THE COURTS.

TENTH DAY OF THE STOKES TRIAL.

The Accused on the Witness Stand the Greater Part of the Day—He Sticks to His Story.

WERE THERE TWO PISTOLS?

A Former Witness for the Prosecution Testifies for the Defence—The Theory of Two Pistols Advanced and Depended Upon by Stokes' Counsel.

The Case To Be Resumed To-Morrow.

BUSINESS IN THE OTHER COURTS.

Another protracted day's session in the Stokes-Fisk trial has brought the case well into the defence. The line upon which the prisoner's counsel are now prepared to fight it out to the last on the new departure is developed. There was on the first trial a discrepancy in the description given by witnesses, especially that of Miss Hall, of the style of pistol first discovered behind the sofa in the parlor and the pistol which was put in evidence as the pistol fatally fired by Stokes. Miss Hall did not positively recognize the prosecution pistol as the one she found behind the sofa, and hence the theory of two pistols to carry out Stokes' defence that Fisk had first drawn upon him. The question may arise in the minds of the jury—Were there two pistols drawn, one by Fisk and one by Stokes? but on this point the medical evidence given on the former trial subverted the idea that Fisk could have been in a position to hold a pistol in his hand to fire at Stokes above him from the direction of Stokes' bullet which put an end to his victim. Besides, the evidence of actual witnesses who were in a position to see Fisk draw a pistol, had he done so on the occasion, has been uncontroverted. This part of the defence—the question of two pistols—and the alleged drawing of a pistol by Fisk upon Stokes, to make the fatal act of the latter a necessity in self-defence, was only so much a part of the evidence as depended upon what amount of credence the jury might have thought proper to have attached to it as coming from Stokes' own lips. This point somewhat turns, with what weight remains to be seen, upon the evidence of

HENRY DE CORLEY,

who on the previous trial was a witness for the prosecution, not called on that side this time, and now taken up and produced on behalf of the prisoner. His testimony was somewhat important to the defence, as will be seen by a reference to it, as he distinctly and positively asserted that he had a pistol given him by one of the witnesses, a Miss Hall, which was not the one exhibited as that with which Stokes did the shooting. His presence and evidence caused somewhat of a sensation in Court, and after he had been sworn the spectators sent eagerly forward to catch every word that he might utter.

The Proceedings Yesterday.

CROSS EXAMINATION OF THE PRISONER.

The proceedings in the Stokes murder trial were resumed at the usual hour, before Judge Boardman, in the Oyer and Terminer. There was a large crowd of people in attendance.

The prisoner, Stokes, went again on the witness stand, Mr. Beach, for the prosecution, not having finished cross-examining him at the time of adjournment yesterday.

By Mr. Beech—I understand you to say that Fisk had his pistol in both hands, near his abdomen, at the time you saw him at the foot of the stairs? A. He had the pistol in both hands, in about that position (witness standing up and showing the jury the position of Fisk at the time); I cannot exactly say whether the hands were raised above the height I have shown or not.

Q. Was he engaged in cocking the pistol with both hands when you fired? A. I cannot say where they were at the second shot.

Q. Did you so swear on your former examination? A. I can't say.

Q. Have you now any recollection of having seen either of his hands in any other position at the time of the shooting? A. I have no recollection only what I state.

Q. Having both hands holding the pistol, do you swear that he was cocking it? A. Yes, sir.

FISK'S PISTOL.

Q. Did you see his pistol while he was raising it from his side—did you see it distinctly? A. I saw it quite distinctly; he held it by the stock; it was a silver plated pistol.

Q. When you fired the first shot you said Fisk cried "Oh!" and bent over? A. Yes, sir; that's my remembrance of it; that is, he said "Ugh!" or some exclamation very similar.

Q. Did you think then that he was hurt? A. I didn't think anything about it.

Q. Were his hands still in the same position, holding the pistol? A. They were.

Q. When you fired the second shot what were Fisk's movements? A. He turned round, cried out "Stop, I'm shot," and I think he sat down, but I didn't wait to see; I went up the stairs immediately after firing the shot.

Q. You say you made a motion with your hand at the time you met Mr. Hill near room 219? A. Yes, sir.

Q. Can you give me any reason for making that motion? A. I cannot give you any reason for it; I have no recollection of it beyond the fact of having done it; I am quite confident it was when I dropped my pistol.

Q. You then started for the main office stairs? A. Yes, sir.

THE SEARCHING OF STOKES.

Q. Who searched you down stairs? A. There were several persons there, and they all took a hand in, I think.

Q. Was anything taken from your pockets at that time? A. No, sir; nothing until I went to the station house.

Q. Where did you meet Mr. Bailey that day? A. Right on the corner of Broadway and Amity street; he crossed over the street to me, and he and I started down to the Metropolitan to get tickets for the "Black Crook."

Q. Where was he going? A. I think he said he was going up town, and I said if he came down with me to the Metropolitan that I would walk back with him.

Q. Why did you turn back from Bond street when you set out to go to the Metropolitan? A. Because I wanted him to go with me to the Grand Central Hotel, to see a lady.

THE STRANGE LADY AT THE GRAND CENTRAL.

Q. Why did you not go and see that lady when you first bowed to her as you passed the hotel? A. Well, I don't know that I had at that time made up my mind to visit her at all.

Q. Mr. Stokes, when you were at Dodge & Chamberlain's did you show those papers concerning the horse race to any one you met there? A. I did not.

Q. Were those papers in your pocket at the time you were searched in the station house? A. They were; I gave them to Mr. McKeon.

Q. I did not ask who you gave them to. Who searched you there? A. I don't know; one of the officers—the man at the desk, I think.

Q. How long were you there before McKeon came? A. I don't know—not long.

Q. How long had you carried a pistol before this time? A. I always carried a pistol, but not regularly until about six months before this time.

Q. Did you converse with Mr. Bixby in the presence of others concerning the Grand Jury having voted an indictment against you and Mansfield? A. I did have some conversation about the Grand Jury and an indictment.

Q. You say that after the shooting, when Mr. Powers said something to you about coming there to disturb his house, you said you came there for quite a different purpose; was that what you said? A. In substance it is.

Q. When you were brought into the room where Fisk was, what was the first inquiry the officer made? A. I don't recollect; I believe the officer asked him who I was, and he said, "That is Mr. Stokes."

IMPERTINENT INQUIRIES.

Q. Did not the officer, holding you by the arm, say, "Is this the man who shot you?" and didn't he reply "Yes?" A. I don't recollect.

Q. When did Mansfield and Williams tell you of Fisk's threats against you? A. I think it is a year or a year and a half ago.

Q. Where? A. At their house in Twenty-third street.

Q. Did any other person tell you that Fisk had made threats against you? A. Yes, sir; Phil Brady told me the same thing.

Q. Are you a married man? A. I am.

Q. Is your wife alive? A. She is.

Q. Is she in this city? A. No.

Q. Abroad? A. Yes, sir.

Q. How long?

Mr. Tremain—Is this material or necessary, Your Honor?

The Court—I don't see that it is.

Mr. Tremain—Well, let him go on. I'll withdraw the objection. Go ahead.

Mr. Beach—If the Court says it is not material I will not go on under any permission of counsel.

OF COURSE HE DID.

Q. Did you know your pistol was loaded at the time you fired it? A. I presume I did.

Q. Don't you know you did? A. I guess so—yes, sir.

Q. Did you have an interview at the prison with a Mrs. Beaton; did you send for her? A. No, sir; I did not send for her—she came of her own accord.

Q. Did you say in substance to her that it would be worth a thousand dollars to her if she would swear that a second pistol had been found? A. I never had any such conversation with her.

Colonel Fellows—Your Honor, it is but proper for me to inform the jury that they are privileged to ask any question on any point of the witness that they may see fit to ask.

FORENSIC SPARRING.

This brought Mr. Tremain to his feet, who said that the instructions of the gentlemen were totally uncalled for. He thought the jury knew their rights.

The Court—What is the objection, sir?

Mr. Tremain—The objection is that it only shows that the prosecution assume that something unusual and extraordinary must be done on this trial, and because the prisoner is on the stand. The examination of the witness has been carried on in a most extraordinary manner.

Colonel Fellows—If the gentleman will permit me. It is not for Mr. Tremain to assume authority. It is for myself to judge of the propriety of the matter, and for Your Honor to decide as to the legality. The reason why I mentioned the subject at all was that the foreman of the jury stooped over and asked me to put a question to the witness. I think it improper for jurymen to put their questions through counsel, and that is the reason I spoke.

Mr. Tremain—The answer of the gentleman is entirely satisfactory.

Mr. Beach—I have no such scruples as my associate. I will put any question suggested to me by a juror.

QUESTION BY A JUROR.

The Foreman—One or two of us would like to know if, when Stokes went to the Hoffman House to get those papers, he put the pistol in his pocket at that time.

Mr. Beach—Will you answer that question, sir?

The Prisoner—With pleasure; I carried the pistol with me all day; did not put it in my pocket when I went to the Hoffman House.

Mr. Beach—That's all, sir.

This ended the cross-examination, which was one of the most rigid and thorough that any witness had ever been subjected to. It must be said that Stokes stood the ordeal with Spartan courage, and was not once tripped up by counsel, nor did he once lose his temper.

Mr. Tremain next commenced to examine the witness on the re-direct.

Q. Was this King, the colored boy, a servant of Mr. Fisk? A. He was, sir.

Q. And the proceedings against Fisk for subornation of perjury were based upon this affidavit? A. Yes, sir; against King for making the affidavit, and against Fisk for making him do it.

Q. Had you made any complaint before the Grand Jury on this subject? A. No, sir, but I was contemplating it.

Q. Were you at all influenced by anything in connection with that proceeding in shooting Fisk? A. Not in the least.

DID NOT INTEND TO KILL FISK.

Q. Did you form any deliberate intention of killing him when you fired? A. No, sir; the whole thing occurred in a few seconds.

Q. Did you load it that morning to shoot Mr. Fisk? A. No, sir; it was loaded ever since I bought it—six months before; I never discharged it.

Q. Why did you carry the pistol with which you shot Fisk? A. To protect myself against Fisk.

Q. The counsel asked you if you had a wife; have you also a child? A. Yes, sir.

Q. Did your wife go to Europe before or after the shooting? A. Nearly a year before, sir.

Q. For what purpose? A. On account of ill health, by advice of a physician, and with my concurrence and approbation.

After a few more questions put to the witness by the prosecution his examination was concluded.

THE MINUTES OF THE GRAND JURY.

Mr. Beach read part of the minutes of the Grand Jury, after having offered it in evidence, which furnished the names of the witnesses who had appeared before that body to help Fisk in getting an indictment found against the prisoner. Among the names were those of William Fullerton and Nelly Brady.

Stokes was put again upon the stand by Mr. Tremain and asked who was the William Fullerton appearing on the minutes. A. That gentleman there (pointing to one of the counsel for the prosecution).

Mr. Fullerton—I protest. I want to be put right in this matter. If I was brought into that thing it was only by process of law, after three subpœnas had been served upon me. I persistently refused to answer any questions as to what took place between Mr. Stokes and myself while I was counsel for him.

MR. FULLERTON EXONERATED.

Mr. Tremain (with a bland smile)—We mean no reflection upon you, sir—why, certainly not. Pooh! Every one knows that the Fullerton mentioned is you.

The Court—I don't think that the matter requires any explanation from Mr. Fullerton.

Mr. Fullerton—Your Honor will see the use that will be made of this circumstance hereafter. If I am to be arraigned I want it to be understood that I was dragged before the Grand Jury, and did not go there voluntarily.

Mr. Tremain—We don't arraign you. We arraign nobody.

Mr. Beach—I move the last answer of the witness be stricken out.

It was stricken out by order of the Court.

Q. Who is the next witness, Alexander B. Sisson? A. The keeper of houses of ill fame at Boston, and who was indicted for—I think for perjury.

Mr. Beach—I ask that this answer also be ruled out, and that the witness be not allowed to vituperate and malign the character of these witnesses, who have no opportunity of defending themselves.

The answer was stricken out.

Mr. Tremain—I propose to show, Your Honor, that also the witness named Nelly Brady is and was a notorious prostitute.

The Court—I do not think it is proper to prove it by the prisoner.

Mr. Tremain—That, furthermore, she was the mistress of Fisk.

The Court—I cannot admit it as proper testimony.

Here a recess was taken for half an hour.

AFTER RECESS.

Mr. Tremain arose and said that he had not the slightest intention of attacking Brother Fullerton—only the females whose names appear as the Grand Jury witnesses.

Mr. Fullerton said the explanation was satisfactory in so far as Mr. Tremain was concerned—that the remarks of the other counsel drew forth his explanation, and not what Mr. Tremain had said.

Mr. Townsend here got upon his feet, and said if the gentleman alluded to what he had said in his opening he (Mr. Townsend) had nothing to withdraw. He meant everything he had said—every word.

The Court—Gentlemen, I wish you would cease these personalities.

IT MAKES NO DIFFERENCE.

Mr. Fullerton—It makes no difference what the counsel states or does not state—what he asserts or withdraws.

Mr. Beach—I desire to ask the witness (Stokes) this one question—Did you, on or about the 1st of January, 1872, say to John R. Kimble that Fisk was a damned blackmailer and that you would shoot him? A. I might have said he was a blackmailer; I don't remember.

Q. Did you say in a pistol gallery near Twenty-second street in this city, while practising, and as you shot off a pistol, that that was the way you would serve Fisk? A. I never discharged a pistol in this city in my life, and never was in the gallery spoken of, nor in any other gallery whatever.

Q. Never? A. Never.

Q. Oh, excuse me; you did once or twice. A. Ah, yes; I wasn't thinking of that.

SENATOR RAMSAY'S TESTIMONY.

Joseph H. Ramsay, of New Jersey, sworn—He testified that Mr. Fisk used to be a director in his railway company; he had known Mr. Fisk since 1868; Fisk was present in the office of witness twice during August, 1869; a private interview took place between the deceased and the witness; in my opinion Fisk was a reckless, unscrupulous man, and willing to resort to any means to accomplish his purpose.

MR. BEACH TAKES HIM.

Cross-examined by Mr. Beach—I cannot call to mind who I have heard speak of Mr. Fisk's character and temperament or disposition; I don't know that I ever personally was aware of Mr. Fisk's being engaged himself in violent actions; Mr. Van Valkenburg said that he tried forcibly to enter and take possession of the offices of the Albany and Susquehanna Railroad; I cannot mention any other person who gave me the same information.

FRANCIS M. BIXBY.

This witness merely corroborated the testimony given by Stokes as to the latter's visit to his office and the few words of conversation that took place between them.

RUFUS F. ANDREWS.

Mr. Andrews testified substantially the same as Stokes as to the latter calling on him after leaving the office of Mr. Bixby, and repeated the conversation testified to by the prisoner.

GEORGE COTTRELL.

Mr. Cottrell testified as to the sending of the telegram by Stokes, in relation to the horse-racing case.

JOHN L. DOTY

corroborated Stokes as to the same matter.

GEORGE H. SMITH'S

deposition on the same subject was then read by Mr. Tremain.

CHARLES A. COLE

is bookkeeper in the office of the Western Union Telegraph Company; he had the original of the telegram sent by Stokes on the 6th of January; witness produced a number of telegrams, and read the one sent by Stokes to John L. Doty on the 6th of January; he also read a telegraphic notice sent to the office of the company for their guidance by the operator at Long Branch, which stated that Mr. Doty was not there.

Mr. Dos Passos here read the testimony of

AMASA SPRAGUE,

of Rhode Island, who was President of the National Trotting Association during January, 1872, also in 1871. The testimony corroborated that of Stokes, in which he stated that he made complaint against a decision rendered in the case of the trotting match in which he and Henry H. Smith were the interested parties. There was an arrangement made between Stokes and the testifier by which the prisoner was to appear in Rhode Island during January.

DANIEL P. INGRAHAM, JR.,

remembered seeing Stokes in Chamberlin & Dodge's on the day of the shooting, and his speaking to him about a man he had to go down town to see; and he also said something about a horse matter.

HENRY DE CORLEY'S TESTIMONY.

This witness was called for the prosecution on the former trial, but they refused to place him on the stand this time. He was called for the defence. I was porter man at the Grand Central Hotel; had been there two years and up to the 5th of August last; remember the circumstances of the shooting; I was standing between the parlors 206 and 207, on the second floor; my post was in front of No. 207, south of the elevator; just before the shooting I was standing near the elevator, talking to Jenny Turner, the girl.

The witness then proceeded to describe the report of the pistol shots; his meeting Stokes, who passed him near the head of the staircase, saying, "There's a man shot, get a doctor," and to assisting Mr. Fisk to parlor 217. He said that he did not see the boy Thomas Hart, who testified for the people, in the hall at all. When Stokes was brought into the room to be identified by Fisk the officer said, "Mr. Fisk, is this the man who shot you?" to which Fisk replied, "Yes, Stokes," and immediately hung his head; he said not another syllable.

ANOTHER PISTOL.

The witness then described the pistol that was given to him by Miss Hall, found in one of the parlors; it was a small weapon, fancy, with ivory handle, and a piece of very beautiful workmanship.

He was here shown the pistol taken from Stokes and asked if it was the same one. A. "Never, sir; I know it very well; it is nothing like the one given me; I am most positive on the subject."

There was slight commotion occasioned in Court by the latter portion of the testimony of this witness.

Witness—I had a conversation with the boy Hart, who said that he was making plenty of money; he said also that one of the bullets found would fit in one pistol and not in the other.

On cross-examination Mr. Beach took Stokes' pistol in his hand and approached the witness to within a foot, stood in front of him, and asked his questions in such a fierce, loud tone that the witness looked half frightened, and it was the impression in Court that he was about to assault him.

After having asked the witness a few questions the Court adjourned till Monday morning at the usual time.

BUSINESS IN THE OTHER COURTS.

WORK IN THE UNITED STATES COURTS FOR THE PAST YEAR.

District Attorney's Office.

Custom House bond suits instituted in 1872	160
Closed during the year	210
Pending	1,040

The Bankruptcy Office.

Number of voluntary petitions filed in 1871	79
Voluntary and involuntary petitions	5
Involuntary petitions	446
Total petitions filed	530
Number of adjudications in involuntary cases	268
Discharges	89

Business in Bankruptcy for the Past Fortnight.

Voluntary petition.—Martin Colman.

Adjudications in involuntary cases.—Charles H. Horton, Laurence Daly, James Daly, I. R. A. Power, Cosmore G. Bruce.

SUPREME COURT—CHAMBERS.

Decision.

By Judge Barrett.

Gray vs. Gray.—The former marriage is not proved, and no reason is given why the divorce was not valid.

Special Notice.

All rates of issue for the first Monday in January, motion calendar, 1873, must be filed on or before Tuesday, December 31, 1872, at two P. M. All notes of issue filed after Tuesday, December 31, will be placed at the foot of the general calendar in class 8.

SUPERIOR COURT—SPECIAL TERM.

Decision.

By Judge Curtis.

Fergus Cockran et al. vs. William H. Dominick.—Order settled.

By Judge Barbour.

Henry D. Stover vs. Daniel M. Porter.—See memorandum for counsel.

COMMON PLEAS—SPECIAL TERM.

Decisions.

By Judge Larremore.

Gunther vs. Bernhardt.—Receiver appointed.
Hall vs. Griffin.—Application granted.
Rain vs. Woods.—Order settled.
O'Donoghue vs. Congregation Adath Israel.—Application granted.
Ryan vs. Evans.—Reference ordered.
Ainsnich vs. Daly.—Motion for receiver granted.
Andrews vs. Page.—Motion granted.
In the Matter of Cornelia Fleming.—Application granted.
Gantin vs. Buddensich.—Report of referee confirmed.
Middleton vs. Hill.—Reference ordered.
Neopi vs. Keller.—Application granted.
Oesterreicher vs. Oesterreicher.—Reference ordered.
In the Matter of the Assignment of Aaron Guckermann.—Bond affirmed.

By Judge J. F. Daly.

Rockson vs. The Knickerbocker Life Insurance Company.—Judgment for defendants.

By Judge Robinson.

Quincy vs. Young.—Motion denied, with $10 costs.

MARINE COURT—SPECIAL TERM AND CHAMBERS.

Decisions.

By Judge Gross.

George A. Dockstader vs. Isaac N. Nicholson.—Motion denied.

Edward Delehant and Another vs. D. Mulhern.—Motion denied. The affidavit of defendant is too indefinite, while that of the plaintiff is positive.

W. J. Baker vs. W. H. Mapes.—Motion for judgment denied and the cause ordered for trial January 14, 1873.

George T. Broome vs. M. W. Ware.—Defendant must appear and testify as required.

Charles Mancel vs. Samuel G. Wheeler and Others.—Judgment on demurrer in favor of plaintiff, with costs.

Anna Maria Geiger vs. Andrew R. Roessler.—Order resettled.

JEFFERSON MARKET POLICE COURT.

Grand Larceny.

Edgar Lewis was arraigned at the Jefferson Market Police Court yesterday, charged with stealing an otter skin robe, valued at $50, from the New York Transfer Company. Mr. Thomas Curtiss, agent of the company, saw the theft, procured the arrest and made the complaint. Lewis was held to bail in the sum of $1,000 to answer.

Sneak Thief.

Sarah J. Lewis, a colored woman, was detected in the upper room of the residence 260 West Twelfth street, by Mrs. Adeline Oehlers, the lady of the house, with property which she had stolen to the value of $25 upon her person. Sarah pleaded in defence, with much earnestness, that she had mistaken the number and entered the wrong house, but was brought up at Jefferson market yesterday and committed in default of $300 bail to answer.

TYNDALL ON RADIATION.

Fifth Scientific Lecture of the Professor at Cooper Institute—Interesting Experiments With the Thermo-Electric Pipe.

The fifth of Professor Tyndall's lectures on scientific subjects was given last evening before a large and appreciative audience at Cooper Institute. The lecture in this, the last of a very instructive series, was devoted to the region of radiant action beyond the visible red of the spectrum, which was illustrated by numerous beautiful and interesting experiments. The position and the magnitude of this ultra-red radiation was pointed out. Experiments on the heating power of the total radiation from the electric lamp were described and executed, showing by the concentration of such rays that metals may be fused and burned and combustible bodies set ablaze. The particular constituent of the radiation which produces these effects was sought after and demonstrated to be the ultra-red undulations. A means, by the thermo-electric pipe, was described of filtering these invisible waves from the total radiation and operating upon them alone. They were proved competent, when concentrated, to produce combustion and explosion, and to heat metals to whiteness. Their action on nature was then illustrated, and the luminous rays of the sun were proved incompetent to heat water or to melt ice, and therefore they do not produce the vapor necessary for rain, nor do they melt snows, and the glaciers which give rise to the Rhine and Rhone and other rivers. The physical identity of light and heat was then illustrated, and these lightless waves were proved capable of reflection, refraction, polarization, depolarization, circular polarization and double refraction. The lecturer threw a great deal of interest into this subject which requires considerable study to understand, and by the lucid manner in which he treated it made his experiments comprehensible to the mediocre mind. Among the audience were a goodly sprinkling of our most celebrated scientific men, and frequent rounds of applause greeted the success of the most difficult experiments.

THE GREAT COCK FIGHT.

The Feathered Gladiators of Troy and New York in Battle Array.

HOW AND WHERE THE COMBAT TOOK PLACE

Thirteen Fights for $500 Each and $5,000 the Main.

Troy Victorious—The "White Tails" Clean Out Their Opponents—Immense Sums Change Hands.

WHAT WILL THE SARATOGIANS NOW SAY?

ALBANY, Dec. 28, 1872.

After all the anxiety among sporting men throughout the country; all the excitement of the authorities in the pretty village of Saratoga, and also in this city and in Troy; and after all the rumors of forfeits being paid and the whole matter having fallen through, the great cock fight between Troy and New York came off privately yesterday afternoon and last night, not far from this city, resulting in a grand victory for the Trojans. And now that the affair has been settled, and that, too, in the most agreeable and pleasant manner, the story of its conception, and also the result, may be told, with a few omissions of names and places that the HERALD reporter is bound by a pledge to suppress. Their publication would not be of any great interest, while it possibly might prove annoying to some of the guardians of the peace hereabouts, who for days have been laying the flattering unction to their souls that, indeed, the great main of cocks was "off" owing

TO THEIR INCREASED VIGILANCE.

Everybody, or rather almost everybody, with a taste for amusements of a sporting nature, is aware that the practice of fighting game cocks is greatly admired and widely patronized in this day and in this country, and, though the Southern States have a justly wide reputation for indulging liberally in the exciting pastime, New York stands prominent in this respect. In your city the sport flourishes, and it can never be suppressed, despite the interference of many meddlers. The same is the case in this section. Right under the shadow of the capital, and where the supposed wisdom of the State annually comes together, the grand old sport has a prosperous existence. When fully at its height lawmakers and lawbreakers talk freely upon the different combats. And men in business circles, holding high social positions, know a game bird from one of indifferent strain. They are as well posted on the rules governing the proper manner of conducting a main as they are on the price of stocks. For years the men who breed these game birds in this section, deeming them of "shuah blood," have looked out beyond their own district and challenged to combat the flower of the feathered tribes, or, rather, those who own them, in your city, and many have been the fights resulting therefrom, and thousands upon tens of thousands of dollars have changed hands. The contest which it is now proposed to describe was agreed upon

LAST SUMMER AT SARATOGA.

Noted gentlemen known well in sporting circles met there during the August racing meeting, and, after some little conference, agreed that they should come together in that village on the 27th of December. It was also agreed that each party should show twenty-one birds, weighing from 4 lbs. 4 oz. to 5 lbs. 10 oz., and they should fight all that "fell in" or matched in weight under the Albany rules, for the unprecedented sum of $500 each battle, and $5,000 the odd fight. From the moment the articles of agreement were signed this proposed combat became the theme of much conversation and speculation in the sporting circles of every city in the Union. From the old cocking element of New Orleans to that not so well acquainted, perhaps, with "feathers" and "hackles," in Portsmouth, Me., the result of the meeting has been canvassed, and within a month or so numerous letters have been received in this city, in Troy and in New York regarding it. The wide publicity given to the anticipated sport caused much trouble to the gentlemen who were instrumental in making the main, and necessitated a change of base; and, instead of having it take place in the most comfortable quarters imaginable, and those created expressly for the event, it was decided in the most cheerless place of the character in the country. How the many residents of Saratoga, chief among whom were the members of the

YOUNG MEN'S CHRISTIAN ASSOCIATION,

took the matter in hand and indignantly, in long resolutions, protested against the great cock fight from taking place there, and how they caused warrants to be issued by the score for the arrest of all concerned in the affair, is well known and need not be here repeated. Suffice it to say their determined front caused a conference among the principals, and a locality not far from here was selected for the settlement of the little difficulty. Again, not satisfied with their success in this particular, the zealous Christians of Saratoga transmitted long epistles to their brethren in this city and in Troy, requesting them to buckle on their religious armor and "go for" these "demoralized men" who would fight game chickens. Their brethren of the latter places did as required. Their armors were tightly buckled on, and the police forces asked to co-operate—which they did—to suppress any demonstration of the kind should it be attempted in their midst. This unexpected movement surprised the gentlemen who wished to have the fight take place, and once more they were required to confer together. They did so; and while they quietly settled the way to decide the main gave it to the world that "forfeit had been paid by the New York party," and "the whole affair fallen through." Meanwhile, as per agreement, twenty-five men were notified by the Troy side and twelve by the New Yorkers, leaving

"OUT IN THE COLD"

the hundreds in your city who would have given their checks for $1,000 could they have been present. Well, to see in battle array "dem Troy and New York chickens, I came here." Upon arriving among the Trojans on Thursday, in the late furious storm, I journeyed to the American House and there began skirmishing to ascertain the latest phase of the preliminaries leading to the successful issue of the fight. It was a difficult matter. But at last after hours of travelling about, and almost frozen stiff by the severity of the temperature, I struck the right trail, and yesterday morning at ten o'clock proceeded to the appointed place. "There will be many disappointments in this matter," said my friend, "but it can't be helped; the fight must go on, even if some of our friends do kick up about not being notified." The selected rendezvous for the dispute and where the New York birds had been kept after removal from Saratoga,

With eyes and feathers bright,
And with heels sharp and prime,
In condition for the fight,

is on one of the roads leading from this old Knickerbocker city. It is a sort of unostentatious rum mill, but its internal appearance suggests that good cheer may there be had. We entered from the rear. The front of the house was closed and every door securely fastened with locks and bolts. The barroom was neatly fitted and pleasant. The floor had been cleanly scrubbed, but the few present had brought in considerable snow on their feet, which materially changed its appearance. The walls were nicely papered, and large-sized prints of famous trotters hung upon every hand. Unlike many places of the nature, there were neither

COBWEBS IN THE CORNERS

nor cockroaches galloping across the ceiling. I was early, and found sitting around the stove but four or five individuals. These, in both dress and conversation, marked them as being much above the men who usually patronize such sport. They were elegantly dressed and held communication with each other in subdued tones. No sooner had I sat down than every eye was turned upon me, yet, though the expression that flitted across their countenances denoted surprise that a total stranger should thus coolly walk in among them, there was no impertinence manifested. All this time the premises were redolent with gallinaceous music. Imprisoned cocks in the rooms above defiantly cock-a-doodled at other cocks near them. As the morning wore on the party increased, and shortly after one o'clock there were about only forty present. Now the arguments incidental to such an occasion commenced, and everybody was cock-a-hoop in anticipation of the fighting. About two o'clock I entered the cockpit. Well, the place was the worst possible that could have been selected for the feathered gladiators to fight their ducls *a l'outrance*, and it was as cold as charity. More of it the HERALD reporter has promised not to say. From three o'clock onwards there were many who came to the doors but were refused admittance, the doorkeeper in some instances having the unparalleled cheek to tell them that

"THIS IS A CLOSED HOUSE."

Weighing in the birds and matching the lists had by this time been satisfactorily gone through with, when it was announced to the waiting throng that there had fallen in fifteen couples, and that they would be fought by choice, the first and second battles being the light and heavy weights respectively. Now, to pleasantly fill in the time, the nobby lads present began to imbibe Heidsick, and bottle after bottle of the beverage disappeared as if they liked it—and that is very probable. It was good business for the proprietor and pleasure to the company, for all other kinds of drinks were looked upon with scorn. Between the "sips" such expressions as "this ought to be a bang-up fight" were frequently heard, and many of Troy's friends were enthusiastic over the supposed ability of the "white-tail fowl" to clean out their New York antagonists. At fifteen minutes past three the pit was entered by the party. The most innocent could not mistake the throng, and no one would have suspected they had got into a prayer meeting or a branch of the Saratoga Young Men's Christian Association, although the brethren were most staid and decorous for a few minutes. The place was small, and there were not many vacant seats. The assemblage soon showed signs of appreciation. Among those pointed out to me were an officeholder in good repute and of high moral character, a doctor who talked pleasantly with two or three who had been his patients; merchants, with sleek countenances and rotund forms, and one or more foremen of large manufacturing establishments, who laid down the law upon ornithological matters to their friends. And then there were men who wore immaculate shirt bosoms and diamonds of rare value and cameo rings, to me unknown. Then there were two or three young gentlemen, with smooth and fresh faces and very expansive shirt collars and loud overcoats; but they knew what a chicken dispute was and backed their judgments freely from rolls of greenbacks, and of such enormous figures that the sight of them would

CRAZE A POOR MAN.

Almost everybody wore shining silk hats or the fashionable sealskin cap. About half-past three o'clock there was a shout of "Here they come!" and, sure, enough, the respective handlers stepped into the pit. The names of these men I don't care to give, but they are well known throughout the country. The referee is also a man of excellent reputation in sporting circles, and he hails from this city. If any one could have possibly mistaken the party upon entering the room for a body of praying brethren that delusion would have been at once dispelled by a score extending their hands and exclaiming:—

"One thousand dollars Troy wins this fight!" "Five hundred that New York gets licked!" "Two hundred that New York wins!"

"I'll take you!" "That's a go!" "Just come and see me!" and other wagers of like enormous sums were quietly made. And here let it be said that the money in nearly every instance was "put up," and the amounts lost and won upon each fight were simply astonishing, and even to some old sporting men may not be credited. At this time it was understood that the New York party, in violation of the rules binding them in the match, had cut out part of the hackle of their birds back of the combs, which would cause the representatives of the metropolis to lose the forfeit money up; but the Trojans generously waived this point and said, "Let the dance go on."

THE FIGHTING.

First Fight.—The games began with the light weights, two 4 lbs. 4 oz. Troy showed a robin-breasted red, with black legs, and New York a black-red, with yellow legs. They were well stationed and looked in fine trim. The battle began earnestly, and the second fly Troy got one of his eyes knocked out, which staggered him for a second. New York never stopped his vindictive work, and in his fury sent a heel into the side of the pit. Then Troy came around, and he let fly his rasping gaffs into the body of the black-red so furiously that the latter laid down "to take a breath." Many offered 100 to 25 on Troy and were taken. But they soon changed their base, as New York got up and amply repaid his opponent for what he had given him, with interest, and Troy was soon entirely blind. With this disadvantage he fought on, but New York was the stronger bird, and when the battle was in his hand and the beautiful robin breast could fight no longer, the New York handler lost the fight by picking up his fowl when "the count" had not been finished. It was rough on his backers, but it could not be helped. The Trojans raked in their money and felt happy. Time, 14m. 20s.

Second Fight.—The heavy weights, two 5 lbs. 10 oz. The Trojans went into this combat with cheerful faces. They sent in a red dominick, with white legs and tail, forwarded to them by Mr. Chappel, of Detroit, for the occasion. New York handed in a splendid black-red. These birds were the finest looking big ones that ever went into the pit. The betting was in favor of Troy. The sums offered individually and taken were very large, some of them being of $1,000, while $500 wagers were quite common. One Troy gentleman had $1,960 on the result. Each bird was a rattler from the word "go." They came together like a pistol shot, buckle for buckle, never ceasing until Troy found a soft spot in New York's head, and down the latter went as if he had been knocked over with a club. From this moment he was virtually whipped, as Troy "was a hopper," and never letting up from the first telling stroke had it all his own way. New York was pounded and taken, but the backer of the Metropolis told his handler to "give it up; he's dead." Time, 6m. 10s. Troy jubilant.

Third Fight.—It was a time for more wine drinking, and bottle after bottle was exhausted. Everybody pleasant and satisfied that the sport was charming and the birds in good condition. The weights were—New York, 5 lbs. 7 oz., and Troy, 5 lbs. 5 oz. The former showed a black-red with white legs, and Troy, a brown-red with yellow legs. The latter was much thought of by the knowing lads, being esteemed an invincible "corn cracker." The sequel proved that he wasn't. Betting in favor of Troy. At the first fly Troy had an eye knocked out, and then New York got a gentle reminder that his opponent was around by obtaining a slash in one of his optics. Now they were on even terms. Each did magnificent work, and Troy got in another on York's head which made him sick. "He's dead as a stone!" cried some, but he wasn't, and for a minute Troy knocked him about like a paper ball, and had the battle virtually won. But Troy sulked, and though New York had his leg broken in a fall he was game, and kept on with his work, while Troy was pronounced the "prince of all duffers." It was afterwards ascertained that he had fought three times last year, always victorious, being shown this time on account of his previous good qualities. The result was a good illustration of the glorious uncertainty of the sport. Time, 13m. 8s.

Fourth Fight.—More wine bibbing and more money wagered prior to the battle than ever before recorded. The weights were 5 lbs. 8 oz. Troy showed a black-red, with yellow legs, and New York the same, the only difference in the birds being that New York had a cotton tail, with white feathers and Troy not. They came together with a crash that resounded all over the pit. In the anxiety of the spectators to see there was some confusion, but no trouble. New York got an eye knocked out early in the struggle; but he was game, and sent his steel vindictively into the throat of Troy, whose life's blood was soon oozing out over the tan in the pit, and he died. Time, 7m. 2s.

Fifth Fight.—Weights, 4 lbs. 13 oz. Two very pretty black-reds were shown, Troy being a little blacker than his opponent. More beautiful birds were never seen. Fly after fly was made and the feathered gladiators stopped to "mend their bellows." In body, head and throat they were cut and bleeding terribly. Then New York had an eye punched out, and Troy, proving the superior cutting fowl, at last sent his opponent into the land where such valor as he exhibited is appreciated. Some said he stopped fighting, but he had received his deathblow. Time, 7m. 22s.

Sixth Fight.—Two 5 lbs. 2 oz. Both were black-reds, with yellow legs. "They look like race horses," cried a New York boy, "and I'll bet $1,000 Troy wins." He was taken up, and the end of the battle showed his good judgment. He won. There was much excitement during the contest, and at the end of the fifth fly New York went down in his warm blood, and Troy had the call 100 to 10. The latter never stopped his fighting though, and soon the deep distress of New York was ended. He was dead as a stone. Time, 1m. 55s.

Seventh Fight.—Weights, 5 lbs. 1 oz. More heavy betting. New York sent in a black-red with black legs, and Troy one of the same color with yellow legs. It was a prolonged and hard battle. They started off slowly, but soon got to work earnestly. All around the pit they slashed each other to pieces amid the cries of "Go it, Troy!" "Slash him all to pieces, New York!" At last Troy began a drumming process, and so astonished his opponent that he was demoralized; but the latter fought himself out, and New York finally won after a terrible conflict. It was a tough battle for Troy to lose. Time, 13 m. 35 s.

Eighth Fight.—Two 4 lbs. 14 oz. New York handed in a black red with yellow legs, and Troy one of the same color with white legs. Another capital battle, justifying the expression that the fighting was the "best ever seen," which came frequently from the old cockfighters present. Vindictively they met, and, rising high in the air cut each other terribly. New York showed his injuries in a lost eye and Troy in a leg. Then New York got a blow in the back of the neck which brought him down, and before he could recover his opponent had knocked his life out. Two game birds, and the losers did not regret their misfortune. Time, 3m. 25s.

Ninth Fight.—The battles were now, Troy 5 and New York 3. The gentlemen were betting stronger than before. Weights, 5 lbs. 7 oz. Troy showed a black-red with yellow legs, and their opponents a pyler, the first of the evening. "That's one of —— pyle," several cried. A good fight, and when the pyle was thought to have lost his blow he sent in a rasper that split Troy's head and wrested victory from the jaws of defeat. Time, 11m. 20s.

*