The Sun.

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MURDER WITH NITRIC ACID.

LAUNCELOT CORMACK FOGARTY'S VERY ODD AND FIENDISH CRIME.

Disfiguring his Wife by Destroying an Eye—Then Killing Her by Pouring Aqua Fortis into her Ears—Then Suicide—The Motive as Indicated by Family Trouble.

Willie Fogarty, 15 years old, living at 330 West Forty-second street, was awakened a few minutes before 2 o'clock yesterday morning by his mother's screams. The Fogarty family occupied the ground story of a large tenement. The front room was used as a grocery. Back of this is Willie's bedroom, which opens into a second bedroom, usually occupied by his father and mother; and back of the second bedroom is the kitchen. The doors are all in line, so that when they are open a person standing at the front door can look through into the kitchen. The boy sprang from his bed and saw his mother lying on the floor, her feet in the kitchen, and her head in the bedroom adjoining. His father stood in the kitchen. His little brother James, aged 13, and his sister Ellen, aged 10, were sitting up in the bed in which their mother had been sleeping. He told his brother to look out for his mother, and then, after hastily dressing himself, ran out into the street for aid. In Eighth avenue, between Fortieth and Forty-first streets, he found Officer John Buckley, whom he asked to come home with him, because, he said, he was afraid his father was going to injure his mother.

"Why do you think so?" asked the officer.

"Because I saw blood on her breast, and I think that he has stabbed her."

Buckley, who had at first directed him to find the officer on the Forty-second street post, hurried with him to the house. He found boxes of goods piled up higher than the counter in the narrow passage through the grocery. He climbed over these, and went through the two bedrooms into the kitchen. He saw the two children sitting up in the bed. The mother was lying in the doorway. A kerosene lamp was burning dimly on the table in the kitchen. By its light he saw the body of the husband lying motionless on the floor, face down. He partly turned him over, and saw that his throat was cut, and that he was dead. On the table lay a bookbinder's knife, covered with blood. Its blade was three or four inches long, about half an inch broad near the handle, and sloping uniformly to the point. He knew it was a new knife, because it had never been ground. The woman was in her night dress. The man was dressed, but without his coat. His right shirt sleeve was drawn back hard on his arm. With the aid of the lamp the officer discovered a black stain on the bolster which had been used by the woman, and that the white case and the ticking had been eaten away by some corrosive substance, so that the feathers protruded. He took the children to the Thirty-seventh street police station. They subsequently went to the house of a friend, Mrs. Richard Long, at 817 Tenth avenue.

A more careful examination was made in the afternoon by Coroner Flanagan. On the mantel were found a gill bottle one-quarter full of laudanum and two wine glasses, one half full of laudanum and the other containing only a few drops. Beside the laudanum bottle stood another bottle a trifle smaller. It contained a few drops of a transparent liquid that had a slight tint of yellow. A drop of it put on a white pocket handkerchief turned it black instantly and destroyed the texture. Deputy Coroner Miller judged from inspection that it was nitric acid. He carefully examined the woman, but could find no wound on her except a small one on the back of her neck. This, he was certain, could not have produced death. She had bled freely from the nose and mouth. He observed that the flesh about the right eye was blackened, but that it was not swollen. The left eye was a bright hazel, but the right eye was a dull white. Deputy Coroner Miller expressed the opinion, based on appearance, that the eye had been blind for a long time. It was subsequently learned, however, that the sight was perfect on the preceding evening. Next it was discovered by Dr. Miller that the inside of the right ear, as far inward as could be seen, was blackened. The blood having been washed from the face and neck, a black stain was found to cover the right side of the neck from the ear down to the back of the shoulder, and thence down the back there was a black streak. Dr. Miller would not give an opinion as to the cause of death, but had the body sent to the Morgue for examination.

Two tracks of small bare feet in the blood near where the woman fell showed that she had stood up after going from her bed. Her head rested on a pillow on the floor. Dr. Miller conjectured that some of the blood found beneath her neck and body was the husband's.

Beside the knife on the table, Officer Buckley found two letters. One was addressed to M. W. Justin, 46 Greenwich street, a tea merchant, and was as follows:

APRIL 10, 1878.

M. W. JUSTIN, Esq.—Sir: I have accepted a position in another establishment, and will not on that account accept your position. Many thanks from

Yours respectfully, LAUNCELOT CORMACK FOGARTY,
A broken-hearted man.

The other letter was marked, "For publication." It contained in substance the following:

Judge Duffy and Tom Cushing ought to be tried for murder, as they are to blame for what I intend to do; also H. B. Thurber. Many secrets will die with me. I mean to disfigure my wife, so that no man may ever kiss her, or ever have the pleasure of taking her hand in marriage. I intend to destroy William for life, and I will be at him as long as he lives. I am crazy, but am perfectly self-possessed.

Officer Buckley also found a chair in William's room with its back newly broken off. A pencil was found in Fogarty's pocket, two in his side pocket, one on William's bed, one on the sofa, and one on the broken-backed chair. The clock in the kitchen had stopped with the minute hand on 12, and the hour hand between 1 and 2.

James, the 13-year-old boy, says that he does not know how he was awakened. William told him to look after his mother, whom he saw lying on the floor. He looked around the doorpost from his bed, and saw his father standing in the kitchen. He seemed to be trying to speak, but he couldn't. His throat gurgled. He heard his mother's scream after he woke up. The boy then ran back to his bed, and sat with his little sister, until the police officer came. He added that his father frequently abused his mother, and frequently sent out for lager beer. His father came home that night at 8 o'clock. He had not been drinking more than usual. He went down on his brother William. He told his wife that he would not sleep in the bed with her that night, but would sleep on the sofa in the kitchen.

The accepted theory of the murder and suicide is that Fogarty, after waiting until his wife was asleep, attempted to put his design of disfiguring her into execution by throwing acid into her eye. This awakened her with pain, and then, reflecting on the danger of his position if she lived, he held her down while he poured nearly all the remaining contents of the bottle into her ear. She struggled to her feet. He then stabbed her with the knife in the back of the neck. It is pretty certain that she fell and died immediately after leaving the bed, because no tracks of bare feet were found in any other part of the room. What killed her will probably be discovered to-day.

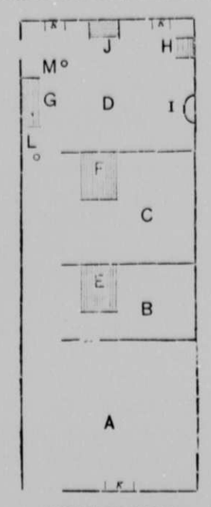
Taylor, an authority on poisons, says:

The external application of nitric acid has been a crime frequent of late years, and on several occasions. In one case the acid was poured into the ear of a person while sleeping, and led to the sleep destruction of life. These are the only cases in which death has been nearly approached without wounding or mechanical violence.

The most rapidly fatal case on record of poisoning by nitric acid, taken into the stomach, was one in which the patient died in one hour and three-quarters. From the known facts in Fogarty's case it is probable that she died in ten minutes.

While was yesterday present yesterday when a reporter for THE SUN conversed with him. To Officer Buckley he said that he heard his mother scream, and saw her fall, and that then he hurried on his clothes and ran out. It remains inexplained how some spots of blood came to be on the edge of his bed, and how the chair in front of it was broken. The presence of the marks in different parts of the large rear apartments also indicates a struggle in all of them. One pencil being found in Fogarty's coat pocket, it is supposed that all were thrown out by his exertions in a contest with Mrs. Fogarty. It is certain that there was any barricade formed of boxes of goods in the narrow passage through the grocery. Officer Buckley is positive on this point. It was suggested that the boy was anxious to disclose as little as possible of the scene of horror which he had witnessed, but that in fact, knowing his father's cruelty to him, he had tried to defend his mother with the chair, and when his father, having killed her, attacked him, he ran into the street. He then, it is argued, returned to watch the murderer, and, to make his position safer, piled up the boxes in the passage between him and his father.

The following diagram explains the situation of the bodies when they were found:



FORTY-SECOND STREET.

A—Grocery. B—William's room. C—Mrs. Fogarty's room. D—Kitchen. E—William's bed. F—Bed occupied by Mrs. Fogarty and two children. G—Sofa on which Mr. Fogarty slept. H—Table on which were found the knife and the letters. I—Mantelpiece on which were bottles of laudanum and acid. J—Bureau. K, K—Windows. L—Where Mrs. Fogarty died. M—Where Mr. Fogarty died.

Launcelot Cormack Fogarty married the woman he killed yesterday in Australia. The three children were born in that country. When he quit it he went to Ireland, where he opened a grocery in Thurles, in the county of Tipperary. He failed, and being summoned before a bankruptcy court, ran away, the English laws being much severer against bankrupts than in this country. His wife opened a grocery in Drogheda. In 1872 she received a letter from him saying he was coming to New York. She did so, and they lived at 112 West Fortieth street. Then he went into the grocery business in West Nineteenth street, and afterward in Tenth avenue, between Forty-ninth and Fiftieth streets. He made money rapidly, and, wanting a larger store, removed to the southwest corner of Ninth avenue and Forty-second street. On Jan. 4, 1877, he ran away to Canada, owing H. K. & F. B. Thurber & Co. for a large amount of goods. It was represented that, before he went away, he carted a great part of his stock away from his store secretly. On Jan. 2, 1878, he returned, and since that time it is said that he daily quarrelled with his wife. He had invested the money he had carried away with him disastrously, and returned penniless.

When Fogarty first went away, his wife, who was entirely without support, sought to gain a living by getting subscribers for books and newspapers. Her object was to keep her two boys in school, because they were doing so well there. In August of that year, when the managers of the *Boys' and Girls' Weekly* sent to the Fortieth street grammar school to find out which pupil deserved to have their pictures published in that journal, her two sons, William Francis and James Joseph, were picked out by Vice-Principal Kolb, on account of their proficiency and good behavior. They were both in the highest class in the school. The pictures were published in September. When they were taken away from school each got employment in H. K. & F. B. Thurber & Co.'s store. Notwithstanding their extreme youth, William is an assistant of one of the firm, G. W. Venable, and attends to the receipt of reports from customers, and James is a bill of lading man in the house. A few months ago the firm assisted Mrs. Fogarty into business by giving her credit for groceries. She stocked the store at 330 West Forty-second street, where she slowly but steadily made money. When her husband returned he desired to have a share in the business. This she refused. He then quarrelled with her and her eldest son almost constantly. Lately he went to her customers and told them not to pay her what they owed her, but to pay him. He represented that he had sent a large amount of money to her from Chicago, and that the entire business was his. Last Monday he took the keys of the front and back doors, and put them in his pocket after locking the front door. He had brought a civil suit against her, which was pending in the Marine Court. On Tuesday his wife got out a summons for his appearance before Justice Duffy to explain why he had locked up the store. Her lawyer, Thomas Cushing, and his lawyer were engaged trying the suit in the Marine Court, and the case before Justice Duffy was adjourned until Wednesday. The lawyers were again engaged in the case, but the pair had told their stories, Justice Duffy ordered him to deliver up the keys. He gave up the one to the front door, but kept the other. After the case was dismissed, Mrs. Fogarty inquired if a warrant could be obtained against him for locking the door against her. He made similar inquiries. Each was told that a warrant would not be issued for such a cause.

The neighbors speak well of Mrs. Fogarty as an intelligent, industrious woman. At 10 o'clock on the night preceding the murder she called on Mrs. Thomas Cushing, the wife of her lawyer. She told her that she was in great anxiety as to how she was going to get along in business, but betrayed no apprehensions of physical injury.

MISS MONAHAN'S ESCAPE.

First Abducting, and Then Attempting to Drown a Saratoga Girl.

SARATOGA, April 11.—At 38 Oak street, in this village, with her father, Patrick Monahan, a respectable man, lives Mary, very pretty, and 17 years of age, modest, and of irreproachable reputation. She had been spending the afternoon with Mrs. L. J. Vibbard, and she started for home at a little before 9 in the evening. At Elm street, which she was about to cross, an approaching horse and wagon caused her to halt. A gaslight on the corner enabled her to notice that the man in the light buggy had a moustache and wore an ulster with the collar turned up, and a slouch hat. Instead of driving past, the man stopped his horse, hopped from the wagon, threw a lap robe over the girl's head and shoulders, thrust her into the forward part of the wagon, hopped in himself, and drove off rapidly, holding her by kneeling upon her. She struggled as best she could and tried to make an outcry, but her screams were smothered by the robe about her head, and she was unable to extricate herself. When she was rendered faint and almost helpless by fright and suffocation, the man bound a handkerchief over her mouth and tied her limbs together in such a way that she could make no resistance and could scarcely move. He drove rapidly to Greenville, a secluded place about two miles from the village. At a point near the Triton spring he stopped his horse, and clasping the girl in his arms carried her to a grove near the border of the small lake. In the struggle that followed she tore the gag from her mouth. Her screams attracted attention of men who came to her assistance by shouts. The man at once dragged the girl to the lake, threw her violently into the water, and then drove rapidly away. Weeping willow trees fringe the bank, and their drooping limbs touch the water. Grasping these, she dragged herself ashore. She was taken to the residence of Mr. Wm. Verhoeven near by, and at near midnight was returned to her home.

MOBS AT A BURIAL.

Disgraceful Scenes at the Funeral of Lord Leitrim—Mourners Threatened.

LONDON, April 11.—The scenes at Lord Leitrim's funeral in Dublin, yesterday, were violent and disgraceful. The mob endeavored to capture the hearse, declaring their intention to drag out the corpse. They called the late Earl an "old ruffian" and "heretic." They climbed the wall of the churchyard, hustled the mourners, and shouted, yelled, and hissed. Mourners were roughly handled while endeavoring to make their way into the churchyard. All of them had to pass out by an unfrequented way in the rear of the church to escape violence. Fifty constables were there, but they were insufficient to cope with the mob.

The Rev. Mr. Beardsley a Bankrupt.

The Rev. Demmon N. Beardsley, an Episcopal minister, formerly a dealer in railroad supplies at 21 Park row, has been adjudicated a voluntary bankrupt on his own petition, with liabilities amounting to about $50,000, and nominal assets. He was interested in several railroad enterprises, including the New York, Boston, and Montreal, the New Jersey Westline, the North Shore, and the Wallkill Railway Companies, and he lost considerable by endorsing their notes and checks. He is at present connected with the Church of the Holy Trinity.

My wife says, get posted, if you want to purchase furniture. The right way to do it is to send for illustrated book, containing over 100 engravings of different styles of furniture, prices attached. Mailed free. Address Brooklyn Furniture Co., 589, 591, 593 Fulton st., Brooklyn, N. Y.—*Adv.*

LIVELY TIMES IN ALBANY.

ALVORD DECLARES WAR AGAINST THE LOBBY AND GETS EXCITED.

The Lawmakers Entertained with a Lively Scene while Passing the Pipe Line Bill—The Biennial Session Resolution Passed.

ALBANY, April 11.—The General Pipe Line bill was passed in the Assembly this morning by a vote of 76 to 20, and it now goes to the Governor. The members of the lobby, who have been here during the whole session working to secure this result, were on hand in force, filling up all the seats in the galleries, and even encroaching on the floor. So marked was this that Speaker Husted ordered the Sergeant-at-Arms to enforce the rule and exclude all but those entitled to the privileges of the floor, saying that his attention had been called to the fact that persons not entitled thereto were on the floor attempting to influence the votes of members. This brought up innocent Old Salt, who said that he desired to give notice that if he was approached from this time forth by any person not a member or entitled to the privileges of the floor, he should call attention to him by name, and demand that the House should maintain its dignity and self-respect. It was not long after this, and while the vote upon the Pipe bill was being taken, that Alvord, in his anxiety to maintain the dignity and respect of the House, put his foot in it badly. Senator Marvin, who is, of course, entitled to the privileges of the floor, came to his seat and said he was sorry that he (Alvord) was opposed to the bill, and regretted that he had not had time to see him more particularly about it before he made up his mind. Old Salt, in a hasty glance, thought he recognized in the Senator a man named Smith, who has been very active in pressing the bill, and he instantly sprang to his feet, interrupting Mr. Brooks, who was talking, and shouted excitedly, "Mr. Speaker, Mr. Smith is trying to lobby me now, and wants me to change my vote on this bill." Everybody looked to see who the offender was, but they only caught sight of Senator Marvin's coat tails as he vanished through the door on his way to the Senate chamber. Mr. Alvord soon discovered that the mistake he had made, and apologized to Senator Marvin, and also made a statement to the House withdrawing the offensive remarks.

On the calling of the roll several members took occasion, under the plea of asking to be excused from voting, to express their views of attack the bill. Mr. Alvord insisted that it was unconstitutional, to which Mr. Brooks replied that the bill having received the approval of the Judiciary Committees of both Houses, he was bound to believe that it was not unconstitutional. He also thought it was his duty to the benefit of the people of the State, and for that reason he should vote for it. The first call of the roll developed the fact that the bill was short about ten votes of enough to pass it, and the absentees were called for. When the name of Mr. Beard, the workingmen's representative, was called, he made a speech that nearly secured the passage of the bill, as immediately afterward a number of members changed their votes from the negative to the affirmative. Mr. Beard said that he had intended to vote against the bill, but he had been informed by creditable parties that, since the bill had come up, agents of the Standard Oil Company on the floor had offered members pecuniary considerations to vote to kill the bill. For this reason he should vote against his convictions and for the bill.

The bill taking from the Mayor the power to appoint marshals in the city of New York, and giving it to the Justices of the District Courts, came up for a third reading, and slipped through without a ripple in the general confusion until attention was called to it by Mr. Galvin. But a change seems to have come over the members, and the bill was defeated. Last night, it has been twice before defeated in the House—and it was passed by a vote of 75 to 14. The bill now goes to the Senate, and if it is not stolen from the Clerk's desk, as it was on a former occasion, it may pass.

There was a sharp exchange of words between Alvord and Floyd-Jones over a little local bill of the latter which the former was opposed to. Old Salt was misled by the title of another bill, and was proceeding to pitch into it as Mr. Floyd-Jones called his attention to the fact that he was firing at the wrong other man's bill, and hoped he would not kill it because of his antipathy to him and his bill. The next bill proved to be Mr. Floyd-Jones's, and he imitated the example of Old Salt in passing the apportionment and other party measures by clapping on the previous question, which shut off Alvord's speech. When the roll was called, however, Old Salt, under the plea of asking to be excused from voting, pitched into the bill savagely. Mr. Floyd-Jones took the same advantage, when his name was called, to defend the bill, and said he would not be the "infernal fool" with which Alvord had followed him and this bill. This aroused Old Salt, and in an instant he was on his feet denouncing the language as unparliamentary and outrageous, and such as he would not submit to. The House enjoyed the scene, and was on the tip-toe of laughter. Finally Mr. Floyd Jones withdrew the objectionable words, peace was restored, and the bill was passed.

To the surprise of almost everybody, Mr. Skinner's proposed amendment to the Constitution providing for biennial sessions of the Legislature was defeated in the Assembly by a vote of 75 to 30. Should the Senate agree to it, and also the Legislature to be elected one year from next fall, the question will then be submitted to the people. But it is very questionable whether they will get this opportunity unless they indicate to their representatives that they desire it. The Albany and New York delegations voted almost unanimously against the proposition.

The Senate ordered to a third reading Senator J. F. Pierce's bill to punish attempts to obtain money or valuable bonds by the use of threatening letters. The following is the text of the bill:

Every person who either verbally or by written or printed communication shall threaten to accuse another of any offence, or shall threaten to communicate or to publish, or to malignantly publish any libelous documents or statements that are alleged to be disadvantageous to the personal reputation or to the business standing of any other person, with intent by such threatening to extort any property, or to derive any pecuniary or valuable benefit whatever, shall, upon conviction, be adjudged guilty of a misdemeanor.

The bill of the same Senator to amend the act relative to the jurisdiction of the Marine Court of the city of New York was ordered to a third reading. The following subdivision is proposed to be added to that act:

No person being a resident of the State of New York, who shall have a place of business in the city of New York, shall be deemed to be a non-resident within the meaning of any act relating or applicable to the Marine Court of the city of New York.

Senator Robertson, President pro tem. of the Senate, appointed Senator Ecclesine to fill the vacancy in the Committee on Cities caused by the absence of Senator Morrissey, for the balance of this session.

A communication was received from the Counsel to the Corporation of New York, in answer to the resolution of the House, transmitting schedules partially complying with the resolution. To complete the material asked for, he says, will require twenty days. The time asked for was granted. The statement of the results of litigation against New York city between Oct. 1, 1876, and Oct. 1, 1877, shows that the amount claimed was $2,115,551.93; amount paid, $882,839.75. The statement of suits during same time against the city wholly defeated shows the total amount of claims to have been $889,150.03. A statement giving a list of suits and proceedings pending against the city April 1, 1878, is also given. They number over 1,000.

Mr. Galvin introduced a bill providing that the city and county of New York shall be the place where all the real and personal taxes of the New York Central Railroad Company shall be paid.

In the Senate, Mr. R. V. Pierce introduced a bill prohibiting fire insurance by insurance companies not chartered for that purpose. It provides that it shall not be lawful for any person, or association of persons, to engage in the business of fire insurance, or insure property against loss or damage by fire, unless such persons are incorporated for that purpose. Any person wilfully offending shall be held guilty of a misdemeanor. The bill was referred to the Insurance Committee.

Mr. Hughes introduced a bill amending the charter of the Juvenile Guardian Society of New York. It provides that children under 14 may be committed by any Judge or court empowered to commit for vagrancy, also by the Department of Public Charities of New York city. The society shall have charge of children, provide for them, educate and supply with suitable moral and religious instruction, and report to the Legislature annually.

Mr. Hughes introduced a bill amending the act of 1859 establishing an Insurance Department. It provides that all charges for making examinations of insurance companies of every kind made by the Insurance Department, or persons in its employment or retainer, shall be presented to the Superintendent in the form of an itemized bill, which shall be first approved by him, and then presented by him to the Comptroller for audit. If the Comptroller does not approve the bill, the Superintendent is to take it to the Attorney-General, who shall determine the fair amount to be paid therein, and the person or persons entitled to payment of such bills shall then be paid by the companies examined.

In the afternoon session of the Assembly, Polar Hayes's Finance bill was verbally amended in Committee of the Whole and ordered to a third reading. The concurrent resolution to make the canals free was considered. On the suggestion of Mr. Brooks, Dr. Hayes consented to have the resolution go over to the next session of the Legislature, to give the people time to seriously consider it. The resolution was reported to the House, and then recommitted to the Committee on Canals. Mr. Moller's Bell-Punch bill was reported favorably, Messrs. Fish, I. I. Hayes, Skinner, and Waring dissenting. The bill defining the duties of the Superintendent of Public Works was made the special order for Tuesday morning.

The Assembly Committee on Cities gave a hearing to-day on Mr. Thain's bill to prohibit the city of New York from appropriating any more money for the East river bridge. Edgar M. Cullen, counsel for the Bridge Commissioners, appeared in opposition to the bill, and made three points against it: First, that the city of New York cannot now retire from its connection with the city of Brooklyn; second, that contracts have been entered into involving the expenditure of $1,500,000, and the city of New York is responsible for them to the extent of one-third share, nor can any legislation under the Constitution absolve it; third, that the completion of the bridge would be stopped, because as the original act provided that both cities must contribute to its construction, the city of Brooklyn would have no power to go on with the work.

It is said that the committee will report the bill favorably.

Mr. Alvord is receiving many congratulations upon his success in putting through his infamous apportionment scheme. The following is a copy of two communications upon the subject which he showed me to-day:

HAIRES, April 10.

TOMMY, MY BOY: You did the work nicely. Your friends here believe relying that you and your associates don't care a damn for the Constitution or your oath of office.

Yours fraternally, SATANAS.

Hon. Thomas G. Alvord, Governor of the State Assembly.

Please decide a bet made yesterday in commercial conversation. Does not the Constitution require that the representation for New York city shall be based on the representative population of fifty years ago, and for the interior of the State on the supposed population of fifty years hence?

Yours, in the public service, JOHN A. DIX,
THOMAS DUNLAP.

Upon the invitation of Senator Wagner most of the Senators will take a trip to Montreal in two of his palace drawing room cars. They will leave here to-morrow morning, spend Sunday in Montreal, and return in time for the Monday evening session. Sea stores sufficient to last for the round trip, will be taken along.

PUNISHING PRISONERS.

A New Rule for Caldwell Penitentiary Adopted by the Freeholders.

The Essex county Freeholders met in Newark yesterday afternoon. The Jail Inspection committee submitted a substitute for Rule IV., for the government of Caldwell Penitentiary. The substitute prohibited prisoners from being stretched up to iron rings in the walls of the dark cells while undergoing punishment; but this proviso was stricken out on motion of J. D. Poinecr.

On motion of Dr. Whittingham the rule in the substitute limiting the punishment in the dark cell on bread and water to five days, and to no more than four hours in any one day, was stricken out, so that the punishment can be continued at the discretion of the Warden. Several other amendments were adopted, all of them increasing the severity of the punishment to be inflicted on refractory prisoners. The substitute, as amended, was finally adopted, as follows:

The object of this institution being to effect the moral reformation of culprits, punishment will be resorted to wherever it may be necessary, but the rules of the prison, as are, never holes, to be preserved and maintained inviolate, and all infraction thereof, or any resistance to the lawful commands or authority of the officers, shall subject the offender to solitary confinement in a darkened cell, to rations of bread and water, to labor with a ball and chain attached to the leg, and such confinement shall continue without the daily examination of the physician, who shall have power to order such punishment discontinued when incompatible with the prisoner's health, and that the Warden be instructed, when a refractory prisoner refuses to work, or otherwise conducts himself in a disorderly or abusive manner, that the prisoner may be locked in a dark cell and fed on bread and water under the rules, and also to be handcuffed and chained to the wall, not to exceed the period or time that the prisoners are so worked, and if he is found to be gagged for thirty minutes at any one time; and if the prisoner persists in kicking the cell door, his shoes are to be removed.

Mr. Robotham wanted the rule amended so that the gag could be used so as to prevent prisoners from getting out nights. The amendment was voted down, 11 to 14, although Mr. Oughletree argued that it was mere child's play to limit the use of the gag to only thirty minutes at a stretch, and Dr. Whittingham said it would be a farce, like pouring vinegar on the prisoners head, and that the duty of a warden was to strike terror into prisoners.

Mr. Joseph G. Ward demanded that there be no limitation in the use of the gag; that refractory prisoners be chained in the dark cells during working hours; that the board should not submit to popular clamor; and that prisoners be punished until they submit to the warden.

MURAT'S SON DEAD.

The End of a Checkered Career—A Prince whom Americans may Remember.

LONDON, April 11.—Prince Napoleon Lucien Charles Joseph François Murat is dead.

The Prince was the second son of Joachim Murat and Napoleon Bonaparte's sister Caroline. He was born in Milan in May, 1803, five years before his uncle made his father King of Naples. After 1815 he lived with his mother in Trieste, and afterward in Venice. In 1824 he set sail for this country to join his older brother and his uncle, Joseph Bonaparte, but was shipwrecked on the Spanish coast, captured, and imprisoned. Recovering his liberty, he came to the United States, married Miss Caroline Georgina Fraser in 1827, lost what money he had in different business ventures, and was supported for several years by his wife, who opened a school for girls. He had already made two flying visits to France, when the republic was proclaimed in 1848. He hurried across the ocean, was elected a member of the Constituent Assembly, subsequently was sent as Minister to Berlin, and after the coup d'état was named by the Emperor a Senator of France, and granted the title of Prince. His pretensions to the throne of Naples, formally set forth by him in a manifesto in March, 186., were never countenanced by the Emperor, who, however, remained his firm friend. His most famous vote in the Senate was one given in 1861 for the maintenance of the Pope's temporal power, which excited the indignation of the French Free Masons, of whom he was then the head. In 1870 he served under Bazaine, and was one of the prisoners taken by the Germans at the surrender of Metz.

Of his five children, only one, a daughter, adhered to the religion of the Protestant mother. The oldest son, Joachim Murat, married a daughter of the Duke and Prince de Wagram. He is now a Colonel in the French army.

AGAINST THE COMSTOCK LAW.

Not Only Ambiguous, but Unconstitutional and Positively Dangerous.

WASHINGTON, April 10.—J. B. Wolff of New York appeared before the Committee on Revision of the Laws to-day, on behalf of the 50,000 signers to the petition presented in the House a few days ago by Gen. Butler, protesting against what is known as the Comstock law. He held that all such laws are unconstitutional, an invasion of personal and State rights, dangerous and subversive of society itself; that Congress has no power over the moral quality of mail matter; that all questions of common morality and crime belong to the States, except those prohibited in express terms; that the law itself is ambiguous and dangerous in the hands of such men as Comstock, and that the whole nation is responsible for every falsehood told and injustice done under this law; and thus, by the infamous methods of Comstock and his confrères, wholesale crime is committed to punish a few harmless enthusiasts or a few hardened criminals.

Capt. Van Tine's Resignation.

Some time ago Capt. M. L. Van Tine, of Company C, Seventy-first Regiment, was arrested by his company for having embezzled $800 of the company's money, and was locked up in the Ludlow street jail. After a short confinement he was released on his promise that he would give security for the deficiency and resign from the regiment. On Wednesday afternoon he handed in his resignation, and also deeds for four lots in Bergen township, Hudson county, N. J., as security for the deficiency in his accounts, estimated by him to be worth $800. They would probably realize at least a quarter of that amount.

Tarrytown's Bank President.

Luther Redfield, late President of the First National Bank of Tarrytown, charged with having embezzled $50,000 from the bank, was before Commissioner Osborn yesterday, and, waiving examination, he was placed under $10,000 bail. His son, Amasa A. Redfield, and Mr. George E. Ketchum became his bondsmen. Receiver Adams was in consultation with District Attorney Pierce with regard to the trial of Redfield. Among the assets of the bank were the notes of Bergman & Co. for $13,000. They went into bankruptcy within thirty days after their notes were accepted as security.

American Soft Capsules. Tin boxes. Best and cheapest. All druggists. Circulars from Mauger & Perin, 110 Reade st., N. Y. Avoid fancy names and prices.—*Adv.*

Think of this! Eighty choice Norfolk oysters for 20 cents at any of Maltby's depots. Fresh every day.—*Adv.*

The *Dunellen* (N. J.) *Rock* circulates in 24 towns.—*Adv.*

RAILWAY TITLES DISPUTED.

A NEW CHAPTER IN THE MEMPHIS AND EL PASO MEN'S SCHEMES.

How the Bondholders were Deceived—The Unlawful Transfer of Some Chartered Rights from One Company to Another.

WASHINGTON, April 11.—The Judiciary Committee of the House heard this morning the opening argument of Douglass Campbell of New York, counsel for the French bondholders in the matter of the title of the Texas and Pacific to the rights and franchises of the Memphis and El Paso Railroad. Mr. Campbell's argument told in greater detail and cast in the form of an extremely cogent legal argument the technical and legal devices by which the Texas and Pacific obtained, through John C. Gray, receiver of the Memphis and El Paso, a spurious title to the chartered rights of that road—a title obtained by sacrificing the rights of the bondholders under plea of protecting them and squandering the assets of a corportion which it is urged still has a valid existence. The story has been told before in THE SUN. It has never before taken the shape of an authorized plea from the accredited attorney of the parties wronged. Nor has it before been made when a searching investigation into all the circumstances of the case gave importance to the exposure. It was evident that the recital to-day made a deep impression on the committee. Gen. Butler gave the argument his closest attention and interrupted it with an occasional question. Frye was equally impressed, and Knott appears to be fully persuaded of the necessity of pressing the inquiry.

Gov. John C. Brown appeared for the Texas and Pacific, and Matthew Carpenter was present as counsel for French bondholders. Campbell's argument was as follows:

The Texas and Pacific Company claim to own a road built over two distinct lines uniting at Fort Worth. The title to one, beginning at Marshall, and running due west, is derived from the South Pacific Railroad; that to the other, also beginning at Marshall, passing thence by Texarkana to Fort Worth, and comprising two-thirds of the constructed roads of the Texas and Pacific, is built, save a few miles, on the surveys and charter of the Memphis, El Paso and Pacific Railroad Company. West of Fort Worth its projected road is on the surveys and line of the charter of the same company. It is in regard to this title that I appear, founded on conveyance of Gray, receiver, and alleged foreclosures instigated by Gray. We claim Gray was not receiver; that his appointment was void, and that the foreclosures were void; that the Memphis and El Paso is still in existence, and that the mortgages and indebtedness, the prior claim on the property now held by the Texas and Pacific, and which that company seeks to mortgage to the United States. Independent of these legal propositions a broader equity and justice should forbid the Government extending aid to Texas and Pacific until it has done justice to innocent holders of obligations against the corporation whose property it wrongfully holds.

Fremont's connection with Memphis and El Paso, its original organization, and the preliminary proceedings by which Gray, paved the way for the transfer, which he finally caught in Rochester on a mortgage never delivered, and recorded without being indexed, was related, and then the argument was continued.

Fictitious debts having been prepared, the consent of the trustees obtained by deceitful showing of the financial condition, a complaining stockholder manufactured for the occasion, and Gray appointed receiver upon declaration of insolvency by the State Court, Gray had now everything prepared for his final movement but a court. Here he met an insuperable difficulty. The court, which it, and forced them out. The express and mail were then plundered. Conductor Alford and two of the robbers were wounded. The plundering party numbered fifteen or twenty. The passengers were not molested.

KILLING ELEVEN PERSONS.

The Terrible Deeds of a Man who is to be Hanged Next Week.

FONDA, N. Y., April 11.—Samuel Steenburgh, awaiting hanging on the 19th instant for the murder of Jacob S. Parker at Amsterdam, made a full confession last night to Sheriff Fonda and ex-County Clerk Burtch, confessing eleven different murders—the first when he was a fourteen year old. Also to unnumbered burglaries, robberies, and incendiary fires in and around Amsterdam. The confession is not to be made public until the day of the hanging. It is a horrible story, and almost all of it is corroborated. He says he murdered Parker.

THE LATEST OLD WORLD NEWS.

Part of London Under Water.

LONDON, April 11.—In consequence of the bursting of a sewer a considerable section of South London is flooded to the depth of two or three feet. Much damage has been done.

An English Steamship Lost.

LONDON, April 11.—The Hall line steamship Childwall Hall, 2,100 tons, which left Liverpool April 6 for Bombay by way of the Suez canal, has been wrecked at Sagres, Portugal. Twenty-seven persons have been saved as far as known.

Four Thousand Houses Worth $200,000.

TOKIO, March 17.—Four thousand houses were burned here to-day. The damage is estimated at $200,000. One life was lost.

The Pool Tournament.

The eleventh match of the tournament, which was played by Frey and Sisson yesterday afternoon, was won by the latter by a score of 11 to 9. It was the most exciting as well as the best played game of the tournament, and established Frey, the youngest of the players, as one with whom it would not be safe for the older to trifle with. The second afternoon match was played by Sexton and Wilson, and was won by the latter by a score of 11 to 8. Rudolphe and Cyrille Dion played the first match in the evening. Two disputes had to be settled. Dion won by a score of 11 to 1. Joe Dion and Wahlstrom played the next match, the latter winning by a score of 11 to 6. In the sixth game of this match Dion created much confusion by claiming the balls belonged to other tables, and refusing to continue playing on the fifteen ball, but had complied with the rule requiring that the ball should be named.

One of the Count's Orations on the Block.

At the sale of books by auction in Bangs & Co.'s store at 656 Broadway, yesterday, the auctioneer, pausing for a moment as he picked up from the table a modest little bound pamphlet, and read the title page—"Dedicated to the King, by the special permission of His Majesty, The First Academic Oration upon the Life, Character, and Genius of Shakespeare. Delivered at Stratford-upon-Avon, April 23, 1836, before the Royal Shakespeare Club. Written and Pronounced by George Jones, the American Tragedian." The bidding was lively. Mr. A. A. Brown got the volume for $2.

Senator Morrissey's Condition.

TROY, April 11.—Senator Morrissey had a relapse to-day, but his condition is not considered critical. His physicians think he will soon recover.

BROOKLYN.

William Seibert, a butcher, of Harrison avenue, Williamsburgh, has been missing since Monday.

In a very exciting hand-ball match in Casey's Court, Brooklyn, yesterday, between Courtney and Mack, the latter was defeated three games to two, the aces scored being 94 to 87 in favor of Courtney.

Mr. John Delaney, formerly a Supervisor from the Twelfth Ward of Brooklyn, and afterward Superintendent of the Poor in Brooklyn for seven years, died late on Wednesday night at 380 Hamilton avenue of pneumonia. He was 60 years of age.

Mrs. Mary Ainslie, who died on April 5 in Williamsburgh, left an estate worth $200,000, which is to be divided among seven children and grandchildren. The Grand street terry lease is part of her estate, and to give the lessees quiet possession she provides that all expenses of litigation arising among the heirs as to the validity of the lease shall be paid out of their share of the estate.

SPARKS FROM THE TELEGRAPH.

A large, full-rigged ship went ashore yesterday in the fog on the Five Mile beach, Cape May.

The Postal Commission from the United States, consisting of thirty-five persons, have arrived in Havana.

William C. B. Tiller, teller in the American National Bank of Detroit, who absconded with $12,000, has been arrested in Montreal.

Five hundred convicts in Clinton State Prison are to be set to work at hat making. The state is to receive $745 a week from the contractors for this convict labor.

In a fight between political factions in East St. Louis over an ordinance in the Common Council Chamber, clubs and knives were freely used, and many eyes were blackened and noses broken.

Miss Anna Dickinson has been, for the past few weeks, with her brother Edwin, who was said on Wednesday to be dying in Pittston, Pa. It was erroneously printed yesterday that Miss Dickinson was in Rutland, N. Y.

John E. Lyon, President of the Boston, Concord and Montreal Railroad Company, arose from his bed in consequence of illness, and, falling to the floor, the lamp he carried was broken and he was burned to death.

The Senate Committee on Commerce yesterday considered the case of three Assistant Appraisers nominated for the New York Custom House, and referred the subject to a sub-committee. Evidence as to the qualifications of the nominees is already before the committee, and a rejection of all three is probable.

bondholders, such share as accepted Gray's offer, consists of 550,000 acres, not adjacent to constructed road, but nearly one hundred miles westerly from a point where Texas and Pacific have ceased building, so that Texas and Pacific has given bondholders 640,000 acres of