BALTIMORE.

FRIDAY, MARCH 19, 1858.

The stringent measures adopted by LOUIS NAPOLEON for the "better regulation" of the French press, strikingly resemble the system which *Figaro* in the play, tells us he found in force at Madrid. "I was informed," says he, "that, provided I did not allude in my writings to the authorities, nor to religion, nor to politics, nor to morals, nor to persons in credit, nor to the opera, nor to other play-houses, nor, in fact, to any body who is interested in anything, I might freely print what I liked, under the inspection of two or three censors." "And," adds the witty valet, "in order more effectually to avoid all risk of offending the authorities or any one else, I propose to call my paper *Le Journal Inutile*." The description as applicable to the present state of journalism in France is drawn to the life.

"What shall I write about?" is a question which Government has saved the French journalist the trouble of answering, by restricting his choice of subjects within such narrow bounds as virtually to destroy the usefulness and value of the press, either as a channel of information, or as a representative of opinions. It is curious to contrast the state of affairs in France in 1858, with that in 1848. Just ten years ago LAMARTINE and his associates in the Provisional Government administered the affairs of the Republic, where NAPOLEON III now wields the powers of the Empire. Then a Utopian dream of *Liberty*, *Equality* and *Fraternity*, filled the minds and excited the imaginations of the French people. To-day the stern and ever-present reality of a military despotism rests like an incubus, upon the land and stifles all freedom of thought and action. Instead of the stormy debates of the Convention and of the National Assembly, we have in the Imperial Senate the empty shadow of a deliberative body whose hollow forms of procedure are wholly insufficient to veil from ridicule and contempt the transparent mockery of legislation. Republican simplicity has given place to Imperial ostentation and to a Court whose *parvenu* splendor outvies that of the oldest monarchies of Europe. Instead of the promised era of fraternity and good fellowship, the reign of absolutism and of terrorism is revived in the odious system of censorship, and *espionage* which is exercised over the daily walks and talks, the lives and conversation of citizens, and which with argus-eyes of sleepless vigilance is about their paths and about their beds, and watches their goings forth and their comings in, their uprising and their lying down. The glorious dream of poets and philosophers has faded into nothingness, and the only result of the "Days of February" has been to substitute for the comparatively mild and constitutional rule of LOUIS PHILIPPE the iron despotism of LOUIS NAPOLEON. Whether this result has upon the whole proved beneficial to the best interests of France and of the world, or the reverse, is a question which we are not called upon to decide, and about which it were idle to speculate. To reckon the comparative loss or gain accruing to France from the substitution of any particular form of government for another, would be a nice calculation, for which, however, the curiously disposed might easily find the necessary *data* and material, without traveling very far into the remote past of history. The experience of centuries has been compressed by France into the limits of a lifetime, and the duration of a single generation. "Everything by turns and nothing long," an intermittent fever of revolution appears to have afflicted her people, and grown by dint of "damned custom" into a chronic distemper.

With respect to the latest and present phase of this constitutional malady, it must be said, however, that if the *coup-d'etat* of Louis Napoleon, which proved the *coup-de-grace* of the Republic, frustrated many hopes, it also averted from France and from Europe many calamities. To strike the resulting balance of good and evil may be beyond our power, but whether for good or whether for evil, the recent and repeated attempts upon the life of the Emperor, and the extreme measures of precaution and repression adopted in consequence, indicate the frailty of the tenure by which the Empire exists. Among those measures, none are so significant as those which are directed against the liberty of the press. They prove incontestably, by the confession of weakness and the misgivings of danger implied, that though Italians may have planned and executed the late tragedy of the Rue Le Pelletier, there must be Frenchmen who sympathized with their attempt. Not all the addresses of all the colonels in the French army, backed by the official assurances of the *Moniteur*, can efface the impression which the recent steps taken to silence and muzzle the journalists of Paris are certain to produce upon the public mind—an impression, highly unfavorable, to say the least, to the stability or long continuance of the present *regime*.

The New York *Tribune* of yesterday ventures to assure its readers of its profound conviction, based upon "private and confidential advices from Washington," that the Lecompton Constitution cannot pass the House of Representatives, and will as surely pass the Senate on Monday or Tuesday next by a smaller majority than was anticipated.

After this unqualified assurance, the *Tribune* adds in a subsequent paragraph: "Of course unforeseen blunders or culpable apathy on our side may yet prevent this result, but we deem this hardly possible;" thus cautioning its readers not to rely too implicitly on its prophetic foreshadowings. If the doubt is admitted, the confident prediction subsides into a mere matter of opinion.

FROM NEW MEXICO.

The New Mexican mail of the 15th ultimo has arrived. Capt. Marcy was to leave Fort Mission about the 1st of March for Camp Scott, taking flour, salt, corn, animals, and a number of wagons. He intended to return via Bent's Fort, taking a more circuitous northeastern route than previously traveled. He is reported to have said that supplies can be furnished to Camp Scott much easier and quicker from New Mexico than elsewhere.

Mr. Kit Carson has secured a treaty of peace between the Muatche Utahs, the Arapahoes, and the Pueblos of Taos. These Indians have been hostile to each other for a number of years. In the treaty just concluded they not only agree to peace among themselves, but a firmer adherence to their obligations of friendship for the whites. They agree to take the side of our Government in any issue between it and the people of any Territory, and do what they may be able for the suppression of rebellion in Utah. This treaty removes all apprehension of the Muatche Utahs being in alliance with the Mormons.

THE NEW RUSSIAN FRIGATE.—The new Russian frigate "Japanese," just finished for the Russian Government, went on her trial trip, a few days since down New York bay. We understand that the retult of the trial was a satisfactory one. It is expected she will be ready to start the first April. She has orders to proceed direct to China, and from thence to her station on the Amoor river, where she will be delivered up to the Russian Government. Several missionaries are going in her to China, having got permission to do so from the Russian Minister at Washington. She is to be manned by a full complement of American officers.

THE MCDONOGH ESTATE.—The New Orleans *Picayune* refers to recent decisions in the McDonogh case, showing that the "McDonogh will is substantially a nullity, and the McDonogh estate will soon be dispersed. Such is the evil of another attempt by a man of great wealth to tie up an estate beyond alienation, and erect great establishments, to be administered upon invariable rules laid down in a dead man's will.

SHREWD BUT UNPRINCIPLED.—A man of genteel appearance, who registered himself at one of the hotels as George Howard, and represented himself as an agent of the Lodi Manure Manufacturing Company of New York, has lately been operating extensively in the rural districts around Philadelphia. He would *give* the manure to persons, request only their signatures in pay, which he said he meant to use as recommendations. It is alleged that he used them for a different purpose, converting the blank space above the signature into promissory notes. These notes he would represent, it is alleged, as being given to the Company he represented in payment for manure furnished. Before the scheme was discovered, the individual had gone off with the proceeds of his rascality.

PROBABLE CLOSE OF THE FLORIDA WAR.—Jacksonville, March 11.—Major Rector has succeeded in inducing Billy Bowlegs, Jumper, and several of the principal men of the different bands to come and hold a "talk." Bowlegs is disposed to emigrate and take with him all he can influence to go. Major Rector is sanguine of success in his negotiations.

Col. Garret, Creek agent, and Mr. Johnson, are on their way to Washington city, to perfect some necessary arrangements previous to the Indians leaving Florida.

The friendly Indians, in their scouts, failed to find the hostile Indians. The latter found the white flags, and came into camp without solicitation.—This fact augurs well for a favorable result.

Fish are getting quite abundant. Our market is now supplied with fine rock, perch, herring and some few shad. Prices as yet are high. Should the weather continue as favorable as it has been for some days past, fish will come in greater abundance and prices will soon be down.—*Alex. Gazette.*

LATEST NEWS.

TELEGRAMS

RECEIVED AT THE OFFICE OF THE DAILY EXCHANGE.

CONGRESSIONAL PROCEEDINGS.

WASHINGTON, March 18.

SENATE.

A letter was received from the Secretary of War saying that Rock Island is not required any longer for military purposes and that steps have been taken for its sale.

Mr. Wilson said that an informal agreement had been made that the Senator from Georgia should take the floor on the Kansas question. He also proposed an evening session, which was agreed to.

Mr. Gwin offered a resolution of inquiry as to what steps had been taken to punish the perpetrators of the massacre of the 118 emigrants in Utah.

After the usual morning business, the Kansas bill was resumed. Mr. Toombs made a long speech in favor of the admission of Kansas under the Lecompton Constitution. He severely condemned the Northern movements to prejudice the South and prevent the admission of additional slave States into the Union.

When Mr. Toombs concluded, Mr. Bell commenced an anti-Lecompton speech.

After a recess till 6 o'clock, the Senate re-assembled, when Mr. Bell resumed.

10 o'clock, P. M.—The Senate is still debating, and a late session is anticipated.

HOUSE OF REPRESENTATIVES.

Mr. Savage—the army bill being under consideration—argued in favor of the employment of volunteers and against the recommendation of the Secretary of War, for the permanent increase of the army. He contended that if it became prevalent that we must defend for defence the standing army, the universal self-reliance for protection, now actuating the people would be stricken down.

Mr. Savage and Mr. Quitman made speeches in favor of the bill to authorize the President to accept the services of the volunteers for Utah and Texas. Other gentlemen also participated in this debate, after which the House adjourned.

FROM WASHINGTON.

WASHINGTON, March 18.—The Turkish visitors were formally received by the President to-day, who tendered to them the hospitalities of the country. The admiral replied, saying, that he had been directed by his Imperial Master to be guided by the advice and direction of the President, and to offer a souvenir in testimony of the high regard entertained by the Sultan for the President. The President then invited his visitors to dinner on next Wednesday. There were but few persons present, including Secretary Cass, J. Hersford Smith, Hon. J. M. Cross, Edward H. Carmick and the President's private Secretary.

The question on the Army bill will be taken to-morrow in the House. It has been decided to remove Montgomery Blair, Solicitor of the Court of Claims, and of this fact he is aware. No appointment of a successor has been made, though rumor says that Ransom H. Gillett will be his successor.

FROM KANSAS.

ST. LOUIS, March 17.—The Leavenworth correspondent of the *Leader* says that the Free State vote for Delegates to the Constitutional Convention in that city amounted to 650 against 1196 polled for State officers on 4th January last.

CHESAPEAKE AND OHIO CANAL.

WASHINGTON, March 18.—The stock holders of the Chesapeake and Ohio Canal met to-day and elected the following officers: President, Lawrence J. Prengle; Directors, Daniel C. Bruce, David W. O'Leary, of Alleghany county, F. Dorsey Herbert, John S. Bowley, of Washington county, H. Franklin Neil, Montgomery and John A. Magruder, of Georgetown.

A motion to reduce the salary of the President from $2,500 to $1,500 was made and adopted. The meeting then adjourned to the first Thursday in May.

RAILROAD RIOT.

NEW YORK, March 18.—A man having been accidentally run over by a train on the Hudson River Railroad this morning and killed, a riot ensued among the Irish laborers. The police were beaten off with stones by the rioters, who numbered some 5,000 men. Another train was also attacked with showers of stones, and great excitement prevailed. It has, however, since abated.

ROW BETWEEN NEW YORK ASSEMBLYMEN.

ALBANY, March 18.—In the Assembly after the morning session to-day, high words ensued between Messrs. Delancy and Chatfield, when the latter seized the former by the throat and held him till he became black in the face. The by-standers prevented further blows, but they were parted with much difficulty.

NAVIGATION OF THE HUDSON.

NEW YORK, March 18.—The river Hudson is now open to Albany, and the boats will commence running to that point to-morrow. The ice at Albany cleared away last night.

HEAVY BLOW AT ROCHESTER.

ROCHESTER, March 18.—A heavy gale of wind passed over this city last night, unroofing houses, blowing down steeples, etc. There was also much damage done in this vicinity. The telegraph lines west and south are down. There is also a flood in Genesee River, which is doing considerable damage.

THE SALE OF THE COLLINS STEAMERS.

NEW YORK, March 18th.—The sale of the Collins' Line of Steamers has been postponed for a fortnight from to-day, when they will positively be sold.

THE NEXT EUROPEAN STEAMER.

NEW YORK, March 18.—The steamer Kangaroo, for Liverpool, will not sail until Saturday. She will take the mails for Europe.

THE BARK ADRIATIC.

WASHINGTON, March 18.—The famous bark Adriatic, which eluded the French authorities so successfully, arrived at Savannah this morning.

HURRICANE AT LOUISVILLE.

LOUISVILLE, March 17.—The wind blew almost a hurricane at noon here to-day, unroofing several buildings, and slightly damaging a number of steamboats. No lives were lost.

JULIAN MAY.

PHILADELPHIA, March 18.—Julian May makes his debut at the Academy of Music on Saturday evening, in Sonnambula.

WEATHER REPORTS.

WASHINGTON, March 18, 7, A. M.—Barometer 29.86, thermometer 54°. Noon—Thermometer 67°, wind S. E.

PHILADELPHIA.—Weather clear; wind W. S. W., barometer 29.62, thermometer 65°.

MARKETS.

NEW YORK, March 18.—Cotton.—Sales of 1,500 bales—market very heavy. Flour is dull. Sales of 6,500 bls. at a decline of 5 cts. for State and Ohio, 10 cts. for Southern and common to good state $4.20 @$4.30; Ohio $4.95@$5.15; Southern $4.50@$5.—Wheat is quiet, but firm; sale of 4,500 bushels.—White 145 cts. Corn is firm—Sales of 34,000 bush. at a decline of 1 ct. White 67, yellow 69 cts.—Pork - Mess has declined 10 cts. Sales at $16.50@ $16.55; Prime $12.45@$13.50. Lard has declined ⅛—Sales at 9⅝@10 cts. Whisky has advanced ½—Sales of Ohio at 22½@23 cts. Coffee generally closed buoyant—Sales of 6,000 bags Rio at 12⅜ cts. Sugar is firm at 6@7½ cts. Naval stores are steady. Rice is steady. Freights are flat.

[From the Philadelphia Evening Bulletin, March 17.]

CLOSE OF THE PROCEEDINGS OF THE METHODIST PROTESTANT CONFERENCE—THE APPOINTMENTS.

The Maryland Annual Conference closed its proceedings at a late hour last evening, and adjourned until next year.

The committee to whom was referred the business connected with the first M. P. Church, of this city, made a report, requesting Rev. E. Y. Reese to travel and collect money for the same, which was agreed to.

The collections during the year for the Superannuated Fund and conference collections amounted to $2,220.77.

The President announced the following appointments for the ensuing conference year;

Alexandria Station—John Roberts. Baltimore, East—E. J. Drinkhouse. Baltimore, West—D. Evans Reese. Baltimore, South—H. J. Day. Baltimore East Mission—Jesse Shreeve. Cumberland—H. C. Cushing. Charleston—S. B. Southerland. Georgetown—David Wilson. Harper's Ferry—Wm. S. Hammond. Reading—C. H. Littleton. Salem—J. W. Everest. Philadelphia, first M. P. Church—Dr. J. Murray. Philadelphia, Twentieth St.—J. M. Dennis. Washington, Ninth St.—Dr. F. Swentzel. Washington, East Mission—J. R. Nicholas. Accomac and Friendship—R. T. Boyd. Anne Arundel—Dr. D. F. Ervell. Alleghany—Dr. A. S. Eversole. Baltimore Ct—N. S. Greenaway, J. A. McFadden. Cecil Ct—George Simpson, J. F. Whiteside. Caroline—Thomas Lee, J. H. Ellegood. Cambridge—C. Eversole. Concord—W. G. Holmes. Deer Creek—T. D. Valliant, J. Thompson. Dorchester—T. C. Ervell. Frederick—Wm. T. Wright and J. Clay. Howard—R. S. Norris and T. J. Slaughter. Jefferson—P. L. Wilson. Kent—D. W. Bates, Wm. Reese and Dr. F. Waters, Supernumeraries. Newton—J. K. Nichols and W. Straver. New Market—John Elderdice and C. Cochaeb. Potomac—A. D. Dick. Prince William—G. H. McFadden. Pipe Creek, S. Ward—J. S. Murray. Queen Anne's—D. A. Shermer, B. F. Benson. Salem and Warwick—B. F. Brown. Snow Hill—L. W. Bates. Sussex—T. M. Ryan. T. A. Moore. Talbot—H. P. Jordon, D. Bowers. Trough Creek—J. M. Elderdice. Union—F. G. Wright, R. Livingston. Williamsport—T. Burton. Carlisle—Wm. S. Durrin. Frederick Mission and Superannuated Fund Agency—Josiah Varden.

Superannuated—E. Henkle, G. D. Hamilton, S. L. McLean, Jno. Morgan, A. Baker, S. M. Wilson.

Left without appointments at their own request—S. H. Cox, Oliver Cox and A. Hammond.

The *Picayune* further informs us, that "the result confirms to the city a large and valuable property—large in its present, but much larger in its prospective value, with a wise system of administration It is burdened, indeed, with some equitable trusts, requiring delicate management, and is in itself a great trust for the public."

ANNEXATION.—The neutral territory, so long in contest for jurisdiction, between Florida and Alabama, comprising a narrow strip of fractional township running along the northern boundary line of Florida to the Cattahoochee river, has at length been decided in favor and annexed to Alabama.

A patent has recently been awarded a Mr. Utley, of North Carolina, for an improved plough, in which the subsoil, the turning, and coulter plough are all combined, so as to work jointly or separately.

FOREIGN.

THE MAILS OF THE NORTH AMERICA.

FRANCE.

THE TRIAL OF THE CONSPIRATORS.

FIRST DAY.

Condensed from the Times' Correspondence.

PARIS, THURSDAY, Feb. 25.—At 9 o'clock precisely the doors were thrown open. There was no rush, no tumult, no wild efforts to dart along. The groups that were nearest the doors were allowed to pass in an orde ly manner, on showing their cards, and once past the door-bearers, were shown by the officials to the places already marked out for them.—Yet so continuous was the flow that in less than half an hour the large court was almost full, and after half-past 9 the loiterers, however distinguished they might be by the external signs of rank, were unable to get further than the door in spite of the good will of the door-keeper.

It would occupy too much space to give the names of the distinguished persons who were present. Nearly every member of the Diplomatic Corps, and all the highest functionaries in the Administration and the Court attended. Of the members of the Imperial Household there were General Fleury, M. Valabregue, M. Konigswater, M. Chaseloup Laubat, and various other members of the Legislative Corps.

APPEARANCE OF THE PRISONERS.

At 10¼ o'clock the burly form of Marshal Magnan was recognized among the crowd, and almost at the same moment the prisoners were introduced. Each was led by two gendarmes, and were placed in order after each other: Orsini, Rudio, Pierri, and Gomez. Their appearance, as might be expected, drew off attention from every other object to fix it on them. Every eye-glass and every opera-glass was directed to the bench of the accused, and particularly to Orsini. The prisoners were dressed in black, but this was the only resemblance between them. Of the four, Orsini is certainly the most worthy of remark. He is of middle stature, rather stout, full in face as in body. Without being what may be called *distingue*, his bearing at all events contrasts with that of his companions, and gives him the air of a man of the superior classes. He wore neither beard nor moustache, but only whiskers. If he wore a white neckcloth instead of a black one, he would be taken for an advocate or an *avoue* or an *employe* of the upper ranks.

De Rudio is of lesser statue than Orsini, and his features are as pinched as those of the other are full. With the exception of a thin moustache his face was clean shaven. His face might in other times have been well-favored, but his vagrant and wild existence and vice, or suffering, or both, have effaced whatever traces of distinction or regularity it might have originally possessed. His long hair fell upon his shoulders, and was parted in the fashion of hairdressers' journeymen or apprentices.

Gomez certainly has the closest resemblance to the menial servant he personated in the conspiracy. In the first coffee-house or first hotel you enter you may meet visages like his by the dozen.

When the prisoners were seated, and the President of the court was seen to put his first questions to the prisoners, (the *interrogatoire*,) deep silence succeeded to the buzz which followed their appearance. These questions were purely formal, as to their name, surname, place of birth, profession, &c. After this was gone through the prisoners were removed, and the operation of drawing for the jury took place. In about a quarter of an hour the proceedings were resumed.

The jurors' names were called over, and in the list those of M. Dusautoy, the Court tailor, whose establishment is in the Rue Lepelletier, and M. Aloury, I believe the well-known writer in the *Journal des Debats*, were remarked. On returning to the bench the prisoners were placed in order different from the first. They were now Gomez, De Rudio, Orsini and Pierri.

The reading of the *acte d'accusation*, which lasted until nearly 12 o'clock, was listened to with the greatest attention, but the report of Doctor Tardieu, which states that the number of wounded was 156, and the wounds 511, created a profound sensation. When the *acte d'accusation* was read the list of witnesses was called over. The emaciated appearance of several of those persons, many of whom are still forced to use crutches, created a very painful sensation in the Court.

EXAMINATION OF GOMEZ.

The examination of the prisoners then began. Gomez was the first examined. We have already seen from the indictment that this man had made a full confession of the crime; though in this confession he persisted to-day, yet what he said was occasionally marked by contradiction and reserve. On coming to the date of the 14th of January, he admitted that he was at Orsini's house at 6 P.M., when the final meeting of the conspirators was held, that he had served them with mulled Bordeaux wine, that he had gone out with them having a bomb and a revolver in his possession which had been given to him by Orsini; but at the same time he declared that he was completely ignorant of what he was to do with the projectile or the weapon, and if he flung the bomb under the Emperor's carriage, he only obeyed his master's orders.

"How,"—exclaimed the President—"how is it possible you could consider such an order one to be obeyed?" Gomez made no reply to the question, though it was repeated twice or thrice. He broke silence only to a question as to the pistol of which he was the bearer. He said he was utterly ignorant whether it was loaded or otherwise, nor did he know who loaded it. The President observed that the innocence to which he laid claim was contradicted by Orsini himself, who in his examination said that Gomez should not be considered as a child, and that he knew very well why he had been brought over to Paris. To that he replied, "M. Orsini may say what he pleases." The President directed his attention to the letter of the 9th of October, spoken of in the examination, in which he declared his entire devotedness to Orsini and his plots in favor of the cause of Italy. Gomez remained silent.

EXAMINATION OF RUDIO.

The examination of Rudio then commenced. Rudio had also made a complete confession, and he on this occasion, repeated it. While Rudio was in England, notwithstanding his being a professor of languages, he was nearly starving. He was in this position when he met Bernard, to whom he applied for employment, and who promised to procure him some. Pierri, to whom Bernard recommended him, promised him 336 francs, and 2s. a week for his wife, if he would follow him to Paris, which he did, and when there he told him what he was to do. The matter appeared to him to be too serious, but he found himself committed, and his *amour propre* would not permit him to recede. At the conclusion of his interrogatory, the President said to him:

"You belong to an honorable family, but you were expelled from school for your bad conduct, and then from step to step you became an assassin for 336 francs.

These words produced a profound sensation.

EXAMINATION OF ORSINI.

Orsini was then interrogated.

The President—You first made admissions, and then you retracted them. Finally, on the 9th of February, you addressed a letter to the Attorney General in which you protest your innocence."

Orsini—I have in fact an explanation to give. I have long endeavored to effect the independence of my country, and this idea has occupied my mind without any feeling of hatred against France being mixed up with it. All my hatred was against the Austrians, who since 1815 have never ceased to persecute us and plunder us. I have never ceased to struggle against Austrian dominition, and this is the only crime of which I have been guilty. In 1848 I hoped with all Italy that the end of Austrian domination had arrived. A constituent Assemby having been convoked at Rome I was elected to form a part of it.—There seeing a French army landed we tho't it came as a friend, but when we saw it came as an enemy, we were painfully astonished. An engagement having placed a certain number of French soldiers in our hands, we took advantage of an armistice which the French General accorded us to restore him his prisoners. This surrender took place at the advanced posts to the cry of "*Vive la France? Vive L'Italie!*" At a later period every one knows how the engagements, the promises, and the armistice were kept. But in spite of that the political men who then directed affairs at Rome, did not cease to show attachment towards France, so persuaded were we all that that war was the act of the Government and not of the nation.

The President.—The freedom allowed to the defence ought to make us tolerate such words; but we will revert to them.

ORSINI - Be it so; but if I be allowed to explain I shall do so with the same moderation as I have hitherto shown. To return to our sentiments towards France, I will say we consider her as so foreign to what passed at Rome, that in all the conspiracies which have taken place at Rome since the duration of the occupation, measures were always taken and orders given that in case of executions or in case of success, the French army should be spared. The fall of the Roman Republic becoming an accomplished fact, I have not ceased to labor for the liberation of my country. Instead of placing myself, as Mazzini, in the way of conspiracies which sends out a score or so of armed men in the street, where they are stupidly shot down, I wished at first to pursue my object by legal means. When in England I wrote and spoke to the public in favor of political intervention.

I applied to the authorities, and I addressed petitions to the Queen for the same purpose. Seeing that all those steps ended in nothing, the faith I had in my cause urged me to find out the reasons of my failure. I will not now detail the reasons which convinced me that the Emperor Napoleon has an interest diametrically opposed to the independence of Italy. Once convinced that this was the great strumbling-block to our independence, I confess that I resolved to kill him. I make this avowal frankly. I should have preferred executing this design alone, but close access to the Emperor was not easy, and I was therefore obliged to seek associates. After having approved my plans and given their consent and assistance, these men abandon me to-day; and it is their testimony which has led to my capture by you. I will not show reprisals. I will not recriminate on them. I pardon them, and I offer my head as a sacrifice to my country. Before my judges I will only occupy myself with one thing—my character. Let me not be judged by the declarations of these men. I do not accuse them. But fear, which is a dangerous counsellor, has forced on them a system of allegations which are not in conformity with the truth. The regard which I have for the guilty sufficiently explains what my conscience prescribes towards an innocent person. Mr. Allsop pursued as an accomplice. Well, then, I am bound to say that Mr. Allsop has never had any knowledge of this project of assassination. He assisted me in the making of the bombs, in the belief that they were to be employed in an insurrectionary attempt in Italy. As to M. Bernard, the respect I owe to the truth does not permit me to affirm that I have not told him that the bombs were to be employed in France, but I cannot still assert that I told him so. I oftener conversed with him about Italy than about France.

This exposition of his plans was made by the prisoner with the utmost calmness; there was nothing inflated in his tone, and there appeared little or no affectation in his manner. The President thought that Orsini was aiming at a character for generosity which was not consistent with his original examination. He reminded him of his remark, that disposed as he was to be generous, the object of that feeling must be worthy of it, and that his accomplices did not appear to him to deserve any sacrifice on his part. He thought he ought to give explanations, the result of which was that each one should keep for himself the part that belonged to him. Orsini related his first meeting with Pierri, and then with Rudo and Gomez. Being pressed on this point he refused to say more. He merely avowed his participation in the transport of the bombs and the fulminating powder. On arriving at the events of the 14th his voice, which was before strong and firm, appeared to falter. He avowed the meeting of the accomplices in the Rue Monthabor, and their proceeding to the Rue Lepelletier. He denied it was he who gave the order to throw the bombs. He himself would not have thrown any. The one he was to throw was given by him to another Italian whose name and co-operation he had concealed from his accomplices. Wounded by the first explosion he had lost his sight, it was he who, before entering the shop of the apothecary, had let fall the pistol and the grenade picked up at two yards from the shop.

EXAMINATION OF PIERRI.

Pierri's examination was rather a laborious task, not only for the reporters, but also for the President, M. Delangle, who was frequently obliged to repeat the same question five or six times before eliciting an answer, or rather something like an answer. Though Pierri could not deny that he had in his possession a pistol and a bomb, yet he evidently labored to take advantage of the circumstance that he had been arrested before the execution of the attempt, and that he did not, consequently, come within the strict rigor of the law, like his accomplices. He maintained that it was merely for his personal defence that he carried the weapon and the projectile found on him, and he declared that in England people generally go about armed by way of precaution against garrote robbers. This species of robbery being unknown in Paris, the word "garrote" seemed a puzzle to the greater part of the auditory; many persons thought he alluded to the superstition of the *lone garou*—a sort of malignant spectre, which under the form of a wolf, haunts lonely places by night. Pierri admitted that his journey to Paris was with a view toward a revolutionary movement, which he thought imminent. According to his version, it was not he, as stated in the indictment, but Orsini, who purchased at Birmingham the pistols found in Paris; but on this point Orsini flatly contradicted him.

Pierri, it would appear, had been already condemned twice, on one occasion for stealing an umbrella, and on another for stealing a watch. He admitted the fact of the watch, but denied with extraordinary energy that of the umbrella. This part of his examination appears to be omitted in the report published to day in the official journals, otherwise that report is correct enough. The proof-sheets were looked over by the Advocate-General, but this functionary seems to have exercised his right of censor liberally enough. The original report stated that "Orsini was brought into court handcuffed, but that when he had taken his seat in the dock the handcuffs were removed." The first part of the sentence is struck out, the second allowed to stand.

SECOND DAY.

PARIS, Friday, Feb. 26.—To-day the hall of the Assize Court was as crowded as yesterday, and a similar throng of persons of note was present, among others Prince Joachim Murat, the two Princes Czartoryski, Baron Chasseron, son-in-law of Prince Lucien Murat, the Prince de Bauffremonte, &c. Moreover, such of the magistrates as were not kept elsewhere by special duties, mustered rather strongly. Yesterday but a dozen or so of ladies, at most, were present, but to-day more than double that number might have been counted. The judicial proceedings commenced at the same hour as yesterday—10½. The first hour was taken up by the examination of witnesses, especially of Mr. Taylor, the English manufacturer, who made the bombs. The evidence has not been of a more interesting character than that of yesterday.

About 12 o'clock the Procureur-General, M. Chaix d'Est Ange, rose and delivered a long and eloquent speech.

After he had concluded, M. Jules Fabre, who defended Orsini, drew an eloquent sketch of the career of the latter, and closed his address as follows:

"Orsini entered on this dangerous path, on which fanaticism urged him, bowed before the man he had intended to strike, and, turning towards the nephew of the great Emperor, said to him, 'Prince, you boast of having issued from the ranks of the people. Well, then, take courage, and extend your hand to the people who are the brothers of the French people. Do not allow Italy to be trampled under foot by the children of the North. The source of your own power is a revolutionary source; bear it always in mind, and you shall be invulnerable.—I have now done, and my last words will be like those of the Procureur-General—a prayer.

You will do your duty without passion and without weakness, and God, who judges the great of the earth—God, who measures all human actions, and weighs the lives of men in the balance, of which our intelligence and our hearts cannot have any adequate notion—God, who views the sufferings of this man—his anguish, and the thoughts which have ever agitated his spirits—the ardent passions which have filled his heart—will, perhaps, render to this intelligent and noble soul a pardon which, in their weakness, men will not be able to extend to him."

Mr. Jules Favre then resumed his seat. The impression produced by these last words, was so great that several minutes elapsed before the Court was collected enough to call on M. Nogent St. Laurens, Pierri's counsel.

MM. Mallinet and Nicolet, Rudio's counsel, also appeared to produce much effect on the audience. At 4 o'clock, the proceedings were suspended, and the President began to sum up. He finished at five o'clock. Then the jury retired. They remained in deliberation two hours and a half.

THE VERDICT.

On their appearance in the jury-box a profound silence pervaded the hall, and a feather might have been heard to drop. The foreman read the verdict which he and his fellows had agreed upon. The reading of the document took up about three-quarters of an hour. The different queries were read to them by the Judges. To 148 they replied in the affirmative; to 26 in the negative, these last relating to the charge of conspiracy with the intention to murder a member of the Imperial Family, the Empress. Extenuating circumstances were admitted by the jury in favor of Gomez, no doubt as being supposed to have acted by the orders of his master. The passage of the verdict relative to the extenuating circumstances did not contain the words "by a majority of the Jury."

The President requested them to return to their room to fill up the omission. In about a quarter of an hour they again appeared, with the additional formulary. The prisoners, who had retired, were conducted to their places to hear the decision which was to decide their fate. They did their utmost to appear calm, but the extreme paleness of one or two betrayed the internal agony they must have felt at that moment. The Clerk of the Court, M. Commerson, read to them the verdict of the jury, and at his conclusion the Procureur rose, and demanded in a solemn voice the application of the law. The Judge asked the prisoners, one after the other, whether they had anything to say in answer to the demand of the Procureur?

Gomez replied—No, Sir.

De Rudio—I throw myself on the mercy of the Court.

Orsini—No, Sir.

Pierri—No, Sir.

The Court then retired to deliberate on the sentence. After the lapse of half an hour the Judges resumed their seats on the bench, and the President pronounced, while the same unbroken silence prevailed, the sentence of the Court. It was: Orsini, Pierri and De Rudio, condemned to die the death of parricides; Gomez to hard labor for life.

The first emotion over, the prisoners appeared to bear the sentence with composure. The punishment of parricide, according to the 13th article of the Penal Code, consists in being led to the scaffold to be guillotined, with a black veil over the face, a white shirt covering the clothes, and the feet naked, being previously exposed on the scaffold to the view of the people while the officers read the sentence of the Court.

The President informed them in the usual manner that they had three days to appeal to the Court of Cassation, if they thought proper. They made no reply, and were immediately led back to their cells.

CITY INTELLIGENCE.

MARYLAND INSTITUTE. LECTURE.—At the hour designated for the commencement of the Lecture before the Maryland Institute, last evening, a very large audience was in attendance. The President, Hon. Joshua Vansant, arose and stated that the next lecture, and the closing one of the season, would be delivered on next Tuesday evening, by Dr. Dunbar, of this city, on the subject of "Voice and Speech."

The President then introduced Rev. George W. Burnap, of this city, who proceeded to deliver his lecture on the subject of "Men of thought and men of action." He commenced by remarking that Providence had designed in the creation of man that he should be social in his character. Society is made up of individuals, and in all communities there were leaders who seemed to be specially delegated by God to take prominence. They take the lead and the masses submit to their command because they see that it is for their interest so to do.

The leaders were divided into two classes—men of thought and men of action; the qualities of thought and action were seldom combined in the same person; they may be mentally endowed alike, but the one who thought must necessarily retire from outside things. Men can have but one avocation, and he who devoted himself to thought was incapacitated to command. Men who think can discover what ought to be and what can be done, but they cannot do it, and are scorned and ridiculed, whilst practical men spring up, succeed with their enterprises and send their names to posterity. But the man of thought is the man after all, and without him the practical man is nothing.

The two are different in their temperaments; the man of thought cannot endure the conflicts of the world; cannot brook affront or violence. The man of action may not be a wise man and yet he may take the lead. He may have the facility to impress the multitude and by his mode of address may attain the advantage over the man of learning—who would control must have confidence in himself to inspire confidence in others—he must take the responsibility—must have a face of brass and a voice like many waters.

A wise though timid man may fail, while another, who seizes upon his learning and the facts which he has produced, may take the lead and have things just as he wills them. So much has temperament and constitution to do with controlling the masses. But the men of thought are the representatives of truth and justice; from them flow the power which rules and governs the world, and those who come in contact with them are forced to acknowledge their superiority. They are the true sovereigns of the world—and homage must be done them. Men of thought originate ideas—men of action found institutions. Achievements of men of action may be obliterated by other men of action; but the works of men of thought endure forever—what they do is never to be obliterated.

Pericles was a man of action, of noble ancestry and powers of eloquence; he could sway the Athenian multitude as the wind does the trees of the forest; when he was placed in power, he was in his proper position; he could meet emergencies in every case; in an age of great men, he was greatest of them all; he made Athens the wonder of the world, but as soon as he was laid in the dust, her glory was at an end. With him died the most consummate man of action Athens ever saw.

In his age flourished Socrates, a man of thought who could not boast of ancestry or affluence; he was poor, but had a power above all men who lived upon the earth; he toiled as a public teacher, not for gain, but as a benefactor; from an obscure position he arose to distinction as the wisest man, and wise men humbled themselves before him. He stood forth in the galaxy of great men like "apples of gold in the pictures of silver."

The lecturer next contrasted Aristotle and Alexander—one was the conqueror of the world of thought, the other the world of man. Whatever Aristotle received into his mind as chaos, was sure to come out perfection. His life was spent in thought, and he died prematurely from intellectual toil; he left a legacy such as no other man of his age, and science and thought have since flowed in the channel which he marked out. Alexander was the pupil of Aristotle, and no man accomplished so much as he in so short a time.

Cicero and Julius Cæsar were next mentioned as illustrative of the theme of the lecturer, and from them he passed on to Mohammed, Columbus, Shakspeare and Bacon.

In conclusion he spoke of the founding of the model republic of the new world, and the influence of thought and action upon its destiny. Jefferson was the man of thought who framed the Declaration of Independence, and Washington the man of action who accomplished the revolution which established a free republic. To these men was to be traced the pivot upon which turned the destinies of the American people.

LAYING OF A CORNER STONE.—Pursuant to announcement, a very large number of persons assembled yesterday afternoon to participate in the ceremonies of laying the corner stone of the East Baltimore Mission Chapel of the Methodist Protestant Church. The location selected for the building is on the south-west corner of East Lombard and Washington streets.

Among the ministers present, and who conducted the services, were the Revs. W. Robey, S. B. Sutherland and E. Yeates Reese.

After singing an appropriate hymn, and prayer by Rev. Mr. Robey, the assemblage was addressed by the Rev. Mr. Sutherland, who was followed by the Rev. Mr. Reese.

A collection to aid in the erection of the Church was then taken up, the proceeds of which amounted to the handsome sum of $400.

The corner-stone was then placed in its proper position, the religious services conducted by the Rev. Mr. Robey. The stone is granite, about eighteen inches square, bearing a suitable inscription.—There were placed within it the Holy Bible, the Discipline of the Church, a copy of the Methodist Protestant paper of this city, a copy of the Mutual Rights, a copy of Questions and Answers on Church Government, a copy of each of the daily papers of Baltimore, a roll of the names of the officers and members of the Columbian Fire Company, names of the President of the United States, Governor of Maryland, and Mayor of the City of Baltimore, names of the Pastor and officiary of the Church and of the officiating ministers, and several coins of the present currency of the United States.

The stone was presented to the Mission by the members of the Columbian Fire Company, who also have given the use of their hall to the congregation as a place of worship, since its organization.

The Rev. Jesse Shreeve is Pastor of the Church, and is doing great good. A protracted meeting, conducted by this gentleman, has been in progress for the last three or four months, and still continues. Some two hundred persons have already united themselves with the Mission.

PRESENTATION.—On Wednesday evening, a committee of the members of the City Council presented to Dr. H. G. Grieves, member of the Legislature from Dorchester county, stopping at the Fountain Hotel, a handsome gold mounted ebony cane, in consideration of his kind attentions during a recent visit to Annapolis, and for the interest he manifested in all things tending to the advancement of Baltimore during the sessions of the Legislature. The presentation was made by George W. Herring, Esq., of the Second Branch, and responded to by Dr. Grieves in a few modest remarks.

FIRES.—The alarm at half-past eleven o'clock on Wednesday night proceeded from the burning of a cooper shop on South Sharp street, owned and occupied by a German named Miller. Damage slight.

At quarter-past eight o'clock yesterday morning a fire broke out in the roof of a two story brick building situate on Commerce street, between Pratt street and Exchange Place, occupied as a cooper shop by Mr. Thomas Woollen, and owned by Mr. Wm. Patterson. Total loss will not exceed $100. Both parties are insured in the Firemen's Office. The fire originated from a defective flue in the chimney.

The alarm at half past eight o'clock last evening was caused by the burning of a stable, situate on Biddle alley, near Pennsylvania avenue, the property of Mr. J. M. Cullison. Loss about $150, insured in the Firemen's Office.

AN OUTRAGE.—As the members of the Pioneer Hook and Ladder Company were proceeding with their truck to the fire on Sharp street on Wednesday night, one of the men, named Wm. Watson, who had hold of the tiller, was struck on the head with a slung-shot, at the corner of Baltimore and Charles streets. A short distance further on a pistol was fired at them by one of a party who were passing along the south side of Baltimore street, without doing any damage. On their return, at the corner of Baltimore and Charles streets they were again assailed. A pistol shot, fired from the entrance leading to Central Hall, on Charles street, took effect in the right side of a colored boy, passing through three thicknesses of cloth, striking against the fifth rib. He was conveyed to the office of Dr. J. W. Houck, on Front street, who extracted the ball, the boy appearing to suffer little from the wound.

DEATH OF A CUSTOM-HOUSE OFFICER.—Mr. Cornelius Shawan, formerly proprietor of the Columbia House on Pratt street, but more recently engaged as an inspector in the Custom-House, died on Wednesday at his residence, West Pratt street, after an illness of several months. This makes the fourth death that has occurred among the officers of the Custom-House within the last six months.

CHARGE OF RECEIVING STOLEN GOODS.—A German woman named Margaret Brooks, who keeps a house on Camden street near Light, was yesterday arrested by the police of the Southern District, on the charge of receiving stolen goods knowing them to have been stolen. At her house were found three cans of ground cinnamon, several pieces of fine ribbons, a lot of flannel, besides numerous other articles. Justice Showacre committed her for a further hearing.

DELEGATES TO THE QUARANTINE CONVENTION.—The chairman of the Committee has received notice of the appointment, by the Board of Health, of Philadelphia, of the following gentlemen as delegates to the Quarantine Convention which assembles in this city on the 29th proximo: Drs. John H. Weir, Wm. H. Squire, Joseph R. Coad, Eliab Ward, William Gallaher, Messrs. Thomas H. Town, John O'Brien and John McGettigan.

A FINELY EXECUTED PAINTING.—Mr. P. L. Perkins, Photographist, &c., No. 99 Baltimore street, opposite Holliday, has just finished a number of life, size Photographs on canvas, colored in oil by a French artist, Mr. Kerkhoven, connected with the establishment. Two of these, one of the artist's daughter, the other, that of an old lady of some seventy years, photographed from a small sized daugerreotype, are admirably executed. The latter will remain at Mr. P.'s Gallery for a few days, where an hour can be whiled away very agreeably in an examination of Mr. P.'s collection, which embraces the portraits of nearly all the leading personages of the day.

PICKPOCKETS.—While the ceremonies at the laying of the corner stone of the East Baltimore Mission Chapel were going on, several pickpockets were noticed among the crowd, watching an opportunity to practice their profession. One young man was about to commit depredations on a lady's pocket, when he was set upon by several persons standing by, and was only saved a sound drubbing by the interference of the police, who took him to the station house and locked him up. His companions then suddenly departed from the neighborhood.

ROBBERY.—Eliza Parker alias Gladdison and Ann Burns alias Tobern, were arrested yesterday by officers Barton and Willey, of the Middle District, on the charge of stealing a sum of money ($160) from John E. Popp, corner of Lot and Ensor streets. The parties were taken before Justice Mearis who committed them to jail for trial before the Criminal Court.

ATTEMPT TO ROB.—Yesterday morning about 2 o'clock an attempt was made to rob the residence of Mr. Thomas Lewis, No. 95 Bond street. The thieves prized open the window shutters of the back building, and had raised the sash half way, when they were alarmed by some member of the family. They retreated without taking anything with them.

HOLLIDAY STREET THEATRE.—A complimentary benefit having been tendered to the young and talented tragedian, Mr. Edwin Booth, it will take place this evening, when he will appear as Sir Edward Mortimer and Petruchio. Mr. Booth has gathered around him a host of warm friends in this, his native city, who feel a laudable pride in the great success he has achieved in his difficult profession. The compliment to be offered him to night, is but a just tribute to his genius, and will certainly be participated in by an overflowing audience.

PROCEEDINGS OF THE CITY COUNCIL.

REGULAR SESSION.

THURSDAY, March 18, 1858.

FIRST BRANCH.—Branch met. Present John T. Ford, Esq., President, and all the members, except Mr. Glanville.

Mr. Dukehart presented a petition from the City Collector, asking that an extra appropriation of $200 be made to enable him to make some necessary alterations in his department. Referred to the Committee of Ways and Means.

Mr. Dunnock presented a petition from the Liberty Fire Company, asking a special appropriation of $4,000, for the purpose of erecting a new building, for the uses of that company. Referred to the Committee on Fire Companies.

Mr. Harvey presented a petition from the occupants of stalls in the lower Centre market, between Second and Lombard streets, asking for the erection of a new market house to take the place of the old wreck at present there. Referred to the Committee on Markets.

Mr. Clark presented the annual report of the Mount Vernon Hook and Ladder Company, which asks a special appropriation of $3,000 to complete their house, and pay liabilities ahead, existing thereon. Referred to the Committee on Fire Companies.

The Second Branch returned with their non-concurrence—the resolution to pay the trustees of the Westminster church for a lamp in front of the same. Also the ordinance to change the name of Register street.

Mr. Beale introduced an ordinance to prohibit the manufacture of soap and candles in any building within the city limits not used for such a purpose, for twelve months previous. Read and laid over.

The Committee on Police and Jail reported that they had examined the books and accounts of the warden of the jail, and found them all correct. Adopted.

The City Commissioner, in response to a resolution of inquiry, submitted a communication that the cost of tunnelling each side of Harford Run, from the terminus of the present tunnel, at Eastern Avenue, to where it enters the back basin, would be $8,500, independent of the cost of filling in behind the walls. Referred to the Committee on Highways.

Mr. Addison submitted a resolution directing the City Commissioner to place stepping stones at the intersection of Cross and Eutaw streets. Referred to the Committee on Highways.

Mr. Dukehart offered a resolution requesting the City Commissioner to inform the Branch of the probable cost of repairing the Centre Market house between Second and Lombard streets.

Mr. Harvey called up the ordinance to open Callender alley, between Ramsay and Columbia streets, which was passed.

Mr. Dukehart called up the majority and minority reports of the Committee of Ways and Means upon a communication from Jonathan Meredith, Esq., and moved that the matter be made the special order of the day at 5½ o'clock on Tuesday next, which motion prevailed.

Mr. Bandell called up the resolution to allow J. Merritt to manufacture camphene oil on Eastern avenue near Canal street. Adopted.

Mr. Dukehart called up ordinance No. 14 to fix the compensation of the Mayor at $2,500 per annum, which was read and adopted.

Mr. Beale called up revised ordinance No. 3, entitled "an ordinance relative to members and clerks of the City Council." The Second Branch having disagreed to an amendment of the First Branch, striking out that portion of this ordinance prohibiting members and clerks of the Council, from entering into any contract for work for the city, or for furnishing supplies, a committee of conference was appointed, as stated, who reported back the original ordinance with the prohibitory clause.

The adoption of the ordinance was advocated by Mr. Staylor, and opposed by Mr. Beale, and rejected by the following vote:

YEAS—Messrs. Dukehart, Staylor, Harvey and Clark—4.

NAYS—Messrs. President, Hynes, Bandel, Maddox, Beacham, Talbott, Beale, Cunningham, Hampson, Hamilton, Dunnock, Dryden, Wood, Addison and McComas—15.

The Branch then adjourned.

SECOND BRANCH.—The Branch met pursuant to adjournment. John B. Seidenstricker, Esq., President, in the chair, and all the members present.

Mr. Hintze presented the petition of James Cassidy, asking permission to erect a balcony in front of his dwelling, No. 33 West Pratt street. Referred to the Committee on Highways.

Mr. Kirk called up the resolution authorizing the Register to pay the First Baltimore Hose Company a special appropriation of $1,500, which was concurred in.

Mr. Kirk called up the resolution in favor of Jacob H. Piercy, which was concurred in.

Reports from the Committee on Ways and Means relative to discharging the Committee from the further consideration of the petition of George E. Sangston, asking for an appropriation of $5,000 to re-arrange the books in the Clerk's Office of the Superior Court, and the subject of memorializing the Legislature relative to a police tax, were received from the First Branch and concurred in.

Resolutions adverse to the petitions of Mrs. Frances Webb and Dr. Thomas E. Rusk, were received from the First Branch and concurred in.

Mr. Sullivan called up the resolution authorizing an appropriation of $50 to John L. Thomas for assisting the State's Attorney in the prosecution of John Claggett, which was non-concurred in.

Mr. Horney called up the resolution in favor of George F. Thompson and Wm. H. Lester for repairing the watch boxes, which was concurred in.

A communication was received from the City Directors in the Baltimore and Ohio Railroad, in answer to a resolution of inquiry, stating that since the first of July last, there was laid 14½ miles of second track, at a cost of $11,861.15 per mile. The number of miles of second track remaining to be laid east of Piedmont, are equal to 103, which, estimated at a cost of $12,000 per mile, shows the probable cost of completing the second track to Piedmont, would be $1,236,000. 690 feet of the Broad Tree Tunnel have been completed, leaving 1,810 feet unfinished, but which is under control of the workmen and is progressing rapidly towards being completed.

Mr. Kelso called up the ordinance relative to waiving the liens held by the city on that portion of the Pittsburg and Connellsville Railroad, for the purpose of enabling the company to issue bonds to the amount of $400,000, for the purpose of completing the same.

Considerable discussion was had upon this ordinance, and after being amended slightly, it passed by a vote of 7 yeas to 3 nays, as follows:

YEAS—Messrs. President, Horney, Herring, Kelso, Simms, Bierbower and Sullivan.

NAYS—Messrs. Kirke, Hintze and Gordon.

Adjourned until this afternoon.

LAW INTELLIGENCE.

CRIMINAL COURT.—Before Hon. Henry Stump, Judge. Milton Whitney, Esq., State's Attorney, prosecuting. The following business was transacted in this Court yesterday:

In the cases of the State *vs.* John Gambrill, indicted on the charge of arson and an attempt at arson. The counsel for the State announced that he was prepared to proceed to trial. The counsel for the traverser objected to the trial of Gambrill, and expressed their willingness to proceed with the trial of John Harkins, who was indicted for the same offences. They also objected to the trial for the attempt at arson whilst an indictment for a felony was standing against him.

The counsel for the State then confessed a plea of not guilty, on the indictment for arson, against Gambrill. The case of attempted arson, was removed to the Circuit Court for Baltimore county. When the two indictments were pending against the accused, the Court fixed the amount of bail required for his release, at $3,000 for the case of arson and $2,000 for the case of attempted arson. After the plea of not guilty had been confessed in the arson case, the Court reduced the bail in the other case to $1,500. Thomas Gambrill, the father of the accused, then qualified as bail, and the traverser was released.

In the case of the State *vs.* Edward Gettier, indicted on the charge of arson, and attempted arson, the counsel for the State also confessed to a plea of not guilty, on the indictment for arson. The case of attempted arson was removed to the Circuit Court for Baltimore county. Henry Gettier, father of the accused, qualified as bail in the sum of $1,500 and the traverser was released.

State *vs.* William Johnson, indicted on the charge of robbing Francis Neal of a silver watch and two five dollar notes. It appeared in evidence that the prisoner (in company with John Roton) had been drinking with Neal on the evening of the 4th of March. After they left the drinking house Neal was knocked down by Johnson and Roton and robbed of his watch and pocket book. The jury rendered a verdict of guilty, and the Court sentenced the traverser to confinement in the Penitentiary for the term of three years and four months.

State *vs.* John Harkins, indicted on the charge of attempting to set fire to the dwelling of Peter Wicks. [The counsel for the State confessed a plea of not guilty in the case of arson against the accused.] A jury was impanneled to try this case, and the same evidence elicited as published in the trial of Ross Johnson on Monday. The jury rendered a verdict of "not guilty,"—and on motion of counsel the traverser was discharged from custody. S. A. Leakin, Esq., for defendant.

State *vs.* Henry Hubert alias Hubert Duer, convicted of the larceny of one pair of boots, the property of Henry Free. Motion in arrest of judgment argued and overruled. The prisoner was then placed at the bar and sentenced to the Penitentiary for the term of two years and four months.

The case of the State *vs.* John Dunn, indicted on the charge of an assault with intent to kill, was continued until the next term of the Court, in consequence of the indisposition of an informant witness for the State.

SUPERIOR COURT.—Before Hon. Z. Collins Lee, Judge. The following business was transacted yesterday:

Moses Carter *vs.* The Baltimore Cemetery Company. An action to recover for the erection of a wall in front of the cemetery. From the facts in this case it appeared that the plaintiff entered into a contract with the Cemetery Company to erect a stone wall in front of the Cemetery at a stipulated price per perch. After a portion of the work had been completed, its further progress was stayed in consequence of an order to that effect from the defendants. The plaintiff brought suit to recover for the portion of the work performed at the price agreed upon in the contract. The Court ruled that if the jury found that there had been no breach of contract on the part of the plaintiff, and that the work had been discontinued in accordance with the orders of the defendants, then he was entitled to recover. Verdict for the plaintiff for $1,392. R. J. Brent for the plaintiff—Bryan for defendants.

DISTRICT COURT OF THE UNITED STATES.—Before Hon. Wm. Fell Giles, Judge. The following business was transacted yesterday:

In the case of the United States *vs.* George Carroll, convicted of receiving a quantity of goods which had been stolen or smuggled, the counsel for the traverser withdrew the motions for a new trial, and in arrest of judgment. The Court fined the traverser $400 and costs, and committed him to jail in default of payment.

Baltimore and Boston Steam Navigation Company *vs.* The Schooner William Colquit, and owners of the Schooner William Colquit *vs.* The Steamer City of Norfolk. Cross libels to recover for damages sustained by a collision. Not concluded.

There was no business transacted in the Common Pleas and City Circuit Courts yesterday.

COURT OF APPEALS OF MARYLAND.

DECEMBER TERM, 1857.

ANNAPOLIS, March 18, 1858.

No. 86—Elijah Carey *et al.*, *vs.* Thomas Dennis and others. Appeal from the Circuit Court of Worcester county, was further argued and concluded by Tingle for the appellees, and by Jones for the appellants.

[Reported for the Daily Exchange.]

TOWSONTOWN, March 18, 1858.

CIRCUIT COURT FOR BALTIMORE COUNTY.—Before Hon. Judge Price, and R. J. Gittings, Esq., Prosecuting Attorney.

The case of John Wheeler, commenced yesterday for selling lottery policies, was continued until to-morrow, on account of a death in his counsellor's family.

Jacob R. Frank plead guilty on a charge preferred for selling liquor without a license. Fined $10 and costs.

State *vs.* Patrick Fitzpatrick, jointly indicted with Michael J. Grady, John B. Dalton, Henry Burns, John Burns, James Fawcett, James Rock, John Milan, John Powers, Milton Wald, George Ely, James Murray, John Brady, and Michael Dougherty, for the murder of Wm. Jourdan, a police officer of the city of Baltimore, at the eighth ward polls, on the 14th of October, 1857, by shooting him in the abdomen with a musket loaded ball.

The prisoner was arraigned and plead not guilty. Mr. Gittings opened the case for the prosecution, and stated the law to be that although the prisoner may not be proved to be the person who fired the gun that killed the deceased, yet if he was present at the time of the fatal shot, and the evidence connected him with the riot, he was as guilty as if the shot had been fired by him.

Mr. Carr followed Mr. Gittings for the defence, and contended that it was not enough to prove that the prisoner was on the ground at the time of the fatal occurrence, but it must be established that the prisoner combined with the persons named in the indictment, and actively co-operated with these persons at the time the deceased was killed.

The following evidence was then elicited:

Captain Mitchel sworn and testified that he was present at the time of Jourdan's death; on the day of the occurrence, he was left at the Station House with a posse of men, with orders to arrest all parties who were disposed to be disorderly, without regard to party principles; about one or two o'clock received information that a riot was raging at the 5th ward polls; proceeded with his party, and when he arrived at Jackson Hall, saw a large crowd with muskets and rifles; they were firing on the police, who were stationed on the corner of High and French streets; as soon as the police turned around the corner, Jourdan was shot; the firing came from the Democratic Head-Quarters at Jackson Hall; the witness had some fifteen or twenty officers with him; the rioters numbered some seventy or eighty persons, and some were firing from the windows, others from the pavement; witness heard the firing from that direction, and that was the reason he took his force from the 5th ward to the 8th; there was a great deal of firing, and witness was much excited; he went up Gay on his way to the 5th ward, but some of the officers scattered; witness pursued the crowd; they went in the direction of the 8th ward and Jackson Hall, when Jourdan was shot; he was taken away, and the witness returned to the Mayor's office.

By the defence—When witness arrived at the corner of High and Gay streets he saw the crowd firing; had started for the 5th ward polls, but on his way found the riot was raging in French street; there was a large crowd about Jackson Hall; does not know whether the shot that killed Jourdan came from the Hall or the crowd on the pavement and in the streets; supposes the crowd who were firing in High street did it to attract the attention of the police from Jackson Hall.

By the State—It was quiet at the 5th ward polls, but some firing came from the corner of Hillen and High streets, but it was the same party; there was no party fighting against the party at Jackson Hall, but they were firing on the police.

Capt. Wright sworn and testified that as he arrived at the corner of High and Hillen, he saw a man fall; a party was firing from Jackson Hall in the direction of the 5th Ward; this man who was shot was with the police, but was a little intoxicated, and as he received his wound, officer Jourdoun caught him and pulled him back; at this moment Jourdan received the fatal shot; witness looked round the corner and saw men come from the Hall, go as far as the pump, take deliberate aim and fire on the police; the prisoner was arrested at Jackson Hall and taken to the station house; the polls is held on Gallow's Hill and not at the 8th Ward polls.

Officer Robert J. Brashears sworn and testified that he was at the corner when Jourdan was shot, but did not see it; as soon as the police arrived in sight of Jackson Hall the party commenced firing on the police; there was only one private citizen in company with the police, and he was drunk, and proposed to take the Hall; he was pulled back by Jourdan. In regard to localities, &c., the witness corroborates with the two previout witnesses.

Officer Simpson testified that he was one of the reserved police, and when he arrived at the corner of Hillen and French streets saw a party of men running in different directions; then the police proceeded in the direction of Jackson Hall; when they turned the corner of the street they were fired on by a party of men from the Hall, the same as a charge of an enemy; the police ran back to the Mayor's office, got arms and orders to take the Hall and arrest whoever they found there; they returned and, as they approached, saw a cannon or swivel planted in the street; made a rush and captured it; then broke into the Hall and made some arrests; witness arrested Burns and captured a gun; took them to the station house; the swivel was placed in Marshal Herring's carriage and taken to the station house; saw the charge drawn; it was loaded with glass which looked like broken bottles; also saw muskets handed out of the windows of the Hall by the police.

Wm. H. Brown testified that he saw Henry Burns bring the cannon out of Jackson Hall; saw Michael Grady fire a gun repeatedly from near the corner of the street; saw men come out of J. B. Dalton's house opposite the Hall and fire guns; does not know who they were firing at; about one half hour after this firing saw the police firing at the party around the Hall; they had muskets, but as no one was killed, witness thinks the police did not fire either shot or ball; this occurred about 12 o'clock in the day.

Marshal Herring testified that he cannot give any information in regard to the killing of Jourdan, but was in the party of police who went to make arrests at Jackson Hall; captured a cannon and lot of muskets; the police were armed, but the loads in ten of their guns would not make more than an ordinary load for a musket; the party in the Hall fired from the windows on the police and some others who gathered around; after the Hall was taken witness left for the Station House in his carriage, taking with him one prisoner, the cannon and a keg of cut nails.

Officer Lucas testified that he was present at Jackson Hall and saw two men point muskets out of a window fronting on French street; they fired; one shot struck Jourdan and the other came so near to witness' head, that he felt the wind as the ball passed; found the prisoner about one half hour afterwards secreted in a closet in the third story of Jackson Hall; the door was closed and the closet dark; the prisoner asked the officer not to kill him, and witness said he should not be hurt; Mr. Coster discovered the prisoner in the closet; the lower part of the hall is used as a bar room, and witness did not hear any one say, "let us kill the d—n s—n of a b—h," and no bottles were broken; but the prisoner did say, when the officers arrested him, "don't let them kill me."

Joseph Coster's evidence in regard to the arrest of the prisoner corroborates with that of officer Lucas; in October last the prisoner called on witness and said that at the time Jourdan was shot he was at home, heard the firing, and then went to the Hall and asked witness to "make it as light with me as you can, and you shall not lose anything by it."

Thos. Shannessy testified that he saw the prisoner at his own house in Hillen street, two squares off from the Hall, when Jourdan was shot.

Michael Rush testified that he lives in Hillen street, opposite the prisoner, and when Jourdan was shot the prisoner was looking out his window; several ladies were at his house, and all were looking at the riot; the prisoner did not leave his house until after Jourdan was shot, and carried down High street.

Patrick Burns testified that he was at Jackson Hall when the prisoner came there; they were in the bar room when the police came to make arrests; the witness and prisoner ran up stairs to hide; got in the closet; and closed the door the officers had muskets and stamped buts on the floor; opened the closet and one remarked, "Let me kill the d—d Irish;" and they begged the police not to harm them; the reason they ran to hide was because they were afraid of the police, for they did not belong to the same party; on that day every man opposed to the police in politics should be afraid of them.

Here the case was closed and submitted to the jury without argument, who returned a verdict of "not guilty" on the several counts, which embraced murder, riot, &c. W. C. N. and S. S. Carr for the defence.

John Burns was also arraigned on a charge of assaulting police officer Denison, with intent to murder, by attempting to shoot him with a gun, from a window in Jackson Hall, during a riot, when the police went to make arrests. The occurrence took place at the same time as that of the shooting of police officer Jourdan.

Officer Denison testified that he saw the prisoner point the gun at him, and when he pulled the trigger, the gun flashed; witness knows the prisoner well, and identified him in court. The prisoner was arrested in the house; he fired from a window in the second story.

Mrs. Burns, mother to the prisoner, testified that she was in the house; saw a large force of police coming towards the house; they were three abreast; when they got near they fired on the house; her son was behind the bar at work and was not up stairs during the day.

A number of witnesses testified to the good character of the prisoner, and a verdict of "not guilty" was rendered on the several counts.

The court adjourned until to-morrow.

[Correspondence of the Daily Exchange.]

ELLICOTTS MILLS, March 18, 1858.

Circuit Court for Howard County. Before Hon Nicholas Brewer, Judge.

No. 79. Baltimore and Ohio Railroad *vs.* Isaac Strawbridge, Thomas Jenkins, John Collier and Thomas McCrea. Action of debt against the principal and sureties on the bond of Isaac Strawbridge for an alleged defalcation while ticket and freight agent for the Company at Ellicott's Mills.

The points decided in this cause are not only important in a legal point of view, but interesting to all connected with the railroad.

The plaintiff proved a deficiency in the accounts of Strawbridge amounting to over $1,800, about $150 of which was received from the sale of passenger tickets, and the balance from freight.

The defendants then proved by D. F. S. Ways, that at the date of the bond Ellicotts Mills was only a "*second-class station*," and the agent there only empowered to collect freights to other stations of the same class. That in April, 1854, it was made a "first-class station;" that the agent Strawbridge was duly notified by the Company of the change, and empowered to collect freights to and from Baltimore and other first-class stations, by which change the collections at the office were increased from $16 or $17 per week, to some $700 or $800 per week.

The defendants prayed the Court to instruct the jury that the sureties were not responsible upon the bond, after the character of the station was changed, (without their knowledge or consent,) and the Agent's duties and responsibility thereby greatly increased. W. H. G. Dorsey, Esq., for defendants, cited 5 Md. Rep. 110; 9 Wheat. 680 and 720; and Union Bank *vs.* Ridgely, 1 H. & G. 433, which was an action on a cashier's bond, and when the charter of the bank expired by limitation, but was renewed by the Legislature, in which it was held that the sureties had a right to look to the direction of the bank as to the measure of their responsibility, and were released when the charter expired.

Thos. Donaldson, Esq., for the Railroad Company, argued that this was not a case when the *scope of the officer's duties* had been changed, as if, for example, the duties of *inspector of engines* had been added to those of station agent, and the securities were sought to be held liable for damages which the Company had sustained by reason of his neglect in this new duty. It was a mere case of an *increase of business* devolved upon the agent by a regulation which the Company had the right to make.

In this view the Court concurred, rejecting the defendant's prayer, and granting that of the plaintiff, which embodied the converse proposition. The jury returned a verdict for the Company, for the amount claimed with interest, being upwards of $2,000.

This case will go up to the Court of Appeals on the defendant's exceptions.

Charles Carroll *vs.* Charles Carroll McTavish.—Grafton Dulaney and Charles H. Pitts Esqs., for plaintiff; Thomas S. Alexander and Wm. H. G. Dorsey, Esqs., for defendant. Action to recover damages for obstructing the plaintiff's right of way. Two cases involving the same question have already been tried in this Court, one of which was carried to the Court of Appeals, and is reported in 7 Maryland, 352.