

THE ASSASSINATION.

THE TRIAL ON WEDNESDAY.

Testimony Concerning Atzerodt.

THE THEORY OF HIS INSANITY.

THE CASE OF ARNOLD.

Examination of the Proprietor of Ford's Theater

VARIOUS EMPLOYEES CALLED.

Evidence as to Harrold's Character.

Probable Arrival of Jeff. Davis in Washington.

Special Dispatch to The N. Y. Tribune.

WASHINGTON, Wednesday, May 31, 1865.

The Conspirators' Court was extremely dull to-day, there being none of the racy incident which has relieved the long sessions from day to day. The case begins to drag, even the spectators showing signs of weariness, though the rooms are more crowded as the end approaches.

The testimony will probably be all taken on Friday and Saturday. The Court adjourned over to-morrow in recognition of fast day.

It is believed, but is not positively known, that Jefferson Davis has arrived in this city from Richmond. His trial will shortly commence under the indictment of the Criminal Court of this district for treason. In the meantime, he is to be confined in the Arsenal building, where the other conspirators are.

To the Associated Press.

WASHINGTON, Wednesday, May 31, 1865.

EXAMINATION OF HARTMAN RICHTER.

By Mr. Dexter.—Q. State your residence? A. I reside in Montgomery County, Maryland.

Q. Are you a cousin of the prisoner Atzerodt? A. I am.

Q. State whether the prisoner came to your house subsequent to the assassination of the President? A. He came there on Sunday evening.

Q. Give the particulars of his visit? A. I met him as I was on my way to church; he remained at my house from Sunday evening until Thursday morning about 3 or 4 o'clock, and during that time he did not make any attempt to hide himself, but walked about and worked in the garden a little.

Q. Did you notice anything peculiar about his appearance when you first met him? A. No, sir, he looked the same as he always did when he came to see me.

Q. Were you present at his arrest? A. When he was arrested in the house I was down stairs and he was up stairs.

Q. Did he hesitate to go when they arrested him? A. He was very willing to go.

Q. Do you know whether he was in possession of large quantities of money? A. I do not.

Q. Do you know anything about his reputation for courage? A. No, sir.

Q. Did the prisoner have on an overcoat when he came to your house? A. When I met him in the morning he had an overcoat on his arm; it was a kind of gray overcoat.

THE PLEA OF INSANITY TO BE SET UP.

Mr. Dexter then stated to the Court that all of the witnesses summoned in the case of Atzerodt were not present, and that he could not proceed in the order he

desired until they were present. He intended to set up the plea of insanity, and had sent for friends and relations of the prisoner living several thousand miles distant, who had not arrived. The defense then proceeded with the cases of the other prisoners.]

EXAMINATION OF WILLIAM S. ARNOLD.

By Mr. Ewing.—Q. What relation are you to the prisoner Samuel Arnold? A. I am his brother.

Q. Where do you reside? A. At Hookstown, Montgomery County, Maryland.

Q. State what you know, if anything, as to the whereabouts of the prisoner from the 20th of March last to the 1st of April? A. From the 21st of March until Saturday, the 25th, he remained in the country; he then went to Baltimore, and returned on the 26th, going again to Baltimore on the 26th or 29th; on the afternoon of the 1st of April he started for Fortres Monroe; while in Baltimore he stayed at his father's house, and I saw him at home almost all the time.

[On the cross-examination of the witness, which was conducted by Assistant Judge-Advocate Burnett, he stated that the only means by which he knew that the prisoner came to Hookstown on the 21st, was the fact that he had purchased some farming utensils on that day, and made an entry of the purchase in a book which he kept at home; the pistol delivered to witness by the prisoner on the 1st of April was loaded at the time; the prisoner had fired the loads out, and reloaded it while in the country.]

EXAMINATION OF FRANK ARNOLD.

By Mr. Ewing.—[This witness, in answer to a series of questions, testified that he was a brother of the prisoner, Samuel Arnold; that he lived in Baltimore County, and occasionally in the city at his father's house; that the prisoner slept with him on the nights of the 30th and 31st of March, and that having received a letter from a Mr. Wharton at Fortres Monroe to which gentleman he had made an application for a situation, he started to go to the fortress on Saturday afternoon, April 1, about 4 1/2 o'clock.]

EXAMINATION OF JACOB SMITH.

By Mr. Ewing.—[The substance of the testimony of this witness may be summed up as follows: Resides at Hookstown, Md., about half a mile from the residence of William S. Arnold, brother of the prisoner, Samuel Arnold; saw the prisoner nearly every day between the 20th or 22d of March and about the 1st of April, sometimes three or four times a day, occasionally at the house of his brother, and again while he would be crossing witness's farm.]

Cross-examined by Assistant Judge-Advocate Burnett—Was not sure as to the day on which the prisoner came to Hookstown, having no means of ascertaining positively; he may have stayed until the 30th, or left before then.

EXAMINATION OF JOHN T. FORD.

By Mr. Ewing.—Q. State where you reside? A. In the City of Baltimore.

Q. State whether or not you are the proprietor of Ford's Theater in the City of Washington? A. I am.

Q. Are you acquainted with the prisoner, Edward Spangler? A. I am.

Q. How long has he been in your employ? A. I think from three to four years at intervals; over two years continually.

Q. State whether you were in or about the theater or in this city at the time of the assassination of the President? A. I was in the City of Richmond on the day of the assassination; I arrived there at 2 o'clock on that day.

Q. Were you acquainted with John Wilkes Booth? A. I have known him since early childhood; since he was 10 or 11 years of age; intimately for 6 or 7 years.

Q. State whether you have ever heard Booth speak of Chester, and if so, in what connection?

[Assistant Judge-Advocate Bingham objected to the question, and it was not pressed.]

Q. State whether Booth ever applied to you to employ Chester, who has been a witness for the prosecution, at your theater?

[Assistant Judge-Advocate Bingham objected to the question. Mr. Ewing stated that the object of the inquiry was not to allow Chester, but rather to corroborate his assertions, and to show that at the time Booth was endeavoring to induce Chester to join a conspiracy for the capture of the President, he was also endeavoring to induce Mr. Ford to employ Chester, in order that when once in the theater he (Booth) might use the man as an instrument. This would go to affect the case of several of the prisoners at the bar, particularly that of Arnold, who, in his confession, stated that the plan was the capturing of the President; and also the case of the prisoner Spangler, by showing that Booth was not able to get or had in the theater any instrument to assist him in his purpose. Assistant Judge-Advocate Bingham stated that a party who conspired to commit a crime might approach the most innocent man in the land, with whom, before his criminality was known, he might be in terms of intimacy. It was then the misfortune of such a man, not his crime, to be approached in that way; but it did not follow because Booth approached this man Chester that he (Booth), either living or dead, was armed with the power of coming into a court of justice and proving what he said to that third person. The objection was then sustained, and the question was not put.]

Q. State what were the duties of the accused on the stage. A. The accused, Spangler, was employed as a stage-hand, not as the stage-carpenter; he was a laborer, and his duties were to assist in getting the scenery to place and removing it from the grooves, as the necessities of a play required; those were his duties at night; during the day he was to assist in doing the rough carpenter-work incidental to certain plays.

Q. State whether his duties were such as to require his presence upon the stage during the whole of the play. A. Strictly, no, sir; his absence for a moment might impair the success of the play and cause dissatisfaction among the audience; it is very important for the success of a play that the scenery should be attended to promptly, from the raising to the falling of the curtain; there were intervals, it is true, but the prisoner could not judge exactly how long a scene might last.

Q. State whether his constant presence during the second scene of the third act of the "American Cousin" would be necessary? A. It would, unless he was accurately informed of the duration of the scene; it is rather a long scene, longer perhaps, than any other of that act.

Q. How is it with the first scene? A. It is quick, but a few moments, the other eight or ten minutes.

Q. How is it with the second act? A. The duration of a scene, I would say, depends in a great degree upon the activity of the parties engaged in it; I hardly think there was an interval of more than five or eight minutes between these scenes.

Q. Therefore the constant attendance of Spangler upon the stage would have been necessary? A. It would.

Q. What were his duties in the intervals between the scenes? A. To be prepared for the next change, to be ready with his scene, and to remain at his post of duty, as an emergency often arises during the performance of an act requiring extra service on his part.

Q. State who had the regulation of the passageway through which Booth escaped? A. The stage manager and stage carpenter execute the work belonging to that part of the theater and the entire stage.

Q. State the names of the persons? A. John B. Wright was the stage manager and James J. Griffin the stage carpenter.

Q. Was the prisoner Spangler charged with the duty of keeping the stage passageway in order? A. It was no duty of his unless specially assigned to him by the stage carpenter.

Q. State whether that passage way is usually obstructed in any way? A. It should never be obstructed; my positive orders were to keep it always clear and in the best order; it is a passage-way used by parties coming from the dressing-room and greenroom, and in a play like that, the "American Cousin," in which the ladies were in full dress, it was absolutely necessary for a proper performance of the play that there should be no obstruction there.

Q. Do you know whether, as a matter of fact, that passageway was kept clear by the stage manager? A. The stage manager was a very exact man in all these details; I have always found it clear, unless in the performance of some spectacular play, when at times it would be partly incumbered.

Q. State whether you ever knew Spangler to wear a mustache? A. I never did.

[The witness was further examined, and the following testimony elicited: The prisoner seemed to entertain a great admiration for Booth, who was a particularly fascinating man, and who seemed to exercise a control over the minds and actions of his inferiors; he excelled in gymnastic exercises, and his leap from the President's box to the stage was not one which required any rehearsal; he had often introduced a similar leap into the witch scene in "Macbeth," since the latter part of September last, during the entire theatrical season, Booth frequently visited the theater, and had his letters directed there; the prisoner Spangler had lived in Baltimore, and considered that place his home; usually spending his Summer months in the neighborhood of that city, engaged in fishing and crabbing. [The rope found in Spangler's carpet-bag was here shown to the witness. He testified that in his opinion it might have been used by the prisoner in catching crabs, though experienced crabbers used a much longer rope; he had seen such a rope used by amateurs.] In regard to his visit to Richmond, witness testified his object in making the visit was to see an uncle, a very aged man, and a mother-in-law who resided there; he had not heard of the assassination of the President until the Sunday evening following, while on his return.

Cross-examined by Judge-Advocate Holt—Could not say positively whether private boxes in the theater were ordinarily kept locked; Mr. Gifford, the stage carpenter, had control of such matters, and the keys of the boxes were kept by Mr. James O'Brien, the chief usher; the authorized parties having tickets for sale for these boxes on the day of the assassination were witnesses' brothers, James R. and Henry Clay Ford; the play of the "American Cousin," when first introduced, was an exceedingly popular play, but of late years had only drawn fair audiences; from the characters of the two men and their relation to each other witness believed Booth to have been capable of exercising a great influence either for good or for evil over the prisoner Spangler.