PRISON MUSEUM POST

The Official Newsletter of the Burlington County Prison Museum Association
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The Board of Trustees of the Prison Museum Association wishes all our members a Happy New Year. 2026 will mark not only the 250th anniversary of our great nation, but also the 60th anniversary of the PMA. Plans are underway to celebrate both in the spring -- stayed tuned!

The Board meets four times per year. All members are invited, so mark your calendars. This year's meeting schedule:

Wed, Feb 11 @ 7 pm, PMA Office
Fri, May 22 - Time and Place TBD
Tues, Aug 4 @ 7 pm, PMA Office
Wed, Nov 18 @ 7 pm, PMA Office

NAUGHTY AND NICE

This is the time of year we talk about naughty and nice. So what's naughty and nice? No, not the fellows to the right. Both are definitely very nice -- they are Board Members Wade Jablonski and Dan Wolverton, decorating the gift shop for the holidays. What's naughty and nice are the contents of this

newsletter. We'll start off with a piece about a naughty murderer, and then give you a story about a nice lady Patriot from Bordentown.

THE MURDER OF HERMAN FISHER BY EDGAR MURPHY RIVERSIDE, 1914

The old adage "You can't tell a book by its cover" peculiarly applies to this case. While some might think the young man on the left looks like the proverbial angel, he was actually a cold-blooded murderer whose punishment was death by electrocution in Trenton almost exactly 110 years ago. He was one of our four inmates who were executed there after 1905, when executions ceased to be held at our site.

He was Edgar Murphy, a spoiled brat born to older parents who had made a lot of money in real estate deals. They lived in New Albany (now part of Cinnaminson, where New Albany Road now is). When he came of age, they married him off to a debutante from Camden. The newlyweds bought a house in Riverside with money provided by her parents, and had a baby boy. He left her after about five years because she had the nerve to complain that he drank excessively and refused to get a job. He went home to live with his parents.

He was 27 years old when he set his sights on Ida Wilhelm, a 20-year-old girl who lived with her parents on their large farm in Riverside. Much to his annoyance, he had a rival: 17-year-old Herman Fisher. The Fisher family lived next to the Murphys and Edgar had been friends with Herman and his brothers. Edgar was not amused when Herman told Ida's parents that Edgar was married and the father of a five-year-old. So he decided to kill Herman.

It was one of the most cut and dried, and atrocious, cases of premeditated murder that we have in the Jail's history. The story appears to have been somewhat suppressed from our memory, perhaps because it is devoid of *any* amusing anecdote or detail. Edgar was vile; even the chaplain who was present at his execution had nothing good to say about him. His father and his lawyer weren't much better.

The murder itself, though shocking, is fairly simple to explain. Edgar stalked Herman for a few weeks and found out that he and his brother, George, were taking Ida and her sister out on the evening of Saturday, July 11, 1914. They returned by trolley (presumably one that ran where the River Line currently runs, parallel to the Delaware River, along River Road between Riverside and Palmyra). Herman walked the girls home and George set out, on foot, home to New Albany. After dropping off the girls at 11 p.m., Herman headed home as well. Edgar, well aware of the route Herman would take, laid in wait for him in a cornfield off Taylor's Lane in what was then Riverside but is now Cinnaminson. He was armed with a 10-gauge shotgun. Bright moonlight and the fact that he was only about six feet away made Herman an easy target. The first shot hit Herman in the arm and ribcage. The next shot misfired; Edgar then broke the barrel, ejected the two spent shells, reloaded and walked up to Herman as he laid there writhing in pain. He put the barrel of the shotgun down Herman's trousers and fired the fatal last shot.

Ironically, a century later, there's a billboard near the murder site on River Road that reads "1-800-GOT-JUNK?" If Herman's ghost is there, it is saying "Not any more".

Edgar became an early suspect. He was the only person with a motive to kill Herman. Detective Ellis Parker found, in his bedroom, muddy shoes that corresponded perfectly with shoeprints found at the scene. He also found a 10-gauge shotgun that had recently been shot. Various people testified that they had seen Edgar scouting around in the cornfield the week before the murder. The two unexploded shells found at the site showed the intent to kill. Faced with increasingly overwhelming evidence, it's no surprise that Edgar wrote out a lengthy, detailed confession. Perhaps his life might have been spared had he stuck to it.

But no. Edgar's father, C. Frank Murphy, hired Philadelphia attorney Francis Tracy Tobin to zealously defend Edgar. Many of our PMA members are lawyers and have had occasion in their careers to come across the likes of Mr. Tobin. Mr. Tobin would die in 1932, his obituary stating:

> "Mr. Tobin, who was 73, was the last of his line, no near relatives surviving him. In later years he lived in a boarding house on Catherine Street near 51st. Always a spectacular figure because of his frequent clashes with judges and legal adversaries, Mr. Tobin continued in the active practice of his profession until several months ago, when infirmities forced him to relinquish his duties. Educated in St. Ignatius College, San Francisco, matriculating later at Rugby College and the University of Pennsylvania, Mr. Tobin practiced law in New Mexico and was once a candidate for governor when that state was a territory. He also appeared before the courts of Cuba, Mexico and a number of South American countries. Returning to this city, where he was born on May 15, 1859, he opened his first office at 906 Walnut Street, and later moved to the Drexel Building.
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> *The Philadelphia Inquirer, April 6, 1932*

Colorful characters like Mr. Tobin are often amusing unless you have a case with them. By the end of the trial, and all the appeals [culminating in a State Supreme Court decision – State v. Murphy, 87 N.J.L. 515, 94 A. 640 (NJ 1915)], the judges no doubt dreamed of sending Mr. Tobin into the next world along with Edgar.

Tobin pulled out all the stops. The first was a scheme he concocted to divert attention from the real culprit by swearing out a complaint for Herman's murder against a dimwitted farmhand named Arthur Phillips. Edgar's father fraudulently signed the sworn affidavit supporting it. The young man was arrested four days before Edgar's trial was to start in October, 1914. Tobin had the arrest leaked to various local newspapers. There was absolutely no evidence to support the complaint, and the kid was released after spending four days in the Riverside jail. The young man might have been dimwitted, but his family members weren't, and they eventually helped him sue both Edgar's father and Tobin for malicious prosecution. The trial was held a few weeks after Edgar was executed in

December of 1915. The jury rendered a verdict of $2,000 damages (about $65,000 today) against them. Tobin didn't appear at the trial, having sent the Court a letter explaining that his absence was due to his fear that his life would be endangered were he to appear again in Burlington County.

Probably a good call. He had filed every frivolous motion in the book. He had had Edgar withdraw the confession and claim that it had been beaten out of him, with no evidence. He pleaded insanity, again with no evidence. Four different psychiatrists (called "alienists" then) testified that Edgar knew exactly what he was doing and was not insane. The defendant's own behavior didn't help; he was alternatively petulant, maudlin, sardonic or uncooperative. His witnesses were also less than supportive – his wife opined that he could not be guilty because he was too stupid, cowardly and lazy to plan and carry out a murder.

The trial wasn't held until December, 1914, as Tobin was able to obtain numerous adjournments. The jury was out only three hours when it rendered its verdict on December 22, 1914.

> "Have you agreed upon a verdict?" asked Clerk Knight. "We have," replied the jurors. "Guilty of murder in the first degree" was the verdict rendered in unison by the members of the jury. "
> *The Mount Holly News, December 22, 1914*

Tobin waited until the day of sentencing (January 5, 1915) to file a motion for a new trial, one of the bases of which was that while Edgar might have laid in wait, his intent was to kill anybody who might have happened along and not specifically Herman. Judge Kalisch* pointed out that there was no evidence for this in the record. There were numerous other ridiculous allegations, including one that the jury was prejudiced because they heard the prosecutor, Robert Peacock, call Tobin a crook. This led to a yelling match between the lawyers, at which point Judge Kalish banged the gavel,

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**New Jersey Supreme Court Justice Samuel Kalisch. Remember, at that time murder cases were still being heard by Supreme Court justices who rode a circuit. Justice Kalish came back in 1920 to hear the case against Harry Asay, who murdered Warden Harry King in the Jail.*

called for order and told Edgar to stand up so he could be sentenced. Thereupon, Edgar started assaulting the sheriff officers. Judge Kalisch told him to sit down and shut up; he could remain seated to hear his fate – death by electrocution to be carried out at Trenton State Prison.

The sentence was delayed for a year while Tobin filed appeals to the Appellate Division and State Supreme Court. The only interesting issue on appeal was whether Edgar had been properly warned before giving his confession. This of course was one of many cases foreshadowing the *Miranda* case that was decided 50 years later. The appellate courts agreed that the issue had been properly decided at the trial level when Judge Kalisch ruled that Edgar had been properly warned before confessing.

Edgar was Edgar to the very end, which came on December 7, 1915. He had to be carried to the electric chair – squirming, whining and crying – a total coward to the finish. Tobin was also Tobin to the end. He was able to get the governor to grant a one-month reprieve in November while psychiatrists again confirmed that Edgar was not insane, criminally or otherwise. Justice Kalisch then had to re-sentence him, which he did via a written order sent to the prison. After the execution, Tobin went to the papers and claimed that the electrocution was illegal because Edgar had not been re-sentenced in person. He also insulted the jurors, claiming that they would not have convicted had Edgar not been a "poor man". The papers noted the absurdity of this remark:

> "It would not be out of the way to call attention to the fact that, judging from the number of appeals and consequent expense thereof, there must have been some money on hand. Possibly Tobin knows as much about the source of supply as anyone. At any rate it is safe to assume that the lawyer did not work for nothing…it might be just as well for him to keep in the background with his criticisms of Jersey justice."
> *Mount Holly News, December 14, 1915*

ELIZABETH BORDEN – BORDENTOWN PATRIOT

In honor of the 250th Anniversary of our Nation, we will pay homage to Burlington County's Revolutionary War-era patriots in each of next year's issues. We believe that it is important for all historic societies, especially the ones related to public museums, to take time in 2026 to inspire our fellow citizens with the great deeds of remarkable local patriots.

Nowhere will you find patriots more extraordinary than those who lived in Bordentown, New Jersey. This issue will feature Elizabeth Borden, who encapsulated all that it was to be an American in one plucky statement made to an enemy officer.

But first a little history of Bordentown. The first European to settle in Bordentown was the English Quaker Thomas Farnsworth, for whom the town's main street is named. Landing in Philadelphia in 1677, he immediately sailed up the Delaware to what is now known as Bordentown and acquired several hundred acres. His wife, Susanna, and their children followed in December, 1677, on the "Shield", the first ship to land in Burlington City.

(Above, Farnsworth Avenue as it appeared in the early 20th century, and below as it appears today.)

In 1724, Joseph Borden purchased practically all of the Farnsworth land from Thomas' son, Samuel. Thereafter, the site, previously known as

"Farnsworth's Landing", became Borden's Town and, eventually, Bordentown.

Joseph's ancestors had emigrated from England to Massachusetts and Rhode Island in the early 1600s. They eventually made their way to Monmouth County, New Jersey, where Joseph was born in 1687. Joseph and his wife had six daughters and a son, Joseph Jr., all of whom were born along the Delaware River. Joseph Jr. married Elizabeth Borden, our subject here.

The contribution of Joseph and Elizabeth Borden and their family to American history and culture cannot be overstated. Joseph and his father were very successful businessmen. Upon his father's death in 1765, Joseph inherited most of the land in and around Bordentown, and laid out and opened streets, formed building lots, etc. He also assumed entire control of the family business, a stage and boat line between Philadelphia and New York. He was able to continue this business during the War for Independence when Philadelphia was in American control. Not so much during the British occupation of 1777-1778. Understandably, from the commencement of the War, he espoused the Patriot cause with ardor. He was chosen a member of the first Revolutionary convention that met at New Brunswick in 1774 to elect delegates to represent New Jersey at the First Continental Congress in Philadelphia (the body that declared Independence in July of 1776) . In September of 1776, he was appointed Judge of the Court of Common Pleas as well as quartermaster, whose job it was to collect stores and provisions for the army. His business acumen made him perfect for the job.

In January of 1777, his business interrupted by the British occupation of Philadelphia, he devised a scheme to blow up British ships sailing up to Bordentown from Philadelphia by means of "marine turtles". He got the idea from a similar plan to destroy an enemy fleet in New York Harbor. Kegs filled with explosives would be strung across the river and would detonate when the ships hit them. Several townsmen contributed to the construction of the contraption. None of them knew what they were doing, but it appears that they had fun trying. The kegs were manufactured in Borden's copper-shop. A man named Jackaway, who had a gun shop, made

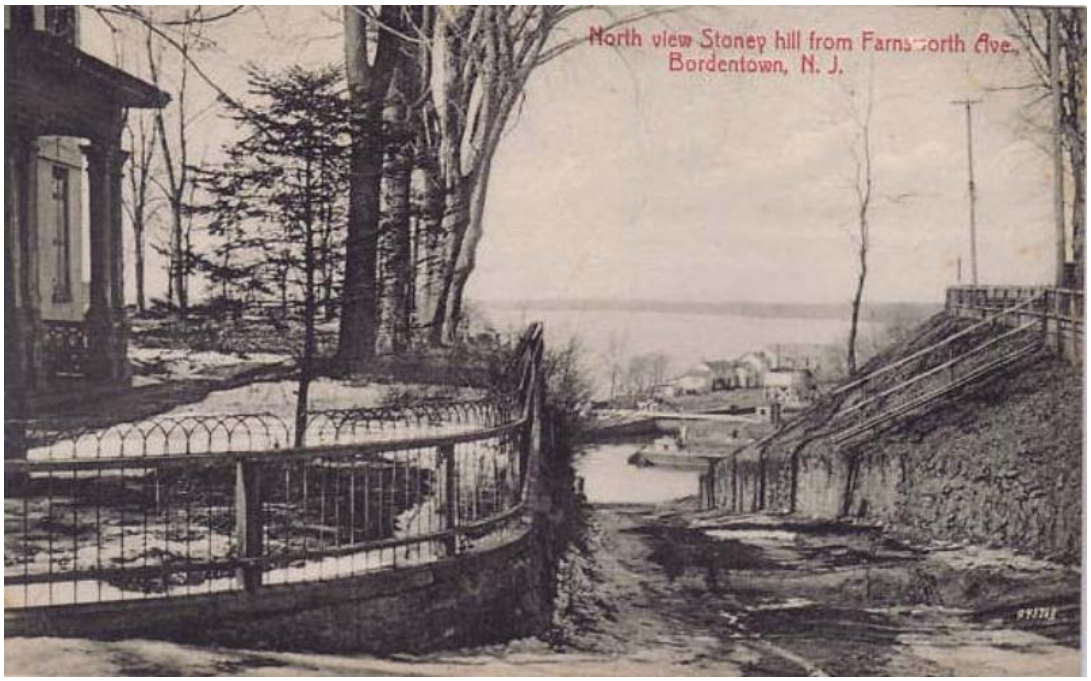
the spring-locks. A man named Plowman made the pins. Two brothers named Bunting did the blacksmithing in their shop. In the early morning of January 7, 1777, the sea turtles were strung across the river by a fellow named Carman. Unfortunately, but not surprisingly, the activity attracted the attention of the crew on a nearby barge. When an attempt was made to raise the kegs, they exploded. British soldiers stationed on shore immediately opened fire. Pandemonium broke out in the town. When the truth of the "Battle of the Kegs" was found out, it was the source of much merriment among the Whigs (Patriots) and vexation to the British, who would get their revenge against Borden on May 8, 1778.

On that day about 700 Redcoats sailed on various vessels from Philadelphia to destroy war vessels that were docked at White Hill, a Delaware River bluff near Bordentown. On the way they stopped to invade Bordentown and take revenge for the Battle of the Kegs. Although the townspeople were overwhelmingly Patriots, there was a Tory dud or two in the crowd. In this case it was a pretty young woman named Polly Richie, who was happy to point out the homes of prominent Patriots. The Borden home and store were first plundered and then committed to flames.

Elizabeth, who was 53 at the time, sat in the street on a box, viewing the spreading of the flames. A British officer approached her and said kindly, "Madam, I have a mother, and I can feel for you!" "Sir," was her reply, "I thank you, but I assure you this is the happiest day of my life, for I feel assured that you have given up of conquering America, or you would not thus wantonly devastate it."

The Bordens had three children. Their two daughters were both married to signers of the Declaration – Ann to Francis Hopkinson and Maria to Thomas McKean. Their son, Joseph, served as a quartermaster to General Washington during the Battle of Germantown, where he was wounded.

This is what the Borden's home looked like:



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In Memoriam
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