BY TELEGRAPH.

PER WESTERN UNION TELEGRAPH LINE.

AMERICAN.

WASHINGTON, 25.—Judge Porter—The Lord murdered Guiteau.

Guiteau—Yes, and he'll murder you before long.

Judge Porter—The Lord defrauds the printers and boarding houses, and every night and morning the Christian prisoner thanks the Lord for his work.

Guiteau (continuing, desperately shouting)—You're a liar, and you know it. You haven't brains enough to talk. A saint from heaven could not stand the abuse of that man Porter, and I won't stand it. He's a liar, and I call him so.

Porter said he was simply reading from the sworn statement of Guiteau's brother.

Guiteau—He's no brother of mine; I want that understood. My sister sympathizes with me.

The first interruption from counsel came when Reed strenuously objested to Porter's quoting from English authorities. Judge Cox said there was no cause for objection, though it was not very relevant it was not objectionable.

Guiteau's remark about Jews called from Porter the remark that he had yet to know a man need be ashamed to spring from the same race as the Savior. A clamor was then made by Guiteau, reinforced from counsel. Scoville finally objected to Porter's construction of the evidence, and the prisoner insisted that Porter should be arrested for insolence. The baliffs, trying to quiet the assassin, only drew from him the most vicious demonstrations and nearly obliged the officers to administer wholesome discipline. Porter then reviewed Dr. Spitka's testimony, and was called a miserable, dirty, lying whelp, at intervals by the prisoner.

Guiteau, after recess, tried to talk, but was stopped by Cox.

Judge Porter said that Judas Iscariot could not have pronounced a more sinister judgment than Guiteau in his criticism of the religious and moral growth of the past 600 years.

Guiteau—Judas would have employed you as his attorney, you big boar, you.

Judge Porter then depicted the ridiculous absurdity of Guiteau's claim of transitory mania which left him, as soon as his victim sank to the ground, a perfectly sane man.

At 3 p.m. Judge Porter concluded his argument and Judge Cox charged the jury.

After the jury had been out about 20 minutes, recess was taken until half-past 5 o'clock. Many of the audience who had virtually been imprisoned since half-past 9 in the morning, availed themselves of the opportunity to obtain fresh air and lunch. The prisoner, at his request, had been allowed, soon after the jury left the court room, to retire to a little room he has occupied since the trial began as a waiting room during recess. Before leaving the court room, he evinced considerable nervousness, but on getting away to the compartments, his usual composure and assurance soon revived. He sent for some apples with which he treated his attendants, meanwhile chatting familiarly and good naturedly. He was asked what he thought the jury would do, and replied, "I think they will acquit me, or disagree; don't you?"

Within 10 minutes after recess had been taken, the jury called to the baliff in wating that they were ready with their verdict. They were informed that recess had been taken and Judge Cox had left the court room, so they remained in the court room until court reassembled. The rumor that the jury had agreed was quickly spread from one to another, and an excited crowd surged back into the court room and anxiously awaited what all seemed to expect—a verdict of guilty. The musty, antique room is devoid of gas, and a score or more of candles, which had been placed upon the desks of the Judge, counsel and reporters, imparted a weird and fanciful unnatural aspect to the grim old place. The shadows thrown upon the background of the walls seemed like fitting spectres to usher in the sombre procession of those who held in their hands the destiny of a human life.

WASHINGTON, 25.—At 3.15 Judge Cox began to deliver his charge to the jury. He commenced by saying: The Constitution provides that in all criminal prosecutions the accused shall enjoy the right of a speedy and public trial by an impartial jury in the State or district where the crime shall have been committed. That he shall be informed of the cause and nature of the accusation against him. That he shall be confronted with the witnesses against him. That he shall have compulsory process to obtain witnesse in his favor, and that he shall have the assistance of counsel in his defense. These provisions are intended for the protection of the innocent from injustice and oppression, and it was only by their faithful observance that guilt or innocence could be fairly ascertained. Every accused person was presumed to be innocent until the accusation was proved. With what difficulty and trouble the law had been administered in the present case the jurors had been daily witnesses. It was, however, a consolation to think that not one of those sacred guarantees of the Constitution had been violated in the person of the accused.

Before proceeding further he wished to notice an incident which had taken place pending the recent argument. The prisoner had frequently taken occasion to proclaim to the public that opinion, as evinced by press and correspondence, was in his favor. These declarations could not be prevented except by a process of gagging the prisoner. Any suggestion that the jury could be influenced by such lawless chattering of the prisoner would have seemed to him absurd; and he should have felt he was insulting the intelligence of the jury if he had warned them not to regard it. Counsel for the prosecution had felt it a necessity, however, in the final argument to interpose the contradiction to such statements, and exceptions had been taken on the part of the accused to the form in which that effort was made, for the purpose of purging the record of any objectionable matter. He should simply say that anything which had been said on either side in reference to public excitement or to newspaper opinion was *not to be* regarded by the jury.

To establish murder it had to be proved, first, that death was caused by the act of accused, and further, it was caused with malice aforethought. That did not mean, however, that Government had to prove any ill will or hatred on the part of the accused toward the deceased. Wherever homicide was shown to have been committed without lawful authority and with deliberate intent it was sufficiently proved to have been done with malice aforethought, and malice was not disproved by showing that the accused had no personal ill will towards the deceased and that he killed from other motives. The jury would have to say that the defendant was guilty of murder or innocent. In order to constitute the crime of murder the assassin must have a reasonably sane mind; in technical terms he must be "of sound mind, memory and discretion," any irresponsibly nsane man could not commit murder. If he was labering under disease of the mental faculties to such an extent that he did not know what he was doing, or knew it was wrong, then he was wanting in that sound mind, memory and discretion that was part of the definition of murder. Every defendant was presumed to be innocent until the accusation against him was established by proof. Notwithstanding this presumption of innocence, it was equally true that defendant was presumed to be sane and to have been so at the time the crime was committed. The burden of proof as to insanity was on the defense.

If the jury entertained a reasonable doubt on any ground or as to any of the essential elements of the crime the defendant was entitled to the benefit of that doubt and to acquittal. Doubt, however, must be sincere and fortified by proofs and testimony. The jury should be reasonably and morally certain of the facts which they declared to be their verdict. There was no question about the firing of the shot, its producing death, (and, providing the defendant was capable of criminal intent, or a maniac,) of its malice aforethought. The prisoner's own hand has written that he contemplated the removal of the President six weeks before. The shooting had been deliberately planned and prepared for. These things established malice. Nevertheless, if animosity were established, the jury was not to infer that the prisoner was insane because he committed this enormous crime. The only safe rule, was for the jury to direct its attention to one test of criminal responsibility, namely, whether the prisoner possessed mental capacity at the time the act was committed, to know that it was wrong, or whether he was deprived of that capacity by mental disease. There was one important distinction which the jury must not lose sight of, and they must decide how far it was applicable to this case. That was the distinction between mental and moral obliquity; between mental incapacity to distinguish between right and wrong and moral insensibility to that distinction. And now gentlemen, to sum up all I have said to you, if you find from the whole evidence that, at the time of the commission of the homicide, the prisoner was laboring under such defect of his reason that he was incapable of understanding what he was doing or of seeing that it was a wrong thing to do; as for example, if he was under the insane delusion that the Almighty had commanded him to do the act, then he was not in a responsible condition of mind, but was an object of compassion, and should be now acquitted. If on the other hand you find he was under no insane delusion but had possession of his faculties and had power to know his act was wrong, and if of his own free will, he deliberately conceived the idea and executed the homicide, then, whether his motive were personal vindictiveness, political animosity, desire to avenge supposed political wrongs, or a morbid desire for notoriety, or if you are unable to discover any motive at all, the act is simply murder and it is your duty to find a verdict of guilty as indicated or, (after the suggestion from Scoville to that effect) you find the prisoner is not guilty by reason of insanity, it is your duty to say so. You will now retire to your room and consider your verdict.

During the delivery of the Judge's charge, which was completed at 4.40 p.m., there was perfect stillness in the crowded court room, and even the prisoner kept absolutely quiet, with the exception of one or two simple interruptions. The jury immediately retired and many spectators left the court room.

When, after a brief absence, the jury returned, the light fell full upon Guiteau's face and disclosed a more than usual pallor but not a tremor of the limbs or movement of the muscles of the face was observable as he threw back his head and fixed his gaze upon the door through which the jury were to enter. Judge Cox soon took his seat, the crier called "order," and the jury at 5.35 filed slowly into their seats. Every sound was hushed save the voice of the clerk as he propounded to the foreman the usual inquiry. Clear and distinct came the reply:

"We have."

"What is your verdict—Guilty or not guilty?"

With equal distinctness came the reply: "Guilty as indicted."

Then the pent-up feelings of the crowd found expression in uproarious demonstrations of applause and approval.

"Order! order!" shouted the bailiffs. Scoville and the counsel for the prosecution were simultaneously upon their feet, and Scoville attempted to address the court, but the District Attorney shouted, "Wait till we have the verdict complete and due in form of law." Order was at length restored and the clerk again addressing the jury, said: "Your foreman says, Guilty as indicted."

"So we, all of us."

"We do," all responded.

Another demonstration of approval followed this announcement, but not so prolonged as at first.

Scoville, still upon his feet, demanded to poll the jury, which was granted, and each juror was called by name, and each in a firm voice promptly responded, "Guilty."

As the last name was called, the prisoner shrieked:

"My blood will be upon the heads of that jury, don't you forget it."

Guiteau (whom from the moment Judge Cox began delivering his charge had dropped completely his air of flippant arrogance and sat with rigid features and compressed lips, called out in tones of desperation—"God will avenge this outrage."

Judge Cox then turned to the jury and said: "Gentlemen of the Jury—I cannot express to you my thanks for the manner in which you have discharged your duty. You have richly merited the thanks of your countrymen, and I feel assured you will take with you to your homes the approval of your conscience. With thanks, gentlemen of the jury, I dismiss you."

Scoville again addressed the court saying: Your honor, I do not desire to forget any rights I may have under the law and practice in this district. If there is anything that I ought to do now to save those rights I would be indebted to your honor, indicate it to me.

Judge Cox, in reply, assured him that he should have every opportunity; that the charge would be furnished him in print, to-morrow, and he be accorded all the time allowed by law, within which time for his exceptions, etc., that he would also be entitled to four day's within which to move in arrest of judgment.

With this announcement the court was declared adjourned, the famous trial which has absorbed public interest and attention for more than ten weeks was ended. The crowd quickly left the court room and the prisoner gestulating with his manacled hands was led out, as he passed the reporter's table he leaned over and called out to an acquaintance, "The court in bane will reverse this business." His appearance was that of a man deeply moved with indignation at some outrage or indignity which had been put upon him. As he was being put in the van the crowd of men and boys yelled and shouted themselves hoarse, in mockery of the prisoner's constant boast, "The American press and people are all with me."

The van was quickly driven away, nd followed till out of sight, by the jeers and yells of the crowd. Scoville will probably file a motion in arrest of judgment and for a new trial on exceptions. The law gives the defendant four days to file a motion and reasons for a new trial, and it is customary for the court to sit some day to hear the argument. Should this motion be overruled, defendant will appeal to the general term and under the law, the defendant is entitled to a supervision of the sentence till after the next general term, not exceeding thirty days. The January general term is now in session, and the case cannot go there, but will be appealable to the April term. It is customary to continue the April term until September, taking recess over July and August, but should it be closed by the latter part of May, then if the judgment is affirmed, the execution might take place in July.

At the joint meeting of the Senate and House committees the Secretary of the Interior explained and advocated the bill recently prepared by him to provide for improving the condition of uncivilized Indians, reducing their reservations to proper limits and allotment of their lands in severalty. The Secretary took occasion to recommend with much earnestness an increase of salary of the commissioner of Indian affairs and appoint an assistant commissioner to relieve him of routine drudgery and enable him to devote more time to the investigation of important questions.

The Secretary of War has transmitted to the Indian Bureau the following dispatch from Col. McKenzie, commander of the United States forces in New Mexico.

Van Smith reports that the Apaches are making a general war on Mexicans in the State of Sonora, and that there is a general effort being made by the Mexicans to drive them out; in which he thinks they will succeed. Nanais is reported by him as not dead, but with In, the Indian chief. Will take necessary precautions here and transmit information to Gen. Wilcox. The Indians are said to be near Sahurina, State of Sonora,

Two weeks time has been granted for filing arguments in the Cannon-Campbell election case, Utah Territory.

NEW YORK, 25.—The *Times* says that the oft repeated cry "Wipe out polygamy," by law will come to naught, and things will go on as before. Congress does not need to be told that polygamy should be suppressed, but how to suppress it. Out of the debate now going on, there has been evolved one or two expedients that are suggested for the suppression of Mormonism. The expedients are a hopeful indication that the people are very much in earnest, and that the agitation of the subject will not cease until something is again attempted for the cure of the evil of polygamous practices One of these measures is a repeal of the act organizing the Territory of Utah, and the substitution of a form of government commission. One of the bills already introduced in the House provides for a repeal of the bulk of the Organic Act, and the appointment of a Board of Commissioners as in the District of Columbia. The *Times* does not favor a military commission for Utah. Such an expedient as this would be a virtual confession of the inability of the American Congress to provide for one of the largest and most populous Territories of the republic It would be a virtual acknowledgment that the polygamists of Utah, after years of defiance have finally compelled the government of the United States to abandon the only approved existing method of providing civil government for the people of the Territory. It would be better that some expedients suggested in Congress and sought to be put into the form of law, should be tried before we give up a territorial form of government for Utah. The Poland bill was useful, and its usefulness was only destroyed by the timidity of the Senate (Senator Sargent). The impossibility of proving polygamous relations is the main difficulty in attempting to convict polygamists, and it is admitted that the conviction of ten or twenty polygamist leaders would result in the revocation of the divine revelation commanding plural marriages. The restoration of those parts of the emasculated Poland bill which related to the challenge of polygamous jurors might facilitate criminal proceedings. The bigamous cohabitation made the offense and not the marriage ceremony, would be another promising device, for both of these provisions are embodied in a bill reported from the Senate judiciary committee yesterday by Senator Edmunds. A law limiting the jury list to 200 names a year could be so amended as to prevent the exhausting of the number of talismen before jury cases can be tried. Certainly it cannot be said that the resources of law making power have been exhausted against the polygamists.

Fevers are prevalent at this season of the year, and it is not too extravagant an estimate to say that to-day 10 per cent. of the population are suffering from various forms of *Isthmus fever*. Few cases are fatal except among new comers, recently imported engineers and others from Europe, coming in for a large share in the mortality. Still, the death roll has not been exceptionally large. In no country under the sun, however, was there ever seen such flagrant violations of all canons of common sense in taking care of themselves, as has been exhibited by the canal engineers. It is no wonder that a number of them died. The marvel would be that they could have lived under the circumstances.

WASHINGTON, 26.—One of the jurors, who it was said had insanity in his family, was counted on by the assassin as sure to be on his side. It turns out that he was one of the first to be convinced of Guiteau's sanity. Another member of the jury, this evening said that so far as he had known of the belief of his associates, there had been no doubt about the verdict, he thought since the testimony of the government experts was put before them. He added that all attempts of Guiteau to produce the impression on the jury that there was great public sympathy with him, had failed to influence any man on the jury. Generally speaking, his whole conduct in court had badly damaged his case in the minds of the jury, because it convinced them that he was surely playing a part.

When the jury retired, they asked the foreman to read the indictment. A vote was then taken, and stood on the first poll the whole twelve jurors for conviction.

The day in court was the stormiest of the whole trial. The assassin made desperate by seeing the end so near, interrupted the proceedings, and was if possible, more brutal and vulgar than he had been before. But it is doubtful if the wisdom of allowing him free speech was more justified in any other way than this. In everything he said he showed not insanity but the cowardly brutality of a vulgar ruffian, mixed with the shrewdness of a smart, pettifogging attorney. He showed himself sane enough to catch instantly the drift and hearing of every sentence Porter spoke. The sanest man in the ury and audience was not more quick of mind than the assassin, or had greater capacity for following an argument. No juryman who heard him to-day could have any doubt about his complete sanity and responsibility.

Corkhill says: The prisoner is evidently badly broken. I have noticed for the past 10 days that his self-assurance was gradually failing him, but he has an extraordinary amount of hopefulness in his make up. To the very last in the terrible drama, he will hope for something