DAILY CRESCENT.

NEW ORLEANS:
WEDNESDAY MORNING, JUNE 27, 1849.

See Third Page for CITY NEWS, &c.

PUBLICATION OF TELEGRAPHIC DISPATCHES. Four of the city papers, viz: the Bulletin, the Bee, the Delta and the Crescent, will hereafter issue a Telegraphic Bulletin, to be put up in their respective offices and other public place, whenever their dispatches are received within business hours. The arrangement has been made, that the public may have the immediate benefit of all information received.

ARRIVAL OF GOLD.—The ship Raritan, from Liverpool, yesterday brought $44,200 in sovereigns. They are to be sent to the Mint, and re-coined into quarter-eagles....The ship Harkaway, from Liverpool, brought $4855 also in gold.

SIR JOHN FRANKLIN.—The Government expedition in search of this navigator has been abandoned for this year. The Board of Naval officers, consisting of Commodores Warrington, Skinner and Smith, to whom the Secretary of the Navy referred the proposition for fitting out an expedition, have reported against the feasibility of the enterprise. They think the season is too far advanced to reach the West coast of the Continent in time to prosecute the search according to the projected plan. Besides, the Government own no vessels adapted to this peculiar description of service. In the course of the report, these officers state that the Taney, which, of all the public vessels, is best fitted for this enterprise, was expected in the month of April, but has not yet returned to port. They suggest the purchase of two coasting vessels, of about 200 tons burthen, to be suitably equipped with stores and munitions necessary for the severity of the northern latitudes, and provided with thirty-five officers to each vessel. For this purpose an aggregate expenditure of $60,000 is named as likely to cover the practical outlay. Under these auspices, they recommend that the expedition be fitted out, so as to start at an early period next year.

A GOOD ARTICLE.—The "Home Journal," of New York, has a most interesting article, headed "Annual Supplies for the Navy." It takes up a whole page, and is considered good enough to be inserted every week. The lover of *literature* should subscribe for the "Home Journal" just to get this article, if for nothing else. It is really *so* good! The original, we believe, is in the "Republic," the new Administration organ at Washington, and it is so popular that a great many Administration papers give it entire, although with characteristic modesty they want to be asked. Some of them would not take $500 for the privilege of inserting it.

FREE BATHS.—The Common Council of New York is engaged in discussing the propriety of establishing free baths in that city. We think the example, should New York adopt the measure, could be followed to advantage in this city. At present even bathing in the river is prohibited, and if a poor man, at the close of a long day's work, wishes to indulge in the very necessary luxury of a bath, he must pay a half or a quarter of his day's wages for it.

☞ The California fever continues to rage at Nantucket. The ship Fanny has been purchased there for $9500, to take a mining and trading company to California—among them the editor of the Mirror and the late postmaster.

CORRECTION.—Among the appointments lately published officially at Washington, is the following: "B. M. Eding, of North Carolina, to be Consul at Pernambuco, in lieu of C. G. Salinas, (*a foreigner,*) removed." The impression made by this announcement is that Mr. Salinas was not a citizen of the United States. It is stated in the Charleston Mercury that Mr. Salinas, though a foreigner by birth, has been for twenty years a naturalized citizen of the United States—is married to an American lady, by whom he has four children—and resident for eighteen years as a citizen and voter in Charleston.

IMPORTANT FAILURE.—Mr. Belknap, principal contractor on the Vermont Central Railroad, has failed, and the Boston papers fear that the disaster will prove a serious one also to the company spoken of, as he was a large stockholder. It is said that he will ultimately pay every dollar of his liabilities.

JOSEPH MAZZINI.—This gentleman, now one of the patriotic triumvirs of Rome, is a very remarkable man, of great powers of perseverance, and unquenchable enthusiasm. He resided in England while absolutism ruled in Italy, and devoted himself to the assertion of his country's rights through the press—he employed all his leisure time in trying to educate and elevate the poor Italians, with whom London still abounds. Favorable circumstances occurring, he returned to Italy, and is now at the head of the Government.

REVOLUTIONARY SOLDIER GONE.—Capt. Gill Mallory, a Revolutionary soldier, died at Lockport, N. Y., May 2, aged 94. He was at the capture of Ticonderoga and Crown Point, the battle of Bennington, and the surrender of Burgoyne.

GREAT BOAT.—The steamer New World made her first trip from New York to Albany on the 16th inst. Her length is 367 feet—the longest vessel ever built and set afloat in any age or country. Her width (over all) across the wheel-houses is 67 feet 4 inches; draught of water but 4½ feet. Her engines are of 76-inch cylinder, and 15 feet stroke. Her wheels, which are of iron, are 46 feet in diameter. Her boilers are calculated to carry 90 tons of water. She is magnificently fitted up, and has adopted the European plan of private meals. A traveller can eat at any time, paying only for what he calls for.

A CONTRACT FOR CRIME.—The police arrested at Boston, lately, a boy about 15 years of age, named Patrick Carroll, for burglary and stealing a large quantity of jewelry and fancy articles. In his wallet was found a written agreement of partnership between Carroll and others, to which they had set their hands and seals, June 11, 1849, as follows: "Know all men by these presents, That we, the undersigned, do hereby swear that we will obey P. C. in all things, lawful or unlawful. And the said P. C. is to pay us one-half of what the company makes."

CHOLERA IN RICHMOND.—From May 30 to June 17, there were thirty-five deaths of Cholera in Richmond; seventeen whites and eighteen blacks.

RECEPTION OF FATHER MATHEW.—The N. Y. Commercial Advertiser gives the following as the programme of arrangements which has been made for the reception of Father Mathew on his arrival in NewYork: "The Committee of Arrangements, of which Alderman Adams is Chairman, have deputed Dr. Whiting to receive Mr. Mathew at the Quarantine, whence he will be conducted to the residence of John P. Nesmith, who has politely tendered the hospitalities of his mansion for the occasion. On his arrival, notice will be sent to the city, and the Committee, accompanied by other members of the Common Council and several of the city authorities, with delegations from various societies, will proceed to Staten Island, in a steamboat chartered for the purpose, and escort Mr. Mathew to the city, who will be received at Castle Garden by the Mayor. Thence he will be escorted by a large procession, composed chiefly of the temperance societies, through several of the principal streets, to the City Hall, where he will be introduced to the people from the balcony. After a short stay, Mr. Mathew will be accompanied by the Committee to his lodgings, at the Irving House, where he will remain as the guest of the city. The next day he will appear in the Governor's room, to receive the visits of citizens. It is expected that he will devote a few hours the next day to receiving the calls of ladies, also at the Governor's room; after which, he will ride out with the authorities to visit the public buildings and other places."

OLYMPIC THEATRE.—The Drama of "The Maid and the Magpie," (upon which Rossini founded his splendid Opera of *La Gazza Ladra,*) together with "The Mountain Devil," and other entertainments, cannot fail to attract a large house to the Olympic this evening.

British Annexation in India.

Amidst the stirring accounts of European wars and revolutions, little attention has been paid to the progress of events in Asia. No sensation has been excited—hardly a word of comment indulged, upon the British Annexation, to their East Indian possessions, of the whole Punjaub. It has passed by as a paragraph of insignificant news—like the finding of some large stone, or the unearthing of some buried hieroglyphic. Yet it is a matter of no small consequence, even among the transfers of provinces and kingdoms which have been the ordinary business for so many years of the British authorities in the East. The Punjaub acquisition is of no less than a vast territory of a hundred thousand square miles, bringing the frontier of British India up to the Indus—a population of three and a half millions of new subjects, and a revenue computed at a million sterling per annum. The late Rajah is pensioned off with an income of £40,000 per annum; but a good mode of indemnity for this outlay is provided in the bargain. The property of all who have borne arms against the British is "to be forfeited." It will go hard with those who traffic in empires, and have armies with which to enforce their view of contracts, if enough cannot be made out of this clause not only to pay all the expenses of the purchase, but to indemnify the invader for all the preliminary wars which led to the acquisition. The Punjaub will be made to pay for itself.

The usual reasons are assigned in justification of this wholesale appropriation—for appropriation it is, although there are the forms of agreement and the ceremonies of contract. The Punjaub was a troublesome neighborhood. It was always plotting, or favoring plots, for the disturbance of its powerful neighbor. It was comparatively weak, and, being weak, it was of course, like all weak governments, filled with dissentions. The rival parties and chiefs called in the counsel of the strong neighbor across the line, and from being adviser or friend, it became too intimate—a patron or an enemy alternately. The patron made exactions which were refused—interfered too much, or at the wrong time or in the wrong manner—and then came quarrels and wars. Finally, there was no resource but absolute conquest; or else, British peace would be constantly disturbed. The whole province must be governed by the British; besides, it was necessary to round off a frontier, that the other British dominions, obtained mostly by the same process, could be better defended against enemies. We say nothing of the subtle arts of diplomacy, or more reckless interposition, by which these troubles and dissentions might be fomented or created, with the view of creating a necessity for occupation. The history of British India is full of such specimens of craft and aggression. A few more such strokes of policy and power, and the whole peninsula of Hindostan will be subject to British sway; and all, not from ambition or avarice—of course not—but because annexation continually of every weak neighbor is an imperative State necessity.

We desire simply to direct attention for a moment to the contrast between the cool assumption of State necessity with which this absorption of three millions of East Indians is justified as a just and indispensable act of British State policy, and the violence of invective with which the same parties treated the annexation of Texas—an independent State—by voluntary action of all its constituted authorities, to the United States, as an equal sharer in its system of government. We would contrast it with the coarseness of British assault upon the honor, humanity and good faith of this country, when, after a successful war with Mexico, and that unfortunate country was at our mercy, we took a portion of her territory as an indemnity for all our causes of complaint, and paid her a full estimated equivalent. The border reasons which made the Punjaub indispensable to British quiet existed with us in a triple degree as respects Texas and Mexico. In both cases we exercised national rights for clear cause, and gave equivalents for all we received; yet the world rang with British outcries against American rapacity and injustice, from lips that only speak of the conquest of provinces and kingdoms in India as proofs of the glorious expansiveness of British power and happy means for extending Christianity and civilization. The conquered millions in India have no voice in the decision of this question of mastership over them, and would probably express a very different estimate of the blessings of British domination. Into that, however, we will not enter. Probably we might be brought to the conclusion that after all the wrongs which India has suffered—the plunderings, extortions and oppressions of which she has been made the subject, from British ascendancy—the ultimate effect will be beneficial to her in future generations, as in the works of Providence good is brought out of the evil which nations do in this thirst for conquest and gain. But the resulting benefit worked out by agencies beyond the power and above the contemplation of the Rulers of the day, will not redeem them from the fearful responsibility to the public opinion of mankind for the crimes they commit, and the hypocrisy with which they justify their worst acts.

ELOPEMENT.—Rev. R. I. Smith has fled from Lansingburg, N. Y., taking with him his paramour, Miss M. J. Tribon, and deserting his lawful wife.

CONVICTED OF MURDER.—The trial of Milton W. Streeter, at Worcester, Mass., for the murder of his wife, resulted in a verdict of guilty. Sentence of death was to be passed on the 16th.

CHOLERA IN NEW YORK.—During the week ending the 16th, there were 425 deaths, 145 of which were of cholera.

THE PRESIDENT OF VENEZUELA FLED.—President Monagas, it is stated in news received at Boston, has been obliged to flee from Venezuela to save himself from the hatred of the people. Where he has gone to the account does not state.

LOCUSTS.—It is said that the seventeen year locusts have appeared near Pittsburg in great numbers, and it is feared that they will do much injury to the fruit and ornamental trees in Ohio and Pennsylvania.

LATER FROM THE CITY OF ST. DOMINGO.—On the 24th ult. the city surrendered to Gen. Santana. The President, Jimines, had made his escape on board an English man-of-war, bound to Kingston, Ja. Some forty of the leading men had been arrested by the order of Santana. The city was quiet, and business began to revive.

FATAL ACCIDENT.—Mrs. Van Wormer, wife of Daniel Van Wormer, of Poughkeepsie, N. Y., while on her way to Rochester, on board a canal-boat, to join her husband, was fatally injured in passing under the bridge at Brighton lock, being struck by one of the string-pieces of the bridge, which having been broken hung below the level. She died before reaching Rochester.

COUNTERFEITS.—Counterfeit five franc pieces have made their appearance in great abundance in the city and vicinity of Keokuk, Iowa. The Dispatch thinks they come from an agency well supplied with the article, and that the aid of one of the old fashioned vigilance committees may be required to find out the scoundrels.

Fatal Affray.

PASS CHRISTIAN, June 25, 1849.

Eds. Crescent—On last Sunday night quite a tragedy occurred, which caused a good deal of excitement among the inhabitants of this usually quiet place. The scene of the occurrence, which took place about the supper hour, was Montgomery's Hotel. It seems that two of the waiters employed in the establishment had a dispute in the dining-room, about some trivial affair, when one of them took the knife with which he had been cutting bread and stabbed the other in the abdomen, inflicting a dangerous, and I believe a mortal wound. Medical attendance was immediately secured, but the wound is so severe that it is supposed the unfortunate man cannot survive more than a few hours. The name of the wounded man is Bowen. The person who committed the deed is named Maurice Conner. He was employed as a waiter in the Verandah Hotel a few months ago. He was arrested on the spot and delivered to the proper authorities. From all that I can learn the attack was unprovoked.

Yours, E. Y.

ANOTHER VICTIM.—George D. Kay, one of the wounded at the Astor Place riots, died in New York on the 15th inst. He was a merchant from NewBrunswick, N. J., and was led to the spot merely by curiosity.

SHIP FEVER.—The ship Orlando, which arrived at New York, from Havre, on the 17th inst., has 300 steerage passengers, nearly all sick with ship fever. There were several deaths on the passage.

ARREST.—Henry Clay Mudd, one of the clerks of the House of Representatives, has been arrested at Washington, for an aggravated assault upon Mr. Edward Simins; also James Maguire, as a party to the act. The affair took place at Willard's Hotel.

FACTORY AT READING.—A factory company, with a capital of $200,000, in shares of $50, has been formed in Reading, Pa.

INDICTMENT QUASHED.—Judge Parsons, at Philadelphia, has delivered the opinion of the court, quashing the indictments against the officers of the Penn District election, who were charged with election frauds at the last general election.

ARRIVALS AT MONTREAL.—The number of ships which have arrived at Montreal to the 16th inst., is 338, showing a decrease, compared with last year, of 94 ships.

FATAL ACCIDENT.—On the 2d inst., a youth named Job Williams, living near Huntsville, was accidentally shot through the head by his brother, while they were both out shooting.

CROPS IN SOUTH CAROLINA.—The Wheat crop in South Carolina will turn out better than was expected. Two-thirds of the full crop will be gathered. Oats are more promising than usual, and so is Corn.

☞ Lieut. Lynch, says the Winchester Republican, is about to appropriate a large portion of the proceeds of his work on the Dead Sea, to the orphans of Lieut. Dale, his first officer, who died whilst engaged in the expedition.

☞ A live toad has been found in a solid block of wood, in Greenwich township, Berks county, Pa. This phenomenon, though curious, is not an uncommon one.

TO BE HANGED.—Wood and Jones, the latter black, now under sentence of death in New York city prison, was to be executed on Friday last—a letter having been received from Albany, stating that the Governor could not consent to stay their fate. Wood poisoned his wife, and Jones was found guilty of arson.

VIRGINIA RUNAWAYS.—Of the eight slaves who recently run off from near Romney, Va., one (Mrs. Carsadon's) has been arrested near Uniontown, Pa. He was in company with a free negro from Ohio, who had formerly been manumitted, with others, by Dr. Cockrell, in Virginia. This fellow is supposed to be an agent of the abolitionists, as he escaped, leaving two hundred copies of free papers behind, lithographed from those furnished by his former master. Another of these eight runaways, belonging to Mr. Gibson, was arrested at Somerset, Pa., for stealing a horse, but was released.

The Philadelphia Riots—Terrible Scenes.

We have already published, in Telegraphic dispatches to the Charleston papers, a notice of the terrible riots which occurred in Philadelphia on Saturday and Sunday, the 16th and 17th. The mail yesterday brought us full particulars.

During the whole of Saturday night and Sunday morning the district of Moyamensing was one intense scene of rowdyism. Between 9 and 10 o'clock a fight came off between two rival gangs, which resulted in several being more or less injured. Of course, they will not suffer their names to be made public. At 3 o'clock on Sunday morning, as the Franklin Hose Company was returning from an alarm of fire, drawn by seven members, they were assailed, at the corner of Twelfth and South streets, by at least fifty ruffians, the members beaten in a most brutal manner, and the carriage taken from their possession. It was then run down to the Washington Railroad wharf, Southwark, the bells having been broken, and the apparatus defaced and thrown into the dock. It was subsequently taken out and removed to the Commissioner's Hall, Christian street, where it now remains a perfect wreck. In the meantime the rioters had printed and posted up the following placard:

"NOTICE—The Millerites of Moyamensing, from ten years old and upwards, are requested to meet this evening on business. The western division will meet in the market house in Eleventh street, and the eastern will meet at Eighth and Fitzwater street. Those having guns or pistols will bring them along—those not having these useful weapons are requested to bring as many brickbats and stones as they can carry. The police and watmen will be on the ground to see fair play. Hurra! Franklin!—Go it, Moya!"

This was but the signal of another still more serious outbreak. At 12 o'clock an alarm of fire was made, no doubt for the ostensible purpose of something previously premeditated. The Franklin and Moyamensing Hose Companies came in collision in front of Ronaldson's burial ground, Shippen street, when the fight was renewed. The parties separating, it was again commenced at Tenth and Fitzwater streets, with more deadly violence. Here fire-arms of every character—rifles, long guns and pistols—were brought into requisition, and, horrible to relate, one young man, a member of the Franklin Hose, named Alexander Gillis, aged 21 years, residing in Stewart street, below Fitzwater, was almost instantly killed by a ball in the heart. It is said, and we have the authority of the officers of the district, that he was seen to fire four times before he received the deadly ball, which has thus sent him into eternity.

Fitzwater street, or at least the lower side-walk, is strewed with blood, and the street is lined with brickbats and other missiles.

It is impossible to ascertain the number of persons injured, but it must be great. It is surprising that none of the occupants of the houses in the neighborhood were killed, from the fact that balls are to be seen plainly indented in the shutters, and bricks lying upon the steps. Among those wounded, we have the following: William Dannicliff and brother, were badly hurt by bricks thrown during the fight. The parties reside in Bedford street. Little Hurst, residing at the corner of Shippen and Spafford streets, aged seventeen years, shot in the eye and leg, at Ninth and Fitzwater streets; ball not extracted. A young man named Huffy, and his cousin, residing in Carpenter street above Tenth, were also badly hurt; the former had his arm broken in taking the carriage of the Franklin, and the latter was violently beat upon the head. A lad named Jackson was stabbed in the leg, and James Rogers, aged sixteen years, received a wound in the left arm from a ball fired from a pistol. Wm. Lawson, aged fifteen years, was taken to the hospital with a severe gunshot wound in the shoulder. Walter Phillips, residing in Lombard street near Schuylkill Fifth, was shot in the thigh. He was taken to the drug store of Dr. Wilson, corner of Twelfth and Shippen, where his wound was dressed, after which he was conveyed home. John Rowland, a young man residing in Thirteenth street above Fitzwater, was shot through the arm. A young man named Smith, attached to the Franklin Hose Company, was reported as having been killed, but upon inquiry we found such not to have been the case. It is true that a man was shot in the head near Tenth and Fitzwater, but what became of him is unknown.

The Moyamensing authorities, after the above scenes had transpired, called upon the Sheriff for aid, and we are glad to know it is extended.

The Coroner held an inquest on the body of young Gillies. The jury returned the following verdict: "That Alexander Gillies came to his death by leading on a mob in a riot between Franklin and and Moyamensing Hose Companies by firearms, and, according to the evidence, was fired on by a man named Black, and a drayman whose name is unknown." Warrants were immediately issued for the arrest of the accused. During the whole of the above disgraceful affair only two arrests were made—one by Alderman McClain and the other by Capt. Goff.

Died:

On Tuesday, 26th inst., at half-past 7 o'clock A. M., Miss LUCY W. R. PEYTON, sister of W. W. Peyton, formerly of Fredericksburg, Va., and for the last five years a resident of this city.

☞ Her remains will be interred THIS MORNING, at 11 o'clock, from the residence of Mr. C. B. Broadwell, on Bacchus street, near Triton Walk. The friends and acquaintances of Mr. Peyton, and those of Mr. Broadwell, are respectfully invited to attend her funeral.

☞ The Fredericksburg (Va.) papers will please copy.

☞ **Protection Hose Company—Attend a Called** Meeting on THURSDAY, 28th inst., at 8 o'clock, for the purpose of making arrangements to celebrate our Fourteenth Anniversary (4th of July.)....By order. je27 L. C. DILLARD, Chief Director.

☞ **Louisiana Histrionic Association—The President** has the pleasure to inform the Honorary Members that the next representation of the Histrionics will take place THIS EVENING, Wednesday, June 27, when will be presented Tobin's Comedy of THE HONEY MOON....After which, a SONG, by Mr. F....To conclude with the laughable Farce of THE IRISH TUTOR.

je27 R. M. McALPIN, President.

Examination of Auguste Pino, Charged with the Murder of Michael Burns.

The examination of Pino took place yesterday before Recorder Baldwin. W. B. H. Holland, having been retained by the widow of the deceased, appeared on the part of the prosecution, and Randell Hunt as counsel for the prisoner. The testimony we have reported in full. The witnesses on the part of the State make out a positive case of murder, while the larger number examined for the defence as clearly define the killing to be justifiable homicide. The singularity of the evidence will attract general attention, and the direct contradictions involved must be a subject of comment. We do not pretend to give an opinion in this case; the tribunals of justice will decide it. The evidence we give to our readers that they may have a full statement of the testimony and draw their own conclusions.

The first witness examined was Nicholas Riley, on whose affidavit Pino was arrested.

RILEY being sworn stated—I was acquainted, very slightly acquainted with the deceased. I never saw the accused until last Tuesday, when he was attending to some business on the wharf. On Thursday, the 21st instant, I was on the levee at post No. 33. I saw Auguste Pino coming in on the wharf and, without having any dispute with Michael Burns, unprovokedly assaulted and strike him with a measuring rod. I then saw Burns, who was wheeling a barrow, put it down and retreat from Pino some four or five yards. The prisoner then picked up a stave, and Burns called out to him, "Don't strike me with a stave," when Pino struck him with it, drew a knife, dropped the stave, and stabbed him. The weapon he used was two edged, white handle, with a piece across it. I saw the accused draw the knife from the side of his clothes. I was standing, at the time, on the wharf between Pino and the deceased. Pino went round me and struck Burns with the stick; he then dropped it and took up a stave from the barrow. Burns was retreating when the accused attacked him with the stave.

Cross-examination.—My business is acting as a foreman for a stevedore; his name is Edward Shingle. When the difficulty commenced, I was standing one yard or one yard and a half from each of them. There was no dispute between Pino and Burns. I did not hear a word pass; I could have heard a conversation at such a short distance. After Pino first stabbed Burns, I saw the two fall over the wharf, and then saw the accused stab Burns several times while in the water. Burns never struck Pino. I did not interfere, for I had no time. I did not strike at the prisoner and there was no blow given during the affray that he did not deal himself. I called to deceased that Pino had a knife. After he was once stabbed with a knife, Burns fell into the water.

JOHN JACKSON sworn.—I was working on the Levee, at Post No. 33. Burns was wheeling a barrow on to the staging of a vessel. He had his barrow at the commencement of the staging. Gavino Leddo was standing on the staging when Burns went to wheel up. Pino, the prisoner, would not let him do so. Leddo was standing before the barrow. I heard Leddo tell Burns, Burns said, "Why do you damn me?" and as he went to wheel up his barrow, the prisoner struck him with a rod by measuring rod. Burns then let go of the barrow, and the accused picked up a stave; and while Burns was calling "Do n't strike me!" Pino struck him with the same then threw it away, and drew his knife. I saw the prisoner strike deceased with the knife; they struggled together, stumbled on a spar lying on the wharf, and both fell into the water. I saw Pino with his knife while in the river. Leddo stood with a stave in his hand between them and the crowd while they were in the river, as if to keep any one from interfering. Burns rose in the water, crying, "I am stabbed!" Gavino Leddo was the owner of the staves that were being shipped; the accused was there counting them.

Cross-examination.—I was wheeling staves on board of the vessel and was following Burns. There was no dispute between Leddo and Burns about a stave. When Burns asked Leddo why he damned him Leddo replied, "None of your business." Pino then came up, when the deceased was wheeling upon the stage. Burns told Leddo to go off from the stage, which he did not do; he then went to wheel his barrow upon him, when Pino struck. Burns seemed to be angry at the time of speaking; he had delayed at moment, and was commencing to go up again with his load, when Pino struck him sideways with the rod. When Burns was struck he retreated, and threw off Pino's blow with the stave; then the accused ran at him with a knife. When they fell into the water, Burns got on top, and was endeavoring to get away, while Pino was stabbing him from underneath. Burns stood up to his breast in the water. Pino's head was from under Burns.

WILLIAM VIZARD sworn.—I was not present at the affray. I only came by after the occurrence had taken place.

EDWARD WINTER sworn.—I am mate of the ship that was loading with staves at post No. 33. I was standing along side of the staging at the commencement of the affray. Capt. Park had ordered me not to receive any bad staves, and told the men who was wheeling not to wheel any in. Burns got hold of one and threw it out. Leddo asked him why he did so. Burns said that the mate had told him to do it. I ordered them d—d him, and said that the mate had nothing to say; that he was the boss there. Mr. Riley said to the deceased, "Why are you jawing with these men? Go to your work." Burns was going to wheel up the stave which he had thrown in his way, and he told him to get out of it. Riley also said to Leddo, "Go out of the way—the ship pays for the privilege of the stage;" when he replied that "if he was well he would fix the whole of them." I saw the prisoner here take his measuring rod and strike at Burns; the latter stopped his barrow, picked up a stave, and retreated to the other side of the stage. The prisoner then dropped his stick, drew his knife, picked up a stave from off of the barrow and followed the deceased. I went out of the way. While I was walking with my back toward them I heard Burns say, "Don't strike me with the stave." I next saw them falling over into the water; Burns had hold of the prisoner's hand, in which he held his knife. Riley sang out to him to keep hold of Pino's hand; both rolled over—the prisoner being underneath and Burns on top. I saw Pino then stab the deceased several times while they were in the water. I cannot say whether he had stabbed him before or not.

Cross examination.—I am first mate; I was born in Barcelona; I was receiving staves, and Pino came there to count them. We had not commenced loading. When the affray occurred I was standing on the wharf, while a drayman was counting staves to me. I was five or six feet off of the combatants. Burns appeared angry in consequence of what Leddo had said. I took no notice of the words that had passed, and could not repeat all the conversation. The first I saw of the collision between Pino and Burns, the former was striking him with a stick. When the deceased ran his barrow up to Leddo, he appeared in a threatening way to run him down. Pino was along side of the barrow, and Burns had been jawing. I saw deceased pick up a stave; but do n't know that he raised it; I cannot say what he did with it. Then the prisoner drew his knife first, and also took up a stave. I retreated from fear of Pino's weapon. I was sufficiently calm to know what occurred. The wharf where they fell is very soft, with about four inches of water.

THOMAS RILEY, sworn.—I witnessed the fight on Thursday last; Burns was wheeling staves, and threw one off his barrow; Gavino Leddo then said, "You are a damn son of a——"; then Pino drew his knife; there were four persons wheeling; Leddo was in front of the barrow; Pino had a knife and rod in his hand; he struck the deceased, when Burns drew a stave and retreated; I saw the struggle on the wharf and in the water, and saw Pino, with his knife, walk out of the river; Burns lived 20 minutes; when Pino got out of the water, he went off; I was standing, with my hands on my barrow, four or five yards off.

The evidence here closed upon the part of the prosecution, and the witnesses for the defence were called.

GAVINO LEDDO, sworn.—Between 9 and 10 o'clock, on the 21st of June, I went to the bark Autoleon to deliver a lot of staves I had sold; I was on horseback having received a very severe injury to my foot, which prevented my walking; I saw Burns piecing out his staves and loading them into his barrow; I asked him why he did so; he answered me, "None of your business"; I said that it was my business, and that I would make him stop wheeling another stave; Burns then said to the man wheeling in front of him, "Tell the damned Frenchman to get out of the way." I then got upon another plank; I told Burns that he should not wheel another stave until I saw the captain or mate. He then loaded the wheelbarrow very heavily, and tried to roll it on top of me; when Pino saw that, he came and tried to prevent the man from doing so; deceased then struck him with his fist on his forehead, and still tried to wheel up the barrow; when Pino, coming in front of me to prevent it, the barrow struck him on the leg with the wheel; which mark he now has; both of them then took up staves at the same time; but Burns, being the strongest, knocked the stave out of Pino's hand, raised his arm and struck him on the head. The prisoner's head was much hurt, and bled from a long gash cut by the stave; Burns then raised his stave again and struck at Pino, who fended off the blow with his arm; he still bears the mark. Burns and Pino then made a few steps, when the accused trod on a spar, and Burns striking him at the same moment, he fell into the river; Burns following. I supposed from the force of his blow they were both in the water and mud; at first Pino was sideways, then Burns turned him over and put his head under water, trying to push it under the mud; the people on the stage and wharf were crying, "Drown him, drown him—give it to him;" the mud was very soft; I did not see Pino draw his stick, drew it until the last struggle; he struggled very violently beneath Burns, and at one time I thought he was dead; the deceased came out of the water first; I helped Pino out myself. [Pino's clothes were here exhibited in Court, perfectly caked up with mud. Also his Panama hat, worn at the time, which had marks of blood *inside.*] When he came out Pino went to my office, the laborers following him with sticks and stones; they numbered 40 or 50; when Pino got to the office he said that he would go and give himself up to the Justice; I told him to do so, and that I would go with him; he then went and surrendered himself.

Cross-examined.—I did not see Pino strike Burns with the measuring rod and then draw his knife. I did not hear the cry of Riley—"Hold his hand." I did not hear Burns say that he had been directed by the mate or captain to throw the staves away. When Pino picked up the stave he did not have the rod; when the wheelbarrow rolled against him he had let the rod fall. Burns dropped his stave when Pino was on the spar, and gave Pino the blow that threw him into the water. Pino is my clerk; is from the same country, and has been living with me for some time; I have known him a long time; he is very peaceable; has never had a quarrel in the city of New Orleans; he has been here about three years.

JULES CUNY—[Given in French, and interpreted by the Clerk.]—I was just from breakfast, and was standing on the staging of another ship, when I saw Leddo come on the wharf, on horseback, and Pino, with a measuring rod in his hand. I know nothing of the first of the affray. A few seconds after, I heard Burns say "Get out of the way." At the same time saw him pushing his barrow against Leddo, when I saw the accused run and stretch his rod across the staging to keep Burns from running on his employer. Pino did not touch the deceased with his rod; who continued shoving his barrow against his leg, and then struck him with his fist. At this time both of them took up staves. Burns struck first, and knocked the prisoner's stave out of his hand; he then raised his stave again, and struck Pino with it over the head. I left where I was standing, and came to the wharf where the fight was going on. I saw Burns knock Pino down near the water, into which he rolled. The deceased then followed him in some three feet, and endeavored to pull the head of Pino down into the water, while his comrades shouted "drown him." I believe that when Pino struck Burns with his knife he was in much danger; Burns was on top, in the mud and water; Pino was struggling hard underneath, and tried his best to extricate himself; he could use but one hand. I am not related in any way to the prisoner. Leddo is his cousin. There was no attempt made to pull Burns off when on top of Pino. My opinion is that if Leddo had attempted to interfere, that the crowd would have killed him. Mr. Leddo was very lame. I saw the stabbing; it commenced in the water. The head of Pino was under water some time; he had his hat on. Burns got out first. Burns threw Pino purposely into the water. Pino had not a stave after Burns knocked one out of his hand.

STEPHEN BRUNT [German] sworn.—I was on the next wharf: saw two men wanting to fight; one man struck the other over the head with a stave; the man struck was the prisoner at the bar. When they both clinched and went overboard, Pino first; the big fellow was on top of the prisoner; he then struck Pino on the head while in the water. I did not see the knife. Plenty of men cried when Pino ran off, "Stop him, stop him!" Pino went to his office.

Cross-examination.—I am positive that the deceased struck the prisoner several times on the head while in the water. Pino was underneath Burns when this struck.

PHILIP WILHELMY sworn.—I was unloading my cart when I first saw the two men in the water. I saw Burns attempting to drown the prisoner; the water was running into his mouth when Pino used his dirk. The mate was standing 10 feet off at the commencement of the fight. I considered the prisoner in great danger of his life; I ran for some friends; when I came back I saw Burns come out; Pino had to be helped out; there were 50 men with sticks and stones that followed him. I am in the employ of Leddo. Have known the prisoner for some months; he is a peaceable man; never knew him to have a quarrel.

JOSEPH GAJIS sworn.—[Testimony in French, and interpreted.]—I saw Leddo standing in front of the staging when Burns came on with staves. Leddo inquired why he took big ones; the answer from deceased was, "It's none of your business." Leddo then said that he would stop it; Burns very angrily insisted upon pushing on the wheelbarrow—said that he would go ahead if he had to shove them both over board. He pushed the barrow against the prisoner, who had come up, and they both then seized staves, when the deceased knocked the prisoner's stave out of his hand, struck him on the head, and then knocked him over the staging. In the water, Burns was on top, trying to push Pino's head under, while the latter was struggling to extricate himself. Leddo cried for help to get Pino out. I told him that he could not—the crowd around with stones would hurt them. A tall man, supposed to be an Irishman, came afterwards to the vessel and told the mate that if he would come to the court and make a deposition, he would pay him well for it. The mate replied that he had business to attend to; but if the captain would grant him license, he would do it. Burns came out of the water without assistance.

——PORR, f. to. c., sworn—[Testimony in French]—I was passing by; heard a noise; went to the place; saw the men in the water. The prisoner was one; he was under, trying to get out and to extricate himself, while the other was attempting to put his head in the mud. The deceased then turned his back and came out of the water. I considered Pino in great danger and thought at one time that he was dead. I have known him for 13 months; he is a very peaceable man, very mild disposition.

JULES DUGAL sworn—I was passing by; heard a noise; ran and saw two men struggling in the water. I saw Burns come out and I perceived wounds upon him. During the struggle I thought the prisoner was in great danger. He was lying in the water on his back.

Messrs. Felix Bartelle, Joseph Grasse, and James Grasse were then called upon, and testified to the peaceable and quiet disposition of the prisoner.

The defence having closed, the Recorder stated that, as in duty bound, he would return the prisoner before the First District Court for trial on the charge of manslaughter.

This is bailable, and to-day we understand that the necessary bonds will be given.

Steamboat Departures This Day.

☞ SEE ADVERTISEMENTS ON THIRD PAGE.

Pittsburg.....GEORGE WASHINGTON, Carroll, 5 P. M.
Biloxi.....MOBILE, Sutton, 6 P. M. Cars.
Madisonville.....OLIVIA, Grice, 2½ P. M. Cars.
Mobile.....CREOLE, Broadwell, 11 A. M. Cars.
Red River.....TALLAHATCHEE, Sweeny, 5 P. M.
Red River.....CREOLE, Remer, 5 P. M.

☞ U. S. Mail Steamer Geo. Washington—For Pittsburg, Wheeling, Cincinnati and Louisville—Is now receiving freight, and will leave THIS DAY, Wednesday, at 5 o'clock p. m. punctually, from Poydras street wharf.
HYDE & OGLESBY, 19 Poydras street.
Passengers will please be on board at the above hour. je27

☞ The Ship Jane H. Glidden, Capt. A. Childs, from Havre, is stationing opposite Post 17, Second Municipality.... Consignees will please attend to the receipt of their goods on the Levee. All goods not permitted within five days will be sent to the public stores. je26 DEWEY & CO. 6 Gravier st.

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The performances will commence with an original, mirth-provoking dramatic sketch, called OMNIBUS vs. STEAM.
Tom Dobbs, Mr. Harry Eytinge....Pat Rooney, Mr. J. Charles.
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