TWO LAWYERS ANGERED.

CONTRADICTING EACH OTHER IN THE BILLINGS MURDER TRIAL.

Did Mr. Moak Hand to Mr. Beach Two Bones or One?—Using a State's Witness for the Defence to Show that the Skull of Mrs. Billings had been Wrongly Put Together.

BALLASTON SPA, N. Y., April 30.—The reverberation of the prosecution's guns continued through yesterday morning. It was pretty loud. Mr. Moak had not forgiven Dr. Grant, who was called by his side, for saying that the piece inserted by Dr. Balch in Mrs. Billings's skull had brought the bullet hole over the place occupied by the petrous portion of the left temporal bone. The prosecution had strenuously insisted that the bullet which killed Mrs. Billings had traversed this portion. The petrous portion of the skull is the hardest bone in the human body, and the prosecution's theory is both that a powerful rifle was necessary to throw the ball which shattered it, and that the resistance offered by this dense substance accounts for the wastage from the 220 grains of the 44 ball, which fits the rifle found in the old well, to the 159 grains of the ball which was taken from Mrs. Billings's head. Consequently Mr. Moak, the leader of the prosecution, did not accept quietly the testimony of a witness called by him, who declared that he believed that the position of the hole of entry in the Billings skull had been altered by the manipulation of the skull by Dr. Balch, and that, in point of fact, the bullet which killed Mrs. Billings had not traversed the petrous portion. Mr. Moak had belabored the witness for an hour at the close of yesterday's session, and he made him feel that he was wrestling with a threshing machine again this morning. The Albany lawyer drew from the witness the admission that he had communicated to the counsel for the defence facts which he had learned in the District Attorney's room, and made and held up in a score of different lights the inference that this was a dishonorable proceeding on the witness's part.

Mr. Beach came to the aid of the witness who had befriended his client. Rising with deliberation, he punctuated the close of his upward motion with an unsettling of his head in his shirt collar, and with sonorous intonation demanded: "Do you consider it an improperty, sir, to communicate any amelioating fact that you may have learned to those defending a person on trial for his life?" The witness replied that he did not, and Mr. Beach went on to question him concerning a conversation between him (the witness) and Dr. Pike, counsel for the prosecution. Mr. Moak objected, and the Court sustained the objection.

Mr. Beach submitted to the Court the proposition that counsel for the prosecution had addressed the witness to make the testimony regarding the Billings skull conform to that of Drs. Swinburne and Balch, under penalty of being made to appear ridiculous. In the course of his remarks Mr. Beach used the words "cor-rect" and "advantageous." This brought Mr. Moak to his feet. He said that he believed Mr. Beach had used those words for effect. Mr. Beach turned upon the lawyer from Albany. Down came Judge Potter's gavel, and the Court sharply declared that the question was excluded. Mr. Beach replied that he submitted to the ruling of the Court without question, but that he demanded the right to reply to the insinuation of Mr. Moak that he had made charges for effect.

Justice Potter—It's common.

Mr. Beach—Common, your Honor?

Justice Potter—Yes, it's common.

Mr. Beach (with deliberate emphasis and fixing his eye upon Mr. Moak) It's not common with reputable men, sir.

Mr. Moak returned to the flagellation of Dr. Grant. He made him say that he knew nothing about "Longmore on Gun Shot Wounds," and not much about Hammond's "Surgical and Medical Record of the Rebellion."

While Mr. Moak was examining the witness, Mr. Beach asked him for a bone which he had had yesterday. Mr. Moak passed over a parcel. Mr. Beach opened it, wrapped it up again, and passed it back, saying that it was two bones.

Mr. Moak replied that it was two bones he had given to Mr. Beach yesterday.

Mr. Beach said it was not, that it was one bone.

Mr. Moak (all afire)—I certainly did give you two bones, Mr. Beach, and I don't like to be disputed.

Mr. Beach (all afire)—You gave me one bone, and I don't like to be disputed, either, for that matter.

Mr. Moak tortured the witness for another hour by making him distinguish between sutures and fractures, and then Dr. Gow was called to the stand, he being a witness for the prosecution whom Mr. Beach yesterday announced he wished to cross-examine. Dr. Gow was the chemist in the Billings case, and assisted at the post-mortem. Mr. Beach asked him about the bone which Dr. Balch inserted in the Billings skull, thereby changing, as the defence allege, the position of the entering bullet hole to a petrous portion of the temporal bone. A package containing all the splinterings and pieces of bone which were left over when the skull of Mrs. Billings was prepared had been handed to Dr. Swinburne by those who put the skull together. The witness did not think that the piece of bone which Dr. Balch inserted in the restored skull was contained in that package when he (the witness) examined it before Dr. Balch made the change he did.

Mr. Moak then took up the witness, and in the course of his cross-examination he was made to admit that it (or the witness) were to put together a skull he would do it in the best way he could, and would not profess to place every bone as accurately as the Almighty could.

Isaac B. Potter, a civil engineer, of West Troy, was called to explain the map of the Billings farm which he had made and which hangs upon the wall in the court room. All the points touched by the testimony in the case were shown to the jury by this witness. He traced also the course which the defence say Mr. Billings took about his farm on the night of the murder and the course which the prosecution say he took. The first of these covers a distance of three and one-third miles, and the last a distance of a trifle less than one and one-quarter miles. The distance which, according to the prosecution, Mr. Billings travelled on foot that night was declared by the witness to be three-quarters of a mile and twenty rods.

A lantern-glass was called. He, with Carey, according to their testimony, found the gun alleged to be Billings's in the old well back of the cornfield. The witness was subpœnaed by the prosecution, but was not called upon to testify. He said that he went to Northumberland soon after the murder, and questioned Billings as to his whereabouts at the time of its commission. The defendant accounted for himself, and showed witness what tracks he had made. The witness visited the old well with Marcus Carey on the Friday morning succeeding the murder, which occurred on Tuesday evening. At the suggestion of District Attorney Ormsby he took Sherman with him to see the gun, with a view to its identification. Sherman, on first seeing the gun, exclaimed: "This is not the gun; the Billings gun had a spring to it." The witness put down the spring, and Sherman burst into tears and said, "That is the gun, or one just like it." Sherman then asked Mr. Chase if he had any brandy. He had none, and witness and Sherman got some at a place near by. Witness said nothing that Sherman said he felt faint, but he looked pale. Sherman asked witness when they met if he was going to arrest him. Witness requested an interview with Billings the morning after the murder. It was obtained, and witness asked Billings where he had been the night before. The defendant readily accounted for himself, and did not appear otherwise than frank and open during the interview.

William H. Durkee was the last witness called by the defence to-day. He testified that he met Billings at 7 or 7½ P. M., near Finne's horse-shed, driving north. Billings had a neck-mesaire under the seat of his wagon. Billings said to the witness that he was going up on his farm, that they had had a terrible shower, and he wanted to see what shape the fences were in. Witness made a search for tracks soon after the murder and on the same evening. He went first across the road toward the river to a lumber pile which stood near the towpath. He found a good many tracks there, but no especial line. Some of the tracks were lost in patches of grass and gravel which lay on the river side of the road. None of the tracks, the witness thought, looked as though they were made by rubber boots. The witness searched first in this direction after tracks, because Jennie Billings had told him she saw a man run across the road toward the lumber pile. She told him this five minutes after he reached the house. The witness also followed tracks which he found at the back of the house. They lost themselves at the upper termination of the garden. The witness also saw tracks running from the red gate to the fallen oak tree and returning. These are the tracks that Billings says were made by him. At the red gate the witness noticed a place where a horse had gnawed the fence.

A question by Mr. Beach as to what Mrs. Billings upon one occasion had said to the witness was objected to, and was not pressed. As to what Mrs. Billings did occasionally on the piazza of her house in sight of the bank, the witness would say that he had seen her flirt her clothes, and had heard her use language that he would not be willing to repeat before ladies. Mrs. Curtis could have heard this language, for the witness himself had heard it when he was in the bank.

To Mr. Moak the witness said that he was a constable of Northumberland. He heard the shot that killed Mrs. Billings just as he was going to bed. He had wound up his clock from three to five minutes before, and it was then 8:25. He had undressed after winding the clock, and was about slipping into bed when he heard the shot. He put on his trousers, boots, and hat, and ran over to Billings's, where he found Sherman, Jennie, and others gathered about Mrs. Billings, who was dead. The witness thought it was anywhere between fifteen and twenty minutes from the time he heard the shot to the time when Billings came in.

THE DISPUTED PAGE PATENTS.

Closing Arguments of the Counsel in the Great Telegraph Fight.

The legal battle in which it is sought for the Union Pacific Railway Company, the American Union Telegraph Company, and the St. Louis, Wabash and Pacific Railroad Company to have a rehearing in the Page telegraphic case, was continued before Judge Blatchford in the United States Circuit Court yesterday afternoon. The question presented, as stated by one of the counsel, is whether to Prof. Samuel F. B. Morse or Charles Grafton Page is due the device "essential and indispensable in the telegraphy of the country."

Ex-Judge John F. Dillon, until recently on the bench of the United States Court in one of the Western circuits, appeared for the Union Pacific Railway Company, and argued for a rehearing and modified decree. Before beginning his argument he said that he held an affidavit which he desired to read to the Court.

Objections were made by Edward N. Dickerson and ex-Judge John F. Porter for the Western Union Telegraph Company, and Priscilla W. Page, who held that it would be irregular to admit the affidavit.

Judge Blatchford declared that the affidavit was inadmissible, and it was withdrawn.

Judge Dillon said that the object of the complainants in obtaining a decree in the Page case was that they might go from one end of the country to the other and lay hands on every railroad and other company using the telegraph. If this was not so, then he would end the discussion then and there, provided the complainants' counsel would allow the claim that the Page patents would not interfere with places using the Morse machine, which the petitioners had always used. Judge Porter said that the Morse machine was an infringement of the Page patent. The petitioners said that they had always used the Morse system. He had regarded the petitioners as only a yearling.

D. D. Field inquired if the Union Pacific Railroad Company was a yearling.

Judge Porter wanted to know since when the Union Pacific had been using telegraphy. Judge Dillon said since 1864.

Judge Dillon asked that the complainants consent to have put on the record that the use of the Morse machine was no infringement of the Page patent.

The complainants' counsel answered that they would not consent to such a proposition.

Judge Dillon said that an application for a rehearing in a patent case should be more liberally granted than in any other case, because the decision might affect third parties who had never had an opportunity to be heard or to urge their claims. Unless the complainants had been overwhelming for a mere barren and fruitless victory, the shorter path would be to take up the case where it was at present than to traverse the whole field over again. What was claimed was certain inventions made by Prof. Page in 1837, 1838, and 1839. In the record it was shown that Page was appointed a principal examiner in the Patent Office in 1842, and held the office until 1852. In 1845 he made application to Congress in respect to his "compound magnet or electrotome." That application it had been omitted from the record. In 1854 Page applied for a patent, and Charles Mason, the Commissioner, a man of great skill and ability, decided that for nineteen years the Morse patent had been abandoned to the public. In 1867 the Morse patent expired, and in 1868 the Page patent was passed.

Judge Dillon attacked the patent issued to Page in 1868 as destitute of validity as reviewed by the act of Congress under which it was granted. The application of Page in 1854 described his invention as a device "for administering electricity as a remedial agent." The act of Congress said that the patent should issue to conform with the application then on file in the Patent Office. But the application of 1854 was withdrawn at the time of the passage of the act, and a new one was not filed until afterward. When the second application was substituted for the one of 1854, Page added fourteen claims and expanded it from three to fifteen pages. Congress specified that the Page claim should be examined by the Commissioner of Patents, but it did not appear that there had ever been any examination by the Commissioner. It was a mistake to suppose that the patent could be viewed under the special act precisely as under the general act, and if the Commissioner had not acted, then the Page patent was null. In no respect had the act of 1868 been complied with.

Judge Dillon said that we are living in a curious age, when the verdict of history are being reversed. Lucrezia Borgia was now pictured as a saint, Henry VIII. as a pattern of excellence, and Queen Elizabeth as a pattern of all that was bad. Prof. Morse had been regarded throughout the civilized world as the inventor of telegraphy. He had been honored by decorations from many foreign potentates and powers, such as he richly deserved and such as no other American had ever received. In the Central Park there is a beautiful monument to him. Now that he is dead, an effort is made to rob him of his fame as the inventor of the telegraph. If Prof. Page invented the telegraph he ought to receive the decorations lavished on Prof. Morse, his monument ought to take the place of the one in the Park, and the big building facing the United States Court House ought to be ornamented with a statue of him. If Page found in Morse's patent of 1846 anything that infringed on his own inventions, why did he, he then being the Patent Examiner, pass it as valid? A judicial investigation would determine whether it was true that Page had anticipated Morse. If he was to be decreed to be the inventor of the telegraph, and Morse robbed of his honors, it would be best that his fame should not rest on fractional investigation in an ex-partecase, and on the judgment of two examiners in the Patent Office. If Page was the inventor, the complainants had nothing to fear by an investigation. In conclusion, Judge Dillon said that from what he knew of the case he was satisfied that they didn't touched the hundredth part of it.

Mr. Dickerson replied briefly, saying that the reasons advanced for a reopening of the case were hardly worth discussing.

MR. MEAD'S WINDOWS.

What is Said in Justification of the Course Adopted by Mr. Kemp.

TO THE EDITOR OF THE SUN—*Sir:* The writer's attention has been called to three communications which have lately appeared in your paper, and as he was the active party in the affair of Mr. Mead's windows, and does not care to be too much misrepresented, he begs leave to give a statement of the facts.

Mr. Mead's residence adjoins at right angles one recently built by Mr. George Kemp, at the corner of Fifth avenue and Fifty-sixth street. At the side of Mr. Mead's house are three windows which open toward the back of Mr. Kemp's, and affording as they do a view of the bedrooms, are decidedly an objectionable feature, and should have been closed by Mr. Mead himself as soon as he knew that the property adjoining his was being built upon. When Mr. Kemp left here for Europe last spring he gave orders to his architect to have these windows closed, and after some time had been spent in negotiations the matter was taken in hand by the writer, who proposed to pay all expenses of closing the windows and painting the wall, to make all uniform. Later on, at his suggestion, the offer was made to employ hammered glass, and it seemed as though the desired object would be attained without further trouble; but it appears that Mr. Mead, thinking those who were willing to concede so much and do almost anything to please would consent to everything, makes the absurd demand that the hammered glass windows be arranged so as to open, and other unwarrantable exactions, which, if complied with, would neutralize the object desired, viz., to close the windows.

While Mr. Kemp's property was a vacant lot, Mr. Mead's windows were a harmless vagary; but now that a residence has been erected there, they have become an objectionable nuisance. Inquiries were made by the writer of Mr. Babcock and others who had passed through a similar ordeal, and he was assured by all that such windows were an intolerable inconvenience, and that they certainly should be closed. Closed they are, and will remain so, even if it be found necessary to build a wall against them, as Grace Church did with Dodsworth. Would it not be well for builders to avoid future trouble by ceasing to put such windows in houses? Sooner or later they are a source of trouble to the owners of the houses in which they are placed, as well as to future builders on adjoining properties.

AN OBSERVER.

NEW YORK, April 30.

Blown from a Scaffold and Killed.

BRANCHVILLE, N. J., April 30.—As John Conway, a painter, from New York, was working on the summer cottage of F. D. Waldo, this afternoon, the scaffold was blown down by a gust of wind, and in the fall his back was broken. It is said he leaves a family in New York city.

How to be Well Dressed in Summer.

Ladies will find valuable hints concerning summer attire, and how to present a beautiful appearance the ensuing season, in the paper on "The Art of Dressing," in the *Sunday Mercury* to-morrow.—*Adv.*

President Hayes.

The validity of Mr. Hayes's title may always be questioned, and his administration criticised, but the payment of one dollar gives a valid title to one bottle of Dr. Pierce's Golden Medical Discovery, and its administration can never be criticised in cases of coughs, colds, incipient consumption, and general debility, for leading physicians of all schools endorse the Discovery and prescribe it in their practice. Sold by druggists.—*Adv.*

Every Druggist Sells It.

Quirk's Irish Tea, 25c. a package; no more billousness after using it.—*Adv.*

For House Cleaning

There is nothing equal to James Pyle's Pearline.—*Adv.*

If Easily Irritated or Vexed,

Use Carter's Little Nerve Pills.—*Adv.*

DOWN WITH THE THIRD TERM

YOUNG REPUBLICANS OF THREE STATES IN CONFERENCE HERE.

The Nominee to be Boited and a Third Ticket Run if Grant is Nominated—The Massachusetts Men Quite as Much Opposed to Blaine.

A conference of the representatives of the New York Independent Republicans of the National Republican League of Pennsylvania and of the Young Republicans of Massachusetts was held to-day at 8 Union square, the headquarters of the New York Independents. There were present George Haven Putnam, S. S. Guy, F. W. Whitridge, J. Schoenhof, R. R. Bowker, George Walton Green, H. S. Van Duzer of the New York Independents, W. R. Wister, J. D. Lockwood, T. M. Perrot, and E. R. Wood of the Pennsylvania League, J. W. Carter, W. H. Forbes, Charles P. Bowditch, Sam Bowles, Jr., and Talcott Williams of the Massachusetts Young Republicans. There was a full and free canvass of the political situation, the immediate object of the conference being to decide what part the Eastern reform Republicans would take in the Anti-Grant Republican Convention, which meets in St. Louis on the 6th of May. There was entire agreement that in the event of Grant's nomination at Chicago there would be a bolt, and that a third candidate ought to be nominated, and electoral tickets run in all doubtful States.

The New York Independents reported that they had now ten organizations outside of this city commended to them by intelligent Republicans; that these organizations were daily growing larger, and they had advices and assurances from other parts of the State that at least ten more clubs would be formed. They believed that they spoke within bounds in the assertion that if Grant was nominated there would be not less than 40,000 Republicans in this State who would not vote for him.

The Massachusetts representatives were about as hostile to Blaine as to Grant, and declared that if either was nominated a third candidate would take away enough votes in that State to elect the Democratic electors. If Tilden was not nominated by the Democrats, and Grant or Blaine was nominated at Chicago, they were confident the machine Republicans would not carry Massachusetts. The Pennsylvania Leaguers represented that their strength was daily increasing. They were in receipt of encouraging advices from every part of the State, and were making a systematic canvass. If Grant or Blaine was nominated, they would run a third electoral ticket, and had all the money necessary to carry on a vigorous campaign. If the Democrats put up a respectable local ticket and decent candidates for the Legislature in Philadelphia, they would be elected. They had advices which satisfied them that the machine men in that State were alarmed at the rapid growth of the League. The sentiment against the third term was especially shown in the counties which give the heaviest Republican majorities, and in those in which the Republican vote extraction form a large part of the population.

It was agreed that representatives should be sent to the anti-Grant Convention at St. Louis, and the following resolutions were adopted unanimously:

Resolved, That the associations here represented be recommended to send letters of approval to the Convention at St. Louis on the 6th of May expressing their sympathy with its purpose, and inviting its action to be supplied by representative delegates from the several associations.

Resolved, That, in the opinion of this meeting, the associations represented here, and other Republican associations having similar views, should send delegations to Chicago for two purposes: First, to make strenuous opposition to the nomination of any man who shall refuse to urge a strong specific civil service reform plank upon the Chicago platform.

The conference was entirely harmonious, and the respective representatives of the three reform associations are very much encouraged. They reported that a lively interest was manifested in the course they advocate by Republicans in other States. The Secretaries of their associations are in constant receipt of letters from Ohio, Indiana, Michigan, and Wisconsin, making inquiries and asking for documents. The Independent Republicans of New York printed the addresses of their association by Messrs. Adams, White, and Hale, and there is quite a demand for them.

SELLING TO THE SELLERS.

A Curiously Complicated Trade in Wheat in the Produce Exchange.

The grain trade of the Produce Exchange was interested yesterday in settling a dispute between the two well-known firms, David Dows & Co. and Hughes, Hickox & Co. Some time ago the former firm sold the latter two boat loads, about 16,000 bushels, of wheat of the grade known as No. 2 Northwestern spring. The delivery under the contract was to have been made April 12. That grade, however, is very scarce, and the sellers were unable to procure a sufficient amount to make the delivery. The matter was further complicated by Hughes, Hickox & Co. anticipating the delivery and selling the two boat loads to Jesse Hoyt & Co. According to the rules of the Exchange, the case came before the Grain Trade Committee for adjustment. That committee held a hurried meeting just before the second call of grain yesterday, and resolved that the only course to pursue was prescribed in rule 21, which directs that the committee shall buy in at a reasonable price the amount required by the original sellers to make a delivery. At the second call of grain Chairman Herrick of the committee stated the case, the decision of the committee, and the rule under which it had acted, laying special particular attention to the clause that specifies that the committee shall not pay an unreasonable price, which might be the result of manipulation, or undue retention of stock." A discussion followed, in which it was claimed that it should bid for the required amount or await offers. It was decided that he should bid for it. He began at $1 per bushel, ran the price up to $1.22 without receiving an offer, and then questioned whether he should go higher. Chairman Herrick, at this point Mr. Hickox, of the firm that had purchased the wheat, offered the entire amount at $1.39 per bushel. Chairman Herrick objected to proceeding, but the members decided that he must make the trade. Not succeeding in beating down Mr. Hickox, he bought in the amount at $1.39. If the contesting parties are not satisfied they can take an appeal to the Board of Managers. By this transaction the purchasing firm resold to the original sellers the amount due under the contract. The figures named in the contract are not known, but are said to be about $1.20 or $1.25 per bushel, and the difference is consequently estimated at about $3,000. There is only one other case of the sort on record in the Exchange.

Effect of the Canada Cattle Order.

TORONTO, Ont., April 30.—The *Globe* to-day, in an article on the new cattle orders, says: "The effect of the cattle disease orders of the Canada Privy Council is this: The importation of American cattle and swine into Ontario, Quebec, New Brunswick, Nova Scotia and Prince Edward Island is prohibited, except that a through traffic in bond from Sarnia, Windsor, Niagara or Suspension Bridge to Rouse's Point, St. Armand Station, Island Pond, Niagara Suspension Bridge, or International Bridge at Lake Erie may be conducted under strict regulations laid down by the Minister of Agriculture."

NEW JERSEY.

A subscription has been started in Lakewood, N. J., for the relief of the sufferers by the forest fires in the cranberry districts.

A new time table, making important changes in the running of trains on the New York, New Haven and Hartford Railroad, will go into effect on Monday morning.

At Trinity Church, Hoboken, the Right Rev. Dr. Starkey will administer the holy rite of Confirmation on Sunday morning, at half o'clock.

A great number of mackerel fishermen from Cape Cod are cruising along the coast. There were 153 sail at anchor just outside of Sandy Hook recently.

Twenty-five boys employed in Gaviland's silk factory at Union Hill demanded an increase of wages, yesterday. As the increase was refused, they went on strike.

While ploughing on his farm, John Kerr of Montague, Sussex county, N. J., unearthed a skeleton thought to be that of an Indian. With the skeleton were fifteen hollow metal arrow points and a large pipe and bowl of solid silver.

The May-day welcome to the rising sun will be celebrated on Sunday morning next by the Germania, of Newark, N. J., on the summit of Garret mountain, near that city. The chorus will begin with the sun's first appearance above the horizon.

The Delaware, Lackawanna and Western Railroad Company has made a contract for two iron steamboats 280 feet long, 36 feet beam, and 23 feet depth of hold. The company intend to build a fleet of coal steamers to meet the demands of the New England coal trade.

Covert D. Bennett is to lecture upon his feelings and experiences while on trial for his life for the murder of Fulcerman Smith, in the Jersey City jail, on Friday, in the management of Mr. Vail, and the lecture will be delivered at the Jersey City Academy of Music on the evening of May 4.

Marianne Reibing of 138 Baldwin street, Newark, died at her home a day or two ago at the age of over 100 years. She came from Germany over fifty years ago with her husband. They built a log house at the corner of Baldwin and Howard streets, which was at that time some distance in the country. She had been residing with her daughter for some time.

Seventy-three defendants in one suit were served with summonses from Judge Aldridge of Jersey city, on Wednesday. They are members of a society organized to pay benefits to sick members and to the families of those who die. Upon being assessed for a member who had met with an accident they refused to pay, and suit was brought against each individually to recover the dues.

Weak Eyes, Sore Eyes, and Inflamed Eyelids,

Styes, &c., rapidly cured by using Dr. Becker's celebrated Eye Balsam. Sold by all druggists. Depot, 6 Howery.—*Adv.*

Now is the time to buy your carpets at a low price at Cowperthwait's, 153 to 157 Chatham st. They have an immense stock, purchased before the late rise. Easy payments taken. Everything for housekeeping.—*Adv.*

Pepperell jean drawers, 28 to 48 in., 50c. to 60c.; linen bosom dress shirts, best value in city, $1.00. J. W. Johnston, 360 Grand st.; also, 379 6th av., 3d door ab. 25th st.—*Adv.*

BUCHOLZ'S DEFENCE.

Throwing Suspicion on Two of Schulte's Fellow Passengers from Germany.

BRIDGEPORT, April 30.—The defence in the Bucholz case practically rested this afternoon. Gen. Smith indicating the small importance that he attached to the evidence of the two remaining witnesses on his side by offering to close at the hour of adjournment, provided the State would introduce no rebutting evidence. To this State Attorney Olmstead would not agree.

On the cross-examination of William H. Richards and Charles Strauss, two of the witnesses for the defence, they admitted that when they walked up the railroad track toward South Norwalk, at about 6¾ o'clock on the night of the murder, they saw nothing of the three men described by young Savage as going down the track from the depot about that time. Mary Downey saw Schulte and Bucholz going down the track on their way home from the depot that night, but did not see anything of the three strangers spoken of by young Savage. Other witnesses have previously testified to seeing three strange men in the fields not far from the scene of the murder, on the afternoon it was committed, but Savage is the only one who claims to have met them on the track.

This afternoon the evidence offered was mainly in regard to the movements of Charles Illing and Moritz Arble, who arrived in New York on the same steamer with Schulte in November, 1878, from Cologne, Germany. The murder was committed in the month following. Cologne, as the defence took special pains to show, is not far from Ehrenzwell, where Schulte resided in his native country, and where his brother, to whom he willed his property, now lives. In the same connection to-day Gen. Smith submitted in evidence the murdered man's will, with the statement that his object in doing so was to show who would be benefited by Schulte's death. The testimony of George Wagner, the keeper of a German hotel in this city, was to the effect that Arble came to his house in November, 1878, and remained until the 23d of next month. He went away without paying all of his bill, but left his valise and some clothes as security. From this place Arble went to Schaub's boarding house at South Norwalk. Mr. Schaub thought that Arble did not go out on the night of the murder, but could not be positive. Illing, who claimed to be a detective, stayed with his father-in-law in South Norwalk most of the time he was in this country. Both he and Arble returned to Germany on the May following the murder. Mr. Schaub said that while at his house Arble seemed very eager to get hold of the papers containing an account of the proceedings at the Schulte inquest, but he mentioned the murder in conversation. In the valise which Arble left at Wagner's Hotel was Illing's card and two or three hair brushes similar to those picked up near the scene of the murder. The State tried hard to get these in evidence, but the Court ruled them out.

KELLOGG'S CASE.

Mr. Vance Developing the Weakness of the Minority Report—Kellogg Speaking.

WASHINGTON, April 30.—The Senate resumed consideration of the resolutions declaring Mr. Spofford entitled to the seat occupied by Mr. Kellogg.

Mr. Vance (Dem., N. C.) supported the resolutions. He did not expect to see the subject treated impartially. For years partisan prejudice had controlled Congressional action. The bloody shirt had been waved on every occasion to obscure the merits of a case, and to inflame prejudices to the detriment of judgment. The minority report on the resolutions was an example. What connection was there between ejecting a person from the Senate who was not elected a Senator and the Maine trouble? He had no excuse for the Maine affair. It was too much like what the South complained of as being done by force by the Republican party. But it was irrelevant to this case. The pith of the minority report was in the allegation that the resolutions were part of an attempt by disloyal persons to overthrow the Government. What was the proof of this country? Was there any king or potentate to whom men swore allegiance? He had heard prophecies of one to come; but just now loyalty was devoted to the Government, and how could it be better shown than by unite living and preserving the integrity of the Senate? The evidence shows that the returns of registration in Louisiana, instead of being sent to the Chief Registrars of the Parishes, were sent to the Custom House, where the clerks of various Republican organizations doctored them.

Mr. Kellogg hoped the Senator from North Carolina would state that there was no evidence connecting Mr. Kellogg with the telegrams ordering the books sent to the Custom House.

Mr. Vance did not know whether there was such evidence, except that Mr. Kellogg's private secretary was a member of the Republican Committee of Orleans, and that Mr. Kellogg was Governor of North Carolina, his private secretary had sent such a despatch. Mr. Vance would have thought himself slightly responsible unless he repudiated the action.

Mr. Cameron (Rep.) said he believed that Mr. Blanchard, who sent the despatch in the Registrar-General's name, was Mr. Kellogg's private secretary. The returns were sent to the Custom House because there was more room there, and such place as could be guarded. Mr. Vance read from the testimony to show that Mr. Blanchard was connected with Mr. Kellogg. He based his assertion as to alteration of returns on the testimony of Peter Williams, who was a Republican and a Custom House official, in full communion with the Republican church, and whose testimony the sitting member was the last man to care to contradict.

MOVING DAY IN WALL STREET.

Some of the Changes that the First of May Brings to Banks and Brokers.

The principal May movings in Wall street to-morrow will be of Laidlaw & Co., agents of the Bank of California, from the Equitable building to the new Stevens building, 14, 16, and 18 Wall street and 3 Nassau street; others who will move their offices to that building are G. G. Haven & Co., Lounsbery & Hagins, Bishe Brothers & Co., Levy & Borg, A. M. Kidder & Co. and Latham, Alexander & Co.

The Bank of the Republic moves temporarily from its building, at Wall street and Broadway, to 35 Nassau street, into offices formerly occupied by Messrs. J. & J. Stuart, who have taken the basement of the same number. The work of tearing down the Bank of the Republic building, to make way for its successor, the future the bank is to build conjointly with the First National Bank, will be begun at once. Moller & Co., move to 21 Wall street, into the offices now occupied by Kiernan's Financial News Agency, which will hereafter distribute information from an upper floor of the same building. The most prominent partnership change to take effect to-day is the retirement of Chase & Atkins, who for many years have represented the Vanderbilt interest in this street. They will be succeeded by Kissam, Wilting & Co., the members of the firm being Edward H. Kissam, N. Wilting, and Edward Kissam of Washburn, Mr. Kissam will represent the firm in the Stock Exchange. The new firm will remain in the office of their predecessors, 18 Broad street.

BRIEF MENTION.

The Americas of Cornell White's fleet is announced for another spring trip to Rockaway to-morrow.

Reginald William Branson, Earl de Lowe, oldest son of the Viscount Bangor, arrived in this city yesterday.

Two moose were received in good condition from Halifax, N. S., in the Central Park Menagerie on Monday last.

Mary Wood died at the age of 54, at 414 East 119th street, on Thursday, from the effects of falling down stairs twenty years ago.

The body of a man, which was identified by papers found in the pockets as that of Andrew Jacks, of Port St. John, N. B., was taken from the East River at Pier 6 yesterday.

After the extinguishing of a fire at Third avenue and Eighty-sixth street yesterday, the dwellers of John Schroeder, who had left the premises, 60 Avenue A, who has gone to bed very drunk, was found in the attic.

The Association of Wholesale Furniture Manufacturers have decided to make no change in the hours of running the shops. The manufacturers say it is easier to make furniture in New York than in any other city in the country.

A number of residents of the Twenty-third, Twenty-fourth, and Twenty-fifth wards, in this city, have in process of organization a company to run a co-operative store for the supply of groceries, meats, fish, and coal to their families.

Three colored children had a narrow escape on Thursday night from a fire which broke out in the fourth story of a frame tenement at 173 Navy street, Brooklyn. They were rescued by a ladder from fires with smoke by Mr. Delmar, who lives in the same house.

Justice Somler, in Brooklyn, yesterday, recognized in a prosecuted Italian woman who had placed the bones of Christian Parents, who died of cholera, in Brooklyn, one Bristol dollars, which he sent straightway to Raymond street jail, for the fourth time in ten days.

The people's mass meeting to discuss the importance of a ship canal between the Great Lakes and Boston, postponed on Thursday on account of inclement weather, is to be brought in Masonic Temple, on F. A. Conkling, Tourney Ward, and other eminent speakers will speak.

The Rev. Dr. David N. Vanderveer, pastor of the First Reformed Dutch Church, in Jordanville street, Brooklyn, was on Wednesday evening last married to Miss Margaret M. Leverich, daughter of the late Richard B. Leverich, the Rev. Dr. S. S. Sterry and the Rev. Charles Cuthbert Hall officiating.

Mr. Henry F. Gillig, General Manager of the American Exchange in Europe, who has successfully conducted the business of that institution since its formation, the stock company, sails for London today, then Joseph H. Hawley, President of the Exchange, is to go to London in the interests of the Exchange as soon as Congress adjourns.

Caroline V. Smedis, whose husband was killed on July 27, 1876, by an engine of the Brooklyn and Rockaway Beach Railroad, at Van Siclen avenue, East New York, yesterday recovered a verdict for $3,250 against the railroad company in the Kings county Supreme Court. The testimony showed that their was nothing but ruling nor whistle blown and that the engine here no light.

In the case of John A. Janssen, the Pearl street ship broker, whose body was found in the East River on Sunday last after he had been missing for more than a month, the Coroner's jury, in Brooklyn, returned a verdict that his death was caused by drowning some time in the March 15 and April 25, in some manner to the jury unknown. It is not clear yet that Mr. Janssen was accidentally drowned.

LIFE IN THE METROPOLIS.

DASHES HERE AND THERE BY THE SUN'S REPORTERS.

Why it is Charged that Superintendent of Buildings Dudley was Brought to a Change of Mind as to a Shed on an East River Pier.

A motion was heard before Judge Donohue in Supreme Court, Chambers, yesterday, to continue an injunction obtained by the Department of Buildings in a suit brought to restrain William H. Macy from erecting a shed upon Pier 45, East River. Mr. Macy, after having obtained permission from the Department of Docks to build the structure, and securing the approval of the plans by the Board of Examiners of the Department of Buildings on the 20th of April, on the following day procured a certificate permitting the erection from the Department of Buildings. After the work was begun, Superintendent Henry J. Dudley of the Department of Buildings wrote to Mr. Macy, stating that the certificate was ineffective because it had been issued by a clerk without direction from him, and he had never signed nor seen it. Mr. John A. Foley argued on behalf of the motion that the certificate was invalid because issued by the clerk without special instruction from the Superintendent. Mr. Willard Bartlett, counsel for Mr. Macy, presented affidavits showing that after Mr. Macy's architect had secured the certificate from the clerk empowered to issue such papers, Alderman Thomas Shells came to Mr. Macy and said he was opposed to the work and would prevent its completion, or exhaust his influence in an endeavor to do so, because the great number of Democrats among his constituents did not like it. Mr. Macy added that he was present at the office of the Department of Buildings when the certificate was issued. The following day Mr. Macy received the letter referred to from Mr. Dudley. Mr. Bartlett argued that the action of the department was the result of an afterthought, and that, as Mr. Macy had complied with all the statutory requirements, the work should not now be interfered with. Decision was reserved.

Barnum's Big Tent in a Gale of Wind.

The high wind of last night severely tested the great canvas of Barnum's circus in the Capitoline grounds in Brooklyn. An extra force of men were kept on duty patrolling outside of the tent, with sledges in hand to tighten every stake that was in the least loosened, and many extra stakes were driven inside and outside. The roof of the tent swayed like the sides of a half-filled balloon, and the sides flapped like sails in a storm, but the evening passed without an accident. The head watchman's shrill whistle was heard occasionally by the spectators, but few knew that it meant that a loose stake or a weak point had been discovered, and that it was a signal for the men with sledges. The performance was hurried to a close to avoid any trouble which the spectators might make under the canvas. The wind storm prevented the exhibition of the London Circus at Paterson, and many of its attaches were at Barnum's last night. Men were stationed to watch the canvas all night, or until the wind subsided. The watchmanness of the management was excellently displayed, and no damage was done to the canvas.

In spite of the wind and the cold, the attendance was very large, both afternoon and evening. Tonight will be the last performance, bringing to a close several weeks of exceptional success in this city and Brooklyn. For the majority of the performances crowds have been turned away. The menagerie is excellent in every feature and several of its specialties would make a successful show in themselves, particularly the performances of the trained coxen, or salamander, and the feats of Zazel.

The Alleged Body Snatching Case in Brooklyn.

The Brooklyn Board of Health will on Tuesday call upon their committee, comprising the Registrar of Vital Statistics and the counsel, to make their report upon the alleged body snatching in the case of Michael Sheehan, who died in Raymond street jail, and whose body was carried off for dissection. Touching the allegation that there was a certificate of death in the case given by Dr. A. W. Shepard, the County Physician, who has not yet turned up, Patrick Maguire, the veteran keeper of the Morgue, explained yesterday that he had the certificate in his possession, and had never transferred it to the case, and then he returned it to Dr. Shepard, who was himself a witness upon the inquest, and that Dr. Shepard destroyed it. The Board of Health will call on Dr. Shepard yesterday called upon the committee of the Health Board, who assured him that the reference in their forthcoming report to the suspicions of the disappearance of the dissection, said to have been paid by the Long Island College Hospital, did not apply to him, or to any one connected with the Hospital. Mr. Maguire is known to the authorities to have resisted numerous attempts to get bodies from the Morgue by corrupt means.

A Boarding House Keeper's Arrest.

Miss Susan Way, who keeps a boarding house at 140 Schermerhorn street, Brooklyn, was arrested last week on complaint of Mrs. Charles S. Carter, wife of a lawyer, on a charge of having stolen a silver pitcher. Miss Way was before Justice Ferry yesterday for examination. She said that Mr. Carter and his wife had failed to pay her board, and she turned them out of the house, retaining the silver pitcher in payment of the board due her. Mr. Carter, who was in court, asked an adjournment, as this was refused, he asked for fifteen minutes' time to get his witnesses. This was granted, and he went away. Half an hour later, as he had not returned, Miss Way's counsel asked that the complaint be dismissed, as he did not believe that Carter would return at all. The Justice said that he would not have granted the warrant if he had susp