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THE FISK TRAGEDY.

A VERDICT OF "DELIBERATE" SHOOTING.

THE CORONER'S INQUEST CONCLUDED—EVIDENCE OF THE HALL-BOY, THE POLICE CAPTAIN, AND THE DOCTOR—A DECISION AGAINST STOKES.

The inquiry as to the manner in which James Fisk, Jr., met his death at the hands of Edward S. Stokes was continued, yesterday, in the Special Sessions Court-room at the Tombs. A crowd of eager sight-seers attended, and maintained a grim silence throughout the giving of testimony. The eminent counsel on both sides were punctually present, and Coroner Young called the case promptly at 3 o'clock.

THE HALL-BOY'S TESTIMONY.

Patrick Hart testified: I am a hall-boy, and reside at the Grand Central Hotel; I was engaged there in that capacity last Saturday afternoon; I was called to take Col. Fisk up stairs; he was crying out, and I went down to the head of the stairs to him; that was about five minutes after four; I found Col. Fisk standing right by the door at the foot of the stairs; I helped him up-stairs holding his left arm, and left him sitting down in the reception room; I had not time to ask him what was the matter with him; he told me he had been shot twice, not telling me who had shot him; I was going up the second-story stairs on business; I know nothing more of the affair except as to the bullet which I picked up between the doors; when I found it I gave it to Mr. Crockett; I never saw Col. Fisk from the time I left him in the reception room until after his death; I knew Col. Fisk by appearance, having seen him frequently at the hotel; I am not acquainted with Mr. Stokes, and I never saw him before in my life to my recollection.

Cross-examined—I came right from the office to where I found Mr. Fisk; I had not been there very long, and had only just come in; I didn't hear his call for help until I came to the parlor door; I did not examine the ball; I was excited; I don't know whether the ball showed to me is the ball I picked up or not; I did not take sufficient notice of it to identify it; I could not tell who I saw about the stairway at the time Col. Fisk was shot; I did not see a pistol there, or even hear that one had been found in the reception room; I did not hear a pistol fired; the only one I recognized around there was Mr. Haskin, the book-keeper of the hotel; I did not leave Col. Fisk in the charge of this gentleman, but placed him on the sofa, and went to my business.

THE POLICE CAPTAIN'S STATEMENT.

Thomas Byrnes testified: I am Captain of the Fifteenth Precinct Police; I first heard of this occurrence on Saturday last, about 4:10 o'clock, as I was going up the steep leading to the Station-house; I immediately proceeded to the room where Col. Fisk was lying in the Grand Central Hotel; it is situated at the north-east corner of the building; while there I was given a ball, which I would now identify if shown to me. [Coroner Young held up a pistol-ball, and the witness identified it.] The ball was given me by Mr. Crockett, who told me that it was found by a man named Hart; there was also a pistol given to me by Mr. Crockett, who said that he found it in one of the parlors; I saw the lady, and she showed it to me and showed me where she found it; the parlor is in the center of the building, after you go up the stairs, in the main hall, facing Broadway; the lady said she found it on the sofa.

Q. Had any search been made for the pistol before, do you know? A. Yes, by myself; I went all over the hotel thinking it might have been thrown away some where; I went to the reading room, and searched for it in the barber's shop where Mr. Stokes was arrested, about half an hour afterward it was handed to me as I have stated; the door of the parlor was not far from the sofa where the pistol was found; I would recognize the pistol if I saw it [the pistol was handed to the witness]; I identify it as the one handed to me; I examined the pistol immediately and found that two of the barrels were discharged; the remaining charges were in the pistol.

Q. Will you remove one of the balls from the chamber, and see if it corresponds with the one in court? Mr. McKeon—I object. It can only be removed on the trial. I want the pistol put under seal, and given into the custody of the District-Attorney.

Q. What kind of a pistol is it? A. It is a Colt's house-pistol; I did not arrest Mr. Stokes; he was arrested by an officer; there was a light cane taken from Mr. Stokes at the station-house, and I presume it is there yet.

DR. TRIPLER'S TESTIMONY.

Dr. Thomas H. Tripler testified: I saw Col. Fisk last Saturday, about 20 minutes past 4 o'clock, in room No. 214 Grand Central Hotel; the room is situated on the north-east of the ladies entrance, passing up from Broadway; it was a parlor, and there was a bedroom adjoining; Mr. Fisk was very pale and agitated, his pulse was weak, and scarce perceptible; and his left arm was saturated with blood; I asked him what was the matter, and he said he had been shot; he did not tell me who had shot him, although he stated who did so later in the evening; he said Edward S. Stokes shot him; they were both gun-shot wounds, one in the left arm, piercing it entirely, and the other in the abdomen, entering it at the right of the median line, and penetrating the cavity below it; he was then standing in the parlor with his coat removed; I was in attendance upon him until he died on Sunday morning at 10:30 o'clock; I assisted Col. Fisk in undressing and examined his clothes, but found no weapon of any kind; I heard a rumor that a weapon was found, but no positive statement to that effect; I heard the rumor about the hotel, but there was no weapon found to my knowledge; I examined his clothing, and if there had been a weapon attached to the waist, I should have found it; I was present at the post-mortem examination.

Q. Was the wound in the abdomen necessarily and unavoidably a fatal wound, so that under any circumstances Col. Fisk must have died from it? A. In my opinion it was; I do not think probing caused or accelerated death; death was caused by the shock and peritonitis; the perforation of the intestines was necessarily fatal; I probed Col. Fisk's wound, and he was then perfectly sensible; he did not become insensible during the operation; it was necessary to give him chloroform when Dr. James Wood was probing it; the operation was not painful; Col. Fisk was insensible from 4 o'clock on Sunday morning until his death; in my opinion, after he received the wound in the abdomen it was impossible that he should recover; the length of time he survived after receiving the injury, in my impression, indicated an unusual vitality; if he had only received the wound he would have recovered.

Q. If you had been successful in extracting the ball immediately after the injury, would it have made any difference in the result? A. No, Sir; he did not complain, but merely winced, when I was probing him; it could not have been painful; I have been practicing for five years, and have had a good deal of practice for a young man.

THE CORONER'S STATEMENT.

Dr. Tripler was the last witness examined, and when he had left the box Coroner Young said:

GENTLEMEN OF THE JURY: I propose here to state to you that on Saturday evening, between 6 and 7 o'clock, I received a message to repair to the Grand Central Hotel to take the dying statement of Col. Fisk, and as near as my memory serves me I reached there about 7 o'clock. I stopped at the Fifteenth Precinct Station-house on the way, but cannot state the time. On reaching the room of Col. Fisk I immediately proceeded, in accordance with his request, to take his ante-mortem statement.

Dr. Marsh then read the result of the post-mortem examination of the body of Mr. Fisk, and said that the ball was taken out near the bone of the left thigh, having penetrated through the body from the right nipple.

MR. GRAHAM OBJECTS.

Mr. Graham—I protest against the submission of the case as it now stands on the ground that it is garbled and not a correct statement of facts. There was precisely the same state of things in the case of McFarland. They ignored the fact that Richardson was armed and prepared to kill McFarland.

Coroner Young—That is not the point at issue here. The Coroner is here for the purpose of ascertaining in what manner Col. Fisk came to his death. I have admitted evidence to show in what manner he came to his death, and I shall therefore take the responsibility of submitting the case to the jury.

THE CORONER'S CHARGE.

GENTLEMEN OF THE JURY: I feel that it is unnecessary for me to refer you to the evidence that has been adduced. You have listened attentively, and the positions you occupy in society, your intelligence, your reputation as good citizens, preclude the necessity of my advising you on any point. All that I ask of you is to render a verdict in accordance with the testimony elicited. That is all. I have no particular point to address you upon, but I would ask you only to commence with the first witness and review the line of testimony to the close of the examination. I don't know that I should say one word more to you, gentlemen. I assure you that in the examination of the witnesses I has not been my desire to ask one improper question. I have not been animated with a prejudice against any man. I have no personal feeling. I have endeavored to discharge my duty conscientiously and fearlessly. With these few remarks, gentlemen, I leave the case in your hands. You will please retire and agree upon a verdict if you can do so.

Coroner Young—Against that we protest.

Mr. Graham—With all due deference I decline to take any exception.

Mr. Graham—I will make you take it in another Court.

THE VERDICT.

At 4:45 o'clock the Jury left their seats and retired for consultation to the room of the Clerk of Special Sessions. After a wearisome absence of exactly three hours they returned at 7:45, and through Mr. Opdyke gave the following verdict.

The jury find upon the testimony submitted in the inquest that the deceased, James Fisk, Jr., came to his death at the Grand Central Hotel, in the City of New-York, on the 7th of January, 1872, at the hour of 10 minutes before 11 o'clock, in consequence of a wound inflicted by a ball or balls from a pistol in the hands of Edward S. Stokes, discharged by him in a deliberate manner at the said James Fisk, Jr., at the Grand Central Hotel, about 4 o'clock p. m., on Saturday, the 6th of January, 1872.

THE PRISONER'S STATEMENT.

Coroner Young—Edward S. Stokes will please come forward.

Mr. Stokes came forward, accompanied by Mr. Graham, and stood up before the court in the witness box.

Q. What is your name? A. Edward S. Stokes.

Q. How old are you? A. Thirty years of age.

Q. Where were you born? A. In Philadelphia.

Q. Where do you reside? A. At the Hoffman House, in the City of New-York.

Q. What is your occupation? A. A broker.

Q. Have you anything to say, and, if so, what, relative to the charge here preferred against you? A. By the advice of my counsel, Mr. John McKeon, Mr. John Graham, and the Messrs. Barbett, I decline answering any further questions at this time; I am in their hands, and am governed by their advice.

Coroner Young—Gentlemen of the Jury, I thank you for your kindness; you are discharged.

MR. GRAHAM MAKES A POINT.

Mr. Graham—If your Honor please, I want to call your attention to the language of a statute as to the time you are to make a return of the proceedings to the Court having power to indict and try for this offense; the Coroner has stated that he means to do justice in this matter, and if he means to do justice he does not mean unnecessarily to feed flames now burning. The tragical character of Col. Fisk's death was calculated, without reference to his merits or demerits, to inspire the community with horror. It is very natural that humanity should recoil at the perpetration of such a deed as this, even though it was committed under circumstances perfectly justifiable or excusable. To have a human being sent out of this world to his long account by the hand of his fellow-man even under such circumstances as the Deity himself would justify is an act not to be heard with levity, but with gravity. The Coroner has a direction as to the expedition that shall characterize this complaint. The statute provides that the testimony of all these witnesses examined before the jury shall be reduced to writing by the Coroner, and shall be returned by him, together with the inquisition of the jury and recognizances and examinations taken by such Coroner to the next Criminal Court of Record that shall be held in the county. Now, if there is an intention to spring the case upon the existing courts, it's a violation of this statute, and, if the Coroner has the discretion, he has a right to show by the tardiness with which he shall return these proceedings that he has determined that the prisoner shall not be sacrificed at the stake without that fair and deliberate trial which the Constitution guarantees to every man. The law gives you discretionary power so that heat like this may subside. It is no time to offer a victim upon the alter of public justice when men's minds are so heated that they cannot give the prisoner's case that calm consideration which is his just right. This kind of Lynch law is not in vogue in the community, and I submit that if you desire to see no injustice done, time should be extended to the prisoner and you will keep this case until the latest moment from the Court. The law secures to the man a fair trial, and it is impossible, under the circumstances that now surround this case, to consider it dispassionately.

Mr. McKeon repeated Mr. Graham's request to the Coroner to delay giving the papers to the Grand Jury.

Coroner Young—I shall state to the counsel that I have listened to what they have said, and fully appreciate the importance of the responsibility upon me. I will take into consideration your remarks in the matter.

STOKES CONTINUES CHEERFUL.

Whatever comfort may be obtained from excellent food, and a carpeted, papered, and neatly furnished cell, Mr. Stokes enjoys. Three friends called yesterday and chatted with him for an hour, their attentions apparently adding considerably to the prisoner's cheerfulness. During the inquest Mr. Stokes preserved a composure in strange contrast with the acutely anxious faces of some of his friends in the room, and when the inquest was over he drew on his overcoat as gaily as though he was already free from peril. Mr. Graham had fought for delay in the return of the Coroner's papers with more than ordinary persistence, and when the Coroner announced his decision, Mr. Stokes called Mr. Graham over to him and shook his hand warmly. Though a hundred of the people on the benches outside the bar struggled for positions from which they could see him, Stokes seemed not at all disconcerted, but remained chatting with his friends and receiving their sympathetic congratulations. Five minutes after the adjournment, the prisoner was taken back to his cell by Capt. Byrnes of the Fifteenth Precinct.

ALBANY.

THE HOUSE COMMITTEES ANNOUNCED—MR. ALVORD ON THE WAYS AND MEANS—SPEAKER SMITH TELLS WHY HE APPOINTED HIM—MORE PAY WANTED.

[BY TELEGRAPH TO THE TRIBUNE.]

ALBANY, Jan. 9.—The Speaker announced the Standing Committees of the Assembly this evening. There is fully the usual amount of dissatisfaction. Mr. Hawkins is Chairman of the Committee on Cities, Mr. Fort of Canals, Mr. Alvord of Ways and Means, Mr. Prince of the Judiciary, Mr. White of Brooklyn of Railroads, and Mr. Alberger of Commerce and Navigation—which exhausts the important places. Mr. Judd of Richmond is well provided for, but Mr. Twombly gets an inferior position on the Insurance Committee, and Mr. Husted is Chairman of the Committee on Federal Relations. Immediately after the announcement of the Committees, Mr. Alvord rose to a question of privilege, and commented with severity on some recent attacks on his character in a New-York newspaper and in the late caucus. He said he was willing to make a specific reply to specific charges, but he considered that he had been attacked from behind in a cowardly manner. He wished to know of the Speaker whether he had been honored with the important position of Chairman of Ways and Means merely by virtue of being a defeated candidate. The speaker disclaimed any such motive, saying that the same reasons had governed him in the appointment of Mr. Alvord as in the other selections he had made. Mr. Hawkins then rose to a question of privilege, or, as he himself expressed it, "to answer the gentleman from Oneida," but, on being informed by the Speaker that such a discussion would not be in order, Mr. Hawkins sat down, without making any further remarks.

Bills were introduced to repeal the law extending the term of the old Board of Aldermen; to repeal the Charter of the Elevated Railroad, beside a great number of a local character. Mr. Flammer introduced a resolution to send a Joint Committee to New-York to investigate the District-Attorney's office, inquire into the number of indictments not acted upon, &c.

Mr. Judd introduced a resolution proposing an amendment to the Constitution making the pay of the Legislature $8 a day, instead of $3, as now. There is a growing opinion that the present low pay of members of the Legislature has a pernicious effect in keeping out a great number of men who would gladly serve at Albany if they could do so without pecuniary loss. It is also argued that the low pay is a premium on dishonesty.

On motion of Mr. ALVORD, the Assembly went into Committee of the Whole on the Governor's Message, but came out immediately and again, on motion of Mr. Alvord, it was voted to distribute the message among the standing committees for their guidance and consideration.

In the Senate, immediately after the reading of the Journal, Lieut.-Gov. Beach presented a paper in which he declined to appoint the Democratic members of the standing committees. "Since the Republicans have taken the power of naming the committees from the Lieutenant Governor, as it was right and proper that they should make these appointments, it is clearly a part of the responsibilities they have assumed to appoint the Democratic members."

A large number of bills were presented by unanimous consent, the objecting Senators being absent, nor did Mr. James Wood appear in his seat this evening. It is understood that he failed to connect with the through train at Rochester. Neither did Mr. Tweed appear as was expected. It is given out that he will not come up until next week, owing to the absence of Senators Madden, Hardenbergh and James Wood, who had on Thursday manifested a disposition to criticise. Mr. Benedict did not call up the bill authorizing Controller Green to remove the Treasury of New-York City.

A Committee of the Bar Association, 10 or 12 in number, will be here to-morrow to present a memorial to the Legislature, preferring charges against the corrupt Judiciary of New-York City.

LEGISLATIVE PROCEEDINGS.

SENATE... ALBANY, Jan. 9, 1872.

In the Senate this evening, the Lieutenant-Governor presented a communication, declining to appoint members to the vacancies on the Committees.

The Buffalo Charter bill was passed—Yeas, 19; Nays, 1, Mr. O'Brien being the negative voter.

The following bills were introduced:

By Mr. Cock—To amend the charter of Greenport, L. I.; also to authorize the election of a Police Justice in Newtown, Queens County.

By Mr. Weisman—To amend the charter of the Manhattan Dispensary of New-York City.

A bill to authorize the Poughkeepsie and Eastern Railroad to change the denomination of its bonds was passed.

ASSEMBLY.

On motion of Mr. ALVORD the House went into Committee of the Whole on the Governor's message, Mr. Alberger in the chair, but without taking any action rose and reported progress.

In the House Mr. ALVORD moved that the Committee of the Whole be discharged from the further consideration of the message, and that its several parts be distributed among the various Committees.

The CHAIR announced the following Standing Committees:

On Ways and Means—Messrs. Alvord, Marr, Haughton, Pell, Kinney, Hurl, Fort, Jacobs, and Houghton.

On the Judiciary—Messrs. Prince, Strahan, Niles, Flammer, A. L. Hayes, Vedder, Tabor, Tilden, and D. R. Hill.

On the Affairs of Cities—Messrs. Hawkins, Judd, Morton, Haight, Burr, Eastman, Alberger, Tilden, and Osgood.

On Canals—Messrs. Fort, Sherlandean, Jones, Knettler, Hollister, Moulton, Rice, Mosher, and Paige.

On Commerce and Navigation—Messrs. Alberger, D. T. Balcock, Bennett, Greene, Grab, Judd, Sexter, G. R. Lord, and Campbell.

On Railroads—Messrs. White, Smith, Whitlock, Lewis, Burr, G. W. L. Smith, A. Hill, and Chambers.

On Insurance—Messrs. Lippitt, Enos, A. L. Van Dusen, Tabor, Twombly, White, Carroll, and Aitken.

On Claims—Messrs. Woolsey, Lincoln, Hyatt, Griffin, Davidson, Yeomans, Swain, Fobes, and Chamberlain.

On Roads and Bridges—Messrs. Baden, Dykeman, Lott, Holdridge, Wyman, Lewis, Benson, Oakley, and A. Hill.

On the Affairs of Villages—Messrs. Pierce, W. J. Van Densen, Preston, Sage, Hungerford, Goss, Weis, Buell, and Maher.

On Internal Affairs—Messrs. Lynde, Enos, Knapp, Herrick, Tucker, Fowler, Whittaker, Conchman, and Wiley.

On Charitable and Religious Societies—Messrs. Goring, Burritt, Loppitt, G. P. Lord, Holfster, Moore, Loughran, Roche, and Buckler.

On Public Printing—Messrs. Smiley, J. D. Brown, Bennett, Pierce, D. L. Babcock, Squires, Woolsey, Cook, and Oakley.

On Banks—Messrs. Squires, Barritt, Goring, Niles, Kingsland, Whitbeck, Hart, Foley, and G. D. Lord.

On Trade and Manufactures—Messrs. West, Wells, Preston, Abbott, Greenleigh, J. Hays, and Murphy.

On Militia and Public Defense—Messrs. Sniper, Geib, Baltz, Mackay, Hungerford, Knettles, Snyder, Fields, and Buckler.

On Agriculture—Messrs. Yeomans, Murdock, Swain, Gregory, Dykeman, Borll, Hay.

On State Prisons—Messrs. E. E. Brown, Kingsland, Badeau, Peck, Mackay, Blair, M. M. Tompkins.

On Public Education—Messrs. G. P. Lord, Eastman, Smyth, Flammer, Davidson, Crandall, Morton, Frear, Roche.

On Grievances—Messrs. Rose, Herrick, Beckwith, D. Tompkins, Murdock, Conchman, Roche.

On Public Health—Messrs. Loughran, Crandall, I. D. Brown, Houghton, Herrick, Peck, Haight, Healey, and Frear.

On the Manufacture of Salt—Messrs. Wyman, Sniper, Simson, Gregory, Lincoln, Buckler, and Cook.

On State Charitable Institutions—Beckwith Moulton, Goss Moore, Woodward, Chamberlain, and Wiley.

On the Petitions of Aliens—Knapp, Baltz, Smiley, Whittaker, Griffin, Jacobs, and Aitken.

On Canal Divisions—Shepardson, E. E. Brown, Abbott, Green, A. L. Hayes, Houghton, and Chambers.

On Federal Relations—Husted, Prince, Alvord, Niles, Rose, Hawkins, Tilden, Eer, and Fields.

On Two-thirds and Three-fourths Bills—A. L. Hayes, Vedder, Husted, Kennedy, Ely, Carroll, and Campbell.

On Expenditures of the Executive Department—Sage, Yeomans, Fowler, Spritzenbeck, Goring, Healey, and M. M. Thompkins.

On Expenditures of the House—Messrs. Hyatt, J. H. Babcock, Berri, Fell, Rice, Conchman, and Osgood.

On Indian Affairs—Messrs. Ely, B. Midge, Sniper, Woodward, W. G. Van Densen, J. Hayes, and D. R. Hill.

On Public Lands—Messrs. Tucker, Houghton, Hawkins, G. S. Smith, D. Tompkins, Paige, and Dunphy.

On Engrossed Bills—Messrs. Smyth, Lott, Lind, A. L. Van Dusen, Loughran, Blair, and Woolsey.

On Joint Library—Messrs. Benson, J. J. Brown, Judd, Foley, and Carroll.

Mr. ALVORD rose to a question of privilege and said: Mr. Speaker: I rise to a question of privilege. I desire in the first place to thank the presiding officer of the House for the honorable distinction which he has given to my name on the Committee which he has just announced. Upon the floor of this House, prior to its organization, a person standing in his place saw fit to give to me a character which I have not been used to have assigned to me. I have not other fortune than my reputation, which I desire to hand down to my children without a blemish. It had been meant to explain this assault, but the explanation was of such a character as to add insult to injury. I am here ready to meet and repel any and all attacks, whether open or covert, upon my character or reputation, and I shall immediately ask for and demand an investigation whenever any charges are made against me, specific or positive in their character; but charges like these, made by this person, in general in their nature, demand at his hands only this investigation, if he sees fit to make it. He, and he only, is a coward who strikes a man in the face with his hands tied behind his back and his mouth shut, as was the case upon that occasion; and I shall treat that person, and all like him, hereafter, with scorn and contempt. [Applause, which was suppressed by the Speaker]. Since the occurrence to which I have thus referred, there has been attached an insinuation in a certain press of this State that if placed on any prominent committee of the House I would be bedeviled in by the Speaker, and by loyal and good men. I desire here to say that I do not believe the presiding officer of this House has even in thought shared in this insinuation. Not from any desire of my own, nor because I wish to place reputation of this slander upon record, I wish to say that I have no doubt whatever that the Speaker has placed me on the Committees of this House with full relief in my honesty and integrity. However I may have erred in judgment in the past, I think he knows me well enough to know that I do erred from no impure or improper motives. I desire to act as I always have endeavored to act, for the public benefit and good, and I shall hereafter stand among the foremost of those who desire purity of legislation, and the triumph of the Republican party, whose honor and power I will uphold so long as it is right. Not for myself, but for the position I occupy, I desire the Speaker to say whether it was mere courtesy which gave me the position he has assigned me, or his belief in my integrity and honesty.

The SPEAKER stated that he had found the selection of the Committees a difficult and embarrassing duty; that he had discharged it with fidelity to his official oath and according to the best of his ability, and in assigning the honorable gentleman from Onondaga to position on Committees, as with others, he had designated such places as he believed appropriate.

Mr. ALVORD—I thank the Speaker for his explanation, and believe that he has hedged me about with loyal and good men, who will act in unison and harmony with myself, and trust that when the House shall have closed its labors it will be found that the Committee of Ways and Means has discharged its duty equally to advantage of the people with any other Committee named by the Chair, and with great credit and honor to the good name of the State.

Mr. FLAMMER moved that charges of corruption having been made against the administration of the District-Attorney's office of New-York, that a joint committee be appointed with power to send for persons and papers to investigate the same. Laid over.

Mr. JUDD offered a concurrent resolution to amend the Constitution so as to pay the members of the Legislature $8 per diem, but not to exceed $800 at a session, except in cases of impeachment trials or extra sessions, when the pay shall also be $8 per diem. Laid over. Adjourned.

WEATHER REPORT.

WAR DEPARTMENT,
OFFICE OF THE CHIEF SIGNAL OFFICER,
WASHINGTON, Jan. 9—7 p. m.

Synopsis for the past twenty-four hours.

The area of highest barometer which was on Monday afternoon in Arkansas is now in Kentucky, and the barometric pressure has increased from Lake Erie to the South Atlantic Coast, but diminished in the Middle and Eastern States, and to some extent in the Missouri Valley. Clear weather has succeeded the light snow in Virginia and Pennsylvania. Fresh south-west winds have prevailed from the lower lakes to Lake Michigan and northerly winds on the Gulf Coast. The temperature has risen from New-England to Michigan. The barometer has risen and rain ceased at San Francisco. The rivers have fallen at Pittsburgh and risen at Memphis and Vicksburg.

Probabilities.

Pleasant weather will probably continue on Wednesday in the Southern and Gulf States, and northward to Illinois and Pennsylvania; falling barometer, with increased cloudiness, prevail in New-England and New-York; the barometer continue to fall west of the Mississippi, with rising temperature; southerly winds and threatening weather in the Missouri Valley. Dangerous winds are not anticipated for our coasts to-night.

PLYMOUTH CHURCH PEW RENTALS.

The annual renting of pews in Plymouth Church took place last evening, the attendance being large, the bidding spirited, and the prices obtained slightly in advance of those of last year. The amount bid was the premium above the stated price of the pew. The highest premiums were for seats in the vicinity of the pulpit. The prices of seats on the ground floor ranged from $5 to $130, and of chairs from $2 to $12. In the gallery the prices ranged from $10 to $50, the highest figures being for seats near the choir. Henry C. Bowen was awarded the first choice, and secured a pew for a premium of $205; S. Fitzgerald the second choice, at a premium of $305. Other premiums were as follows: Horace B. Claflin, $300; Charles Shepherd, $85; T. Mooney, $330; J. C. Carroll, $320; D. S. Arnold, $355; E. D. White, $300; H. Claflin, $325; J. C. Southwick, $320; Dr. Jewell, $300; Moses S. Beach, $315; Joseph Howard, jr., $300; S. B. Duryea, $310; Chas. Denin, $300; McDonald Hatch, $340.

AFFAIRS IN UTAH.

SALT LAKE CITY, Jan. 9.—At the opening of the United States District Court, this morning, District-Attorney Bates presented his commission for four years, and was sworn. James H. High was appointed Deputy District-Attorney. The District-Attorney read letters from the United States Attorney-General, showing that no money could be furnished to pay witnesses, jurors, or court expenses without a provision of Congress, therefore the Attorney-General moved to continue all the criminal cases until the second Monday in March. The court granted the motion. Mr. Bates will proceed forthwith to Washington to report in person.

DEATH FROM TRICHINA.

CLEVELAND, Jan. 9.—The Coroner held an inquest, yesterday, on the body of Carl Martins. The facts developed are that three weeks before Christmas Martins purchased a carcass of pork. Some of the meat was eaten the same day, and some was made into sausage. About ten days later the sausage was partaken of, and in a short time the whole family were taken sick. Martins died on Sunday night; Mrs. Martins and her two children are now very sick, and the former is not likely to recover. The jury rendered a verdict that Martins came to his death by eating meat inflicted with *trichina spiralis*.

ACCIDENT ON THE HUDSON RIVER RAILROAD.

POUGHKEEPSIE, N. Y., Jan. 9.—Owing to a misplaced switch, the 4 o'clock train from New-York this afternoon ran off the track just south of Hastings. Six passenger cars, two palace cars, and a baggage car were dislodged and plowed their way over the frozen ground at a fearful rate. Not one of them upset, and when they came to a stand they formed a zigzag line. The passengers were panic-stricken, but no one was injured. Some of the trucks of the train plowed into the earth so deep that the platforms touched the ground. All the up trains to-night are from two to three hours behind time. A single track is used at the scene of the accident.

THE PACIFIC RAILROAD BLOCKADE.

OMAHA, Neb., Jan. 9.—The agent at Medicine Bow reports this morning three eastward passenger trains detained at Washakee, and three westward at Separation, by the snow-drifts near Creston. They will run as near each other as possible, transfer their passengers, and return. Laborers seem to be scarce, hardly enough being available to clear the snow from the track. A gang of 13 white and 9 Chinamen were obtained with difficulty at Bitter Creek this morning to shovel snow, and are now on their way to Creston.

MAYOR HALL RETIRES.

A REPUBLICAN MAYOR VIRTUALLY INSTALLED.

THE HON. JOHN COCHRANE DESIGNATED TO ACT IN MAYOR HALL'S PLACE FOR A WEEK—THE ORDER SAID TO BE PRELIMINARY TO A FORMAL RESIGNATION IN A FEW DAYS—THE MAYOR'S PROSECUTION.

Shortly after the election by which the Reform candidates were returned and Tammany crushed, Mayor Hall announced that the natural consequences would be to place the Executive Department of the City Government in the hands of a Republican Mayor, and so closely had he studied the situation that he even named the Hon. John Cochrane as the person who would succeed to his place. This radical change in the *personnel* of the office was to be brought about by the election of Mr. Cochrane as President of the Board of Aldermen (an event which occurred on Monday) and Hall's subsequent removal, by the Legislature, an act already threatened. The Mayor, however, forestalled the Legislature yesterday by giving up his office to Mr. Cochrane, retiring ostensibly for a week, but in fact abandoning his position which he will formally resign or from which he will be removed within a very few days.

The following is the official order making this temporary change, which Mayor Hall yesterday directed to be placed on file in the Mayor's office:

EXECUTIVE OFFICE, CITY HALL,
NEW-YORK, Jan. 9, 1872.

Urgent, and much neglected, private affairs prevent the Mayor from attending to the duties of the office of Mayor during a period of at least a week from this date, and the President of the Board of Aldermen will act as Mayor until this record be revoked.

A. OAKEY HALL, Mayor.

Gen. Cochrane, as Acting Mayor, at once took charge of the Mayor's Office, yesterday afternoon, about 2 o'clock, the Mayor leaving a few minutes later, going, it is understood, to his home in New-Jersey.

No other changes will, of course, be made in the Mayor's Office until after his formal resignation. The clause of the charter under which Mr. Cochrane takes the office, and which shows his curtailed powers, is as follows:

Whenever the Mayor shall be under impeachment or there shall be a vacancy in the office of the Mayor, or whenever by sickness, absence from the city, or other cause, he shall be prevented from attending to the duties of his office, the President of the Board of Aldermen shall act as Mayor, and possess all the rights and powers of Mayor, except as hereinafter provided in regard to appointments to office during such disability, or, in case of a vacancy, until the next general election. But it shall not be lawful for the President of the Board of Aldermen, when acting as Mayor, to sign or approve of any ordinance or resolution of the Common Council, unless the sickness, disability, or absence of the Mayor shall have continued at least ten days.

Another section of the same charter remits the appointing power of the Mayor, in the event of resignation, to the Controller. It is as follows, and confers on Controller Green a large amount of additional patronage:

The power of making appointments herein conferred shall only be exercised by the Mayor elected to that office, and not by an acting Mayor, and in the event of the death, resignation, or removal of such elected Mayor, such power shall devolve on and be exercised by the Controller of said city. In case of any vacancy in any head of department or chief officer thereof, it shall be filled for the full term in the like manner as if it were an original appointment to such office, except where herein otherwise provided for.

MAYOR HALL'S BANK ACCOUNT.

It was stated yesterday by an official, who declined to give the authority for the story, that Mayor Hall's long searched-for bank account had been found at last in the Manhattan Bank, No. 40 Wall-st., and was in possession of the new Attorney-General, Francis L. Barlow. It is understood that Gen. Barlow favors the prosecution of Mayor Hall, against which Mr. Charles O'Conor is said to have advised; but whether or not any evidence has been found in the Manhattan Bank on which suit can be begun is not known. The story, though coming from a responsible person, is too indefinite to be fully credited and too important to be suppressed, and is given precisely as it reaches us.

MISCELLANEOUS MUNICIPAL MATTERS.

THE BOARD OF ASSISTANT ALDERMEN ORGANIZED.

The Board of Assistant Aldermen met yesterday, Mr. Schwartz, President pro tem. in the chair, and elected Otis T. Hall, permanent President, by a vote of 11 to 9. On taking the chair President Hall said:

I thank you, gentlemen, for the honor you have conferred upon me. In presiding over the deliberations of this Board, I shall endeavor to bring about a thorough political reform, and to retrench the expenses of the city government. I hope to see old party lines disregarded, and to have your hearty cooperation in reestablishing this city upon a sound basis. We are here as reformers, and, therefore, we must work for reform.

In speaking on a motion to inquire into the number of clerks employed by the Board, Assistant Alderman Strack read a list of 19 sinecurists attached to the old Board, with annual salaries exceeding $60,000.

THE WHARTON TRIAL.

ANNAPOLIS, Jan. 9.—In the trial of Mrs. Wharton, the direct examination of Dr. McClurg, as a medical expert, was resumed at 10 o'clock this morning. His testimony was upon the post mortem appearance of cerebro-spinal meningitis as observed by himself, and the various symptoms and lesions of the disease. On his cross-examination the witness was examined generally with reference to diseases affecting the brain, and the symptoms of poison by tartar emetic. He referred to his opinion given yesterday that Gen. Ketchum died from cerebro-spinal meningitis.

Prof. H. C. White was sworn: Is by profession an analytical chemist; was graduated at the University of Virginia; has had charge of the Analytical Department of the Chemical School of Maryland Institute, in Baltimore; that position is now held by Prof. Toney; is at present Professor of Analytical Chemistry in St. John's College, Annapolis, and is Lecturer on Physics at Peabody Institute; heard the evidence of Prof. Aiken, and has read the official report of his testimony, and also Aiken's summary of the analysis; the tests and processes pursued by Aiken in examining the stomach of Ketchum were not, in the opinion of witness, sufficient to establish the presence of antimony; those used by Toney in his analysis of the contents of the two jars were also insufficient to establish the presence of antimony.

Prof. White was examined for some time in regard to color and other tests relied on by Profs. Aiken and Toney; the course of his examination was similar to that proved in the cases of Profs. McCulloch, Genth and Roese, previously examined as chemical experts, and his answers were merely cumulative in regard to the insufficiency of the tests, and the entire inaccuracy of their mode of ascertaining the quantity of tartar emetic reported to have been obtained by them. Witnesses confirmed the statements of previous experts that organic and other substances would produce the precipitate obtained by Aiken when no antimony was present, and that the only conclusive test was the production of the metal. The Court then adjourned till to-morrow.

"PET" HALSTEAD'S MURDERER.

TRENTON, Jan. 9.—The Court of Pardons, composed of the Governor, the Chancellor, and six Judges of the Court of Errors, convened this afternoon to take action in the case of Botts, who is awaiting execution at Newark for the murder of "Pet" Halstead. The voluminous evidence was presented to the Court by Chas. S. Spencer and Wm. R. Guild, jr., counsel for Botts, as well as petitions for a commutation of sentence. The brother of Botts was present. The Warden of Essex County Jail states that Botts withheld an important fact at the trial, in order to save Mrs. Wilson from prosecution for bigamy. He was in reality married to her several years ago, and her first husband is still alive. Though this fact might have had some effect on the jury, he did not reveal it. He has furnished, within a few days, satisfactory evidence of the fact. He stated to the jailor that he would have died with the secret had he not become convinced that she would not reform. The ladies of Newark, who attempted to reform Mrs. Wilson, have also deserted her.

The Court finally decided not to interfere in the case, and a warrant was issued by the Governor, directed to the Sheriff of Essex County, for the execution of Botts. The day named in the warrant is Friday, Jan. 26. The final decision of the Court was withheld from the prisoner by his keeper last evening, owing to his state of mind, which indicates great nervous excitement. His spiritual advisers are pained to find that he cannot be induced to consider his condition, and that their efforts to interest him in religious matters have proved unavailing.

CONDITION OF THE NATIONAL BANKS.

WASHINGTON, Jan. 9.—The abstract of reports made to the Controller of the Currency of the condition of the National Banks in the City of New-York, at the close of business on Saturday the 6th, shows their resources were $426,880,000, including specie on hand, $23,000,000; legal tender notes, $22,500,000; Clearing-house certificates, $14,500,000; capital stock, $12,000,000; individual deposits, $203,651,000; number of banks, 51. The condition of the National Banks of Philadelphia on the same day was: resources, $87,250,000, including specie, $750,000; legal tender notes, $6,000,000; Clearing-house certificates, $1,780,000; capital stock, $16,735; individual deposits, $41,000,000; number of banks, 20.

FOREIGN NEWS.

GREAT BRITAIN.

THE PRINCE OF WALES CONVALESCENT—SUCCESS OF AN AMERICAN LOAN—THE NATIONAL TRADES CONGRESS—THE LONDON PRESS ON FISK, JR.

LONDON, Tuesday, Jan. 9, 1872.

A dispatch from Sandringham reports that the Prince of Wales went out yesterday for the first time since his illness. Dr. Gull, who has been constantly in attendance on His Royal Highness since the first dangerous symptoms appeared, left Sandringham to-day.

The Messrs. Seligman Bros. have introduced here and on the Continent $4,000,000 of Washington City Improvement bonds at 87½. The loan is a great success; it was nearly all taken up before the books were regularly opened.

The session of the National Trades Congress was opened last evening at Nottingham. Mr. Potter was elected President. Mr. Northrup of Massachusetts was present and was accorded a seat on the floor.

Earl Derby addressed a large meeting of workingmen at Liverpool this evening. In the course of his remarks he said the old Liberal programme has exhausted its vitality, and he expected that in the future Conservatism would predominate in all new questions.

All the city journals have articles on the assassination of James Fisk, jr. They cite the cases of Richardson and Crittenden, attribute the frequency of such deeds to the peculiar civilization of America, and denounce the laxity of public sentiment and the weakness of the Courts, which make the practice of carrying of concealed weapons so general in the United States.

The Times arrives at the conclusion that the assassin's pistol in this case only killed Fisk; the spirit, of which he was the incarnate representative, is still living and strong in the City of New-