THE NEW YORK SUN.

TUESDAY MORNING, OCTOBER 4, 1859.

Send Advertisements Early.

Advertisers will oblige us and ensure better attention to their copy and arrangement of their advertisements by sending them as early in the day or evening as possible—the earlier the better. Our large edition compels us to go to press from two to six hours sooner than any other morning paper, and it is very desirable that everything intended for insertion should be handed in before eight o'clock.

Water-Gas.

On Saturday evening last, the city of Wilmington, Pa., was lighted with gas made from water, under the patent of Prof. SANDERS, of Cincinnati. A large company were present to witness the success of the experiment. The Philadelphia journals, of yesterday, furnish accounts of the display which was effected by turning off the supply of coal-gas, and running the water-gas through the pipes. The light produced is described as thrice as brilliant and twice as pure, as any that the citizens had before known, but the water-gas requires a new kind of burner, and it was only where the new burners were used that the light was superior.

The theory of Prof. SANDERS' process is thus stated: Water, as steam, is decomposed by being passed over red hot charcoal, and the resulting gases, hydrogen, carbonic oxide, and light carburretted hydrogen, are chemically combined with heavy carburretted hydrogen, or light-giving gas, by the decomposition of rosin or coal vapor, simultaneously with and in the presence of the decomposition of the vapor of water. To the non-scientific reader this explanation may not be very intelligible, and we may therefore remark that from water alone light-giving gas cannot be manufactured, but by using the gases into which water can be decomposed, in combination with the gases produced by the decomposition of coal or rosin, all the light-giving properties of the latter are preserved, and consequently, there is a large economy over the old process.

Rosin is used as the carbonizing element at Wilmington, and it requires but from 25 to 40 pounds of rosin to make a thousand feet of gas. By the customary mode of gas making, but from five to seven feet of gas per pound is produced. It is claimed that by SANDERS' process gas can be furnished at from thirty to fifty cents per thousand feet. In this city, we pay from $2.50 to $3 per thousand feet for gas. Should the invention prove to be all that is claimed for it, its introduction in all the cities and towns of the Union must follow. In this city alone, its general use, at fifty cents per thousand feet, would cause a saving to our citizens of from ten to fifteen millions of dollars a year.

Safety of La Mountain.

THE most gratifying intelligence of the day is that of the safety of LA MOUNTAIN and his companion, who have reached Canada safely, as will be observed by the report under the telegraphic head.

The News by Telegraph.

Magnetic Telegraph Offices, No. 48 Wall street, and Astor House, main entrance.

Good News from the Balloonists.

LA MOUNTAIN SAFE.

Troy, N. Y., October 3.—A dispatch was received in this city this evening, from Professor LA MOUNTAIN, dated Ottawa, C. W., October 3d. It is as follows:

Lost all. Landed three hundred miles north of Watertown, in the Canadas, without food. Brought out by Indian guides in canoes, etc. Please inform my wife. Signed JNO. LA MOUNTAIN.

Ottawa, C. W., Oct. 3.—Professor LA MOUNTAIN, and Mr. HADDOCK, came into Ottawa to-day, having landed one hundred and fifty miles north of Ottawa, in the great Canada wilderness. They were brought out by Indian guides, in bark canoes. They travelled in their balloon three hundred miles, and were up in the air only from four to five hours. For over four days they have been in the wilderness, without food, and with no means of striking a fire. They were rescued most providentially by a Mr. GAMBSON, who was hunting timber with Indian guides.

The Overland Mail.

St. Louis, Oct. 2.—The overland mail, with San Francisco dates of the 9th ult. arrived this evening.

The State election, on the 7th, resulted in the undoubted choice of MILTON S. LATHAM, the Lecompton Democratic candidate for Governor, by a very large majority, perhaps 20,000. Messrs. SCOTT and BURCHALL are probably elected to Congress, although their opponents, Messrs. BAKER and MCKIBBEN, who received the united vote of the Republican and anti-Lecompton parties, have the benefit of a slight doubt in their favor. The anti-Lecompton candidate for State Printer, who was also supported by the Republicans, has a slight chance of election. With these possible exceptions, the Democratic Lecompton State ticket is elected by an immense majority. Both branches of the Legislature are largely Democratic. It would be about a week before the official returns were counted.

The people's reform ticket, being the regular succession of that inaugurated in 1856, by the Vigilance Committee, has gain triumphed in San Francisco, by a handsome majority.

Since the sailing of the steamer of the 5th, business had been a good deal interfered with by the State election, and but a light demand for goods, for the country had been experienced. A number of arrivals had occurred from Atlantic and foreign ports, from which a few sales are reported. The market remained firm, and quotations unchanged.

The British ship Forest Monarch, was wrecked on the 24th ult, while on her way from San Francisco to Puget Sound.

From Washington.

Washington, Oct. 3.—The President will leave Washington to-morrow or Wednesday, for a brief sojourn at Wheatland.

Additional reports have reached this city, from respectable sources, of a contemplated filibustering invasion of Central America. If it shall appear that an expedition for this purpose is in progress, every means will be taken to intercept it. The orders heretofore issued by this Government on that subject are in full force.

Bridgeport City Election.

Bridgeport, Conn., Oct. 3.—In the city election held here to-day, SILAS C. BOOTH, Republican, was elected Mayor over E. B. GOODSELL, Democrat, by 85 majority—a gain of about 50. The Republicans also elect all the Aldermen, Councilmen and other city officers by an average majority of about 8.

From New Orleans.

New Orleans, Oct. 3.—The first case of yellow fever, this season, was reported to-day.

Murder Trial

Burlington, Vt., Oct. 3.—PETER MCDONNELL, JOHN BAIN, and JOHN KELLY have been on trial here for murder, for the last five days. The jury returned the following verdict this evening:—PETER MCDONNELL, guilty; JOHN BAIN and JOHN KELLY, not guilty. MCDONNELL was remanded and the others discharged.

The State Fair.

Albany, October 3.—The State Fair opened well to-day.

Another Filibuster Expedition.

Philadelphia, Oct. 3.—A special Washington dispatch to the *North American* says that another formidable filibuster expedition is preparing against Nicaragua. A portion has succeeded in leaving New York and Charleston, but no demonstration is to be made until the plans are fully matured. Gen. WHEAT is to have an important position in the crusade.

Destructive Fire.

Boston, Oct. 3.—The factory of the PECK and SMITH manufacturing company, at Southington, Conn., was entirely destroyed by fire, yesterday afternoon, with its contents. Loss about $75,000, insured $50,000 in Hartford offices.

CITY NEWS

TROT BETWEEN BROWN DICK AND LANCET.—An interesting trot between Brown Dick and Lancet came off over the Union Course, yesterday afternoon. The day was fine and the track in excellent order, so that every facility was offered for a test of the relative merits of the horses. Lancet's friends entertained strong hopes that his training since last season, had, in a great measure overcome his old habit of breaking, but Brown Dick still remained the favorite, odds running at 100 to 80, and afterwards down to 100 to 70, before the first heat. At 3 P. M. the horses were brought out for scoring. DAN PRIVIER drove Brown Dick in a black wagon, while TALMAN held the reins over Lancet in a red wagon. While scoring, Lancet evinced much of his former restiveness, and one false start was made on the opening of the first heat. At a second attempt, however the word was given, Lancet having the pole, and Brown Dick ahead of near half a length. On the first turn, Lancet became excited and broke up. It was extremely difficult to get him down again, which was not accomplished until reaching the turn to the back stretch, and by this time Dick led him so far that a distance was generally expected. To spoil matters still further, Lancet broke up again, and Dick came round the lower turn and up the home stretch on an easy jog, winner by almost a distance, which with a little exertion he could have made. Time, 2.33.

On the second heat, five false starts were made, Lancet constantly breaking up. On the sixth start, the word was given, and away they stretched, Dick having the same lead as on the former heat. Lancet moved well to the upper turn, and then broke, soon coming down to his work, and managing throughout the rest of the heat to keep at a distance of near five lengths behind Dick, at which distance the latter came in ahead. Time 2.31.

Between the heats odds had been from 100 to 80, and subsequently 100 to 15—now no bets were taken. About 20 false starts were made for the last heat. Lancet broke up every time, sometimes dashing at full speed clear to the first turn. Finally the word was given, and had scarcely ceased to echo over the course, when Lancet broke up badly, and fell behind about five lengths. On the lower turn both horses worked well, and Dick came in winner of the heat and race, by about three lengths. Time 2.31¼.

THE GREAT INTERNATIONAL CRICKET MATCH.—The long looked-for and much talked-of match commenced yesterday morning, between the eleven English cricketers and the United States twenty-two, at Hoboken. From five to six thousand persons were on the ground during the day. Pleasanter weather could not have been desired. The cricket ground lies in a line nearly northwest from the ferry, at a distance of perhaps three-quarters of a mile, and encircles an area of about 150 by 200 feet. The green turf on which the players stand is circular in form, and 130 feet in diameter. The balance of the ground is devoted to tents, refreshment booths, seats, and a large platform capable of holding fifteen hundred persons. The scene yesterday was of a most enlivening character, the cricketers in their suits of white spotting the closely cropped sward; the spectators crowding around the circle, the music discoursed by DODSWORTH'S Band, and the cheering by the spectators, formed an exhilarating scene not often witnessed. The flags of St. George and Brother Jonathan floated in unison. The game commenced with the innings of the United States twenty-two. At 11 o'clock, the scorings were as follows:

TWENTY-TWO—First Innings.

J. LANG, b. PARR	6
R. WALLER, run out	0
H. SHARP, st. LOCKYER, b. JACKSON	1
W. HAMMOND, c. HAYWARD, b. PARR	4
A. H. GIBBES, b. JACKSON	0
J. W. S. SCARLETT, l. b. w. b. PARR	4
A. MASSU, l. b. w. b. JACKSON	0
W. WILBY, b. PARR	2
T. SENIOR, hit wicket b. PARR	3
H. WRIGHT, c. LOCKYER, b. PARR	1
J. HIGHAM, b. JACKSON	1
HEAD, b. JACKSON	0
S. WRIGHT, st. LOCKYER, b. JACKSON	1
W. NEWBALL, c. DIVER, b. JACKSON	5
MORGAN, c. JACKSON, b. PARR	0
J. WALKER, b. JACKSON	2
W. CROSSLEY, b. PARR	0
W. COMBE, hit w. b. PARR	0
E. BAGGE, b. JACKSON	3
HARRY LILLYWHITE, c. CARPENTER, b. JACKSON	0
F. BARCLAY, run out	0
HALLIS, not out	0
b. 1. l. b. 1. w. d., n. b.	2
Total	38

Umpires....JOHN LILLYWHITE and CHARLES VINTON.

The bowling of the eleven was beautiful, and the catching most dexterous. One of the eleven, wearing a plaid shirt, seemed to challenge general admiration in this particular branch. He would throw the ball in the air, and placing his hands behind his back would catch it on its descent with the greatest apparent ease. He would pick the ball from the sward with his feet, at the same time tossing it in the air into his hands. All of these manœuvres elicited applause from the spectators. As will be seen above, ten of the twenty-two went out without scoring a single point. The best scoring was by LANG, and the second best by NEWBALL. At 3 o'clock P.M., the English eleven commenced their innings. Up to the time they ceased playing, yesterday, their scoring was as follows;

ENGLAND ELEVEN—First Innings.

T. HAYWARD, not out	32
R. CARPENTER, c. SENIOR, b. HALLIS, out	26
J. WILSON, run out	2
G. PARR, not out	5
W. CAFFYN	0
T. LOCKYER	0
A. DIVER	0
M. H. STEPHENSON	0
J. CAESAR	0
J. GRUNDY	0
J. JACKSON	0
b. 8, l. b., w. 6, n. b. 2	16
Total	82

This shows the English Eleven as leading the Twenty-Two forty-four runs, with but two wickets down. At this rate the Eleven will probably score more on the first innings than the Twenty-Two can make up on their second innings, doing their best. It is a foregone conclusion among the best of cricketers, that the English Eleven will come off victors. The game is to be resumed to-day. Conveyances to the ground from the ferry, at Hoboken, are run on the arrival of every boat.

THE FIRE IN SPEYER'S BREWERY.—The Insurance Companies are sufferers to the amount of $110,000 by the destruction of SPEYER'S Brewery, on Sunday night.

The fire originated in the fourth story of the building, in the grain drying room, and was first discovered by the person in charge. He immediately gave the alarm, but the neighborhood being sparsely populated, no immediate assistance could be rendered, and in a few moments the structure was in flames from the cellar to the roof. Mr. ALBERT SPEYER was inside at the time the building caught fire, and narrowly escaped with his life, his retreat being almost cut off by the rapid advance of the flames.

In about an hour after the fire first broke out, every building connected with the establishment, extending over 16 acres of ground was in a mass of flame. The report in the morning papers that a stable containing 30 horses had been destroyed with the valuable cattle, turned out to be untrue. By this fire, several hundreds of persons are thrown out of employment, and many of them are left houseless, their tenements in the immediate neighborhood having been destroyed along with the brewery.

The insurances are $5,500 each, in the following Companies: Washington, Jefferson, Knickerbocker, Fireman's Fund, Merchants', Jersey City, Columbia, Clinton, Manhattan, Citizens', N. Y. Fire and Marine, United States, Metropolitar, Security, Astor Relief, Market, Niagara, Royal and East River.

WILLETT & CO., of No. 303 Pearl street, had $43,000 worth of grain in the brewery, which was totally destroyed. It is insured for $25,000, in the following Companies: $5,000 each in the American Exchange, Fulton, Montauk, Goodhue; and $2,500 each in the New World and Exchange.

THE Fulton Bank defalcation was to have been investigated on Monday, before Justice OSBORNE, but owing to counsel being otherwise engaged, the case was postponed to Thursday next, at 2 o'clock, P. M.

A DEPUTATION of Police from this city and Brooklyn proceeded, last evening, to Albany, for the purpose of watching for rogues expected to attend the State Fair.

THE New York correspondent of *The Charleston Mercury* says that of the filibusters, the only notable ones left among us are WHEAT and HENNINGSEN. In the general topsy-turvying of all their Nicaragua and Cuban plans, these gallant souls don't know what to do with themselves. They may be seen any evening at the St. Nicholas, where they are pointed out to strangers as curious specimens of a race of beings now, alas, nearly extinct.

THE following officers were elected at the semi-annual meeting of the Typographical Society on Saturday evening:—*President*—ROBERT S. MENAMIN. *Vice President*—WILLIAM B. BROMELL. *Secretary*—T. CHARLES FAULKNER. *Treasurer*—JAMES NARINE. *Trustees*—CHARLES C. SAVAGE, JOHN THOMAS. *Librarian*—JOHN CRAW. The Society now numbers 185 members.

THE Mozart Hall Primaries to elect delegates to the Judiciary, Senatorial, Assembly and Ward conventions, for the nomination of candidates to be voted for in November, were held last evening. In all the Wards which our reporters visited, the elections passed off quietly, their being no opposition and no large crowds in attendance to make a stir.

EVERYBODY has noticed the singular block of buildings recently erected on Fifth avenue, opposite the reservoir. The block includes eleven dwellings, so built as rather to resemble one large castle. The block will be sold at auction to-day, by E. H. LUDLOW, at the Merchants' Exchange, the sale commencing at twelve o'clock.

TO-MORROW, at Richmond, Va., the bishops meet who are to decide upon the restoration of Bishop ONDERDONK.

THE next California mails are to go out on the 5th, by the steamer St. Louis. The Postmaster-General has awarded the mail contract to JOHNSON, with a provisional arrangement for its being carried out by VANDERBILT, if JOHNSON fails to do so. The present appearances are that the contract will finally fall into VANDERBILT'S hands, and the mails be sent by his steamers, via Nicaragua.

Capt. MILLER'S Company of the 71st Regiment, parade to-day as escort to the Washington Artillerists of Pottsville, Pa., who are to be here on a visit.

LAST evening, Dr. BOYNTON delivered the first of a series of eight lectures on geology, at the Cooper Institute, to a large and interested audience.

THE American Board of Commissioners for Foreign Missions, hold its first sessions this afternoon at 4 P.M., at the church of Rev. ALBERT BARNES, Washington Square. A debt of $70,000 is to be debated, and disposed of if possible.

IN the way of amusements, LAURA KEENE'S Theatre is well attended, and the "Sea of Ice" it such as will keep it so. At NIBLO'S, the Ravels have left for Philadelphia, and Mr. EDDY has resumed the management of this favorite house, which he will conduct on the star principle. Mr. BURTON is the first luminary. At WALLACK'S, Mr. BROUGHAM'S comedy has been withdrawn, and a series of old comedies will be revived.

AMONG the schools opened last evening, for the winter, were those of the Academy of Design, under the charge of Mr. CUMMINGS, at 58 East Thirteenth street. Admission free.

IT will be borne in mind by readers that the American Bible Union holds its anniversary for two days, commencing to-morrow, at the Baptist Church, corner of Broome and Elizabeth streets.

A STATUE of the death of TECUMSEH, of marble, executed in the Palace of the Emperor of Brazil, is on exhibition at room 28, Cooper Institute.

THE cause of the DE RIVIERE duel, which afforded considerable amusement to N. Yorkers yesterday, is stated to have been the assertion of DE RIVIERE, on the occasion of the BLONDT intimacy, that no American lady could withstand his seductive powers of fascination, if he were allowed but five minutes time to exert them in full force. The assertion was taken up with much ire by BILLY MULLIGAN, who did not hesitate to ridicule the gascon, and to threaten his utter extinction, if he ever crossed his (MULLIGAN'S) path. On their next meeting the Zouave tried to address MULLIGAN, but the latter coldly repulsed him, and a repetition of the attempt, with further epithets addressed to DE RIVIERE, on last Wednesday night, at PARRY'S saloon, Broadway, stirred up the Zouave to mortal combat. This is the story of the MULLIGAN party.

A manifesto to the *Express*, issued yesterday, explains the Zouave view of the case. The manifesto is as follows:—

Allow me to publish through your valuable paper a correct statement of the facts concerning the difficulty between myself and Mr. MULLIGAN. There never was any trouble or quarrel between us previous to the night of last week, when, entering a bowling saloon with a stranger and an Italian friend, MULLIGAN, half drunk, and surrounded by several friends, passed some insulting remarks toward me. To this I replied, "I hear you and will see you again." He then remarked "I hope, Sir, you will meet me as a gentleman." I answered "certainly," and walked out. My friend also came out, and having understood nothing of what had occurred, "he not speaking the English language," was surprised to find himself surrounded by the whole party, insulted, and threatening weapons being drawn on him. I then challenged Mr. MULLIGAN. It was very difficult for me to find any friends speaking English, and especially as very few gentlemen would willingly have their names brought in connection with such a man as Mr. MULLIGAN. My friend, who could the best understand the language, carried my challenge, accepted the weapons proposed, navy six shooters, and discussed the conditions, which were written so as to have no misunderstanding. The hour appointed was 4 P. M., at the ferry. I was there *half an hour in advance*, alone, my friends were there *exactly at the time*. We crossed on the other side, and there waited fully one hour for the other parties to come. At last, and when we were giving up all hopes of seeing them at all, they came about dusk.

Instead of being alone as had been agreed upon, they were followed by a carriage full of outsiders, which they had faithfully promised not to do. Before marching towards the ground they began to propose a change in the weapons, offering single barrel pistols, which they had brought with them, and which we knew nothing about. This being declined, and a stop having been made on the road in a wood without any opening field, they proposed changing the distance. We refused, and they then refused to fight at our agreed upon distance. My friend, at my request, offered, as night was coming on, to draw for the distance, but even that they refused, and they withdrew, leaving us on the field, where we remained a quarter of an hour after them. I declare, and my friends will attest that their statement is a *lie*. I now consider Mr. MULLIGAN as a *cowardly ruffian*, who, when full of rum, may have the pluck of insulting, in a bar-room, an unarmed and unprepared man, but who dares not fight me, or anybody, upon even and legal terms; and this I am ready at any time to prove.

Yours, very respectfully,
CAPT. H. A. DE RIVIERE.

N. Y., October 3.

Thus far the country is safe.

Inquests, Accidents, &c.

SCALDED TO DEATH.—FRANCIS HARRIS, one of the persons who was scalded on Sunday, on board the steamboat Active, died on Monday, of his injuries, at the N. Y. Hospital. Coroner O'KEEFE was notified, and will hold an inquest upon the body today.

DROWNED.—Coroner JACKMAN held an inquest on Monday, upon the body of an unknown man, about 30 years of age, found in the North river, near the foot of 37th street. Deceased had long, dark hair, side whiskers, and was dressed in a dark cloth coat, black vest, dark ribbed pants, &c. Verdict—"Found drowned."

THE same Coroner held an inquest upon the body of PATK. COLEMAN, a native of Ireland, 22 years of age, who, while intoxicated, on Saturday night, fell into the dock foot of Perry street, and was drowned. The jury rendered a verdict of "Accidental drowning."

Police Intelligence, &c.

RECOVERY OF COUNTERFEIT MONEY.—Policeman FITZMAURICE, of the 2d Precinct, having occasion on Monday to search the premises formerly occupied by JOHN SNOOKS, the alleged forger, (Ridge street, near Grand street,) found a package containing about $4 000 in counterfeit bills, on different banks. The bills are well executed, and consequently calculated to deceive. Among them were some of the denomination of $1, on the Savings Institution Bank, at Memphis, Tenn.; $2 bills on the same Bank; $2 bills on the Bank of Commerce, Baltimore, Md.; $2 bills on the Bank of Commerce, Providence, R. I.; $2's on the Bank of Commerce, Cleveland, O. The vignette on all the $2 bills were two females, a locomotive and a train of cars. There was also in the package a number of figures of different denominations, intended to be pasted over the figures of smaller denominations in genuine bills. The package was given in charge of the Deputy Superintendent of Police.

HANGING FOR FUN.—Just at this particular period the rascals of this town have been laying on their cars waiting, like MICAWBER, "for something to turn up," and as far as their pleasures are concerned, are at all times ready and willing to risk anything to satisfy their peculiar whims. The following case for audacity has rarely been excelled in the annals of crime in this city:—On Sunday morning, JACK FRAGAN, a well known character, accompanied by several friends, entered the sporting place of HARRY JENNINGS, in Madison street, and partook of drinks all around without paying for them, and afterwards smashed nearly everything breakable in the bar room. Notwithstanding this the party was not satisfied, but opened the front door and seeing a quiet looking old gentleman passing by, they seized him, brought him into the bar-room, and procuring a rope put it about the old gentleman's neck and threatened to hang him. He managed to get away from them and ran off. FRAGAN was arrested last evening by the Fourth Ward police, and locked up on the charge.

A SCHOLAR BEATS HIS TEACHER.—Last evening about 9 o'clock, FRANCIS MCCUBE, a school teacher in the Fourth Ward Evening School, was assaulted by a scholar named DENNIS O'NEIL, in William street, and was badly beaten over the head with a club, inflicting a very serious, but not fatal wound. The teacher fired two shots from a pistol, at the boy, but did not hit him. The assailant was arrested.

ARREST OF AN ALLEGED FUGITIVE.—LENA KLEINSCHMIDT, a German woman, was arrested on Monday, in this city, by officer KING, of the Lower Police Court; assisted by Police Capt. BRADLEY, of Chicago, Ill., as a fugitive from that city, where, it is alleged, she is wanted to answer several indictments, charging her with grand larcenies. It is further alleged, that she is a notorious shoplifter, and, some years ago, was convicted in this city, of that offence, and sentenced to State prison. Some months ago she paid a visit to Chicago, and left, it is alleged, with considerable plunder. According to her own statement, she has been in trouble in Montreal, and it cost her $2,000 to get the indictments against her quashed. Most of this money, she says, she paid to Magistrates and their clerks. Captain BRADLEY had a requisition for her from the Governor of Illinois, and she was taken back to Chicago.

OUTRAGED BY RUFFIANS.—A woman named MARIA CASSIDY, was found, on Sunday night, in an exhausted state, on the sidewalk in 10th Avenue, near 19th street. She was taken to the 9th Ward Police Station, where she stated that a gang of rowdies had compelled her to drink until she became intoxicated, and then violated her person. She was sent to the Bellevue Hospital, and is considered to be dangerously ill. The police are in search of the miscreants.

ARREST OF A FUGITIVE FROM UTICA.—A man named THOS. ROONEY, was arrested yesterday at the "Holodeen," in the Bowery, as a fugitive from Utica, where, it is alleged, he robbed a trunk belonging to a Mr. SEMPSON, of $500. He was committed by Justice OSBORNE, and will be sent to Utica, to-day.

SHOOTING AFFRAY AT FRENCH'S HOTEL.—A BAR-ROOM BRAWL.—About 2 o'clock yesterday morning, as J. WILBURG and a man named GEORGE, both boarders at French's Hotel, were drinking together in the bar-room, the former shot the latter in the arm. Officer CALDWELL, of the 6th Precinct, was promptly on the spot, and arrested WILBURG. The wounded man is dangerously shot, and is in a very low condition, the ball having passed through his arm.

Board of Aldermen.

At a meeting of the Board yesterday, resolutions to have a portrait painted of Mayor TIEMANN, appropriating $500; and another of Governor KING, appropriating $1,000, Referred to Committee on Arts and Sciences.

The Committee on Finance reported in favor of paying the widow of Chief Justice OAKLEY the balance of salary of deceased, from the time of his decease to the last of January, '59; about $2,500. Laid over.

Ald. HENRY presented a preamble and resolution, relative to the Pavonia Avenue Ferry, that the Comptroller advertise for sale the slip and wharf privileges foot of Chambers street, and return all bids to the Common Council for confirmation. Referred.

A communication was received from City Inspector DELEVAN, enclosing an ordinance requiring owners of tenement houses to keep garbage boxes in front of the same, with a view to keep the streets cleaner. Referred.

The Committee on Roads reported in favor of paving Third avenue, from 56th to 58th street, with Belgian or Trap-block pavement; the Third avenue R. R. Company to pay the expense of having the portion of the street required by them kept in repair, between and outside of the rails, the city and property owners to be assessed each an equal portion of the expense of said pavement. Laid over.

A communication was received from the Croton Department, with the record of its transactions, from July 1st to September 30. Referred to Committee.

Reports Adopted.—The report to pave 4th avenue, from 17th to 23d street, with Trap-block pavement, was adopted. To change the grade of 8th avenue and intersecting crosswalks, from 61th to 81st street. To pay the expenses of receiving the Mayor of Richmond and the Greys, amounting to $6,851 86, was adopted unanimously.

The Mayor's veto against the 8th avenue R. R. Company laying a switch track in Canal street, was called up, when the Board adhered to former action, by 13 to 2. Adjourned to Thursday.

Board of Councilmen.

The Board met on Monday afternoon, Mr. CORNELL in the chair.

A preamble and resolution were offered, showing the futility of all efforts to regenerate the Five Points, and recommending that measures be taken to secure the ground bounded by Centre, Pearl, Chatham, Mott and Walker streets, to be laid out as a Park, and to accommodate buildings, with offices for the Croton, Street and City Inspector's Departments. Adopted.

The Street Commissioner was directed to send to the Board all papers in his possession, regarding a clock for the cupola of the City Hall, and not to proceed in the proposed contract until action by the Common Council.

Mr. LAMBERT offered the following resolution:

Whereas, The late accident at the Girard House, and others of a similar character in the city, has shown that accidents are likely to occur from the unsafe condition of the boilers of buildings in which steam is used.

Whereas, The lives of citizens should be shielded from the danger as much as possible, by ordinances of the Common Council, therefore,

Resolved, That a special Committee be appointed, to report an ordinance for the providing for the appointment of suitable persons to inspect the condition of the boilers where steam is used. Adopted.

A resolution was adopted requiring the Committee on Lands and Places to report the expediency of applying to the Legislature for permission to sell Hamilton Park, and apply the proceeds toward the liquidation of the city debt.

The Street Commissioner was requested to send to the Board the original estimate for repairing the City Hall, amounting to $50,000, and his explanation how the difference was made by the contracting party who have agreed to do the same work, agreeable to plans and speculations drawn under the supervision of his department, for the sum of $11,500.

The Mayor sent in a veto to the resolution declaring void the lease granted to MESSROLE and others of the ferries from Grand street and Peck Slip to Brooklyn.

The Board concurred to appropriate $800 to repair a shed in Jefferson market; to appropriate $1,400 to fit up a house for Hose Co. No. 4; to appropriate $11,921 for building a pier foot of 79th street, East River; and to build a house for Empire Co. 35, at the sum of $3,068.

A report from the Finance Committee appropriating $11,400 to the Street Commissioner for excess of Fire Department expenses, was laid over.

Adjourned to Thursday.

LEGAL REPORTS—MONDAY.

Supreme Court.

R. W. Lowber and Dr. Mott in Court.—Duncan, Sherman & Co. vs. Hipphalet Mott and Robert W. Lowber.—This was an action on a draft for $5,600, drawn by Dr. Mott, August 14, 1857, payable to his own order, or Mr. Lowber.

The complaint alleges that before the maturity of the draft, it was accepted in writing, afterwards delivered to the plaintiffs for value, &c.; that the draft being wholly unpaid, the plaintiffs, as holders and owners, now demand judgment.

Lowber defended on the ground that, since the commencement of the action, there had been an agreement entered into between himself and the plaintiffs, whereby he was to be absolved from all liability on said draft, and by which the action was to be discontinued—the consideration for which was the transfer of certain real estate in Brooklyn, by the defendant, to the plaintiffs, which he alleges was done, and avers that the plaintiffs accepted of the transfer; are now in actual possession of the land, and are in the receipt of rents and profits.

In response to the answer of the defendant, the plaintiffs claim that they took the premises subject to a mortgage said to be but for $9,000; that they subsequently learned the incumbrance was much greater, and they, therefore, refused to take the property.

The Court held that the plaintiffs were not bound to discontinue after learning that the land was incumbered to a greater extent than represented, and ordered the case to proceed, and it is still on. Dr. Mott made no defence at all.

Isaac McKim Bowly vs. The United States Mail Steamship Company.—An action has been commenced in this Court for the loss of property of the plaintiff, and the injury and sufferings inflicted on his wife and children, in the shipwreck of the steamer Central America, which foundered at sea in 1857, and on which occasion, it will be recollected, that out of six hundred persons, including officers and crew, nearly two-thirds were lost or drowned at sea. From the statement of Mr. Daniel Bowly, counsel for the plaintiff, it appears that the defendants formerly owned a steamship called the George Law, which was wrecked upon a coral reef somewhere on the coast of St. Domingo, and was thereby greatly damaged; that the defendants subsequently changed the name of the vessel, after being repaired, to that of the Central America; that the plaintiff was thereby deceived as to the character of the vessel, and not knowing those facts, plaintiff alleges that he took first cabin passage in August, 1857, for his wife and two small children by the steamer Central America, from Aspinwall to New York, together with a quantity of baggage and personal property; that about the 12th of September, 1857, in a comparatively smooth sea, the Central America filled with water, which extinguished her fires, and sunk and became a total loss by reason of her unseaworthiness; that there was not small boats enough, nor of sufficient strength, to save all the passengers and personal property, and that property to the amount of $5,000, belonging to the plaintiff, was lost, that his wife and children suffered much, and sustained personal injuries, by reason of the wreck. Damages are laid at $10,000. The present motion on the part of the defendants is to strike out certain portions of the complaint. After argument of counsel, the Court granted the motion to the extent of striking out the evidence going to show unseaworthiness before the vessel sailed, but denied it as to all the other points. The cause will probably be reached on the trial term next month.

The Spiritual Rape Case in a New Form.—Saml. G. Morrell vs. Nelson J. Hume.—Some months since, as all will remember, the defendant in this case was taken before Justice Quackenbush, at Jefferson Market Police Court, and a charge of rape preferred against him by the wife of the plaintiff, who alleged that the act was consummated while she was in a "trance," brought about by supernatural agency. After a long examination of the case, the charge was dismissed. The plaintiff now brings suit to recover $10,000 damages of the defendant for the seduction of his wife and ruin of his happiness.

The matter came upon a motion to make the plaintiff give security for costs, he being a non-resident, and was postponed until Tuesday.

Over and Terminer.

A Commission in the Macdonald Case.—This Court commenced, and after the usual call of the Grand Jurors and Petit Jurors, the case of Macdonald, who shot his alleged mistress at the corner of Broadway and Canal street, some weeks since, was moved by the District Attorney.

James T. Brady, counsel for the prisoner, then stated to the Court that they had some time since notified the District Attorney that upon the opening of the Court they should move for a commission to take testimony in Mobile, California and other places. That motion they now made. It would be impossible for them to state to the Court what their line of defence was, but as soon as counsel learned what it must be, they became convinced that such a commission alone would secure justice to their client.

District Attorney Waterbury then said that he had been notified of this motion, as stated by Counsel some time ago, and, that all the circumstances of the case considered, he thought the motion a proper one to be made, and he should, therefore, not oppose it. Judge Roosevelt then stated that each party should name a commissioner for the purpose mentioned, and directed Counsel to report to the Court on Thursday next, such persons as they had agreed upon, and the commission would be settled on that day. The trial of Macdonald was then set down for the third Monday in October, and the Court adjourned to Thursday next, when probably some less important case may be taken up.

Although it was not stated what would be the defence of Macdonald upon his coming trial, still it is reported as being well understood that it will be "insanity;" and that the commission applied for is for the purpose of collecting testimony on that point in places and among persons, where and with whom the prisoner was acquainted. Macdonald was in Court, and looked exceedingly pale and careworn. His pallor, however, may have come from his long confinement.

Court of General Sessions.

The October term of the Court of General Sessions commenced to-day, before Recorder Barnard, with an unusually heavy calendar. The empanneling of a Grand Jury was deferred till Tuesday, a quorum not being present.

Harriet Forrester, better known as "Widow Forrester," the alleged keeper of a disorderly house in Canal street, called the "Red, White and Blue," who was convicted on that charge, in June last, but whose counsel, (Mr. H. L. Clinton,) appealed to the Supreme Court against the ruling of the Recorder on the trial, which ruling was sustained by that Court, was placed at the bar for sentence. It was shown that she had not departed from her evil courses, and still kept the same "haunt of iniquity," as such places are popularly called. The Recorder sentenced her to the Penitentiary for nine months, and ordered her to pay a fine of $200, and to be committed till the fine was paid.

Wm. Lyons, a youth, pleaded guilty to obtaining goods under false pretences, and was sent to the Penitentiary for 1 year.

Thos. Wilson, aged 19 years, was tried for burglary in the 3d degree, in breaking into the store of Isaac Brett, 254 Fulton street, on Sept. 6th, and stealing therefrom four sheep-skins, worth $3. He was convicted, with a recommendation to mercy, and sentenced to 2 years in the Penitentiary.

James McDermott, aged 19, and Wm. Hagan, aged 28 years, were charged with a bold act of highway robbery. On the 19th of Sept., at 3 P. M., Almon P. McConney and George Chamberlain, while walking in Lispenard st., were accosted by a female. They paused to talk with her, and in the midst of a pleasant conversation, the defendants came up and wished to be informed what was the nature of their business with the lady. Before they could reply, McDermott knocked McConney down, and took his watch and chain, worth $40. Hagan knocked Chamberlain down, but did not rob him, and both ran off. They were subsequently arrested. Hagan pleaded guilty of simple assault, and was sent to the Penitentiary for 6 months, and fined $100. McDermott pleaded guilty to an assault with intent to rob, and was sent to the State Prison for 5 years.

Mary McCarthy and Honora Scanlan, were tried for stealing $135 from John Driscoll, at 49 Mulberry st., on April 15th, and acquitted. After which the Court adjourned.

BROOKLYN.

OBITUARY.—The sudden decease of a single citizen in the community of Brooklyn has seldom if ever produced more heartfelt sorrow than that recently caused by the death of N. W. VAN DUYNE, who lost his life by a fatal fall from his wagon last Saturday night. Mr. VAN DUYNE, for a number of years, successfully held the public position of Superintendent of the Union Ferry Co.'s affairs, and was equally beloved and respected by all who were thus brought into business contact with him. Socially, he possessed very gentlemanly qualification, and his intimate friends feel that the gap occasioned in their society by his loss is irretrievable. The sorrow of nearly every attache of the above service, speaks loudly the grief felt at this unfortunate separation from an indulgent, kind-hearted employer.

FIRE.—A fire broke out in the grocery and liquor store of WM. RYLAND, on the corner of Vine and Columbia streets, on Sunday night, causing damage to the extent of about $50. The fire is supposed to have been the work of an incendiary.

MILITARY.—The 13th regiment proceeded to East New York, for inspection and drill. To-day, the 14th Regiment will be inspected. On Wednesday the 70th, and on the 19th the 72d.

FATAL ACCIDENT.—Yesterday afternoon a laborer employed on a vessel at one of the docks, between Fulton and Catharine Ferries, fell down the of the hatchway, and was instantly killed. The name of deceased was ANDREW BROWN.

RAILROAD IN GATES AVENUE.—At a meeting of the Common Council, last evening, petitions were presented for a grant to establish a railroad in Gates Avenue. The subject was referred to the Railroad Committee.

INDEPENDENT DEMOCRATIC NOMINATIONS.—A county convention of Independent Democrats, who are dissatisfied with the means used in nominating the bulk of the regular ticket, was held at HOLMAN'S Three Mile House, on Fulton avenue, yesterday afternoon. All the wards, with the exception of the 17th and 18th, were represented. The convention was organized by calling Col. EDM'D POWERS to the Chair and CHRISTIAN VOLKNER, Sec'y. After calling the list of delegates, the following nominations were made:—

District Attorney—SAMUEL D. MORRIS.
County Judge—SAMUEL GARRISON, (on the regular ticket.)
County Treasurer—JAMES M. SHANCEY, (on the regular ticket.)
Superintendent of the Poor—ROBERT W. ALLEN.
Coroners—JOHN H. MURPHY, (on the regular ticket.) C. W. SHAMAN.
Senator 3d District—THOMAS A. GARDINER, (on the regular ticket.)
Senator 3d District—AMOS F. HATFIELD.

KINGS COUNTY AMERICAN NOMINATION.—The Straight Americans met in