TROUBLED IRELAND.

How Peace and Prosperity May Be Wooed Back to the Emerald Isle.

A TORY LANDLORD'S PANACEA.

The Earl of Desart on Tenant Right, Fenianism and Home Rule.

PARNELL'S APPEAL FOR AID.

The Earl of Desart arrived in this city from England on Sunday last and is staying at the Westminster Hotel, where a HERALD reporter had an interview with him yesterday on Irish and English topics of moment. Lord Desart, whose estates are in Ireland, is a tory in politics, as his father was before him, and naturally takes a view of Irish affairs entirely opposed to those of the adherents of the home rule policy. He is, however, one of those peers of the English realm who have fought their way by ability and hard work to eminent places in literature and in journalism. Those familiar with literature in England know that no man has so hard a road to travel in stepping beyond respectable mediocrity as he whose title forces him into the band of "Distinguished Amateurs." This shelf of amateurdom Lord Desart has forced himself beyond, and he occupies to-day, by dint of talent and by the force of hard work, a leading place among professional writers of fiction and in journalism.

Lord Desart (William Ulick O'Connor Cuffe) is the eldest son of the third Earl and was born in 1845. He was educated at Eton and Bonn University. After a short experience as page of honor to the Queen he received at the age of sixteen a commission in the Grenadier Guards, and in 1863 left England with his regiment for Canada, where he remained two years. During this time he visited the headquarters of the Army of the Potomac, where he was the guest of General Meade. His first novel, "Only a Woman's Love," was published in 1868; his second, "Beyond These Voices," appeared in 1870; the next, "Children of Nature," in 1877; "Kelvordale" in 1878, and "The Honorable Ella" in 1879. This year he has "Mervyn O'Connor" running in serial form through *Vanity Fair*. Indeed, all his novels went through the test of serial publication before appearing in book form. Besides the works named above Lord Desart has issued several pamphlets and for some years past has been an indefatigable journalist, contributing leading articles, criticisms and reviews to the principal London journals. Withal, he is a genial gentleman, an ardent fox hunter, a man who knows the value of work and is willing to do his share in the field he has chosen for honorable distinction.

VIEWS OF AN IRISH LANDLORD.

Lord Desart was found by a reporter at the Westminster about noon yesterday. It needed very little ceremony to open the interview which the reporter sought. There was little except the land question agitating both England and Ireland to be discussed, and, indeed, the chief interest attaching to the conversation centred in the fact that Lord Desart is a landlord himself and does not swerve from the views of his class. In the world of letters, however, Lord Desart said that the most recent sensations in England have been Miss Braddon's new novel and Farrar's "Life of Christ."

"What do you think, Lord Desart, of Mr. Parnell's method of solving the Irish tenant question?" asked the reporter.

"Well, my views do not coincide with those of the popular party. I belong to the class who think the landlords ought not to be pushed to the wall altogether," was the reply.

"Does Mr. Parnell intend to leave the landlords nothing?"

"Mr. Parnell's doctrine is, I believe, that a system ought to be established by which the tenant could borrow enough of money from the government to buy out his farm, and then repay the borrowed money from the profits of his labor. In other words, pay a rent to the government."

"But in that case, some time or other, the tenant would have no rent to pay?"

"Yes."

"As affairs stand now do you think the farmers ought to be contented?"

"It is much better for the farmers now not to have a thirty years' lease. Under Mr. Gladstone's bill they are better off by being yearly tenants. Were they leaseholders they could be ejected without compensation. Under Mr. Gladstone's bill the tenant is amply protected in every way. He must receive adequate compensation, according to the judgment of the courts, for what is called disturbance, and as long as he pays his rent he cannot be disturbed at all. Other clauses protect him in claims which hitherto had never been allowed. With a good harvest the tenant ought to be prosperous."

THE "NO RENT" CRY.

"Mr. Parnell claims that this year no rent at all ought to be paid?"

"Yes; I believe they talk about the 'leaden bullet.'"

"But is not this owing to the bad harvest of the year?"

"The paying of no rent at all, unconditionally, should doubtless be ascribed to that cause, else it would be manifest injustice."

"In England is not the cry of distress among the farmers as loud and as widespread as in Ireland?"

"There is undoubtedly great discontent among the English tenant farmers this year. Strangely enough the English farmers say they are unable to meet their rents and consequently they wish to get away. The Irish farmers say they are unable to meet their rents, but they want to stay."

"To what cause do you ascribe the distress among the English farmers?"

"Well, I shall give you high authority in answer to that question. The Earl of Beaconsfield is positive that the tenant distress in England has been caused entirely by the recent bad harvests. Mr. Burrill, M. P., in an address delivered early this present month before an agricultural society composed, of course, of farmers, and there being present as his audience the families of these farmers, told them that the distress from which they were suffering was to be credited to the extravagance of the families of the farmers themselves, to too much piano and finery and that sort of thing."

"The gentleman deserved credit for blunt speaking, anyway."

"Between Mr. Burrill's view of the case and that of Lord Beaconsfield there is a connecting line not impossible to trace."

"As a landlord yourself, Lord Desart, you must be familiar with the Irish rentals generally. Are the rents too high?"

"I shall best answer that question when I say that, as a rule, the rents now are based on the valuation made after 1847, when land was selling at a five years' purchase. Of course at this time land is more valuable than it was then. It can be sold now at sixteen or even eighteen years' purchase—rarely at twenty years. Rents have in many instances, no doubt, been put up to the highest figure; but this is not the general tenant condition throughout the country."

ABOLITION OF SMALL HOLDINGS.

"It is understood that Ireland to-day is a grazing country, and that tillage has ceased to be practised by the larger holders. Is not this a cause of discontent among the people?"

"That is a broad question. I have no doubt that the holders of small farms felt aggrieved at losing their little homesteads. But I believe that these small holdings, scattered over the land, have been the curse of Ireland. No family could subsist comfortably upon a farm of ten acres for which they paid rent, and yet these small holders, although they were not able to make enough out of their land to support themselves, were unwilling to work on other and larger farms to add to their incomes. The country wanted a good system of labor. These small holdings prevented the establishment of such a system. Where several of these small farms were united into one there was an opportunity afforded for developing the land and utilizing it to the best advantage. Labor was necessarily employed and well paid, and instead of a few helpless families striving to eke out a miserable existence there was room enough for the support of many."

"As compared with England how is labor paid in Ireland?"

"Considering the cost of living the Irish laborer is not behindhand. The English laborer receives more wages, but he has to pay higher for his living."

FRESH THREATENINGS.

"Recent news from Ireland credits the country with something like fresh 'agrarian outrages?'"

"Yes; I see that in the West there have been some threatening letters sent, and rumors were rife that dark deeds were impending. But I hardly think it fair to class such exceptional manifestations as these as agrarian outrages or to conclude that they indicate the spirit predominating among the Irish tenantry as a class."

"This leads me to ask you, Lord Desart, whether Fenianism still flourishes in secret or is dead?"

"If I say that Fenianism is for the present dead, I should also say that it is pretty certain we shall one day or other find it cropping up again, in some form or other, be the extent of it great or small."

"Would you not call Mr. Parnell's efforts to stop the rents a form of Fenianism?"

"Mr. Parnell's movement is unique and entirely exceptional."

"Is Mr. Parnell an 'owner of the soil' in Ireland?"

"Not so far as I know. His brother, I am assured, owns property in Meath."

"It is an old belief among the Irish that all they ever got from England was by agitation. Do you think any good will come from the present effort?"

"I cannot see what good can result from this tenant agitation. I will tell you what harm has resulted from those continued agitations—they keep capital out of the country. I know myself several Englishmen—men of wealth—who would willingly cross the Channel and invest heavily in Irish enterprises if they had security that they would not have to bear the constant annoyance of threatened disasters in some form or other. This perpetual claim of injustice and the constant demand for redress expressed under so many guises, decade after decade, prevented the commercial prosperity of the country in the past, and will surely prevent it in the future."

"You seem, Lord Desart, to fasten upon a cause. Have you not a theory by which the country may be restored to prosperity?"

"If I have it is this:—Give the country a fair chance; stop agitation and this never-ending complaining. Give the country a chance for ten years. For ten years keep on working, working, without agitating, and then, to my mind, you would find Ireland would be prosperous and contented."

"Has the project of home rule been abandoned?"

"It seems to me that since the death of Mr. Butt the home rule agitation has not made much progress. In fact, I think it has subsided altogether and has become merged for the present into the bolder advocacy of Mr. Parnell."

The interview then closed, the Earl of Desart being obliged to keep an appointment previously made.

PARNELL'S APPEAL.

FULL TEXT OF THE DEMAND FOR AID ADDRESSED BY IRISH TENANT FARMERS TO THEIR TEN MILLION COUNTRYMEN WHO HAVE TAKEN REFUGE IN THE "GREAT SHELTER LAND OF PEOPLES."

Following is the full text of Mr. Parnell and his colleagues' appeal to the Irish in America and elsewhere, which the HERALD has already summarized by cable:—

THE IRISH NATIONAL LAND MOVEMENT—APPEAL TO THE IRISH RACE FOR ITS SUSTAINMENT.

The land and rent agitation which has originated in the West of Ireland, and is rapidly spreading throughout the country, has now assumed such national proportions that it becomes a question of first importance to all who sympathize with its legitimate objects how best to guide the popular movement to the attainment of those ends. Temporary abatements of excessive rents are being, and may continue to be, obtained through the various agencies of a sympathetic but unorganized advocacy which the existing widespread and alarming distress elicits from the press and bodies of the community; but, without the creation of some constituted guiding or controlling influence, the primary if not the sole cause of the existing poverty of the agricultural classes will not be removed. Independent of the effect which the products of the vast free lands of America and other favored countries must have in competition with the produce created under rent-tied and paralyzing conditions in Ireland, almost all the evils under which her people suffer are referable to a land system glaringly antagonistic to the first principles of justice and fair government, which place the good of the greatest number above the privileged gratification of the few. Landlordism, founded as an institution of systematic partiality, has proved itself but too true to the spirit of its origin by reducing all who are dependent on, but unprotected by ownership of, the soil to a degraded, uncomfortable existence, and in addition induces the loss of that independent character which arises from an independence of position. The duties which feudal laws and customs exacted in return from those in whom they recognized certain arbitrary rights have been ignored by Irish landlordism in its relations to the people and those dependent upon the fruits of its cultivation, thus adding to the other indictments against the system a non-fulfilment of essential obligations. Any land system which does not tend to improve the value of land and enable cultivation to meet the exigencies of those dependent upon its produce stands self-condemned as barbarous, unjust and reprehensible.

NOT BORN TO STARVE.

The diminished population of our country, the millions of our race who perished in or fled from a land in which God intended they should not die by hunger; the continued struggle with poverty which those have to maintain who yet cling to their native soil; and the periodic climaxation of the impoverishing influences which landlordism exercises upon the social life of Ireland, demand at last, in the face of yet another impending national calamity, the application of a remedy which can no longer be denied the salvation of a people. In contrast to the social wretchedness to which a barbarous land system has reduced our country is the rapidly progressing prosperity of those people at whose demand or for whose benefit such a system has been swept away, and the cultivator of the soil has replaced the landlord as a proprietor. The surplus produce of lands thus freed, with agricultural industry thus relieved from its rent taxation, is now placed, by easy transit over sea and land, in competition with what is produced under conditions of land tenure the most unfavorable and incentives to toil the least encouraging that ever regulated the chief industry of any civilized country. When to this is added the adverse influences of successive bad seasons, on the point of culminating in what threatens to be the worst yet experienced since famine years, the position of the Irish farmer and those depending upon the fruits of his enterprise and labor, assumes an aspect of menacing ruin, which to consider as transient or accidental would be a criminal disregard of the vital existence of a people. Impelled by the desperate circumstances of their situation the farming and other classes concerned have proclaimed their grievances in public meetings and by the press, demanding the remedies which alone can redress them. A consensus of opinion, apart from immediate interestedness, has declared that the remedy put forward by the present agitation is founded on justice, reason and expediency, and that its application is absolutely essential to meet the evils complained of and insure the prosperity and contentment of Ireland. In formulating a demand for ownership of the soil by the occupiers in substitution for that of the landlords, the people of Ireland neither contemplate nor ask for the confiscation of those proprietorial rights which existing laws must necessarily recognize and protect, but that for the transfer of those rights to an industrial ownership, a fair compensation may be given to those who shall be called upon to agree to such transfer for the settlement of the agrarian strife of the country and the supreme good of its people. To carry out a project as vast as that which we contemplate must require means in proportion to the difficulties that must be encountered in the undertaking. Tenants' defence associations must be organized in every county, and assistance be rendered to farmers who may be called upon to defend themselves against an unjust or capricious exercise of landlord power. The wealth of Ireland is almost entirely in the hands of that class which we propose for the good of the country to deprive of the absolute possession of the soil, and it is but natural to expect that strong and influential opposition will be offered by those who will be called upon to surrender the privileges they have so long enjoyed—even in virtue of compensation and expediency. To meet this opposition, and guide the national movement for freeing the land of Ireland, assistance of two kinds must be forthcoming: the one, and most essential kind, is an organized development of earnestness and a resolute attitude on the part of the 600,000 landless farmers of Ireland, as well as those whose daily bread depends upon the prosperity of their fatherland, in demanding their just rights as guaranteed in the settlement we propose. The second aid required is money. Neither has ever been wanting when the national spirit of our country and the patriotism of her exiled sons have been appealed to in a patriotic cause, and we are confident they will not be withheld now when the very soil of Ireland is the object we desire to free, and the land slavery of our people the thing we are resolved shall be abolished for ever. None of our race have had such bitter experience of the wrongs of landlordism as those who have been compelled to seek abroad the food denied at home, and none should more readily and generously sympathize with those who are resolved to retain a firm grip of their Irish homesteads than the exiled who were forced by iniquitous laws to leave them.

EXILED FROM HOME.

In the great Shelter Land of Peoples 10,000,000 of the Irish race have found a home. The system we aspire to abolish has banished them from Ireland. Benefiting by laws which afford equal protection and encouragement to all citizens of the great Republic of America, they can appreciate the efforts which aim at affording equal incentives to progress to their crushed and persecuted kindred here. Not alone to our fellow countrymen in America, but to all whom evil laws have scattered the world over, as well as to all other nationalities who sympathize with a brongest and impoverished people who at last are resolved upon a remedy for the evils afflicting them, do we call for an advocacy of our cause and support in our efforts to achieve success. In constituting ourselves a committee for the purpose of carrying out this work we are animated with but one desire—to aid the tenant farmers and those depending upon the soil of Ireland to lift themselves from the misery and social degradation in which they are plunged into a position where the notice to quit and the rack rent will not operate against their industry, security and contentment. We are influenced by no party spirit in making this appeal, nor do we in any way purpose to place this committee in antagonism with existing bodies or organizations employed in other departments of national labor. To free the land of Ireland from the unwise and unjust restrictions which militate against its proper cultivation and prevent the development of its full resources should be a labor above the customary influences of party or sectional strife, and be guided alone by motives of disinterested effort for the benefit of our common country, and the improvement, contentment and prosperity of the greatest number of our fellow countrymen. The grounds upon which we feel authorized to issue this appeal are the fact of our being either directly or indirectly connected with the agitation which has sprung from the distress that has evoked a national condemnation of the present land system. As this land movement has won an endorsement from public opinion of an occupier proprietary settlement of the land question, those who have advocated such a remedy prior to and in conjunction with the national demand now made for it feel themselves justified in taking such steps as may be best calculated to insure its application to the existing land evils of our country. In pursuance of this intention we issue this appeal to Irishmen the world over, and to those who sympathize with the object in view, to aid us in our efforts to obtain for our people the possession of an unfettered soil, and for Ireland the benefits which must result from an unrestricted development of its products and resources.

PHOTOGRAPHING KING CETYWAYO.

The Cape papers bring interesting details of the reception of King Cetywayo in Cape Town and his experiences of the sea photography. A correspondent writes:—"During the voyage of the Natal, the first morning when there was no land in view, he, after looking around, held up his hands in intense astonishment, but, like all natives, he did not permit himself to appear to be much surprised at anything. At home he was rather a considerable beer drinker, but he now thinks that very inferior stuff, and palms that off on his wives, while he is quite ready to do his share of "fire-water" in the shape of gin. He has rather a wild way of taking to European food, and as a preliminary to a substantial feed of beef the other day he devoured a pot and a half of jam. He has not given over the assertion of his dignity, and in this he has been very much encouraged by the amount of waiting upon which he has received. After promising to have his photograph taken he kept photographer and every one else waiting upon his pleasure for some hours, was pleased to be gracious enough for a few minutes, and then went back doggedly to his seclusion. His observations often show, as his face would convey, that he possesses no inconsiderable fund of humor. He was good enough to come out of his shell during the time his photograph was taken, and the smiling face he put on, as his photograph will show, proves that he is not altogether unacquainted with the ways of the world. A portrait of Dabulamanzi excited a desire to make as good a picture, and he readily threw aside his blanket so that civilization should see Cetywayo in only the royal attire as King of Zululand. When his wives were being photographed nothing could induce them to leave off giggling or to sit still until Cetywayo sternly commanded them to do so, and then at once they were as motionless as statues—it was evident they had not forgotten the temper of the King and the way he once reigned in Zululand. When he was afterward asked to sit for another photograph he declined doing so on the ground that he was not going to make a fool of himself twice in one day. He would not sit with his wives because, he said, as having his photograph, they could cut the group of women in two and put him in the centre; and he suggested that if other photographers wanted his likeness they could photograph his followers as often as they liked and the pictures would sell just as well; for the white men would buy anything. The photograph will show Cetywayo to be an enormous man of a little under six feet high, a handsome, over fed specimen of humanity, with nothing repulsive whatever about him—except his history. A tape measure around the chest would probably show sixty inches and each thigh half that number of inches, and this should convey what an immense fellow the King is. Yet he is not ungainly in figure, and there is an unmistakable dignity about him which, together with his fits of sociability, have drawn toward him the good feeling of his escort. The whole party evince a very earnest wish for clothes, and Cetywayo was in great delight on wearing a suit sent him by the Commodore, and strutted about quite proudly with a black "tile," which he had managed to squeeze over his head-ring. He has lately developed a wonderful taste for scribbling, and in a few months, under the careful tuition of Major Poole, would probably become a polite letter writer. Indeed, Major Poole has the King—excepting the sulks, which are exceedingly inconvenient—perfectly under control, and the attempts at letter writing are an infinite source of amusement. The wives of the King, who are his fellow captives, are four in number, and are tall, lithe, shapely women, of about twenty years of age. The photographs are not just to them, for their attraction seems to be in their vivacity and their good temper. Like their lord and master, they are anxious about their dress. On Sunday Cetywayo was taken on a tour of inspection of Her Majesty's ship Boadicea, which visit seems to have given him a terrible shock. Such a visit a year ago might have saved England some millions of money.

MURDER COMING TO LIGHT.

ACCIDENTAL DISCOVERY OF A SKELETON IN A WOOD—A HORRIBLE DEED KEPT SECRET BY THE MOLLY MAGUIRE INFLUENCE—FACTS DEVELOPED BY A CORONER'S JURY.

SCRANTON, Pa., Oct. 21, 1879.

A dramatic investigation of a murder which, it is thought, was perpetrated two years ago is now in progress at Dunmore, two miles from this city, and the people of that neighbordood are very much excited over the affair. A few days ago a party of boys while out gathering chestnuts in the woods on the Moosic Mountains discovered a human skeleton in a weird, uncanny nook, three miles from the nearest habitation. The grim discovery was first made by little George O'Neil, who was on a chestnut tree when he saw it, and was so overcome by fright that he fell headlong to the ground almost beside the ghastly skull. The boys ran home in terror from the spot, and soon the neighborhood was alarmed and a party of men proceeded to the scene of the discovery. The grass had been burned about where the skeleton lay, and some pieces of charred wood were scattered about, showing that an effort had been made to destroy all traces of the crime. The only particle of clothing to be found was a shoe on one of the feet of the skeleton. Much speculation was indulged in concerning the remains, and, from the appearance of the massive frame, together with a number of circumstances pointing in that direction, it was eventually supposed to be the skeleton of John Lorson, a Swede, who was undoubtedly murdered at Sport Hill, on the outskirts of Dunmore, two years ago.

THE CORONER'S INVESTIGATION.

Coroner Travers empanelled a jury, who are still investigating the case. From the testimony already elicited it appears that two years ago John Lorson, who lived alone in a portion of a house which was also occupied by Mr. and Mrs. Robert Hennion, suddenly disappeared during the night, after having been badly beaten by two men named Sweeney and Malia, and has never been seen since. Mrs. Rhoda Hennion, who lived with her husband in an apartment adjoining that occupied by Lorson, testifies before the Coroner's jury that the night before Lorson's disappearance he came into her house and asked her husband to accompany him to his landlady, Mrs. McAndrew, a powerful Amazon, who keeps a shebeen house close by and is known throughout the region as "Red Biddy." Lorson said that he could not talk good English and he wanted Hennion to act as interpreter with a view to settling some dispute which existed between the landlady and tenant. Hennion did not like to interfere, and late that night, while Mrs. Hennion was standing at her door she saw "Red Biddy's" son, Josey Malia, and a man named Sweeney knock Lorson down and kick him. When he staggered to his feet Malia, with an oath, told him to go home and keep his mouth shut. Lorson then managed to crawl into his room and moaned heavily. Mrs. Hennion says she told her husband that she was afraid the poor Swede was badly hurt and they ought to go in and look at him. He lay on the bed with his face to the wall, moaning, and they could not understand what he said, but they did not think he was very seriously injured. Mrs. Hennion says she could not sleep that night, and at four o'clock in the morning she was startled by a scuffle in Lorson's room. It seemed to be a desperate affair, and she held her breath in terror. Shortly afterward two men left the place, and on the morning following Lorson was nowhere to be found. The night afterward Mr. Hennion, while looking out at his window, called his wife to look out, and she says she saw a gang of men digging in a heap of coal dust near by. She thought they were hiding the body of Lorson, but the sway of the Molly Maguires was so great in that district then that she was afraid to say a word about it as long as she lived in Sport Hill. Shortly afterward she removed with her husband to Wayne county, and now, being at a safe distance, she feels free to speak. A year ago there was a suspicion that Lorson had been foully dealt with, and search was made in the culm heap where it was then thought his remains were hidden. It is now supposed that the search then made caused the murderers of Lorson to remove his remains away to the secluse of the woods, where they thought to burn them up and destroy every trace of the deed. There is evidence showing that the shoe found on the foot of the skeleton is similar to those worn by Lorson, and the high cheek bones and massive frame indicate their Scandinavian character.

THE SUSPECTED.

The man Sweeney, who is implicated in the statement of Mrs. Hennion, went West shortly after the disappearance of Lorson, and Josey Malia, the son of "Red Biddy," is serving a term of two years in the Penitentiary for the killing of a one-legged soldier named Walsh. The soldier was a regular customer at the shebeen house of Mrs. McAndrew, and one stormy night, after he had spent all his money there and gone out for a time, he returned when the place was closed and kicked the door for admittance. Malia took his gun, and, opening his bedroom window, fired at Walsh, whom he shot through the breast. Walsh fell dead on the doorstep and if Malia escaped the hangman's noose it was simply because his victim was poor and friendless. The investigation of the Lorson mystery will be resumed by the Coroner's jury on Wednesday of this week, when several important witnesses will be examined.

MURDER OF A HUSBAND.

SANDY HILL, Washington county, N. Y., Oct. 21, 1879.

The trial of Mrs. Frances E. Barnes, of Shushan, was moved this morning by District Attorney Fairchild in the extraordinary session of the Oyer and Terminer Court, which was convened here for that purpose. The defendant was indicted at Salem last June for murder in the first degree, in having caused the death of her husband, Benjamin Barnes, last March by the administration of arsenic. The people are represented by District Attorney M. Fairchild and Mr. Charles Hughes, while R. C. Betts, of Granville and S. W. Russell, of Salem, appear for the defendant. The court is presided over by Judge C. O. Tappan. An extra panel of sixty jurors has been summoned, and a day or two will probably be consumed in obtaining a satisfactory panel for the trial.

The prisoner is in court, accompanied by her daughter, Mrs. William Priest. The former is about forty-two years of age and the latter nineteen, and both are dressed in deep mourning. The case excites general interest throughout this section.

CHARGED WITH MURDER.

READING, Pa., Oct. 21, 1879.

Samuel Knabb, an inmate of the County Almshouse, was arrested yesterday afternoon upon the charge of murdering Daniel Moore, of this city. On the 27th of January last Moore was found dead at the bottom of a coal shute with both his legs cut off below the knees. A young girl who was picking coal near Neversink Station saw three men throw Moore's body into the shute, and upon her information Knabb has just been arrested. He disclaims all knowledge of the crime and claims that he was in the County Almshouse at the time.

ACTED IN SELF-DEFENCE.

Bernard Bruck, the young German who shot and killed Robert Stewart in the saloon No. 352 Hamilton avenue, Brooklyn, kept by his (Bruck's) father on the morning of October 3, was yesterday taken before the Kings County Court of Oyer and Terminer, and on motion of his counsel, Messrs. Morris and Pearsall, was discharged from custody. It was shown that though the Coroner's jury had by their verdict held the prisoner to await the action of the Grand Jury, the latter body, for want of evidence, failed to indict him. It is claimed by his friends that Bruck was assaulted twice by the deceased and was acting in self-defence in shooting him.

HAYDEN'S PERIL.

The Poison Found in Mary Stannard's Body.

PROFESSOR JOHNSON'S TESTIMONY

Important Admissions in Favor of the Defence.

NEW HAVEN, Conn., Oct. 21, 1879.

In the Hayden murder trial the entire day was occupied with the testimony of Professor Johnson, of Yale College, a chemical expert. As the State's witness he was called to assist in the identification of the arsenic found in Mary Stannard's body with that purchased by the accused on the day of the tragedy. Further than this, the State sought through him to set at rest any suspicions that the poison had been placed in the body after death as evidence against Hayden. This has been more than once intimated. The Professor's testimony, although strictly scientific in its character, was somewhat in the character of an exhaustive lecture on arsenic and its properties, and was listened to with close interest.

The parts of the murdered girl's internal organs which were removed from the corpse six months after death were sent to the witness for analysis, and arsenic could be identified in each. Professor Johnson produced the results of his analyses.

ARSENICAL SPECIMENS.

He held up and unlocked a small black walnut case, about fifteen inches long, ten wide, and three thick. This folded, as does a double slate. A turn of the key and the contents were exposed—thirty proofs of the terrible dose of poison administered to the girl. The Judge, jury and spectators bent forward eagerly as the case was opened and held up before them. There were thirty little glass tubes about the size of pencils, or perhaps a trifle thicker, and four inches long. The pointed ends were sealed by melting. In some tubes were the white powder of the ordinary arsenic of commerce. Others were yellow with sulphides and the colors in one of these beautifully shaded from yellow into orange and crimson. Copper aceto-arsenite, or Paris green, was readily distinguishable by its bright green shade. On the interior of several tubes were mere stains, yellowish brown; others were as if faintly smoked by a candle. Beneath each tube was a printed lable stating its contents. Professor Johnson proceeded to describe these tubes, which were in several sections, containing respectively the poison found in the stomach, the liver, the diaphragm and oesophagus, part of an intestine, one kidney and one lung.

THE STOMACH.

Tube No. 1—Seeds of blackberries preserved in alcohol. No. 2—Arsenious oxide. It is essentially arsenic, but contains some yellow stains. No. 3—A small section of the stomach showing yellow stains of arsenious sulphide. This has not been chemically treated. No. 4—Arsenious sulphides reproduced from the yellow stains. No. 5—Arsenious sulphides prepared from white arsenic which was found in the stomach. (Process described.) No. 6—Arsenious oxide freed from arsenious sulphide by ammonia. (This was for the purpose of preparing the material for subsequent tests in which the yellow sulphides would interfere.) No. 7—Arsenious sulphide freed from arsenious oxide by hydrochloric acid. The yellow flakes had been found floating free in the stomach. No. 8—Metallic arsenic, with arsenious oxide obtained from specimen No. 6 by heating. Owing to the food and organic matter there was only a partial arsenical mirror—a coating black, lustrous and very thin on the interior of the tube.

Counsel for the defence suggested at this point that the Professor be less explicit, as it was no part of the defence to deny the presence of arsenic in the body.

Professor Johnson, continuing:—No. 9—Metallic arsenic reduced from No. 6 by ignited charcoal. The white arsenic being washed with ammonia was put in a tube with red hot charcoal and was deposited on the tube as a black "mirror." No. 10—Arsenious oxide sublimated from specimen No. 6. No. 11—Copper arsenite from same. No. 12—Copper aceto-arsenite, or Paris green, from same. No. 13—Silver arsenite, blackened by exposure to the light; it was obtained by the action of nitrate of silver on the arsenic from the stomach. No. 14—Alloy of arsenic and copper, by Reinsch's test from specimen No. 2. No. 15—Magnesium pyro-arsenate, containing one-tenth of the arsenic found in the stomach, or 6.011 grains. No. 16—Arsenious sulphide from one-tenth of the stomach. The total arsenic in the stomach was 60.11 grains.

THE LIVER AND OTHER ORGANS.

No. 17—Magnesium pyro-arsenate, containing one-half of the arsenic found in the liver and the liquid in which the liver and stomach were partly immersed. This amounted to 11.56 grains, or 23.12 for the entire liver. Nos. 18 and 19—Metallic arsenic from the liver by the Marsh test. No. 20—The first Marsh test, indecisive. No. 21—The second Marsh test from one-quarter of the brain. No. 22—The third Marsh test from do. The arsenical stains were slight, the brain having been imperfectly acted upon.

Tube No. 23 (the largest in the case).—This is arsenious sulphide. I made no quantitive analysis, as the sulphides were too delicate to weigh accurately.

Nos. 24 and 25—Metallic arsenic from the intestines by Marsh's test.

No. 26—Metallic arsenic from the kidney by the Marsh test. No. 27—Arsenious oxide from metallic arsenic. No. 28—Arsenious sulphide and disulphide.

Nos. 29 and 30—Metallic arsenic by the Marsh test. No. 31—The same, partly converted into arsenious sulphide. No. 32—Arsenious oxide from metallic arsenic. No. 33—This is half the arsenic from the lungs, obtained in the form of sulphides.

	Grains.
The analysis of the stomach yielded	60.11
That of the liver, &c.	23.12
Total arsenic weighed	83.23

In analyzing the stomach, &c., I have used the reduction test by charcoal and also the Marsh system. By both I obtained metallic arsenic, and, incidentally, the garlic odor belonging to arsenic, converting the white arsenic into sulphides, into Paris green, &c. I have obtained the silver arsenite; also, for quantitative purposes, magnesio pyro-arsenate. I have no doubt whatever that the matter obtained from the stomach by the several tests is arsenic, and also from the other organs.

POISON BY WHOLESALE.

"I estimate that the amount of arsenic taken by the girl was very nearly ninety grains. Here are ninety grains that I weighed out. (And witness produced a vial containing about a teaspoonful of white powder.) The bulk might vary according to the pulverization. Here is a vial containing eighty-three grains, representing the whole amount yielded from Mary Stannard's body by analysis, and here are other vials representing sixty grains (as found in the stomach) and twenty-three grains yielded by analysis of the liver. Here, in small tubes within these vials, are two grains and four grains, respectively. The former would ordinarily be a fatal dose. I should't care to take it myself."

On cross-examination Professor Johnson said that he had no means of determining exactly whether the arsenic entered the girl's stomach before or after death—(sensation)—nor whether it was in combination with anything else. Entering the body of a living person it would be changed into a solution by the juices of the stomach, and also in that of a dead person, but not so rapidly. It would depend, to some extent, on the temperature of the stomach.

"If a quantity of arsenic is administered to a living person how much will be dissolved, not only before death but after?"

"I am not here as a medical expert. I should have to go to the books on this, for I have not investigated the subject. I suppose, however, that the quantity that a human body will dissolve bears some relation to the quantity necessary to produce death. If parts of the body are placed in contact with arsenic they will absorb it."

"WHAT IS A FATAL DOSE?"

"Two grains or more is a fatal dose. A very large dose is usually ejected by vomiting, so say the medical authorities, but I have no personal experience. For one thing there would be great irritation of the throat. The ordinary arsenic of commerce is produced in England, South Wales and Germany, and can be bought both in lump and powder. When we import it from Germany for use in our chemical laboratories we generally get it in lump, glassy and transparent, about the size of walnuts. In some processes of manufacturing it is also produced as a fine meal. Usually, however, it is ground up from the larger masses."

The object of the defence in pursuing this examination now became evident in the next question, which was intended to bring from the witness an admission that there was little or no difference between arsenic from different manufacturers. The State, it is known, claims that the arsenic which Hayden bought on the day of the murder and the arsenic found in Mary Stannard's body are identical as to their crystals, and differ widely from the arsenic found in Hayden's barn, which he alleged was the particle he bought in Middletown. Witness said that he had examined many specimens and found considerable differences. Yet crystals apparently untouched in the grinding were not uncommon in all. The crystals in specimen No. 10 in the case exhibited earlier in witness' testimony and the process by which they were obtained were described. He was unprepared to say what proportion the parts analyzed bore to the whole body, but probably they weighed about five pounds. The imperfect kidney obtained was not examined as to decomposition. No traces of a metallic substance other than arsenic were found in the organs, excepting traces of copper in the liver. This is usual among civilized people, and comes from cooking utensils. No traces of laudanum or opium were discovered, nor any other poisons than arsenic. The analyses were made at intervals extending up to July last. All were made without assistance, excepting the analysis of a single quarter of a grain. In this case Horace H. Wells, an assistant, helped. The parts were securely kept when not under the Professor's eye.

TRYING TO PROVE A THEORY.

Redirect—I do not believe that the arsenic was chemically combined with anything when it entered the stomach. But when it was removed there was some change noticeable resulting from the hydrogen sulphide gas coming from putrefaction. In reply to a question by Chief Justice Park the Professor gave a long description of the chemical changes likely to result in arsenic from the action of the body's fluids. The liver in this case was found acid, and arrested the arsenic. This subject was gone into exhaustively.

"Would all the arsenic in the stomach at the time of death—September 3—be found there at the time of the analysis of the stomach a month later?"

"No, sir; some of it would have been absorbed by the walls of the stomach."

"Have you determined this by experiment?"

"Yes, sir. I obtained a stomach on the 19th of last month and introduced 90 grains of arsenic and a quantity of water. On the 29th a pint of absolute alcohol was poured on the stomach. At various times afterward I renewed the liquid that was in the jar, and found 26.47 grains of arsenic upon analyzing it this morning. This very heavy exudation is due, I think, to the alcohol. Very little arsenic would have been carried out of Mary Stannard's stomach during the time of its burial. Arsenic is irritating to the stomach, but I cannot tell in this case whether vomiting would have been produced by the overdose."

By Mr. Watrous—"Could you or any person easily take down into the stomach ninety grains of arsenic in the shape of a dry powder?"

"It would be very difficult indeed."

"You couldn't swallow that much flour, could you?"

"I don't think I could."

"Was there anything in the stomach to indicate that the arsenic had been helped down by any liquid?"

"The arsenic was damp. Arsenic does not readily mix with water, but in the time the stomach had existed after receiving the arsenic until it came into my hands the poison might have become moistened."

"Unless the stomach was absolutely empty when the arsenic was taken wouldn't it have rejected it?"

"I think so."

"And it was not wholly empty?"

"No, sir."

Redirect:—"If the ninety grains had been taken into the mouth it could have been washed down with a half tumbler of water. I do not know how much liquid was in the stomach when it was dissected from the body."

IDENTITY OF THE ARSENIC.

The counsel for the State then entered upon the work of identifying the arsenic. Witness, continuing his testimony, said:—October 10, 1878, Sheriff Hull brought me the small box of arsenic said to have been found in Mr. Hayden's barn; the following day he brought two packages of arsenic, bought in Middletown, including one from the Tyler drug store, where Hayden claimed to have purchased the poison found in his barn; also on the same day three packages bought by Hull at different places; October 21, Professor White gave him two grains of the arsenic bought by the witness Colgrove from Tyler's; from the tin box before mentioned I gave two grains to Professor White, and last January I gave Dr. Edward Silliman Dana, of this city, a mineralogist and instructor in Yale, five grains of it; this, which I call the "barn arsenic," was numbered 1; also I gave him five grains of the arsenic from Tyler's store, brought by Hull; I opened tube No. 2 of the exhibit of my analysis and took three grains of the arsenic taken from Mary Stannard's stomach; this was exactly as it came from the stomach, and was numbered 3; I gave it to Dana, also some five grains from a package bought from McKee's drug store in Middletown, and some sealed crystals from one of the tubes of my exhibit; they came from the stomach; the next package given Dr. Dana was some pure sublimed arsenic from Germany; in January last other portions of the "barn" arsenic were given to Dana; also the "Colgrove" arsenic bought at Tyler's.

Cross-examined:—Couldn't these different lots of arsenic have been tampered with before you gave the specimens to Dr. Dana?

"It is possible, but not probable."

Witness was questioned sharply as to the security of the place where the lots were kept, but could not be induced to make any admission of insecurity.

After some further testimony as to the identification of the packages the Court adjourned until to-morrow.

THE EVIDENCE TO BE PRESENTED TO-DAY.

The State will introduce one of its chief witnesses to-morrow, Professor Dana, of Yale College. It is claimed that he will testify that his analysis of the several packages of arsenic established as a fact that the arsenic found in Hayden's barn differed in important respects from the arsenic which he purchased on the day of the murder; also that arsenic taken subsequently from the same jar at the store where he purchased is identical in character with the arsenic found in Mary Stannard's stomach. The State will present this as a strong support of the poisoning theory and claim that the arsenic found in Hayden's barn was placed there for the purpose of explaining the charge of the poisoning. Professor Dana's evidence is anticipated with great interest, and many scientists of this city and vicinity will be present when it is given. A rumor prevailed this morning that one of the jurors was known to have expressed, some days before he was called to the jury box, a positive opinion of Hayden's innocence, and that the prosecution was, as he phrased it, a "Put up job." The rumor was further to the effect that the State attached so much weight to the story that action might possibly be taken toward getting a new jury, and for the third time commencing the proceeding *de novo*. However, nothing was done in Court to-day indicating such a purpose, and it is learned this evening that no action of that character is proposed.

RIDDLE'S TRIAL DEFERRED.

NORWICH, Conn., Oct. 21, 1879.

William B. Riddle, the alleged wife poisoner