# CALLING NAMES IN COURT.

### A VERY ANIMATED SCENE IN THE BUCHOLZ TRIAL AT BRIDGEPORT.

**The Prosecuting Attorney and Gen. Smith, for the Defence, Hotly Confronting Each Other —All about a Little Axe Unexpectedly Produced in Court—A Fainting Witness.**

At the trial of William Bucholz in Bridgeport, yesterday, Dr. J. R. Treadwell of Boston, whose expert testimony in the Hayden trial let in a flood of light upon the community with regard to the scientific properties of blood corpuscles, was the first witness. The prisoner's eyes were very bright, feverishly so, and he showed a painful interest in every question asked by his counsel or by the State's Attorney. Dr. Treadwell stepped briskly upon the stand. On the floor beside the witness stand were two pairs of trousers, each of a dark pattern, a rusty axe, and two rags. All of these things the Doctor had examined.

He said that for six years he had made the microscopic examination of blood stains a specialty. During that period he had worked steadily for nine months in every year, and for four or five hours in each day, in analyzing clots of blood, old and freshly shed. He rarely had much difficulty in ascertaining the nature of the blood submitted to him for examination. He could tell human blood from that which came from the veins of brutes, and, for the most part, was able to distinguish between the blood of animals. He was able to do this by observing microscopically the shape and size of the corpuscles. He had studied various authorities, but in making examinations he preferred using his own tests. The difference between the blood of a man and that of a fowl was very marked. Under no circumstances would he be likely to confuse them. "Why," he said, smiling contemptuously when the State's Attorney labored to make this point emphatic, "I could no more mistake them than I could confuse the taste of the turnip with that of the cabbage." The jury were shown photographs of blood corpuscles from men and from chickens. Gen. Smith, for the defence, objected strenuously to their being put in evidence, but he was overruled, and took an exception. The Doctor explained to the jury the difference between the corpuscles, as represented in a magnified form in the pictures. The shapes, he showed, were very different.

This line of examination was preliminary to asking the Doctor to give the results of his tests as applied to the rusty axe that lay beside the witness stand. He took it up, and the defence at once objected on the ground that he had not examined the axe when the stains upon it were freshly made, but after they had been imbedded in rust. The objection was overruled, and an exception taken. The Doctor pointed to certain spots, both on the handle and the blade, hardly distinguishable to the inexperienced eye, which he said were stains of human blood. In their turns he raised the two rags which had been found near the body of the murdered man, and the two pairs of trousers which had been taken from Bucholz's room, and on all of these he said he had found blood spots, the corpuscles of which he had found to be the same as those clinging to the axe.

"Are those the only articles that were sent to you for examination?" asked Mr. Olmstead.

"I think they are all," replied the witness, wiping his hands with his handkerchief, as he dropped the larger of the two rags to its former place on the floor.

The State's Attorney took from the table a small paper parcel, which, since the opening of the court, had attracted the suspicious attention of the lawyers for the defence. He unfolded it, and exposed a small axe blade, rustier, and, apparently, older than the one already submitted to the jury. He handed it to the witness.

"Were you asked to examine that?" he inquired.

The witness recognized it at once.

"Yes," he said, "that was sent to me with the other things. I had forgotten it."

Gen. Smith objected to the production of the axe, and Mr. Olmstead said he did not at present propose to offer it in evidence, but he wished to identify it as the article that was sent to Dr. Treadwell for examination.

"After I have done that," he said, "I shall offer it to the defence for them to put in evidence if they see fit."

"Oh, we don't want it," said Gen. Smith. "We know nothing about it."

"Yes, you do," replied Mr. Olmstead. "You know a great deal about it."

Gen. Smith sprang so quickly to his feet that he nearly knocked his chair down. With the apparent desire of removing every incumbrance from his way, he seized it with his left hand and flung it some feet behind him. His face was flushed, his frame trembled with excitement, and his whole bearing was that of a very angry man.

"What is that you say, sir?" he asked, hotly, taking a step toward the State's Attorney.

"I say," replied Mr. Olmstead, as he abstractedly placed a chair between himself and Gen. Smith, "that you knew all about the existence of that axe blade. You might have produced it if you had seen fit. There is no use in your getting excited about it."

Gen. Smith turned grimly to the Court. "I desire to say, your Honors," he said, "that the statement of the prosecuting attorney is an utter, entire, and complete falsehood;" and, with an action that was very suggestive of shaking his fist in Mr. Olmstead's face, he sat down.

The State's Attorney rose.

"Your Honor," he said, addressing the Court, "I have no reply to make to that. My duty to the State prevents me from noticing it, and if Gen. Smith can derive any satisfaction from making such a charge I leave him to do so."

The axe blade was not offered in evidence, but the passage of words between the lawyers did not end there. At recess, but before the Judges had left the bench, Mr. Olmstead informed Gen. Smith, as though he thought the latter might make an apology. Such a course of action, however, was evidently very far from the mind of the counsel for the defence, for turning suddenly and threateningly upon the State's Attorney, he said:

"I am here now Mr. Olmstead, if you want me."

Mr. Olmstead smiled contemptuously, and, without a word of reply, sauntered out of the court room, while Gen. Smith approached the bench and complained bitterly to the two Judges of the treatment he had received while discharging his duty toward his client.

The efforts of the cross-examination were directed to show that Dr. Treadwell was not competent as an expert. He admitted that Dr. Woodruff had questioned his ability to discern any difference between the blood of a dog and that of a man. He had heard of mistakes being made in this particular by skillful microscopists, and had even understood that certain vegetable substances had been mistaken for human blood; but he was satisfied that with his tests no such errors were possible.

The prosecuting attorney several times objected to the witness being examined on intricate mathematical problems. Gen. Smith, he said, was justly proud of his proficiency as a mathematician, but he had chosen a very bad place to give an exhibition of his skill. But the counsel for the defence persevered, and finally ascertained that a cubic inch of blood contained 60,000,000 corpuscles, and a drop one-twenty-fifth of an inch in diameter was composed of between 5,000,000 and 6,000,000 corpuscles. It required great skill and care to take photographs of blood corpuscles, such as had been shown to the jury, and he (the witness) was a professional photographer. He had practised medicine, both as a surgeon and a physician, for between seventeen and eighteen years. Any corpuscle would be affected for purposes of investigation by rust.

In his re-direct examination the witness testified that the action of rust is to change the shape of corpuscles, and when any were found so changed, a scientist would pass them over, and confine his examination to such as were in good condition. The greatest difference between fowl's blood and human blood, and one upon which he was most trustworthy than even the difference of shape, is that the centre of a corpuscle of fowl's blood is convex, while the same part of a human corpuscle is concave.

Dr. Leonard J. Sanford of New Haven was next called. He said he had paid considerable attention for five or six years to blood stains. Human blood and fowl blood, examined under favorable circumstances, showed a marked difference. The points of distinction were the same as those given by Dr. Treadwell. The State's Attorney asked what power a strong, healthy man might have to walk after a piece of his skull had been chipped out and the brain exposed. The witness thought he might walk for some distance. There would be no great flow of blood. It would spurt out at first, but probably it would soon begin to ooze slowly. The bleeding would be greater if the wound were made with a blunt instrument.

Blood to penetrate freely into a woollen material must be fresh. If he saw a woollen garment penetrated with blood he would say it was subjected to the fluid very soon after the latter had been shed. Blood would begin to become a little dense two or three days after it had left the veins. The witness did not think that, under favorable circumstances, there would be any difficulty in distinguishing between a fowl's blood and that of a man. The age of the clots would make no difference, if they could be soaked and fully restored. The distinction was easily made, and could be done by an experienced microscopist every time.

Paul Hirscher was the next witness. He had known Bucholz, who told him of two disputes he had with Jacob Schulte. On the first occasion the quarrel was about the sale or ownership of some grain. In the course of the dispute Schulte drew a pistol, and Bucholz said he was obliged to take the weapon from him to avoid being shot. On another occasion Schulte complained that his coal was disappearing very fast, and accused his landlady, Mrs. Waring, with taking it. Bucholz took Mrs. Waring's part, and Schulte discharged him. After his discharge Bucholz told the witness that Schulte was a rip saw. He said: "He has lots of money in the bank." On the Tuesday before Christmas Day of 1878, Bucholz said that he had given a friend of his some money to put in a bank for him. He now found that he could not draw his deposit for thirty days, and he wanted to go to New York to get some money from his friend, whose name he did not mention. He borrowed from the witness sufficient to pay his fare to the city.

While Mr. Hirscher was giving this testimony his face was growing very pale, and he frequently sipped the water from the glass before him. He was standing up, and his body swayed slowly backward and forward. When the State's Attorney put the question, "Did you see Bucholz the day before the murder?" there was no answer, and in another minute the fainting witness had fallen, face down, against the rail of the stand, and thence rolled to the floor. He was carried into the Judge's room, and, while a recess was taken, the windows were thrown open and the court room ventilated.

After the recess the witness was unable to resume his place on the stand.

### DAVID EVANS'S HEIRS.

**Some Very Curious Developments in the Lawsuit Between Them.**

There were some curious developments on Wednesday in a suit, in Brooklyn, for the foreclosure of a mortgage given to Miss Ida Evans by Charles D. Evans, her stepbrother, and Mary Evans, his wife, for $4,800 on their house at 148 Ross street, Brooklyn. The suit, which was tried before Justice Gilbert, attracted a large throng of spectators and many ladies who were interested in the family history of David Evans, a lawyer, who was the father of Miss Evans and her stepbrother, Charles, who is also a lawyer. Miss Ida Evans is a comely young woman, with long black curls. Her father, the late David Evans, who died on Jan. 12, 1870, left a widow, Susan A. C. Evans, and two children, herself and Charles D. Evans. Mr. David Evans had been married three times, and when he died, it is alleged, all of his wives were living. His second wife was Mary Ann Cox, the mother of Charles D. Evans, and she afterward obtained an absolute divorce from him. Then he married the plaintiff's mother, who now keeps a boarding house. There are cross allegations of illegitimacy between Miss Ida Evans and Mr. Charles D. Evans. Mr. Evans, in his answer to the complaint, claims to have been the only legal heir of David Evans, and imputes illegitimacy to the plaintiff, who responds, in her reply, that the defendant's mother, Mrs. Mary Ann Evans was obtained from David Evans because of his association with the woman whom he afterward married, and who is the mother of Miss Ida Evans.

Mr. Charles D. Evans, in his defence to the foreclosure suit, claims that on the day of David Evans's death his will was destroyed. It was claimed, on the trial of a contest over the will which was offered for probate as his last will, that David Evans's wife extracted from him, while he was under the influence of morphine, the last one he had made a second will, which, instead of leaving her all the property, as did the one he had before made, divided the property equally between herself and her daughter, Ida. The will, which was wholly in the widow's favor, was the one offered for probate. When it was discovered that the second will had been destroyed, as alleged, the defendant asserts that Miss Ida Evans agreed that if he would prove the lost will he should have half of the share of the estate falling to her, amounting to about $15,000. The contest ended in her favor, and, as she was then a minor, Charles D. Evans was appointed her guardian. He claims that he gave her the mortgage which she now seeks to foreclose as part security for fidelity in his trust, and that in the settlement when she became of age she gave him a general release and an assignment of the mortgage as part of her share of the estate, under their agreement, and also gave him a satisfaction piece. He lost this satisfaction piece, and when he asked her for another she refused to give it to him. She subsequently consented to give him the satisfaction piece if he would allow her to return to his house to board for a year, and, although he consented to this, she never gave him what he required to cancel the mortgage. Accordingly, while Miss Evans sues to foreclose the mortgage, Charles Evans, her stepbrother, asks the Court to direct her to give him the satisfaction piece, and judgment for about $650, for board and for money loaned.

Miss Evans denies that she ever sold or assigned the mortgage to Mrs. Evans, and claims that her signature was improperly obtained to such a paper. She further denies that she ever made an agreement to share her estate with her stepbrother if he would prove the will which made her a legatee, and accuses him of having taken advantage of his legal knowledge to get papers from her which she did not comprehend.

Miss Ida Evans yesterday testified that she was the legitimate child of her father, and that Charles D. Evans was illegitimate. She said that when she signed some papers she did not understand them, and afterward wrote to a New York paper, asking what a satisfaction piece was. She once made an assignment to her stepbrother of the furniture in his house, which had been bought with her money. Her stepbrother said once about the furniture, "Ida furnishes the money, and we furnish the taste."

Justice Gilbert reserved his decision.

**Husband and Wife Both Alleging Cruelty.**

John Long, a baker of 82 Underhill avenue, Brooklyn, is the defendant in a suit in the Brooklyn City Court by his wife Mary, who asks for a limited divorce on the ground of cruel and inhuman treatment. She alleges that since 1876, which was the year after their marriage, her husband has, while both drunk and sober, committed many acts of cruelty to her, and has beaten her with his fists about her head, stabbed her with a large fork, kicked her, and has rendered it unsafe for her to live with him. She says her husband is a man who is a large and muscular woman, and that she is the one who has been guilty of cruel conduct. He alleges as follows: "That on divers occasions, the dates of which the defendant cannot state, the plaintiff's wife intoxicated has struck, bruised, cut, stabbed, clubbed, beat, scratched, bit, and pounded him severely and without any just cause or provocation, and has also assaulted and beaten him with sticks, timbers, glasses, metal weights, rolling pins, towel-rollers, and breakfast-keys, and has used toward defendant, his children, parents, and friends, the most abusive, indecent, obscene, profane, and blasphemous language."

The defendant asks for judgment of separation and for the custody of seven minor children. The couple have had ten children.

**Hanging her Infant Brother.**

POTTSVILLE, Pa., Feb. 26.—Bridget McGee, the eight-year-old daughter of a coal miner in Bear Gap, near Pottsville, Pa., enticed her infant brother into an outbuilding last Monday, and, under the pretence that she was about to give him a swing, fastened around his neck a noose depending from a rude gallows that she had constructed there, and pulled him up several inches from the floor. She copied the noose and manner of its arrangement from descriptions of similar apparatus that she had read. The little child's screams brought his mother to the place, and when he was taken down his face was black and his eyes and tongue protruded. It was several days before his recovery was assured. Bridget Mcgee threatened her father when he attempted to chastise her:

"You old fool," she said, "I will kill you if you touch me."

She quitted her home and remained away two days. In the village school she was at the head of her class, among children much older than herself. A version for sensational story reading is said to have brought about the attempt on her brother's life.

**A Violent Lover.**

Mrs. MacNamara of 155 East Thirty-ninth street made a complaint of assault against James Kiernan in the Yorkville Police Court yesterday. Kiernan, for four years past, has been paying attention to Mrs. MacNamara's youngest daughter. Her mother and sisters were strongly opposed to their marriage. They forbade Kiernan to come to the house, and he was obliged to meet his sweetheart outside. Mrs. MacNamara stopped the meetings by locking up the girl's clothes, and confining her in her room. On Wednesday evening Kiernan called at the house. He was refused permission to see the girl, and was respectfully requested to go quietly. A very discussion followed. Mrs. MacNamara says that Kiernan struck Miss Lizzie MacNamara, and threatened to shoot the whole family. A Madison avenue policeman was called in, and Kiernan was arrested. In court Mrs. MacNamara said she was afraid of Kiernan, and had rather see her daughter married than married to him. Justice Murray required Kiernan to give $500 bonds to behave himself.

**A 'Longshoreman's Life.**

The widow of Edward Rooney sued the Compagnie Générale Transatlantique for $5,000, for the loss of her husband, who was killed while working as 'longshoreman, bringing to unload the steamer France, on the 14th of last June. A rope upon the derrick broke, and the goods which were being hoisted fell upon Rooney, killing him. Judge Larremore, on the trial, yesterday, in the Court of Common Pleas, nonsuited the plaintiff because it was not shown that the rope which it was claimed was rotten, belonged to the company, and even if it did the company would not be responsible, because the work was being done by a stevedore under a contract with the company.

**Haigh's Alleged Forgery.**

Ex-President Dennison of the Grocers' Bank went before the Grand Jury yesterday and, it is understood, testified in regard to some of the commercial paper believed to be forged that J. Lloyd Haigh gave to the bank as security for money lent to him. It is understood the Grand Jury found an indictment for larceny in the third degree against Haigh. He is believed that Haigh will be required to give bail bonds in the District Attorney's office today and in case the bail bond is $25,000 he can save money by not bonding for forgery now found, recently, upon the complaint of Receiver S. V. White of the broken bank.

**Court Calendars This Day.**

SUPREME COURT—CHAMBERS.—Nos. 14, 30, 31, 36, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77,