NEW YORK CITY.

THE COURTS.

UNITED STATES CIRCUIT COURT.

Return of True Bills by the Grand Jury—Indictments Found Against William Fullerton, Alfred A. Belknap and Others—Warrants Issued for the Arrest of the Parties for Conspiracy—Important Proceedings and Serious Charges.

Southern District of New York, ss.—The jurors of the United States of America within and for the district and circuit aforesaid, on their oath present, that William Fullerton, Jacob Depuy, Alfred A. Belknap, Daniel C. Birdsall, Enward J. Windust, together with divers other persons, whose names are to the jurors unknown, all late of the city and county of New York, in the district and circuit aforesaid, heretofore, to wit, on the 11th day of June, in the year of our Lord 1868, at the city of New York, and within the jurisdiction of this Court, did unlawfully and corruptly conspire, combine, confederate and agree together, to cause and procure one Thomas E. Smith, late of the city aforesaid, to be charged on the written complaint and affidavit hereinafter stated and set forth, with the violation of the provisions of an act entitled "An act to provide internal revenue to support the government, to pay interest on the public debt and for other purposes, approved June 30, 1864," as amended by the act of March 3, 1865, and as further amended by the act of July 13, 1866, and as further amended by the act of March 2, 1867, and to apply for, and to cause and procure a warrant to be issued by a commissioner of the United States, for the arrest and apprehension of the said Thomas E. Smith on the charge aforesaid; and that the said Thomas E. Smith, being charged and arrested as aforesaid, the said Alfred A. Belknap, he, the said Alfred A. Belknap, then and there being an officer and agent of the United States, and a person having charge of the execution, and having charge of the supervision of the execution of the provisions of said act and of the several acts amending the same as aforesaid, but having no authority by law to demand, accept, attempt to collect, directly or indirectly, as payment, gift or otherwise, any sum of money or other property of value for the compromise, adjustment or settlement of such charge and complaint, should unlawfully attempt to collect, and should demand, collect, accept and receive of and from the said Thomas E. Smith, without being thereunto expressly authorized by law, a large sum of money and other property of value for the compromise, adjustment and settlement of the said charge and complaint for the alleged violations of the provisions of said act, and of the several acts amending the same as aforesaid. And the jurors aforesaid do further present that in pursuance of such conspiracy, combination, confederation and agreement, and to effect the object thereof, the said Jacob Depuy did afterward—to wit, on the 11th day of June, in the year of Our Lord 1868—in the city aforesaid, make complaint and did present his affidavit to John A. Osborn, he the said John A. Osborn then and there being a Commissioner of the United States in and for the Southern District of New York, the said John A. Osborn then and there having lawful authority to take said complaint and to issue a warrant thereon, which complaint and affidavit is in the words and figures following, that is to say:—

State of New York, City and County of New York, ss.—Jacob Depuy, of the city of New York, being first duly sworn, says as follows:—I reside at No. 774 Eighth avenue; I have been in the secret service of the War Department, and still hold a commission in such service without pay; in this position I necessarily acquired a good deal of information in relation to the revenue departments in this city; I was first appointed in the above service in the month of November, in the year 1862, and have so continued until the present time, part of the time being under pay, and since June, 1865, not under pay; shortly after the appointment of Thomas E. Smith as Collector of the Eighth Internal Revenue Collection district of this State, I became satisfied that great frauds were being perpetrated in said district with the connivance of Thomas E. Smith; on several occasions, at my suggestion, officers of the Metropolitan police force seized different lots of spirits when they were being moved in and through the city contrary to and in violation of the provisions of the Revenue laws; I knew that the spirits so seized were being removed without the payment of the tax due on it; when the spirits was seized it was taken to Collector Smith and immediately released by him, notwithstanding I had furnished the officers seizing with proof that the spirits so being moved was being moved in violation of the said law; among others officers who seized spirits as I have above stated, I recollect the names of Albert Linebeck, Daniel Smith, Mr. —— Van Houghton, and I think one McCann; failing to accomplish anything by seizing the spirits as above stated, I continued to keep a lookout for the movements in the spirit business; after I had caused several seizures to be made, several distillers came to me and said that they were all right with Collector Smith; that they had fixed it with him, and they would not be disturbed, and held out inducements to me to take any spirits that I caused to be seized to Collector Smith and it would be discharged; one of them agreed to pay and did pay me twenty-five dollars a week for not making any complaints or causing any seizures to be made; I accepted this sum because I had in vain done everything I could to effect seizures and secure the forfeiture; the names of the distillers above referred to are Rosenberg, of No. 418 West Twenty-eighth street; he was the rectifier of the establishment I believe; he said to me that he had paid and agreed to pay Collector Smith $500 a week while he ran the distillery, and he was willing to give me fifty dollars a week if I would make no complaints, and he did give me that sum weekly while running the distillery; when running they turned out forty or fifty barrels a day on which no tax was paid; Newhouse, of the firm of Eickoff & Newhouse, made similar statements to me about having arranged with Collector Smith, and said that he had an illicit still, and that Smith knew it, but would not disturb them; he offered me one dollar a barrel on all they turned out if I would not make any complaint; Gropp, of Fleischmann & Gropp, Thirty-ninth street, near Ninth avenue, came to me one morning after their distillery had been seized by William Sterritt, deputy collector under Smith; he said that he had been down to Collector Smith's and had arranged matters with him; that he had settled with him, paid him and got the distillery released, and he wanted to arrange with me not to make any complaints; he said that he had given $225 to be given to me; he promised to give me twenty-five dollars a week while they ran; I had not received that sum of $225; I saw Gropp go to Smith's office that morning, having spotted him after the seizure from their distillery to Smith's office and back to Thirty-ninth street; the above conversation was on Thirty-ninth street; on his return from Smith's; he was much excited at the time; Gropp & Fleischmann's distillery was not under seizure at this time more than two hours or so; Mike, the man who did the outside business of the distillery No. 9 Abattoir place, has told me that they had paid Collector Smith money to keep him quiet; I have heard the same thing from several others having distilleries in the district; it is pretty generally understood in the district among the distillers that the moneys from the distilleries went to Smith instead of for the payment of taxes; on the 1st day of May, 1867, I followed a lot of 174 barrels of spirits from Woolsey's bonded warehouse in Thirty-seventh street, near Ninth avenue, in Smith's district; these barrels of spirits were removed ostensibly for shipment to California; they were taken to Williamsburg and the spirits were there taken out, and I saw water running through the hose; the same barrels came back to Woolsey's bonded warehouse; I saw and counted twenty-seven puncheons in which the spirits had been put; I marked two of these puncheons by driving a copper tack in the head or end of the bung stave, and I saw the same two puncheons back in the city, in a place in Tenth avenue; Matthew McConnell, the officer on the beat, went into the bonded warehouse and found water in some of the barrels removed and returned; Eickoff & Newhouse's distillery in Thirty-sixth street, between Ninth and Tenth avenues, was seized by or turned over to Collector Smith; the head of the still was broken off and put in the Collector's office; notwithstanding this, and while the distillery was in charge of Smith's keeper's, the still was being run principally at night, and during this same period, while the still head was at Smith's, they were paying, as they told me, to Smith his weekly sum, and to me the $1 a barrel which they promised me; I am quite well acquainted with the men in Collector Smith's district who are or have been engaged in distilling and rectifying, and have frequently talked with most of them in relation to Collector Smith's management of his district. It is a notorious fact among persons who are familiar with this business, that the business of the said Collector's office so far as it relates to distilling and rectifying, and collection of revenue on account thereof has been fraudulently conducted, and that Collector Smith has reaped a harvest from his office. All the facts above referred to occurred within two years last past, or within a year from last May.

11th day of June, 1868. JACOB DEPUY.

Subscribed and sworn to before me this 11th day June, A. D. 1868.

JOHN A. OSBORN, United States Commissioner.

And in further pursuance of said conspiracy and agreement, and to effect the object thereof, the said William Fullerton did then and there, on said complaint and affidavit, apply for and obtain a warrant under the hand and seal of the said John A. Osborn, for the arrest of said Thomas E. Smith, which said warrant is in the words and figures following:—"The President of the United States of America to the Marshal of the United States for the Southern District of New York, and to his deputies, or any or either of them: Whereas complaint on oath hath been made to me charging that Thomas E. Smith, Collector of United States Internal Revenue for the Eighth Collection district of the State of New York, did, at divers times, at the Southern district of New York, within one year from the 1st day of May last past, knowingly and corruptly accept or receive various sums of money as bribes from a person or persons named in the complaint contrary to and in violation of the sixty-second section of the United States Revenue laws, passed June 30, 1864, and acts amendatory thereof.

Now, therefore, you are hereby commanded, in the name of the President of the United States of America, to apprehend the said Thomas E. Smith and bring his body forthwith before me or some other judge or justice of the United States or United States Commissioner, or a justice of the peace or other magistrate of the State of New York, wherever he may be found, that he may then and there be dealt with according to law for the said offence.

Given under my hand and seal this 12th day of June, in the year of our Lord 1868.

JOHN A. OSBORN, United States Commissioner for the Southern District of New York.

SAMUEL G. COURTNEY, United States District Attorney.

That afterward and on the 12th day of June, in the year of our Lord 1868, in pursuance of said conspiracy and to effect the object thereof, the said Edward J. Windust, representing himself falsely to be a deputy marshal of the United States in and for said Southern district of New York, arrested said Thomas E. Smith on said warrant, and afterward and on the 12th day of June, in the year of our Lord 1868, at the city of New York, in further pursuance of said conspiracy and to effect the object thereof, the said Alfred A. Belknap, he, the said Alfred A. Belknap, then and there being such officer, agent and person as aforesaid, did unlawfully demand, accept and attempt to collect, and did collect and receive of and from said Thomas E. Smith $10,000 in money and other property of great value for the compromise, adjustment and settlement of such charge and complaint for the alleged violation of the provisions of the said act and of the several acts amending the same, as aforesaid, against the peace of the United States and their dignity and against the form of the statute of the United States in such case made and provided.

SECOND COUNT.

And the jurors aforesaid upon their oaths aforesaid, do further present that said Thomas E. Smith having been charged with the violation of the provisions of the act [the act is here quoted governing the case], and a warrant for the arrest of the said Thomas E. Smith having been issued on the 12th day of June, 1868, by John A. Osborn, he, the said John A. Osborn, then and there being a United State Commissioner in and for the Southern District of New York, and duly authorized by law to take said complaint, and to issue such warrant, said William Fullerton, Jacob Depuy, Alfred A. Belknap, Daniel C. Birdsall, Edward J. Windust, together with divers other persons whose names are to the jurors unknown, late of the city and county of New York, in the district and circuit aforesaid heretofore, to wit:—On the 11th day of June, in the year of our Lord 1868, at the city of New York and within the jurisdiction of this court, unlawfully and corruptly did conspire, combine, confederate and agree together that the said Alfred A. Belknap, he, the said Alfred A. Belknap, then being an officer and agent of the United States and a person charged with the execution and with the supervision of the execution of the provisions of said act, and of the several acts amending the same as aforesaid, but having no authority to demand, accept, or to attempt to collect directly or indectly, as payment, or gift, or otherwise, any sum of money or other property of value, for the compromise, adjustment or settlement of any charge or complaint for any violation or alleged violation of any of the provisions of said act, or any of the acts amending the same as aforesaid, should unlawfully and corruptly demand, accept and attempt to collect of and from said Thomas E. Smith, as payment, $10,000 in money and a large amount of other property of value, in settlement, adjustment and compromise of the said charge and complaint for the alleged violation of the provisions of said act and of the several acts amending the same as aforesaid, then made and pending against the said Thomas E. Smith as aforesaid, he, the said Alfred A. Belknap, then and there having no authority in law to demand, accept, or to attempt to collect the same as payment, gift or otherwise. And the jurors do further present that, in pursuance of such conspiracy, combination, confederacy, and agreement, and to effect the object thereof, said Alfred A. Belknap, afterward, and on the 12th day of June, in the year of our Lord 1868, at the city of New York, did demand, accept and attempt to collect of him, the said Thomas E. Smith, the sum of $10,000 in money and other property of value, for the compromise, adjustment and settlement of the said charge and complaint, for the alleged violations of the provisions of said act and of the acts amending the same, as aforesaid, against the peace of the said United States and their dignity, and against the form of the statute of the said United States in such case made and provided.

THIRD COUNT.

And the jurors aforesaid, upon their oath aforesaid, do further present that on the 11th day of June, in the year of our Lord 1868, said Jacob Dupuy did make his complaint and affidavit in writing, before John A. Osborn, a Commissioner of the United States Circuit Court, in and for the southern district of New York, the said John A. Osborn then, and having lawful authority to take such complaints, in which affidavit the affiant charged Thomas E. Smith with the violation of the provisions of the act entitled "An act to provide internal revenue, to support the government and to pay interest on the public debt," approved June 30, 1864, and as in first count in this that said Thomas E. Smith had theretofore, in violation of the provisions of said act and of the several acts amending the same as aforesaid, unlawfully and corruptly conspired with one Gropp and one Eickhoff, Newhouse and others, to defraud the United States of the tax due on distilled spirits, and did at divers times from May, 1867, to May, 1868, while Collector of Internal Revenue in and for the Eighth Collection district of the State of New York, knowingly and corruptly accept and receive various sums of money as bribes from a person and persons named in the said complaint and affidavit, and in violation of the sixty-second section of the United States Revenue laws, approved June 30, 1864, and acts amendatory thereof. That the said John A. Osborn did thereupon issue his warrant, dated the 12th day of June, 1868, under his hand and seal, for the arrest of the said Thomas E. Smith, the said John A. Osborn then and there having lawful authority to issue said warrants, and the jurors do further present that William Fullerton, Jacob Depuy, Alfred A. Belknap, Daniel C. Birdsall, Edward J. Windust, together with divers other persons whose names are to the jurors unknown, late of the city and county of New York, in the district and circuit aforesaid, heretofore, to wit, on the 12th day of June, in the year of our Lord 1868, at the city of New York and within the jurisdiction of this court, did corruptly and unlawfully conspire, combine, confederate and agree together, corruptly and by threats [illegible]

FOURTH COUNT.

[illegible]

FIFTH COUNT.

[illegible]

SIXTH COUNT.

[illegible]

SEVENTH COUNT.

[illegible]

EIGHTH COUNT.

[illegible]

NINTH COUNT.

[illegible]

SAMUEL G. COURTNEY, United States Attorney.

UNITED STATES DISTRICT COURT.

The Alleged Whiskey Ring Frauds.

Before Judge Blatchford.

At the opening of the court yesterday morning United States District Attorney Courtney informed the court that he had received instructions from Attorney General Evarts, from Washington, instructing him to bring the Bourbon Company (Messmore and others), the Blaisdell & Eckel and other whiskey cases, covering about thirty indictments, to trial as soon as possible.

Judge Blatchford said some definite time had better be agreed upon forthwith.

Mr. Courtney said he was anxious to have the cases tried as early as possible. He wanted no delay; the government was ready and he hoped the defence would be ready as soon as practicable.

The counsel for defendants in the Bourbon whiskey case, in which there are five indictments consolidated, said they would do the best in their power to get ready at an early day.

Mr. Courtney thought the defence should be ready to proceed almost immediately, as they had had abundance of time to prepare.

Judge Blatchford said that from the number of other cases pending it would be impracticable to commence these cases before the early part of December, but they ought to go on then.

Mr. Courtney wanted them set down for the first day of the December term.

Judge Blatchford then set them down for the 7th of December, and, in response to the counsel in the Bourbon whiskey case, he said all the defendants must be ready to be tried together.

Mr. John Sedgwick, counsel for Frost, one of the defendants, wished to have an opportunity in the meantime to argue in favor of a motion for a separate trial for Frost.

Ex-Recorder Smith, counsel for another of the defendants, also desired a similar privilege for his client.

Judge Blatchford granted both applications, and argument will ensue in a few days. Counsel in the cases then left the court room.

The Alleged Tradesmen's Bank Defalcation.

Before Judge Blatchford.

The United States vs. Garner C. Baker.—The defendant in this case was charged, about a year back, with having misappropriated certain moneys belonging to the Tradesmen's National Bank in this city. John Arnold was also at the same time indicted for a similar offence, one at the time being the receiving teller and the other, the present defendant, paying teller of the bank. The case was very fully gone into in an examination before Commissioner Osborn, the charge against Baker being yesterday for the first time given to a jury. Mr. Bell, Assistant United States District Attorney, opened the case for the prosecution.

Richard Barry, President of the Tradesmen's Bank, was the first witness examined:—Knew the defendant for twenty-five years; he was paying teller of the bank up to August 14, 1867, when the charge against the defendant was first instituted; the prosecution put in evidence certified copy of the act of incorporation of the Tradesmen's National Bank, filed March 7, 1865; defendant was custodian of the cash of the bank and agent for paying out all cash.

Look at these two papers and state what they are. A. These are two account slips, in duplicate of day charges, between the Tradesmen's National Bank and the First National Bank of Brooklyn; we keep a credit and debit account with that bank. (Papers marked A and B handed to the witness.) The footings of figures are in the handwriting of the defendant. (Paper handed to witness.) The writing here is in the handwriting of defendant and was defendant's account with the second teller. (Papers marked E and F handed to witness.) These papers purport to be duplicates of checks received on account of the First National Bank of Brooklyn; the aggregates are in the handwriting of the defendant; on the 17th June, 1867, there was an examination into the accounts of the first teller; the minutes of the cashier will show what was done; a committee of five directors examined the first teller's (defendant's) cash to see if his account corresponded with the books of the bank. The entry of August 14, 1867, is in the handwriting of the defendant; the amount set forth as the cash in the bank in his hands is $783,085 81; counted the cash in the bank's vaults on the 15th August and found it only $500,000; counted it with the cashier; the defendant was present when it was counted; had a conversation with defendant and asked him if there was any wrong in his cash and he made no reply; asked him if he was short $10,000; he made no reply; asked him if he was short $50,000 and he replied that he wished he was dead.

Anthony Halsey was cashier of Tradesmen's National Bank in July and August, 1867. (Slip of paper produced witness found in one of defendant's drawers in the bank.) On August 15 assisted Mr. Berry (previous witness) in counting defendant's cash; all the cash was brought into the room from the vaults by the porter and myself.

Witness then corroborated the testimony of the President of the bank, Mr. Berry, the previous witness, as to the discrepancy in the amount of cash as represented in defendant's cash book and the amount found in the vault of the bank.

The further hearing of the case is adjourned till Wednesday morning.

UNITED STATES DISTRICT COURT—IN BANKRUPTCY.

Before Judge Blatchford.

In the Matter of Myron Rosenberg, a Bankrupt.—As the debt in this case is a probable debt, the Court ruled that the stay of proceedings in the case was proper and the motion to vacate the stay is denied.

COURT OF OYER AND TERMINER.

Important Charge From Judge Barnard—The Party Press Arraigned—Stock Operators Denounced.

At the opening of the court Judge Barnard addressed the Grand Jury in the following terms:—

GENTLEMEN OF THE GRAND JURY—I deem it not inappropriate at the present time to call your attention to three or four subjects that, in my judgment, the Grand Jury should look into. First, in regard to alleged frauds at elections; second, in regard to the alleged corruptions of the judiciary here; third, as to the action of certain newspapers in New York in perpetrating daily and hourly libels. I had intended, gentlemen, at the commencement of this term, to have gone over many of those subjects more fully than I can now; but I am led to-day not to delay it any longer in consequence of the annoyance I am subjected to by newspapers and letter writers, not borne out, of all sorts of vilifications and abuses for offences of which I certainly know nothing, and see if the writers of some of these articles cannot be made to come before you and substantiate some among the many of the different allegations that they have made against the Judge that now addresses you. In to-day's *Tribune* and to-day's *Times*, along with articles in the Jersey papers and elsewhere, are charges of the most atrocious character made against corruptions in interfering with the duties of electors and charging the Judge with being in a combination in Wall street. Now, it is unnecessary for me to say to you that he never bought or sold or owned a share of stock in his life, and as for the large fortune of $5,000,000 which one of the papers charges him with being possessed of, he has not now, nor did he ever have, belonging to him, separate from his wife, a single dollar's worth of property, and is to-day dependent upon his salary as a Judge and the charity of his wife, and why these particular and atrocious charges at this particular time should be made with such boldness and audacity is a matter I hope you, as Grand Jurors, whose duty it is, will look into, so that if you find them to be substantial, or even a suspicion that they are true, that you will give the Judge a chance to resign. For infamy means one thing, and it ought to be ferreted out, and if a man or a newspaper editor will sit down deliberately and make a charge without any proof, let us see whether the rigor and terror of the law will not stop this thing in future. For eleven years this Judge has submitted to it without any notice, and now, having arrived at a period of life when his usefulness is impaired by such charges, he deems it his duty and yours, gentlemen, to look into the matter whenever you have leisure, and say whether a combination of thieves, scoundrels and rascals, who have infested Wall street and Broad street for years and now quarreling among themselves, shall be permitted to turn around and endeavor to hide their own tracks by abuse and vilification of the Judge.

The Grand Jury then retired.

COURT OF COMMON PLEAS—SPECIAL TERM.

The Stuyvesant Divorce Case.

Before Judge Daly.

Theodore Stuyvesant vs. Catherine N. Stuyvesant.—In this case, the report of the referee having been filed, finding a verdict in favor of the defendant, a motion was made by plaintiff's counsel to set aside the report, upon the ground that such report had not been filed within the time required by law.

Counsel for the defendant also moved to confirm the report of the referee and enter judgment for the defendant upon all the issues.

The two motions were argued together, and the Court denied the motion of the plaintiff, and appointed Wednesday, the 2d of December, to hear the argument upon the evidence, and ordered the referee to file such evidence in due time for such hearing.

Edwin James and G. Shea for the defendant; Messrs. Tomlinson and Phillips for the plaintiff.

COURT OF GENERAL SESSIONS.

Before Judge Russel.

Pickpockets Sent to Sing Sing Prison—Pleas of Forgery.

This court received an additional batch of indictments from the Oyer and Terminer Grand Jury, upon which the accused parties were arraigned, and, pleading not guilty, they were directed to be ready for trial on Tuesday.

Manuel Wertha and Ignacio Balfe were tried and convicted of larceny from the person, they having picked the pocket of Jacob M. Shorter, a resident of New Jersey, stealing a gold watch valued at $200. The complainant was in the *Tribune* office on election night, waiting to hear the returns, at which time he was robbed. Detectives "spotted" the prisoners and arrested them with the watch in the possession of one of them. As they were well known professional pickpockets the Judge sentenced them to the State Prison for five years.

John Fleming pleaded guilty to an attempt at grand larceny, the charge being that on the 26th of October he stole a roll of carpet, valued at $150, the property of Melville, Hemphill & Hamlin.

Reverdy G. Alexander, who was indicted for attempting to pass a forged check on the Bank of New York for $300, in payment of a bill due the proprietors of the Fifth Avenue Hotel, pleaded guilty to forgery in the fourth degree.

William Van Wagner, against whom were other complaints, pleaded guilty to forgery in the fourth degree. The indictment charged that on the 18th of September he falsely represented to Hugh Mitchell that he was Mr. Wm. H. Lee, and obtained thirty dollars, giving as collateral security a forged check for $550 on the Commercial National Bank.

These prisoners were remanded for sentence.

COURT CALENDAR—THIS DAY.

SUPREME COURT—GENERAL TERM.—Nos. 169, 170, 171, 172, 173, 175, 176, 178, 179, 180, 181, 182, 183, 183½, 184, 185, 186, 187, 188, 189.

SUPREME COURT—CIRCUIT.—Nos. 4416, 1469, 1129, 1297, 1337, 1483, 1485, 1487, 1489, 1495, 1497, 1499, 1501, 1507, 1509, 1515, 1517, 1519, 1521, 1523.

SUPREME COURT—SPECIAL TERM.—Nos. 33, 205, 252, 254, 342, 112.

COMMON PLEAS—TRIAL TERM—Part I.—Nos. 192, 193, 194, 199, 63.

CITY INTELLIGENCE.

THE WEATHER YESTERDAY.—The following record will show the changes in the temperature for the past twenty-four hours as indicated by the thermometer at Hudnut's pharmacy, 218 Broadway, HERALD Building:—

3 A. M.	34	3 P. M.	47
6 A. M.	35	6 P. M.	48
9 A. M.	39	9 P. M.	40
12 M.	44	12 P. M.	39

Average temperature 40¾
Average temperature Sunday 40

REVIEW OF THE FIRE DEPARTMENT.—Mayor Hoffman will review the Second brigade of the Metropolitan Fire Department to-morrow morning at the Clarendon Hotel.

THE BOARD OF ALDERMEN convened yesterday afternoon pursuant to adjournment, but there not being a quorum present adjourned without transacting any business until Saturday next at two P. M.

THE MORGUE.—The body of an unknown man was received at the Morgue yesterday from Bellevue Hospital. The deceased was about fifty years of age, had gray hair, was clothed in black cloth pants, blue cloth frock coat, blue hickory shirt, black silk vest and brogans. The body awaits identification.

SUDDEN DEATHS.—Henry Lehn died suddenly yesterday at No. 152 East Fourth street, from unknown causes. James O'Brien also died suddenly at No. 46 Watts street, and the infant child of Bridget Hedegan died suddenly at her residence, No. 106 Cherry street, rear. The Coroners made all due investigation, when the deaths were found to have resulted from natural causes.

SOLDIERS' RELIEF ON THANKSGIVING DAY.—The patrons of the Soldiers' Relief Agency, headed by Jay Cooke & Co. and other patriotic firms, have decided to distribute a substantial relief among our disabled veterans and widows and orphans of the war upon the occasion of the next Thanksgiving Day. One turkey will be given to each applicant for relief on Thursday morning, the 26th inst., from ten to twelve, at 139 Canal street, on presentation of pension papers.

ANNUAL INSPECTION OF THE POLICE.—The annual inspection of the police of this city commenced yesterday in Tompkins square. The second (off) platoons of the following commands were present:—First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth, Nineteenth, Twentieth, Twenty-first, Twenty-second, Twenty-seventh, Twenty-eighth and Twenty-ninth precincts. The men presented a very martial appearance. They were inspected by Captain Copeland, the drill officer of the force.

SOIREE OF THE COOPER'S ASSOCIATION.—The seventh annual soirée of the United Cooper's Association, No. 2, was held last night at Irving Hall. There were upwards of 250 couples on the floor, who enjoyed themselves excessively. The hall was decorated with flags, among which the banner of the association was conspicuous. Wallace's band supplied the music. The floor manager was Mr. Edward Walsh, President of the association. The arrangements of the committee of management appeared to be excellent, and the soirée was entirely successful. Shortly after midnight the company sat down to an excellent supper, which having been disposed of dancing was resumed with spirit and maintained until an advanced hour in the morning.

ACCIDENTS.—Yesterday morning Michael Fitzpatrick, living at No. 318 First avenue, while working at No. 27 Rose street, fell off an embankment and dislocated his hip. He was taken to Bellevue Hospital.

Shortly after eleven o'clock yesterday George Wise, aged forty-four years, residing at No. 278 West Thirty-eighth street, had his leg cut off by car No. 13 of the Eighth avenue line, passing over it on the corner of Eighth avenue and Twenty-sixth street. The unfortunate victim was taken to Mount Sinai Hospital.

At one o'clock yesterday afternoon a boy named Isaac Sidmore, living at No. 121 Lewis street, was thrown from a truck which he was driving and sustained very serious injuries by the wheels passing over him. The wounded boy was taken to Bellevue Hospital.

POLICE INTELLIGENCE.

ALLEGED FALSE PRETENCES.—During the months of July and August last one James G. Platt, it is alleged, victimized by false representations certain up town dry goods merchants and private citizens, operating as an agent empowered to pay bills and effect fire and life insurances. Two of these parties at that time called at the Jefferson Market Police Court and preferred complaints against Platt, when a warrant was issued for his arrest, but he has kept himself out of the way until yesterday, when, being recognized by one of his victims, he was apprehended and brought before Justice Dodge. The complaints were then read to the accused, when it appears in the first case that Platt on the 10th of July last called upon Frank B. Phillips, No. 222 West Tenth street, and representing himself as an agent of the North American Fire Insurance Company, said he was authorized to take risks upon personal property, &c., and for the sum of twenty-five dollars he would insure all his household goods and hand him the policy in a day or two. Believing this statement, Phillips handed Platt the money, but that was the last of him, and subsequently the former was informed by the president of the insurance company that Platt had never been an agent of his, in fact he was a swindler. The second case is, that on the 14th of August last, Platt called at the store of Messers. Allen & Lacey, No. 171 Sixth avenue, and represented that he wanted to pay a bill of a gentleman's then due for carpets purchased of them, amounting to fifty-five dollars and nineteen cents, for which he tendered them a check for $100 on the Chatham National Bank, drawn by one Wm. C. Baxter, and that the receipted bill and forty-four dollars and eighty-one cents in national bank bills and fractional currency was handed him in exchange. After depositing the check it was ascertained that it was a false token, and Mr. Baxter had no account in that bank. Bail was accepted in the sum of $300 in each case, Geo. J. Tyson signing the necessary bonds for the accused's appearance at the Court of General Sessions to answer.

A WALL STREET OPERATION.

A Firm Victimized to the Tune of $15,000.

Some little excitement was occasioned in certain Wall street circles yesterday by the operations of a young man who had been, up to a few days ago, a member of a firm which carried on a brokerage business under the name of Temple & Marsh. This firm, the two members of which were very young men, had been known "on the street" for over a year. They had their office on the corner of New and Wall streets, and, having always had a good deposit in the Bank of the Commonwealth to their credit, their checks were readily honored by several firms with whom they had business transactions. For some reason best known to the firm the partnership was dissolved last Friday, but the fact had not become generally known even up to yesterday. One of the houses with which Temple & Marsh had often dealt was that of Heissner's Sons, No. 38 Wall street, and being aware, probably, that this firm was ignorant of the dissolution of the partnership Mr. Marsh called yesterday forenoon at the Messrs. Heissner's office and presented a check, signed Temple & Marsh, which he tendered in payment for $15,000 in United States bonds. The check was accepted and the bonds delivered to the purchaser. A short time after this not very extraordinary business transaction the check was sent to the Bank of the Commonwealth, upon which it was drawn, but the bank refused to honor it, for the good reason that there were no funds in the institution to the credit of Temple & Marsh.

It would appear that Marsh had, previous to his call on the Messrs. Heissner, endeavored to purchase coin of White, Morris & Co. by presenting a check signed Temple & Marsh to that office for $10,000 in gold. But Messrs. White, Morris & Co. refused, and he left the office in great indignation, only to cross the street and operate on the Messrs. Heissner.

Marsh was formerly a clerk to William T. Hatch & Co.

Mr. Temple is in no wise connected with the operations of his partner, and accounts for the name of the late firm being signed to the check passed on the Messrs. Heissner on the ground that Marsh must have torn a sheet of signed checks from the check book of the firm of Temple & Marsh without his knowledge.

THE MERCER STREET FIRE.

The following are the additional insurances of the principal sufferers in the Mercer street fire that occurred on Sunday night:—

No. 91, first floor and basement—Jacob P. Sitzer, loss $12,000; insured in the Hope Insurance Company, of Providence, for $1,000; the United States, of Baltimore, for $1,500; the Norwich for $1,000, and Albany City for $1,500. Total, $5,000.

Second floor—H. V. Sigler, loss $20,000; insured for $2,500 in the Firemen's Fund; $1,500 in the Ætna, and $1,000 in the Commonwealth. Total, $5,000.

Third floor—Wolfe & Morse, loss $3,000; insured for $600 in the Niagara and $1,000 in the Narragansett.

Fourth floor—G. W. Ferguson, loss $6,000; insured for $1,500 in the Monumental, of Baltimore.

Fifth floor.—Holstein & Zimmerman, loss $5,000 or $6,000; insured for $1,000 in the Protection, of Philadelphia, and $1,000 in the St. Nicholas.

The building is owned by C. E. Ricards, who is insured in various companies for $9,000. It is a total wreck and Mr. Richards' loss will be fully $40,000.

The insurances and losses of the occupants of the other buildings have not been ascertained beyond what was given in yesterday's HERALD.

Several of the occupants have exhibited a decided objection to furnishing the press and the Fire Marshal's officers with the amount of and companies in which they have insured. It is understood that the agents of the various insurance companies who visit fires order them to withhold this information, lest the publication of the insurances might endanger the credit of the companies.

THE BROADWAY THEATRE OUTRAGE.

The Investigation Slowly Progressing.

The investigation as to the "Foul Play" outrage at the Broadway theatre was resumed yesterday before Justice Shandley at the Essex Market Police Court. The following important testimony was taken:—

Edward W. Sparkhall, of No. 38 Great Jones street, being duly sworn, deposed—I was employed by W. A. Lloyd, of the New York theatre, in August last; I was with the sheriffs on the night of the 24th of August, when they went to the Broadway theatre; I met Mr. Hickey at Mr. Lloyd's office at half-past four o'clock that afternoon; I went with them to identify Harkins; I knew him and they did not; I went with Hickey right up to the back entrance of the theatre; we got there about five o'clock; I inquired at the door of the theatre for Mr. Harkins; Hickey and Leary were with me at the time; some one at the door of the theatre told me Harkins was not there and said he was at his house in Tenth street, between University place and Fifth avenue; we all three went to Harkins' house and I rang the bell; I inquired of the person who came to the door if Harkins was in and was told that he was not; this was about fifteen or twenty minutes past five; Hickey said he thought that Harkins was in the house, and Hickey and I waited in the carriage at the corner of Tenth street and University place, watching for him till half-past seven o'clock; we then went to the theatre and I inquired at the back entrance if Mr. Harkins was in; the doorkeeper said he was not; it was then nearly eight o'clock; we then went to the front door, thinking that he might come in that way; we went backward and forward between the front and rear entrances several times, waiting and watching for him; Hickey then suggested that he had better go and get some of the other deputies to help him and directed me to go inside the theatre and see if Harkins was there; I paid for a ticket and went in at the front entrance; I saw Mr. Harkins on the stage; when Hickey left he told me to meet him at nine o'clock at the corner of Broome street and Broadway, as he had to go up to Thirty-third street and Third avenue and thought he would be back at that time; I met him at that place a few minutes after nine; he had Quinn, Leary, Moore and Ward with him; Hickey told me to inquire at the back door for Harkins; the old man, the doorkeeper, said he was not in, though I had seen him on the stage a few minutes previous; I told the doorkeeper I knew Harkins was in as I had just seen him; he said he didn't care and that I could not see him; Hickey, who was standing behind, pushed by me and said, "he is in there, and I am a deputy sheriff and have an order of arrest for him." The doorkeeper said, "I don't care who you are, you can't come in here;" when Hickey pushed all the others pushed and followed him; they pushed the doorkeeper aside and went into the theatre; I stopped and spoke to the doorkeeper and told him that they were sheriff's officers and had an order of arrest for Mr. Harkins; just then Quinn, I think, came up and took me by the coat, saying, "Come and point him (Harkins) out;" I went on to the stage with him and heard voices asking, "Who are they?" and saying, "Turn them out;" I heard one of the sheriff's officers say he had an order for the arrest of Mr. Harkins; I did not see Harkins, and Hickey said to me, "I guess he is down stairs;" he said this near the head of the stairs leading down to the dressing rooms; he told me to go down stairs first; I did so, and I think they all came behind me; as soon as I got down stairs I saw the actors standing together in the green room and I asked them if Harkins was there; I told them that the sheriff's officers had an order for his arrest; the actors said they did not know where Mr. Harkins was; the sheriffs then turned and went up stairs; when I got on the stage I saw Hickey and the other deputies together and a party of men in front of them; among them was a man with a gray wig, who held something like a club or gun in his hand; he was holding it as if about to strike some one; there was a great deal of cursing and swearing and frequent shouts of "Put them out;" some of the crowd had short sticks in their hands, with hooks at the end, such as are used for shifting scenes; I saw the officers struck at, but can't say whether they were hit or by whom the blows were given; I then heard the report of a pistol, but could not tell who fired it; then I heard more shouting and other shots were fired; after the shouting and firing the sheriffs went towards the rear entrance; after we got to the door I saw Wilson come in with an officer and heard him say he was shot; I think he had blood on his face; he appeared to be very much excited; the crowd from the stage then came around us; they all seemed to be very much excited; I then got crowded out of the door and was pushed out of the theatre; I could not get in again; I thought of going for assistance for the sheriffs.

Q. How many theatre men were contending against the sheriffs? A. Ten or fifteen.

Q. Were the deputy sheriffs guilty of any disorder? A. Not that I saw.

Q. Did they furnish any provocation? A. No; they only acted on the defensive.

Q. From the character of the resistance did you not believe that they were in imminent danger of sustaining great bodily harm before you heard the first pistol shot? A. I should judge so from appearances.

Q. Could you see any other way of their extricating themselves than by a resort to weapons? A. No.

Thomas Quinn, of No. 351 East Thirty-first street, being duly sworn, deposed—I am a messenger in the Street Department; I have held a special deputy sheriff's appointment since the 15th of May last from Sheriff O'Brien; I went to the Broadway theatre on the night of the 24th of August last; we all had our badges on when we entered the theatre; mine was pinned on the collar of my vest; the other officers showed their badges; on coming up from the green room we found about eighteen or twenty men on the stage armed with sticks, clubs, &c.; one man whom they called "Jack," who wore a white wig, had a musket with a bayonet on; Wilson had a long stick which he "jabbed" at Hickey; Hickey called out that he did not come to have any trouble, but to arrest Harkins; after this "Jack" called out, "At them, boys! Drive them out!" Hickey got hit three times; I was hit twice; I know it was Wilson who struck Hickey; I heard a shot go off, but could not tell who fired it; I tried to fire my pistol, but it wouldn't go off; "Jack" seemed to take the lead of the actors; he "made for" Leary with his musket and Leary "went for Jack" with an old shovel; while "Jack" and Leary were engaged in single combat witness heard three or four shots fired, but could not say from which side; then the police came in and arrested Hickey, Ward and Moore; a stage carpenter then said that Mr. Harkins had escaped during the confusion which followed the entrance of the deputy sheriffs; the carpenter said, "The boys fought to give Harkins time to get out;" the theatre men commenced the fight, Wilson striking the first blow; the sheriff's officers were in imminent danger and could only extricate themselves by using their revolvers.

The investigation will be resumed on Friday next, when it is probable that Justice Shandley will render his decision.

KILLING A MURDERER IN TEXAS.

Desperate Conduct of the Convict's Wife.

[From the Waco (Texas) Register, Nov. 11.]

Yesterday Sheriff W. H. Morris and W. F. Corley, of this city, returned from a cruise after C. L. Merriman, the man who murdered in cold blood Mr. W. A. Glosson, in this city, during the last summer. It seems that the sheriff had been using his abilities as a detective in the effort to work up the case successfully, and that about one week ago he obtained satisfactory information as to Merriman's place of concealment. The sheriff took with him Mr. Corley only, and proceeded cautiously to the northwest corner of Hood county, where, after five consecutive nights' trial, they found their man, and by good arrangement succeeded in effecting his capture. When arrested and all hope was lost of escape Merriman appealed to his captors to blow his brains out on the spot; that he had sworn never to return to Waco a prisoner. The sheriff and guard placed the prisoner in a wagon with his heroic wife, and the party moved on towards the town of Meridian, in Bosque county, and had proceeded to within three miles of said town, at a point of the road close to a thicket, when suddenly Merriman sprang out from the wagon, his hands having been untied by his wife, and made for the brush. When he left the wagon, the little wife, though but a frail creature, took hold violently of the driver of the wagon and placed him *hors de combat;* but, poor woman, her faithful assistance was of no avail, for Sheriff Morris and two guards were close behind. The order to halt was not obeyed by the fugitive, and several shots were fired at him, none of which are known to have taken effect. He was pursued into the thicket, shots firing in rapid succession. Soon the firing ceased, and the officers of the law returned to the wagon and reported to the distressed wife that "her husband had escaped—the gallows." Merriman was a bloodthirsty man, and had he lived would doubtless have carried into execution his determination—as voluntarily expressed to the sheriff—to kill two other gentlemen of our city.