The Sun.

VOL. XLI.—NO. 132. NEW YORK, MONDAY, FEBRUARY 2, 1874. PRICE TWO CENTS.

CLAIMED BY TWO HUSBANDS

CAN THIS BE A CASE OF MISTAKEN IDENTITY?

A Remarkable Trial in Portland, Me.—The Co-ex Woman Ever Tried for Bigamy—Wonderful Acting against Overwhelming Evidence—The Jury Disagree.

PORTLAND, Me., Jan. 31.—The Waite-Waller case, so called, which came up in the Superior Court before Judge Symonds on Wednesday afternoon, is exciting much interest, the respondent being well known in the city. It is a case of polygamy, the respondent being charged with having married Edward F. Waite in this city, while she had a husband living in Pictou, N. S. Her maiden name was McKenzie. She is about 30 years of age, of slight figure and attractive appearance, dark hair, combed back à la Pompadour, and a pleasant, but very determined face. The prosecution charge that she was married when she was sixteen to James Waller, in 1862, and two children were born to them. In 1869, being in poor circumstances, she came to this city to work so as to obtain money enough to furnish the house. She continued to correspond with her husband but did not return, and in April, 1873, was married to Waite. In July she returned to her former home, where she stayed a fortnight with Waller. She then returned to this city, and soon after, her husband hearing that she had married again, came to here. He called on her, but she stated point blank that

SHE DID NOT KNOW HIM.

During her residence here, before her last marriage, she went by the names of Catharine Waller and Carrie M. Kent. Her husband, finding she would not own him, began to gather proofs to substantiate his statements. She was confronted with several persons with whom she had formerly lived under the name of Kate Waller, but in every instance she denied being acquainted with them. Her mother came on from New York. He saw her, and was positive it was his sister, and she as positively asserted she had never seen him. Which the Grand Jury met an indictment against her, and, as before stated, the trial began on Wednesday. Mr. Waite appears to have implicit faith in her innocence, and attends her in court. She appears perfectly calm and collected, and by no sign did she betray any fears as to her acquittal. The evidence seems overwhelmingly against her, and if she is guilty her acting is wonderful.

WALLER SETTING UP HIS CLAIM IN COURT.

The court room was densely crowded with people, women. Her children were present, and sat by their mother's side. Mr. Charles Waller was the first witness, and he detailed the circumstances of their acquaintance and married life up to the time she left him, and identified the document of her visit last July. He said that he first knew that he became suspicious that she was married again, when a young woman from New York was visiting a neighbor, and she gave him an address, Thomas McKenney of Portland, a friend of hers, to whom he wrote, enclosing a letter for his wife, and asking him to forward it to her. In due time a letter was received addressed to Mrs. McKenney, saying she had married Edward F. Waite. He then went to Boston, and thence to Portland, and in November identified her as his wife, then the wife of Waite, and had her arrested for bigamy. He waited for the trial, she to her, and shaking his finger in her face, said, "She is the woman I married in 1862, and she bore me two children, and no other." She sat perfectly still, and looking up in his face, a smile crept into her features.

Mrs. Holden of Boston, Waller's sister, testified to identifying her as Mrs. Waite at Waite's house, she having formed her acquaintance in Pictou last July.

POSITIVELY IDENTIFIED.

Thursday the Superior Court room was again filled, one side being densely thronged with women. The respondent entered with her husband and her mother-in-law, Mrs. Waite. Her face looked worn and anxious, but undaunted. Then came John Waller, with his thick dark whiskers and light blue eyes, in singular contrast. He wears a full beard, thickly strewn with gray, and is partially bald. He is twenty years older than the woman he claims as his wife.

M. West of Pictou, a brother-in-law of Waller, was the first witness. He said he was present when Catharine McKenzie married Waller, and positively identified the defendant as Waller's wife. He had known her for twenty years, and was perfectly sure of his ground. On cross-examination Waller's sister, Elizabeth, who was before called, also identified Mrs. Waite positively as the woman who married her brother. She was certain she was the woman, for she had seen her frequently for six years, and saw her in Boston three years ago.

CONFRONTED BY HER CHILDREN.

Carrie Waller, eleven years old, then went close to the prisoner and repeated, "Yes, sir, that's my mother." The prisoner looked the child steadily in the face, and then turning to Mr. Waite, smiled, as if to say, "A pretty piece of work." The child, on going back to the stand, seemed to be afraid of her mother. After a few moments she went to relating the circumstances of her mother's visit last summer, recognized her as soon as she came into the house.

Johnny Waller, seven years old, said he identified the woman as soon as she came in. He afterwards testified that his father and Mrs. Holden had talked in the window a day. His father told him his mother's name was Catharine Waller, and Mrs. Holden said to him on Wednesday morning, "Here's your mother coming into the house."

AN OLD SCHOOLMATE'S RECOGNITION.

Mrs. Ward testified that she used to go to school in Pictou with the defendant. She met her in Portland again. On the 10th of July she came in a carriage to leave Truro. He said: "Why, there's Mrs. Waller." She drew back as soon as she saw him. He looked back and she bowed to him. He did not speak to her because although she felt above him, with her good clothes on. At the request of the County Attorney the witness approached the prisoner, who was required to look him in the eye, which she did unflinchingly, looking up rapidly and dropping her eyes again. Witness expressed herself satisfied that they were the eyes of Catharine McKenzie.

Several other witnesses also swore to her identity, and photographs of her children were produced and proved to have been in her possession.

FURTHER PROOF.

Besides the personal identification, it is in evidence that during her visit to John Waller last October the woman who certainly was his wife, with whom the witnesses identify with Mrs. Waite, gave to John Waller's housekeeper a baker's half dozen of Carrie M. Kent. The medicine with the same witness took from her bag and administered to John Waller's children was then identified by George C. Frye, a druggist and apothecary, who put it up from a prescription of Mr. Henry P. Merrill, who testified he gave the prescription to Mrs. Waite during the ordeal Mrs. Waite maintained the most perfect composure.

On Friday Charles E. Somerby, bookkeeper in the Canal National Bank, was called as an expert in handwriting. He had compared three pieces of letter—one package received by John Waller in his wife in Portland, four others addressed to Waller since the trial, and the signature to the bank signature card, and testified that in his opinion the letters were all written by the same hand, the writing was disguised in the four written after the trial.

MRS. WALLER ALL BUT HER HAIR.

Mrs. Mary Swazer testified that she knew the defendant as Kate Wallace and met her very week until she left Portland. She said her father was a descendant of Sir William Wallace, Spear, now witness's husband, was afterward paying attention to Kate Wallace. Before the engagement, in 1870, she disappeared, saw her next at Atlantic Lodge, and her husband said she then called herself Carrie Kent. Kate Wallace's hair was a dark brown. Mrs. Waite seems to be blonde. Witness then repeated the story in Hand repeated this statement at the trial, and in addition to the color of the hair said she had no doubt the defendant was Kate Wallace. Saw her at Mission Lodge in 1869, and was recognized by her. She was then Kate Waite.

Mr. Austin F. Edgerly, Custom House officer, identified defendant as Kate Wallace, although her hair was the color of little Carrie Wallace's. She lived with him.

Mr. Alfred E. Smith, hair dresser, and an expert in dyeing hair, knew the defendant and he asked to take off her hat that the witness to examine her hair, but her counsel objected, as the defence had been set up that defendant's hair differed in color from the Government's description. Objection sustained.

EXPLOSIVE EVIDENCE.

The County Attorney then read twenty-nine letters from Catharine Waller to her husband, John Waller, in Pictou, Nova Scotia, bearing dates, some of them having none at all, and very few giving the year. With one exception they all appear to have been written from Portland. The exception was from Boston, announcing the writer's intention of returning soon to Portland. Many letters show that they lived as a wife who contributed to Portland went out to service, first at the house of Mr. Edgerly, a Custom House officer, afterward lived in Oak street, in Congress place, in Brainard street, and elsewhere in the city. In almost every letter she speaks of sending money home; sends tender messages to her children, tells of her lonesomeness and longing to be at home, but declares, nevertheless, that she cannot go back to the life she led there before. She reminds her husband that he is happier than when they were together, but attributes their differences to the poverty of their lot. Once she asked him to send her a Truro paper and promised to send the money to pay for it. She asserts over and over again her fidelity to him, saying she has never loved any other man, and bids him to be true to her. If they had enough to live in comfort, she says God knows how gladly she would go home and call herself his loving wife. In the Boston letter, however, she says she has a chance to go to California, and if she goes she will never return to Nova Scotia. She complains of frequent sickness preventing her from sending money, and talks frequently of making a visit at some time when she gets money enough, but always insists that she will not go back to live as before.

ANGRY LETTERS.

In a letter of Feb. 15, 1873, she replies to an angry letter from Waller, telling her if she can't be content with what he has, in God's name to stay where she is. She says she cannot live in poverty as they have done. If he is tired of living alone he can get a divorce on the ground of desertion. She says she has never loved any one on earth but him, and does not wish to give him up; but if he wants a divorce he can have it all his own way, she will not interfere. There is another letter, dated Aug. 1, 1873, after the visit to Pictou, in reply to a letter accusing her of having made a new marriage. It is a very angry letter. She declares that the vile accusation has originated in his own bad heart. She could have got a divorce if she had wanted it, and, if she desired to, marry again; would have cheated no man, but would have told him the whole truth; but if John Waller was a sample of the men, she prays God to keep her from them all. In this letter she says she intends to sail for Cuba in five weeks. The letters are ungrammatical, but not without a certain vigor of expression which is very marked in the last of the series. Mrs. Waite listened with an appearance of great interest, occasionally turning to her husband, Mr. Waite, with a smile, which he reciprocated.

LETTERS BY MRS. WAITE.

Then came two letters written avowedly by Mrs. Waite on the 8th of September last. The first was addressed to John Waller, and was accompanied by a note from Mr. Waite, which was ruled out by the Court. Mrs. Waite's letter explains that she was in Truro (in July apparently), and met there a woman called Mrs. Waller, but don't know whether she was Mr. Waller's wife or not. The second letter is addressed to George Holden, who had then identified Mrs. Waite as her brother's wife. Mrs. Waite says she knew a girl named Carrie Waller, who resembled her; that Carrie Waller said she had a husband in Pictou and meant to fool him, and that Carrie's plot had involved her in this dreadful suspicion. She relies, however, upon her husband's constancy, and he knows whether he married a girl or a woman. She adds that Mrs. Holden seems to take more interest in the matter than her brother, who says women are plenty enough in Nova Scotia. During the reading of this letter Mrs Waite hid her face in her muff. The letters in red ink were not introduced.

OPENING FOR THE DEFENCE.

After the reading of the letters the prosecution rested their case, and Mr. Verrill began the opening speech for the defence. He cited leading cases of mistaken identity from the books, and argued that the evidence does not prove the identity of Carrie M. Waite and Catharine Waller; that while the Government will argue that Catharine McKenzie, who married John Waller, Kate Wallace, the name she bore in Portland, Carrie M. Kent, and Mrs. Edward F. Waite are one and the same woman, the defence would claim that the proof was not conclusive on that point; also that Carrie M. Kent, who they did not desire to be Mrs. Waite, was never John Waller's wife. The proof of the marriage to Waller had not been put in, and her identity was not established. The attorney dwelt upon the improbability of any woman acting so foolishly if she were concerting a plan to cheat her husband.

Mr. Fessett and Mr. McMillan were then called. Their testimony was to the effect that they had met and knew Kate Wallace in Portland, and she was accompanied by a woman at times who resembled her very strongly.

THE JURY DISAGREE.

PORTLAND, Me., Feb. 1.—The counsel for the defence having concluded his closing argument, County Attorney Libby summed up for the Government, occupying two hours and a half. The Judge was fifty-five minutes in delivering his charge.

The jury retired at half past seven, and at half past eleven o'clock came in for further instructions; not having reported at midnight, the court was adjourned. At half past twelve o'clock the jurors sent word to the Judge that they were unable to agree, and were discharged. They stood nine for acquittal and three for conviction.

The court room remained crowded with men and women until the adjournment.

THE LOUISIANA COMPLICATIONS.

Kellogg's Swindling Plan of Repudiation—The Prospects of Senator Carpenter's Bill Ordering a New Election.

WASHINGTON, Feb. 1.—Information has been received here from reliable parties in New Orleans which contradicts other stories so industriously circulated about the Chamber of Commerce in that city endorsing the Kellogg funding scheme. They say that there are no honest men in New Orleans who endorse this swindling plan of repudiation; that it is simply a plundering job worked up by Casey and the Custom House Ring.

There is no doubt that the Kellogg party are very much frightened at the prospect of Carpenter's new Election bill passing the Senate. However, I do not see yet how sufficient force can be mustered either in the Senate or House to pass this bill. I believe that most of the Democratic Senators will vote against it on the ground that Congress has no constitutional power to interfere in this way.

One thing is certain, that there is a very pretty fight on the tapis between Morton and Carpenter, and it is altogether probable that other Republican Senators will be drawn into it before it is ended. This Louisiana business is destined to be troublesome to the Republican party. It is a grievous weight to carry if something is not done to better the present condition of affairs in that State, and if they attempt any adjustment there is great danger of their complicating the difficulty, and what is worse, quarrel among themselves in trying to adjust it.

Senator Carpenter will introduce his bill tomorrow or on Tuesday. Senators who are opposed to it say that it cannot pass, and its friends express doubts as to its success.

Ex-Gov. E. O. Hebert of Louisiana has addressed a letter to Senator Bayard, in which he says:

> It is perhaps unnecessary to dwell upon the untold woes inflicted upon Louisiana and her people by the reckless and unprincipled adventurers who have misgoverned her for the last few years, close upon the footsteps of returning peace, and plundered without stint, as already impoverished people, for a pretext to allude to the enormous and iniquitous debt under which the State hopelessly staggers; to the taxation heavier already collected, heavier and more onerous than exists in any civilized country on the face of the globe, and under which an oppressed people struggles for mere existence in unremunerative agriculture, paralysed industry, stagnation of business, general distress, and a crushing poverty, almost universal throughout the length and breadth of the State, and all the fatal consequences of such legislation so unchristian, so audacious, and so atrocious, that the mind stands aghast at the mere contemplation of the damning frauds and iniquities, perpetrated almost in broad daylight, under the cover of law. But a new election cannot right any of the wrongs of which complaint is made.
>
> There is no doubt a great majority of the people are committed to the Radical proceedings by which the present government of Louisiana was installed. But what is now proposed? That Congress shall commit another wrong and convulse the State with a new election. While it might accomplish an end of temporary expediency it would set a precedent under which elections in the States of the Union would be handled with by Congress. An election, if ordered now, could not well take place before June. The Constitution of Louisiana provides for a new election of members of the Legislature in November. The Legislature adjourns on the 4th of March. Let there be wrongs to right the people of Louisiana can right them under their own Constitution—laws of Congress, which will answer the practical purpose of an election in May or June under Congressional interference.
>
> If Governor Kellogg has, in the judgment of the people, behaved improperly, the Constitution of the State authorizes a majority of the House of Representatives to impeach and convict him before the Senate of State officers. All can be done without involving the dangers and expensive means of a new election being ordered by Congress.

The ex-Governor presents these views as a Democrat, as a citizen, and a citizen of Louisiana deeply interested in her prosperity and welfare.

Gen. Sherman on Grant's Quaker Policy.

WASHINGTON, Feb. 1.—Gen. Sherman, while before the House Military Committee yesterday, said that the influence of the humanitarians, who regarded murder on the part of the Indians as a mere exhibition of moral insanity, had induced Gov. Davis, of Texas, who ought to have known better, to commute the sentence of Satanta and Big Tree, and the same influences at Washington had finally restored them to freedom, and they were now on the reservation ready to start out on more murderous raids. If they should so do Gov. Davis, the next time he intimated that he would not shed many tears. He reviewed the Modoc difficulties, and gave it as his opinion that Gen. Canby had been a victim of the temporizing Quaker policy. He favored the transfer of the Indians from the control of the Interior Department to that of the War Department.

Ice.

Yesterday all along the upper part of the Hudson gangs of men were busy getting out their tools and rigging, confident that they would begin to cut ice this morning. Their orders are to wait until the ice measures eight inches in thickness. This is the minimum thickness at which the ice can be profitably handled. Even at this measurement the waste from breakage is very great.

Rockland Lake was not frozen over yesterday, a large space in the middle being open. Everything is in readiness to begin work there, and if the cold weather continues until Wednesday the Knickerbocker Company will begin to cut at that time.

A HORRIBLE SPECTACLE.

A MURDERER BEHEADED BY A HANGMAN'S ROPE.

The Terrible Death of Marshall Martin in California—The Trap Falls and the Culprit's Head Flies from his Body.

From the San Francisco Chronicle, Jan. 24.

Marshall Martin, the accomplice of the woman Elizabeth Eischler in the murder of her husband, Valentine Eischler, near Antioch, in November, 1872, suffered the extreme penalty of the law yesterday in the jail yard at Martinez. Valentine Eischler was an old German who lived in a small ranch on Marsh creek, about twelve miles from Antioch. With him lived his wife Elizabeth, his second wife, a woman about 35 years old. Eischler was a hard-working man, though somewhat addicted to drink. In consequence of this habit his wife learned to despise him, and, for the past year of their lives together, the two lived most unhappily.

Upon her marriage with Eischler, Mrs. Eischler had brought him about $500, which she let him have to purchase the little ranch on which they lived. She wanted this money back so that she could leave him. The money was locked up in the land, and could not be got out.

About this time Eischler engaged Marshall Martin to work for him on the ranche. Martin was a little, dried up man, about fifty years old, who for years had been a fisherman on Sacramento river. Martin became quite intimate with Mrs. Eisbler, and she made a full confidant of him. Being almost an idiot, he was easily influenced and completely under the control of Mrs. Eischler.

PLANNING EISCHLER'S DEATH.

It was about the 1st of October that Mrs. Eischler began to intimate to Martin her desire to get her husband out of the way. Various plans were talked over between them, but at each interview on the subject Martin says that he endeavored to dissuade the woman from her purpose, but without success. He finally consented to aid her, and as poison was the instrument agreed upon, he went to Vallejo one day to procure it. He bought either arsenic or strychnine—he didn't remember which—and Mrs. Eischler at once proceeded to administer it to her liege lord by mixing it in a pumpkin pie. Some how or other Eischler didn't care for pumpkin pie that night, and so the attempt for the time was a failure.

Various other plans were thought of, and several of them came near being put into execution. One, for instance, that was agreed upon was for Martin to accompany the old man in his wagon to Antioch. On their way home Martin was to watch his opportunity, and kill Eischler with a pistol or whatever was most expedient. They were then to throw the body into an old well, saturate the clothing with kerosene, set fire to it and burn it up, and then fill in the well at their leisure. This was the last well-digested plan thought of.

On the 16th November, 1872, they tried to put it into execution. Martin accompanied the old man to Antioch, but when he came to carry out his part of the plot, his heart failed him, and he rode up to the ranch beside his intended victim in mortal fear of the woman's upbraidings if he failed in her behalf. The latter was highly indignant at Martin for his failure, and she straightway informed him that the deed must be done that night anyhow.

THE TERRIBLE DEED.

Eischler and Martin arrived at the ranch about 4 o'clock. The old man got his supper, and then went out to make a windlestree. While engaged at this, Martin, as he details in his confession, came out to aid him. Suddenly Eischler received blows on the temple, which felled him to the ground. He then leaped over the pole of the wagon and struck him again. By this time Eischler was senseless and dying. The woman came out, and with her help the two dragged the victim into the stable, and buried him in the manure, in order to give the impression that Eischler had been kicked to death by the horses.

After getting it to the stable the body showed signs of life, whereupon several more blows were struck, which put the victim out of his pain. At the woman's suggestion Martin then went over to Eden Plains to attend the Good Templar's Lodge, he being a member of that body, leaving her alone in the house. On the way he told some one that Eischler had been kicked to death by the horses, and that his wife needed help. This raised the alarm in the neighborhood, and Eischler's body was discovered in the stable. To the neighbors it was at once apparent that a murder had been committed, and within an hour from the time of the circumstances revealed the fact that the deed was undoubtedly committed by Martin and the woman.

CONFESSING THE MURDER.

They were both promptly arrested, and by a judicious questioning by the officials were soon induced to confess that they had murdered their joint work. Each, however, persisted in throwing the greater share of the blame upon the other. Soon after their incarceration in the Martinez jail the woman evinced unmistakable evidences of insanity, and after full and searching medical examination, she was finally committed to the asylum at Stockton, where she now remains a raving maniac.

Martin was convicted of murder on May 9, and was sentenced to be hanged on Friday, the 23d following. Before this time arrived, however, a motion was made for a new trial, but was denied. An appeal was then carried to the Supreme Court, but that body on the 11th of October affirmed the judgment of the court below. On the 23d of November Martin was again sentenced to be hanged, this time on the 23d of January. An effort was now made by a number of humanitarians of Martinez to have the sentence commuted to imprisonment for life, but it failed.

THE WALK TO DEATH.

At the close of the religious exercises yesterday morning Sheriff Ivory entered Martin's cell and read the death warrant. The Sheriff then said: "Martin, I am now going out to see that all is ready. When I return you must be prepared to go with me." The old man sighed heavily, but said nothing. The oppressive silence, the terrible reality, and the solemnity of the scene, all had their effect upon Martin, and he showed signs of faltering. Dr. Hertel took his hand, and, in reply to a request of his, at once began to sing a hymn. Martin soon became calm, and in another moment the Sheriff appeared.

"Well, Martin," said the Sheriff.

The little old man sprang up with all the nervous force at his command, and was out of the cell door in an instant. Martin walked briskly down the yard, walked with a tolerably firm head and rather quick step along the short corridor. The Sheriff led the way to the left after passing into the yard, and in an instant Martin came

IN SIGHT OF THE GALLOWS.

He displayed not the slightest tremor or nervousness, but walked up the steps with very little assistance. Martin was placed in a chair while the Sheriff read the concluding portion of the death warrant. Dr. Hertel then offered up a fervent prayer, and at its conclusion Martin was requested to stand on the trap. As he did so, he said:

GENTLEMEN: I want you all to understand that I am here to die; but I am innocent as man. I don't deserve this. The man that caused me to do this deserves death a thousand times more than I do. That is all I have to say.

Straps were then necessary adjusted about the limbs, the black cap drawn over the head, the fatal noose fitted about the neck—the whole not occupying half a minute. An instant more the arm of the Sheriff went up, a man in the rear cut the rope which held the lever in place, the trap gave way, and the body shot down with terrible force.

A HORRIBLE SPECTACLE.

The scene which followed almost beggars description. The body shot straight downward. The rope stretched with a sudden, elastic like spring, the black cap flew into the air at least eight feet, and spattering the blood in great spots over the rope, the white washed wall, the trap, the chair in which the doomed man sat and the Sheriff's boots, it rolled away in one corner of the enclosure. The body of the poor man fell to the ground with a great thud, and two red, gushing jets spurted up from the neck and fell down on the ground in torrents. A deader look, and then the horror-stricken faces of the spectators showed that the awful nature of the occurrence had burst upon them. The old man's head was almost torn from its body, and it was even then lying in the black cap where it had rolled in the corner. The headless trunk lay weltering in the blood which poured from the neck. Not a word was spoken. After the first burst of horror strong men turned away, sickened at the spectacle. The faces on the platform were blanched and ghastly. The Sheriff was as white as chalk, but he was cool and collected, and did much to inspire those around him.

THE SEVERED HEAD.

Dr. Holbrook, who was present, first emptied the black cap of its sickening contents. He lifted the cap at the top, and the head rolled away over the ground like a cannon ball. The rope had severed the neck as cleanly as though it had been done with a knife. The vertebra had actually been pulled away from what the doctor called the atlas. The larynx, the arteries, the tendons were all torn apart, the latter only showing straggling ends. Death, it is hardly necessary to state, was instantaneous. From the time of the headless trunk struck the grid until there was not even a quiver of the little finger. The body lay like a lump of lead. The horrible remains were at once placed in a coffin and hidden from sight.

THE CAUSE OF THE FRIGHTFUL MISHAP.

No blame is attributable to Sheriff Ivory for this terrible mishap. The rope was adjusted for a fall of six feet, and it was said that this was no more than is usually given. Dr. Holbrook, who made a critical examination of the remains, testified before the Coroner's jury, later in the day, that, taking into consideration the physical condition of the man—his soft, flabby flesh, and the weak condition of his muscular system—it was not at all singular that his neck should give way.

UNCLE SAM'S FARM.

Four Hundred Million Acres of Arable Land Open for Settlers.—A New Homestead Law to Correct the Abuses of the Old System.

WASHINGTON, Feb. 1.—The Committee on Public Lands of the House of Representatives, in a recent report say that the whole arable public land remaining, after deducting mountains, alkaline plains, sand and sage deserts, swamp lands and shoal lands, railroad grants, &c., cannot exceed three hundred and fifty to four hundred million acres. There were taken up by homestead entries alone last year nearly four million acres, and as our population increases this yearly amount will also increase, and at so rapid a rate that in less than a century the whole arable land of the Government will be absorbed by settlers. Although it has been the beneficent intention of these preemption and homestead laws to afford cheap homes to the people, yet both laws and especially that which allows preemption, have been perverted from their original design and have been made the instruments whereby speculators have obtained large areas of land and hold them unimproved waiting until the neighboring improvements of industrious settlers may enhance their value and afford a profitable sale. In a limited degree the same abuses have grown up under the present homestead law.

To correct these abuses, to insure to every one who wants it a home, to prevent frauds on the national Government, and to bring under improvement the public lands, is the object of the bill reported by the committee. It repeals the preemption laws, except that it allows inchoate titles under them to be completed according to their provisions. It also substitutes for the present Homestead law an entirely new one, retaining all the best features of the existing law, and adding others that the experience of the working of that law seemed to require. It does not interfere with the Soldiers' and Sailors' Homestead law. Its new features are as follows:

It requires actual settlement and cultivation for five years, after which, on due proof thereof, the settler can obtain a title to 160 acres of land, the whole cost of which will be $10 on entry of the land, and $8 on final proof. If, however, the settler wishes to obtain a title earlier than in five years, he can do so at the end of eighteen months on payment of the minimum price of the land.

The bill exempts "pine lands," with mineral, coal, and saline lands heretofore exempted, in order to save such tracts of valuable pine timber to the Government, that are now destroyed under the present laws, without insuring settlement or cultivation. It extends to minor heirs, at the death of their parents, the right to continue the parents' settlement with the consent of the guardian, and all as widows, after settlement and before entry, to make entry in their own right of the deceased husband's claim, in controversies where two or more persons have settled on the same quarter section or smaller legal subdivision; also that vacancies in the office of register or receiver shall not prejudice claimants in any matter pending for the establishment of their claims. Among other provisions it allows the purchase by cash of small tracts of forty acres for sites for mechanical, commercial or manufacturing purposes, after one year's occupancy thereof, and provides that the United States may not hold more than a lateral mile of railroads shall be held at the double minimum price of $2.50 per acre.

THE WASHINGTON RING'S PROFITS.

Nearly a Million and a Half of Dollars on the Patent Pavement Jobs—And Another Million for Grading Streets.

WASHINGTON, Feb. 1.—Among the letters and papers of Wm. S. Huntington published in THE SUN of Tuesday last was the following memorandum:

PAVEMENTS.—Pennsylvania avenue and Eleventh street, say 10,000 yards at $5.20, to cost us $4.30. J. O. Evans has large contracts for paving there, one to J. O. Evans, Lewis Clephane, H. Kilbourne, and W. S. H. Twelfth street, between F and Pennsylvania avenue; Big tenth street, between F and Pennsylvania avenue; Big tenth street, between Pennsylvania avenue and Pa. avenue, between Seventeenth and Nineteenth streets, about 12,000 yards at $2.85. Baldwin, sub-contractor. Profits seventy cents per yard. J. O. Evans, Lewis Clephane, H. Kilbourne, and W. S. H.

GILBERT'S VULCANIZED CONCRETE.—New York avenue, Fifth to Ninth street, about 20,000 yards. Clephane has charge. Contract to Baldwin at $2.60. Receives $3 per yard. Profit 40 cents per yard. J. O. Evans, L. Clephane, H. Kilbourne, and W. S. H.

Here were one hundred and twelve thousand yards of wood pavement and twenty-five thousand yards of concrete pavement on which the average profit was, according to Mr. Huntington's figures, eighty-six and two-thirds cents per yard. In the last report of the Board of Public Works the Chief Engineer certified that 1,557,253 yards of wood and concrete pavements had been laid up to Nov. 1, 1873. If the average of profits was eighty-six and two-thirds cents on this amount, the handsome little sum of $1,323,394 of the people's money went into the pockets of the ring. On two items alone this is certainly a very nice showing for the ring. The Chief Engineer also says that since the Board began its operations 3,340,000 cubic yards of earth have been removed in the grading of streets. According to the Board's prices an average of forty cents per cubic yard was paid for this excavation and hauling. This would make for grading alone $1,336,000. The profit on this must have been immense. One of the squares east of the Capitol was graded last summer under the direction of the architect of the Capitol, who let the contract to the lowest bidder at four cents per cubic yard; but allow twenty cents as a fair price, and here we find one-half profit for contractors under the Board of Public Works.

GALLAGHER IS HIS NAME.

The Man Who Didn't Blackmail the Director-General of the Centennial.

WASHINGTON, Feb. 1.—The following letter, which is self explanatory, has been furnished to the press by the President of the Centennial Exposition:

> UNITED STATES CENTENNIAL COMMISSION,
> 924 WALNUT STREET, PHILADELPHIA,
> Jan. 28, 1874.
>
> *Hon. Joseph R. Hawley, President Centennial Commission:*
>
> SIR: My attention has been called to certain despatches from Washington referring to a rumor that several persons had made application to me, or approached me on the subject of Centennial measures in Congress. The despatches were sent entirely without my knowledge, and greatly exaggerate the facts.
>
> It is true that eight persons approached me to ask for compensation for services they might be able to render. But one person, Mr. Gallagher, representing himself to be a correspondent, applied to me for such compensation for himself and two others associated with him, whose names were not given. I gave a decided negative to the proposition, and if any leading journal, but gatherer news for a large number of weekly papers in different sections of the country who have no regular correspondents in Washington. He offered to furnish interesting items of news and a four announcements promptly to all these papers, in order to keep the subject fresh in the minds of the people, apparently regarded as a mere advertising business, and as such the offer was considered and respectfully declined.
>
> As you are aware, the Commission has always held that the Exhibition must stand upon its own merits and its national character, and I have been gratified and encouraged to learn, in my interviews with the representatives of the press, that they fully agree, that they regard the enterprise in the same light, will give it a fair and impartial consideration, and that they will unite in withstanding demands or all appeals on the part of any one to obtain money for the support of measures pending in Congress.
>
> It regret exceedingly that the reports referred to have been so exaggerated, and that they have given cause for embarrassment to the gentlemen at Washington, who so worthily represent their profession.
>
> I have the honor to be, your obedient servant,
>
> A. T. GOSHORN, Director General.

An Eleventh Ward Gang Committed.

On Friday night, while Capt. Murphy was arresting "Cale Gunnion," one Thomas McKeon interfered and attempted to shoot the captain, snapping a revolver at him three times. After this attempt McKeon escaped, but was arrested on Saturday night at Fifteenth street and Avenue A by Capt. Murphy and Officer Conley. As the officers were taking McKeon to the station, three friends of the prisoner attempt d to rescue him, but were driven off by the officers. With the assistance of other officers the three were arrested. They gave their names as John Riley, Michael Curley, and Frederick Ehrhardt. Justice Flammer yesterday committed all four without bail.

Bill Kemble's Friend Ordered to Disgorge.

HARRISBURG, Pa., Feb. 1.—The jury on Saturday, after being out three hours, returned a verdict against Evans for $185,683'0. He was committed to the county jail last night. His two assistants accompanied him to prison. Considerable sympathy is expressed for him. The jury say they would have given a verdict in his favor but for the instructions of the Court. A motion will be made on Wednesday in arrest of judgment.

Shot Dead at a Dance.

NASHVILLE, Feb. 1.—Last Friday night, at a dance in the Sixth District of Davidson county, Joseph Bates, aged seventeen, was shot dead while on the floor with his partner by Robert Bates. The quarrel grew out of rival claims to a young lady for the dance. The parties left the decision to the lady. She took Bailey, and Bates was so enraged that he shot him. Bates escaped.

Impostors.

An impostor representing himself as a Catholic priest is going about in the upper part of the city endeavoring to swindle poor servant girls out of their hard-earned wages on the pretence that he is collecting money to build a church. It is believed that there is more than one person engaged in this description of petty robbery. In some of the Catholic churches parishioners have been warned against the swindlers.

The Rev. Dr. Charles F. Deems will lecture on "Luck" in the Church of the Strangers, Mercer street, near Bleecker, on Friday evening next, for the benefit of the Free Dormitory for Women.

Extensive preparations are making for the ball of the William A. Darling Club, which is to be the event in Irving Hall on the evening of the 11th inst. The place is to be magnificently decorated. A large silver perfume fountain imported from Paris is to be one of the features.

Masked Robbers near Albany.

ALBANY, Feb. 1.—A bold robbery was perpetrated during last night at the house of Andrew Murray, an aged farmer, who lives in Guilderland, eight miles from this city. Four masked men bound Mr. Murray and his sister, the only occupants, with cords, and robbed the house. They stole a pair of valuable horses, which they harnessed to a sleigh, and then escaped.

CHIEF MATSELL'S ALARM.

SOMETHING THAT THE POLICE COMMISSIONERS WANTED.

What the Police Suppose to be a Plot for the Destruction of the City—The Old Story of the Mountain and the Mouse.

On Saturday Capt. Williams of the Prince street police was informed that a quantity of hand grenades of very destructive pattern were stored in the cellar of 168 Bleecker street, which is rented by Desiré Debuchy, a Frenchman, who, with his family, occupies apartments on the second floor. The person who gave the information also said that Debuchy was one of the French Communists that since the Franco-Prussian war are said to have transferred the scene of their plotting from Paris to this city. Early yesterday morning Capt. Williams, with two detectives and one patrolman in uniform, called at Debuchy's rooms, but found only Mme. Debuchy at home. The officers waited, and at half past one the dreaded Communist arrived. When informed of the purpose of his visitors he led the way to the cellar. In one corner was a straw mattress, on which some one had lately slept, although at the time of the visit it was unoccupied. Debuchy pointed to a coal bin, which with the bed and a pile of what seemed kindling wood in the corner, was all that was visible in the cellar, and asked Capt. Williams whether he saw anything to frighten him. "Ne" Captain replied by stirring up the pile of kindling wood, whereupon M. Debuchy became less complacent, and demanded angrily under what right the search was made. Fearing that M. Debuchy might have a grenade in his pocket, the Captain directed the patrolman to stand by Debuchy while the search was being made. At the bottom of the kindling wood an ammunition box was found, the lid screwed down. It was opened, and found to contain thirty-six hand grenades of a pattern entirely new.

A CONUNDRUM ANSWERED.

"What are these?" asked Capt. Williams.

"Hand grenades," replied M. Debuchy.

"Are they yours?" again inquired the Captain.

"They are mine," said M. Debuchy, gravely throwing himself back and folding his arms.

"Then you are my prisoner," said Capt. Williams.

M. Debuchy was very anxious to know under what authority the house of a peaceful citizen was invaded and ransacked, but the information was not vouchsafed him until he reached the station. How to get the grenades there became an interesting query of Capt. Williams. One that they took out was undoubtedly empty, but were all in the same condition? The procession moved at last, with a detective at each end of the box. They trembled as they carried it. Terwilliger made a misstep as they reached the street, and the box fell with a crash. Terwilliger fell too, and it took nearly a minute to get himself on his feet again. The box was not blown to atoms. They got the box safely to the station house at last, and then examined their dangerous freight.

THE GRENADES DESCRIBED.

Each grenade consists of two cast iron spheres. The inner shell is about a sixteenth of an inch thick, and bristles with fourteen cap tubes. It is intended to be ignited by means of powder. The outer shell consists of two hemispheres of eighth inch cast iron, joined by a powerful screw of four threads. The inner shell fits loosely in the outer, and when charged and capped could not be thrown without exploding. A strong man could throw one of these fifty yards, and falling among a platoon of men it would prove as destructive as a discharge of canister from a field piece. Still a man might easily carry several of them without attracting attention.

Debuchy says that the grenades have been stored in his cellar, and accounts for their being there at all thus:

In 1870 he was a member of the Comité Democratique de New York, an association of French residents of this city formed to furnish aid and comfort to beleaguered Paris. In furtherance of their designs they had one Murphy make the grenades as a sample. Several were sent to the Commission of Defence of Bordeaux, in proof of which the following letter is produced:

> COMMISSION D'ETUDES DES MOYENS DE DEFENSE,
> RUE VITAL CARLES 30, BORDEAUX, Dec. 30, 1870.
>
> *M. Levelitzer, President de Comité Democratique en New York:*
>
> The commission to provide means of defense has received your specimen of bombs that you were thoughtful enough to provide. They have also had a visit from M. Leonard and heard with pleasure what the New York committee is doing. The commission has directed me to convey to you their thanks, and has sent Mr. Guzman to be their interpreter with you.
>
> Believe me, with warmest sentiments, your servant,
>
> A. NAQUET.

A SMALL BOY'S DISCOVERY.

This letter, M. Pelletier says was received so near the end of the troubles that no bombs were sent, and the committee found thirty-six of them on hand when it ceased to exist. M. Debuchy offered to show the grenades to the committee so ordered. There they have remained ever since, and might have continued to do so had not an inquisitive boy pried into the secrets of the box and denounced him to the police.

The discovery of these grenades threw the imaginative inhabitants of the Police Central Office into a flutter of excitement. Superintendent Matsell, after delivering himself of a long homily on hand grenades and Communism, took one of the missiles home in his pocket, and Inspector McDermott thought that thirty or forty men armed with them in case of a riot in this city could cause a terrible loss of life.

Debuchy is a flower maker, and says that he has been a resident of this city for five years. He is to be taken to the Jefferson Market Police Court this morning.

Genteel Gymnastics.

The gathering in Wood's gymnasium on Saturday night recalled the days gone by when the ring was patronized by the gentlemen of the land and the roughs were assigned their proper place. When such men as William Fuller, Charles F. Ottignon, Benjamin Slack, Hudson, Sheridan, and "Gentleman" John Jackson of England took a lively interest in the manly art of self-defence, and even devoted themselves to the tuition of sparring. The performance was by sons of gentlemen who have profited by some of the instruction of Mr. Wood and his skilled assistants. The entertainments consisted of exh