The Sun.

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IMPERILLING MANY LIVES.

HENRY MORRIS CONFESSES THAT HE FIRED THE PENITENTIARY.

Pouring Benzine on the Stairs and then Setting Them on Fire—Matches Among the Prisoners—His Strange History—Brother of the Late James Morris, the Minstrel.

The mystery of the origin of the fire which partially destroyed the workshops of the Kings County Penitentiary on Monday, and caused a loss to the Bay State Shoe and Leather Company of $250,000, was cleared up yesterday by the confession of Henry Morris, alias Henry Mackey, a convict, who, as reported in Tuesday's SUN, was first suspected of the crime. Morris said that he fired the shoe shop in the attic and at the foot of the stairs leading to the shop where the women worked. Morris is a hunchback and cripple, and is 35 years old. He is serving a term of six and a half years for criminal assault upon Mary Martin, the sister of United States Commissioner Shields, who was attacked by Morris and three other men in October, 1878, in the vacant lots near the penitentiary, and was brutally beaten. Morris was pronounced to be incapable of working, and was detailed as a messenger to go between the office in the main prison building and the shoe shop. He was the only convict who could pass through all the shoe shops without a keeper by his side. No trust was placed in him beyond that of messenger duty, and at other times, when he was not running errands, he was treated like the other prisoners.

When Fire Marshal Thorne began yesterday to question Morris about what he knew about the fire, he suddenly confessed that he was the incendiary. He said that Henry Green, a clerk employed by the Bay State Shoe and Leather Company, gave him some matches on Monday morning, as he often did, to light his pipe, and that, while sitting upon a stool in the shoe shop, near the Superintendent's office, where he was accustomed to wait until he was wanted, the thought flashed across his mind that he should fire the building. He went up to the attic, where there was a man getting some shoe heels that were stored there. He waited until the man had got what he was after, and had said that he did not want anything more there. Then Morris collected a number of pieces of paper together and carried them close to the stairs that led down from the attic, one of the matches. Then he went into the yard to the house where the combustibles were stored, and filling a sprinkler with about two quarts of benzine, returned to the shop and sprinkled the benzine around the foot of the stairs which the women used, and also under the stairs. Then he applied a match to the fluid, and when the fire began to blaze he went up the stairs and took his seat upon the stool. When the alarm was sounded he walked out in line with the other convicts and went to his cell, where he was locked up.

Morris told the story as though it were a narrative of the simplest occurrence, and seemed not to care whether any one believed it, or whether he was punished for it. He has a low forehead and dull, unintelligent eyes.

The Warden, the Superintendent, the Committee of the Kings County Supervisors, comprising, Supervisors Williamson, John S. Ryder, Murphy, Lauer, and Clark, in his office yesterday, and repeated to them Morris's confession.

Henry Green, the clerk employed in the shoe shop, testified that he was 16 years old, and that he occasionally gave Morris matches, not knowing that it was against the rule, although he was aware that the prison authorities furnished the lights for the men to smoke after their meals. He gave Morris a match on Saturday night, and on Monday, when Morris asked for one, he (Green) thought that only gave him two. Morris said that he wanted to have a smoke at dinner time. The witness knew that it was a violation of the rules of the Bay State Company to give out matches. The Warden never knew that he gave the matches. He had noticed that Morris sometimes acted queer.

Supervisor Lauer—Don't you think that the fire was the result of your giving a match to the prisoner?

The Witness—No, I do not; I don't think Morris ever set the building on fire.

Q.—Then who did? A.—I don't know anything about that.

Henry Morris, the convict, testified that he is 35 years old, and a native of Brooklyn. He said he is not in good health, but he did not know what the matter was with him. He said that Green gave him seven matches on Monday morning. Morris then described again his setting fire to the building.

Supervisor Clark—Did you think then what a serious act you had committed?

Morris—No; I thought nothing of it. I don't know what caused me to do it. My memory is very bad. I don't wish to tell whether Green has given matches to other prisoners.

Supervisor Clark—Don't you must tell.

Morris—Well, he has given me matches to give to others, and sometimes Green gave the matches to the other prisoners directly. I have given them to three others. I have heard conversations among the prisoners about setting the building on fire, but I positively refuse to tell who they are, as I will not get them in trouble. I told Mr. Green and Mr. Hennessy that I thought that something terrible was going to happen, and I would have told Mr. Buck (the Superintendent) and Mr. Crummey (the Deputy Warden), but I was not treated right.

Green on being recalled recalled that he had given any other prisoner matches.

The Committee resolved to request the Bay State Shoe and Leather Company, the contractors for the convict labor, not to employ Morris for the future. The Committee also decided that no blame for the fire could be attached to the penitentiary officials, and decided to report today in favor of rebuilding the shoe shop at once.

Morris is liable to imprisonment for life on conviction of arson. He will probably be indicted and tried on his release from the penitentiary, or tried now and sentenced for life. Morris's true name is Henry Mackey, although he is better known as "Newt" Mackey. He is the son of the late Terrence Mackey, formerly a wealthy Brooklyn grocer, who kept a store in Pacific street. His brother James, who died in drink, was a popular negro minstrel, took the name of Morris, and when Mackey was arrested he took the same name. He is a native of the Tenth Ward of Brooklyn. One day one of his playmates stole a bag of rags out of a junkman's wagon, and in fun struck Mackey over the head with it. There chanced to be an iron spike among the rags, which made a severe wound upon the back of Mackey's head, and in the College Hospital he had a stroke of paralysis, which drew down his neck and cramped up his hands. When Patrick Halloran was being tried a number of years ago, in the Kings County Court of Sessions, for the crime of having robbed a man of a gold watch, Mackey walked into the court room and exclaimed, "Your Honor, that man on trial is innocent and I am guilty." The Judge ordered him to be locked up as a disorderly person, and Halloran was convicted and sentenced to ten years in State prison. It was proved afterward that Mackey told the truth, and after serving four years, Halloran was pardoned. Mackey was subsequently sent to prison for ten years for a burglary in Dean street. His brother James, the minstrel, died from drink, as did his father and mother. Edward Mackey, another brother, who began the study of law, is now in the Kings County Inebriate Home. The lawyer Mackey who met his death mysteriously near Cincinnati several years ago was a relative of Mackey, who has an uncle in Canada who is a priest.

THE EPSOM SPRING MEETING.

Entries of Mr. P. Lorillard's Horses, and the Weights they are to Carry.

LONDON, Jan. 28.—The weights for the handicap races of the Epsom spring meeting are announced. For the race for the City and Suburban Handicap, which will take place on Thursday, the 22d of April, Mr. P. Lorillard's entries will carry weights as follows: Brown gelding Parole (aged) will carry the top weight, 130 pounds, and four-year-old bay colt Falsetto is placed third on the list with 124 pounds. The three-year-old chestnut colt Mistake is given 96 pounds; Bay Duke, four-year-old bay horse Borgia and three-year-old chestnut filly Sly Dance, 94 pounds; three-year-old bay filly Geraldine, 93 pounds; three-year-old chestnut colt Wallenstein, 91 pounds; three-year-old bay filly Nereid, 89 pounds, and three-year-old chestnut filly Pappoose, 88 pounds.

For the race for the Great Surrey Handicap, which will come off on Tuesday, April 20, Parole is second on the list, with 133 pounds; Mistake is given 96 pounds; Sly Dance, 133 pounds; Wallenstein, 91 pounds, and Nereid, 89 pounds.

For the race for the Prince of Wales's stakes, which will be run on the same day, Parole is first on the list, with 144 pounds, and Falsetto second, with 132 pounds; Mistake is given 110 pounds; Borgia and Sly Dance, 108 pounds each; Geraldine, 107 pounds; Wallenstein, 105 pounds; Nereid, 103 pounds, and Pappoose, 102 pounds.

For the race for the Great Metropolitan stakes, which will come off on Wednesday, April 21, Mr. P. Gretton's five-year-old bay colt Isonomy is first on the list, with 136 pounds, and Mr. P. Lorillard's Falsetto third, with 124 pounds. Acceptances must be declared by next Tuesday, Feb. 3. There are 109 nominations for the first race, 53 for the second, 51 for the third, and 38 for the last.

CAPT. M'DONNELL'S PRISONERS.

Can They Throw any Light on the Mysterious Murder of Annie Downey?

To-day Coroner Knox will continue, and probably conclude, the inquest in the case of Annie Downey, who was found murdered in her bed at 111 Prince street on the 17th inst. Although less than two weeks have elapsed since the murder, the police have been active in pursuing many clues that pointed to the identification of men who visited the house on the day of the murder, and it is believed that sufficient evidence has been accumulated to justify the closing of the inquest. So far as has been made public but one arrest has been made in the case, that of Edward Tim, a young married man who claims to be of respectable family, but who is said by both Mrs. Smith, the proprietor of the house, and Rebecca Frederics to have been in the house on that day. Although Tim has denied from the first that he was in the house at all on that day, the women have persisted in one story. They say that Tim was observed to be loitering on the opposite side of the way; that one of the girls beckoned to him to come in; that after waiting a short time he did come into the parlor and had a whispered conversation with Annie; that after a brief stay he went away promising to return in the evening, and that the last words that Rebecca Frederics heard when he went away were those spoken by Annie, "Good by, Eddie." Hitherto it has been the accepted theory that the man who was supposed to be in the room with Annie that night was the one who came in the afternoon and talked about a pistol, and it has been accepted as a fact that when she spoke of having a companion in her room the last time she was seen alive she referred to that man. But it is now averred that she might have referred to the prisoner, to whom, it is said, she was not a stranger.

On the other hand, Tim's relatives aver that he can establish a perfect alibi, and that he was at home on the night in question. Capt. McDonnell has not yet made public the evidence that he has against the man, but says there is no question that he was in the house at the time charged, and has since changed his appearance by cutting his hair. Tim is kept in close custody, and refused permission to confer with his relatives or with counsel. His wife and sister asked permission to see him in the morning, but were denied. Then, after leaving some comforts for the prisoner, they went to the scene of the murder and had an interview with the inmates, whom they assured that it was a case of mistaken identity.

Late in the evening the brother of the prisoner created some consternation in the Prince street house by entering in an excited manner and demanding a private interview with Mrs. Smith. He indignantly reproached her for her identification of the prisoner, and threatened that he would have her arrested. He also asked for the girl Rebecca Frederics, who had also identified his brother, and harshly denounced her for the part she had taken in the identification. He said that the girl resented that she could not possibly be mistaken, and that she would testify under oath to what she had previously said.

Coroner Knox has summoned twenty-one witnesses, and the testimony will give a complete history of the murdered girl from infancy to the time of her death. Testimony will be introduced to show that the prisoner was described in several respects by the inmates of the house before his arrest, and that some particulars of his dress, particularly as to a silver chain that he wore, were given before it was possible that the prisoner could have been seen after the arrest. Unless Capt. McDonnell has some evidence more convincing than any that has yet come to light, the police admit that there is little probability that the jury will hold the prisoner.

Beyond the one link of Tim's alleged visit to the murdered girl the chain of evidence that Capt. McDonnell says he has against him is yet to be made apparent. One of the witnesses at the inquest will be Annie Mack, the woman Mrs. Angle, at whose house Annie Downey lived for some time. It is hinted that an attempt will be made by her testimony to identify the prisoner as one of the men who quarrelled with Annie in Twenty-seventh street, and threatened her life.

Inspector Dilks arrested another man yesterday who had been heard to threaten Annie Downey's life, it was said, but the inmates of the Prince street house did not identify him, and it was finally ascertained that he had not threatened Annie, but another girl. He was released.

Last night Capt. McDonnell arrested Charles Chorteau, Tim's brother-in-law, and locked him up on a charge of burglaries in Mercer and Greene streets. Capt. McDonnell was asked if Chorteau's arrest had anything to do with Tim's case. He declined to explain, saying, "Wait for the inquest."

MR. FREELAND'S RESIGNATION.

Discussion in a Brooklyn Church Growing Out of the Beecher Scandal.

The Tompkins Avenue Congregational Church has been more or less identified with the troubles arising out of the Beecher scandal, as it was on the occasion of the installation of the Rev. Dr. C. D. Helmer as its pastor that the Clinton Avenue Congregational Church and the Church of the Pilgrims refused to sit in a council with Plymouth Church, and formally took steps to sever fellowship with that church. The Rev. Mr. Freeland, who became the pastor of the church as the late Dr. Helmer's successor, was a pronounced anti-Beecher man, but as there were many friends of Plymouth Church in the congregation, it was agreed that if Mr. Freeland became the pastor, the Beecher scandal should not enter into the conduct of the affairs of the church. Mr. Freeland chose only those churches which were well known to be opposed to Mr. Beecher to sit in the council, and, in choosing the ministers to take part in the installation, he selected the Rev. R. E. Field of the Puritan Church to extend the right hand of fellowship. Mr. Field had been so outspoken against Mr. Beecher that Capt. C. C. Duncan and C. D. Wood, both anti-Beecher men, advised Mr. Freeland not to invite Mr. Field to so important a part of the service, as there might be trouble with the Beecher party in the congregation, to whom Mr. Field was personally offensive. Mr. Freeland's determination to act upon his own judgment in this matter resulted in estranging the trustees from him, and since that time there has been a slumbering difference between them, which broke out recently, when it is alleged the trustees attempted to cheapen him in the estimation of his congregation by compelling him to yield $600 of his salary, after having last year voluntarily yielded $400. Mr. Field refused to submit to this, and as the trustees were firm, he read his resignation from his pulpit on Sunday, declaring that it was made because he felt his work unsupported among his congregation. He insisted in his letter of resignation that the Council of Dismissal should be the same as that of Installation, except as to two Connecticut churches, which were too far away to attend with convenience to themselves.

The secret of the quarrel in the church is said to be the desire of the Beecher party to secure the church once more as one of the Beecher churches, and that inducements have been held out, in the shape of money from Plymouth Church, to buy the building, if a pastor is selected who will be installed under Henry Ward Beecher's auspices. Dr. Sherwood, one of the leading anti-Beecher members of the congregation, said, last night, that nearly nine-tenths of the church members were in sympathy with Mr. Freeland, and wished him to remain.

Plymouth Church will not be invited to sit in the council to dismiss Mr. Freeland.

THE APOSTATIZED PRIEST.

Married and Living in Baltimore—Why he Left the Catholic Church.

BALTIMORE, Jan. 28.—Interest in the apostasy and subsequent disappearance of Father John Hojda, late pastor of St. Wenceslau's Church, was revived to-day when it was learned that he had not left the city as supposed, but was living in retirement with his young bride at the residence of John Sommerfield, a rustic worker, 38 Pennsylvania avenue. A reporter visited the house to-day and saw Mr. Sommerfield, who was asked.

"When was Mr. Hojda married?"

"On last Friday, just as soon as he had joined the Lutheran Church."

Mr. Sommerfield also said that Miss Leihman, previous to her marriage, had been living in his house, and was frequently visited by Father Hojda.

At the request of the reporter Mr. Sommerfield went up to Mr. Hojda's apartments and asked him whether his reason for leaving the Catholic Church was on account of disliking its doctrines, or because he wished to marry. Mr. Hojda returned the reply: "For both reasons. I gave up the church on account of its doctrines and because I had a duty to perform. I have performed that duty, and feel satisfied with my God. I don't care for the censure of the Catholic Church or any one."

A physician called several times to-day to see Mrs. Hojda, who is in a critical condition, being about to become a mother.

Five Prisoners Shot in Cuba.

HAVANA, Jan. 25.—On the 15th inst. five persons, convicted by court martial of incendiarism and robbery, were shot at Santiago de Cuba, in accordance with the decree of Dec. 24 condemning persons convicted of those crimes to death. Efforts were made to obtain a pardon for the culprits, but it was considered necessary to fulfil the sentence, as too many had already been pardoned for similar crimes, without any impression having been made upon the offenders.

MR. ALVORD ANSWERS BACK.

THE VETERAN REFUSING TO SIT DOWN WHEN ORDERED TO DO SO.

Additional Nominations of Grant Men Sent to the Senate—An Important Assessment and Taxation Bill Introduced Yesterday.

ALBANY, Jan. 28.—Had it not been for Mr. Alvord's refusal to take his seat when ordered to do so by the Chair, the Assembly being in in Committee of the Whole, the protracted session this morning would have been devoid of incident. Mr. Brennan, in the chair, had difficulty in preserving silence. Members were walking here and there. Several groups were chatting and laughing. At length, with a stroke of the gavel that made the desk vibrate, Mr. Brennan insisted that every member take his seat. With one exception, all obeyed. Mr. Alvord walked slowly and unconcernedly down the aisle, humming the march from "Fatinitza." Every one looked at him, young Mr. Brennan very sternly. The old gentleman seemed unconscious of it. He trotted over to Gen. Husted's seat, but the leader of the House encouraged no conversation. Then the veteran from Syracuse turned with a suggestive smile to the Chair. Members near him say he winked expressively. Mr. Baker of Monroe arose to sustain the dignity of the House. He called the attention of the Chair to the fact that the member from Onondaga was not in his seat, and the Chair renewed its order. Then the veteran, with his eyes flashing, and in a voice of thunder, said: "I stand on my prerogative. There is no rule by which I must be forced to sit when I don't want to, unless I am adjudged disorderly," and he went on his tramp among the aisles. Mr. Brennan did not raise issue with the gentleman from Onondaga, but went on with the business.

The Governor's appointments, that were referred to-day in executive session of the Senate, are in the line of all the previous appointments. Every man, it is said, was a strong Grant worker.

Some fifty prominent business men of New York appeared before the Committee on Commerce this afternoon. Speeches were made by Mr. Ward, who represented the Chamber of Commerce; Mr. Boynton, representing the Produce Exchange; Mr. Miller, the Maritime Exchange; Mr. Watrous of Watrous & Wilson, merchants; Mr. Van Brunt of the Ship Owners' Association, and others. All of these gentlemen expressed themselves very strongly in favor of a reduction of the pilotage fees, and for the abolition of compulsory pilotage. It was represented that not less than $500,000 are paid yearly to the 125 pilots in the port of New York, and it was alleged that unless prices are lowered and ship owners allowed the privilege of saying whether they will employ pilots or not, the commerce of New York will be greatly injured, as it already has been to the benefit of other ports. The gentlemen urged that New York harbor is one of the easiest of access in the world, and its pilot fees are larger than those of any other port, with no important exceptions. The pilots will send a strong delegation here to give their side of the case. They already have caused a bill to be introduced as a compromise measure.

The Senate confirmed the following nominations from the Governor: For Quarantine Commissioner, Thomas C. Piatt; Canal Appraisers, William L. Bostwick and William J. Morgan; State Civil Engineer, John Watson, Jr.; Commissioners of Emigration, C. F. Ulrich and Edmund Stephenson.

Mr. Seebacher introduced a bill providing that auctioneers must have a license from the Comptroller of New York city, at the rate of $500 a year, and shall execute to said city a bond in the sum of $10,000 conditional for the due observance of the regulations of the Common Council; all licenses to expire April 30 in each year.

In the House Mr. Husted moved a recess of fifteen minutes, in order that the members might become acquainted with the new Speaker, who was now in the chamber. Carried, and the members paid their respects to the distinguished Irish agitator.

Mr. Alvord introduced a bill amending the Revised Statutes relative to assessments for taxation. The bill contains this provision:

> If any real estate in the possession or ownership of any person liable to assessment shall be subject to a mortgage or other lien, or by way of mortgage or contract to purchase, the party in possession or ownership of the same shall pay the tax imposed upon it, and upon giving to the assessor who shall assess the same a true account of the encumbrance thereon by way of unpaid purchase money or mortgage, such person may deduct and retain the tax imposed thereon; but he shall, upon demand, receive a receipt for so much of the tax paid upon such property as is fairly and equitably represented by the interest of the vender under contract or the mortgager of such property, which receipt, in the hands of such purchaser or mortgager, shall apply against and be a credit to the amount due by him on his contract for the purchase or mortgage upon said real estate whenever and as often as the amount due on either may be payable, except that in case said purchaser or mortgager shall by writing in the contract for sale and purchase or in the mortgage lien on said real estate, stipulate and agree to pay the taxes on the same, he shall pay such tax in addition to the price agreed upon on such sale or purchase or the value of the mortgage lien and the lawful interest, or either, and no claim for usury shall attach thereto, and the payment of such tax, without the demand for such receipt or such stipulation or agreement to pay such tax shall deprive him of the right to offset such indebtedness against his claim for usury; and he may pay the tax on any personal property owned by him or in his possession. The bill also provides for the listing system for assessment, and also for assessment of the property of railroad companies in the localities where their chief offices are.

Provision is also made to exempt churches from taxation only to the amount of $5,000, and to assessors of learning, unless under the direct supervision of the State, shall be exempt from taxation. Assessments on real estate are to be based upon the full value of the property, as near as can be ascertained.

Mr. Fuller introduced a bill to authorize the appointment of a commission to investigate the condition of the hospitals, asylums, and other places where the insane are confined, and the economy and efficiency of the State Commission in Lunacy.

Mr. Duell called up his resolution calling upon the County Clerk of New York for a statement of the number of referees appointed in 1879, and amounts paid to them, and it was adopted.

Mr. Potter offered the following, which was tabled:

> *Resolved*, That the Auditor of the Canal Department be requested to report to this House within five days the amount of money paid out of the repair appropriation since the first day of October, 1879, on drafts drawn by the Superintendent of Public Works and the section superintendent; also, the payments for the corresponding period of 1878.

LABOR RIOTS IN VIRGINIA.

The Trouble Caused by Substituting Negro for White Labor.

RICHMOND, Jan. 28.—Telegrams received here this morning state that intense excitement prevails in Shenandoah County in consequence of an apprehended collision between the white and black laborers at Columbia Furnace, near Edinburgh, in that county. Gov. Halliday received a telegram from Sheriff Joseph Stickley of Shenandoah asking for the assistance of troops to aid in quelling the riot; also one from Capt. J. W. Magruder of the Woodstock military company, stating that he has notice of a serious riot at the point mentioned, and asking for orders how to act. The Governor immediately directed Capt. Magruder to place his command at the disposal of Sheriff Stickley and the Commonwealth's Attorney, H. C. Allen, for the preservation of the peace, and to keep him (the Governor) advised of events. Other telegrams received by members of the Legislature from the Shenandoah Valley confirm the above reports.

The trouble, as far as can be ascertained, has its origin in the fact that John W. Whistler & Co., the proprietors of the Columbia and Liberty Furnaces, are substituting colored for white labor in their works. These works have heretofore been almost entirely run by white operatives, who have built over their little homes in the neighborhood of the furnaces, and who have no other means of support than their daily labor; while the negroes, who are replacing them, are imported from other counties, where the negro element prevails to a greater extent than in Shenandoah, which county has but a very small colored population.

State Senator H. H. Riddleberger of Shenandoah County to-night received the following despatch in relation to riots in that county:

> WOODSTOCK, Va., Jan. 28.—I left Columbia Furnace at 4 o'clock this afternoon. There was no trouble there, and Mr. Armstrong expected everything quiet at Liberty Furnace. Last night some negroes were attacked at Liberty Furnace, and two men were wounded. The rioters then dispersed, threatening to return to-night. A despatch stating that the rioters are now 200 strong, and asking for military reinforcements, has just been received from the Sheriff. J. H. GRASILL.

The following despatch has just been received by the Governor:

> WOODSTOCK, Va., Jan. 28—7:30 P. M.
>
> GOV. HALLIDAY: I have just received your communications from the Sheriff and Capt. Magruder at Liberty Furnace, twelve miles from here. All is now quiet; but trouble is apprehended, and more men are needed at once. The Winchester company could be ordered up to-night. The Sheriff says that a considerable number of rioters seem to be organizing. Last night two men were shot and severely hurt. H. C. ALLEN,
>
> Acting Commonwealth Attorney.

In response to these advices Gov. Holliday has telegraphed to Capt. James B. Burgess, commanding the Winchester Light Infantry, ordering him to proceed with his company to the scene of disturbance by the first train, and place himself at the disposal of the Sheriff.

The Irish World

Gives the fullest, clearest, and most vigorous exposition of the Land Question. Out every Friday.—Ads.

THE MAINE QUESTION SETTLED.

Adjournment of the Fusion Legislature Until the First Wednesday in August.

AUGUSTA, Jan. 28.—The Fusion crowds, which it was rumored would flock into the city last night and this morning, did not come, and a part of the militia at the State House have consequently been dismissed. The Capital Guards of this city and the Richards Light Infantry of Gardiner marched out of the State House at 9 A. M., the former dispersing at their armory, and the latter taking the railroad train home. The Auburn Light Infantry and the Androscoggin Light Artillery, with the Gatling gun, will remain at the State House, but Gov. Davis says he thinks there is no longer any need for them. The *New Era*, the leading Greenback organ, submits to the decision of the Court and appeals to the people.

The Fusion Legislature met in Union Hall at 10 A. M. They have evidently decided to consider their case in secret. The House, after sitting in mute silence for five or ten minutes, took a recess until 4 P. M., with the provision that reporters and the public should be excluded. The Fusion Senate, after dismissing the reporters, followed the example of the House, and took a recess until 4 P. M. The general expression of opinion on the part of the Fusion members is to go into the body at the State House. Fusion "Governor" Smith is reticent regarding future action, but said, this morning, that the decision of the Court was final for the present.

In the Fusion caucuses this afternoon there were some thirty-five members in the House and nine in the Senate. The session continued all the afternoon. The opinion of the court was freely discussed. Several of those who were at first in favor of standing out, regardless of the court's decision, held to their ground. The more conservative members were in favor of yielding. It was finally voted to adjourn until the first Wednesday in August. Some Fusionists claim that it is their honest purpose and intention to meet on the day named, and that they will enter upon heavy campaign work for the next election, endeavor to have two returns of Congressional votes, one to be sent to them, and another to the Legislature, as recognized by the courts, and that they will make up a case to Congress concerning the electoral vote.

Major Smith will go home on the early morning train. He holds the same views as expressed in the despatches last night, and recommends the quiet submission of all good citizens to the will of the court. He will never agree to a proposition that the Fusion Legislature shall come together again.

Of the Fusion Senators who will take seats at the Senatorial board, the following may be safely mentioned: Messrs. Strickland of Aroostook, Thompson of Knox, Atwell, Barker, and Rogers of Penobscot, Linn of Somerset, and Ellis of Waldo. The five, remaining are doubtful at this hour. Mr. Patten of Penobscot has telegraphed to his people for instructions. Mr. Parlin of Somerset will probably go home. Senator Talbot says he cannot take his seat in the House, but Messrs. Hobson, Wilson, Long, Hussey, Knowles, and, in fact, the leading men among the Fusionists, will come in quietly to-morrow and take their seats.

Fusion Secretary of State Sawyer has promised to return the valuation books to the office of the Secretary of State, and it is thought that he will not claim to be Secretary any longer.

State Treasurer White was unable to be here to-day, but telegraphed to the Finance Committee that he would read the opinion and meet them to-morrow, his only desire having been to secure himself and bondsmen against loss. The opinion prevails that he will freely surrender the keys and property of the office as soon as his successor is qualified.

The Republican and quite a number of Fusionists say that such an adjournment was the easiest possible way of letting down the curtain on members, who have given their associates a good deal of trouble; that the Fusion Legislature will never again meet, as will be shown to-morrow by its members taking seats in the regular Legislature. The Legislature will declare vacant all seats that are not now filled, and new elections will be ordered.

In the Republican Senate to-day the Committee on the Judiciary was instructed to inquire as to amending the Constitution of the State by abolishing the Comptroller and report a change of an Auditor, and constituting the heads of departments the advisers of the Governor.

In the House, Messrs. Hall of Corinth and Milliken of Burnham, both Fusionists, took their seats. A resolution was introduced and progressed to a first reading, requesting the Governor to appoint a commission of five militia officers to consider and report what changes in the laws is advisable for an improvement of the discipline of the State militia. The Committee on Judiciary reported a bill providing for a punishment not less than one nor more than five years' imprisonment and a fine of $5,000 for any person who knowingly and falsely pretends to assume and perform the duties of any State officer.

REIS'S SINGULAR ANSWER.

Saying that a Beggar Transferred $12,000 to Him as a Gift.

An application is to be made to-day before Judge Donohue for a stay of proceedings in a singular suit. Last fall, John Peter Stremmel sued Henry Reis, a worker in wood, to have $6,000 in the Dry Dock and Metropolitan Savings Banks retransferred to him, he having transferred to Reis about $12,000 in June, 1879, to hold until retransfer should be requested, he alleged. Reis, in his answer, admitted the transfer, but asserted that Stremmel was a professional mendicant; that he had frequently given him food and clothing; that on the 3d of June they walked together in Tompkins square, and that after they had talked about the moon and the stars, Stremmel said: "Mr. Reis, you have given me clothes and stores for me, and it is no good to me, that if you will meet me to-morrow at 10 o'clock, at Ninth street and Third avenue, I will make good your good deeds to me." According to the agreement, Reis said, they met, and Stremmel gave him the two savings banks and transferred his bank books to Reis as a gift.

Subsequently, when Stremmel requested Reis to return the books, Reis refused, but at length he returned two of the books, representing about half the amount deposited. Then Stremmel sued to get the rest. Stremmel's explanation of the transfer was that his wife had been sent by the police to the lunatic asylum on Blackwell's Island, and that when he went to the office of the Commissioners of Charities and Correction to inquire about her he was asked so many questions about how much money he had and whether he could support his wife that he became frightened, and he decided to transfer his bank books after an officer had been ordered to examine them. He had known Reis for many years, and he asked him to keep the books in trust for him. Reis contended that it was a gift.

The suit was referred to Rufus F. Andrews as referee by Judge Westbrook, who handed up a decision in favor of Reis. About $6,000 is now in the banks, and Stremmel seeks to restrain Reis from withdrawing the money until the case is decided on appeal.

ALMOST PERPETUAL MOTION.

A Motor which, the Inventor Declares, When Once Started will Run Till it Wears Out.

All day yesterday the small rooms of Albert Pietrowski, at 26 Spring street, were crowded with visitors who had gone thither to see the new motor that was advertised in THE SUN on Monday. Mr. Pietrowski is a Pole. He is an engineer by profession, and has been in this country sixteen years. He has devoted his leisure hours to the elaboration of his invention.

The model that he exhibited yesterday consists of a pair of hollow metal wheels, four feet in diameter, which revolve on the same axis, but in opposite directions. The moving power is nine metal balls placed within the wheels so as to bear the rim down at first, and then gravitate toward the axis, where a side groove runs the balls off to a grooved radius of the wheel revolving in the opposite direction. Four balls were placed in the grooved radii of the first wheel and four in the radii of the second, and when momentum had been gained the ninth ball was added, to give additional power. To the axis of the wheels, which is also the axle of smaller grooved wheels that regulate the speed of the machinery, the shafting is applied.

"Give me a cast-iron wheel sixty feet in diameter," said Mr. Pietrowski, "and I will show you a motor of 300-horse power, that requires nothing to keep it in operation. It will continue to run until the material wears out."

Several of the engineers who witnessed the working of the Pietrowski machine yesterday were sanguine in the opinion that for all practical purposes, leaving out the engine of the locomotive and the steamboat, it will be found of great value.

Suicide of a Chief of Police.

NORFOLK, Va., Jan. 28.—Chief of Police Benson committed suicide in his private room early this morning by blowing out his brains with a pistol. The cause was aberration of mind resulting from domestic troubles.

Ice in the Hudson on the Move.

POUGHKEEPSIE, Jan. 28.—Reports from above say that all of the ice in the river is on the move. A steamer and two barges passed north this afternoon, and a sloop passed south.

GOOD ADVICE.—Use Halt's Honey of Horehound and Tar for cough or cold. Sold by druggists at 50c. and $1. Piko's Toothache Drops cure in one minute.—Ads.

INSANE WOMEN FIGHTING.

A PATIENT ON BLACKWELL'S ISLAND KILLS HER ROOMMATE.

Two Hundred Noisy and Excitable Female Inmates Left Nightly in the Care of One Nurse—Difficulty in Obtaining Information.

Dr. A. E. McDonald, who lately succeeded Dr. W. W. Strew in the management of the Blackwell's Island Lunatic Asylum while he yet retained that of the Ward's Island Asylum, reported to Coroner Ellinger yesterday that in an encounter between two lunatics on Blackwell's Island on last Saturday morning, one had given the other a death blow. A reporter for THE SUN, on application to the Superintendent of Outdoor Poor, at Eleventh street and Third avenue, was politely furnished with a pass to the island and another to see the medical superintendent of the asylum. The medical superintendent was not on the island. His first assistant, Dr. Hinkley, refused to allow the reporter to visit the building where the tragedy occurred, to talk with the night nurse, Mrs. Stevens, who saw a part of the fight, or even to furnish such records as the books of the asylum contained concerning the dead woman. In defence of his refusal he said that there was an old rule of the Commissioners of Charities and Correction, Messrs. Townsend Cox, President, Thomas S. Brennan, and Jacob Hess, forbidding officials on Ward's or Blackwell's Island to give any information without consent of the Board. On being questioned further he said that an order from one member of the Board would be sufficient. The most that he would consent to do was to show his visitor a neatly painted, clean-smelling room, a step or two from his own office, which he said was a counterpart of the room where the killing was done. Dr. McDonald was sought, but he could not be found. President Cox, when asked for a permit to see Mrs. Stevens, the night nurse, refused to give one without consultation with the other Commissioners.

The following is Dr. McDonald's official account of the tragedy to Coroner Ellinger, who will hold an inquest to-day:

"On Saturday, Jan. 24, about 1 P. M., I was informed by one of the assistant physicians that Maria Oltner, an inmate of the asylum for the past two years, was struck on the head with a wooden bucket by another patient named Julia Christ at 5¼ o'clock A. M. the same day. She had been removed to the hospital ward, where I found her at the place named. She presented the right eye blackened and a contusion over the right temple. She complained in an arrangement whereby, when Isaiah Bradley's house was burned down, the defendants collected the insurance, amounting to $450. Bradley had just bought the house from Mr. Murphy, and had failed to take over the insurance policy as promised. When Bradley learned what had been done he made such a stir that Beasley and Mr. Murphy gave him a portion of the money to him, but he was not satisfied, and went before the Grand Jury and made a complaint. At the trial Bradley was so nervous that he forgot the things that Beasley had told him to say, and finally, when Beasley had jumped up from his seat and called out to Beasley, "You're a liar!"

John Beasley promptly called Bradley to order, and Bradley cried, "Now, you know I can't stand that, Judge." Bradley had to be asked to leave the court room, as he could not restrain his indignation. The obnoxious testimony consisted in Beasley's swearing that Bradley threatened to shoot off the top of his head with a pistol if he did not give him the money. Bradley had previously sworn that he did nothing of the kind and never had a pistol in his hands in his life.

The Dartmouth Alumni.

The sixteenth annual dinner of the Dartmouth Alumni Association of New York was given at Pinard's last evening. Among the gentlemen present were Prof. John Franklin Emerson, Prof. Erastus Everett, Mr. George Walker, President of the Gold and Stock Company; Mr. John Bell Bouton of the *Journal of Commerce*; the Hon. E. M. Stoughton, ex-Minister to Russia; Dr. Barstow, Superintendent of the Flushing Insane Asylum; Dr. Dana, Superintendent of the Utica Asylum; Hiram Hitchcock, Gen. Chas. A. Carleton, and Grosvenor S. Hubbard. Letters of regret were read from President Bartlett of Dartmouth, ex-President Chase of Dartmouth, Governor of Pennsylvania, Profs. Packard and Young of Princeton, ex-Gov. Goodwin, and others. Prof. Odiorne presided. A telegram to President Arthur was sent by the Alumni Association of Boston, which also had its annual dinner last evening. After the dinner there were college songs and speeches. At the business meeting Prof. Odiorne was re-elected President, Charles F. Miller of the *Times* was elected Secretary, and Grosvenor S. Hubbard, Treasurer. Five Vice Presidents are Prof. Everett, Dr. Wm. M. Chamberlain, and Jonathan Marshall; corresponding Secretary, Joseph W. Howe; Musical Director, Dr. George A. Wells; Executive Committee, W. W. Niles, '45; J. B. Bouton, '49; Geo. C. A. Carleton, '57; Gilman H. Tucker, '61; Waldron P. Vanderpoel, '70; Horace C. Baldwin, '68. Scientific Department, Dr. Jos. K. Janvrin, '03, Medical Department.

The Sudden Death of a Prominent Banker.

Horace Thompson of St. Paul, Minn., widely known as one of the leading capitalists of the Northwest, died of pleuro-pneumonia yesterday morning, in the Fifth avenue Hotel, in this city. He came to New York some ten days ago, with his wife and daughter, for a month of recreation. He was taken ill on Saturday last, and on Monday he was pronounced dangerously sick. When his serious illness was announced in St. Paul by telegraph, a number of prominent gentlemen who had been associated with him in business enterprises started for this city. The deceased banker was 52 years old. He leaves a wife, two sons, and a daughter.

Mr. Thompson was a native of Poultney, Vt. He went to Georgia in early life, and lived there till he went to St. Paul in 1859. He organized the First National Bank of St. Paul in 1865, and owned one-fifth of the stock. He was its President at the time of his death. He was largely interested in railroads in the Northwest.

An All Night Session in Trenton.

TRENTON, Jan. 29.—The contested election case of Williams agt. Brown, both of whom claim a seat in the House of Assembly from Newark, occupied the whole afternoon and evening, and at midnight the case is being argued. The minority, the Democrats, are bitter in their denunciation of what they claim to be the unfairness and partisanship of the majority. The case was made a caucus measure this morning, and it was determined to unseat Brown. The probability is that there will be an all night session.

A Respite for Greenfield.

ALBANY, Jan. 28.—It was announced at a late hour this evening that Gov. Cornell had granted a respite for Greenfield until Feb. 27, in order to give his counsel opportunity to apply to a Supreme Court Judge for a stay.

SYRACUSE, Jan. 28.—Orlando Greenfield, the wife murderer, who is sentenced to be hanged on Friday, stoutly maintains his innocence, and to-night expressed the belief that his counsel would yet save him. Judge Hunt instructed his counsel to make application to Judge Noxon to-morrow morning for a stay of proceedings with a writ of error.

Her Plea.

"I had the honor to meet the two Judges here before you, sir," said Mary Ryan, who is arrested frequently for intoxication, when she appeared before Justice Courtney in