hypothesis, the second to an antinomy. So he refuses to accept Catholicism, and in his book, *La Religione del Secolo XIX.*, he demonstrates with invincible argument and irrefragable proofs that it is the antithesis of reason, of morals, of civil and and political liberty, and of education; he shows that it was the religion of the middle ages, and that hence, in the order of thought, of knowledge, it is not the criterion of truth, because science is the religion of the intellect; that it is not the law of conscience in the sphere of action and of practice, because brotherhood is the religion of the heart; that it is not the law of progress in the sphere of civil institutions, because equality is the religion of civilization; that it is not the fount of public law in the sphere of political relations; because liberty is the religion of politics. Ansonio Franchi places the importance of sentiment in strong relief in the applications of his system; he shows that pedagogism will give place to a harmonious blending of the culture of sentiment and of reason. Hitherto, attention has been paid exclusively to the youthful intellect, while the heart has been entirely neglected, and he insists on the necessity of intermingling the relations between public instruction and family ties, because, not talent, but love, is the most assiduous instructor of sentiment; not the master's science, but the mother's heart.

The neglect of the manifestations of sentiment in history hinders us from forming a clear idea of progress as a natural condition of society, because it results from the action and reaction of the two functions of cognizance, Sentiment and Reason; hence, the historical formula ought to determine which of the two preponderates in the various epochs through which humanity proceeds in its path toward perfection.

The sentiment of Truth underlies the basis of the Philosophy of Knowledge, since it furnishes the first subjective and objective conditions of knowledge. And if philosophy is not to become a mere Ideology, philosophers must glean the process of thought and of ideas from a study of nature and of man, and thus confirm the theory of knowledge by the reality of facts, and not vice versa.

The theory of Beauty ought to commence from the positive study of sentiment before it is possible to rise to the intelligible sphere of ideas; what the sentiment of truth is to the philosophy of knowledge—the sentiment of beauty is to the philosophy of art; and more, for inspiration and enthusiasm emerge from sentiment.

The sentiment of good founds the philosophy of morals it imparts to us, our first notion of duty and of justice in the order of time, of extension, of certainty, and of efficacy.

On the sentiment of the Infinite is based the philosophy of religion and of the absolute; a sentiment innate in man, the noblest prerogative of thought, rendering atheism impossible. The knowledge of the Infinite, *i. e.* of the absolute of God, is anterior to all psychological reflection. Sentiment and not reason imbues the conscience of humanity with the continual progressive revelation of the Infinite. Religious inspiration tends to translate it into symbol, which superstition reduces to a dogma. Sentiment and symbol are identified with religion; the office of reason is to separate them; sentiment is immortal as humanity itself; symbol is frail and transient as form, hence the successive mutations of the religious symbol, according to the progress of science.

He remarks that Religion and Philosophy are the two supreme doctrines derived from the two functions of cognizance, sentiment and reason. The original merit of Ansonio Franchi consists in having established the relations of union and distinction. It is true that he arrives at similar conclusions with Hegel in his *Filosofia della Religione;* but he does so by following a method totally different from that of the eminent German philosopher, who unfolds the absolute by means of logic, nature, spirit.

The relation of union between philosophy and religion, says Franchi, resides in the identity of the principal object, which is for both the absolute, the infinite, the ideal, God—and in the unity of sentiment which supplies reason with the first fundamental cogaition thereof. The relation of distinction consists in the difference of the rational functions by which the mind reflects on that same object and transforms that same sentiment—which for religion is the belief which reduces the absolute to a symbol, and for philosophy is the conception which reduces the absolute to a theory.

CARLO CATTANEO.

Carlo Cattaneo, one of the vastest and most powerful intellects of which modern Italy can boast—historian, political economist, now public Professor of Philosophy in Switzerland, because exiled—and exiled because he organized the immortal victory of the Milanese against the Austrians, in the March of 1848—published, in 1857, some excellent philosophical canons. (*Rivista Contemporanea, vol. X., Sorino.*) In his opinion, phenomena ought not to be considered in the light of simple appearances, but as forces which manifest themselves as forces in action. That a stone is not always falling is no proof that it is not always in the act of gravitating toward the center of the earth; it moves each day with the earth at its circumference and each day it performs, with the earth, a certain portion of its orbit of 500,000,000 miles. All phenomena ought to be taken into account by the philosopher, because each phenomenon is a portion of a law; the law consists in the constancy of the phenomena, and the law known to reason by intuition is the idea. Hence, if philosophy is to progress at the same rate as the other sciences, it must avail itself of them all—treasuring their methods, reducing their discoveries to laws—for as many laws as remain to be known, so many ideas are there to be collected, and of the same value that those laws are to the universe, are those ideas to the intellect. Excellent examples, he writes, may be found of analysis in chemistry and in economy; of synthesis in geology, of classification in botany, in zoology; of deduction in geometry, of induction in physics, of analogy in medicine, of application in mechanics and agriculture, of observation, and we may almost say of sensation, reduced to art in meteorology. Nor are arguments and method all that philosophy may gain from other sciences, but also the solution of many problems. Thus language, which Bonald Gioberti and other detractors of human nature declare to be revealed by God, philology demonstrates to be simply human, only from languages can the origin of language be ascertained. The fact of the perpetual and infinite generation of languages once established, it remained for philosophy to trace it up to the primordial faculties of sentiment and thought; and since it is necessary that the fabrication of words should keep pace with thought, the importance of throwing light on a human faculty neglected by philosophers—the faculty of imitative musical instinct—is evident.

Another series of important problems has been solved for philosophy by statistics, by economy, by science, art and industry, in general. Astronomy and geology, *e. g.*, have unexpectedly extended to infinity the limits of time and space. So that man has been compelled to resign the old vain-glory of being the heart of creation, the chief agent and sole care of all the powers of nature.

Philosophy ought also to study all the facts that concern man of all times and all places, in all forms and conditions—of barbarism and civilization; in paths of good and paths of evil—all, in short, that can throw light on secrets otherwise inaccessible to human conscience. From facts philosophy proceeds to discover the forces which generate them, and proceeds, as reason teacher, from the known to the unknown, from the certain to the uncertain. All that is true in the other sciences must be also true in philosophy, because it would be contradictory to assume that a thing can be true and untrue, merely because it is written in different pages of the volume. Thus, in the reciprocal relations among all the sciences and in the identity of their testimony concerning man and the universe, it finds fresh foundations of certainty, which are more in conformity with common sense.

On these conditions alone can philosophy become a progressive science and regain the importance in public opinion which in part it has forfeited; obtain the preeminence over the other sciences which really belongs to it; and cease to disturb with its clatter about the absolute, the being, the primary sensation, etc., the sublime peace of the experimental sciences. In Cattaneo's judgment the true philosopher ought to be encyclopedical, and in fact Pythagoras, Aristotle, Campanella, Leibnitz, and Jean Raynaud (one of the most conspicuous living philosophers) were so.

The method proposed by Cattaneo necessitates great caution on the part of philosophers in order to avoid the snare of materialism. The path pointed out by him seems to be the one which will best conduce to the successive conquest of truth, but immense power of synthesis is needed in order to avoid being entangled in the analytical labyrinth: in order to be able to find the thread of each scientific discovery, and bind it to the common warp; in a word, the great difficulty consists in maintaining sciences the tributaries of philosophy, as the minor streams are tributaries of the ocean.

MASTRIANI.

As early as 1855, Giuseppe Mastriani, in a work entitled *Notomia Morale*, or, *Calcolo di Probabilità dei Sentimenti Umani* important for vast erudition and research, proposed to treasure up physiology for the benefit of philosophy, showing the relation between human passions and characters with their organization, and in that portion of his book where he seeks to give scientific foundation to his speculations, he confines himself to the organic apparatus, which in his opinion constitutes temperaments, the reason of constant principle, which determines sentiments and inclinations; modifies talent and characterizes its products, thus subjecting cognizant functions to the omnipotence of chemical forces.

These are a few of the philosophical productions of Italy during these latter years; they are not much to boast of certainly, when we remember that Italy was the fatherland of Bruno, Campanella and Vico—but, written with Austria and the Pope weighing like a night-mare on her breast, they give fair promise for the future when she shall be relieved from that incubus. In Spain, Catholicism alone, unaccompanied by foreign rule, has sufficed to stifle the intellect of that noble country, which for aught we know has never given a single scientific discovery to civilization.

We see, meanwhile, that modern philosophy is spreading in Italy, despite the efforts of dogmatic philosophers to keep her children wandering in the darkness of the middle ages. Differing from the Germans, the Italians, following the example of Galileo, who affirmed that all human manifestations ought to be brought to the test of experience, are striving to unfold the practical side of all new ideas.

But until she shall have conquered her liberty, the sovereignty of herself, Italy will never possess a philosophical school, nor a National Literature, such as she can boast of from Dante's times to those of Macchiavelli.

ALBERTO MARIO.

ARMY AND NAVY INTELLIGENCE.

The General Court Martial, the order for the Convention of which we published a few days ago in THE TRIBUNE, assembled in State street in this city on Tuesday. The first prisoner brought before it was Major Osborn Cross, who is charged with "disobedience of orders," and "misapplication and embezzlement of public money intrusted to him." The sum of $22,312 91, which Major Cross, as Quartermaster, should have deposited with the Assistant Treasurer for the Department of California in August 1857, not having been so deposited, and the Major's reasons for his neglect being, in the estimation of the authorities ill-founded and dishonest, the above charges are preferred against him. Cols. Mansfield, Craig, Tompkins, and Miles, Lieut.-Col. Ripley, Majors Eaton, Cady, Sedgwick, and Mordecai, with Capt. Jones as Judge-Advocate, and the officers of the Court. The prisoner admits being guilty of two of the specifications of the first charge, but says he is innocent of the second charge, and its specifications. The proceeding which occupied the attention of the Court on Tuesday, Wednesday, Thursday, and yesterday were altogether of a preliminary nature, and elicited no facts to materially change the aspect of the case. The Court will doubtless be in session for some weeks before anything conclusive will be done, and the investigation, conducted in the verbose phraseology characteristic of military trials, would not be readable enough to justify us in detailing it.

The armaments of the United States steamers Mystic and Sumpter, detailed for the African squadron, are now complete, and being put on board those vessels. Each will carry six short 32-pounders on the main deck, and two howitzers on the spar deck.

A detachment of United States marines left headquarters at Washington, D. C., on Wednesday, for Boston, where they will join the United States sloop-of-war Savannah, which recently returned from the Gulf Squadron in consequence of her crew being sick. She will be newly commissioned and supplied with a fresh ship's company previously to her departure for active squadron duty.

The crew of the United States steamer Vixen were paid off and discharged yesterday at the Brooklyn Navy Yard. The Vixen will be immediately put out of commission, preparatory to undergoing repairs in the dry dock.

Advices from the East India Squadron state that Dr. Phillips of the United States steam frigate Mississippi had been appointed Deputy United States Consul at Simoda, Japan, during the absence of Mr. Townsend Harris at Kanagawa.

The steamer Walker is being overhauled at the Navy Yard. A new foremast is about to be put into her.

The United States frigate Congress, the new flag ship of the Brazil squadron, hauled down from the Philadelphia Navy Yard on Monday, and now only waits the final dispatches from the Department to sail for her destination.

The United States storeship Release hauled alongside the wharf at the Brooklyn Navy Yard on Tuesday, to be filled with stores, provisions, &c.

The following officers have been ordered to the respective steamers:

Steamer Crusader, destined for the Home squadron—1st Assistant Engineer, J. A. Grier; 3d Assistants, L. Campbell, O. H. Lackey, and G. D. Lining.

Steamer Mystic, bound to the Coast of Africa—Lieut. Wm. E. Le Roy, commanding; Lieutenants, D. McN. Fairfax, Milton Haxton, H. M. Garland, jr.; Acting Master, N. Green; Passed Assistant Surgeon, W. D. Harrison; 1st Assistant Engineer, Wm. Roberts; 3d Assistants, James Plunkett, J. S. Finney, H. McMurtrie.

Steamer Sumter, bound for the Coast of Africa, Lieut. J. F. Armstrong, commanding; Lieutenants, W. B. Fitzgerald, J. B. Stewart, J. A. Greer; Acting Master, G. H. Perkins; Passed Assistant Surgeon, J. H. Ollis; 1st Assistant Engineer, T. J. Jones; 3d Assistants, E. B. Litch, W. H. Glading, J. L. Plumley.

Mohawk, designed for the Home Squadron, Lieut. T. A. Craven commanding; Lieutenants A. Barbout, E. T. Spedden, C. C. Carpenter; Acting Master, C. Hatfield; 1st Assistant Engineer, J. S. Albert; 3d Assistant Engineers, E. S. Dick, James Wallace, E. C. Patten.

Wyandott, designed for the Home Squadron.—1st Assistant Engineer, Wm. H. Cushman; 3d Assistant Engineers, M. H. Plunkett, W. K. Purse, James Morrison.

Storeship Release, bound to the Coast of Brazil—Lieut. G. W. Harrison, commanding; Lieuts. J. M. Bradford, G. H. Bier, W. A. Kirkland.

Promotions.—The following Assistant Engineers have passed a satisfactory examination, and been promoted in the following order:

Second Assistant Engineers Charles Schroeder, Charles H. Baker, Wm. Roberts, John A. Grier, George F. Kurtz, John S. Albert, Wm. H. Cushman, Andrew J. Kiersted, Philip G. Petty, Mortimer Kellogg, Thomas J. Jones, to be First Assistant Engineers.

Third Assistant Engineers George J. Barry, to precede J. B. Houston, examined by a previous Board; B. F. Chassaing, after J. B. Houston; Samuel F. Savage, B. B. H. Wharton, Thomas Cronin, to be Second Assistant Engineers.

MARINE AFFAIRS.

LOSS OF THE SHIP WILLIAM GIBSON.

The brig Katahdin, from Montevideo, arrived here yesterday, reports: July 2, lat. 22 57 S., lon. 39 21, spoke the officers and crew, nineteen in all, of the English ship William Gibson, from Glasgow for Valparaiso, their ship having sunk under them at 8 a. m. of same day. Offered them assistance, but they, hoping to be able to reach Rio Janeiro in their boats, did not accept it. July 3, had heavy gales from N. N. W. to S. W., and have reason to fear for their safety. Capt. Amesbury got no further particulars respecting the loss of the William Gibson.

PUBLIC MEETINGS.

COMMISSIONERS OF HEALTH.

A HARD PASSAGE FROM AFRICA—DISEASED HOG-MEAT.

The Board met at the usual hour yesterday, the Mayor presiding.

Dr. GUNN reported the brigs B. R. Nilan and Pepe, from Havana. They were ordered to be detained nine days.

The brig Bronties, from Sierra Leone, was also reported, the majority of her crew having died of malignant fever on the passage, so that only three, including the captain, were in the ship on her arrival; and they were all more or less sick of the same disease, so as to be scarcely able to navigate the vessel. Also detained.

City Inspector DELAVAN reported that he had seized fourteen carcasses of diseased sheep and five of hogs, which he had found at Washington Market. The hogs were evidently such as had died of the "hog cholera," which is said to be very prevalent at present among the denizens of the city piggeries.

A motion was passed authorizing the City Inspector to demolish all hoggeries south of Eighty-sixth street, unless the owners themselves did it forthwith.

Adjourned to Monday.

BOARD OF ALDERMEN.

The President, Mr. MCSPEDON, in the chair. The minutes of the last meeting were read and corrected.

A resolution was passed, inviting the Mayor to meet the Aldermen at 3 p. m. on Monday next in convention, for the purpose of appointing clerks of Ward courts. Adopted.

Mr. STEPHENS presented a resolution that the Hoboken Ferry Company be directed to run two good and substantial boats from the foot of Barclay street to Hoboken every fifteen minutes, from 6¼ a. m. till 9¼ p. m.; every thirty minutes, from 9¼ p. m. till 1¼ a. m.; every hour, from 1¼ a. m. till 4¼ a. m.; every thirty minutes, from 4¼ a. m. until 6¼ a m., and to have suitable fences and other fixtures for the protection of passengers and vehicles. Referred to the Committee on Ferries.

Mr. SEAGRIST presented resolutions for a sewer in Forty-seventh street, between Fourth avenue and Hudson River; gas mains in Forty-eigth and Fiftieth streets, and Croton pipes, &c., in Forty-eighth streets. Referred to Committees.

Mr. TUOMEY moved that when this Board adjourned it should be till the first Monday in September, which was lost by 11 to 5.

The Croton Department Nominations.—The Mayor's Message, renominating Messrs. Van Schaick and Craven as Commissioners, and nominating Thos. B. Tappan in place of Mr De Forrest, came up in order and was the subject of some strife.

Mr. STEPHENS moved that Mr. Tappan be confirmed.

Mr. OWENS moved to substitute Mr. Van Schaick.

The substitute was not entertained, being out of order.

Mr. Tappan was then confirmed by 14 to 2, viz:

AFFIRMATIVE—Messrs. Smith, Henry, Stephens, Brady, Tuomey, Adams, Lynes, Peck, Boole, Seagrist, Bradley, Owens, McSpedon and Genet.

NEGATIVE—Starr and Darragh.

Ald. GENET moved to confirm Mr. Craven.

Ald. TUOMEY moved to lay his name on the table.

Ald. BRADLEY opposed Mr. C. on political grounds. Mr. C. was put in office as an Old-Line Whig, and occupied it ten years longer than the other Commissioners. Mr. Craven now claimed to be a National Democrat, although he was independent in local politics, and voted for the best men of the two parties. He thought his course had been inconsistent, and that the Democratic majority in the Board should promptly reject him. He had no objection against Mr. C. as a gentleman or an engineer, but he objected to him wholly on political grounds. Ald. B. went into a history of the Water Works, to show that Mr. Craven was not engaged till after the same were completed, and that he had built nothing except the New Reservoir now being constructed. The grand strife, after all, however, was for the spoils. The Democratic party, being in power in this city, was entitled to them; but if Mr. Craven were reinstated, he feared the Democrats would not get their rights.

Mr. PECK (Dem.) spoke strongly in favor of Mr. Craven. He had designed the largest artificial lake (the new Reservoir) in the world—over a hundred acres of water—the greatest work of the kind in the world. No matter what his politics were, he had a masterly mind, one just fitted for the gigantic work in course of construction. It was ridiculous to hear members oppose Mr. Craven, on political grounds; when they so long contended for the reinstatement of an official who was their opposite in politics, (meaning the late City Inspector).

Mr. TUOMEY moved that the nomination of Mr. Craven be laid over. He wanted it laid over to see if some of the members would change their minds. He did not believe Mr. Craven to be a Democrat. The Croton Department had been in the hands of the Opposition for years, and it was unreasonable now to expect Democrats to keep Mr. Craven in office. Mr. Craven, on application of Democrats to have persons employed in the Department, had not treated them right. He referred them to Mr. Flenders, who remarked that they did not belong to his party, and nothing could be done for them. The only opportunity the Democrats had to secure the Croton Board was now, and the members were making a sad mistake in not using it. His motion to lay on the table was lost.

Mr. DARRAGH said that from the speech of Mr. Bradley, it appeared that competency and honesty were no recommendations here, but the objects were politics and spoils. It was admitted on all sides that Mr. Craven was honest and efficient, and nothing more should be desired.

Mr. STEPHENS, as one of the Committee on the nominations, stated that he was at one time prejudiced against Mr. Craven on account of his distribution of patronage; but he found that the allegations about patronage were incorrect, and that Mr. Craven was one of the most learned and practical engineers in the world. Mr. Craven had admitted to him that he had been a Whig, and for a time a Know-Nothing, but he had left the latter body. He was satisfied that whatever Mr. Craven might be in politics, he was the only man at present calculated to fill that important office. He knew all about the works from one end to the other, and his great work, the New Reservoir, would suffer if he would not be retained in office. Some of the most prominent men in the city, and the respectable Press, were in favor of Mr. Craven.

Mr. STEPHENS presented and read the following, from prominent Democrats:

We, the undersigned, take great pleasure in recommending the reappointment of Mr. Alfred Craven as Chief Engineer of the Croton Board. Mr. Craven has by his past services in that position fully merited a reappointment.

He is a faithful public officer, honest and upright, and we trust that the Board of Aldermen will confirm his nomination, as we believe they will thereby best meet the wishes of their fellow-citizens.

(Signed) Geo. C Barnard, E. B. Hart, F. B. Cutting, Chas. O'Conor, J. R. Brower, James Moncrief, Chas P. Daly, Thos. C. Fields, H. D. Clapp, Robt. J. Dillon, John T. Doyle, Moses Taylor, John C. Mather, August Belmont, John J. Cisco, Wilson G. Hunt, J. W. Chanler, James T. Brady.

Mr. STEPHENS further remarked, that political annihilation was threatened to the Democratic members who would vote for Mr. Craven. He was, however, reconciled, and was happy to think that he would die in very good company.

Mr. BRADY regretted to hear that Mr. Craven had been stigmatized because he once belonged to the Know-Nothing Lodge to protect the American soil. Fernando Wood had also been a Know-Nothing, and why did the Democrat go so strong for him? He could also name other popular Democrats and some members of this Board, who had belonged to Know-Nothing Lodges. And Ald. B. did not care what Mr. Craven was in politics, he would vote for him on the ground of competency.

Mr. TUOMEY contended that the Croton Board had been used as a machine against the Democratic party, and it was now the duty of the Democrats to secure its change.

Mr. STARR (Rep.) explained that he was prepared to vote for Mr. Van Schaick (Dem.) as well as for Mr. Craven.

The vote on Mr. Craven was taken and he was confirmed by 11 to 5, viz.:

AFFIRMATIVE—Messrs. Smith, Henry, Stephens, Brady, Starr, Adams, Darragh, Lynes, Peck, Owens and Genet.

NEGATIVE—Messrs. Tuomey, Boole, Seagrist, McSpedon and Bradley.

A motion to adjourn was made and lost.

Mr. BRADY moved to confirm Mr. Van Schaick.

Mr. BOOLE moved to amend by laying his name on the table.

The latter was carried, and the Board adjourned to the first Monday in September.

BOOKS RECEIVED.

The Life of Jabez Bunting, D. D. By his son, Thomas Percival Bunting. Vol. I. 12mo. pp. 363. Harper & Brothers.

American Wit and Humor. Illustrated by J. McLenan. 8vo. pp. 206. The Same.

Milch Cows and Dairy Farming. By Charles L. Flint. 12mo. pp. 416. Phillips, Sampson & Co. Sold by Blakeman & Mason.

The History of Freemasonry. By J. W. S. Mitchell, M. D. 2 vols. 8vo. Marietta, Ga.

History of the Oberlin-Wellington Rescue. Compiled by Jacob R. Shipherd. 8vo. pp. 200. J. P. Jewett & Co.

Knitting-Work: A Web of Many Textures. Wrought by Ruth Partington (B. P. Shillaber). 12mo. pp. 408. Boston: Brown, Taggard & Chase. New-York: Sheldon & Co.

THE MONTAGUE POISONING CASE.—*The Sussex Register* says: In about four weeks from this date the September term of our Courts will commence. One of the main topics which will engage the attention of our County authorities will be the Montague poisoning case. The flight of David D. Wickham, and the apparent improbability of recapturing him in time to have his case considered at the next term, will, however, deprive the investigation of much of the interest which the citizens at large are disposed to take in it. As for Solomon Cole, who is held as accessory to the death of his wife, he remains in charge of the Sheriff, and apparently entertains the fullest confidence that he will be found guiless of the crime alleged against him.

THE LATE SHOOTING TRAGEDY.

INQUEST UPON THE BODY OF VIRGINIA STEWART.

Coroner Jackman held an inquest, on Friday, at the New-York Hospital, upon the body of Virginia Stewart, the young woman who was shot at the corner of Broadway and Canal street two weeks ago, by Robert C. Macdonald. But few friends of the deceased and prisoner were present. Among those of the latter were the Hon. Henry P. Phillips, M. C., of Washington, D. C., and his counsel, Mr. Grandin of New-Jersey. The following evidence was taken:

John McAuliffe of No. 273 Canal street, sworn, says—On the 23d ult., at 5 o'clock p. m., I saw three ladies standing at the corner of Broadway and Canal street, and a witness of was with them; one of the ladies suddenly screamed and ran; she was followed by the gentleman, and as she was about to enter the Brandreth House he shot her; Mr. Vanranst, who employs me as coachman, instantly seized him and threw him down; I went to my employer's assistance, and the police came and took charge of the man; the prisoner, now present, is the person who fired the pistol.

Stephen Harkins of No. 84 Elizabeth street testified that he also drove a coach for Mr. Vanranst, and testified to the tragedy as reported by last witness from the seat of his carriage, about twelve feet from the entrance of the Brandreth House; the prisoner, he said, looked like the man who fired the pistol.

Edward Vanranst of No. 84 Ludlow street testified that he witnessed the shooting; the ladies stopped and talked a moment, and the gentleman came up and said something, when one of the ladies said, "Go away from me;" the gentleman then said something in reply, and drew a pistol; one of the ladies screamed and ran; the gentleman followed her to the front door of the Brandreth House and shot her; as he did this I seized him by his arms, and threw him to the pavement; one of my drivers and Dr. Brandreth came to my assistance and took the pistol from him; he appeared very much excited, and was very pale; the prisoner is the man who shot the lady.

John O'Neil, residing at the Brandreth House, testified that he also witnessed the shooting as above described, and saw Macdonald immediately after shooting the lady, put the muzzle of the pistol to his breast, but Mr. Vanranst sprang forward, and catching him around the waist, threw him down; Mr. V. also fell, and while both were down, Dr. Brandreth came up; the prisoner is the person who shot the lady.

Alice Morgan, sworn, says: On the afternoon of the 23d ultimo, Miss Stewart, Miss Brooks and myself went to Taylor's to take dinner; when we were about half through, I heard Miss Brooks remark: "There is Bob;" he was standing on my left, and then asked Miss Stewart when she returned from Boston; they shook hands, and he took a seat at a table next to us and called for a bottle of wine; Miss Stewart and Macdonald conversed for a while, and we all got up to leave; Miss Stewart stopped to pay the bill, and was followed to the door by Macdonald, and as they reached the sidewalk, I heard Miss S. say to him: "If you do not let me alone, I will call an officer;" I did not hear his reply; as Miss Stewart passed me with him, she said to me: "Call an officer;" we looked for one, but did not see any; when they got to the corner of Broadway and Canal street, they turned; we were some steps behind them; they suddenly stopped, and we passed them and also stopped; I heard her tell him that she wished he would go away and let her alone—that she would walk no further with him; his reply I did not hear, but I saw him draw a pistol; Miss Stewart ran and screamed; I also screamed and caught hold of his arm and said: "Oh! Bob, don't do so;" he jerked away from me and ran after Miss Stewart, with his pistol raised; I exclaimed: "Oh! Jennie, run into some place;" she turned as if to enter the Brandreth House, when he fired the pistol, and Miss Stewart fell; I was the first one at her side, but she could not speak to me; the prisoner is the one who fired the pistol.

Mary Brooks testified that she was with the last witness and prisoner at Taylor's Saloon at the time named, and witnessed the whole occurrence as described by Miss Morgan, all of which is correct. She also identified the prisoner as the person who shot deceased.

MEDICAL TESTIMONY.

Dr. Joseph J. Hull, Resident Surgeon of the New-York Hospital, testified that deceased was admitted to the Hospital on the 23d ult., at 5½ p. m., with a gun-shot wound of the head; on examination there was found on the left side of the head, 1½ inches vertically above the outer extremity of the eyebrow, with the surrounding integument discolored by grains of powder, a circular wound half an inch in diameter, its edges inverted, through which protruded a mass of brain substance about the size of a large filbert; this matter was removed and a probe introduced into the wound, passing nearly three inches in a direction backward, inward, and slightly downward, but no foreign body could be detected; on admission, the patient was suffering considerably from the shock, with weak pulse, cool and pallid surface, vomiting, and intellect somewhat lethargic; she partially rallied during the night and continued without very active symptoms, her mind being quite apathetic, with occasional attacks of mild delirium, slight erysipelas of the scalp and face appearing on the 27th ult., and lasting until the 1st inst.; at that time well marked symptoms of cerebral disturbance came on, which gradually deepened until yesterday, when, shortly before 5 o'clock she died, having been, during the previous 36 hours, profoundly insensible; an examination of the body was made 72 hours after death, the weather being clear and very warm, body somewhat emaciated; well-marked *rigor mortis*, slight ecchymosis of the lids of both eyes and of the scalp just behind the left parietal eminence; some swelling of the cheeks and neck; on the left side of the head the wound already described was noticed, from which the brain appeared to have much receded; the scalp about the wound seemed somewhat discolored by leech bites; on reflecting the tissues of the scalp, there was found considerable extravasation of blood extending down into the left temporal fossa, both external and internal, to the fascia, and over the lower half of the frontal bone, corresponding in size and shape with the wound of the scalp, and situated directly beneath it was one of the skull, its edges a good deal jagged and beveled from without inwards at the expense of the inner table, two pieces of lead, each about the size of a pin's head, being found imparted in its inner border; for the space of about a quarter of an inch around the wound, the pericranium was detached, extending from the inner margin of this aperture, a fissure of the skull was found crossing the sagittal suture, through its cleavage commencing its direction being slightly downwards, and terminating in the temporal fossa of the right side at a point half an inch beyond the temporal ridge, starting from the opposite side of the cranial opening was another fissure extending backwards and a little downards, one inch; then joining the squamous suture, continuing with it one inch; then proceeding from it directly backwards a distance of an inch and a half, when it again became lost in the suture. The calvarium being removed between the dura mater and the skull, there was found, over the anterior portion of the right hemisphere considerable extravasation of blood, the former being thickened and somewhat opaque, more especially on the right side. Over nearly the whole of the anterior lobe of the left hemisphere the opposed surfaces of the arachnoid were united by a layer of soft yellowish lymph, this being more abundant immediately around the wound within the cavity of the arachnoid; over almost the entire right side was a clot of blood nearly a line in thickness; vessels of the pia mater considerably congested. At a point corresponding with the wounds before mentioned there was seen a circular laceration of the dura mater, about three-quarters of an inch in diameter, and communicating with this, over the front surface of the anterior lobe, was a wound of the brain capable of admitting the index finger, the cerebral substance surrounding it disorganized over an area of the diameter of about 1½ inches. In the opposite hemisphere was found a similar laceration of smaller size. These wounds were the orifices of a track traversing the brain in almost a direct line. In this track in the left hemisphere 2½ inches from the orifice of entrance, was found a nearly circular disc of bone, three-eighths of an inch in its greatest diameter, and of the entire thickness of the skull. Several smaller fragments of bone were also found in the track. In the middle lobe of the right side was found a leaden ball, circular in outline, but much flattened, and its upper surface quite concave—the brain, to the extent of half an inch surrounding it, being pulpified and mingled with extravasated blood. About an ounce of bloody serum in the cerebelar fossae. Fluid in the ventricles normal in quantity. The brain, other than those portions mentioned, apparently healthy. In my opinion death resulted from inflammation of the brain, consequent upon the injury that has been described.

The case was then given to the Jury, who, after a few minutes deliberation, delivered the following verdict:

"That the said Virginia Stewart came to her death by a pistol-shot wound at the hands of the prisoner, Robert C. Macdonald, July 23, 1859."

Upon the rendition of the verdict the prisoner was examined by the Coroner, and stated that he is 30 years of age, was born in Jefferson County, Ky., lives at Mobile, Ala., and was in the cotton business. In regard to the charge against him he said:

"As the witnesses state, I suppose I fired the shot, but I am perfectly unconscious of having done so. I have had no ill-feelings against her. Signed, ROBT. C. MACDONALD."

The prisoner repeated the above statement twice, and appeared to be much excited during the examination.

The remains of the deceased were interred yesterday morning in Calvary Cemetery, the funeral being very quiet, and attended only by the mother of the young woman and a friend, and the Rev. Fathers Quinn of Barclay street and Dolan of Albany. The inscription on the coffin-plate read: "Eliza Stewart. Died 4th of August, 1859, aged 23 years, 6 months and 29 days."

In the course of the afternoon the District-Attorney sent to the Coroner's office for the papers in the case, and they were sent to him by Mr. Parrise, Coroner's Clerk. They will immediately be placed before the Grand Jury.

ATTEMPT AT WHOLESALE MURDER.—The attempt made on the evening of the 27th ult., to murder the passengers in a train on the Sciota and Hocking Valley Railroad, in Ohio, was a most devlish one. At Gephart's Station, about twelve miles from Portsmouth, there is a bridge forty feet long and some twelve feet high, spanning a ravine, in which are rough and sharp stones. As the train turned the curve and approached to within one hundred yards of the bridge, the engineer discovered that a rail had been taken up from the track on the bridge and removed inward some two feet. The engineer whistled down breaks, and reversed the engine, and then prepared to make a desperate jump for his life, but the train was upon the bridge, and he could not jump without apparently jumping into the very jaws of death. He hesitated a second, and in that second the engine, tender, and three freight trucks leaped the chasm by the wheels bounding over the timbers of the bridge.

Beyond the bridge there is an embankment from ten to twelve feet high, and the freight trucks went over this but the engine did not. The passenger and baggage cars fortunately did not reach the opening before the engine was checked, or a number of persons would probably have been killed. As the engine passed over the bridge, the brakesman jumped off, and struck a locust tree, falling through the timbers some fifteen or eighteen feet below. He is said to be seriously injured.

An hour before a lot of ties were unloaded at the spot, and the track was all right then. The rail was removed in the next half hour, evidently with the murderous design of intercepting the afternoon train, and precipitating cars and passengers through the bridge. Strong suspicions are entertained against a man living in the neighborhood. [Phil. Bulletin.

NEW-JERSEY PILOTS.—During the past month the New-Jersey Pilots brought 72 vessels into port, and piloted out 98.

CITY ITEMS.

Another sultry day, and another deluge of rain carries us twenty-four hours further toward 1860. Yesterday morning was intensely hot; the air for most of the forenoon was like the breath of a heated oven, except that it was perfectly motionless. At noon there came a pitchy black cloud from the west, which gave an abundance of rain for three hours. Yet the night was very hot.

We have already announced that the stockholders of the New-York Academy of Music subscribed $20,000 for engaging new artists for the next opera season. Those of the Philadelphia Academy show their liberality by expending $8,000 for new and splendid scenery for the "Vespres Siciliaes," and "La Juive." New scenery is being painted here for those operas, which, with the magnificent dresses and properties now being manufactured in Paris, will cost nearly $25,000.

Niblo's had an excellent audience last night. The novelty was Mlle. Hennecart, a young Italian dancer of considerable merit, and with the advantage of good looks of the blonde style. The piece was the perennial and poetical Sylphide. Other entertainments—superlative rope dancing—delighted the audience.

RESIGNATION OF A POLICE CAPTAIN.—Capt. Carpenter of the Sixteenth Police Precinct, whose trial on charges of an immoral character was pending before the Commissioners of Police, sent a letter to the General Superintendent yesterday afternoon, resigning his commission. Capt. Carpenter, it will be remembered, was charged with being intimately connected with a Mrs. Whittemore, in West Twenty-fourth street, at whose house Mrs. Inness recently committed suicide. The house in question is alleged to be a disreputable one. The trial was commenced about a week ago, and after the examination of a number of witnesses, was adjourned till the 16th inst., the Captain in the interim being suspended from duty.

The letter of resignatian, which is very brief, contains neither an admission nor denial of the charges, nor offers any justification for the alleged immoral conduct. The General Superintendent dispatched the letter to President Stillman, but no action can be taken thereon at present, as the Board has adjourned till September.

A MAN KILLED BY LIGHTNING.—On Friday afternoon about 1 o'clock during the thunder storm, a man whose name was not ascertained, was struck by lightning while in the Ramble, at the Central Park, and almost instantly killed. His remains were conveyed to the Old State Arsenal, where Coroner Jackman was notified to hold an inquest. The deceased is supposed to have been a laborer in the Park.

A NEW-YORKER ABROAD—HOW MR. HOXIE GOT ON THE SCOTCH BENCH.—*The Cleveland Herald* of August 2 contains the following:

"When in this city last week, Mr. Joseph Hoxie visited, among other places, the United States Court Room and offices, with which he expressed himself much pleased. The Court room, he remarked, was larger and more elegant than that in which Madeline Smith was tried in Edinburgh, two years ago, on a charge of poisoning her lover—a trial which excited much interest in Europe and this country.

"As the world knows, Mr. Hoxie is a capital story teller, and this he told at his own expense: Anxious to witness the trial, and with Yankee perseverance determining that he would, although told that success was hopeless, he procured an order from some functionary for admission. Armed with this, he got as near the Court-room as the crowd around would permit, and sent in the missive by a policeman, but he not returning, after waiting half an hour, a second messenger was sent after the first, and he, too, failed to report. Every one knows Mr. Hoxie to be a modest, unpretending gentleman, but not to be baffled in the pursuit of an object by trifles, if a reasonable measure of assurance and an indomitable energy will surmount them.

"Mr. Hoxie had held the post of Judge of one of the subordinate Criminal Courts of the City of New-York, and, well knowing the potency of official titles in Europe, borrowed pen and ink in an adjacent shop, and indorsed a message on his card something like this:

"'Mr. Justice Hoxie, of New-York, presents his respects, and begs to say that, having had some experience in the administration of criminal law at home, he would be glad of an opportunity to witness the trial of Miss Smith.'

"This card he contrived to get promptly delivered (perhaps by the aid of English gold), and as promptly appeared an official, attired in a black gown and with a long stave in hand, bearing an invitation from the Court to take a seat with them. The procession of two started through the crowd, the usual crying, "Make way for Justice Hoxie," whose white locks, streaming in the wind, gave unmistakable evidence of judicial wisdom; and finally, through a private passage, the judgment seat was reached, and the distinguished visitor found himself side by side with the Lord Chief Justice and his two associate Barons.

"Whether Mr. Justice Hoxie was at all embarrassed we are not advised, but that those who know him best would take a risk on him as soon as any man, under such circumstances, there is no doubt. However, that Madeline Smith was tried before the New-York Justice and the three Scotch Judges is a fixed fact, whatever the record may show. The prisoner was acquitted—or rather by what seems to us a curious process in Scotland—the trial so resulted because the jury did not condemn her, although they did not in form acquit her. How far the opinions on the benevolent countenance of the venerable and worthy New-Yorker contributed to the end we are unable to tell our readers."

DISCOVERY OF A LARGE AMOUNT OF COUNTERFEIT NOTES.—About 9 o'clock on Thursday evening Officer Cornell of the Nineteenth Ward Police, on going to his residence in the tenement-house No. 139 East Fortie