MUNICIPAL COMPLICATIONS.

Important Action of the Deputy Comptroller.

ABOLITION OF ALL SINECURES.

Numerous Dismissals Yesterday in the Bureau of Arrears.

The Park Commissioners and Their Communication to Mr. Green.

Meeting of the Committee of Seventy.

The remarkable instance of alleged "restitution" on the part of Mr. Keyser was the topic for general conversation at the offices of the public departments yesterday. There was a prevailing impression that this extraordinary virtue of "conscientiousness" was likely to be contagious. The prospect of the effect of the spread of this great virtue among our governing classes and their defendants was regarded by a large majority of City Hall and Court House officials as a terrible infliction and likely to lead to the most serious pecuniary inconvenience. They were preparing to bear it with all the meekness and fortitude they could command under such exasperating circumstances. An "interview" with Mr. Keyser will be found in another column, which shows that behind the alleged restitution Mr. Keyser has disclosures to make that will startle the city.

A large body of "pipe" laborers received their pay yesterday at the office of

THE CITY PAYMASTER.

Though there was a large number of men the most perfect order was maintained, without the presence of one policeman. The men put their bills in their pockets and walked down the staircase from the Chamberlain's office with the bearing of independence and satisfaction that did not augur well for the riot some newspapers have been contemplating with so much dread.

AT THE COMPTROLLER'S OFFICE

no communication had been received from Mr. Tweed; but the answer to the alleged discrepancy between the accounts of the Public Works and the Finance Department, which had been mentioned in the morning journals as the grievance of Mr. Tweed, was that whatever the construction of the law might be the Comptroller's figures were correct, and the position the latter had taken in reference to the "Works" Department was correct. Several days since Deputy Comptroller Green commenced the work of eliminating from the pay rolls of his immediate department the names of

SINECURE INCUMBENTS

and such other subordinates as can be spared without detriment to the service by a number of removals from the Bureau of Arrears.

Yesterday several of the attaches of the County Bureau were dismissed. This action will be followed up until all known abuses are corrected and the force reduced to a working standard and that only. No drones or "hangers-on" will be allowed. All employés must be busy bees.

The following communication was sent yesterday from the treasurer of

THE DEPARTMENT OF PARKS

to the Deputy Comptroller, Mr. Greene:—

DEPARTMENT OF PUBLIC PARKS, No. 265 BROADWAY, NEW YORK, Oct. 7, 1871.

To Hon. ANDREW H. GREENE, Deputy Comptroller:—

DEAR SIR—In answer to your favor of the 5th inst., calling on this department to report to you its expenditures, &c., I have to say that there has been no meeting of our Board since the receipt, and I have no answer to make on its behalf.

I suppose there is no one who knows better than you do yourself that under the laws and existing ordinances affecting our city government there is no power vested in the Comptroller or any other department to call upon us to make a report on any subject, that power being vested in the Mayor alone as chief magistrate. Still, there appears to me no objection to communicating to you the same information we are daily giving to the press reporters and the public generally in respect to our accounts, and, indeed, all other matters within our department, as to which inquiries may be made from motives of curiosity or otherwise.

As our accounts up to the first of each month are always made up by our bookkeeper within a few days thereafter I requested our Comptroller, Mr. Van Nort, to have the usual statement prepared for general information and for my use. He has done so, and a copy of which I enclose. As public information accessible to all I take pleasure in communicating it to you. Very respectfully yours,

HENRY HILTON, Treasurer.

DEPARTMENT OF PUBLIC PARKS, 265 BROADWAY, NEW YORK, Oct. 5, 1871.

Hon. HENRY HILTON, Treasurer Department of Public Parks:—

SIR—The following is a statement of the expenditures of this department from January 1 to October 1, 1871, on the accounts hereinafter named:—

Central Park—Maintenance and government of		$265,038 14
Parks and Places—Maintenance and government of		89,854 51
Central Park improvement	$851,417 69	
City Parks improvement	689,148 95	
		1,540,566 54
Boulevard		524,155 52
Total		$2,419,614 71

Respectfully, GEORGE M. VAN NORT, Comptroller Department Public Parks.

The Committee of Seventy.

The Committee of Seventy have in hand an address to the workingmen of the city, which it is expected will be ready for adoption at their next meeting, on Tuesday evening. It will set forth in a clear and concise form the *modus operandi* by which the "Ring" have robbed the city treasury and deceived the workingmen into supporting them in their positions and aiding them to carry on their fraudulent practices. By the agency of the democratic reform district associations and the republican organizations they intend to get the address into the hands of every voter in the city. It is to be printed in English and German. Some members of the sub-Committee on Elections were busily engaged on this document yesterday.

The members with whom the HERALD reporter conversed last night were very reticent in regard to the committee's intended actions in the future, but indicated very broadly that a very few days will reveal something startling. An effort, they say, is being made by the "Ring" and those interested in shielding them to cast the odium and blame for the false and forged vouchers upon the late County Auditor, Watson, who cannot reply to the charges. But the committee have the proofs overwhelming against men who are now living, and who have perpetrated those frauds and forgeries, or some of them and at the proper time the proofs will be forthcoming, and men whom the community would hardly suspect will be found having a hand in robbing the city treasury and dividing the spoils. Some of them are even now on the anxious bench, and are trying to get out of the scrape, but hardly see how at present.

THE TAXES.

Wonderful Record of the Past Four Days—Another Example of the Pecuniary Greatness of New York City.

TAXATION IN BROOKLYN.

Whatever may be the result of the pending struggle over our municipal affairs it will still remain the sad privilege of wealthy New Yorkers to pay taxes. The Board of Supervisors on the 30th ult., by legal ordinance, authorized the collection of no less a sum than $23,362,527 62, being an impost at the rate of 2.1707-10,000 per cent upon the following assessed value of all real and personal property in the city and county of New York:—

Real estate		$769,306,410
Personal estate, viz.:—		
Belonging to residents	$198,156,791	
Belonging to non-residents	32,025,037	
Shareholders of banks	76,765,395	
		306,947,223
Total		$1,076,253,633

This vast amount of taxes will be distributed in the following manner:—

For State purposes	$4,769,353
For county purposes	4,607,178
For city purposes	13,985,996
Total	$23,362,527

As yet only the taxes on personal estate can be paid, as the books in which the real estate assessments are made up will not be ready for another ten days to come. With commendable shrewdness the authorities allow all taxpayers who choose to make prompt payments a discount at the rate of seven per cent per annum for the time between the proclamation of the tax and the first day of December, when the days of grace, so to speak, expire. This naturally produces considerable eagerness to secure so important a rebate, at least on the part of large holders of real and personal property. As a proof of it, and further, as a significant and wonderful example of the pecuniary prosperity and power of the city of New York, the following list of the payments made during the past four days—the first four days that payment has been possible—is of singular interest:—

October 4	$254,694 88	October 6	$237,695 72
October 5	421,838 44	October 7	235,805 06

Total $1,150,034 09

Already the city treasury must begin to assume a healthier character, and when the real estate taxes are also in shape to be paid our solid men will doubtless pour in the larger sums due from this source with equally noteworthy promptitude. As a set-off to the inducement to pay up at once before alluded to there are proper penalties for delay. The term of grace expires on the 1st day of December, and all taxes not paid then have to suffer an addition of one per cent for the first half and a second one per cent for the latter half of the month. From the 1st January interest is charged at the rate of twelve per cent per annum, and after the 15th January the Receiver may, if he deems it advisable, at any time issue a warrant for the collection thereof by distress and sale.

Brooklyn Taxes—The Rate of Taxation by Wards.

Every property owner in the city has been anxious to know the exact rate of taxation which he has to pay. Since the reduction in the estimate of expenses of running the city and county governments the average rate of taxation on the assessed valuation of the property has been variously estimated. Last year the average rate was $3 86. This year, according to the table which has just been completed, the average rate of taxation is $2 74. The taxes upon the propery in the Eighth and Ninth wards is $2 86. The table is as follows:—

Wards.	1870.	1871.	Reduction.
1	$3 54.7	$2 83.6	$0 99.1
2	4 12.6	2 85.7	1 26.9
3	4 08.2	2 85.5	1 22.7
4	3 80.6	2 85.6	0 95.0
5	4 06.1	2 85.2	1 20.9
6	3 66.5	2 85.6	1 00.9
7	3 85.4	2 85.6	1 00.8
8	3 67.7	2 86.6	0 81.1
9	3 71.8	2 86.8	0 85.0
10	3 96.1	2 85.6	1 10.5
11	3 88.5	2 85.6	1 00.9
12	3 87.7	2 85.9	1 01.8
13	3 81.9	2 53.8	1 28.1
14	3 50.8	2 54.0	0 96.8
15	3 63.5	2 53.7	1 09.8
16	3 81.6	2 53.8	1 27.8
17	3 58.9	2 48.3	1 10.6
18	3 58.5	2 48.0	1 09.5
19	3 61.5	3 48.1	1 13.4
20	4 05.1	2 85.6	1 19.5
21	4 32.7	2 85.9	1 46.8
22	4 32.3	2 85.2	1 47.1
Average	$3 86.8	$2 74.8	$1 12.0

KEYSER RISES TO EXPLAIN.

His Pretended Confession a Falsehood.

Startling Disclosures to a Herald Reporter.

Forgeries Most Foul—$800,000 Raised on Keyser & Co.'s Name—$400,000 of Keyser's Bills Forgeries—Why the Comptroller's Office Was Robbed.

The City Owes Keyser & Co. $300,000.

The Property Assigned Pending a Settlement.

EXPLANATORY LETTER FROM MR. KEYSER.

A representative of the HERALD yesterday received orders to search until he found John H. Keyser, one of the alleged swindlers who had dipped so deeply into the city treasury, and ascertain what explanations he had to offer in reference to the grave charges made against him, and under which he has so long rested without

ATTEMPTING TO VINDICATE HIS HONESTY.

No. 211 Water street, the downtown establishment of the great contractor, was first visited. It is a large five story brick, and the show of stoves, ranges, furnaces and other fixtures exposed on the sidewalk indicated prosperity on the part of the firm of John H. Keyser & Co., dealers in furnaces, &c. A polite clerk in the office, in answer to inquiries about the famous Keyser, was unable to impart any intelligence as to his movements, and the reporter turned away disappointed and disheartened in his efforts to find Keyser.

Sadly he wended his way up the Bowery, past Cooper Union and the Bible House, where his eyes were gladdened by a prominent sign upon No. 105 Ninth street, bearing the cabalistic legend,

"JOHN H. KEYSER & CO."

The reporter abandoned his ruminations upon the noble philanthropy of Peter Cooper, which had reared the grand pile he had just passed, and, with the avidity of a hunter intent upon pursuing his game to his death, bolted into the office. A polite young man could not tell him where Mr. Keyser could be found, as he left early each Saturday for his Connecticut home, but suggested that Mr. Gauter,

THE CONFIDENTIAL CLERK OF MR. KEYSER,

be seen. This gentleman entered a moment after, a card was quietly placed in his hand, a brief sentence uttered that had a magical effect, and the clerk stepped without the door. The card fluttered in the wind in a vain endeavor to part company with Mr. Gauter's fingers; but a moment later it was seized by the young man aforesaid, who hurried down Ninth street with it in his custody, much to the relief of the clerk and the autumn winds that had fought for its possession. The clerk re-entered the office and, inviting his visitor to enjoy a cigar, stated that he had sent a message and would soon have a response.

It came in a few minutes in the form of the bearer of the card, who, approaching the glass doors, beckoned silently to

THE REPORTER TO FOLLOW HIM.

The pantomimic order was complied with, and, escorted by the messenger, a short walk was taken down Ninth street. Suddenly, on reaching the side entrance to the elegant mansion southwest corner of Ninth street and Second avenue the guide suddenly halted at a door dividing the yard from the street, and, applying a key, it swung open. Through it, up a flight of rear steps, through a long hall, the reporter followed the guide, who threw open a door on the second floor and asked him to

"BE SEATED."

A moment he was absent, then reappeared and remarked:—

"He will be here in a moment."

Here was an opportunity for the reporter to collect his scattered thoughts, survey the field and arrange a plan of

ATTACK UPON THE GREAT CONTRACTOR,

who for so many weeks has defied the interviewers.

The parlor in which he was seated presented the appearance of desertion. It was elegantly furnished throughout with Brussels carpets, costly upholstery, and all the little exceteras that add a homelike air to a parlor. The door leading to the extension was partially open, but into it courtesy demanded that the visitor should not venture. While critically examining

THE COSTLY PAINTINGS AND ENGRAVINGS

that fringed the walls, and the exquisite statuary of the parlor, that certainly is creditable to the taste of the distinguished possessor, the guest was startled from his reverie by the exclamation,

"Ah!"

Looking up he espied advancing rapidly towards him an old gentleman, apparently about fifty years of age, with gray whiskers and hair, and enscONced in dressing gown and slippers.

RISING TO MEET THE APPARITION

that had so suddenly entered the deserted parlor, he was greeted with the exclamation,

"And so you are one of those newspaper vultures who hound men to their death?"

The fleshy ghost looked angry, but beneath the scowling brow was detected the semblance of a sly humor trying to hide itself behind the austere exterior. The reporter addressed the apparition:—

"I beg pardon, sir. I may be a vulture who desires men to explain serious charges; but I have no desire

TO HOUND YOU TO YOUR DEATH.

I am sorry to hear, Mr. Keyser, that you are indisposed."

"Well, what do you want?"

"I have been sent to see you—to learn what you have to say regarding the charges openly made against you."

Mr. Keyser, who had seated himself in the meantime, threw up his index finger and remarked slowly:—

"Not—one—word! Not a word, sir."

"That is strange, in view of recent action by you."

"Well, I will answer at the proper time. I may say, however, that I will prepare an answer."

"You have turned over your property in trust for the city?"

"Yes."

"May I ask if the Strangers' Hospital, founded by you, is in that assignment?"

"Yes" (hesitating), "or rather I suppose it is." (A pause.)

"The truth, sir, is that the city now

OWES ME THREE HUNDRED THOUSAND DOLLARS!"

"Whew! how's that?" asked the reporter, who now saw that Mr. Keyser was disposed to be communicative.

"That is true."

Mr. Keyser here took a long pause; eyed the reporter critically, and, satisfied that he was in converse with one who weighed well his every utterance, he continued:—

"Yes, the city owes me three hundred thousand dollars; but I will put my explanations in writing."

"Mr. Keyser," said the reporter, "I do not wish to indulge in any sensational speculations, but I would like to get some facts."

Mr. Keyser was at once at his ease, and replied:—"The HERALD is the only paper that in treating of me

HAS SHOWN ANY DECENCY.

I will send you to-night, in writing, my explanation of the matter in time for Sunday's paper."

"How much will it make, Mr. Keyser? A column, eh?"

"About half a column. You shall have it tonight."

Mr. Keyser and his visitor were on the eve of separating when the former suddenly said:—

"Wait, I will tell you more;

EIGHT HUNDRED THOUSAND DOLLARS OF FORGERIES

in my name have been perpetrated."

"Forgeries, you say!"

"Yes, sir; forgeries. Last Tuesday night I went with members of the Committee of Seventy to the Comptroller's office, where we remained until about eleven o'clock, examining my warrants. We found that $800,000 of them were forgeries."

"That is certainly news, Mr. Keyser."

"But that is not all;

FOUR HUNDRED THOUSAND DOLLARS

of this was secured by forging our firm name, not only to the warrants, but

FORGING OUR BILLS

as well, and I will show that

THE CITY OWES ME THREE HUNDRED THOUSAND DOLLARS.

These forged bills were burned at the Comptroller's office, with the vouchers."

"Then you have only turned over your property to Mr. Schultz, of the Committee of Seventy, to protect the city, subject to a settlement of your account with the city?"

"That is it exactly. I may state, further, that this $300,000 includes work done and in progress now. One sewer job at Forty-sixth street and East River I have been at work on for four weeks, and have during all this excitement kept my men at work constantly on Croton and sewer work."

Here Mr. Keyser requested the reporter to excuse him, as he wished to prepare his answer to the charges, and the interview ended—Mr. Keyser neglecting to intimate who committed the forgeries.

MR. KEYSER'S LETTER.

His Extensive Business Transactions with the City—His Integrity in the Past—His Frugality and Charities—He Has Nothing to Confess.

TO THE EDITOR OF THE HERALD:—

The press have misapprehended the nature of my assignments to Jackson S. Schultz, and have misconstrued his statements to the Committee of Seventy. The error does me great injustice, and I desire promptly to correct and explain. During a period of nearly three months the press and the public have alleged that I have defrauded the city out of large sums of money, it being variously estimated at from one to two millions of dollars. I have been threatened with civil suits and criminal prosecutions. It has been charged that I have burned my books and have been making preparations to abscond. I have remained silent under these accusations, hoping the time would soon arrive when they might be judged dispassionately by the public,

MY TRANSACTIONS

with the city government investigated by competent authority and their character and my character vindicated before the world. The grievous injustice done me by some of the daily journals compels me to speak out now. I have not burned my books. I have not intended and do not intend to abscond. I have even refused to take the recreation which my physician advised me, and which I felt was necessary to my health, and which is usual at this season of the year, lest it might be interpreted into flight. I have been at all times ready and willing to explain to the Committee of Seventy, and have explained to them whenever they desired it, the nature of my business with the city, and offered my books in vindication of my assertions in that respect. I have sometimes been compelled to sell my claims against the city in order to raise the sums necessary to carry on my extensive mechanical operations; but such sales have never been made with any intention on my part to defraud the city, or to enable others to do so.

For every dollar which I have received from the city I have given full value in labor and materials, and the city is now indebted to me in about $300,000, which

I HAVE HONESTLY EARNED,

and it can be traced and identified. I have done work for the city and county since 1864, and the bills paid in 1869 and 1870 are for work covering the entire period since then. This work has been done upon all the city and county buildings, and it embraces plumbing, gas work, all the stove and heating work, nearly all the roofing and repairs to the roofs, mason work, chimney work, iron railing and repairs to the various city parks, all kinds of castings for the Croton Water and Sewer Departments and Bureau of Lamps and Gas. Added to this, I have had the exclusive work during the past two years of the repairs on the streets connected with the sewers and culverts, and with new sewers and alterations. I am now completing sewer repairs and alterations at Forty-sixth street and East River, and other work of the Sewer and Croton Boards, to suspend which would entail great damage to the healthand comfort of the public.

To enable me to do all this work properly, and so that it should be of permanent utility, I have been at great expense in erecting foundries, constructing moulds and patterns and in making necessary experiments. For this vast total of labor and material I have received no more than a just and fair compensation. The published accounts charge that I have received upwards of

TWO MILLIONS OF DOLLARS

from the treasury. Among the warrants which purport to have been paid to me for county work alone there are upwards of eight hundred thousand dollars which I never received nor saw, and the endorsements on which in my name are clear and unmistakable forgeries. It was, nevertheless, urged by many who have long been my personal friends that I may have been in some matters negligent, and that I might be held to a responsibility to the city on that account; and to meet the charges that I intend to abscond and defraud the city out of any claims which might in any event be found against me I assigned property sufficient to cover any such claim, in trust, to discharge it when properly established. I did so, however, claiming—and I still claim—that the result of an accounting will show that the city is indebted to me and not I to the city.

While I am answering publicly some of the questions which have been put to me, I should like to answer the query which has been so often made: "Who is the 'Co.' of Keyser & Co.?" It has been said that

WM. M. TWEED IS MY PARTNER.

He is not now and never has been my partner or interested with me in any way in any business operation. The only "Co." which I have had for years have been my employés and clerks, who have received a percentage upon the amount of business done in lieu of salary, and last year I divided among them about thirty-five thousand dollars, according to their positions and ability.

The name "John H. Keyser & Co." was established many years ago, when I had a business partner, and was afterwards continued because of its value as a designation well known to my customers and the trade generally.

It has been also publicly stated that I have repeatedly

FAILED IN BUSINESS,

and have never paid my debts. This is untrue. At my first failure I paid every dollar of indebtedness in full. At my second, when I had two partners, I paid in full my own share and the whole of the confidentials to the last penny, and received an honorable release from my creditors. My business transactions will compare favorably, I am confident, with those of any merchant in this city.

As to the amount of my property, I do not own a dollar's worth which I have not fairly earned. I occupy a plain house in the city, which I bought for $12,000 in 1861.

MY "ISLAND,"

about which so much has been said, I purchased in 1857 for $1,600. The house upon it, alleged to have cost half a million, I erected under contract for $4,600, and have since expended $7,000 upon it in extensions and improvements. The salt meadows adjoining I have purchased at various times since for about fourteen hundred dollars. The other expenses about the place have consisted of moderate repairs and trifling improvements from year to year. My "costly statuary" was bought of Mr. Youngs, corner of Third street and the Bowery, for $300, and the principal value of the place arises from its location and the rise of suburban property at Norwalk. The rest of my earnings, beyond the capital necessarily employed in my business, I have devoted to the founding and maintaining of the hospital corner of avenue D and Tenth street, and other charities which approved my judgment.

I have never before alluded to these enterprises in public, nor should I now do so except to

REPEL THE CHARGE

that I have amassed a large fortune and devoted my money to luxurious and ostentatious living.

In conclusion, I can only say that during all my residence in this city I have striven to deserve, acquire and retain a good character among my fellow men, and I believe that in the end I shall not be found to have forfeited the esteem of those whose good opinion I have so long respected and enjoyed.

Let me add also that I have made no confession, for I know nothing to confess. JOHN H. KEYSER.

NEW YORK, Oct. 7, 1871.

THE TAMMANY FRAUDS.

The Case of James H. Ingersoll in the Superior Court.

The Defendant Appears in Person—Adjournment of His Examination to Monday—Expected Developments.

Yesterday, in the Supreme Court Chambers, before Judge Ingraham, the examination of James H. Ingersoll, in the suit brought against him by ex-Mayor Havemeyer, before trial, was to have been commenced at ten o'clock. The order under which the examination was to proceed has already been given, and the following is the *subpœna duces tecum:*—

The People of the State of New York to James H. Ingersoll—Greeting:—We command you that all business and excuses being laid aside, you appear and attend before the Justice of the Superior Court, holding Chambers at the Chambers of said Court, in the new County Court House, in the city of New York, on the 7th day of October, at ten o'clock in the forenoon, to testify and give evidence in a certain action now pending undetermined in the said Court between William F. Havemeyer, a resident, and James H. Ingersoll impleaded with others, defendant on the part of the plaintiff, and that you bring with you and produce, at the time and place aforesaid a certain and all books and vouchers relating to your business and accounts with the city or the county of New York in 1869 and 1870 now in your custody, and all other deeds, evidences and writings which you have in your custody or power concerning the premises. And for a failure to attend you will be deemed guilty of a contempt of Court, and liable to pay all loss and damages sustained thereby to the party aggrieved, and forfeit fifty dollars in addition thereto.

Witness, Hon. D. P. INGRAHAM, Justice. CHARLES E. LOEW, Clerk.

Miller, Stoutenburgh & Peckham, Attorneys for Plaintiff.

The endorsement is as follows:—

Supreme Court—Wm. F. Havemeyer, a resident, &c., vs. James H. Ingersoll, impleaded with others. *Sup. duces tecum.*

Miller, Stoutenburgh & Peckham, Plaintiff's Attorneys, 18 Wall street.

A mistake was made in the service of the original subpœna, which was returnable on Friday, Mr. Ingersoll's father being served by mistake. The new subpœna, properly served, was returnable yesterday morning.

The hour of ten found neither Judge nor counsel, but in a minute or two Mr. Fullerton, who appears for Mr. Ingersoll, and almost immediately after General Barlow, Mr. Peckham and Judge Barrett, in the order named, came in, and the three entered into an animated discussion. At twenty minutes past ten Justice Ingraham appeared and took his seat on the bench, but the usual mass of Saturday business had to be disposed of before the event of the day, which was expected to be, after all, but an adjournment.

Mr. PECKHAM rose at twenty-five minutes of eleven and stated that he had a summons returnable at ten o'clock.

Justice INGRAHAM—Returnable before Justice Barnard?

Mr. PECKHAM—Made by Judge Barnard, but returnable before the Judge at Chambers.

Mr. FULLERTON asked, before anything further was done, that a delay should be had till his associate, Mr. Stoughton, should come in. He had been called to Brooklyn, but would return at the earliest possible moment. He did not mean to say they would then move to vacate this order, on papers now being prepared, on the ground that it was improvidently granted.

General BARLOW asked what was meant by a few moments—it was now half-past ten, and the Court adjourned at twelve M.

Justice INGRAHAM asked how it was set down before him for to-day. He had not so directed.

General BARLOW—Justice Barnard made the order in this form.

Justice INGRAHAM—We will wait a few moments.

At eleven o'clock Judge INGRAHAM said that he had waited an hour, and he thought that reasonable time had passed.

Mr. FULLERTON said that then he should ask that the proceeding be laid over to Monday, to enable them to make a motion to vacate this order and prepare papers and affidavits. Mr. Havemeyer sued as a citizen and taxpayer, and they respectfully suggested that he had no standing in this Court.

Justice INGRAHAM said there was no need of such a motion, the objection could be taken on the examination.

Mr. PECKHAM said that before any further step could be taken Mr. Ingersoll must appear.

Mr. FULLERTON appeared here for him.

Mr. PECKHAM submitted that the appearance must be personal. He was to be here as a witness, not as a party.

Mr. PECKHAM then directed him to be called, and Mr. Fullerton answered for him here.

Mr. PECKHAM objected to this appearance, and the Court sustained him.

Mr. PECKHAM thereupon moved for an attachment.

Mr. FULLERTON would advise them not to complicate their case, which would at any rate complicate the litigation.

Mr. PECKHAM said their only course was to attach Mr. Ingersoll, otherwise the proceeding fail; he therefore pressed his motion.

Mr. FULLERTON again advised them not to pursue this course, but Judge Ingraham held that unless Mr. Ingersoll appeared, he must issue the attachment.

Mr. FULLERTON said that all they desired was that he should have two hours to prepare their papers. Mr. Ingersoll was at present engaged in another part of the building. He would be here before the Court adjourned.

Judge INGRAHAM—Then the proceeding will fail.

Judge INGRAHAM suggested that the attachment be considered as granted, but the order not entered, if Mr. Ingersoll came in on Monday.

During this discussion Judge Barnard had entered and taken a seat by Justice Ingraham, and Mr. Stoughton now also entered.

Mr. PECKHAM said they were willing to accept Judge Ingraham's suggestion.

Mr. FULLERTON—Mr. Ingersoll is now in the room.

Judge BARRETT—I move that he be sworn.

Judge FULLERTON—Not too fast, my dear sir. "*Festina lente*" would be a better motto just now.

Justice INGRAHAM—Are you prepared to argue your objections now, Mr. Fullerton?

Judge FULLERTON—We are not, for the reason that our affidavits are not prepared; there are several grave questions of law which must be discussed in this case some time or other, and we propose to discuss them now.

Judge BARRETT—We don't understand that the witness can raise these questions.

Justice INGRAHAM—As Mr. Ingersoll has come in this proceeding may be adjourned to Monday at eleven o'clock.

Judge BARRETT—I doubt that your Honor has jurisdiction over Mr. Ingersoll until he is sworn.

Justice INGRAHAM—Is he in court?

Mr. FULLERTON—Yes, sir.

Justice INGRAHAM—Then I think I have jurisdiction.

Mr. PECKHAM—We should have copies of these affidavits served on us.

Mr. STOUGHTON—We cannot; they are not prepared.

Justice INGRAHAM—If there is any need of it you can have time to answer the affidavits.

The proceeding was then adjourned to to-morrow at eleven o'clock, and the room was rapidly emptied.

OBITUARY.

Michael Phelan.

Michael Phelan, the billiardist, died yesterday. He was one of the most zealo s friends of that amusement, and one whose example performed prodigies in the way of popularizing the game in the dark days when it was struggling to obtain a foothold in respectable circles. Mr. Phelan was born in Ireland. He was an ardent advocate of the freedom of that island from English rule. It was in behalf of that country's liberation that twenty years ago he went to England ostensibly as a billiard player. From England he went to Ireland, and was there betrayed to the law. He escaped to America penniless, and finally landed in San Francisco with $2 50 in his pocket. There he opened a billiard room. He was successful, invested his savings in the hotel business, and was a second time ruined. The next time he had money to spare he invested it in a billiard manufactury, and from this investment sprang the firm of Phelan & Collender. He became a manufacturer from necessity. Mr. Phelan purchased an interest in the manufactory owned by the father of Chris. O'Connor. The latter succeeding to his father's interest, Mr. Phelan placed in the business his son-in-law, Mr. Hugh W. Collender, a practical mechanic and of rare inventive capacity, and the firm became O'Connor & Collender. Upon the retirement of Mr. O'Connor Mr. Phelan took his place. Meanwhile he had opened a spacious billiard room at the corner of Tenth street and Broadway, which establishment, being frequented by the *élite* of metropolitan society, was the means of bringing billiards into the home circle. There was no money in such an establishment in those days, but, being visited by ladies and children, by fathers with their sons and sisters with their brothers, it accomplished the object of its projector, which was to exalt billiards from out of basements and alleyways and popularize it with the better classes. He figured in many a billiard contest, and never met defeat when either himself or the public was pecuniarly interested in his success. The faith which was reposed in Michael Phelan by the public was never better exemplified than in his last great contest, when men from Maine to Georgia supported their opinions to the extent of upwards of half a million of dollars. Though he had been in poor health for many months, the result of an accident at sea, his death was not looked for so soon by his family, being hastened by over exertion in his weakened state.

THE COMING SENSATION.

Further Disclosures of Remarkable and Gigantic Frauds—Another Unrevealed Chapter in the Dark History of James Fisk, Jr., the Erie Railroad and Tammany.

It was rumored in legal circles yesterday that tomorrow a civil suit will be heard in the Supreme Court that for the fruitfulness of its material of a sensational character and as affording a topic for absorbing talk throughout the country will far surpass the remarkable daily developments of the city frauds.

The plaintiff is a lady whose name has long been familiar to a New York public, and is intimately associated with that of the defendant—Mr. James Fisk, Jr. The summonses in the proceedings have been served on both parties, and to-morrow (Monday) has been set down for the hearing. The affidavits which have been sworn to expose very much of the secret history of the Erie magnate, and the letters he has addressed to the fair plaintiff will be read, and will disclose a series of gigantic frauds. This correspondence will also compromise several prominent members of the democratic party, and will show with what success the Tammany Ring and the Erie Ring have united for plunder.

Both plaintiff and defendant will be examined, and the former, it is said, will not scruple to disclose all that she knows of the secret operations of the Erie and Tammany magnates. It is known that the knowledge of the plaintiff in this regard is very extensive, and that she is familiar with all the details of the secret management of the Erie road.

There is no reason to believe that the law's delay will prevail in this case, or that there is any influence likely to be exercised that will so prevail as to prevent the fullest and clearest exposure of these startling revelations.

THE COURTS.

The Viele Divorce Suit—Arrest and Alleged Defalcation of a Government Pension Agent—The Evans Embezzlement Case.

UNITED STATES COMMISSIONERS' COURT.

The Alleged Frauds of Ex-Collector Bailey. Before Commissioner Shields.

George B. Davis, who had been indicted in the United States Circuit Court, for perjury in connection with some affair during the well-known administration of ex-Collector Bailey, appeared yesterday in the office of the United States District Attorney, and made a complaint to one of the officials there, demanding that a warrant be issued for the arrest of Thomas J. Conaity and William Wheaton, on the ground that they had conspired together in having falsely sworn against him and caused his arrest and imprisonment on a charge of perjury. As Davis had no regular papers drawn up, setting forth the accusation he desired to make, the Assistant District Attorney said he could not act in the matter. Thereupon Davis became very much excited, declaring that he had been grossly wronged and that he found it difficult to obtain justice.

Another Alleged Defalcation by a Government Officer—Arrest of G. M. Van Buren, Pension Agent for New York.

G. M. Van Buren, the Pension Agent for the city of New York, was arrested yesterday on the complaint of James H. Baker, Commissioner of Pensions, whose affidavit is to the following effect:—Mr. Baker, after stating his official position, says that in the years 1869, 1870 and 1871, G. M. Van Buren, Pension Agent in the city of New York for the pay of invalid pensioners, and being a disbursing officer of the United States, did fraudulently withdraw from the Assistant Treasurer of this city certain sums of money amounting to about eleven thousand dollars, and converted the same to his own use, said money having been entrusted to him for the payment of pensioners. Immediately after the arrest of the accused he was taken to the office of Commissioner Shields to answer the charge. Mr. Van Buren gave bail in the sum of $15,000 to appear for trial.

The Viele Divorce Cases

have finally been adjusted—by mutual consent—withdrawing all charges, and dividing the children. This compromise was effected by ex-Judge William Fullerton and General M. T. McMahon, for Mrs. Viele, and Ira Shaffer and Burton Harrison, Esqs., on the part of General Viele—who regards the cases as the result of personal disagreement, unfounded on any criminality of either party.

SUPERIOR COURT—SPECIAL TERM.

Alleged Embezzlement—The Evans Case. Before Judge McCunn.

Yesterday the case of George O. Evans came up. It will be remembered Mr. Evans was appointed claim agent for the State of Pennsylvania, and as such collected over $2,000,000 from the United States. Of this he paid over all but about $291,000. For not paying this he was charged with embezzlement of public funds, and he having become a resident of a year's standing of the State of New York a requisition was issued by the Governor of Pennsylvania for his return to that State, and on its presentation to Governor Hoffman, with affidavits setting out the above facts, Governor Hoffman issued his warrant for his surrender.

Meanwhile a writ of habeas corpus was got out on a petition setting out that he was appointed such agent under a contract authorized by the Legislature, by which he was to receive out of the collections ten per cent; that this ten per cent was the $291,000 which he is charged with embezzling; that all other moneys were paid over by him, and to charge him with embezzling this sum is to charge him with embezzling his own property.

On this petition Mr. Evans was brought before Justice McCunn, and the question of whether the papers submitted showed any crime of embezzlement was argued at some length, as has been already reported.

Subsequently Mr. Courtney, on behalf of the Attorney General of Pennsylvania, moved for a reargument, and the opportunity was given yesterday.

Judge Pierrepont argued, at considerable length, that though the Court might look into the papers presented to the Governor to ascertain whether they made out a case of crime, it could not look behind those papers to hear explanations or new facts. That would be to try the case, and not to send the accused to the proper place for trial.

Mr. Courtney presented proof of what was submitted to the Governor.

Mr. Strahan, of counsel for Mr. Evans, while claiming that this was a mere effort for political purposes, and that the papers presented to the Governor necessarily included the act appointing Evans agent, and therefore his complete justification, declined to rearrue the case.

The Court reserved its decision till Tuesday, though the officers requested that Mr. Evans be kept in custody till the next day, to enable them to attend the Pennsylvania election.

THE GRAND MILITARY FESTIVAL AND FETE CHAMPETRE.

During the past week a grand military festival and *fete champetre* has been in progress at Fashion Course, West Flushing, in aid of the Union Home and School for Soldiers and Sailors' Orphans, an institution worthy of all support a benevolent community can bestow. The bad state of weather prevailing, for three days at least, has retarded the entertainment, but it is hoped that sunshine will prevail for the coming six days and the festival will yet net a handsome amount towards the charitable enterprise in view. The programme of amusements laid down for every day is well selected and exciting, consisting of horse racing, tight rope performances, grocers', bakers' and butchers' wagon trots, clog and jig dances, donkey races, skittle match, base ball matches, rifle, pistol and air gun practice; hopping and drumming matches, concerts by the Seventy-first regiment band and other sports too numerous to mention. Access to the Fashion Course is very easy, as excursion trains run every few minutes from Hunter's Point. The entertainment is under the patronage of our most eminent citizens and their ladies, comprising such well known names as Hon. George Opdyke, Henry Clews, Major General Alex. Shaler and others, also Mrs. Judge Daly, Mrs. Admiral Farragut, Mrs. General Shaler and the lady managers of the Orphans' Home, who are doing their utmost to make the affair a grand success. It is hoped that our citizens will contribute liberally towards this the greatest charity of the day, and make glad the hearts of the poor little ones, whose fathers sacrificed their lives for the maintenance of the Union.

DISASTERS ON LAKE ONTARIO.

ROCHESTER, N. Y., Oct. 7, 1871.

The schooner Atlantic, from Port Hope, with lumber, went ashore at one o'clock this morning, seven miles above this port (Genesee), and sunk in nine feet of water. She is supposed to be badly damaged.

The schooner Defiance, from Oswego, with a cargo of coal for Rogers & Co., at St. Catherine's, Ont., also went ashore at the same place about midnight and was scuttled by the crew. Both crews are ashore, and all safe. Lights on shore were mistaken for Genesee harbor lights; hence the disasters.

YACHTING NOTES.

The following yachts passed Whitestone yesterday:—

Yacht Madeleine, A.Y.C., Commodore Voorhis, from Greenwich for New York.

Yacht Eva, N.Y.Y.C., Mr. Macy, from City Island for New York.

MURPHY'S MEDITATIONS.

An Honest Official, Who Knows How It is Himself.

A Quiet Chat with the Collector of the Port on Matters and Things—He Won't Give Up the Ship and Refuses To Be a Radical Martyr.

Next to the City Hall and the new Court House no public building in the metropolis is so important to the ordinary political hanger-on as the Custom House, and, of course, what interests the great minds of bumming politicians have special charms and attraction for observing writers for the press. There is little choice to be made at any time between the federal, state or local politician in his manner and deportment; but the federal official is infinitely more amusing in his antics than his confreres in the business of public robbery.

The entrance to the Custom House is probably the