

THE NEWARK RIOT.

Appearance of the Church.

STATEMENT OF THE CATHOLIC CLERGYMAN.

Death of One of the Wounded Men.

CORONER'S INVESTIGATION.

Want of Accommodation for the Jury.

THE COUNTY OFFICERS CENSURED.

Interesting Testimony—Great Excitement.

The investigation into the causes of the riot in Newark was commenced yesterday, and will be continued this morning. The greatest excitement prevails in Newark in relation to this affair. The investigation bids fair to be prolonged even beyond to-day.

At an early hour yesterday morning Drs. GRANT and DOUGHERTY made a post-mortem examination of the body of THOMAS MCCARTHY, who died on Tuesday evening in consequence of the injuries he received in the riot. Two pistol balls were found in the body. They had entered one about two inches above the other, on the lower part of the right side of the abdomen. The lower ball passed through the entrails and entered the substance of the back bone. The upper ball also passed through the bowels and shattered a portion of the right side of the back bone. The balls in their course perforated twenty holes in the entrails, and the wounds of either were sufficient to produce death.

Opinions differ as to the origin of the affray. The guilt of the assault has not been fixed upon any party, and the testimony given before the Coroner's Jury has as yet shed but little light upon this part of the affair.

The Catholic Church which was destroyed by the American Protestant Association, on Tuesday, is situated at the corner of High and William-streets. It presents a truly desolate appearance. The fences are torn down, the windows and doors shattered, the shrubs about the door crushed and broken; and, in the interior, the altar overturned, the sacred utensils and sacerdotal robes strewed around and trampled upon—the organ broken to pieces. The images, consisting of a costly Munich figure of the Madonna, and crucifix corresponding, together with the pictures, altar piece, and a splendid holy water font were also destroyed.

Four or five persons, of both parties, are believed to have been seriously injured, some by pistol shots and others by the knife.

Two persons were arrested at the Market-street dépôt, after the Societies had left, on the affidavit of ROGER DUVENERTY, as being the ones who first broke open the doors of the Catholic church, and being otherwise engaged in the riot. One of them was named JOHN H. COWAN, of the 17th Ward Police, New-York, belonging to one of the Associations. He was left behind by some means, and, it was said, was arrested merely on suspicion, before any charge had been made. He declared himself entirely innocent, and was held to bail in the sum of \$200 by parties in this City. The other person arrested is named EDWARD HALL, also of New-York, but not connected with any of the Societies. An ineffectual attempt to rescue him was made at the dépôt, and he was committed in default of bail.

STATEMENT OF THE CATHOLIC PASTOR.

The following Statement was made to our Reporters yesterday, by Rev. NICHOLAS BALLEIS, Pastor of the Church which was demolished. It gives the Catholic side of the story, upon excellent authority; and will be read with interest:

Mr. BALLEIS states, that in the early part of the day he read in the paper the announcement of the procession, and the route it would take. He thought no more about it, nor made any mention of it till the music was heard, indicating that the party were nearing the Church, at which time he and three other Clergymen—two from Thirty-first-street, New-York, and the other from Brooklyn—were at dinner. He affirms that no person was in the Church before dinner time, and no person could effect an entrance without it being known to himself or either of the two female attendants who were then in the house, in consequence of the Priest's apartments being attached to, and communicating with the Church. He further states, that the first intimation he had of any disturbance was the actual attack on the Church, and the only opposition made in the Church was by an old German woman, who was employed in washing, and who rushed in for the purpose of preventing them from demolishing the pews; one of the assailants of the Orange party presented a pistol at her breast, when she exclaimed "Shoot, I'm only a woman!" whereupon he took one of the altar coverings and threw it over her head, and then assisted in the work of demolition; he further adds, that so far from having any firearms in his possession, there was not a single grain of powder in the building, and that all who first entered the church did so through the windows; and having done so, forced the upper door, the lower one having withstood all their efforts to break it; he says he feels convinced that the riot either originated with the party forming the procession, or by persons hired for the purpose.

He says that there are but few Irishmen connected with his congregation, and that those he saw assembled around the church after the occurrence were of such a class and character as would lead to the belief that they did not meet there for the purpose of creating any disturbance—most of them being women and children; and the men who were present came from the tanneries and factories adjoining, in shirt sleeves, and without any possible means of concealing deadly weapons. He also said that such was the fear of himself and friends that they took off their cassocks and endeavored to conceal themselves.

THE INQUEST.

At 9 o'clock yesterday morning, Coroner WM. B. SMITH summoned a Jury to investigate the circumstances connected with the death of THOMAS MCCARTHY. At 9 o'clock, upon the organization being completed, the Jury proceeded to view the body at Rowen's Court, Washington-street, the residence of the deceased. Upon their return to the Court House the inquest was commenced. The following are the names of the Jury:

D. M. Fitzgerald,	Robert G. Henry,
Garret Piere,	Luke L. Westorvelt,
Andrew H. Mulford,	Samuel S. Marsh,
Mr. Brower,	Charles Tucker,
Horatio A. Baldwin,	Edward Stewart,
John L. Currie,	George P. Brown,
John Jelliff,	Garrett G. Garbrunt,
John Hawley,	Theodore Drake,
Samuel M. Howell,	Garrett Ketchan,
Ebenezer Francis,	William A. Cann.

The following testimony was taken:

Ann Gallagher, sworn: Lives at No. 26 Shipman-street; keeps a beer shop; just as she was shutting her door, about 3 o'clock yesterday, a man came running in; it was Thos. McCarthy; he fell against her and knocked her down, stunning her; heard the report of the pistol when McCarthy fell against the door, shot; can't say whether he got up himself or whether she assisted; a man followed him with a red scarf over his shoulders; heard two reports of a pistol; didn't know whether it was a pistol or a gun; didn't see any pistol, but smelt powder; when she came to, saw McCarthy lying in the yard two or three yards from the door; heard McCarthy ask, "Is the mother of six children killed as well as I?" he alluded to me when he asked this question; he said, "Mrs. Gallagher I'm shot, send for the doctor;" he was then taken away; the one who followed him had on a red scarf; never saw the man before, and would not know him if I saw him again.

Selden Dickinson, sworn: I live at No. 193 Plane-street; is a japanner, and works for Halsey

& Taylor, at the corner of Market and Shipman-streets; between 3 and 4 o'clock yesterday went out to the upper end of the yard, toward William-street, to see the procession pass; the yard is about 150 feet from William-street; was sitting on the Shipman-street fence, under the end of the shed; saw a great many stones thrown, but can't say who threw them; first saw a stone thrown out of Shipman-street, which struck the dwelling on the east side of Shipman-street, near the corner of William, and went in the window; saw a man with regalia on throw the stone; saw several stones thrown from the rear of the church, but can't say who threw them; saw a man with regalia on shoot a pistol toward the church; saw a man go into the first brick-house in Shipman-street from William, on the east side, with a pistol in his hand; heard a report in the house; knows Thomas McCarthy, the man that was shot; it was he that I saw run into the brick house; the man with a pistol was following a short distance behind him; didn't see McCarthy again until he was after being taken away; didn't see McCarthy before he saw him running into the house; didn't see McCarthy throw any stones; saw McCarthy several times before he left the shop; didn't hear him make any threats; said nothing in my hearing in regard to the procession; the man that had the pistol was a slim man, and had on blue cloth clothes; don't think he could recognize him again unless under similar circumstances; he saw the man leave the house with a pistol in his hand; thinks the pistol was a six-barreled revolver; don't know whether McCarthy was opposed to the principles of the Association; didn't see the man shoot; about the same time another man was chased into the wooden building; don't know who threw the first stone or where it came from; a beer house is kept in the brick house; thinks the man with the pistol went into the house.

Robert Richard Ham, sworn: Reside at No. 20 Shipman-street; am a japanner, and work for Halsey & Taylor; saw the row about 1 1/2 o'clock yesterday; saw the origin of it; stood by the bank on the corner of William and Shipman-streets; know Thos. McCarthy; he worked at Halsey & Taylor's; saw him run into the brick house in Shipman-street first door from the corner of William; saw a person following him, and thinks he should know him again; he was a slim man, dressed in blue clothes; saw him fire a pistol in the door of the house, but didn't see whether the shot took effect; saw McCarthy run through the house; saw Mrs. Gallagher in the beer shop; the man with the pistol stood by the door; he had red regalia on; didn't see McCarthy fall, but saw him lay in the yard; when the shot was fired, witness stood in a bush in the yard of the Catholic church, about one hundred feet from William; the house is about one hundred and fifty feet from William-street; could see as far as the second room in the brick house; heard but one shot fired; McCarthy lay on his left side, about ten feet from the door; heard him speak to Mr. Bayles, the Catholic clergyman, but don't know what he said; the door was shut when McCarthy went toward the house; witness is an Englishman by birth; the man with the regalia knocked Mrs. Gallagher down as he entered the house; the man with the pistol had dark hair; thinks he could recognize him if he had his regalia on; the man had a beard on his chin, and thinks he was a man about forty years old.

James Craynell, sworn: Live in Sussex-avenue; am a shoemaker by trade, but work for Halsey & Taylor; their factory or yard runs to within about 100 feet from William-street, and know Thomas McCarthy, and knows nothing about the case.

Wm. C. Gardner, sworn: Live at No. 4 Catherine-street; work for Halsey & Taylor; know Thomas McCarthy; didn't see him before he left the shop; can't say who threw the stones; when I first saw him he was trying to persuade one man named Pigeon to leave the crowd; they had Pigeon down on his knees in William-street; next saw McCarthy after he was shot in back of the house; didn't hear him speak; saw two other persons down with Pigeon; saw a number of pistols fired in William-street; the procession didn't fire any pistols in William-street until after the row commenced.

The Coroner here adjourned the investigation till 2 P. M.

AFTERNOON SESSION.

The Inquest was resumed at 2 o'clock, the Coroner presiding. The following witnesses were examined:

John Pulvertoft sworn: Lives in No. 49 Bank-street, Newark; is a tinsmith; did not know deceased; was up at the corner of William and High-streets about 3 1/2 P. M.; saw three men, who wore scarfs over their shoulders in the usual way, one of whom was struck with a stone; could not see where it came from; from the effects of the blow he fell; he was struck over the left ear; I stood at the northwest corner of High and William-streets, (Ogden's corner;) I could not swear to the man who threw the stone, but think it came from a party who stood near in their shirt sleeves; I stood with my side towards the church, and think, the stone came from that direction; the man who was struck fell head foremost, and as he raised, fired a pistol in the direction from which the stone came; there were a dozen or eighteen persons on the ground in the direction of where he fired; they were standing about the centre of the street; most of them were in their shirt-sleeves, and some of them had red shirts on; I would take them to be laborers; the man whom I supposed shot by the discharge of the pistol was carried off by a strong party of those who were without scarfs; I believe they took him down William-street towards Broad; I did not see any more of that party throw stones, but saw some men with scarfs do so; I saw several stones thrown before the man was struck at the church; did not know McCarthy was shot; first saw the announcement of his death in the *Mercury* this morning.

By a Juror—Whether was the man who was shot in his shirt sleeves or had he his coat on? Witness could not say; did not know previously that there was to be any disturbance; heard no threats made.

Alex. N. Doherty sworn, said: That he held a post mortem examination, in connection with Dr. Grant, on the body of Thomas McCarthy, and that deceased came to his death from the effects of two gunshot wounds in the abdomen, and that from the position of the wounds and direction of the balls, was of opinion that the person who fired the shot must have been face to face with deceased. Either wound would have caused death.

Charles Murray (colored) sworn: I live in Springfield-avenue; I work at the Newark Western Institute; I was standing on the corner of William and High about twenty minutes after 3 o'clock P. M.; there was a riot on the corner of Shipman and William, and I went down there; I saw a man named Pigeon, but did not see him throw a stone or have any in his hand; I cannot mention the name of any person who threw stones, but saw stones thrown by some of Halsey & Taylor's men; don't know their names; they were dressed in red shirts and leather aprons; they ran back to the shop; I saw a pistol discharged but did not see any person hit; I do not know Thomas McCarthy; several shots were fired into Taylor's building, but none fired back in return; I saw a man taken away across the corner of Shipman-street; that man was the deceased; I saw him when he was laying on the floor; I saw him when he was lying on the bank by the side of the fence; don't know the man called Pigeon; I saw no shots or stones fired from the church; do not believe there was any person in it; the doors were locked and were broken open with stones; the stones were thrown before any disturbance occurred; did not see deceased throw any stones; I think the men who carried away McCarthy were in their shirt sleeves; I saw one of the members of the procession strike at a man when running into Halsey & Taylor's alley-way with a sword, and was struck on the shoulder; his name is Thos. Lennon; my father was with me and saw all that I witnessed; this occurred while the members of the procession were attacking the church; Halsey & Taylor's men commenced the row; and I think there was no occasion for violence on their part.

John Wilson, sworn: Live in the rear of No. 276 Broad-street; I was in the procession, and walked with the members of Newark Lodge No. 4; it was the second in the procession; I was in William-street about 3 o'clock; I saw no one molest the Catholic Church; did not know there was any row near the Church, till it was all over; saw a stone thrown from Shipman street while we were marching towards the Court-House; did not hear of any one being shot till 9 1/2 o'clock last night.

To a Juror—I was connected and interested with the society which was the cause of the disturbance.

By a Juror—What was your opinion of the entire proceeding? (Overruled by the Coroner, though the same question was asked the colored witness.)

Dr. G. Grant testified: that he was in Shipman-street on the afternoon of the 5th; saw the procession coming up William-street; saw many persons dressed as working-men running very rapidly towards the procession; went into Market-street, and

was then informed that there was a riot at the German Catholic Church; returned with Mr. Doremus; into William-street, and there saw the party which composed the procession attacking the Church, throwing stones, shouting &c.; when the disturbance subsided, he entered the Church, where an awful scene of devastation presented itself; upon coming out a person informed him that a man was shot, and requested of him to attend him; he forthwith proceeded to the residence of Mr. Thomas McCarthy, whom he found in a dangerous condition from the effects of gunshot wounds in the left side of the abdomen, either of which wounds was calculated to cause death; the bullet produced was one extracted from the body of deceased. The Doctor also produced the section of the spinal column in which the other ball lodged, which produced great sensation.

Horace E. Shipman sworn: Live at No. 98 Bank-street; work for Halsey & Taylor; knew Thomas McCarthy; he worked in the tan yard of Halsey & Taylor; did not see him that day before the procession came along, but saw him running from William-street, in Shipman, towards a small brick house, with a number of persons after him; saw stones thrown by a number of persons who wore badges; deceased ran into the second house from William-street, on the east side; saw no stones thrown into the brick house by any other persons than those who wore regalia; saw several follow him towards the house, but no person go in after him; did not see any person fire a pistol at him; heard several pistol reports around; saw no stones or pistols fired from the church; one of the party who followed deceased was within six or eight feet of him; about thirty or forty men in working dress stood at the corner of William and Shipman-streets, from Halsey & Taylor's shop; I was with them; saw men dressed in regalia and others firing pistols, pulling down the fence of the church, shouting, &c.; after the disturbance was quiet, went into the church, which presented a scene of complete destruction; a person whom I took to be an officer of the church, told me that a man had been shot, and desired me to go and see him; I found Mr. Thomas McCarthy at No. 26 Shipman-street, in the rear, lying on the ground, on a bed; found two bullet wounds in the lower part of the abdomen, on the left side, both about six inches in depth, of which the deceased gradually sunk and died in the course of the night; made a post-mortem examination this morning in conjunction with Drs. Doherty and Eyrich, and found the bullets now produced; was of opinion that the weapon discharged was very near the person of deceased and that deceased was facing the weapon; that either bullet was sufficient to cause death either by hemorrhage or perforation of the intestines; he left the shop of Halsey & Taylor, where he was employed, to look at the procession; the men in Halsey & Taylor's shop were friendly to deceased; he could not have been shot going into the house without seeing it; don't know who were the first aggressors, and did not see the commencement of the row.

James Ray (colored) sworn: Said he lived in Spruce street; worked for Halsey & Taylor; I knew Thomas McCarthy—last saw him when he was running across the street; there were about half a dozen of the men left the shop with me to see the procession; after one or two of the Lodges had passed, saw some of the members of the procession leave the ranks to speak with Thomas Gormly, and after they had proceeded a little further, one or two more came up and spoke to the same man; he then went away, and the next man he saw in the same place was Patrick Pigeon; some of the members spoke to him, but witness did not hear what was said; saw Pigeon throw off his apron, after which the row commenced; saw stones thrown by the Societies in procession from the street towards the church, but none in the opposite direction; could not say from the appearance or running of deceased that he was wounded; thought he was trying to avoid the row; about the time he started some shots were fired; the door was closed when McCarthy entered the small brick house; did not see any one shoot at him, before he went into the house or afterwards; saw no stones or shots come from the church.

Much cause of complaint was given the Coroner and Jury by the want of proper accommodation—or rather the total exclusion of the Coroner and those summoned to attend the examination from any convenient place in the Court-house wherein to hold the investigation.

Capt. STEWART, with his accustomed obliging disposition, placed at the disposal of the Coroner a large and commodious room at his house, where the inquest was resumed at 2 P. M.

To give effectual expression to their feelings of indignation at the conduct of the County officers, a special committee of three was appointed to draft resolutions to that effect. A meeting of the Jurors and Coroner will be also held this morning.

The Coroner, and some of the jurors, were anxious that the evidence should close at this stage of the proceedings, but at the same time said if any additional evidence could be adduced, the examination would be adjourned from day to day. Dr. SHERMAN stated that he had under his care a man named McDERMOTT, who received five stabs, who could furnish important testimony. A young man also volunteered his evidence, which will be this day taken. The Catholics have retained Mr. RUNYON, the City Attorney, as their Counsel in the case, and are prepared to produce four witnesses who can identify the man who shot MCCARTHY, which they allege to have been a deliberate act.

The Coroner is very properly opposed to having any evidence, unless it has a direct reference to the shooting—stating as his reason that the Jury was summoned, not to investigate the causes, but the actual occurrence.

The investigation will be resumed this morning.