusation; I told them that if any one of them believed it, they should go before a Justice of the Peace and make a declaration to that effect, and the Justice would issue a warrant; Marshal Tukey said he would make a declaration to that effect; a warrant was accordingly issued by Justice Merrill, of the Police Court, and the Professor was arrested. It was at the jail when he was brought in by officer Spurr, Clapp and Starkweather—he was very much agitated, and asked for water, but when it was given him, he could not drink, he appeared to be in very great distress, and Dr. Martin Gay was called in to render medical assistance. Professor Webster exclaimed repeatedly—Oh! my wife and children! He asked to see Mr. Prescott (his brother-in-law,) Mr. Rice, (policeman) said he (Mr. Prescott) was out of town. Professor Webster then wanted to see some one of the family, he (Professor Webster) appeared hardly able to stand; some of the police asked Professor Webster if he could not explain appearances at the college; I told the police that Professor Webster was not to be interrogated. We all went shortly after to the Medical College; the Professor was carried into the college and to his Laboratory between two officers, and while there was greatly excited; some one asked for the key of the privy and he pointed out a key hanging on the end of the shelves; the remains were brought up out of the cellar and Dr Gay said in answer to a question of mine that they were parts of one body; Prof. Webster did not go near the remains; I requested Dr. Martin Gay to attempt to soothe the Professor; don't know what he said to him; at the arraignment of Professor Webster at the Police Court the prisoner waived an examination.

Cross examined. I sent to the Revere House the next day for the friends of Professor Webster.

58th witness. JOHN M. CUMMINGS, called and sworn. Am Turnkey and keeper at the jail, Leverett street. On the night of Friday the 30th of November, 1849, Professor Webster was brought to the jail by officers Spurr, Clapp and Starkweather. he was very much agitated; he shortly after set down on a settee and when I took him by the shoulder he did not appear to notice me; we lifted him into a bunk and I left him; Mr. Parker, the County Attorney, soon after came down and said he wanted to see Professor Webster; I went down and shook him by the shoulder, and he cried out, "Oh! I expected this." Dr Martin Gay came down and spoke to him, and he sprung out of the berth and threw his arms round the neck of Mr. Jones as though he was frightened; Dr Gay asked him if he could not get up and come up stairs; he said he couldn't, and we took him and carried him up; we afterwards put him into a carriage, and carried him to the Medical College; we had to assist him into the carriage; he was much agitated still, and was covered with a cold sweat; he complained of being cold; the night was somewhat cold; when we arrived at the jail we assisted him out of the carriage and were obliged to carry him up the stairs; in the laboratory while we were searching about we found a coat, and he exclaimed, "That's the coat I lecture in;" and as the officer entered the lecture room he said, "I don't know what they want in there—they won't find anything there;" we had to help him into the coach again on the return to the jail, and as we were riding along, I noticed that his pantaloons were quite wet, and when I came to take off his outer coat at jail I found his under coat wet through. We had to carry him to a cell; he appeared in great distress all night. I went down to him twice—once at half-past one o'clock, and once at half-past two o'clock; next morning he was in the same condition. (Cross-examination of this witness declined.)

59th witness—GUSTAVUS A. ANDREWS, Jailer, called—Am the Jailer of this County. Remember the evening when Professor Webster was arrested; was not at the jail when he was brought in; I went to the Medical College through the shed; a number of gentlemen came down stairs into the lower Laboratory, where I was, and a gentleman, I think Samuel D. Parker, called my attention to the furnace; I looked into it, and saw a piece of what I thought to be a human skull and some fragments of bone; I turned from there and saw Professor Webster within three feet of the privy door; he sat down on a settee; and braced himself up as it were; sometime afterwards I asked Mr. S. D. Parker if he wanted anything more of Professor Webster; he (Mr. Parker) said "I have nothing to say." Soon after this reply, I ordered two men to take him to the coach again through the shed and carry him to jail; he had to be assisted into the carriage; when there (in the carriage) the first thing he said was, "why don't they ask Littlefield? he can explain this;" when he got back to jail, he was still much agitated, and said, "Oh! my poor family, what will they say because I don't come home?" I said, "I am sorry for, and pity you;" he said, "you are sorry

for and pity me? what for?" I said. "to see you so much agitated;" he replied, "Oh! that's it." On the next morning he was somewhat calmer, he sat up and as we mentioned the part of the body having been found at the college he said "it is no more Dr. Patkman's body than it is mine, I don't know how in the world it came there,"—he afterwards said, "I never liked the looks of Littlefield the janitor, I opposed his coming there all I could." (Here a letter from Professor Webster to his daughter, Mary Ann, which was retained by the jailor on account of the directions it contained to Mrs. Webster, was read in court.

Cross examined—I retained the letter because of the clause in the letter directing Mrs. Webster to keep the little bundle of papers just as she received it, and not open it.

60th witness—ELI C. KINSLEY called—Am postmaster of East Cambridge; have seen the letter, now exhibited, before; (here a letter was exhibited.) It was put into my office, and bore the post mark Nov. 30th, and was directed to Mr. Tukey, Boston. I brought it to Boston and gave it to Marshal Tukey. It must have been dropped into the post office between ten and twenty minutes past 10 o'clock, A. M. (Cross-examination of this witness declined.)

MARSHAL TUKEY, *re called*. These three letters (now exhibited) were received by me before Professor Webster's arrest; (the letters were here given to Marshal Tukey to read, and Mr. Clifford rose and said that the government now intended to put in as evidence, the letters addressed to Marshal Tukey, together with those parts of the handwriting of the documents already put in, which was acknowledged to be the handwriting of Prof. Webster, in order to prove that those letters were written by Prof. Webster.

The following is a copy of the letter from Professor Webster to a member of his family, after his arrest. It was retained by Mr. Jailor Andrews on account of directions to the Professor's wife to take care of certain papers.

Boston, Monday evening.

My Dear t Maryanne,

I wrote to Mamma yesterday Mr C. was here this morning and told me he s nt it. I had a good sleep last night and dreamt of you all. I got my cloaths off for the first time.

I awoke in the morning quite hungry. It was a long time before my first breakfast from Parker's came—and I relished it I can assure you. At one o'clock I was notified that I must appear at the Court room. All was arranged with great regard to my comfort and avoidance of publicity; and this first ceremony went off better than I anticipated. On my return I had a bit of turkey from Parkers.

They send much more than I can eat, and I have directed the steward to distribute the surplus to any poor ones here.

If you will send me a small canister of tea, I can make my own. A little pepper I may want some day; you can come up to court with some bundle. I will send the dirty clothes, but they are taken to-day, and have not been returned. I send a kind note I received to-day from Mr Curtis.

Professors Pierce and Housefield called to-day. Half a dozen Nochele powders I should like.

Tell Mamma NOT TO OPEN the little bundle I gave her the other day, but to keep it just as she received it. I hope we will soon be cheered by the receipt of letters from P. yal. With many kisses to you all goodnight. From your affectionate father.

My tongue troubles me yet very much, and I must have bitten it in my distress the other night. It is painful and swollen, affecting my speech somewhat.

Had Mamma better send for Nancy? I think so, or send a mela.

Couple colored neck handkerchiefs, one Madraas.

The court adjourned at this moment, until 9 o'clock to-morrow A. M.

EIGHTH DAY.

WEDNESDAY, March 27th.

The jury entered at 9 o'clock precisely; but the Court being engaged in consultation upon the nature of the evidence to be adduced to support the allegation against the prisoner of being the writer of the letters sent through the Post office to Marshal Tukey; did not enter until 5 minutes before 10 o'clock. The names of the jury were called and the proceedings commenced.

61st witness—NATHANIEL B GOULD called. Am not personally acquainted with the defendant, but know him by sight, have never seen him write, but have seen writing supposed to be his; have seen his signature on diplomas, as Professor of Chemistry; have always paid much attention to penmanship, from my youth; have taught it and written a book on the subject. [Here the letters sent to Marshal Tukey were produced and exhibited to the witness as an adept.

Mr. SOHIER objected to the line of direct examination by the prosecution, in endeavoring to show through Mr. Gould, that the handwriting in some of the letters submitted to him, was that of the prisoner in disguise.

COURT. The court are of opinion that this testimony is admissible.

MR. SOHIER. This, Your Honors, is a kind of testimony not admissible, we submit, at all. The position assumed by counsel at the opposite side, is that a genuine hand-writing may be given in evidence, to compare with other hand writing, in order to prove the same. It is admitted to be similar hand-writing; but that proves it to be the hand-writing of nobody. What they now want to prove is, that this writing was the hand writing of Dr Webster, by comparing it with other hand-writing. That would be the extent of it, and no more. Counsel here cited authority in support of his position, contending that this kind of evidence was inadmissible.

ATTORNEY GENERAL. We think, your Honors, that counsel misapprehend us. We do offer to prove that this is in the handwriting of Dr. Webster; and written in the same manner in which he was accustomed to write. Now in order to prove this, we offer certain documents here, which we say are in the handwriting of Doctor Webster; and we show it by the similarity of his handwriting to be the same. When we undertake to show that a man has attempted to disguise his own handwriting, this description of testimony, it cannot be contended, is admissible. If a man is setting down an attempt to assimilate the handwriting of another, he has two processes by which to assimilate in his own mind. Now, upon which of these two propositions will the testimony of an expert bear?

An expert says, "I am acquainted with the handwriting of the defendant; he has attempted to disguise it; I am satisfied that this must be written by him; and I understand that in undertaking to introduce the testimony of an expert, he may take the stand and prove whether certain handwriting was disguised or not. Is it not competent then for such a witness to explain the peculiarities of certain characters.

Counsel here cited authority in support of his position.

MR. MERRICK. The only question competent for them to prove is: whether this is the natural hand writing of the defendant or not, and that is all. It is not contended or suggested by the government, that these papers can be put forth as the handwriting of Dr. Webster. The proposition is, that an expert may take these papers, and from them show whether they are in the handwriting of Dr. Webster, by tracing the form of a particular letter or character, to see if they would correspond with his general handwriting. This was the entire extent of the rule intended by the court, to apply to this kind of testimony.

ATTORNEY GENERAL. I find my friends at the other side misapprehend me, from the application of their remarks. We expect to show, in relation to this document, (a letter which counsel produced) that it was not written with a pen. It could not have been written by such an instrument, but only by this, (showing a brush, which was found in the room of Dr. Webster.)

THE COURT, after a brief consultation, ruled in the testimony of witness, Mr Gould, who proceeded to trace the similarity of the handwriting in several letters to that of Dr Webster.

Examination of Mr. Gould resumed. From my knowledge of the handwriting of Professor Webster, I should think the letter signed *Civis*, dated Nov. 21st, and post marked Nov. 30th, (which is now exhibited) was his. [The witness stated that he didn't know as he should be allowed to state the entire ground which he should take in explaining why he thought the handwriting of the "*Civis* letter" was that of Prof. Webster. The defence contended that the evidence to be given by the defence was incompetent, but the court ruled that the testimony was competent, and witness proceeded.] "I have not yet satisfied myself, in a long series of years of teaching, that a person can make two letters of the same kind exactly alike; and I have been accustomed to seeing different hands written individually by many persons, yet there is always a similarity in certain letters, which enables me to recognise at once who wrote them; in this letter (the *civis* letter) I find that the letters, *a* (small) and *r* (small) are made entirely different from those made by Prof. Webster in his ordinary handwriting the character *ſ* was also used instead of the word *and*; the rest of the letter does not differ essentially from his common hand. [This was objected to by the defence on the ground that the witness had seen only the signature of Prof. W.; he could not tell what the common writing of the defendant was.— [Here the government counsel exhibited to the witness several papers containing the handwriting known and acknowledged to be that of Prof. Webster.]

Examination resumed. I observe a similarity (to Prof. W.'s handwriting) in the capital letter *I*, which can hardly be mistaken. The large letters, *P D*, are also made like those—the letters and documents of Prof. Webster. The figures 1, 3, 4, 9; the letter *f*, (small) and the words *November*, from, *Boston*, and several others are exactly alike—the *Civis* letter.

I have perfect confidence in the judgment formed in my own mind that this "*Civis* letter" was written by Professor Webster.

The letter dated 26th November and signed "*Captain of the Dart*," or the "*Chap in the Dark*," was now exhibited to witness who proceeded in this letter although the letters are entirely different from those usually made by Prof. Webster, yet I believe they were written by him; in the direction Francis Tukey, the letter *F* bears a great resemblance in its parts to these made by Professor Webster.

[Here the court remarked that it was about as well to pass over these minute particulars.]

[Here the reed pen and plate of ink found on the bench in the laboratory were exhibited to the jury and to the witness and his opinion was asked as to the erasure of the name of Marshall Tukey inside the envelope of the "*Chap in the Dark*" letter; this question and the opinion of witness was objected to by the defence, and ruled out by the court.]

In the letter supposed to have been written entirely by the reed pen and dated Novr 30th, was now exhibited to witness, who recognised peculiarities in almost every letter which induced him to form the opinion that the letter was written by Professor Webster.

Witness proceeded. I know that this letter could not have been made by a pen or brush; neither of them could have made such marks. There has been shown me an instrument which I think was used to make these letters with. (Objected to by defence, and ruled by the bench to be entirely incompetent and inadmissible.)

[The mortgage notes were exhibited to the witness, and he expressed his opinion that the handwriting of the word "*paid*" on them was that of Professor Webster's.]

Examination continued. The letters and words found in pencil mark on the notes and the memorandum are in the handwriting of the prisoner. The erasure of the signature on the notes, and the marks made across them, could not have been made by a pen.

[Here a recess was granted to the Jury.]

Cross examination of Mr. GOULD. I have seen the papers now exhibited before; have seen other anonymous letters sent to Marshal Tukey, by the post-office; the chirography of the *Civis* letter is not disguised from my view; the letters are a little rounder than is customary in Professor Webster's handwriting; can't tell whether it is disguised; my skill in detecting disguised instruments extends over the whole instrument; I can't say that it (the writing of the *Civis* letter) is intended to be a disguised hand; there are three letters in this *Civis* letter, which are dissimilar from Prof. Webster's ordinary handwriting, the rest are in the ordinary handwriting; I mean to say that in all except a few cases, the handwriting looks just like Professor Webster's handwriting; I can't say that the letters which are dissimilar to Prof. Webster's chirography in the *Civis* letter are not exactly alike all through; some persons make letters very much alike; in the letter *d*, the Prof. generally turns the upper line over, but in this letter it is different from his ordinary writing. The same difference is observable between the ordinary handwriting of Professor Webster and that, the *Civis* letter, in the letters *a*, *r*, and

character &. Don't pretend to tell whether a handwriting is disguised or not, unless I have the real handwriting of the person (who disguises his hand) to compare it with. I have compared the handwriting of these letters with that of several persons; I expressed the opinion when I first saw the *Civis* letter, that it was in the handwriting of Professor Webster; afterwards said it differed somewhat from it, and after that, came to the conclusion that it was the handwriting of Prof. W. In the letter signed "Dart," or "Dark," there are several letters which bear a strong resemblance to Professor Webster's handwriting; the letter is evidently written in a disguised hand; it was not written with a pen; there is a similarity between whole words in the letter.

To the Court. I have the opinion that the "Dart" letter, written with the so-called reed pen, (which is actually a piece of pine stick with cotton cloth tied round the end, to form a brush) was written by one and the same hand, because it resembles in its general characteristic the letters which were written with a pen.

62d witness—Geo. G. SMITH called. Am an engraver; have known Prof. Webster several years; have seen his handwriting often, in the course of business; have seen his signature on diplomas and on notes; as an engraver I have been obliged to take particular notice of the hand-writing of individuals, in order to make accurate *fac-similes* (here the letters signed "Civis," and the other letters put in, and to be put in as evidence, were exhibited to the witness.]

Examination resumed. Am sorry to say that I feel confident that the hand-writing of the "Civis" letter is that of Professor Webster; of the "Dart" or "Dark" letter I am not so confident; think the erasure of the direction on the inside of the envelope directed to Marshal Tukey, might have been made partly by drawing a finger across the writing.

I think I can detect the marks of a fibrous substance in the letters of the "Dark" or "Dart" letter. (The court ruled this testimony as incompetent.) Have examined a good many specimens of Prof. Webster's handwriting.

Cross examined. Don't think the writing of the "Dark" or "Dart" letter, or the marks across the mortgage notes was written with an ordinary pen; it is possible it might be done with an old quill pen; you can see the fibrous mark, by looking through a magnifying glass. [Here a glass was produced by witness.] The fibrous mark might have been made by cotton wool being in the ink, and adhering to the pen at the time; in the "Civis" letter, the letters—"a"—"d" and the character "&" are very similar to those generally made by Professor Webster in his ordinary hand-writing; and there is one character of the "&"s that appears to have been commenced the usual way and afterwards altered; there is an air of identity about the whole letter, which impresses the conviction on my mind, that this letter was written by Professor Webster himself; think that the letter is written in a partly disguised hand; some of the letters appear genuine; the letter *d* appears the most natural of all the letters; there is an appearance of identity, and an appearance of disguise blended in the *civis* letter; I cannot describe the whole of the

points of resemblance observed by me in these letters, and the writing known to be that of Prof. W., without sitting down and looking at my notes.

The letters were then read by Mr. Bemis, junior counsel for the government. We give them verbatim:—

Directed to Mr Tukey, City Marshal.

[Verbatim Copy.]

BOSTON, Nov. 31, '49.

MR. TUKEY—Dear Sir: I have been considerably interested in the recent affair of Dr. Parkman, and I think I can recommend means, the adoption of which, may result, in bringing to light some of the mysteries connected with the disappearance of the fore-mentioned gentleman. In the first place in regard to the searching houses & I would recommend that particular attention be paid to the appearance of cellar floors. Do they present the appearance of having been freshly covered by the piling of wood? Have the houses and cellars been carefully examined?

Probably his body was cut up into small pieces and placed in a stout bag and thrown into the river from Cragie's Bridge, and I would recommend the firing of cannoa from some of these bridges and various parts of the harbor and river, in order to cause the body or rise to the surface of the water. This I think would be the last resource; and it should be done effectually, and I recommend that the cellars of the houses in East Cambridge be examined.

Yours respectfully

CIVIS

Post-marked Boston, Nov. 26. Directed to Francis Tukey, City Marshal. The envelope also contained the name of Francis Tukey, inside.

[Verbatim Copy.]

DEAR SIR:—You will find Dr. Parkman murdered on Brooklyn Heights.

Yours truly,

CAPTAIN OF THE DART.

The following is a verbatim copy of the letter deposited in the Cambridge post office, and brought by Mr. Kingsley, Postmaster, to Marshal Tukey:—

[Verbatim Copy.]

Dr. Parkman was took on board the ship herculanum and this is all I dare to say or I shall be killed—

Est Cambridge—one of

a—men

Give me his Watch but I was feard to keep it, and throwed it in the water rightside the road to the long bridge to Boston

63d witness. Dr. FISHER M. BSWORTH called. Am a resident of Grafton, Worcester county; knew Dr. George Parkman, and am acquainted with Professor Webster; I attended lectures at the medical college in 1849; was in Boston on Friday, the 23d November, 1849; went to the medical college to meet a student; went there at half-past one or two o'clock; I went into the College from the east side, and found that the lectures were going on at the time, and not desiring to disturb them, turned round to come out, and saw Dr Parkman coming up the stairs towards the Laboratories; I recognized him and passed out of the College, up to Court street; at 3 o'clock, P. M. I returned to the College to see the student named Coffran. I met Mr Littlefield at the door, and asked if he knew a student by the name of Coffran; he said he was in the dissecting room; I told him to go and call him; he, Littlefield, replied that he was busy himself, and that as I knew where

the dissecting room was, could go up myself; went up and saw C; did some business with him. Afterwards left the College, went to South Boston, and stopped at the house of my brother-in-law, Rev. Mr. Bosworth; I went to the College to pay Coffin some money I had borrowed of him a short time before; saw an account of the disappearance of Dr. Parkman, the next day, (Saturday) in a paper I purchased at the Railroad Depot, where I was, with the intention of going home that day; I was first warned that my attendance was required here as a witness in this case, yesterday forenoon at 11 o'clock, while at Grafton.

Cross-Examination of this witness declined.

At this point the Attorney General arose and said that the prosecution had now put in all the evidence in the case, which the Government had been able to procure, and he proposed, as prosecuting officer, to rest the case there, but as it was possible that more evidence might be procured for the Government, he would claim the indulgence of the Court to be allowed to introduce further testimony if any should turn up.

The Court here adjourned until 3½ o'clock.

AFTERNOON SESSION.

The jury came in at 25 minutes past 3 o'clock and the Court followed.

The proceedings were commenced by E. D. Sohler, Esq., junior counsel, who opened the case for the defence.

Opening argument for the Defence

MR. SOHLER, junior counsel for the Defence, rose and said,

May it please your Honors and Gentlemen of the Jury—I am aware, gentlemen, that it is usual, because considered imperative in a case like this, for counsel to call the attention of the jury to the situation of his client, to comment, in strong language, on the interests he holds at stake, but I shall not do so, and I cannot do so; and if I permit myself to wander here, in regard to the accused in the dock, I must wander for a period of more than a quarter of a century, during which time Professor Webster was a respected lecturer in that College, for an offence in which he now stands charged, in that dock; and in which college, many who are now here present received their education. In that college, to which for so long a period, we find him struggling for his wife and his family, shunning that infamy which attaches to that very dock, where you now see him—you must think of this, gentlemen, and wander from this, and in following the footsteps of the eloquent counsel who preceded me at the opposite side, we are to consider that we are all led to the discharge of our duties—our relative duties. The case you have to try, gentlemen, has reference to rules of law and evidence, embracing long details of circumstantial testimony. We are all here, gentlemen, in the discharge of our various duties, as officers and ministers of this court, to discuss that question, which has for months agitated every one in the community, and, indeed, every one all over the length and breadth of the land. Gentlemen, is the life of Professor Webster forfeited by the laws of his country, upon the

ground that he is proved here beyond all reasonable doubt, to have committed an offence, the most atrocious known to our laws—a duty which devolves on you—on the court—on us all—is, to enquire, whether Professor Webster, while in the bosom of his happy family, where was the centre of his homestead holiest devotion—the object of his holiest annointed—on his own hearthstone with happy faces around him, and by his own fire-side—that whether I say, Mr. Foreman, his ashes would blot out that fire? To decide this devolves upon you, and on your oaths. I would ask, ought his little family be offered up as an atoning sacrifice here? No, unless you yield up that attribute which all of us reverence. We are all here, and we cannot err—if we err we must answer for it—to a scrutinizing profession, to a great public. Standing, therefore, in that position in which we are placed, in examining a great question, it behooves us to stand in no antagonistic position towards each other. It is your duty and your right, gentleman, to see that this defendant is allowed everything that can be urged in his defence; and that right in his regard, it is your duty to discharge—in the words of your oaths. You will consider that you have not only this defendant in charge but I may add his family; and let me address you, therefore, and ask you in the name of this defendant, who has everything at stake, that in examining your minds you will deal with his case with a strong, firm and stern determination to eradicate every shape of bias or prejudice. You will remember, gentlemen, that before you took oath of office, that you were insensible to bias; but can you say so now, after the long week we have passed over in anxious and scrutinizing investigation. What safety would there be to any one unless the mind was left insensible to prejudice? Prejudice in the mind of man, always blinding his discerning qualities, discarding his power, and blinding his judgment. There is no case in which a man is not sensible of prejudice; no man can say he was ever free from prejudice, and if prejudice exists in a single mind there is no safety. Prejudice is blind; it is contagious; it is communicated by the eye; and in speaking here between man and man, I do not pretend to say that there is any man in your panel untainted by prejudice. Are we supposed to have forgotten the great excitement that prevailed in the public mind when it was rumored that George Parkman was murdered? Crowds were congregated in the streets, at the corners, and at the doors of the churches, all expressing their indignation against Professor Webster, when it was rumored that his remains were found in his College, and even amongst some of the students in that College the excitement prevailed. Then are we to say that there was no prejudice against Professor Webster? Therefore it is that I would ask you to examine his side of the case, and to examine all the details and the circumstances of his defence. First, then, I shall call your attention to the definition as relates to the law, and second to the application in which that definition stands connected with the law; and next, I shall call your attention to the nature of the case against him as presented by the Government, and the rules of law applicable to it in introducing it; therefore, it is, that I shall call your attention to the

facts that we mean to prove; which facts, taken in connexion with the Government's evidence, you are to pass upon. First, as to the rule of law; the offence charged here generally, is murder—the murder of George Parkman, deceased. I wish to explain the rules of law, defining the character of murder; murder is a definition of homicide, the word homicide extending to the killing of a human being. Homicide means that which is criminal and therefore punishable. Now, as this indictment charges Professor Webster, with both murder and manslaughter, it is his right, as it is the right of every man so charged, to get at the rules of law that apply to this offence. In making this enquiry, we have first to see, what is murder? and next, what is manslaughter? Murder is the killing of any person with malice aforethought; and unless you have an accurate idea of what malice is, it will be right for me to tell you that there is malice of two kinds. First express malice, and second malice implied, which means a wicked, dangerous disposition. Express malice, as defined in the books, is "where a man kills another, when he is lying in wait for him." But we come next to what is called "implied malice." The law has adopted certain acts, which it expresses to be the evidence of legal malice, and we are to know what that malice is, by seeing what these acts are. What are the acts by which the law would imply this malice? "Malice is implied by law, means an hidden act, and, therefore, where a man under this, kills another, the law will imply malice, as in a case where a man kills another under considerable provocation, it is looked upon as a deliberate, cruel act." This is the true definition of malice in law, but manslaughter is not considered a "cruel act;" it is done in the heat of blood, and not without provocation, and therefore it differs from murder. The law says "that whenever murder is committed in the heat of blood, it shall be manslaughter;" and, therefore, what I distinctly point out to you is, that this is the very narrow line, at which life is at the one side, and the other death—life that is radiant with hope, and therefore, never to be lost sight of. One act, that of murder, is "deliberate and cruel;" the other is under "just and reasonable provocation. Counsel here, again read from *East's Reports*, and other law authorities, the definition of murder contradistinguished from manslaughter, and went on to cite some law cases in support of his position. The case of *Whitley and Lewins*, R. & P. p. 33, and others, and went on to say—Professor Webster stands charged here, gentlemen, with murder first, and next with manslaughter.—Then if he committed manslaughter he must have received a provocation, and when again he is charged with the murder of Dr. Parkman, it must be shown that he killed without provocation. Hence, gentlemen, you see the necessity of the Government proving the "malice" here. If there was malice, they are able to prove it, and in order to consider the next part of the case, they are bound to show that he was killed in a cruel manner. Then again when they speak of the manslaughter of George Parkman they admit it must be in the heat of blood and was caused by provocation. Then finding the rule of law

applicable to the crime charged, and that shall bear upon it, the question arises, what are the particulars? It is a matter of no consequence, I would also add, how many crimes a man has committed, when under charge for a particular offence, he can only be held before a jury upon that particular offence charged in the indictment. This is a rule of law, and if it were once broken in upon, the safety of our citizens would have no security, and no man's life would be safe. The offence upon which he stands charged should be distinctly set forth in his indictment; and therefore it is, that we are provided for here in the "Bill of Rights" that all charges shall set forth "fully, plainly, substantially and particularly," the nature and character of the crime upon which the accused stands arraigned. It is essential then that we should examine this indictment, and see if the charge here is "fully, fairly and substantially set forth." This indictment sets forth four counts—First, the allegation that the prisoner, Professor Webster, killed Dr. Parkman by stabbing him with a knife—Second, that he killed him by striking him with a hammer—Third, that he killed him with his fists and his feet, and by striking him against the floor; and fourth, that he killed him in same way and manner, and by some means, instruments and weapons to the Grand Jury unknown. Now I must ask your attention to the rules of law applicable to this indictment, and first as to the three first counts. In any indictment, it is an imperative rule that the means of death should be accurately described; that is, when they state the means of death, that they must prove it. We must understand that there are means of death, distinct from each other. One class is, for instance, "striking with a weapon." Another class is "striking against an object." And there are various others, such as poisoning, strangling, starving, and such like modes of procuring death. Now, whatever of those means the Government adopt, they are bound to prove by evidence. It is not necessary that a particular weapon should be produced in order to prove the character of the offence. The Government have charged the defendant here with having produced death by striking with a knife. They are therefore bound to prove the means by which death was so produced. If they charged Professor Webster with having produced death by striking with a knife, and that it should turn out that it was by striking with a hammer, the indictment is not sustained.

[Counsel here cited further authority in support of his position, and referred to *Hale's Pleas of the Crown* p. 184 first American edition; also *Hawkins*, 2nd book, section 84, *Chitty's Criminal Law*, page 734; *Russell on Crimes*, first American edition, p. 677; *Moody's Crown Cases*; *3d Hill*, and other authorities, from which he read copious extracts in support of his position; after which he went on to say]—

Now I submit, that in as far as the last count is in question, it is important. In regard to the first count, which states that death was produced by striking with blows. I would ask, has the Government "beyond a reasonable doubt" that Professor Webster killed Dr. Parkman, by striking him with a weapon, and if so, they fail upon

their own proof, and if the jury are left any room for doubt, they are bound to acquit the prisoner, because it is right to have proof upon the allegations beyond a reasonable doubt. If they fail to have proof upon that, then there is an end to this case and you are bound to acquit. The government may charge in different ways, but if they fail in one, they fail in all, unless they can introduce proof beyond reasonable doubt that this offence was committed by Prof. Webster. They must prove that Professor Webster killed Dr. Parkman beyond "reasonable doubt," this you must be fully satisfied upon. I am perfectly aware that in this "reasonable doubt" the law accords something of privilege to the defendant. You will bear in mind that there are different systems of laws. Now look to this universal system—you take a man from his family, you lock him up in a jail, and while his mind is agitated, and in this way he is told to prepare for his defence. He is next brought before the Coroner's Jury, where he is not present; next before the Grand Jury, where he is not present—and then placed on trial with his mouth shut and kept close. The witnesses in many instances are malicious—in many cases seek for rewards—in many instances swear falsely, to endeavor to stave off crimes from themselves. Now in this case what chance would an innocent man have, unless we had those "checks and balances" in our criminal jurisprudence which the law judiciously provides. Persons are often mistaken as to your identity, but the law wisely says, "better that one hundred guilty men should escape, than that one innocent man should suffer." [Counsel here dwelt further on what the law calls "reasonable doubt," and commented on the character of the testimony which he requires to sustain his position, citing 1st *Starkie*, p. 447, *Wills*, p. 187, and other law authorities.] After which, he went on to say that rules were established for the sobriety of the citizens, and in relation to the murder of Dr. Parkman, how could they undertake to prove that the murder took place in the Medical College? It is alleged that he never came out of it, and that Professor Webster destroyed him by violence. Why? Because they allege no one ever saw him come out of the College. Now I will show that if we break one link of their chain we break all. They show the proof of identity by referring to certain marks, in relation to teeth, which were found in the college; but every circumstance must be proved beyond a reasonable doubt. Counsel here contended, that if any doubts existed, they should be entertained in favor of the innocence of Dr. Webster, and concluded by passing a high encomium upon the character of Dr. Webster, whose habits and general conduct were deemed worthy of the position he occupied in society. After adverting to the interview had between his client (Dr. Webster) in the college, after which he said they separated, and the prisoner went home, and stating that they would introduce testimony to prove that Dr. Parkman was seen after he left the college on the 23d November, 1849, he concluded.

EVIDENCE FOR THE DEFENCE.

The defence now proceeded to call testimony in its own behalf.

1st witness—JOSEPH T. BUCKINGHAM called. Have known Prof. Webster for 30 years; have lived near him in Cambridge for seventeen years; never knew him to be guilty of any act of violence or cruelty.

Cross-examination of this witness declined.

2d witness—HON. J. G. PALFREY called. I went to live in Cambridge in 1821, and lived near Prof. Webster eight years; have known him since that time; he was a man of some temper but of a good heart.

Cross-examination of this witness declined.

3d witness—JOHN H. BLAKE, called. I have known Professor Webster for twenty-five years; was in his Laboratory during the first year of my acquaintance with him; he was esteemed as a man of good feeling and principle; never heard any act of violence or cruelty imputed to him.

Cross-examination of this witness declined.

4th witness. PROF. JAMES WALKER, of Cambridge, called. Have known Prof. Webster since I resided in Cambridge; never heard any act of violence or cruelty imputed to him.

Cross-examination of this witness declined.

5th witness. FRANCIS BOWEN called. Have known Prof. Webster 20 years; he has the reputation of being a timid, but hasty and irritable man; never heard any act of cruelty or violence imputed to him.

Cross-examination of this witness declined.

6th witness—JOSEPH LOVERINO called. Have known the accused 20 years; always been esteemed as a man of principle; never knew any act of violence or cruelty imputed to him.

Cross-examination of this witness declined.

7th witness—GEO. P. SANGER called. I reside in Charlestown; have known Prof. Webster 12 years; he is universally esteemed as a good man; never knew any act of cruelty or violence imputed to him.

Cross-examination of this witness declined.

8th witness—Rev. Dr. CONVERSE FRANCIS, called. Have known Prof. Webster eight years; never heard anything against the Professor; never heard any act of violence or cruelty imputed to him. Cross-examination of the witness declined.

9th witness—ABEL WILLARD, called. Have known Prof. Webster several years; am 45 years old; the reputation of Professor Webster has always been good. Cross-examination of the witness declined.

10th witness. JOHN CHAMBERLAIN, called. I reside in —; have known Prof. Webster 20 years; he has always had a high reputation as a peaceable, humane, and good man. Never heard any acts of violence or cruelty imputed to him.

Cross-examination of this witness declined.

11th witness. JOEL GILES, Esq., called and sworn. Am a lawyer by profession; have known Professor Webster since 1835; he has always borne the reputation of being a good and humane man; never heard any acts of cruelty imputed to him.

Cross-examination of this witness declined.

12th witness—WM. HASTINGS called. I reside in Medford; have been a merchant; known Professor Webster since 1825; lived in Cambridge at that time; sold him some land in Cambridge in 1834; never heard of any act of cruelty or violence imputed to him.

Cross examination of this witness declined.

13th witness—JOHN R. FULTON, *called*. Reside in Cambridge; am a painter by occupation; have known Professor Webster for 14 years; he has always had the reputation of being a quiet, peaceable, and humane man; never heard any act of violence or cruelty imputed to him.

Cross-examined. Never saw him commit any act of cruelty or inhumanity; never heard that he was a petulant and irritable man; I remember the decoration of the Hall in Cambridge, and of Prof. Webster being ordered to desist, did not see him manifest any irritation on that occasion; never heard that he did so.

14th witness. JAMES B. GREENE *called*. I reside in Cambridge; am acquainted with Prof. Webster; have known him for 15 or 20 years; he has the reputation of being a man of principle and goodue-s, as far as I know him.

Cross-examination of this witness declined.

15th witness — HALLETT, *called and sworn*. I resided in Cambridge 25 years—has known Professor Webster several years—never knew any act of violence or cruelty to him imputed to him.

Cross examination of this witness declined.

16th witness. DANIEL TREA WELL, *called*. Reside in Cambridge; have known Prof. Webster many years—his reputation has always been that of a quiet and peaceable man—somewhat irritable but still humane and harmless.

The Court here adjourned until 9 o'clock, A. M. to-morrow.

NINTH DAY.

THURSDAY, March 23.

The jury came in at five minutes before 9 o'clock, and the Court followed at five minutes past 9 o'clock. The proceedings commenced.

17th witness. NATH'L BOWDITCH *sworn*. Reside in Boston; have known Professor Webster for 7 years; never heard anything against his being of a humane and quiet disposition; he has the reputation of being an irritable man, but nevertheless a kind one.

Cross-examination of this witness declined.

18th witness. J. B. HAYES, *sworn*. Have known Professor Webster several years; he has the reputation of being a kind and humane man, he is nervous but not a passionate man.

Cross examination of this witness declined.

19th witness. JAMES CAVANAUGH, *sworn*. I reside in Worcester, have known the prisoner for eight years, he has the reputation of being a kind and humane man, somewhat hasty but not violent.

Cross examination of this witness declined.

20th witness. ABRAHAM EDWARDS, City Marshal of Cambridge, *sworn*. I reside in Cambridge, and have known the prisoner several years; he has the reputation of being a kind and humane man.

Cross Examination of this witness declined.

21st witness. PELEG CHANDLER, Esq., *sworn*. Have known Prof. Webster about 12 years; he has the reputation of being a good and humane man; he is deficient in energy of character, and somewhat irritable.

Cross-Examination of this witness declined.

22d witness—Dr. MORRILL WYMAN, *sworn*. Have known Prof. Webster for 12 years; he has the reputation of being a kind and humane man.

Cross-examination of this witness declined.

23d witness—JARED SPARKS, (President of Harvard College) *sworn*. Have known Prof. Webster about 12 years; he had the reputation of being a kind and humane man before his arrest.

Cross examined. Since his arrest have heard various rumors which I did not credit—of his being a passionate man.

24th witness—CHARLES O. EATON *sworn*. I reside in Boston; have known Prof. Webster for three years; am a sign and ornamental painter; have done a good deal of work for Prof. Webster during his lectures; Prof. Webster always told me when I wanted to get into his Laboratory to come round to his private room door; have often been there and found all the doors locked while Professor Webster was in, know that he was in because the doors were bolted on the inside, and besides, Mr. Littlefield, the janitor, told me he was in; I was at the College to see Professor Webster on the 12th of November 1849; was told by the janitor that I could not see Prof. Webster, because he was busily engaged; showed him a letter from Prof. W., and was let in; found all the doors of the laboratory locked.

Cross-examined. Was at the college in the summer of 1849; used to paint diagrams for Prof. Webster; don't know what time the lectures end in the summer; used to prepare diagrams during the summer for the fall course of lectures; was an apprentice to T. C. Savary; have been in business for myself since October 1848; went often to work for Prof. Webster while I was an apprentice than while I was in business; as often as three or four times a week; don't remember of seeing a notice in the janitor's box concerning the commencement of the lectures; don't know precisely at what time during the summer or spring the lectures terminated; think that I went to the college in the summer season because I saw the windows down; I went to the college in summer to get my money; collected one bill in June and one in July; had orders for work during the course of lectures beginning in November last, which orders has not been filled.

Direct resumed. Don't know, except by the painting of the diagrams, at what time the lectures commenced or ended.

25th witness. ROBERT C. APTHORP *sworn*. Reside in Boston; have been intimately acquainted with Prof. Webster for 6 years; his reputation is good as a kind and humane man.

Cross-examination of this witness declined.

26th witness. SAMUEL S. GREENE *sworn*. Have resided in Cambridge 40 years; on Saturday, the 24th November, 1849, I told the City Marshal that the toll-man had seen Dr. Parkman pass the office late on Friday afternoon. I was at the toll house on Sunday evening, when Littlefield, the janitor came over there; I understood him to say that Prof. W. had paid Dr. Parkman \$470 on the afternoon of his disappearance; understood Littlefield to say that he saw Dr. Parkman go out of the College on the Friday afternoon; I was sitting back in my chair at the time.

Cross-Examined. I think Mr Edward Whiting was present during the conversation of Littlefield; there was also a man who looked like a policeman; I understood Littlefield to

say that he saw the money paid to Dr Parkman; and that it was \$450; I made a mistake in saying \$470; don't know whether it was Littlefield or not, who was at the toll house on Sunday; the man who carried on the conversation said he was connected with the institution; don't remember where he saw the money paid; I supposed that he must have seen the money paid in the College; didn't understand Littlefield to say that Professor Webster had told him that he [W.] had paid him [Parkman] \$450.

27th witness—JUDGE S. P. P. FAY, *sworn*. I reside in Cambridge; have known the prisoner for 15 years; he has always sustained the reputation of being a kind and humane man; never heard anything against him before his arrest; he is a very nervous man; I remember the day of Dr. Parkman's disappearance; I saw Professor Webster on the evening of Friday the 23d of November 1849, at about 9 o'clock, at the house of Mr. Treadwell in Cambridge, where I had called in; I noticed nothing peculiar in the behavior of Prof. Webster on that occasion; the conversation turned upon scientific subjects; think that Dr. Morrill Wyman was there; saw Professor Webster two or three times during the next week; was there, I think, on Sunday evening to inquire for news of Dr. Parkman; as the Professor was much in the city I supposed he would have all the news on the subject of the disappearance of Dr. Parkman. I spent three or four hours at Professor Webster's house on the Monday evening next succeeding the disappearance of Dr. Parkman and was invited to sit down and play whist with Professor Webster and his wife and daughter which I did. I was at Professor Webster's house on two evenings Sunday and Monday, or Monday and Tuesday, don't recollect exactly which.

Cross-examination of this witness declined.

28th witness—JOSEPH KIDDER, *sworn*. Am a druggist in Court street; am acquainted with Prof. Webster; remember distinctly the day of the disappearance of Dr. Parkman; Prof. Webster called at my shop a little before 5 o'clock on that afternoon; it was before lamp light.

Cross examined. He came to purchase a box or (6 bottles) of cologne; he staid but a few moments; he took the box away with him; I have referred to the bill of sale of the cologne, and find it dated 23d November, 1849.

29th witness—MARY ANN WEBSTER (daughter of the accused) *sworn*. Am daughter of the prisoner; have endeavored to call to mind the conduct of my father during the week before his arrest; on Friday, the 23d of November my father came home about five minutes before six o'clock, P. M.; he drank tea at home, and remained at home until 8 o'clock, and then went to a neighbor's house with us, where we remained until past 12 o'clock; I mean by us my sister and mother; my father and mother did not go into the neighbors house but went off together; my sisters and myself returned to the house at half past 12 o'clock at night; my father came to the door and let us in; he went up to bed at 1 o'clock. I saw my father on Saturday the day after the disappearance of Dr. Parkman; he took dinner at home that day; I was not at home in the afternoon of that day but came home to tea and saw my father there; he was at home all that evening;

we passed it in reading together; he read to me. The first time I saw my father on the succeeding day, (Sunday) was at church in the College Chapel; he attended church the whole of the forenoon; we had dinner that day earlier than usual, in order that my father might go to Boston; he said he was going into the city to inform the Parkman family that he had paid Dr. Parkman some money on the day of the Doctor's disappearance. Don't recollect whether I saw him again on that day. My father came home just at dinner time on Monday afternoon—he was not at home in the whole afternoon. I was not at home likewise during the whole of the afternoon; my father came home just at tea time on that evening; and remained at home; I went to bed that evening at 10 o'clock, and when I went to bed my father was still at home; on Tuesday my father was at home at dinner, and also at tea, and remained at home during the evening; we had a whist party, (and there was a fire in the direction of Porter's Hotel); we played whist among ourselves that evening; did not have company; my father usually breakfasts at home; father was at home on Wednesday; he came into the dining room at about 11 o'clock A. M., where I was reading a book, and spoke to me of the book I was reading; he went out into the garden and pruned the grape vines and remained until dinner time; he went away after dinner and returned at 20 minutes past six to tea; that night we went to Mrs. Cunningham's to a party and did not return until half-past 10 o'clock P. M.; I left my father sitting up when I retired to bed; he was in his dressing room reading a paper; he was at home Thanksgiving day (Thursday) all day as far as I know; he spent the morning in the garden; he was also at home on Friday the 30th November; he was at home at dinner, and all the evening until about 10 o'clock. I have a sister married at Fayal; we keep up a constant intercourse and I keep a journal of events to inform my sister of, in correspondence. My father often sends things to Fayal, such as plants, &c.; they are sent in air-tight boxes; he has flowers often sent to him from Fayal; don't remember whether my mother was preparing anything to send to Fayal at that time.

Cross examination of this witness declined.

30th witness, HARRIET P. WEBSTER, daughter of the accused, *sworn*. I saw my father on Friday evening the 23d of November, 1849, between half past 5 and 6 o'clock. I went with my sisters to a party at Mr. Treadwell's and didn't return until half-past 12 o'clock; he came to the door and let us in. I saw him at home half an hour afterwards, he went up to bed before I did. Saw him at home on Saturday at 1 o'clock, he spent the afternoon at home; he went out for half an hour and returned with a book; he remained at home all that evening; he read to us from a book the first part of the evening; a Miss Hodges was at the house that evening; don't remember seeing him at breakfast on Sunday; he was at church with us in the forenoon; he went to Boston in the afternoon; think I retired at 10 o'clock on that evening; I left my father still up, saw my father again on Monday at tea time; there was some company at the house on that evening; I retired very early in the evening and my father was still sitting up; on Tuesday I saw

him at tea time, and he spent the evening at home reading; saw him at breakfast Wednesday, and at tea; in the evening he went with my sisters to Mrs Cunningham's party in Boston; I had retired before they came home and did not see my father till next day, Thursday, Thanksgiving day; he remained at home all the day; on Friday, the 30th November, my father was at home at breakfast, tea and during the greater part of the evening; on the day after his arrest a number of articles were sent out from the Laboratory to Cambridge; there was a cap, pair of overalls, pair of pantaloons and coat.

Cross examination of this witness declined.

[Here a recess was granted to the jury.]

31st witness - ANN FINNIGAN, called. Live in the family of Professor Webster; went there on the 16th of November 1849; he breakfasted at that time at from half past 7 to 8 o'clock; he dined at two o'clock; on Wednesday the 23rd of November he breakfasted earlier than usual, and came home at 12 o'clock; I thought it was two o'clock on seeing him come in and so looked at the clock and found it to be only 12; after he came in he took a key and went into the garden; he breakfasted at home every morning from the time I went there until the morning after he was arrested.

Cross examination of this witness declined.

32d witness. CATHERINE P. WEBSTER, daughter of the accused, sworn. On Friday afternoon, the 23d of November, 1849, I saw my father at home between 5½ and 6 o'clock; he spent the evening at home; he had retired before I went to bed that night; on the next Wednesday I did not see him at breakfast, but saw him a short time afterwards; he was at home at the usual dinner hour; that evening the family came to Boston, and went to Mrs. Cunningham's party. We came down to the toll house to wait for the omnibus; while at the toll house my sister saw the notice offering the reward for the discovery of Dr. Parkman; she pointed it out to us, and my father read it aloud; on Sunday, the 25th, my father was at home in the morning and went to church; he expressed his intention of going to Boston to see the Parkman family; I heard his voice in the house soon after dark, and saw him in his study between 9 and 10 o'clock.

Cross-examination of this witness declined.

33d witness. Dr. WINSLOW LEWIS, called by defence. Having been acquainted with the prisoner for thirty years; he has always sustained the reputation of being a man of kindly feelings; when he had his Laboratory in Mason st. I never could get into it without knocking.

Question. Did you examine the cut between the ribs?

Objected to by the government on the ground that the defence was reiterative of the cross-examination of the witness.

Defence contended that the examination of this witness in order to test the testimony of Dr Strong on this point was competent; and it was ruled to be so by the court. I examined the cut in the ribs and think it was anything but a clean cut; cant tell whether it was made before or after death; cant tell whether the bones were broken before or after death. I saw Dr. Strong at the Medical Collage after my examination of the soft part of the remains

found had been made; they had evidently been soaked in water.

Cross-examined. Have not the experience in osteology that Dr. Jeffries Wyman has; the parts around the cut, hole, or stab in the thorax would not retain the tensity in death that this had in life.

34th witness—Dr. GEORGE H. GAY sworn by the Defence. Saw Dr Strong at the Medical College on Monday; the hole in the chest was ragged; a clean cut can be made before or after death. It was a question among us whether the hole had not been made with a stick; the parts found in the privy appeared somewhat macerated.

Cross examination of this witness declined.

35th witness Dr. O. W. HOLMES, called by defence. There are two opinions as to the nature and quantity of blood in the human body; the average quantity of blood found in a human body is said to be 27 or 28 pounds—in an adult male the quantity is about 34 pounds or near 17 quarts; have tried experiments concerning the fracture of bones while partially calcined; they will break outwards and inwards, and in all manner of ways; shouldn't take the opinion of any man on a scientific subject, if it was competent to make the experiment.

Cross Examination of this witness declined.

36th witness. E. S. HORSFORD, sworn. Am an instructor in the University at Cambridge; I instruct in chemistry; it is a common thing for chemists to have nitrate of copper in their Laboratories; I have it always in mine. Organic analysis is the process adopted to discover the constituent parts of organic bodies. The best thing to dissolve flesh and bone is potash, and next, nitric acid; I have tried nitric acid on the largest bone of an ox; in 4 hours all but a few scales were dissolved; in 5 hours and 20 minutes the bone was entirely dissolved, and the liquid was perfectly clear; potash will dissolve flesh and bone more rapidly; I took the laboratories of Professor Webster after his arrest; have never examined the gasses arising from an anatomical vault a chemist may have occasion to examine their matter. I sent out to Prof. Webster's house in Cambridge, from the Laboratory a few days after the arrest of the Professor, some articles of clothing—pantaloons, overalls, coat and cap; have seen them since; I don't think there was any difference in the appearance then from what they were at first; there was no blood on them.

Cross examined. The clothes had been used by the policemen for pillows.

There were 4 or 5 bottles of nitric acid in the laboratory store room, containing about one gallon; should think it would require more than the weight of a body in nitric acid to dissolve it; no noxious gas will arise from the dissolving of bone and flesh in nitric acid unless the temperature of the acid is raised to that of boiling water; I have not paid any attention to the spots of nitrate of copper on the laboratory floor and staircase, because it is liable to be spilled about the floor at any time; I have lately tried an experiment in dissolving flesh and bone; had 3 or 4 pounds of bone and flesh, and used somewhat more than 4 lbs of nitric acid.

Direct resumed. It would depend upon the

thickness of a metal vessel whether it might be eaten up by the acid before the flesh and bone would dissolve.

37th witness—Dr WM T G MORTON *sworn*. Am a dentist in this city; have practised about 8 years; manufacture the mineral that I use. [Here the mineral teeth found in the furnace of the Laboratory, were exhibited to witness.]

I see no peculiarity about this block of teeth to distinguish them from any other block; the inner teeth have the appearance of having been ground; it is a very common thing to grind mineral teeth in this manner; they are ground in wheels from the size of a fourpence to that of a dollar; I have used platinum springs in teeth myself, and have known others use them; the spring is inserted in holes usually made between the 1st cuspid and 1st molar teeth. (Here Dr. Keep's mould of Dr. Parkman's jaw was exhibited to the witness.) I don't see anything peculiar about the form of this jaw which would enable me to pick it out of a half dozen others laying together. (Here the witness exhibited a block of refuse teeth) this block of teeth fits the mould almost exactly, only wants one quarter of an inch more to make it fit perfectly.

[Here the witness produced and exhibited to the Court several moulds of human under jaws, and also several jaws of human beings, and showed that many of them had the same appearance which was said to be a peculiarity of Dr Parkman's jaw.]

The block of teeth found in the Laboratory furnace was now exhibited to witness.) There is something on this block of teeth which is not usual on mineral teeth; it looks as my teeth do when the muffler breaks, and lets them fall in to the fire. There has evidently been great heat applied to these teeth, and they may have been warped so as to fit the mould (which I exhibit.)

Cross-Examined. I knew Dr. Parkman while he was living; cannot say whether his lower jaw had any remarkable peculiarity; have seen other jaws which so much resemble Dr. P's that I could not tell which was his among these others; never saw a set of teeth made for one person that would fit the jaw of another person. I can tell the names of persons in this community whose jaws resemble Dr P's, but do not like to divulge the names of my patients.—Think if I had manipulated and operated upon the jaw bone of a person while living that I could not recognise the jaw of that person if it was shown me a great length of time afterwards.

38th witness—Prof. DENIEL TREADWELL, *sworn*. I remember the evening of Friday the 23d of November, 1849; Prof. Webster and his wife called at my house at about half past 8 o'clock, and remained until half past 10 o'clock; there were several persons present at my house at the time. The evening was passed in conversation upon general topics. Professor W. took active part in it. There was nothing in his appearance which indicated anything remarkable. After his arrest I carried my mind back to the evening of the 23d, and I could remember nothing peculiar in his appearance at the time.

Cross-examined. I saw him on Tuesday evening again, and had some conversation with

him; he manifested nothing peculiar in his behavior.

[At this point of the testimony the Court adjourned to half-past three o'clock P. M.]

AFTERNOON SESSION.

The Jury entered at half-past three o'clock, and the Court followed at twenty minutes before four o'clock. Proceedings commenced:—

39th witness—Dr. E. STONE, *sworn*. I examined the hole in the thorax; it was not a clean cut; we finished our examination on Sunday; it is as easy to make a clean cut in a dead human body as it is for a butcher to make a clean cut in veal or beef.

Cross-Examination of this witness declined.

40th witness. PHILENA G. HATCH, *sworn*. Live in Vine st.; have known Dr Parkman 14 years; on Friday the 23d Nov. 1849, saw Dr. Parkman in Cambridge st., between Blossom and North Pleasant streets, he was going towards Court st.; it was 12 or 13 minutes before 2 o'clock when I got into the house; I fix the date of the day from the fact that the day before, (the 22d) my husband started for Vermont, and the same night my sister came from Maine; I looked at the clock when I came in to see how long I had been gone; had been up the Tremont road above Dover st.

Cross examined. Didn't notice whether Dr. Parkman turned round or not after he passed me. I mentioned having met Dr. Parkman to my sister, after I got home, and made allusion to his chin, in order to make her laugh. I was on the Blossom street side.

41st witness. JOSEPH HATCH, *sworn*. I reside at No 15 Vine street. I left this city on Thursday the 22d day of November and went to Vermont, and returned the 3d of December, the witness last on the stand is my wife.

42d witness—WM. B. THOMPSON, *called*. I reside in Cambridge. On Sunday night the 25th of November, 1849, I was called to go up to Prof. Webster's house. I am clerk of the Registry of Deeds. I went up there at about 6 o'clock. I went into the Professor's study. He was there and I asked him if he could tell me at what time the mortgage was given. He looked into a trunk of papers that was under the table and shortly remarked that it was strange that he could not find the paper he sought. He remarked shortly afterwards that he could give me the information in another way, and afterwards he then looked into a book that appeared to be a Journal of his daily transactions; he then gave me the date of a mortgage, and immediately corrected himself and said, "but I suppose that that is not the one you want;" he said that this mortgage was one on personal property and not on real estate; I then said I would call on the City Clerk, and see if Dr Parkman had been there to discharge the mortgage; Professor Webster said something about Dr Parkman having been seen going over the bridge in the afternoon of Friday, and he (Webster) had been to Mr Page's office to see if the mortgage had been cancelled; I remarked as I was leaving the house, I would see Mr Page and find out if there had been any mistake in cancelling the mortgage. I noticed nothing peculiar in his behavior.

To the Court. I took down the information in notes as the Professor gave them to me; he gave me the minutes from the large mortgage first; have been acquainted with Dr. George Parkman for 5 years past. I have been accustomed to see him very often: I saw him on Friday, the 23d of November last in Causeway street, in this city, at ten minutes or quarter past 2 o'clock P. M., going up towards Leverett street; there was a milliner's shop on one side of the street and an apothecary shop on the other side at the place where I met him. [Here a map of the city was produced by the attorney general and exhibited to witness, who pointed out the location of the streets.] I was coming down from Leverett street and going to Portland street towards Charlestown bridge; I was on the left hand side of the street, and he was heading up towards Leverett street. I fix the date of this day from the fact that I paid for the coat I now wear on that day, and I had also examined the title of an estate at the Registry on that day, and was going at that time to leave it at his place of business in India street; I went to leave it there, he was not in that afternoon, and I came over again on Thanksgiving day, a week afterwards. I fix the hour from the fact that when I started from Cambridge it wanted 4 or 5 minutes of 2 o'clock by my watch—the clock on the court-house said 2 o'clock. The first place I had to call at was at the corner of Elm and Hanover streets, and when I got there I looked at my watch, and it was 25 minutes past 2 o'clock. I walked into Boston—am called a quick walker. I went down Portland, to Elm and Hanover streets, after I had seen Dr. Parkman. He was dressed at the time in a dark frock coat and dark pantaloons; he had his hands folded behind him, and was walking; he appeared excited. My attention was first called to the fact on Sunday next succeeding his disappearance; I mentioned it to Mr. Blake, City Marshal.

Cross-examined. Am not near sighted; sometimes wear slightly colored glasses because my eyes are somewhat weak; copy deeds at the Registry, copying may weaken my eyes, but does not impair my eyesight; do not know the name of the first street which leads to the right coming down Causeway from Leverett st; by the map I conclude that it is Merrimack st, which turns off to the right. I remember a broad space near the junction of Merrimack and Causeway street and a planing mill on one side of the space. I went down Merrimack into Portland, and thence to Elm street. I have used a magnifying glass about a week in order to read very fine writing. I never told Mr. Andrews that I could write so fine in the mesmeric state that I could not read it in my natural state. I never used the term mesmeric state. Never wrote any writing so fine in any state that I could not read in my natural state; nor did I ever say so; I did say that I had written writing so fine in a biological state, that other people could not read it; don't know whether I can see farther in a biological state than in my natural state; mentioned meeting Dr. Parkman to Mr. Blake, on the next Sunday, and he (Mr. Blake) seemed to think favorably of it; had some further conversation with Professor Webster on Sunday at his house; then asked him how Dr. Parkman appeared

when he paid him the money; Webster replied that he was excited and angry; Professor Webster also said that Dr. Parkman had called on his agent Mr. Pettee to get the money collected by him (Pettee,) for the sale of tickets; that he had told Pettee that he (Professor Webster) was a damned whelp. Professor Webster also told me that Dr. Parkman had used insulting expressions to him every time he met him. The statement made by me to Mr. Andrews in writing was made in a hurry, and I told Mr. Andrews at the time that I could not swear to it; 43d witness. SAMUEL A. WENTWORTH, sworn. I live in Vine street—am a provision dealer in Lynde street. I have known Dr. George Parkman two years—saw him last on the afternoon of Friday the 23d November, 1849, in Court st. at from half-past two to half-past three o'clock. I fix the time from the fact that I eat my dinner at one o'clock, and my boy had gone away that day and was half an hour later, I had been to dinner, and was going down to Haymarket Square, met him near the head of Sudbury street, and opposite Mrs. Kidder's medicine shop, he stopped as I passed along, and turned round facing the street; he had his hand behind him under his coat tail, and stood looking up to the houses on the opposite side; he was going towards Bowdoin square when I first saw him. I fix the date of seeing Dr. P. from the fact that when I went home on Saturday night at half past ten o'clock, my wife told me that two men had been to the house to look for Dr. P.

Cross-examined. I mentioned the fact to a lady who was at the house, and also to a gentleman named Foster; a gentleman was with me by the name of I H Russell at the time; he does not recollect the day, though he remembers the fact of seeing Dr. Parkman while with me; went down to Haymarket Square, and from thence to the market to buy my marketing for Saturday; am sure this was on Friday, because I never buy my marketing for Saturday on any other day than Friday.

4th witness. SAMUEL CLELAND, sworn. Live in Chelsea; do business at No. 26 South Market street; have known Dr. George Parkman since 1839; saw him last on Friday, the 23d of November, between 3½ and 3¾ o'clock, P. M. between Milk and Franklin street; I fix the day and hour from the fact that I was going to call on the Rev. George Wildes, whom I always call upon at 3 P. M. when I do call upon him; he boards at No. 18 Franklin street, in order to get him to officiate at our church on the next Sunday. I had sent notes on Friday morning to several individuals in order to obtain an individual to preach at our church; my boy was unable to find several of the persons to whom I had addressed notes, and he returned them, and I threw them into my desk; those notes I now have with me here; I went out, when my boy returned, to find Mr. Wildes, and on the way called on several other persons, and in going up Washington street I saw Dr. George Parkman at a little distance ahead, walking as I thought with a laboring man, and the reflection struck me at the time that Dr. P. should be walking at that hour of the day with a laboring man; came up with him and discovered that he had passed the laboring man instead of being walking with

him. He passed me, almost touching me, on the same side of the way.

Cross-examined. Have mentioned this to my partner, and to Mr. Knapp, Clerk of the Police Court; he (Mr. K.) told me that he had been seen at a later hour than that, on Friday, and I thought no more about it. I saw the notices of the family of Dr. P., but as I had been told that Dr. P. had been seen after the time I saw him I did not think the information I possessed on the subject to be of any importance, or I should have communicated it before to the family of Dr. P.

[Mr. Cleland was re-called just as he was leaving the stand and produced the letters by the date of which he fixed the time of meeting Dr. Parkman.]

45th witness—LUCIUS R. PAGE, called. Am city clerk of Cambridge; on Sunday after the disappearance of Dr. P. Prof. W. came to my house to see if Dr. Parkman had discharged the mortgage on his (W.'s) personal property; Prof. W. went away; I was away at the time but after I came back I looked at the mortgage and found that it had not been discharged.

Cross examination of this witness declined.

46th witness—ABBY D. RHODES, sworn. I live in Minot street; have been acquainted with Dr. George Parkman 25 years; attend Dr. Francis Parkman's church; I saw Dr. George Parkman the last time on Friday the 23d of November last, at a quarter before five o'clock, on the corner of Green street and Lyman Place; I passed by very near him, and we bowed to each other as we passed; my daughter was with me when I met him; Dr. P. had a man with him at the time; I fix the day from the fact that my daughter went home with me that day, which she seldom did; I bought some goods of Mr. Hovey on that day, and I find by referring to Mr. Hovey's books that the goods are charged to me in part on that day, Friday, Nov. 23; I was so sure of this that I have mentioned it to Dr. Francis Parkman; my attention was called to the fact by seeing in a paper on Sunday an account of the disappearance of Doctor Parkman, my daughter went out of town on the next Saturday; didn't return till the following Tuesday; when she returned, she mentioned the fact to me of meeting Dr. Parkman in Green street; I have the memorandum of the purchase of the goods on Friday the 23d November at home, and will bring it into court.

Cross examined. The fact of meeting Dr. P. on Friday afternoon was called to my mind by my daughter; have felt a great interest in the matter of the disappearance of Dr. P.; never expressed any doubts on the subject of meeting Dr. P. on Friday the 23d to any one. The man whom I saw with Dr. P. on that afternoon was somewhat taller than Prof. W., and somewhat stouter than Dr. Parkman. Have called twice to see Dr. Francis Frankman, on the subject of Dr. George Parkman's disappearance.

47th witness. Miss MARY RHODES, sworn. I have known Dr. George Parkman by sight ten years; saw him last on the 23d of November, 1849, at about quarter before 5 o'clock in the afternoon in Green street near Lyman Place; there was a man with Dr. Parkman at the time; he (Dr. Parkman) bowed to

my mother as he passed; I had been shopping that afternoon and had purchased some goods at Mr. Hovey's store in Winter street; the side walk was very narrow where we met; I went to Lexington next day.

Cross examined. I heard of the disappearance of Dr. Parkman on Saturday while at Lexington, a gentleman read the notice from a paper, I supposed that the notice in the paper stated that Dr. Parkman disappeared on Saturday; on my return to Boston I mentioned the fact of meeting Doctor Parkman in Green street on Friday to my mother and brother.

Am certain that I met Dr. P. on Friday afternoon, and no other afternoon, of that week. The man who was with Dr. P. at that time was a stout man, but not so tall as Dr. P.

48th witness—SARAH GREENOUGH, sworn. I was not personally acquainted with Dr. Geo. Parkman, but knew him by sight; saw him last on Friday afternoon between Belknap and South Russell streets, in Cambridge, at about 10 minutes before 3 o'clock. I fix the time of seeing Dr. P. from the fact that I had an engagement at three o'clock on that afternoon. I was to go to my son's in Temple street, at that time, and fearing I should be late, I took out my watch and saw that it was 10 minutes to 3; I saw Dr. P. just at that moment.

Cross examined. Dr. Parkman was on the other side of the way, and going down towards the bridge; I didn't turn round to see which way he went; cast a glance at him in passing.

49th witness. SAMUEL B. GREENE sworn. Am clerk for Harvey & Co., Winter street. I sold, on Friday, the 23d of November, 1849, 11 yards of mouslin de laine, at 20 cents per yard, amounting to \$2.20. I made a memorandum of the sale at the time. Can't tell what time of the day the sale was made.

Cross-examination of this witness declined.

Here Mr. Sohler rose and remarked that the defence had now closed the testimony which they intended to introduce in the case, but asked the indulgence of looking over the notes of the evidence already taken, preparatory to making the closing argument—whereupon his Honor ordered the court to be adjourned until 9 o'clock to-morrow A. M.

FRIDAY, March 29.

TENTH DAY.

The Jury came in at 3 minutes before nine o'clock, and the Court followed at nine o'clock precisely. The names of the jurors were called, and the proceedings commenced.

Mr. CLIFFORD, the State Attorney General, rose and advised the defence that he should contend that the mortgage of \$2,432, due in parts to several individuals, was not yet paid, and that \$512,50 was still owing, but not due until 1851.

REBUTTING EVIDENCE FOR GOVERNMENT.]

1st witness—JOSEPH SANDERSON, called.—Am one of the police officers of the city of Cambridge; think I have known him about four years; during the week after the disappearance of Dr. P. I saw Dr. Webster at night several

times; (objected to by defence but ruled competent) between Sunday and Thanksgiving night; saw him get out of the theatre coach (where the omnibusses stop;) should think it was between eleven and twelve o'clock at night. I was standing near the coach at the time he got out and I turned round and followed him a little distance—perhaps 15 rods; Am a watchman, I met another watchman named John Bryant just afterwards and some conversation ensued upon the subject of meeting Professor Webster. Am certain that he was on one of the nights between Sunday and Thanksgiving night; can't tell whether this was between Monday and Wednesday.

Cross examined. I mentioned this to Mr. Bryant on Saturday, can't say that this was not on Wednesday; don't remember how many ladies got out of the coach that night. The weather was hazy at the time, and there was a moon—the night must have been either Monday, Tuesday or Wednesday evening. Prof. W. walked faster than I did; followed him some distance, and to near his own house; he was out of my sight the whole of the time after he passed the Graduates' Hall; turned round immediately after Prof. W. passed me, and followed him; met Mr Bryant a few minutes afterwards; it is a common thing for the omnibusses to run from Boston on all the nights of the week except Sunday.

2d witness—Dr. DANIEL HARWOOD, called by government, and sworn. I am a dentist of this city, and have lived and practised here since 1839, excepting from April 1841 till January 1847. I belong to the Massachusetts Medical Society. I was the first to manufacture mineral teeth. A dentist is as likely to recognise "large cases" as they are technically called, as a sculptor would be to recognise his own work, or a merchant his own handwriting. I can't tell whether I could tell teeth of Dr. Keep's manufacture or not. When I see persons with artificial teeth, furnished by several dentists, Dr. Keep among the rest, I am in the habit of saying such teeth were made by Dr. Keep, and such teeth were made by another dentist, &c. [Here the mineral teeth found in the furnace of the Medical College Laboratory were exhibited to witness.] These teeth are covered by some foreign substance, and they are so much altered that I can't tell whether Dr. Keep made them or not; I think that the composition of these teeth is Dr. Keep's, and I also think that the style is Dr. Keep's.

To the court. I have seen teeth of Dr. Keep's manufacture in the mouths of persons [Here the moulds made by Dr. Keep for Dr. Parkman was exhibited to witness.] There are several points by which a person might recognize the teeth made by him upon this mould. 1st, the great absorption of the bone of the jaw, which is evident from the form of the mould.

[Objected to by defence as introducing new matter of evidence in the case, and ruled out by the court.]

Examination resumed. I think, under like circumstances, that I should be able to recognize the teeth.

[Here the witness stated to the court that an accident had just happened to the teeth while in his hands, to wit: that the blocks of teeth

had become separated. Witness said he was sorry that the accident had happened.]

ATTORNEY GENERAL. I wish this had happened while Dr. Keep was in Court.

Cross-examined. Think that there is an extraordinary familiarity in the form of the block that would enable me to recognize the work if I had done it myself; the peculiarity is a projection in the block which shows a great absorption of the bone of the jaw. Think other dentists make blocks of teeth in the same manner as Dr. Keep—never remember to have seen so great an absorption of bone before—think Dr. Keep from his intimate knowledge of the case must be able to recognize these teeth.

3d witness. Dr. JOSHUA TUCKER, called by court and sworn. Am a dentist in this city; have been in business for 21 years; I have been at work all the time, have given my attention to natural and mineral teeth. (Here the mineral teeth supposed to be those of Dr. Parkman were exhibited to witness,) all but one of the blocks and so disfigured that I don't like to give an opinion. The one block is the lower left side one, and that is so peculiar that I think the person who made them would be as able to recognize them as a painter would be to recognize a face he had painted. I don't know Dr. Keep's peculiar method of making teeth.

Cross-examined. The heat may have warped this block of teeth into shape or out of it.

4th witness—Dr. WILLARD W. CODMAN, called by government, and sworn. I am a graduate of the Massachusetts Medical College. My attention has been given to dentistry for sixteen years. (Here the mineral teeth were exhibited to witness.) Think there are peculiarities in the blocks of teeth shown, which would enable the maker to recognize them.

Cross-examined. There is a strong probability that a person who made these teeth might recognize them. They may have been warped into this shape, or out of their natural shape by the heat which has been applied to them.

5th witness. BENJAMIN H. TODD sworn.—Am a resident of this city. Am employed in the custom-house. Was at Cambridge (Cragie's) Bridge on the Sunday next succeeding the disappearance of Dr. Parkman. I went over with Mr. Littlefield, having heard that Marshal Tukey was going to have a lot of men searching for Dr. P. in East Cambridge that day. The tollman and an old gentleman were present.—There may have been another person present. Don't remember exactly. We conversed about the disappearance of Dr. P. the tollman said that the young man who had taken toll at the bridge while he (the tollman) was at tea, had seen Dr. Parkman and an Irishman pass over the bridge late on Friday afternoon, and the Irishman had paid the toll; Littlefield on that occasion said (I think) that Prof. W. had told him that he (W.) had paid Dr. P. some money on that Friday.

Cross examined. Don't remember exactly at what time this conversation was recalled to my mind; have had some conversation with Littlefield on the subject of this conversation at the toll-house.

6th witness—ISAAC H. RUSSELL sworn. Know S. A. Wentworth, provision dealer in Lynde street; don't remember being in his company on

Friday, the 23d November, 1849; remember that Wentworth pointed out Dr. Parkman to me one day, but don't recollect what day it was; it might have been one day before the disappearance of Dr. Parkman, or it might have been six months before; think if I had seen him at any time just before his disappearance, I should remember it; don't know when I first saw the notices in the newspapers of Dr. Parkman's disappearance; don't know where I was with Wentworth when I saw the Doctor.

Cross-examined: Sometimes walk with Dr. Wentworth—don't recollect anything about the affair of meeting Dr. P. on Friday the 23d Nov., at all.

Direct resumed: Am in the habit of reading the papers daily.

The STATE ATTORNEY here rose and said that the Government had summoned 5 or 6 witnesses to prove that an unknown person had been seen in the city on the afternoon of Doctor Parkman's disappearance, who bore so great a resemblance to Dr. Parkman, that he had been approached by several persons, and discovered who on addressing to be another person. He (the counsel for the government) quoted a well known case in the Massachusetts reports in which a like instance is stated which occurred in the county of Middlesex. This rebutting evidence was objected to by defence as entirely incompetent, and its introduction was again urged by the government; but the court ruled it out as contrary to the rules of evidence recognised by the law, and therefore inadmissible.

7th witness—GEORGE W. FIFFIELD, *called.*—Am toll gatherer on Cambridge bridge; recollect the time when the clock was put up on the Court House; can't tell the exact time; it is said to be a bad time piece.

Cross-examined:—I have frequently noticed the difference between this and other clocks; sometimes it was a quarter and sometime a half an hour too fast.

8th witness. SAMUEL B. FULLER, *sworn.* Am toll gatherer on the East Cambridge side of the bridge; have observed the clock on the court house in East Cambridge; it is often wrong and I have known it to stop.

Cross-examined. Have known it to be five or ten minutes out of the way; and have known it to stop; noticed the irregularity in the spring, more than before.

At this point the government rested their rebutting testimony.

CLOSING ARGUMENT
OF
MR. MERRICK,
THE
Senior Counsel for the Defence.

[Photographic Report Expressly for the
Boston Herald.]

Gentlemen of the Jury.

I need not state that it is with feelings of deep embarrassment that I arise to address you. I cannot be more sensible than you are of the

difficulties to be encountered in the examination of so much testimony, or the necessity that this testimony shall be rightly understood.—The case, gentlemen, which is presented to you is of more transcendent interest than any which has ever before been presented to the community.

A few months since, a well known and respected citizen suddenly disappeared. He was one connected with a family well known in this city—a gentleman accustomed, day by day, and month by month, year after year, to mingle freely in the community. His friends naturally took a deep interest in his discovery, and enlisted the entire official force of the city for that purpose. Much more than this, they enlisted the entire sympathies of the people in their behalf.

When all enquiries and all investigation, all efforts seemed to be utterly baffled and there was no hope left—and all appeared to be wrapped in universal darkness—the sudden and astounding notice was given out that the mangled remains of his dead body were said to be found. The perpetrator of the awful crime which brought that body to the condition in which it was, was said also to have been discovered.

That individual was one who in the ordinary course of things would have been no more suspected of such an atrocious crime than you or us who are engaged in this criminal trial. That discovery—so astounding, so overwhelming—was instantaneously followed by the disclosure to the community, in every form in which disclosure could be made, that various circumstances conducted to establish the fact that the remains which were found were those of the body of Dr. George Parkman, and that the prisoner at the bar was connected directly with the transaction.

Incident after incident was communicated to the public, and everything which could bear against this unhappy man was spread abroad, as it were, on the wings of the wind. Every sheet gave new token to the community at once of the death of Dr. Parkman, and, it was supposed, of guilt of this prisoner.

In the meantime gentlemen, the prisoner at the bar, was in the cell of your prison, in silence, while every incident tending to affect him was the subject of daily communication and discussion through this city. He was alone, without friends, and without help to repel these accusing circumstances. Gentlemen, he waited not only in silence but in hope that he would be redeemed. He sent forth no appeal to the community.

He suffered those communications of which I have spoken to be spread abroad throughout the community until the voice of the echo came from the most distant parts of our country and from foreign lands, without ever once asking the public even to suspend the formation of their opinions. He waited in silence, in hope and in confidence, because he had lived long in our midst, and knew that the time was coming when passion would die, prejudice give way, calm reason intervene, and society again receive him.

In that hope and that expectation he has not been disappointed. He never asked, gentlemen

of the jury, any delay of this investigation. As soon as it was the pleasure of the government, consistent with the arrangements of this Court, to enter upon this trial, he went into it—not prepared by a series of experiments and investigations which he could make in his silent and sombre cell, but prepared in that consciousness which enabled him to come before a jury of his country and say, whatever might be the appearances against him, he could confidently trust at once his cause, his life, with an impartial jury, under the instruction of a learned and impartial bench.

Gentlemen, it is impossible that you could not have heard the circumstances of this case before you took your seats to try it. It is impossible, gentlemen, that you have not, in one form or another, heard much of that which has been detailed to you in the evidence which the government have produced on the present occasion. You have declared that these circumstances have not produced a bias upon your minds against the prisoner; and he has some right to presume how much effect this same evidence, now presented in a judicial form, is calculated to produce on your minds.—What, gentlemen, is the charge which government made? what issue is to be tried, and by what proofs is that issue to be made? The government charge that on the 23d of November, in the year 1849, George Parkman was murdered by the prisoner at the bar, in various forms, such as the officers of the government upon the investigation which took place before the Grand Jury, have presented in the indictment upon which the prisoner is now tried.

It has been stated to you that it is competent for the Government, or the officers, in preparing the indictment, to present the charge in various forms and different ways, because upon the trial—the final trial—some difference of evidence may be rendered, and different statements made of the particular grounds of charge, which might render the instrument null and void.

I do not now speak of the particular manner in which the different counts in this indictment have been drawn up. Enough that the defendant is upon trial for his life, charged with the murder of Dr. George Parkman.

To establish this charge against the defendant, there are certain facts which it is indispensable for the government to prove. They must prove the death of Doctor George Parkman. They must prove that his death was occasioned by the agency of another person. They must prove that the prisoner at the bar was that agent, and that in causing the death of Dr. George Parkman he had acted with malice aforethought.

If any one of these facts is not proved, the Government cannot ask the life of Professor Webster; and unless the death is proved, they can have no effect. Unless they show that he came to his death by the defendant—that it was with malice aforethought—they can have no verdict for murder, but may have it for a lesser crime—manslaughter.

These facts, then, gentlemen, which the government must prove, they have undertaken to establish by much evidence. Time has been exhausted to an unusual extent, in gathering to-

gether the facts which are called the proofs in this case against the prisoner at the bar; and though, gentlemen, we have spent day after day, not one single fact is proved which comes directly to any one of the great points—which the government are bound to establish.

By no direct evidence is it shown that George Parkman is no longer in the land of the living—by no direct evidence that he was slain through the agency of another. By no direct evidence have they shown that the prisoner at the bar had any agency whatsoever in procuring that death. But every one of these facts is sought to be proven by collateral circumstances—by asking you to ascertain certain facts which are known, and from those facts you are to draw, by inferences, those other facts which are yet unknown.

Let us see, then, precisely what the proposition of the Government is. Let us see precisely what the prisoner at the bar concedes and then we shall find the precise issue to be tried, and the question which you, upon your high responsibility, are called to try.

The precise proposition which the government undertook to establish by the indirect testimony which they have introduced, is, that on the 23d of Nov. 1849, Dr. George Parkman between the hours of one and two o'clock, entered into the Medical College, and had an interview there with the prisoner at the bar, and that he never left that building. That he and the prisoner never separated, but that shortly after, Dr. Parkman was found dead in the College.

This is the proposition which the government undertakes to prove. Mark, gentlemen, that the government do not undertake to establish—nor is there any evidence in the case from which it could by possibility be inferred, that these parties ever met again. If they separated there, there is no proof that they have seen each other since,—none, gentlemen. If George Parkman was the victim of violence, there is nothing to connect his death with the hand of the prisoner at the bar.

This is the proposition of the government, What is that of the defendant? He has always stated that at half-past one o'clock on the 23d of November, 1849, there was an interview at that College, for a specific purpose, between him and Dr. Parkman. That that purpose was then accomplished, and that Dr. Parkman then, in life and activity, left that building or room in which the interview between the parties took place. This is the proposition of the prisoner at the bar.

That Dr. Parkman left this building, after an interview of a few moments, at half past one o'clock, the prisoner at the bar concedes. Beyond this he denies everything. And if the government will have it that Dr. Parkman was in the building at a later hour than that, they must prove it.

Now, gentlemen, upon these two propositions which make an issue between the government and the prisoner, whether Dr. Parkman did in fact leave that building or not, we are to examine the evidence. To show that he did not leave the building—that he was slain there—that the interview terminated in the death of Dr. Parkman, all the

evidence comes in different forms. I do not intend to say to you, gentlemen of the jury, by any means, that the chain of circumstantial evidence which the government have brought, has not a tendency to prove the fact charged upon the prisoner, without explanation, without further examination, and without the closest analysis, it would naturally have that tendency.

We have undertaken to satisfy you, beyond all doubt, that Dr Parkman did leave this building, and was seen in various parts of this city at a later hour on that same day. Suppose that the evidence in the case shall convince you that Dr Parkman separated himself from Dr Webster, and went his way, where is the evidence to show that they ever met again?

Admit that the parts of a body found in that building were the remains of Dr. Parkman, and that he came to his death by violence; yet, if these parties separated once, and there is no proof that they came together again, we must say that it is one great mystery, that had baffled all investigation.

So, gentlemen, is the every day experience of life. It has been said, that "realities are stranger than fiction." The imagination cannot keep pace with the extraordinary events of life, and there are mysteries in the order of Providence and course of human life, which human reason cannot fathom—which lie deeper and lower than the human mind can sound.

Then, gentlemen of the jury, if these parties separated, although it may be true that the remains of Dr George Parkman were found lying under the Medical College—if these parties separated, there is no proof that touches or can touch the life of the prisoner at the bar—none that can connect him with the sad events which transpired on or immediately after the 23d of November.

And how, gentlemen, does the case stand?—Did they separate or did they not?

We have called several witnesses, all respectable inhabitants of this community, to testify before you concerning his character. Seeing the condition in which Dr. Webster has been placed in reference to the discovery of these remains—alone in his cell—with no powerful and opulent family to aid and assist him—with a wife, and three daughters, whom you have seen upon this stand, occupying his mansion in a neighboring city—these witnesses have sprung up, as it were, by their casual recollection; and we have been enabled to discover these proofs, and bring them to your ears. Gentlemen, the number of witnesses is not large, but contrast it in this estimate with the government witnesses, with all their search, and compare the number of witnesses who saw Dr Parkman on the afternoon of Friday, the 23d of November, with the numbers who have been brought here by the Government to show that he was seen in the morning, when he was engaged in his ordinary pursuits, and even in that they will not stand.

We call, gentlemen, before you, the testimony of Messrs Thompson, Wentworth, Cleland, Mrs and Miss Rhodes, Mrs Hatch and several others. I shall not at this moment dwell upon this testimony. Mrs Hatch testifies that on Friday, the 23d November, at a quarter before

two o'clock, she saw Dr Parkman in Cambridge street. It was also testified to that the Doctor was seen after two o'clock. Of this testimony I shall have occasion to speak hereafter, in a connection of the highest importance, most pregnant of suggestions, and will be found, as I think eventually, to be of the greatest moment.

Mr. Thompson says he came in from Cambridge that afternoon after three o'clock—more than an hour after Dr. Parkman left the College. He saw him in Causeway street, and knew him, as he says, perfectly well—he was upon one side of the street, and the Doctor upon the other. I did not know on the cross-examination that upon one occasion the witness had given a different account, which would be calculated to create a distrust of the testimony given here. When the Attorney General cross-examined this witness, from a paper which he held in his hand, I inferred that something had been stated which he did not conform to upon the stand. It said that he related the circumstance of meeting Dr. Parkman in Causeway street to Mr. Andrews, and asked him to write it down for him, alleging as an excuse that his hands were cold, and he could not conveniently use the pen. He (Mr Thompson) then communicated the interview which he had on Friday, Nov, 23, with Doctor Webster, and put it into Andrews' hands in writing.

There is nothing in that paper which could affect the credibility of this witness. He is employed in the office of the Register of Deeds, in Cambridge, and met him at twenty minutes past two on the day he disappeared.

The learned counsel then alluded to the ideas on Byology of this witness, and to the fact that the government had attempted to discharge his evidence on account of his belief in that theory.

Judge Merrick continued—I do not think this witness is to be discredited. Every one can say that honest and sincere men sometimes adopt strange systems of philosophy. He is a witness who is well known in this community, and a man whose personal appearance upon the stand entitles him to favorable consideration.

Mr. Wentworth testifies that between two and 3 o'clock on the day of the disappearance, he saw Dr. Parkman coming towards him. He had his hand under his coat, and the witness spoke of it to Mr. Russell who was with him at the time. This witness states that he remembers that it was Friday, from the circumstance that he went down to Haymarket Square to purchase his provisions, &c, for the succeeding day. On returning to his home, he was informed by his wife, that during his absence two men had been to his house to enquire for Dr. Parkman, and he immediately said to his wife 'I think Dr Parkman cannot be a great ways off, for I saw him yester lay afternoon.'

Now, gentlemen, here is evidence which is not to be impeached. The only true circumstances which have been found here to effect the testimony of Mr. Wentworth, is simply this: That Mr Russell has been called to testify that he has no recollection of that event at all. He remembers, however, that at some time he was walking with Mr Wentworth, and they met Dr

Parkman, but he has no recollection whatever of the particular time.

We cannot well explain the workings of our own mind. We are engaged from morning until night in a vast number of transactions. We see a great number of individuals, and casual observation is made. We speak to these persons, and there being nothing in particular at the moment to make upon our minds an impression, no trace is left there.

And I will put it to you, gentlemen of the jury: You have been separated from your fellow citizens many tedious days; go back with your recollection to the day you came here, and answer to your own consciousness, whether you can recount to yourselves or any body else, whom you saw the day you came. The important objects are impressed upon your minds, but the unimportant are gone with the air which you breathe. So it is with Mr Russell.

The learned counsel then proceeded to a review of the other testimony that had been given, tending to prove that Dr Parkman was seen in different parts of the city at an hour subsequent to that in which he is alleged to have entered the Medical College, and never came out.

Mrs. Rhoades was acquainted with Dr. Parkman's family, and had been for a number of years. She had been out shopping with her daughter, and met Dr. Parkman in Washington street, and bowed to him, receiving from him a similar salutation. Her daughter testified to the same fact.

Mr. Merrick reiterated the different points in these witnesses' testimony, and in forcible language portrayed their importance to the jury.

This, then, (continued the learned counsel) is the testimony upon which we rely to convince you that Dr. Parkman came out of the college and was seen in different parts of the city on the afternoon of the 23d.

He did not return to his family; that is strange. Something occurred that day which we cannot understand, and cannot each in any manner. What that was, who can tell? When his friends at first made a comparatively slight and fruitless search, they gave notice to the world, and put their minds upon causes which produced such strange effects. And it is neither unjust nor unreasonable to suggest what, upon the greatest deliberation, was suggested by his friends then. We support no new theory; but we take up the theory of his friends and those who knew him best. They thought that he might have strayed away under the influence of some sudden aberration of mind. They would not have put forth a suggestion of that kind under a reward of \$3000 for his discovery, and you know it.

We know that respectable and unimpeachable men and women, who are capable of determining this problem, did see this man on that afternoon. Who can say that that is not true? The suggestion is, they may be mistaken—but are you certain that they are mistaken?

When the mangled remains of this human being were spread out on the floors of the Medical College, and exposed to medical gentlemen and friends, they were asked to examine and see if they could find anything dissimilar. But when

they bring that testimony here to you as a fact from which you are to draw an inference. Yet they ask you to rely upon circumstantial evidence to believe that respectable men and women were not mistaken in the naked leg, but in the open face and the peculiarities of the living man.

What, then, are we here for? What is the solemn duty which you are to perform? To weigh *all* the evidence, not a part. To take up *all* the evidence, and see whether the evidence which they produce tends to establish that hypothesis.

Gentleman, I shall proceed to an examination of the testimony which the government have brought in, and I mean to treat this testimony with all fairness that my mind is capable of. I do not feel as if I was here to enter into a controversy with you, neither do I feel as if I was in controversy with my friends the counsel here.

We come here to vindicate justice. I speak to you, gentlemen, in the hope that I may aid you in the great duty which we have before us. We sometimes speak earnestly and in deep conviction. We have opposition to contend with. We know that you are our friends—the friends of the prisoner at the bar, as you are the friends of your own brother.

Let us look, gentlemen, at the facts in the order in which the government have proved them, and see how far their evidence, direct or circumstantial, reaches. The government must prove the guilt of the defendant—the burden of proof must be conclusive, and if they do not establish beyond a reasonable doubt the several facts, they cannot claim or ask for a verdict. The law presumes that the prisoner at the bar is not guilty, unless it is forced upon the mind by a just consideration of the evidence before us.

I now come to the proofs which the Governments have brought forward. They are to establish—

First—The death of Dr. Parkman.

Second—That his death was occasioned by the agency of a third person.

First—Have they proved to your satisfaction that Dr. George Parkman is dead? They have much evidence, certainly, tending to establish this; and I shall but state that evidence to you with the single remark that it is for you to pause upon it, before you can proceed on with the investigation of other and more important matters.

Dr. Parkman entered the Medical College on Friday, the 23d of November; since that day he has not been seen. To show that he is dead subsequent to that day, certain remains of a body were found, and some evidence has been introduced tending to show that that body was the body of Dr. Parkman. In the first place, there were parts of a human body found in the vault beneath the privy—parts in a tea chest, and parts among the cinders of a furnace. Respectable and most intelligent gentlemen have been called here to testify to each and all the parts then found.

Dr. Wyman, who has exhibited much science in his profession, has stated to you that fragments of bones which he found in the furnace, correspond with the parts belonging to the body

which were not found in the tea chest or in the vault. He stated that these constitute the left leg, hands and feet, and that there were none of these fragments which could have existed in any but parts of a human body.

Now on this testimony you are to consider, and I have no doubt of the result at which you will arrive, if all these fragments did not constitute a part of one human being. The enquiry then is, was that body the remains of Dr. George Parkman or not? And upon this you have very strong proofs. The testimony of medical gentlemen is to the effect that the structure of Dr. Parkman was very peculiar, and that these remains corresponded in every way with the body of Dr. Parkman. The form, size, color of the hair on the back, is certainly strong evidence that this is probably the body of Dr. George Parkman, and this is substantiated by the testimony of Dr. Keep, a medical gentleman, who made some mineral teeth for Doctor Parkman, and who has proven some of the teeth found in the service to be his own. He has not a particle of doubt but that they were the teeth of Dr. Parkman.

These circumstances are certainly very strong, tending to establish the identity of this body. We have called your attention to the testimony of Dr. Morton, who has given to you all the information on the subject that he could. We called him for the purpose of letting you understand the nature and the character of these teeth.

It has enabled the government to bring in the most skilful dentists as there are in this city. I have only to say in reference to this question of the identity of the body: If the government cannot say that this is Dr. Parkman's body, this is an end at the case.

Second—The cause of death: Have the government satisfied beyond a reasonable doubt, that Doctor Parkman died by violence? I shall not now call your attention to any part of the government testimony implicating Prof. Webster as the criminal. I suppose the government will rely on two circumstances which are quite insufficient to justify the jury into a determination that the deceased came to his death by violence. I refer to the fracture of the skull, and those portions of the bones which have some tendency to show that death was caused by fracture of the skull before it had been subjected to the action of heat. There was nothing which would enable them to determine whether the fracture was before or after death, but even in the later case—that it was a fracture before calcination.

We come next to the perforation in the side. It appears from the testimony, that it was discovered, immediately after it was exposed to view, shall not dispute about its being there before or after death. Now was it cut? Doctor Strong thinks that it was made before death. Doctors Winslow Lewis, Gay and Holmes made an examination and found that it was not so. An examination made at a moment when all inquiry was of the utmost importance, when every circumstance was looked at as a matter momentous, in relation to this great calamity, and they came to the conclusion that there was no cut there, but it was a ragged opening; that a clean cut could be made after death as well as before. You have the testimony of three phy-

sicians that the wound was not caused by a stab or a sharp instrument. Then gentlemen you are destitute of proof. Either that Dr. G. P., if this was his body, came to his death death by a blow on the skull, or a stab in the side; and then what next? How did he come to his death? How was he killed? You find upon the person wounds sufficient to destroy human life. Take a man's head off, and it kills him; take his breast bone out, and separate all the internal parts of the body, and it kills him; put his head in the fire and burn it to cinders, and it kills him—but was Dr. Parkman destroyed in any one of these ways? Do you think he was burned to death? Do you suppose he was killed by having his legs cut off with the knife? His arms were severed from the shoulders by some dissector; did that kill him? Let nobody believe that any one of these modes of mutilation was the cause of death.

But when was it? After all the investigation which has been made, this matter is as dark as it was before light went into the cavern underneath the Medical College.

How he died we do not know. Then are the government to say that he came to his death by violence, when they cannot prove it? when all the mutilation found upon the body is discovered not to have been the cause of his death?

A man is seen with a bloody sword in his hand running from a house, and persons when going into the house discover a man with a wound in his side that correspond with the size of the sword. Here is conclusive evidence.

But in the present case, the disappearance was on the 23d and the discovery of the body on the 30th—even days afterwards—and there were no wounds or mutilation found upon it, but what might have been inflicted after death. Death besets the human family in ten thousand ways. Sometimes it approaches soul and body.

Can you say certain seven days after the death of Dr. George Parkman that he did not die a natural death? Is there anything remains to show that Dr. Parkman did not die a natural death? Can you leap through this thick fog and by circumstances almost incredible, conclude that death came from violence? When a body has been found and can be identified the first case should be to see that the proof is clear, that body ceased to live in consequence of violence applied to it?

If this could not be shown by direct or indirect evidence, strong suspicions are excited, and the greatest of jealousies may fill the minds of men, and still there is a want of that judicial proof, of which conscientious men are found to be wanting.

I do not undertake to say that Professor Webster can account for the appearance of the body there; but we do pretend to say that the government must prove this fact before they can ask for a conviction; and when we say to you that these marks might, every one of them, have been inflicted long after death, we will undertake to demonstrate it.

We do not attempt to show how those remains came there. A midnight robber might have seized the body and concealed it for a time, for the sake of plunder which could be had from it.

But suppose that these were passed, and it were admitted that it was the body of Dr. G. Parkman, and that he came to his death by the agency of another, I submit it, gentlemen, to your calm enquiries, if the evidence on the part of the government upon this subject goes only to create a strong probability, but does not come up to a clear point, beyond a reasonable doubt, that this body was placed there by Professor Webster.

But gentlemen of the jury, you pass with me and come to the conclusion that this was the body of Dr. Parkman, and that his death was caused by the violent agency of Dr. Webster. What was the crime which was committed in taking the life? I shall attempt to show how, if the crime was committed by Dr. Webster, it was the crime of manslaughter.

Dr. Webster denies that he did the murder; but gentlemen, his counsel cannot know what effect the evidence which the government have produced may have on your minds, and therefore, if you should arrive at the conclusion that he is guilty, then, gentlemen of the jury, we must ask you to say—what was it?

Gentlemen of the jury, the law was stated in a clear and most distinct manner, by my colleague. Homicide is divided into two kinds; we come to the conclusion that if a homicide is committed, that it was under circumstances of such extenuation that it reduced the homicide from murder to manslaughter. It is understood that if a homicide is committed, it will be considered murder while it is found to be manslaughter.

The question, then is, if homicide occurs in this case—if Dr. Webster took the life of Dr. Parkman—did it occur under such extenuating circumstances as would reduce the crime from murder to manslaughter?

Now, gentlemen, you will receive the direction of the court, what it is necessary for the government to prove, in order to make out a case of manslaughter, without which, the charge of murder could not be entertained. I do not precisely understand, may it please the court, what is meant by manslaughter, viewed in the light of the counsel for the government. I do not understand that it devolves upon the defence to show that in a case of voluntary homicide, that there was not premeditation.

Gentlemen, on the question whether the homicide was murder or manslaughter: if you ask the question, if Dr. Parkman came to his death by the hands of Dr. Webster, and that he killed him by design, then the law implies malice or malice aforethought, accompanied with the killing by design. The use of a deadly weapon indicates a design and purpose to accomplish such an act.

But, gentlemen, in determining these questions, the jury are to look at all the evidence, and see under what circumstances the homicide must have been perpetrated; and if it appear to the jury by a fair and proper inference that the homicide was not committed but under the extenuating circumstances of provocation or sudden combat between parties, then the crime was manslaughter.

I suppose, gentlemen of the jury, that the government meant to show that there is evidence in

this case of express malice. I understand perfectly well how this is alleged to have taken place; and, therefore, before I go to the particular circumstances of the case, I must come to this fact, that the government say that there is malice premeditated. That is, that Dr. Webster does design to kill Dr. Parkman before he went into the college that morning.

This is the particular statement of the government, that Dr. Webster planned this murder, and conceived the means of seducing Dr. Webster to the college by false representations. Dr. Webster states that on Friday, the 13d of Nov. Dr. Parkman met him, and invited him to the college, there to accomplish a particular piece of business, viz: that Dr. Parkman should bring to his place, certain notes, and he should there receive certain money, and Dr. Webster states the appointment took place, and the transactions above mentioned did actually occur; that Dr. Parkman did come there with his papers; that the business was transacted between them, and they separated.

The government say that this transaction did not take place; that Webster did not pay this money; and then they ask you to conclude that this evidence is that he seduced him. It becomes, then, quite necessary to look at the evidence which the government have adduced upon this matter.

They have called Mr Pettie, who sold tickets for Dr. Webster's course of lectures, and have shown you that money was paid by Pettie to Webster; and then they have showed the deposits in the bank, following the payment of Mr Pettie. They attempt to show that the funds which Dr. Webster derived from the students, were disposed of in such a manner that he had none of them to pay Dr. Parkman's bills. The evidence seems to me to be so satisfying, that I shall not attempt to say more than a few words upon it.

Then, gentlemen, the government have called after evidence (Mr Hutchinson) who testifies that on the morning of this same day, 23d of Nov., Dr. Webster drew a check for \$10. He stated that he had funds in the bank at the time the check was drawn, and that he might draw again. Well, gentlemen, there is no doubt of the fact that Dr. Webster wanted this money for his daily use, and that he was in the habit of depositing money for that purpose, and as he wished it he drew it out.

The funds were drawn out, from time to time, in small checks.

Then they called a witness to show that he had sent a small bill to him, and that he wrote back that he would pay it as soon as he received it from the sale of his tickets. But you see that he wanted the money for the support of his family, that is to say, the money he was earning from time to time, and which may be called support money. We can see that Prof. Webster wanted money; and that he was in the habit of drawing weekly from the bank for the purpose of using it in his own family.

We have shown you that Dr. Webster had not crime enough in his heart to perpetrate such a horrid deed as is charged against him. You know that Dr. Webster was a debtor, and that Dr. Parkman was a creditor. You know

that Dr. Parkman had made up his mind resolutely about his debtor, and he knew that if Dr. Parkman threw out any illusions to the subject, that it would have touched him to the quick.

The property of Dr. Webster was mortgaged to Parkman; and you know that this mortgage was sold to Robert G. Shaw, by Webster, and he thought he could vindicate himself at a future day, as he did afterwards in a letter to Mr. Shaw, but which, unfortunately, does not now survive. Webster knew what he was to meet with when Parkman came.

When a man, enjoying the station of Dr. Webster, and living in the expensive style he did, is called upon to pay a considerable sum of money, beyond his income, he must strengthen himself as much as he can. Now, if you will examine his books, you will find that one hundred and ninety dollars were paid by Mr. Pettie to Dr. Webster about the middle of November, and that \$150 of it were deposited in the Charles River Bank—all the money which was derived from the sale of his tickets for the medical course. The balance of \$40 were saved out and put with the claim of Dr. Parkman for the day of payment. All he had to do was to put himself in a situation so as to be able to meet the claim.

Remember, gentlemen, two circumstances.—Dr. Webster says he paid \$483 to Dr. Parkman—of which some \$100 was on the New England Bank.

The learned counsel then referred to the matter of the \$20 bill which had been offered the toleman on the Cambridge bridge to take out a toll of one cent, and dwelt with some force upon the probability that this bill was one of those which Webster had paid Dr. Parkman. It had been stated that the Professor had not recognized the bill, but this was not evidence that it was not one of those which he had paid Dr. Parkman.

He had said that the money came from the students. But the idea was that it was not the entire sum received in that way, but a considerable portion of it. He could not tell, because he could not recognize the sources from which he obtained it.

Now, continued the counsel if you will look at the small note of \$483.64 and see how it is made up by savings, you will see that he paid Dr. Parkman more than was due.

After a general review of the evidence of a financial nature adduced in the case, the learned gentleman continued—

Now, I think that there is strong corroborating testimony that there were business transactions on Friday, Nov. 23, between these parties—Parkman the creditor, and Webster the debtor. The former insisted on having it paid at all events and Webster knew this and had to be prepared for it. It is also proved that he did receive money from the New England bank. That business transactions did take place in that college; that Dr. Parkman did take papers down to that college.

Now, gentlemen, I hold that in this state of facts, that although this matter is not fully explained, yet I think the explanation is sufficient to deny the inference that Dr. Webster secured Dr. Parkman to the College and murdered him.

I put it to you, gentlemen, if it is reasonable that a man of Professor Webster's standing in life, should sit down and deliberately chalk out the way to kill a man. If this inference be incorrect, the charge of malice aforethought could not be made out.

The Court here adjourned until 3½ o'clock.

AFTERNOON SESSION.

Continuation of Mr. Merrick's Argument for the Defence.

Gentlemen—I now call your attention to the circumstance which plainly show the character of the transaction, namely, the death of Dr. Parkman. You will perceive, Gentlemen, that that principally relies upon circumstances—and there is not now living a human voice that can relate it—and to this conclusion, gentlemen, we must come. Then you are the judges of the fact; and in this instance, as in every instance of the kind, you are the judges of the circumstance, and the evidence of circumstance, from inferences which are deduced from those circumstantial facts which have reference to all kinds of murder.

What the relations of these parties have been, you have already heard statements made; you know that for a long period of time Professor Webster has been in debt—you know what the consequences of these acts of lending the money had been—you know he pursued him by acts of denunciation and injustice, and that Dr. Parkman went to pursue him. As early as the first conversation which he had with his brother-in-law, Mr. Shaw, Parkman was much excited against him, and from that hour, never ceased until it became more and more aggravated.

We have the testimony of Mr. Pettie, a man coming from Dr. Parkman, who stated that he was disappointed and chagrined, as he stated to Shaw. Shaw had endeavored to calm his mind, both of these gentlemen occupying the stations in reference to pecuniary means. This fact was well understood by the community. It was not the amount due from Webster to Parkman, for the amount would never injure Parkman, but there were other circumstances.

Parkman was chagrined and disappointed at this want of success in his application for money to Dr. Webster; yet he never called in force to enforce from Webster the payment of the debt, not by seeking the aid of the law, but excited with his debtor, to obtain thus much, accordingly we find his pursuit constant and his purposes unchanged.

He sent by Pettie a message, which if taken to Professor Webster, could not have but excited him.

As early as Sunday evening after the sad scene of the 23d there was something exciting. He must have gratified his feelings soon, by using harsh language and in common parlance, harsh epithets were used, showing that a bad state of feeling existed between the parties. Again—as early as Monday evening, then, we find that Dr. Parkman on a late hour of the day, was in the laboratory where Webster was toiling or his daily bread, reading chemical books and making preparation for next day's business. We find Dr. Parkman on that night saying in a state of excitement and addressing Dr. Webster, "To-morrow something must be done." Prof. Webster wrote a note to Dr. Parkman, and I wish you here, Gentlemen, to take particular notice of this fact.

Webster says that Dr. Parkman came to his place with a paper in his hand, which he found in his pocket book on the evening of his arrest, and actually read. During that week, we find Dr. Parkman watching the highway to prevent Prof. Webster from approaching the college. We also find him again at Cambridge bridge, where he asked the toll man after the passengers, who had passed by. He procured a conveyance and rode out to Cambridge and inquired near his place of business. That was Thursday. And then we find that after this, the next day, they met and quarrelled. This state of feeling, generated by their whole course of dealing, was constant and pressing. They met by appointment and is it strange, gentlemen, that men meeting under such circumstances, should get into a wrangle? Is it strange, I would ask, when one man coming and pursuing his debtor, with the degree of unrelenting cruelty, that at the period when they met, angry words should arise, and next personal collision, the consequences of which were to be death to one of them. I am arguing no probabilities; there is in morals, as well as in passion, a necessary connection between both. Passion has its way, as well as morals; the mind operates according to its laws as regular as the planets move in their spheres. It is as natural that men feeling under such circumstances, and meeting, that blows should follow, and terminate in death, as that causes should produce its effect. The parties met in this state of excitement; this is all we know; the creditor pressing with a firm and hard hand, the debtor resisting. Justice may seem sometimes too executing in its requisitions and its claims to be urged too far. The party returns to him who seems to be the aggressor; word for word, blow for blow.

What would seem most likely to occur after such an

alteration? This altercation bringing the parties to combat, the combat to the death of one of them. Or that Professor Webster could have made the cold, fearful calculation for a scene like this, that he prepared the weapons, that he seduced, that he led him on to the tools and then deliberately slew him.

Now, Gentlemen of the Jury, the annals of crime show such stories as this—that a man like Professor Webster, of such a character, and with such a position, at once, by a single stroke, with all the influence of his education and social life, perpetrate the worst crime a man can commit against his fellow. And yet, gentlemen, with these amazing probabilities, you are asked to believe that this crime was deliberately committed.

Gentlemen, there is no alternative; you are to judge, you are not to go beyond this period of time. What had transpired between these parties before this time, and what had occurred afterwards, could not change of the act, which was then a complete act. And I leave it to you as rational men, who are called upon here to decide the facts that are presented, whether you will not gather from the circumstances surrounding the parties here, beyond all reasonable doubt, that death came either from premeditation but from the sudden stab of a dagger, when there was a fearful heat and blood between these parties, when they were exacerbated. We are not at liberty to go beyond this period of time to ascertain the character of the act. Can you go beyond and gather evidence from it only to consider. We should have, perhaps, we would expect, that the parties as stated, first came to combat and from combat went into death. We should hope that after having slain his victim we should find him exclaiming, "God have mercy upon me, I have slain my fellow man." I was rash and gave him hard words. I retorted upon him; I pressed upon him in the heat of passion until I smote him to the earth and left him a bleeding corpse. But, gentlemen, do you believe we would all do so? Consider, gentlemen, Professor Webster was a man of standing in society, and he had a family and wife depending upon him for support.

Let us assume that in a moment of temptation, while yet the blood was hot and passion high, he committed such a rash act. Before his blood cools, surrounded as he was by the walls of that College from which every human eye was shut out, temptation came over him, and he slew his victim. From that moment, gentlemen, he expected time to enable him to prevent the disclosure and all its consequences—that after the first false step, after saying his fellow man, he attempted to conceal the fact, and having succeeded in getting himself clear from the probability of public disclosure, he then adopts measures to prevent such disclosure. He attempts to conceal it—after the one false step, comes the temptation to conceal and destroy. The temptation still comes upon him to ward off suspicion, and to shut out all proof.

If then, gentlemen, he gave out these false reports; if he wrote these anonymous letters to avert suspicion, it would have been only the natural consequence of that false step, by which he first shut himself up from public disclosure, by concealing and covering up the crime. But still if the concealment of the body was commenced, in his room, it must be seen in other circumstances, that it is for him to give an explanation of his conduct subsequently, in connection with the act. Then, gentlemen, examine the testimony in its various parts, and the probabilities do not establish that the crime was premeditated murder—therefore it is of a lesser character—that of manslaughter.

I pass now to the consideration of another point, and yet before I enter upon it, I have to ask your attention to that defence suggested by the counsel associated with me. First, as to the indictment, its averments from the date of the offence. The first and second counts in the indictment, are substantially the same for all the purposes connected with this indictment. The charge against the defendant is, that with a certain knife, he made an assault upon George Parkman, and stabbed him in the left side. The second count is, that with a certain hammer, which he had in his hands, he hit him upon the head. Now these two counts distinctly charge two specific acts. If the crime was committed with a knife, all the evidence required to satisfy the prosecution, should apply to the knife. And also the hammer, the proof should support this and no other.

The third count charges, that he made the assault upon George Parkman, and thrust him, with his hands upon the face. The fourth charges that the defendant in some way or manner, and by some means caused the death of George Parkman. Now, we claim, that under this accusation, the government are bound on a charge of murder, to set out their charge. We claim that the law distinctly prescribes formalities—that the law distinctly prescribes the manner. We claim that

the government, in compliance with the requirements of law, do not set out distinctly and precisely the mode of death. My associate has called the attention of the Court to such legal authorities, which we have deemed it necessary to introduce, in support of our argument. It is not for me to repeat this argument only in general terms.

And here let me add, that we are not bound to answer with respect to the fifth count and third—that in this position we will be sustained by the Court—that it is not necessary to introduce evidence, because it does not cover anything. By poisoning or by drowning, or in some way or manner, a party, if so accused, could prepare for his offence; if by fire, by poison or the knife, if by either of these means, he is accused of taking life, he has a right to know because before the defendant is brought to trial, the law gives him this privilege. These different statements in the indictment are called counts, and the law says that they are not to be limited. They may be extended to any length, but when brought to trial, the government is to be held upon their exactness; and if there be any of the counts in the indictment which does not set forth the manner of the death and in such form as is recognized by law—that is, in the distinct terms, which the law prescribes, and that the government does not aver positively, in that form, in the indictment, then you contend that the indictment fails and that it amounts to no more than these words, "that John W. Webster murdered George Parkman."

One word more, in applying the evidence of the Government; you must apply that evidence to the first or second count, which charges murder, because that is the mode of death relief upon by the Government. The Government charge with striking upon the floor, with hands and feet, in the third count. They will not rely upon this third count alone. I submit that we cannot apply it to any of the first three counts, and say that beyond all reasonable doubt, death was caused by the hammer or the knife.

It is not thought quite so certain by the gentlemen on the inquest, that the knife had been the instrument by which the deed was perpetrated. The only evidence tending to show, in my opinion, that death was occasioned either by a knife or hammer, is the evidence of Dr. Wyman, in reference to the fracture upon the skull, or rather upon the left side of the skull. Remember that the government are saying, that George Parkman was murdered by premeditation. Do you think that Professor Webster left this fatal death to the chance blow of a hammer or a knife? or that he prepared the way in which it should be done in advance? Will you say that he did not strangle him? When you believe that beating with his hands or feet he caused death, are you prepared to say that that is that which amounted to anything more than that he was alive and is now dead. That death was in a particular form. Will you say, I would ask again, that liquid poison might not have been poured down his throat, or that he came to his death by some other means than that named in the indictment? We are in the broad field of conjecture. The government only ask you to decide by conjecture. It may be that there was a knife, it may be that there was a hammer—but if it be decided that it is so, or if it is proved that death was occasioned in the manner set forth in the indictment, the case is legally brought before the legitimate tribunal. I know that the Attorney General in this case will contend for an opposite position, but if such be sustained, I will regard such decision as casting a reproach upon the law—upon our criminal system of jurisprudence.

It may be said that this is a question that ought to be set down according to the fixed principles of law; but, gentlemen, we are not in our public courts, to legislate upon what ought to be law, but we are simply to inquire what the law is. Under such circumstances, I would ask, is the law really binding? and are our Courts and Jurors, knowing what the law is, to legislate upon the means by which they are to apply it to a particular case? If this is not the law, I say there is great doubt how to dispense with the charges in this particular case which we are now trying. What says the law? There is a beautiful maxim, "Better that one hundred guilty men should escape punishment than that one innocent man should suffer." Therefore it throws about courts that protection of law which forms the basis of human right. It makes rules upon which to frame indictments, and it hampers its own officers with forms upon which it founds the protection of law.

I say to you gentlemen, that to acquit even a known felon of an offence as heinous and atrocious, is a noble triumph of the law, whether he is acquitted of an offence of a minor character or of a crime that would doom him to the scaffold. Then, gentlemen, if you cannot find beyond reasonable doubts, how this death

comes about, for your country's laws and your country's honor, I ask your verdict for my client.

I shall proceed now to the consideration of the evidence upon which the Government claim to have brought home the charge.

And here let me ask you, to see the position which we occupy up to the time when George Parkman entered the College, between the hours of one and two, on the 23d of November. The defendant admits that he was there between one and two. If the government will not take the admission of Webster as to the time he left, and choose to take a different hour, now I wish to call your attention particularly to the evidence involved in the case.

The Government claim that Parkman came to the door of Webster. Webster denies it. The Government claim that Dr Parkman came to his death by Prof Webster. Prof Webster denies it. The Government claim that the remains of the body of Dr Parkman were found in the college. This is neither admitted nor denied by Prof Webster, who says he knows nothing about it. He stands then in this position, when Webster on the morning of the 1st of December, after such a night as man has scarcely ever passed, recovered his power of speech and uttered in simple but expressive language, "I don't think these remains are the remains of Dr Parkman, but how they came there I do not know." His proposition then, gentlemen, is, that by some means or other those remains were placed in that building without his agency or instrumentality. He never has professed to know anything about them, nor is he able to explain the circumstances connected with the finding of those remains. There are one or two matters connected with this subject, which we had better dispose of now as early as we can.

The great proof, the circumstances on which the government mainly rely, is first the entrance of Dr Parkman into the medical college, and next the remains that were found there, and this would go to show, that Webster must have control over the living as well as the dead, under the circumstances under which he is charged to have committed the crime. Next, three letters have been brought forth to show that Prof Webster's note then to divert attention from the place, if an occasion for diverting attention from the medical college, had arisen at all; it would be difficult to know the object of Prof Webster except thus to divert it from himself. That is utterly denied; I mean to state as strongly as I can: I am sorry that these letters came so recently upon us, and that we should have so little opportunity to make examination of them—and that they were put in at the last part of the testimony for the government. We were going to close up entirely, thinking our attention would not be drawn to any new points in the testimony that the evidence already put in was sufficient for the government.

The evidence of these letters is then introduced through the testimony of experts. I do not claim to have very great knowledge of hand writing, but I think I can escape you notices, that effective evidence has been given which can show by experience, that this is not this way to test with accuracy the testimony as regards hand-writing. Smith the engraver, sustains Gould in relation to some of the letters, and says that these letters are genuine. I have not had much opportunity to make personal examinations of them so as to trace the resemblance in the handwriting of certain letters. I profess not skill. I have not practiced in this business of an expert, but I do wish distinctly to say, that from my knowledge and experience in this peculiar line of art and most will agree with me, that this Gould is the merest visionary that was ever called upon to testify before any Jury upon such a point. I am not going to ask you to rely upon his testimony upon this point.

I merely ask you that when you retire to your room, that you will take these papers and compare them, and judge for yourself. You are not to be governed by the opinion of Mr Gould upon a matter of this kind; but you are to consider whether the evidence, as it comes up before you, proves the character of the hand writing of the defendant beyond all reasonable doubt. Among other things, the witness said that the figures—1—3—4—9, as they appeared in some of the letters, resembled very much the style of writing of the defendant. "The last shall be first, and the first shall be last." I wish that you would look at the figures nine in those letters, and then at the nines in every one of these checks which I now show you. If testimony of this character was to be relied upon, no man in the community would be safe. I express it under my own conviction.

I now call your attention to other points. There are two other circumstances introduced in evidence, viz: certain articles found in possession of the defendant.

And first I come to the tin box. Now I should ask, how is that connected with the defendant in the case? But they say it was for the purpose of putting the remains in. Dr Webster denies the charge, and says that this box was intended for certain purposes, and that it was going out to Cambridge for the purpose of putting some small articles in it.

ATTORNEY GENERAL—N, no.
MR MERRICK—Yes. Now Prof Webster goes and orders the box, which was to be sent to another place. The Government say, "Yes! Yes! and it is going for the purpose of concealing some of the remains." That is all very well, Gentlemen, but I must be proved beyond a reasonable doubt. And yet the life of Webster depend probably on that circumstance alone. Webster says that he gets the box to put these small things in. The Government say, "No—it is for the purpose of putting the fragments of the body in." Well all I have now to say, let them prove it if they can; for these things must be proved beyond a reasonable doubt. Every high crime has a distinct issue, and each fact must be established by proof.

I have only to say, with respect to the fish hooks which were found in the possession of Prof Webster, that his ideas of matters belonging to his own business are known only to himself; but he distinctly says that they had nothing to do with these remains—and if the Government deny it, we put them to the proof of the fact.

The government say that it was for that purpose—that is but conjecture. Did Prof Webster ever say that they would. Take care you, gentlemen, any statement from them. "Prove it then—a good hold fast that which is good." They must show the actual application of the attempt to open these articles or the testimony in this respect to the ground. After the remains were found in the laboratory we must have the proof of the particular place in which they are found.

The bag of tan was found on Tuesday morning—it was left outside and excited no attention and was left outwards.

COURT—You do not state what bag of tan it was.

MR MERRICK—There is no proof that there was any bag of tan there but one. Still there is no evidence. It was left there for the purpose as being an article which chemists had to use. I do not know but at one time we should be in danger if a bunch of keys were found, that Prof Webster's other connections, might be placed in jeopardy. But in the meantime I cannot say that they have any thing to do with Professor Webster.

If Dr Webster was to be tried as a burglar, the introduction of these keys would be proper evidence here. The keys would touch the burglars but a deadly weapon can only touch the murderer; and these keys were found in the private room of Dr. W. as well as the fish-hooks.

Next we come to the fish hooks upon the tin box upon which the Government established their case. That if these things had a connection with Professor Webster in the murder of Dr Parkman. We assure that Professor Webster had a right to place the spoons around those hooks as he pleased; and what does it amount to? Nothing. We are next to do something in relation to the twenty dollar bill. Professor Webster came and inquired about it, and we find him stating that he knew nothing about it.

We next come to the testimony of Mrs Colman. She testifies that Webster called upon her and asked her if she had seen Parkman, every one of these times inquiring about Dr Parkman, while passing to and from the College. Dr Webster simply asked her for personal information, and after that left.

I now refer to the testimony of L. L. Field in relation to the blood, and will call your particular attention to the fact. In the first place, Professor Webster naturally had occasion to use blood, in his capacity of lecturer.

He asked L. L. Field to go to the Hospital and get him the blood in order to enable him to deliver his chemical lecture, and on that very morning in his laboratory he was exhibiting some chemical experiments—This could not be done in a strange occurrence—We now come to the dissection room. It has been said in relation to the light there, that it was necessary to use a lantern in order to look down into the pith; but that since the light was put down it would be extinguished. The moment after this inquiry about the light, to this conclusion you must come—that if he contemplated the use of it at all, it was to complete his arrangements.

I am sorry to engage your attention here so long—I will now proceed to the consideration of the evidence bearing directly upon Prof Webster, and mainly upon

that point which holds that Dr. Parkman never left the building—and from the admission of Webster that Parkman was there from 1 1/2 to 2 o'clock; and now the Government we maintain are inaccurate, as regards the time. And we also maintain that these premises must have been invaded by some unknown form.

First, with respect to the evidence of the fact tending to establish an *alibi*. If Parkman, at the hour stated, was seen in Causeway street by Thompson, and by the most accurate analysis, it is proved that he was seen there. The Government have proved an *alibi* fully and clearly and unequivocally or they establish it. I mean that the facts in the case will fully warrant the conclusion, and show by the strongest possible evidence that Prof. Webster should be exculpated from the charge, and that the charge should be laid some where else. Not that I want to fix it on any one else, but that there is a hypothesis in the case, which warrants me in drawing the conclusion that Prof. Webster should be exculpated. My first proposition is that the Government should establish their case so as to exclude all reasonable doubt, and whatever might have been the strong suspicion, the probability, or the bias of mind, a fact cannot be proved beyond a reasonable doubt.

First, recollect that it was 1 1/2 o'clock on the Friday when it was said that Dr. Parkman went into the college. The government witness, Mrs. Morse and her son George, say that when going down towards the college, about 10 minutes before 2 o'clock, they saw Dr. Parkman on the steps at 112 o'clock. Prof. Webster says he was there, and Littlefield tells you he was there about the same time.

Now then, we are left to the statement of Dr. W. upon the one hand and to that of witness upon the other; which some disorderly as to the time is small, but yet these are too important facts. From the testimony of Patrick McGowan, it is likely that Parkman was there at that time, and it is also likely from the testimony of the other witness, that he was there at the time specified by them. For it is not to be forgotten, that the friends of Dr. Parkman, have invariably relied upon his general punctuality of manner, in his dealings generally, and it is really likely, that because we have it, that he was pressing Prof. Webster earnestly, and that he was punctual in his attendance upon this occasion; so, therefore, the testimony of Mr. McGowan in all probability must be true. Now come to the testimony of Dr. Bosworth and Littlefield. Littlefield tells you that he was standing at the door, and looking at Dr. Bosworth when Dr. Parkman passed by him and went in.

We have this fact then established, that Dr. Parkman came there and went into the College when Dr. Bosworth was there, that he crossed the steps, that the door did not stand ajar. Now the testimony, if taken in connection with the well known established habits and manners of Dr. Parkman, we put it, is it not a most probable thing that he was there at the time appointed, in order to finish his business? That interview was very short, and when we have it in evidence that he was seen at a later hour in Causeway street, is it not probable that he might then have left the College, and turned back after some time and entered it again.

Now, Gentlemen, this may strike you as strange, but is it not within the range of probabilities; and if you take facts and circumstances into consideration, I do not see how you can avoid arriving at such a conclusion. The appointment with Professor Webster was for 1 1/2 o'clock. He there meets, according to his own statements, Dr. Parkman.

Dr. Parkman leaves the college, and so does Prof. Webster, and I think when we are in a case like surrounded on all sides, with probabilities weighing against the prisoner, that we are not wrong in coming to the conclusion that Dr. Parkman had finished his business at the college and had come there again. Dr. Parkman stepped into Holand's store. He made no appointment with this man, he finishes his business almost immediately and leaves in a very short time just in time to go on to Cambridge street; and there he is seen by Mrs. Hatch. Who can explain it? But here are the facts. They speak for themselves. If, then, gentlemen of the jury, these are strong probabilities, they must weigh on one side as well as the other. It struck my mind that the door was seen open when Parkman was going through, at the same time that Dr. Webster was there. Well, now, let us leave the college, and trace further that night up to the hour of 10 1/2 o'clock, to ascertain whether Prof. Webster was at home with his family. We find that a student saw him in the college in the early part of the day; and a young lady said she saw him, and spent the evening of that night with him at home. That night Littlefield carefully closed the doors. The next morning Webster was at home, and afterwards came to the dissect-

ing room; and the dissecting room was found open on the following morning.

Somebody had been there. The following morning Dr. Webster is found at home in Cambridge. He is found at home also on Thanksgiving Day. And during this period of time his rooms are accessible, and no measures are taken to bolt the doors. We come to the following Tuesday, Kingsley was there on that day. He saw the tea-chest, partly covered with minerals. Now, between that time and Saturday, there was no evidence that there was any change as to the tea-chest. But then it was only partially covered.

Now this, all the time was accessible. In this tea-chest, what has been found? That knife of which we have heard so much, and yet as clean and polished as when it was taken out of the shop of the merchant, and that knife was placed there and by whom? By Professor Webster, who made no disguise of it. He showed it to Littlefield in the college. The yataghan too, that silver hilted and exquisitely finished weapon was exposed there. Why had Dr. Webster these weapons there, if a murder had been committed. So as to bring them into direct connection with himself. Why has he then gone exposed?

We have not to ask why has he put this twine we have heard so much about around the thorax and thigh? Might it not be for the purpose of removing them? But I cannot answer the question. Are we to suppose that some mysterious being had used the twine and changed it? It might have been to bring that position of the body so as to connect the fragments that were found together. I do not know but that Professor Webster might have left the College very early Friday morning, and then I may suppose that some person placed those remains there.

I now come to the question of the tea chest. Where we hear something of the remains of a human body—It has been said that Parkman was murdered in the laboratory, yet we find no blood—we know that Dr. Parkman must have had garments, and yet no trace of a garment is found there—no blood is found there—so that the whole conjecture is altogether extravagant and visionary. We are not to suppose that he has been taken in there naked, but these probabilities these facts, relieve the case to the government, beyond all reasonable doubt. I shall for a moment ask your attention to some testimony in reference to some of the witnesses. I regret being obliged to make any allusion as to the witnesses calculated to smudge their characters. But I will take upon myself the responsibility in alluding to one of the government witness that I do not mean to impart to him. Far be it from me to impute crime to any man, but it is my duty and it is your duty to fearlessly discharge the responsibilities that attend our position. Littlefield has been to some slight extent corroborated by some witnesses, and his testimony has been corroborated by that of his wife. Now when such testimony is to affect life and liberty, the testimony of witnesses becomes of the highest importance; and here the question arises, for us to inquire into, is Littlefield entitled as a witness in this case, to that implicit reliance when it goes to affix the awful crime of murder upon one with whom he had always maintained the most friendly relations.

If such evidence is admissible, then human life cannot be safe. I do not wish to impeach any one, but if testimony like this be admitted, and witnesses of such a character be allowed to testify in cases upon which depend the fragile thread of human life, we are bound to scrutinize the character and conduct of witnesses, and hence I consider it my duty to call your attention to some portions of Littlefield's evidence.

You will perceive that at the first time suspicion broke in upon the mind of Littlefield, as to Dr. Webster's having committed the murder, he communicated them to his wife, who told him not to communicate them to any person. Up to this time, all his suspicions were concealed—and yet entering them, we find him going on that same night at Grant's, where he danced some 16 or 18 times, and returned home late, after which he went around to the rooms and examined them all.

On Saturday he watched. On Sunday he barred the doors. He passes through the Laboratory and nothing seemed to attract him. Dr. Webster he knew was engaged there and yet he made no secret. Afterwards Mr. Clarke comes—then again the same day Mr. Kingsley comes to make a search, and yet he tells them to make no search at all at that time.

The counsel here commented at much length upon the entire testimony of Littlefield, showing the friendly relations that existed between him and Prof. Webster, while Littlefield entertains the terrible suspicions as to his guilt, receiving at the onset from him the present of a turkey for Thanksgiving, and never openly communicating his suspicions until the time that notices were posted up offering a reward for the discove-

ELEVENTH DAY.

SATURDAY, March 30.

The Jury entered at five minutes before nine o'clock, and the Court followed at five minutes past nine o'clock.

Mr. CLIFFORD, Attorney General, then commenced his closing argument for the prosecution.

VERBATIM REPORT
OF THE
CLOSING ARGUMENT
OF
ATTORNEY GEN. CLIFFORD,
For the Government.

[Phonographic Report Especially for the Boston Herald.]

Gentlemen of the Jury:—

In a case like the present, I expect and doubtless, you expect that everything that human power can bring will be brought to bear upon it, in order to exonerate the defendant from the charge for which he is held to answer. All that human eloquence and ingenuity could possibly do, was advanced in his favor, and in that respect I have not been disappointed.

The transcendent ability which characterized the closing counsel in his behalf yesterday, shows you that whatever conclusion the evidence in this case may compel you to come to, there has nothing been left unsaid or undone which consistently with the truth, could have been said or done upon this trial.

But, gentlemen, I have another expectation and another hope. I expressed it to you when I commenced this case a fortnight ago. I did hope that he could make some explanation of the terrible circumstances, which had wove around him a web, that there seemed to be irresistible, and which was drawing him to his doom. I expressed that hope, with the sincerity of a compassionate heart, and gentlemen I grieve to say to you that, after all that has been done, all that has been said, that hope had been utterly disappointed.

Why, gentlemen, I call your minds back to the statement in which this case was presented to you; a statement which the government expected to prove. May I submit this case to you, as I submit it to the world, with a degree of moderation that indicated how sincere that hope was in my bosom. I call your attention to the outline of truth which has been brought in here, and I ask you to say whether that outline has not been entirely filled up. Whether there was a single statement which was not proved; and the inferences which I then forebore to draw from those facts, are all pressing upon your minds with a force which cannot be resisted.

Then I ask you to consider how all that evidence has been made. We have waited long days, weeks, and months, for an explanation of these facts. This prisoner, it is true, has been

an inmate of the cell, but he was not, as his counsel said, a forlorn, forsaken, and friendless man, unaided in preparing himself for the testimony of the Government, and a victim of prejudice. I put it to you whether that statement has a foundation. I put it to you if a very opposite state of things has not existed, in a degree unprecedented in our country. Whether a man against whom so much "Prima Facie" evidence existed, that had so much forbearance shown him: whether there is not from beginning to end a degree of reluctance in admitting a possibility of his guilt.

Yet it is a strange and fearful evidence, and if we look back, and review the different testimony and see the mutilated remains of Dr. George Parkman, in the apartments of Dr. Webster, under lock and key, it does appear very strange, but yet we cannot help thinking it is the truth.

Gentlemen, his counsel here will do the justice to say, that as the representative of the Government, I have extended to the defence every facility that the evidence taken before the coroner's jury, was read by them before I cast my eyes on it, and it was placed in their hands for the purpose of enabling them to meet every thing that was contained in it, and to prepare their client for his defense. Gentlemen, more than that; I have not been complained of in any manner that has had anything to do with this case. Never was a man put upon a trial for a crime that would affect his life who has received such considerations from the government representative as he has received from me. I do not know a fact, and I am not aware that there has existed a single object which have not been freely communicated and exhibited to the counsel for the prisoner to enable them to explain and answer it when they came before a jury of his countrymen to be able to say we have given them everything which the government have been able to prove. We have prepared our answer.

There was an investigation by the jury when he was not represented. Did it occur to you that although not at either of these two secret investigations, there was another occasion when he was represented by the ablest counsel that the ablest bar in New England could furnish, and that he then and there, with or without their advice, chose not only to keep his mouth shut, but to say to the government and to the world, "I am content not only not to offer proof in explanation of myself, but I am content not to ask what proof is against me."

Gentlemen, between these two investigations which have been the subject of the most reproachful remark, this prisoner was brought into this building before another tribunal for preliminary examination; and, gentlemen, would you not, if you were brought up on a charge most infamous, I ask you, if after twenty-four or forty eight hours of reflection, you would not have demanded that the government should have shown the process upon which they have attempted to charge an innocent man with a crime like this? Would you have said I care not for the advice of counsel? Would you have said I am content to go into close confinement to wait until the government shall see fit to try me; to lie there until the whole civilized world shall have your name upon its lips,

in tons of reproach and horror, and to suffer your family to fall into disgrace?

Gentlemen it is coming to be a point of consideration in this case, that such a fact as that existed; and more than that, gentlemen, the time has now come when that explanation was to be made, when passion was to subside, when he was to enter the court of justice, and feel that before a jury of his countrymen he would be secure. What is that explanation? I call your attention to the fact that this evidence which he has put in here, applies to four propositions, and I call your attention to the further fact that upon that evidence, such as it is, have been founded four hypotheses, which were put before the counsel, and it is my purpose, gentlemen, to put those two cases together.

In the first place, gentlemen, in answer to the evidence which the government has produced here, he has called the witnesses to testify to his character. Well, gentlemen of the jury, that is a point that never was in controversy; that he had an outside reputation, how well founded, was not in the character of the evidence.

The second point has been to attempt to show that his being locked up in his laboratory is not an unusual thing. From one of the witnesses testimony, the evidence goes to establish the proposition.

First—was the witnesses of character. Second—was of his being locked up. Third—the attempt by the evidence has been to show his own conduct, and his whereabouts during the week which intervened between the disappearance of Dr. Parkman and his remains.

These propositions are supported by the evidence, and this case is to be tried upon the evidence.

The fourth is an attempt to answer the whole case of the government, by showing that after Dr. Webster and Dr. Parkman were together on the twenty-third of November, that Dr. Parkman left him and was seen again in different parts of the city, after 2 o'clock on that day, and that, gentlemen, is absolutely all.

It is, gentlemen, upon that evidence there has been an attempt to raise certain hypothesis or doubts which I shall consider in another connection, and when I do come to consider it, I shall ask you to apply the evidence to them. Now, gentlemen, in a state of facts like this, as presented to a jury of the country, I think that there is no proposition which can escape our notice. The constitution and government of this commonwealth, as it is on the highest object of all organized and civilized society and protection of human life, and under that constitution we have a system of law which is intended to carry out that purpose.

Gentlemen of the jury, if a case has here arisen which shall test and try the value of that system of laws it is the case now before us, and if ever the great and high responsibility of it is now confided to you. Well, gentlemen, how does this case stand upon proof?

Dr. Webster moves in a high sphere of life, and has had a different experience than those who ordinarily belong to the prisoner's dock. Whether the law is competent to hold the weak and impotent in its grasp, but is it impotent

when the high and influential are charged with the same crimes. But we have here a system of law and justice to which no such reproach as that can be applied. Why, gentlemen, is there any doubt that George Parkman, a highly respectable and most universally known citizen of this metropolis of New England—a man of large affairs and most extensive connection and interest—has been murdered by a most remarkable coincidence? Is there no doubt in your minds now, after hearing all that has been said by the prisoner's counsel, whether he was the perpetrator of the deed or not?

That he was murdered in a building of the institution which owed its erection to his beneficence—that in the ordinary avocations and intercourse of life, he went out from his home to meet a sudden and violent death; and, gentlemen of the jury, if that fact be so, no matter who was the perpetrator, for the laws of Massachusetts are impotent to ferret out and punish him, then, gentlemen, the sense of security and safety which belongs to us as members of a civilized society, has gone forever.

We had better go back, gentlemen, as we shall be driven back to that state of anarchy and barbarism in which every man's wrong is avenged by his own right arm, but gentlemen, somebody has done this, and somebody must answer for it.

And now, I come to consider the improbability, gentlemen, that a false accusation should be made upon a man like Prof. Webster.

Thousands of eyes since that fatal news, which struck into the breasts of all in this community and was known to the whole civilized world. Though all eyes have been opened, every circumstance has been weighed over; men have been watched by the officials of our police; the keen eye of justice stopped here. Gentlemen if that be a false accusation after all, it is of greater magnitude than any that has been presented to you as a mystery by the counsel; and, gentlemen, the complaint has been that there has been no direct evidence. Strong as the counsel have admitted this mass of circumstantial proof to be, all their complaint is, there has been no direct evidence that the crime charged upon the prisoner is true.

Gentlemen of the Jury—How many murders have been punished or ever will be punished if a jury are to wait till direct evidence is to be furnished to them in order to remove all reasonable doubts on their minds. What degree of security will there be in society? How can we go to rest upon our pillows, if a proposition like that is to be upheld? Now when crimes like this are to be committed, men take no witnesses with them; they avoid the sight of all, but that all seeing eye, that sees in darkness as in light, but which they then forget.

Gentlemen, let us consider what is the nature of this evidence, and having done this, to furnish you with such authority on that subject as seems to me to meet utterly and entirely all the suggestions which have fallen from the learned counsel on the other side. I shall then state to you, in a brief and intelligent manner, the law as applicable to the offence itself, and to the indictment which charges it. I shall endeavor to show you that no other person but this person could have committed it. Considering the act, gentlemen, as having been com-

mitted, and then I shall proceed to fasten a conviction upon the prisoner.

Now what is the nature of the evidence which you are to review in your conclusion, it is circumstance. Gentlemen, so is all evidence. We are not here gentlemen, feeling for or expecting to find pure absolute truth, that belongs to fallible man, but an infallible God. We are here to examine such instrumentalities as under our system of laws and state of intelligence we may be able to elicit all the truth.

I shall consider by and by what a reasonable doubt is; then our minds being satisfied, we shall have no such trouble as has been shadowed forth in the argument of the opening counsel.

And what, gentleman is circumstantial evidence? Is it so much less satisfactory and strong than the testimony of an eye witness? The value of the testimony of an eye witness does not depend upon his integrity and veracity it is in no inconsiderable degree dependant upon his intellect and powers of observation. Where there is a class of facts existing, which combine and lead the mind by an inflexible chain of logic, to a necessary result the mind must give its precedence.

Now let me gentlemen give you an exposition of this matter from one of the most learned judges of a sister state.

The counsel here referred to the case of Harmon for the murder of her child, and the charge of the G and Chief Justice of that state.

The only difference between positive and circumstantial evidence is, that the former is more free and has a greater amount of circumstances in it. A man may swear to a positive fact, and remember all facts and questions on which guilt appears no human testimony is supported.

All evidence is more or less circumstantial, the difference being only in the degree; and it is sufficient for the purpose when it excludes disbelief, and that is actual and not technical, for he who is to pass upon a question is not at liberty to disbelieve as a juror where he believes as a man. It is enough that he is conscious of what is clear; certain cases of circumstantial proof are to be found in works in which persons have been found guilty.

I now come to the consideration of such points of law, upon which I shall address myself to the learned bench, in your hearing, on the proposition which seems too important to be involved in the enquiry which you are to make. And the ground that we take, may it please your honors, is upon the well established principle of the common law as recognised and affirmed in the case of Peter York—subsequently applied in this court in the case of Washington Goode—that the jury being satisfied that the party came to his death by the hands of the prisoner, unless it appears by the preponderance of testimony to have been done under reasonable provocation, such as the law recognises as malice is to be presumed; and after malice being presumed, whether there is any express malice shown or not, it is murder.

Then, gentlemen, the distinction that was taken, and very properly taken upon authorities, was illustrated by the counsel for the defence.

The difference between expressed and implied malice I do not intend to go over, because

I concur with him in every point in that argument. If there was any premeditation in the act which was committed by the prisoner, that fixes it by the authorities and by the very ground taken by the counsel for the defence, as a case of murder. Should you not be satisfied, the law presumes that in the absence of any true proof there did exist the other species of implied malice and therefore it is quite immaterial in sustaining this charge against the prisoner, whether the jury are satisfied of any previous premeditation or not, unless they are satisfied by the proof that when those two men came together there was not merely exasperating language, but that there was on the part of George Parkman, a provoking blow which led to another blow from the prisoner, that was fatal to his adversary. The provocation cannot be an excuse, no matter how exasperating it may be; therefore, I say if exasperating words were used, and a sudden blow was given by the prisoner with an instrument likely to cause death, then he is as guilty of murder as if he had thought of it months before, and carried into effect his premeditated purpose. I felt disappointed that while we and every body were looking at an explanation of the fact, we had an extraordinary spectacle of finding the counsel for the prisoner devoting two hours and ten minutes, to the testimony and the law, and dwelling only ten minutes on the facts, but gentlemen, that exposition has come, and I have already referred to it. It is said that although the government may charge, in the various modes in which they have charged, in the first three counts of the indictment, the government is bound to prove that the homicide was committed in one or the other of these modes, and that the fourth count in the indictment, in which the grand jury have charged upon the prisoner that by some means, instruments or weapons to them unknown, that he did deprive George Parkman of life, and so did commit the murder.

Gentlemen, if they would say so, I think that this learned bench would have required very conclusive authority which should have been produced to satisfy their minds of the imperative duty which they have to do. Take for illustration, for the counsel here in support of that monstrous proposition that if a man is so scientific in his deeds of blood as to be able to conceal the mode or means by which he sends his brother man to a sudden and violent death, although the fact may be proved as clear as day, he cannot be punished under the laws of Massachusetts.

Why, it has been suggested that the "lasso" might have been used; was there any evidence that would justify the jury in believing that he was murdered so?

[The counsel here alluded to the propositions laid down by Hawkins, 23d chap., 32d book, section 84.]

Now, gentlemen, if it is known that Dr. Parkman was killed, but in a manner unknown to the jurors, though alleged in the indictment to be in such and such a mode, the indictment could not be sustained, and that is the circumstance on which the prisoner may rely.

I will give you another illustration. Suppose that Dr. Webster with premeditation had enticed Dr. Parkman into his laboratory, and in

some manner had there murdered him, and had succeeded in destroying the body; suppose that four respectable professors should break into his room and find him in committing a deed, and he should confess it to them, and then when taken before a tribunal he should deny it, there is no law on earth which could affect him. Then, gentlemen, no matter how Dr. Webster did the deed, he is not to escape—the law must be vindicated, even if he were moving in a ten times higher sphere than he does now, as well as if he were a beggar.

Now, gentlemen, in order to come to the consideration of the evidence, you must be satisfied of the truth in this case beyond all reasonable doubt, and by that is meant doubt that you can give a satisfactory reason for, to your minds others if they ask you, that George Parkman has been killed, and that by somebody. Have you a doubt of that, gentlemen? If you have, my labor is in vain, and I may stop here, for the case stops here, and your faith in anything else is equally stopped. Why, it is said by the learned counsel, that there is no direct evidence that Dr. George Parkman is not now among the living, and it is gravely put to you in the face of all this proof, under the testimony of Dr. Morton, and upon such improbabilities as the ingenuity of the counsel could invent, it is gravely put to you as a question whether Dr. George Parkman still be in health and life or no. Would to God that he were still among the living! There has been a search which has brought into requisition, not only the vigilant exertions of the police of this city, but every man felt it to be a duty to see for himself—And there was such a search as was never made before; still no tidings came of his having been found, unless these mutilated remains, and these calcined bones constitute his mortal remains. Your countenances tell me, gentlemen, that you have no doubt but these mutilated remains are those of the body of Dr. George Parkman.

I read it as we went on in the examination of the witness, and I saw that you had no more doubt but that those were the remains of Dr. Parkman, than you have that I am talking to you.

What was the purpose and object of the counsel, in undertaking to show that Dr. George Parkman was seen on Friday afternoon, the 23d of November, 1849, after two o'clock until a quarter to five?

It was with the view of raising in your minds a reasonable doubt whether Dr. George Parkman's remains have been discovered and identified, and that identification proved. Dr. Webster started it very early in these proceedings, and under circumstances which made the declaration pregnant, and I venture to say that for the five or ten witnesses they put upon the stand, they could have produced fifteen more.

I intend to show you how fallacious it is that he separated from Dr. Webster, and to give also in reference to the same subject that those were the remains of Dr. Parkman found in the apartments of Dr. Webster. The learned Attorney then alluded to the testimony of Mrs. Hatch, who saw Dr. Parkman on Cambridge street at quarter before 2. She remembered that it was him from the fact that he had a prominent chin. He then alluded to the testimony of Mr. Thompson, Mr. Wentworth, Mr.

Cleland, Mrs. and Miss Rhodes. He stated that Mrs. Rhodes testified that she met Dr. Parkman on Washington street, that they exchanged bows and was recognised, but the counsel thought she was mistaken in the identity of the person; he stated that any gentleman receiving a bow from a lady would return the civility. He then went on and said, thirty thousand persons are said to pass through Court street, daily, in the course of 12 hours. Now, gentlemen, how many of the residents of this city were there and saw Dr. Parkman, as they necessarily would; how could some of them possibly help seize Dr. Parkman. If such had been the case, after the issue of the notices of a reward, more than six hundred persons would have come forward and represented that they had seen him.

How many times in the course of your lives gentlemen, have you been mistaken, from the similarity of persons.

The counsel here related an incident of his own experience. People are well aware, he said, of the great similarity existing between the District Attorney, Mr. Train, and himself.

On the last capital trial that took place in Cambridge, I was stopped while walking over to Cambridge, by the enquiry, "Well, Mr. Train, when do you wish me to bring those 'sub pœnas' over?" Suspecting the mistake, I said, "Over where?" "Why, over to the Pearson trial." He then left me. In the afternoon I went over there and told Mr. Train of what had occurred. When the officer came, Mr. Train what he had brought them over for. The officer said, "Because you told me to."

I told you too I have not seen you before today. Why, said the officer I saw you on Leverett street by the jail, and you told me to bring these over to-night; and it was sometime before you could make him believe that it was me that he spoke to, and that a joke had been played upon him. Now that man would have been ready to swear that he spoke to Mr. Train.

Now, gentlemen, where witnesses undertook to satisfy a jury that they saw a man in this city whom they took to be Dr. Parkman, seems to me like asking a jury to forgive everything that is proved and incontestibly, for the sake of making a statement in which they may be mistaken. If you are satisfied that Dr. Parkman's remains were found in the apartments of this prisoner, it is impossible for him to escape through a perforation of that evidence; then what matters it. The court will tell you that the time when this homicide was committed is immaterial; it may have been in one hour or another. The supposition is that Dr. Webster did beguile and entice Dr. George Parkman in some way or means unknown to the jury, and obtained those notes of him, and did then and there deprive him of life.

Where was Dr. Webster on Friday afternoon, gentlemen, where did he drive that day? Did his counsel answer that? Did his proofs answer that?

Is the fact which the government have put in here, that he was in his laboratory, dinnerless and alone, with no lecture to prepare? Has this fact been shaken? He has lacked no legal counsel, no friendship to seize upon every fact that could be turned to his favor; yet with all

nis, gentlemen, he has not been able to sustain his proofs.

We do not know whether he slew Dr. Parkman at one o'clock or four, and therefore the attempt to prove an *alibi* on their part is immaterial.

In the first place, gentleman, the evidence shows beyond all question that the parts of a human body had been found in the vault, furnace and tea chest. By the marvellous and beautiful science of anatomy it has been beautifully detailed to us here by that truly scientific man, DOCT. JEFFRIES WYMAN, as well as by other physicians, and I wish you to consider the Medical testimony particularly and carefully. That they constitute parts of a human body of course you have no doubt.

The testimony of Dr Ainsworth shows that it was no body of his, as he keeps an account of all the subjects for dissection that come in, and there were none of these found to be missing. We have shown you that there was every point of resemblance about the body like that of Dr. Parkman, and there was no dissimilarity between the two. If you take a man most resembling Dr. Parkman and dissect him in the same way that this body was dissected, and still you will find that his friends will discover some trace about the body so as to enable them to recognize it.

Gentlemen, you also find here the testimony of the physicians, if you find from the testimony of Mr Shaw, Dr. Strong and of others who examined these remains and have drawn the conclusion that they were the remains of Dr. Parkman, before Dr. Keep, had ever examined the teeth found in the furnace, or had identified them. I ask you whether these proofs do not testify that these were the mortal remains of Dr. George Parkman, and of no other man. Why gentlemen, consider for a moment the philosophical propositions of Dr. Keep, there is a certain peculiarity in the fact of his wearing false teeth. Now gentlemen, what are the chances that among all these points of resemblance, there should not be one single little point of difference, if they were the remains of Dr. Parkman, and I say it is not in the order of Providence that there would have been upon this matter of identity such marvelous resemblance, as we have exhibited here; we want no single point of difference unless we come to the conclusion that these were the remains of Dr. P.

I come to the positive testimony, upon which I undertake to say that you as intelligent men must be already convinced as though we had brought in here the entire body of the deceased and spread it out before you. I speak of the testimony of Dr. Keep, Noble, and Wyman, and I approach it gentlemen, reverently when I consider the circumstances under which this identification was made, it is a curious coincidence that this set of teeth was manufactured for him that he might be present at the opening of that college building of which he had been the munificent benefactor, that it should come under the order of providence that that very set of teeth should have been found to identify his remains, to vindicate his memory. I approach it reverently; I see in it the finger of Almighty God, and gentlemen when that witness stood upon that stand and gave as the history of his patient labors. The defendants

counsel here, as vigilant as they are, must have felt that the great foundation of all their hopes upon which they meant to build up something, was fast crumbling away; and gentlemen, consider that they were no volunteers, in order to fasten upon this unfortunate prisoner a charge so unimportant.

No man upon that stand testified with more reluctance than Dr Keep, that it was his firm belief that these were the teeth of Dr Parkman. He felt, gentlemen, as any man would feel in coming to the conclusion what truth required him to state to us. Take the testimony and see what becomes of the miserable production that Dr Morton attempted to advance here, that a dentist could not know his own work. But, gentlemen, you heard the testimony of another witness for the government, who gave that expressive illustration, that a dentist could know his own work as well as a sculptor could know his, and that a painter could know the face he had painted. Why, gentlemen, when we consider that a man in this dock like Dr. Webster, who has had such advantages of education as he has, who is himself a devotee of science, and we feel and know that he is so disposed. But he has betrayed his high avocation; and even if he had slain in anger or in cold blood, whichever it may be, his fellow man and his benefactor and friend, we have a feeling of honor for the profession. I cannot but thank the profession for the honor they have done us; we love and honor them, for they are here taking the stand (which they do most reluctantly) against one of their own brotherhood.

Well gentlemen, I now come to the consideration of another proposition, I consider the matter settled beyond all question that there was found in Dr. Webster's Laboratory in the vault, tea chest, and furnace, the remains of Dr George Parkman. It is not at all probable that he committed suicide, or that he died by visitation of the Almighty. No man, it seems to me, can call upon the counsel to argue a question like that. Why gentlemen, to die a natural death, and then thus be mutilated, what an inconceivable thing that he committed suicide, and that some person in mere sport had mutilated those remains and burnt and roasted that head. The circumstances under which that body was found lead us to conclude that the crime was connected with the loss of life.

We now come to the consideration of the question as to the time when Dr. Webster was found in the Collage, on that day. In the first place, we have it that he was there about 1½ o'clock. He does so in order to avoid detection. Next, counsel at the opposite side undertakes to construct another hypothesis. In the first place they insinuate their foul suspicions against the witness Mr. Littlefield, and now when all the proof is in they disclaim all imputation upon him. The witness Mr. Littlefield, who has been examined here before you gentlemen is humble in life, but honest. He is not highly bred, or highly educated, he does not assume the higher walks of social life, but he is an honest man, and a correct man. The defendant here has sought to persecute him, in as far as he could, to poison his reputation, and why? Because he knew that he possessed the means of contradicting him and frustrating all his movements and plans. I shall put Mr. Little-

field before you here as a man to whom justice should be done; justice from them who labelled him. They would first have it that if this was the body of Dr. Parkman, he must have been murdered by some one outside, who then placed him inside, in the Doctors apartments. This is their hypothesis.

Gentlemen, we are not here discussing impossibilities. Who among us can doubt that Dr. Parkman ever came down from that College after the hour in which he appeared there on Friday. But it is assumed that somebody else committed the deed out of the college. Observe the many inconsistencies of their propositions. That Dr. Parkman must have left the college, and then was way-laid by some one? We maintain that Dr. Parkman never after was seen out of that building, and here is the issue between us. The idea is, as I before observed, that this was done by some robber who way-laid him and then brought the body to the college. For what? was it for the purpose of getting it consumed? If so, would it be likely that the murderer would have placed it there in the Doctor's room? But we shall come to another theory. They happen to draw attention to his having called on the Friday at Holland's; but, Dr. Parkman, they say, passed out by a different door from what he entered. They say that when he entered Holland's he came from the college; but this has failed. These were the theories on these points when slander began to connect the name of Dr. Webster with the murder. But the murderer must have been an expert and able chemist, who was perfectly conversant with chemical knowledge. You remember the testimony of Dr. Gay in relation to the muscle of the thorax, and the strong alkaline used to cause the decomposition of the body. None but a skillful, experienced chemist could do this. When rumor began to blow up his good name, he then resorts to these desperate remedies.

Would any man in the community have ever suspected such a man as Dr. Webster—that a crime of such a character as this could ever attach to him? Could you believe that in a community like this to, where we find men distinguished for their enlightenment and intelligence—more in fact than any other class of men at this side the globe—that a man like Dr. Webster should be allowed to remain with such a charge upon him so long undiscovered. What anxiety was there not manifested, by those who had long honored, and were reared up in a near and cherished Institution—an Institution which was founded by their fathers—when these horrifying rumors began to travel in connection with it? Who could have supposed that from such an Institution, suspicion for so foul a crime would ever have been aroused—arrest from suspicion, and trial from arrest? Yet such we find it, in the case of one of its professors. The facility with which he fled from the College to Cambridge, and from Cambridge to the College, showed how much he was on the alert, always endeavoring to evade suspicion.

Four months have now elapsed since this awful murder has agitated this community to its very centre, and no other person has ever been spoken of—no other person has been suspected of this foul deed, but Professor Webster. Could any other man have undertaken to

destroy these remains, that were found in the medical college, but Dr. Webster—could any man in his senses believe that other persons would endeavor to destroy them, after all that has been revealed, but Dr. Webster? There we find the furnace in which a fire was never placed before. For what purpose was this furnace placed there? We find the remains of Dr. P. placed there—we find remains partly consumed, and then the knife, the nitrate of copper, the twine found on the thigh bone of the same description as that found in his private room, where the fish hooks were also found, and is it possible that, with the chain of circumstances that surround the entire, that any one in the world would be found that would doubt that these were the remains of Dr. Parkman, and that Dr. Webster was the assassin that murdered him.

We see that Littlefield found the remains in the tea chest, and every circumstance connected with the entire tragedy, is calculated to fix it deeper and deeper upon the shoulders of the defendant.

There are two or three great overshadowing facts in this case, which would send any common culprit, after two hours investigation, a convict from the dock.

In this prosecution, we rely on the law, we rely on the evidence, we rely on right, we rely on justice, for a verdict in this case.

They have attacked and slandered Mr. Littlefield—not the counsel, but from another quarter. They have impeach his testimony—the principal testimony upon which they have had to rely. Mr. Littlefield has a wife and family to look up to him; and his reputation is as dear to him, as that of any College Professor is to himself, and when we recollect the obloquy heaped upon him by those men, I shall not forget that something is due to him. In his examination, for one entire day, he told a plain story of all he knew about this matter, and for another day he was submitted to a rigid cross-examination, from one of the most able cross-examining lawyers in Massachusetts, and the imputations heaped upon him, it shall not be my fault if I do not have them cleared away.

We find the property of the murdered man in the possession of Dr. Webster. Counsel here alluded to the testimony of the witnesses who had supported the case for the prosecution, and went on to call the attention of the jury to the present of the turkey given by Dr. Webster to Littlefield, for the first time, which he contended was done for the purpose of warding off suspicion from his mind.

After further commenting on the ingenuity of the prisoner, in disposing of the remains in the College, he continued:

I proceed now to consider the conduct of Dr. Webster in reference to the statements he made to different persons. Now three or four of these statements according to his own showing, have been proved untrue. The statement that he made to Dr. Francis Parkman and Mr. Blake, that he would cancel the mortgage, which he could not have performed. I say to you farther, gentlemen, that you are to consider the more serious question, and that is the statement of Dr. Webster, that he had paid that money, which from the evidence adduced here, he has never done. Take, gentlemen, the account you

have of Dr Webster's deposits in the Charles River Bank, and compare them at your leisure. I will not dwell upon them.

Between the bank and the statement of Mr. Pettee there is exact coincidence. Yet it has been hinted that he took out of this enough to make up what he had been saving for months. From the amount of the funds of Dr. Webster in the bank, and from his various statements of their deposition, it clearly appears that he never could have paid the Parkman mortgage from this source. The counsel for the prisoner have not endeavored to show where he procured the money which was alleged by him to have been paid to Dr. Parkman. Let me say to you, gentlemen, that for months he has had the command of the entire treasury of this Commonwealth, to summon here every witness from whom he had received a dollar. You will observe that in the statement that I made to you, that the results of the inquest were not placed my hands until the prisoner at the bar had seen them.

The interview with Mr Pettee was a chance one, he having called at 9 o'clock, the defendant tells him that atrocious falsehood that Dr. Parkman was deranged and had put his business into the hands of Mr. Blake, and that he should have no more difficulty with him. Is there not something singular in the defendants going to Dr. Parkman's house and requesting him to call at half past one, to receive the amount due him on the mortgage when it was as likely that he could pay him then as well as at the time fixed.

Mr. Clifford here entered into minute details concerning the various pecuniary transactions between the parties, showing the nature of the transaction between them in all its details.

Gentlemen, I believe that nothing has been left undone which could have been done for the defendant. If he did not pay the money to Dr. Parkman, and that he has not done so is clearly proved from all the facts which have been deduced, where did the defendant get those notes? You will find a little memorandum on one of them that it was paid Nov. 22, 1849, is it an after thought that Dr. Parkman might have shown these notes to some one after that time.

On Friday morning, Dr. Webster received a check from Mr. Pettee for \$90, as the proceeds from the sales of tickets, from which he is to pay Dr. Parkman. We find that he deposited the \$90 in the bank the next Saturday the 24th. That \$90, instead of being devoted to the claim of Dr. Parkman, was put into his own pocket.

I now leave this matter of finance, and come to consider the circumstances which have been developed here in this testimony. What, gentlemen, was the condition of things in that laboratory where these remains were found? I shall go more hastily over these things than I expected to when I commenced this trial, but there are some things to which I must call your attention and which it would be great injustice to overlook.

In the first place, with the remains were found towels, which were produced here. I shall call your attention to these towels some of them marked with the initials of Webster's name and were nearly new. One of them it is here clearly in proof before you, was in the laboratory in the upper room on the morning of

that Friday, on which that fatal event took place. Then gentlemen, I call your attention to the knife found in that tea chest. Why gentlemen, the counsel for the defence overlooked in their comments, the fact that on the 17th of November that knife was over at Cambridge, and afterwards between the 17th and 23d November was brought over to the Medical College. Well now gentlemen, it is said that suspicion fastened upon Dr. Webster, because that the minerals which were not entirely covered with tan when seen on Tuesday, and were covered to a greater extent on Friday. Why from the very fact of a formal search being made, and public attention being called, would it not have been sufficient to prompt such a man as Dr. Webster to have piled on more minerals. Then gentlemen, I call your attention to the hammer and the knife which had the appearance of being recently cleansed; you have the testimony of Dr. Jackson upon this point.

These are in fact deadly weapons which he might have used. They are connected with the body of Dr. Parkman and with no other human being. Then there was that tan sent there in a suspicious way. It is a matter of common experience that tan will stifle any unnatural odor in the decomposition of flesh. You will remember that the bag of tan was placed on the outside by Mr. Sawin, the express man, why was he not allowed to come in as he had done before. The bag of tan was taken in but the box was left outside. There were in that Laboratory two barrels of pine kindling and they were nearly gone.

Then in that furnace were found among the remains a shirt button, showing that clothes had been consumed in that furnace, and then there were drops of blood on the pantaloons, showing that they had not dropped from above on a perpendicular surface, but were scattered from beneath, and also, in testimony, you have stains on the stairs, which were fresh. These stains turn out to be made of nitrate of copper which is a very excellent agent in removing stains of blood. I defy any man to look at those stains as you have done, and be satisfied that there has not been thrown upon them this nitrate of copper, not spattered on them.

Dr. Wyman tells us that water was used there in most unusual quantities during that week. Water was drawn in large hogsheds. You have been told there was no stain of blood, but would there have been when water was used so freely?

Then, gentlemen, as to the matter of skeleton keys, they were filed to all appearance only a few days before. Was the filing of those keys done by himself or not?

We cannot trace the course of this man any more than we can trace the course of the serpent upon the rocks. Then gentlemen, we find that in his private rooms, there were grappels made of fish-hooks which he had purchased on the previous Tuesday. If those remains were cut up and deposited in the vault, the circumstances lead us to conclude that these grappels were made for suspending the body in the water. You find around the thigh of those remains in the tea chest a piece of twine which the counsel for the defendant so contemptuously spoke of, but that twine was in the tan in that laboratory in the private rooms of Dr. Web-

ster to which he alone had access. Let me say something about the mode in which the body might have been cut up and destroyed by alkalies. But gentlemen, I come to what is of more importance. Dr. Webster carried in his pocket the keys of that privy, in the vault of which were found those remains. Now I shall ask you gentlemen to give this matter serious consideration, whether a man of science would carry with him in his pocket so cumbersome an article as that which by no possibility he could carry for any honest purpose; that key he had carried with him, and as to the matter of the blankets that was a matter which he should not attempt to express.

Now let us come to the mutilated remains, which have been found in the rooms occupied by the prisoner at the bar. Now what were the actions of the prisoner during that week. In the first place, he was locked in his laboratory at unusual hours, during a week of official lectures. That he was locked there during that time, does not depend upon the testimony of Mr Littlefield alone, but you find it from the testimony of Mrs Littlefield, and of the officers and Blake, Shaw and others. And we find also that very intense fires had been kept up during the week, where none had ever been made before. I have already stated to you and the Court, that upon a critical examination of the testimony, which is of the most significant and corroborating character, that he was there on Friday afternoon, and that there was no trace of him from Saturday morning until the afternoon of that day at one o'clock.

Is not the argument as fair that Webster had come over and opened the laboratory, as that any one else had done it. Littlefield, after he had built his fire in the stove, was about to proceed and go down through the laboratory, and he received for the first time in his life, a peremptory order to go out the other way. On Sunday, gentlemen, he was there, and had an interview with Mr. Blake, and this is dwelt upon as a sure sign of innocence by his counsel. A story was then prepared, and it is asked with great significance, if a guilty man could have communicated the fact of the murder in the manner in which he did to Mr Blake.—For he had his dinner at an early hour, that he might go over to Boston, and communicate to the unhappy family of the brother of the deceased, when he saw him last, and the circumstances attending that interview. The object of that interview appears to be, to have impressed upon Dr. Francis Parkman's mind just two things—that he had paid the money to his brother, and also that his brother was in a strange condition, when he rushed out of the room. At that interview, he appears unsympathizing with the affected family. Then, gentlemen, on Monday, an interview takes place with Mr. Blake, in which he appears to be bracing himself up to answer all necessary questions. He said that Dr Parkman held his mortgage, but that he said he would go over to Cambridge and see that it was cancelled, and yet that mortgage had been found among Dr. Parkman's papers.

Let us now, gentlemen, mark the manner in which Dr. Webster conducted himself at these two interviews. At that interview with Dr. Parkman, he appears cold and formal while in the other he effects an unusual cordiality of man-

ner, for in bracing himself up for such an interview as he was to have with Mr. Blake.

The interview, which he had also with Fuller and Thompson, you will consider. Let us now examine the evidence that relates to the search made by the officers in the Laboratory. Dr. Webster was at work in his Laboratory on Monday but on Tuesday he said he wanted no fires because his lectures would not bear it.

Now what is there in the evidence which has appeared that will exonerate Dr. Webster from the suspicion that attaches itself to the circumstance. Why, gentlemen, there is a case for explanation. It was a matter that could have been propounded to Dr. Webster by his counsel, and he could have shown what was the object of that lecture on that day. By the testimony of Mr. Kingsley we find on that day there was a bright fire in the assay furnace, and Dr. Webster was in the room with him while he was there. In that place a fire was burning, and Dr. Webster was there. The tea chest was in that room; the cabinet of minerals was there. On Wednesday morning, and the testimony is uncontradicted, Prof. Webster was engaged at that time in that room; you find that he did not go out to Cambridge until 11 o'clock, in order to keep up the alibi which it was necessary for him to prove. He had set his material at work. Fire was left burning and smouldering away. On Thursday, Thanksgiving day, he was at home at 10 o'clock. On the Tuesday previous, he appears to have come in, to make a present of a turkey to Mr. Littlefield.

For what purpose did he order that tin box, which was made expressly for him? It is said by one of his daughters that they were in the habit of sending plans to Fayal, but if it had been made for such a purpose, would it have required a box constructed so strongly, with a handle that would bear the weight of 100 pounds, although it has been intimated by his counsel that it was made for such a purpose. The box was soldered tight to keep it entirely from the external air. No man ever heard such a thing as that a box of such a description would be made for such a purpose. When he ordered that box at Waterman's he endeavored to impress upon their minds the fact that Dr Parkman was seen going to Cambridge, after the interview he had with him at the Medical College. In that conversation he tells the story about a woman being in a mesmeric state, and having told some one about Dr Parkman's being carried off in a cab. I do not know how it strikes your minds, but is it not strange that a teacher and a professor in a college should be undertaking to impress upon their minds such things as those?

This same story he has attempted to impress upon the minds of others. Also, he endeavored to impress the mind of Mrs Colburn; but the idea that Dr Webster was seen by her on Friday, and in talking with her he asked her over and over again, are you sure that it was not on Friday? It has been shown in the evidence here that he went home to Cambridge on Wednesday evening between ten and twelve o'clock. As to his conduct at home, subsequent to this time, in his visits, he is playing whist. Is it not all consistent with the design which he intended to carry

out. True, it would require nerves to do it but he had it, and this nerve he manifested in all his subsequent conduct, only except when fear fell upon him and exposure stared him in the face. Gentlemen I have but one word to say to you in referenc to those anonymous letters.

The counsel upon the other side has called your attention to one single feature in those letters, which were spoken of by Mr Gould, the writing master, and that was the manner in which the figure nine was made. I ask you, gentlemen, to look at that figure and see if it is not evidently a disguised figure.

Gentlemen, I will call your attention to the testimony of Mr Gould and Mr Smith, who for more than twenty years have been familiar with handwriting, and who take the responsibility upon their oaths, of saying to the jury that they have made a thorough examination of the letters, and are prepared to say that Dr Webster wrote that letter.

If gentleman, a mechanic skilled in any branch of mechanics should come upon the stand and should tell me as a lawyer, that such a thing could be or could not be, which was exclusively within the province of his art, ought I not to believe him, and defer to him in that respect? If a ship master should come upon the stand and undertake to tell me, that in a certain condition of things such a result would happen, I should believe him. When a man is willing to undertake the responsibility which fifty years experience in examining hand writing has given him, and is prepared to swear that he has no doubt that the letter in question was written by a person with whose hand writing he was familiar, should we not believe him? Gentlemen that letter was written by a man accustomed to composition. You will see that the word *ciotis* is the Latin word for citizen,

It must have been written by a man who had some knowledge of the Latin tongue. But would a man of character and education be likely, in a matter so interesting to the public, so interesting to an afflicted family, have undertaken to communicate with public authorities by anonymous letters.

If Dr. Webster was an innocent man, and if he wanted to make any suggestion to the public authorities, would he not have done it under his own name.

You will find that this letter was not written on a species of paper which an ignorant man would be likely to have in his possession, for it is written on fine, delicate note paper, and we find that it was not written by a pen but by an instrument which was found in Dr. Webster's laboratory.

I now propose to call your attention to the appearance at the time of his arrest.

Gentlemen, his conversation with Mr. Starkweather is too important not to have your attention called to it. Here is a man, certainly of intellectual culture, certainly of a certain degree of self-discipline, expecting to be called upon at his house, after his own premises had been searched for the missing body of one whose disappearance had excited the public attention to so extraordinary a degree. There was, he ought to have said, a supposition, in

that letter, that the body had been cut up. He was waited upon at his residence by three of the Police officers, who told him that they wished to make further searches, and that they wished him to accompany them. He expresses no surprise when they made the request, but gets into the carriage and goes over with them, and calls the attention of the officers to the fact that Mrs Colburn may know something about Dr Parkman, and proposes to them to go around that way. Did he think that Mrs Colburn would tell any other story, or that she would vary that statement? Was it done with the impression upon his mind that he was under arrest and that nothing could be discovered? Whatever that might be, they go to the jail, when he was supposing they might be going to the college. When they reached there one of the officers gets out and goes round to the jail door, and then coming back requests the gentlemen to get out. Here were three constables of the city of Boston and a professor of Harvard College stopping before a prison, and when he is requested to get out of the carriage, he quickly follows them into the jail, and then is informed of the fact that he is arrested. He is then informed by one of the officers, "that we have been searching about the Medical College—we have been looking for the body of Dr Parkman—we shall look for his body no more—you are now in custody for his murder." He then articulated a few sentences and said I wish you would send to my family. He recommended him to postpone it until morning.

Now, gentlemen, what is his conversation when he is left alone with Mr. Starkweather. Appeals have been made to you to consider him as an irresponsible being at such a time, and not to take his declarations any more than you would those of a raving maniac, but he had intelligence and malevolence enough to make causeless accusations against an honest though an humble man, and to create suspicion against Mr Littlefield. He says to Mr Starkweather, you might say something about it. Among other inquiries was this, "Did they find the whole of the body?" The officer told him not to ask any questions about it.

You may see that no man could have had more forbearance from government than the prisoner had that night from the officers. He was expressly enjoined not to ask any questions, by Mr Starkweather. Says Dr. Webster, "tell me something about it." What could have prompted all these enquiries? I ask you if an innocent man, with the hand of a police officer resting upon his shoulder, and with the words, so fearful in their character, as "we have done searching for the remains of the murdered man, you are in custody on the charge of murder," what would suggest to you such an idea as that conveyed by the words "Is the whole of the body found?" If you had no knowledge that the body had been cut up. In that expression, gentlemen, outspoke the guilty conscience.

When the inquiry is made of him, if any body had access to his private apartments?" he answers, "Nobody has access but the porter who makes my fires."

Then he says, after a moment, "That villain! he has ruined me!" Then he puts his hands in his pockets. What he took out, no one can tell;

but after putting it into his mouth, he had those violent spasms which continued through the night; in the course of which, when he was taken into the cell, in the presence of the jailor, he was utterly prostrated and helpless, comes out from him that remarkable confession,—“I expected this.”

Now, gentlemen, trace him down to that very time. When they were searching his private rooms, he was reasonably well and self-possessed. He could make remarks like this.—“They will find nothing there.” But when they got there, into the very laboratory, and the truth began to break in upon him, that the remains were found in the privy vault, then, gentlemen, came those spasms again; and let me ask you how to account for the sweat which streamed from him, although he complained of cold; and one of the officers when he put his hands upon his knee, felt that it was saturated with sweat. His coat was also moistened by perspiration.

Let me ask you, gentlemen of the jury, if you can believe that this was occasional by the mere prostration of the physical man, or whether it was a guilty conscience that drew the sweat of its mortal agony out of him. Then after he had got back into the carriage, he says “Why did they not ask Littlefield to explain about this.”

Gentlemen, the prisoner comes here to-day through the forbearance of the government officers, without having the testimony put in here, of his own declarations on that fearful night, which were extorted from him by interrogatories.

Now, gentlemen, I have another fact to comment upon. On Saturday morning, Mr. Andrews tells you, Prof. Webster made the cruel charge against Littlefield, not as the counsel for the defence here placed it before you, in impressive and pathetic tones; but in a flippant manner. “Those remains are no more Dr. Parkman’s body than my body, and how in the name of Heaven they came there, I don’t know.”

This is the whole of the defence, and yet he made no inquiry, except the single one which he made of officer Starkweather. Can you conceive of an innocent man, through 24 hours nearly, being perfectly mute, making no inquiries, tending to convict him with the perpetration of of such a horrible deed, from the time he was placed in his cell until the next Monday, when he comes before the Police Court. Then he says, “I will go into prison, I will let my name be blighted by the pre-judgment of the world.” I will wait until the government wishes to try me.

He returns to that prison and writes his letter to his daughter, in the following words: [Reading to the jury the letter sent to his daughter, which had been introduced in evidence.] Gentlemen, this letter is from a man of education who has lived all his days under the refining influences of cultivated and domestic associations; here is a man, a Professor in a Christian University, whose motto is “God and the Church.” He is in a cell of the prison, and as described by his counsel, he sits down under this terrible accusation—an accusation that he has been guilty of a crime at which the universal heart of the world revolts.

Gentlemen, he has been represented as the victim of a conspiracy when the accusation was made against him, but he sits down quietly to ask his wife to conceal that bundle which he had received from Dr. Parkman.

Now, gentlemen, you will find in regard to these papers, that when Mr Clapp went to Mrs Webster, request to of her those papers, that the bundle was underscored, “not to be opened.” I ask you to consider that in the first communication Professor Webster sent to his family, after his arrest, which took place when he had no opportunity to communicate with them, you will find proofs of such a character and such a tendency.

Not a word of relying on Divine Providence do you find in that letter, nor a word that he himself is assured of his own innocence, and exhorting his wife to keep up her heart that it will be all right, not a syllable that could aid his daughter to bear up under his conviction, but all that is said is in relation to his physical enjoyments, with respect to the turkey and the rice, which he had relished very much, and the request for a little pepper and tea.

This, gentlemen, is a letter from a father to his child! What a character it indicates.

Gentlemen, you have been asked to consider, if this act was done by Dr Webster, whether it had been done in the heat of blood, provoked by contest. Would to God that it were so—that he had killed him in the heat of contest, but his subsequent conduct with his friends and family, entirely repel the assumption, so that I do not feel it incumbent upon me to touch upon the various relations that grow out of such a state of things. But, gentlemen, it is immaterial for your verdict, whether it was premeditated one day or one minute.

If you are satisfied that he removed Dr Parkman from this mortal life, by an act of his, if it was done by an instrument which would cause death, then it is such as it would imply if it was done with malice. If we may be allowed, we will cite here a definition for murder, which has been ascribed to the great reader of human nature. “It is to bloody, first cut off the limbs, and then to hack them afterward.”

Gentlemen, have you a doubt, with all this evidence that Dr Webster killed Dr Parkman? It is not a mere possible doubt that will justify you in acquitting this prisoner. It must be a reasonable doubt, which, if carried beyond propriety, would leave us floating in uncertainty.

Gentlemen, you have had appeals to you in behalf of the prisoner’s family, both at the commencement and close of this trial. God forbid that you should forget them. That you would remember them more than he remembered the family of Littlefield, when he sought to fasten upon him the suspicion of murder. There is another family you should remember, the family of Dr Parkman. That family we must not forget. That wife, whose honored protector has been murdered; that invalid daughter, on whom his last thoughts most probably rested, as was indicated by that purchase on Friday, and whose only sunshine in the weary hours, was the presence of him who with so much assiduity and kindness visited her with smiles every day.

That young man, the son who was compelled to hear, while in a foreign land, that he should see his father’s face no more, and who came back to enter prematurely upon those large responsibilities devolved upon him.

Gentlemen, it is one of the powerful penalties of sin, that the innocent should suffer with the guilty. This is a matter of every day’s experience that a mother’s heart, that a stricken, heart-broken sister, have appealed for mercy for some erring son or brother; it is so everypwhere. No man can transgress the laws of God, or man, without involving others in suffering. But that is no reason why we should fail here to do our duty resolutely, firmly, and like men. It was a remark of a great English statesman, that the great object of government was to obtain a good jury. If in any government this is obtained, it is eminently so in our own. The constitution of this Commonwealth, as its first great object, has the protection

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and security of human life against the passions of the wicked. But, gentlemen, it is not for you to undertake to exercise here a prerogative of mercy; a prerogative which is assigned by the constitution to another tribunal. Gentlemen, if you undertake to assume the exercise of mercy, you take upon yourselves a prerogative which is confided in other tribunals. I very much doubt, indeed, whether those murders which have thickened upon us by the assassin's poison or bludgeon, and which have darkened our own annals for the last four Months; I very much doubt whether I we should have had occasion to deplore them, had it not been for the weakness of the jurors. If ever there was a case which requires men to stand up resolutely and bravely, in discharge of their duties as citizens it is here. Now, gentlemen, that mercy which is to be exercised by a jury, may oftentimes be more beneficially exercised by convictions, rather than by acquittals. You cannot; we cannot tell how many of these great crimes might have been saved the human family, if there had been this fearless discharge of duty.

I feel not an unwarrantable solicitude for the due administration of justice in my own Commonwealth, and I hesitate not to avow it. I do not believe that on the twelve men impanelled here higher responsibilities are resting than have ever been involved upon any twelve men in Massachusetts. Remember, gentlemen, that we have had here, through these long and weary days, those who will carry the results of trial, and all this mass of proof, unanswered as it has been, by any explanation or any evidence on the part of the defence, to be read in all languages, as a memorial of you among all men, and of the character of inflexibility and fearlessness in every case arising, in which the law, paramount and superior, can be administered in the Commonwealth founded by the Pilgrims.

Chief Justice SHAW then asked the prisoner if he had anything to add to what his counsel had said in his behalf.

Professor WEBSTER then rose and commenced in rather a confused manner, without addressing directly either bench or jury, and said:

I have desired to enter into an explanation of the complicated network of circumstances, which by my peculiar position the government has thrown around me; and which, in nine cases out of ten, are completely distorted, and probably nine tenths of which could be satisfactorily explained.

All the points of the testimony have been placed in the hands of my counsel, by whom my innocence could have been fully established.

Acting entirely under their direction, I have sealed my lips during my confinement, trusting myself entirely to them. They have not deemed it necessary, in their *superior wisdom*, [this was said in an ironical tone] to bring forward the evidence which was to exonerate me from a variety of these acts.

The government have brought whatever consummate ingenuity could suggest against me, and I hope it will not have an undue influence upon my jury. I will not allude to many of the charges. There is one which touches me, and that is the letter which has been produced, and it is not the first.

I have read in one of the daily prints, which are distributed in my apartments, and in various publications which have been made respecting them, one, that I had after the disappearance of Dr. Parkman, purchased a quantity of oxalic acid to remove the stains of blood, and it in-

stantly occurred to me, that this parcel might be saved and produced when necessary.

For several days Mrs. Webster had requested me to purchase some acid for domestic use, and as my wife had repeatedly laughed at me because I had not purchased it, I had borne it in mind that afternoon and had gone into Thayer's store, under the Revere House, and made the purchase, and waited till the Cambridge hourly came along and then jumped into the omnibus with the bundle. I went home and gave the bundle to my wife, and when afterwards I heard so much said about the bundle, it flashed on my mind in a moment, that this must be the bundle. It was to this bundle, and not to any document that I referred in the directions to my wife.

As regards the nitrate of copper. In the usual lectures preceding my arrest, I had occasion to use the influence of chemical agents in producing changes of various subjects; among others, upon gases. I prepared a large quantity of oxalic acid gas. A gallon jar was filled with gas in order to produce the changes from dark color to orange, and also in air. On great heat being applied to the jar, the gas was driven through water.

As to the nitrate of copper spilt on the stairs and floor of the laboratory, it was spilt accidentally from a quantity used by me in my lectures between the day of Dr. Parkman's disappearance and my own arrest.

So I might go on explaining a variety of circumstances which have been distorted. My counsel have pressed me to keep calm. My very calmness has been brought to bear against me. But my trust has been in my God and in my own innocence.

In regard to money, I must say a word. The money which I paid Dr. Parkman on the afternoon of Friday, Nov. 23d, I had saved up from time to time, and kept it in a trunk in my house in Cambridge; but unfortunately no one ever saw me take it out; therefore, I can only give my word that such is the fact.

Several years ago I had students who were in the habit of being in my laboratory, and who injured my apparatus. Therefore I prepared every thing for my own use in my lectures with my own hands, and that is the reason why I excluded persons from my laboratory.

As regards my whereabouts from the time of Dr. Parkman's disappearance, I have put in my counsel's hands satisfactory information, which will account for every day I spent during that week—for every day and every hour I ever was absent from home.

As to being seen by Mr. Sanderson. I was at home every evening. One thing that has been omitted by my counsel, was that on the Friday on which the alleged murder was said to have been committed, I had purchased Humboldt's new work, *Cosmos*, and while waiting for an omnibus, stepped into Brigham's to take a mutton chop, and in coming out to take the omnibus had forgotten my book; but after my arrest, remembered the place where I had left it, and mentioning it to my counsel, they had sent to Mr. Brigham's and the book had been found.

He then took his seat, but in a moment rose again and said:—

I will say one word more. I have felt very

much distressed by the production of those three anonymous letters—more so than by anything that has occurred during the trial. I call my God to witness, if it were the last hour of my life, that I never wrote those letters. Since the trial commenced, a letter has been received from this very *Civis*, by one of my counsel. If this person has any spark of humanity, I call upon him to come forward. A notice to this effect has been put in the papers.

The prisoner then took his seat, and Chief Justice SHAW commenced charging the jury, as follows:—

CHIEF JUSTICE SHAW'S CHARGE TO THE JURY

The responsibilities that press upon this trial are deep and solemn. On account of the great length of time under which this case has been in consideration I shall not detain you in suspense, but shall endeavor to be very brief. The question after all is of fact, and I shall not detain you long by a consideration of the facts which have been so fully stated to you and proved in this trial. I shall not dwell upon many of the principles involved in this case, but shall dwell upon few of the plainest. Gentlemen, the nature of your duties, the solemn powers with which you are invested, the great solemnity which attends your verdict, carry with it a degree of solemnity to all minds more deeply than words of man can convey. Our laws, gentlemen, are administered upon the principle that by the distribution of various powers to several departments of duties, each is held responsible for its own.

The law has intrusted the department of the government of making laws to one body of men, and decided what the law shall be, and giving to another body of men to decide what the law shall be to fix its penalties, and to vindicate them when they are violated. We are responsible to those laws, and it is our duty to carry them into execution—to see that they are administered justly. As the proper province of the jury is to take the law and define it when any particular person is charged with the violation of it to be brought before us, consider then what the law is and what evidence, for the greater security and administration of these laws, all invested in the highest court judiciary to enquire into the facts alleged, and to see that judgment and justice followed. Gentlemen, it is made a duty of jurors, from the mass of evidence, from their greater experience to take this mass of evidence into their hands, and pass judgment upon occasions that may arrive.

With these few preliminary remarks, I will at once proceed to consider the present case. Gentlemen, the present indictment charges the prisoner at the bar with the commission of a heinous crime, murder. Murder is the highest degree of homicide. Of homicide there are various degrees, some of which may be committed in self defense, some in justifiable war, or

others by officers of justice in the execution of legal warrants. Homicide embraces every species of murder by which the life of man is taken. There may be lawful homicide; it is justifiable with self defense. Our books furnish us with the rules which are in fact the common law of England. The statute law only provides that wilful and unjustifiable murder shall be attended with the penalty of death; but that is not the only law which we have on the subject. We have the common law among us.—

In order to make homicide justifiable, the prisoner must prove the provocation of such a character. I hope that every man on the Jury will perform the duty entrusted to him with that fidelity to the institutions of human society as by so doing we may afford that security and protection which is most desirable.

The Chief Justice at this point read his own opinions of the nature of malice and murder.—To avoid malice, a prisoner must always establish a provocation or any other circumstance which goes to preclude malice.

When there is an evident design to kill, if the deed has been done in a moment of sudden passion or anger, is reduced from murder to manslaughter. Angry words are not of themselves a sufficient provocation, but if from words the parties come to blows, then there is sufficient provocation for a man in the heat of blood to kill another, and in this case the crime would be manslaughter. By murder, we understand a deliberate, wilful, taking of a human life with malice aforethought, and that malice is inferred from settled and harsh acts against another. If one person strikes another with some dangerous instrument, intending to do him great harm, and death follows, the law presumes it malice. Unlawful killing is distinguished into murder and manslaughter; murder, in the sense which is now understood, is the killing of any person either with malice aforethought, either expressed or implied by law; malice, in this definition, in technical sense, including anger, hatred, or any unlawful and unjustifiable method of resorting to force.

The learned Justice then read authorities to prove his position. Malice is implied from any deliberate, cruel act. Manslaughter is the unlawful killing of another, as where they give way to sudden and violent passion. From these two definitions it would be at once easy to make the distinctions between manslaughter and murder. The object of the Coroner's inquest is to find how a dead body presented before them, met its death. There is no distinction in the law as regards persons, whether he be a colored child or whether it be the most distinguished member of the community, the same machinery must be moved. The facts in this case, relied upon, to prove that Dr. George Parkman came to his death by the hands of J. W. Webster, are entirely of a circumstantial character; for in this case, no individual saw the murder committed, yet there may be facts brought together and found in such a link as may produce a reasonable conviction upon your minds. This necessity of resorting to circumstantial evidence in order to protect ourselves from the evil influences of crime. Every sort of evidence as its benefits. We may very often arrive at a true state of facts by circumstantial as well as by positive evidence, but the

inferences from circumstantial facts should be natural and necessary. Suppose in the present instance that the teeth found in the furrow are identified clearly as those made for Dr. Parkman by Dr. Keep before his disappearance. That fact is sufficient to establish a conclusion that the remains are his.

I now come to consider the indictment in this case. The first count charges that the prisoner with a knife, stabbed the deceased, by which he came to his death. The second count charged that he struck him with a sledge hammer, which also caused death. The third count charges that with blows on the face, with kicks and bruises, that he caused the death of the deceased; and the fourth count charges that the accused caused the death of deceased in some manner or means unknown.

What are the parts charged here? That on the 23d of November, in the afternoon, Dr. Parkman being in good health and spirits, was seen to go into the Medical College, between half-past one and two o'clock. Two questions arise for the consideration of the jury, "were the remains subsequently found, at the college, the remains of Dr. Parkman?" and again, if so, "was death caused by violence?" and if so, again, "by whom?" In the first place, it is proved by the testimony that he was seen there, at between one and two o'clock, in the afternoon. Evidence has been introduced to prove these facts.

No doubt there are stories in circulation, always on occasions of this kind which are apt to clash with each other. In fact on occasions like this, whole communities are disposed to form themselves into an inquisition, so as to investigate, and get all the information they can upon the matter that excites and interests them. But it too often happens that people may be mistaken in their opinions. Then if "reasonable doubt" exists it is for the jury to decide upon it according to the evidence.

It sometimes happens, too, that judges are apt to advise an acquittal, in cases of murder, unless where the body is found. This is an erroneous means of trying an issue. Suppose a man was struck with a hatchet on ship-board, and that he was afterwards thrown overboard. Is there to be no trial for such an offence, because the body is not found? If such were the case, there would be no security for life. He again adverted to the character of the murder, and the condition of the remains, as found in the Medical College, and called the attention of the jury to the testimony, which went to show that the remains found in the college were those of Dr. Parkman. His Honor called the attention of the jury to the testimony of Dr. Keep, who proved that the mineral teeth found in the laboratory were those of Dr. Parkman. He next took a cursory view of the testimony, having reference to the pecuniary dealings between Drs Webster and Parkman, and concluded his address to the jury, by stating that the court committed all the facts of the case to their most serious consideration.

They had been selected to enquire into the entire facts and circumstances, and the Court trusted they would seriously and calmly come to such result as would not only satisfy their own judgments, but enable them to give such a verdict as would give general satisfaction to every one in the community.

THE VERDICT! GUILTY!

The case was committed to the jury at 8 o'clock P. M.; who retired to a traverse jury room on the third floor of the Court House, to consider upon their verdict.

At half past 8 o'clock Sheriff Eveleth asked the prisoner if he would not like to retire from the court room to a private room in the building, and upon his giving his assent, he was conducted by constable Jones to a room, where he remained till summoned to learn the fate of the jury.

The spectators present who remained conversed in knots of ten or a dozen upon the evidence and the probable verdict of the jury.— There were some two hundred persons present, about fifty in the gallery, and the rest in the body of the court room, consisting of lawyers, physicians, clergymen, reporters, policemen and others interested in the verdict. At twenty minutes before 11 o'clock a movement was heard at the door of the Supreme Judicial Court Room, and presently a number of gentlemen came in, and among them the counsel for the prisoner, Mr. Sohler and Judge Merrick, the counsel for the government, the Attorney General and Mr. Merrick, Judge Bigelow, and Mr. Willard, clerk of the court, and a few others.

Soon it was whispered around that the jury had agreed upon a verdict.

About five minutes after, the jury made their appearance in charge of the officers to whose keeping they had been confided, and took their customary seats.

Professor John W. Webster came in to the court room in charge of officer Jones. He moved with a quick, nervous step and took his place in a chair beside the Prisoner's Dock, which he soon after changed for the arm chair inside the iron picket enclosures.

His appearance was unchanged, except a serious dejectedness which was apparent in the contraction of the muscles about the mouth.

At 10 minutes before 11 o'clock, High Sheriff Eveleth came, and announced the Court.— Chief Justice Shaw, and Associate Justices Wilde, Metcalf and Dewey made their appearance, and took their places on the bench.

The Clerk of the Court, Mr. Willard, then said, addressing the jury—

"Mr. Foreman, and Gentlemen of the Jury, have you agreed upon your verdict?"

Mr. Bryan, foreman of the jury, bowed assent.

The clerk then turned and addressed the prisoner—"John W. Webster, hold up your right hand!"

The prisoner rose and looked steadily and intensely upon the foreman of the jury. The clerk then said, "Mr. Foreman look upon the prisoner. Prisoner look upon the jury."

Professor Webster still maintained his fixed and intense look of enquiry upon the foreman, trying to gather from his countenance some indication of the sentiments of the jury upon which depended life or death to him.

The Clerk continued, "What do you say, Mr. Fore-

max, is the prisoner at the bar guilty or not guilty?"

"GUILTY!" was the solemn response.

The hand of the prisoner, which had hitherto been held erect, fell to the bar in front of him with a dead sound as if he had suddenly been deprived of muscular action. He soon sat down, his limbs in the meantime giving evidence of failing. He put his hand up to his face, but his nerves trembled so that he appeared to be fumbling with his fingers under his spectacles, and bowed his head down, apparently to the Court, as he took his seat.

Mr. Byram, the foreman of the jury, at the same time held his hand before his eyes, as if overcome by the painful duty he had performed.

An awful and unbroken silence ensued, in which the court, the jury, the clerk, and spectators, seemed to be absorbed in their own reflections.

The appearance of the prisoner at this time was painful to contemplate. His eyes were closed, his head had sunk on his breast, from whence came a deep, heart breaking sigh, which spoke of the unexpressible anguish of his soul and of the crushing blow which had fallen upon him.

Chief Justice Shaw broke the silence and suspense that ensued, and was becoming intensely painful, by dismissing the jury in a husky voice, indicating the deepest emotion, and requesting their attendance on the Court at 9 o'clock on Monday morning.

Mr. Merrick, the prisoner's counsel, then went into the prisoner's dock and spoke a few words in his ear and soon after the order was given by the court that the prisoner be remanded, which was done after the gallery had been cleared by the officers.

The whole proceedings did not occupy more than twelve minutes, and was a scene never to be forgotten by those who were present.

The verdict was received by the crowd outside of the court house with not a few expressions of regret. It was rendered without any recommendation to mercy.

After the spectators had been dispersed from the court house, the prisoner was removed by the officers to Leverett street jail, to await his sentence.

Thus has ended this long and arduous trial. The righteousness of the verdict continued a subject of earnest comment till a late hour of the night.

By the Court before us, it appears that you have been indicted by the Grand Jury of this Court for the crime of murder, alleging that on the 23d of November last you made an assault on the person of the George Perkins, and by such assault, deprived him of his life, which is a capital offense.

This is a charge of a very heinous nature, and one which is attended with the most painful consequences. It is a crime which is attended with the most painful consequences, and one which is attended with the most painful consequences.

The charge of an offense so aggravated, and one which is attended with the most painful consequences, is a crime which is attended with the most painful consequences, and one which is attended with the most painful consequences.

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Chief Justice Shaw then asked the prisoner if he had anything to say in his own defense. The prisoner signified that he had nothing to say.

The Court then in a very feeling manner, proceeded to give the verdict of the law as follows:

VERDICT OF THE COURT—THE PRISONER IS GUILTY OF MURDER IN THE SECOND DEGREE.

John W. Weston—in making you hear the law, I am not to be understood as saying that which you are convicted of is an unpardonable crime, but I am to be understood as saying that which you are convicted of is a crime which is attended with the most painful consequences.

At all times, and under all circumstances, a feeling of indelible remorse attaches to the memory of the stern voice of retributive justice, which conveys a fellow being to an untimely and premature death.

But when we consider all the circumstances of your past life, your various relations to society, the claims upon you by others, the hopes and expectations you have cherished, with your present condition, and the agonizing death which awaits you, we are oppressed with grief and anguish, and nothing but a sense of imperative duty imposed on us by the law, whose officers and ministers we are, could sustain us in pronouncing such a judgment.

Against the crime of which you are convicted, you stand convicted—a crime at which human beings shudder—a crime every where and under all forms of society, regarded with the deepest horror—the law has pronounced its severest penalty in these few and simple, but solemn and impressive words—

"Every person who shall commit the crime of murder shall be held guilty of the same, and shall be punished with death."

SENTENCE

OF

PROFESSOR J. W. WEBSTER!

At five minutes past 9 o'clock the prisoner was brought into the court room by officer Jones. His appearance indicated much mental suffering, but he endeavored to appear calm.

The ATTORNEY GENERAL moved that sentence of the law be now pronounced upon the prisoner. His language was feeling and pathetic.

CHIEF JUSTICE SHAW then asked the prisoner if he had anything to say why the sentence of the law should not be pronounced.

The prisoner signified that he had nothing to say.

The Judge then, in a very feeling manner, proceeded to give the sentence of the law as follows:

VERBATIM REPORT OF THE SENTENCE—REPORTED EXPRESSLY FOR THE BOSTON HERALD

JOHN W. WEBSTER,—In meeting you here for the last time, to pronounce that sentence which the law has affixed to the high offence of which you stand convicted, it is impossible for language to give utterance to the deep consciousness of responsibility—to the keen sense of sadness and sympathy with which we approach this solemn duty.

Circumstances which all who hear me will duly appreciate, and which it may seem hardly fit to allude to in more detail—render the performance of this duty on the present occasion unspeakably painful.

At all times, and under all circumstances, a feeling of indescribable solemnity attaches to the utterance of the stern voice of retributive justice, which consigns a fellow being to an untimely and ignominious death.

But when we consider all the circumstances of your past life, your various relations to society, the claims upon you by others, the hopes and expectations you have cherished, with your present condition, and the ignominious death which awaits you, we are oppressed with grief and anguish, and nothing but a sense of imperative duty imposed on us by the law, whose officers and ministers we are, could sustain us in pronouncing such a judgment.

Against the crime of wilful murder, of which you stand convicted—a crime at which humanity shudders—a crime every where and under all forms of society, regarded with the deepest abhorrence,—the law has pronounced its severest penalty in these few and simple, but solemn and impressive words,—

"Every person who shall commit the crime of mur-

der, shall suffer the punishment of death for the same."

The manifest object of this law, is the protection and security of human life—the most important object of a just and paternal government.

It is made the duty of this court to declare this penalty against any one who shall have been found guilty, in due course of the administration of justice, of having violated the law. It is one of the most solemn acts of judicial power which an earthly tribunal can be called upon to exercise. It is a high and exemplary manifestation of the sovereign authority of the law, as well in its stern and inflexible severity, as in its protecting and paternal benignity.

It punishes the guilty with severity, in order that the right to the enjoyment of life—the most precious of all rights—may be more effectually secured.

By the record before us, it appears that you have been indicted by the Grand Jury of this County for the crime of murder, alleging that on the 23d of November last you made an assault on the person of Dr. George Parkman, and by acts of violence, deprived him of life, with malice aforethought.

This is alleged to have been done within the apartments of a public Institution in this city, the Medical College, of which you was a Professor, and instructor, upon the person of a man of mature age, well known, and of extensive connections in this community, and a benefactor to that Institution.

The charge of an offence so aggravated, under such circumstances, in the midst of a peaceful community, created an instantaneous outburst of surprise, alarm and terror, and was followed by an universal and intense anxiety to learn, by the results of a judicial proceeding, whether this charge was true.

The day of trial came, a court was organised to conduct it, a jury almost of your own choosing was selected in the manner best calculated to insure intelligence and impartiality. Counsel was appointed to assist you in conducting your defence, who have done all that learning, eloquence and skill could accomplish in presenting your defence in its best aspects. A very large number of witnesses were carefully examined, and after a laborious trial of unprecedented length, conducted as we hope, with patience and fidelity, that jury have pronounced you "guilty."

To this verdict, upon a careful revision of the whole proceedings, I am constrained to say in behalf of the Court, that they can see no just or legal ground of exception. "Guilty"—how much, under all these thrilling circumstances which cluster around the case and through our memories in the retrospect, does this single word import. The wilful, violent and malicious destruction of the life of a fellow man, in the face of God and under the protection of the law, yes, of one in the midst of life, with bright hopes, warm affections, mutual attachments, strong, extensive and numerous friends, making life a blessing to himself and others.

We allude thus to the injury you have inflicted, not for the purpose of awakening one unnecessary pang in a heart already lacerated, but to remind you of the incomparable wrong done

the victim of your cruelty, in sheer justice to him whose voice is now hushed in death, and whose wrongs, can only be indicated, by the living action of the law. If, therefore, you may at any moment think your case a hard one, and your punishment, too heavy, if one repining thought, arises in your mind, or one murmuring word seeks utterance from your lips, think, oh! think of him, instantly deprived of life by your guilty hand. Then, if not lost to all sense of retributive justice, if you have any compunctious visitings of conscience, you may be ready to exclaim in the bitter anguish of truth, "I have sinned against Heaven and my own soul, my punishment is just. God be merciful to me a sinner." God grant that your example may afford a solemn warning to all, especially to the young; may it impress deeply upon every mind the salutary lesson it is intended to teach, to guard against the indulgence of unhal- lowed and vindictive passion, and to resist temptation to any and every selfish, sordid and wicked purpose, to listen to the warnings of conscience, and yield to the plain dictates of duty, and while they instinctively shrink with abhorrence from the first thought of assailing the life of another, may they learn to reverence the laws of God and of society, designed to secure protection to their own.

We forbear, for obvious considerations, from adding such words of advice as may be some- times thought appropriate on occasions like this.

It has commonly been our province, on occa- sions like the present, to address the illiterate, the degraded, the outcast, whose early life has been cast among the vicious, the neglected, the abandoned, who have been blest with no means of moral or religious culture, who have never received the benefits of cultivated soci- ety, nor enjoyed the sweet and ennobling influ- ences of home.

To such an one, a word of advice, upon an

occasion so impressive, may be a word fitly spoken and turned to good. But in a case like this, when these circumstances are all removed, no word of ours could be more efficacious than the suggestions of your own better thoughts, to which we commend you.

But as we approach this last sad duty of pro- nouncing sentence, which is, indeed, the voice of the law, and not our own, yet in giving it utterance, we cannot do it with feelings of indif- ference, as a formal and official act.

God forbid that we should be prevented from indulging and expressing those irrepressible feelings of interest, sympathy and compassion, which arise spontaneously in our hearts; and we do most sincerely and cordially deplore the distressing condition into which crime has brought you; and, though we have no word of present consolation or of earthly hope to offer you, in this hour of your affliction, yet we de- voutly commend you to the mercy of our Heav- enly Father, with whom is abundance of mercy, and from whom we may all hope for pardon and peace.

And now, nothing remains but the solemn duty of pronouncing the sentence, which the law affixes to the crime of murder, of which you stand convicted, which sentence is

That you, John W. Webster, be removed from this place and detained in close custody, in the prison of this county, and thence taken, at such time as the Executive Government of this Com- monwealth may by their warrant appoint to the place of execution, and there be hung by the neck, until you are dead.

And may God of his infinite goodness, have mercy on your soul.

The prisoner's head sank upon his breast, and he burst into a flood of tears.

He was remanded to Jail, to await the ac- tion of the Executive.

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[Faint, mirrored text from the reverse side of the page, appearing as bleed-through.]

HIGHLY INTERESTING SEMI-OFFICIAL STATEMENT.

The following highly interesting statement of the proceedings of the Jury, in their consultation on the verdict in Webster's case, is written by one of the jurors, and may be relied on as authentic:—

Having read in several papers what purported to be a relation of the scenes and events which transpired in the Jury Room on the trial of Dr. John W. Webster, I have felt desirous, (now that the subject has been brought before the public mind,) that a plain statement of the more important matters connected with the Jury Room should be made, as it might prove interesting, if not instructive, to the community.—The Jury was composed of twelve men, from as many different branches of the mechanical and mercantile "professions;" they were from four different religious denominations, and their ages varied from 28 to 66 years. They were men whom I should designate as possessing good sound common sense—men capable of judging—of discerning—of appreciating evidence and estimating its importance. The Jurors, after they had become better acquainted with each other, and as the evidence began to bear with crushing weight upon the prisoner, and the "network of complicated circumstances" seemed to encircle him, felt strongly the need of "that wisdom which cometh from above," to guide and direct their minds aright in their most momentous and responsible situation.

It was then that our worthy Foreman (whom we all most highly respect, and whom we shall ever remember with pleasure,) proposed to the Jury that they should have religious services every evening. The proposition was most cheerfully responded to, and ever after that time, the voice of praise and prayer daily ascended, as we trust, from sincere hearts, to the Throne of Infinite Wisdom and Mercy. I need not say that the burden of every prayer was for wisdom to guide and direct unto a right decision, and for blessings most rich and precious to descend upon the prisoner and his afflicted family.

I now come to the closing part of this momentous trial. When the witnesses for the defence had given in their testimony, and the counsel for the prisoner announced the evidence on their part closed, a feeling of pain and anguish must have come over the mind of every Juror. What! can no more be said—no more be done in behalf of the unhappy prisoner? Is that the evidence—the *only* evidence on which we are to base a verdict of "Not Guilty?"

At that very time, with the light which the able charge of the Chief Justice afterwards gave us on several points of "the law and the evidence," I think I speak the sentiments of nearly, if not quite all the Jury, when I say that they were as fully prepared for the verdict as they were when they retired to the Jury room, after listening to the most able and eloquent pleas of the prisoner's senior counsel, and the Attorney General—so strongly, so fully had the evidence pointed to the prisoner as the guilty man—and to no one else. After the Jury had gone to their room—with the various evidences

of guilt spread out on the table before them, and the door locked upon them; shut out, as it were, entirely from the world, with nothing but the eye of the Omniscient God upon them—so painful was the sense of responsibility, so unwilling were they to come to the result which all felt they must come to, that thirty or forty minutes were spent ere anything was done—when at last the voice of the Foreman was heard calling them to order and reminding them of duty, however painful; and when they had all taken their seats around the table—then it was that one of the jurors rose and said, "Mr. Foreman, before entering upon the farther consideration and decision of this most important matter, I would propose that we seek for Divine wisdom and guidance." The proposition met with a cordial response, and the foreman called upon a juror to offer prayer. This was done most feelingly and sincerely. We then proceeded to the most trying and painful part of our arduous duty. The various articles which were put into the case were examined by the jury, and particularly those things which seemed to bear most strongly against the prisoner.—The final decision of the question was resolved into three parts.

First. Are the remains of a human body found in the Medical College on the 30th of November, 1849, those of the late Dr. George Parkman?

Second. Did Dr. George Parkman come to his death by the hand of Dr. John W. Webster, in the Medical College, on the 23d of November, 1849?

Third. Is Dr. John W. Webster guilty, as set forth in the indictment, of the wilful murder of Dr. George Parkman?

When the vote on the first question was put, twelve hands arose immediately. Some little discussion then took place, when the second was tested—and twelve hands at once arose. The third—the most important question of all—was next to be tried. Quite a pause ensued. One juror—in his sympathies of kindness for the prisoner, (who was his personal acquaintance or friend) and his afflicted family, shrunk from the "fiery ordeal." "Can't we stop here! can't the law be vindicated and justice satisfied, if we pause here? Must we take the *life* of the unhappy prisoner?" Some discussion ensued, the mind of the juror seemed more calm—and he expressed his willingness to vote on the final question, which was then put, and twelve hands arose! The die was cast! and John W. Webster was pronounced Guilty of Murder.

Thus ended the closing scene in the Jury Room. What afterwards transpired in the Court Room is already known to the public. When our foreman pronounced that awful word—Guilty! the Jury, as well as the prisoner, trembled and grew faint. And what a relief it was to us when we were again allowed to "go free," and rejoin our families and friends after so long and painful a separation; and there was not a juror's heart but would have leaped for joy could the prisoner have been justly allowed the same unspeakable blessing.

ONE OF THE JURY.

Boston, April 31, 1850.

Schenck's Pulmonic Syrup.

ANOTHER WONDERFUL CURE OF CONSUMPTION. Being willing to contribute to the good of suffering humanity, I will inform the public of the remarkable cure performed on me, by the use Dr. Schenck's Pulmonic Syrup, being snatched, as it were, from a premature grave. The first symptoms of the disease was a violent cold, which settled in my right side, for which my physician bled me: this, instead of relieving me, made the pain more severe, which extended to my shoulder. Words cannot express the pain I endured, my physician gave me opium and other things to alleviate the pain: at one time I took 70 grains of opium without effect. My physicians then ordered my side bathed with white vitriol, which took the skin off, and made the whole of my side as raw as a piece of beef—during the whole time my cough was tight and distressing. In November, 1845, I commenced raising large quantities of blood, which continued until March, 1846. Some days I am certain I raised more than a quart. The least movement in bed would cause the blood to flow freely from my lungs, which reduced me so that life was scarcely visible, indeed I was fearful I would bleed to death. I had fever, night sweats, difficulty of breathing, great loss of appetite, and extreme burning sensation in the palms of my hands and soles of my feet. I had the attendance of Drs. Mott, Rogers, and other principal physicians of this city, all of whom gave it as their own opinion, that I could not long live. Mr. Davis (my husband,) being in the south, and not expecting his return until the 4th of March, Dr. Mott was asked if I would live until his return, he said "No it was impossible; I was far gone in Consumption, and must look for my death daily." At this time, Mr. Mulligen, an acquaintance, insisted on my using Schenck's Pulmonic Syrup, as he had been benefited so much by it. (I had used most of the patent medicines without obtaining any relief,) I consented to try it as a last effort, and sent to the office, No 4 Courland street, and obtained the genuine Schenck's Pulmonic Syrup. I was so weak I could only take it in very small doses at first, but persevered, and while taking the second bottle, the bleeding gradually subsided. By this time the Syrup began to effect my whole system, but especially my lungs, as I raised great quantities of blood and matter and thick tough phlegm: my cough was easier and the pain rapidly left me, and I recovered my strength very fast. On the 4th of March, 1846, I was so far recovered as to get out of bed without assistance, the first time in eight months, which gave me great joy. After I commenced using Schenck's Pulmonic Syrup, I took no other medicine of any kind, and am confident that it was the Pulmonic Syrup alone which effected the miraculous cure. I say miraculous cure, for I was confined to my room two years and eight months; eight months of that time helpless in bed, and on the verge of the grave. I am now perfectly well and hearty, and if by giving any information, I can induce those who are similarly afflicted, to use the only

remedy to relieve them or prevent them from suffering as I did, I shall indeed feel happy.

MARGARET DAVIS,

No 25 James st, near Chatham st.
New York, Oct 8, 1847.

For sale by REDDING & CO., 8 State street, Boston; Mrs. Bacon, Lynn; Henry Whipple, Salem; John G. Tilton, Newburyport; W. L. Peston, Portsmouth; T. J. Murray, Essex; Edward Mason, Bearce & Racklyf, Portland; S. A. Holland, Worcester; J. Stratton, Springfield; Rowe & Brother, Providence; Charles A. Clark, New Bedford; F. F. Munroe, Taunton; John W. Davis, C. F. C. & Hov. y, Lowell; E. S. Russell, Nashua; Allison Gault, Concord; L. H. Stockwell, Fitchburg; Daniel Lothrop & Co., Dover; P. Grant, Exeter; F. A. Russell, Andover; H. G. Conner, Manchester; Mrs. B. Hayden, Quincy, Mass.

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View of Washington street, Boston, looking towards the Old South Church, (the same church which was used in the war of 1776, by the British troops, as a Riding School.)

(See View above.)

BOSTON,

Comprises the whole premises, No. 198 Washington street, occupying eleven rooms in all, and employing twelve Clerks and Porters, including a Native Chinaman, who has the general superintendence of the Packing Department, and the filling of orders. It should be borne in mind, that this Company deal exclusively in Tea, Coffee and Chocolate, and, probably, no Store in the United States presents a larger variety of

Green and Black Teas,

Which are offered at the

LOWEST PRICES, WHOLESALE AND RETAIL.

They have also some packages of very fine choice Souchong and Gunpowder Tea, of high cost, and of most exquisite flavor.

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Of every description, raw, roasted, and ground, in bags, boxes or canisters, and the very convenient size of ten pound bags, suitable for families, which can be sent by express or Railroad, without damage.

Branch stores,

No. 78 Honover Street, near the Depot of the Maine and Lowell Railroads.

No. 68 Beach Street, near the Worcester, Western, and Old Colony Depots.

Orders, accompanied with the money, addressed to the Proprietors of the C. T. Co., sent by mail, will have immediate attention, and parties can rely on having the best article for the money, generally a little lower than can be found elsewhere. Their dealing exclusive-

ly in these commodities warrants this assertion.

Tin Cans, holding 4 pounds, 25 cents for the can, and a very serviceable article for the house, can be safely sent by express; or, if ordered, in chests of 2, 4, 6, and 10 pounds, the chest free.

EVERY MAN

IN THE

NEW ENGLAND STATES

SHOULD HAVE A GOOD MAP OF HIS OWN STATE IN HIS POSSESSION.

It is useful for reference, when reading, when travelling, and for his family.

SUCH A MAP IS GOLD IN WAIT;

RAILROAD MAP

OF

New England, Canada, and Eastern New York.

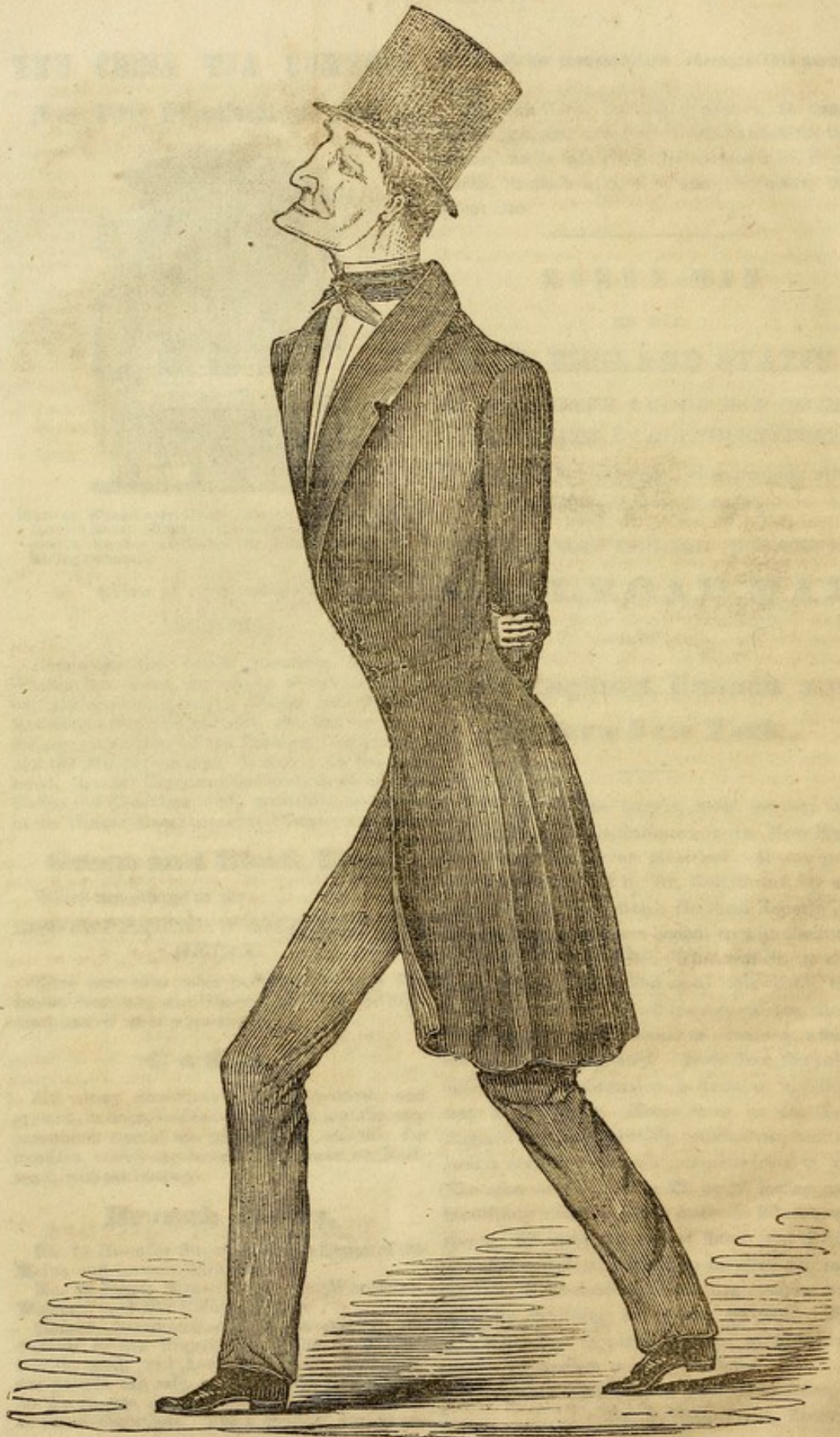
This Map is the largest, most correct, and reliable Map of the Railroads in the New England States, &c., ever published. It was projected and engraved by Mr. Goldthwait, to accompany the Legislative Railroad Reports of Massachusetts, and was bound up with their reports for the year 1848. Since which, at this date, April 1, 1850, and up to this date, the publishers have added all the new routes, chartered, and on which trains are running, which are distinctly designated. Aside from the valuable Railroad information, it forms an excellent map for reference. Every town in the New England States is carefully marked out, and on such a scale as renders it comprehensive to all. The size of the Map is 22 by 27 inches, and beautifully colored. The price is 37 cents on sheets, 62 cents in pocket form, and \$1,00 mounted on rollers, colored by counties and varnished. Individuals can have single copies sent them, by enclosing the money by mail. The Trade supplied at usual discount to travelling agents. Excellent terms are offered.

Address REDDING & CO., Publishers,

No. 8 State street, Boston.



Dr. George Parkman as he last appeared with his 'cast of Boston



Dr. George Perkins as he last appeared walking the streets of Boston.

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10

19

