THE NEW YORK HERALD.

WHOLE NO. 7482. MORNING EDITION---FRIDAY, JUNE 17, 1853. PRICE TWO CENTS.

NEWS BY TELEGRAPH.

ANOTHER AWFUL RAILROAD ACCIDENT.

Eleven Persons Instantly Killed

ON THE

NEW YORK AND ERIE RAILROAD

SEVERAL PASSENGERS SEVERELY INJURED.

HIGHLY INTERESTING FROM ALBANY.

Great Excitement in the Legislature.

SCENES OF CONFUSION AND DISCORD IN BOTH HOUSES.

Spirited Controversy between Senators Cooley and Pierce.

THE MATHER IMPEACHMENT CASE IN THE ASSEMBLY.

AFFAIRS IN WASHINGTON CITY.

THE ATTEMPTED NEGRO INSURRECTION AT NEW ORLEANS,

&c., &c., &c.

Fatal Accident on the Erie Railroad.

SUSQUEHANNA, June 16, 1853.

A most lamentable accident occurred on the New York and Erie Railroad, about five o'clock this afternoon. Engine No. 58 exploded her boiler, instantly killing eleven persons, and wounding several others.

Among the number killed was Mr. Arnold, the engineer, and three women.

It is supposed that four or five persons were blown into the river.

[In addition to the information contained in the foregoing despatch, we have learned through a private source, that the unlucky locomotive, at the time of the explosion, was pushing behind the train on the up grade, near the village of Susquehanna. Nearly all those who were killed, are reported to have been Irish laborers on the road. —ED.]

Exciting Scenes in Albany.

BRIEF REVIVAL OF THE CANAL WARFARE BETWEEN SENATORS COOLEY AND PIERCE—VERY WARM DEBATE—TERRIBLE CONFUSION—THE CATHOLIC CHURCH BILL—THE MATHER IMPEACHMENT CASE IN THE ASSEMBLY—SPIRITED CONTROVERSY—TREMENDOUS UPROAR AND EXCITEMENT.

SPECIAL CORRESPONDENCE OF THE NEW YORK HERALD.

ALBANY, June 16, 1853.

The spectators in the lobby of the Senate were exceedingly amused at the opening of the session, after prayers, by witnessing a scene not in the usual programme. Before the journal of yesterday was approved, Mr. Morgan rose and presented a communication from Senator Taber, who is confined by illness at his residence, asking unanimous consent that his name may be recorded on the journal of the Senate of yesterday, in the affirmative upon the resolutions amending the constitution. Mr. Cornell did not object to the allowing the vote to be thus recorded, but thought the Senator asking it should be present. With the same propriety, the Senator (Mr. McMurray) now travelling in Europe may send a paper, requesting that his vote might be recorded in favor of the resolutions.

Mr. Cooley would heartily consent to allow the absent Senator to record his vote in favor of a proposition which he had opposed from the outset. But he was willing that he might be restored to the party from which he had strayed, as others, like him, had seemed to repent of their late course upon the canal question.

Mr. Pierce took the floor, and said he knew something of the private opinions of the absent Senator, (Mr. Taber,) who desires his vote to be recorded; and, from that fact he knew that Mr. T. was opposed to several points now contained in the resolutions. Mr. P. did not object to recording the vote asked for, but went on to discuss the canal question, the resolutions adopted, and the motives of some of the persons by whose means the compromise was effected. He also alluded to two or three Senators, continued with considerable animation, when Mr. Van Schoonhoven interposed. Mr. Pierce would not yield the floor. Mr. Wright also questioned Mr. Pierce, but he would not budge. Senator Cooley rose and hoped the Senator might be permitted to proceed with his remarks. Several other Senators rose simultaneously. Mr. Cooley and Mr. Pierce both talked loud and animated. Mr. President Church rapped with his ivory mallet, and called to order. Still the loud talking continued. All the Senators obeyed the mandate except Messrs. Pierce and Cooley. Neither would sit down. The President rapped louder and longer. Mr. Pearce demanded the floor. Mr. Cooley kept talking. The voice of the presiding officer was drowned in the "noise and confusion." Senator Bennett said, "Mr. President, in order to arrest this debate, I shall be obliged to object to recording the vote of Senator Taber in his absence. A pause ensued, when the Lieut. Governor ruled the motion out of order. Mr Morgan submitted that the communication be entered upon the journal of the day, which was agreed to. Thus ended the *emeute*.

Very appropriately the Senate then took up the bill to "authorize the incorporation of Roman Catholic congregations or societies." The first and only section is as follows:—

SEC. 1. Any officer or officers, person or persons, being citizens of this State, who, according to the usage and discipline of the Roman Catholic Church, may be designated to represent any Roman Catholic congregation or society in holding and managing the temporalities thereof, may become incorporated as the trustee or trustees of such congregation or society in the mode provided in the second section of the act entitled "An act to provide for the incorporation of religious societies," passed April 5, 1813, as a corporation sole or aggregate, as the case may be, and as such, shall possess the same powers and rights, and be subject to the same restrictions, liabilities, and conditions in all respects as the trustees of any Protestant church or congregation incorporated under said section.

Mr. Babcock offered the following as section two:—

SEC. 2. No bishop, priest, ecclesiastic, or person set apart to the care of souls, shall be created a corporation sole under this act; nor shall any corporation aggregate be formed under this act, unless at least two-thirds of the members thereof shall consist of persons other than bishops, priests, or ecclesiastics.

This was adopted in committee, and the bill thus amended was ordered printed. It will hardly be reached again this session. There is some considerable interest felt for the adoption of the first section by the priesthood. The laity are generally rather indifferent about it.

Mr. Champlin concluded his remarks in the House upon the impeachment resolution, when Mr. Daniel B. Taylor took the floor in defence of Commissioner Mather. After Mr. Taylor concluded his speech, Mr. Hendee moved the previous question, so as to cut off further debate. The Speaker *pro tem*, Mr. Sessions, did not recognise the motion, but gave the floor to Mr. Loomis, who moved to postpone the subject until to-morrow morning. Mr. Hendee claimed his right to the floor, but it was not given him. A scene of excitement and merriment then occurred. Motions to adjourn were made and lost, bills were attempted to be read a third time, but the members were not disposed to labor any longer. In the midst of this interesting scene, Mr. J. N. Ely of Broome, rose and asked unanimous consent to offer a resolution. "Read, read, for information," responded from every part of the house. The clerk read as follows:—

Resolved, That the committee on examination of charges preferred against State officers, be directed to report charges of impeachment against Sanford E. Church, Levi S. Chatfield and John C. Wright.

Mr. Burroughs rose to discuss, when the member in the chair said there was no question before the House. Mr. B. then rose to a privilege question. He was again put down. He then demanded his right to speak upon the resolution, when a motion was made to adjourn, and members voting aye and nay in great disorder, and the chairman declared the House adjourned. The action of the presiding officer in declaring the adjournment, was highly applauded, especially by Father Hibbard.

Should this resolution be called up to morrow, or any day before the Mather case is disposed of, there will be hours of sharp debate. Several members were ready this afternoon, and one or two appeared anxious for the fray. The vote in Mather's case will probably be taken to-morrow, as things look now. Should the House adopt resolutions impeaching all the distinguished men alluded to, the court to be organized under the constitution, will have plenty of business for six months to come.

Both houses have appointed committees to confer with the Erie Railroad Company, to settle upon a day for the excursion. A day of adjournment will be announced as soon as Mr. Mather's case is disposed of. W.

THE HENDRICKSON MURDER TRIAL.

ALBANY, June 16, 1853.

In the Hendrickson trial, the case for the prosecution is not yet disposed of. The Court adjourned at 6¼ P. M., yesterday.

From Nova Scotia and Prince Edward Island.

BOSTON, June 16, 1853.

Halifax papers of June 11th are received. The steamship Europa arrived at Halifax, from Boston, on the 10th and sailed the same day for Liverpool.

The Lieutenant Governor of Prince Edward Island having suddenly dissolved the Assembly, the liberal party were making the most strenuous efforts to carry the new [illegible]

NEW YORK LEGISLATURE.

EXTRA SESSION.

Senate.

ALBANY, June 16, 1853.

SENATOR TABER AND THE CANALS.

A long and exciting debate was had this morning, on a motion to allow Mr. Taber to record his vote in favor of the Canal Resolutions, as requested by him by letter. The Chair decided that the request could not be granted, but the letter would go on the journal.

THE CATHOLIC CHURCH CASE.

The Catholic Church property bill was taken up in Committee. Mr. BABCOCK moved to amend the bill so that no ecclesiastic could be a corporator. The motion prevailed, 10 to 7. The Committee then rose.

Mr. PIERCE (dem.), moved to amend the report of the committee by striking out Mr. Babcock's amendment.

Mr. BABCOCK (whig), hoped no such course would be taken. Even with the present amendment the bill was highly objectionable. Other amendments were to be offered.

Mr. PIERCE.—Unless this amendment is struck out, it is not a bill desired by its friends. If the Senator's amendment prevails, that ends it.

Mr COOLEY (dem.), said it was due to the Senator from the Twelfth (Mr. Taber) that this subject be laid upon the table for the present.

Mr. PIERCE hoped the question would be first taken on the amendment.

Mr. WRIGHT (whig) opposed Mr. Cooley's motion to lay it on the table.

Mr. PLATT, (whig) thought it very important that the bill should be printed. Amendments are unintelligible unless the bill is before us. Men are placed in a wrong position.

The bill was laid on the table. (The motion being to lay it on the table till Mr. Taber could be well enough to be present.) Here is the vote:—

AYES—Messrs. Babcock, Bartlett, Beekman, Bennett, Clark, Cooley, Kirby, Morgan, Newcomb, Otis, Platt, Vanderbilt, Ward—13.

NAYS—Messrs. Bristol, Jones, Pierce, Rogers, Van Schoonhoven, Wright—6.

BILLS PASSED.

The bill to vest in the United States jurisdiction over certain lands at the Brooklyn Navy Yard.

The act relative to the Albany Savings Bank. (Allowing an investment in city stocks.)

To amend the General Savings Bank law, so as to allow ex officio trustees to hold other directorships.

THE MOHAWK (COHOES) BRIDGE BILL.

This bill was debated by Messrs. JONES and PIERCE. Objections were made to an amendment made by Mr. Jones, and the bill passed.

Recess to 4 P. M.

AFTERNOON SESSION.

TRINITY CHURCH SUIT—SPEEDY TRIAL WANTED.

Mr. PIERCE had leave to report a bill for the speedy trial of a suit in which Trinity Church is interested.

Mr WRIGHT—This is only stirring up a question which has long since been settled. It is a bill to fee lawyers, by giving a State sanction to a trumped up claim.

Mr. PIERCE defended it. It was but to settle the right as soon as possible.

THOS. H. NEWBOLD'S CHILDREN.

Mr BEEKMAN introduced a bill to allow the children of Thomas H. Newbold to hold real estate.

BILLS PASSED.

The bill to divide the Nineteenth ward of New York into two wards was passed.

The General Life Assurance act was passed. Adjourned.

[CORRECTION.—It was Mr. Platt, (and not Mr. Clark, as errously published in Wednesday's paper,) who "desired to take the question again on the section for the submission of the Maine liquor bill to the people at the next election," &c. Senator Clark as Chairman of the Select Committee reported the bill complete that morning, and made no motion in relation to it afterwards, but voted on all occasions to sustain it as reported.—REPORTER.]

Assembly.

ALBANY, June 16, 1853.

THE FOURTH OF JULY.

An invitation from the Young Men's Association of Albany, to participate in the Fourth of July celebration, was accepted.

BILLS REPORTED COMPLETE.

For the election of commissioners of emigration.

To incorporate the Atlantic and Pacific Railroad.

The bill to consolidate the towns of Brooklyn, Williamsburg and Bushwick, was laid on the table.

THE IMPEACHMENT CASE.

The hour having arrived, the special order was announced.

Mr. CHAMPEIN, (dem.) of Allegany, resumed the floor, and said he desired to make a correction in the report made of his remarks yesterday. In regard to the McCoughin case, he was made to say that "if Mr. Mather was found guilty in this case, the rest (Church, Wright and Cook) were also." This the committee did not assert. So far as he was concerned, he was not particular; but, inasmuch as the reputation of public officers was at stake, he desired an accurate report of the debate, and hence had voted that the House employ a reporter to take the debate in full.

Mr. BURROUGHS, (ind. dem.) of Orleans, called his attention to the language of the committee's report, that "they by no means intended to exculpate others, (of the Canal Board or Canal Commissioners,) if the House shall in this case agree with the committee;" and asked if this was not nearly equivalent.

Mr. CHAMPLIN said, the committee, while they did not exculpate the rest, brought no charge against them. No other case was taken up, nor had the committee assumed to declare any of the others guilty. He then resumed his examination of the specifications against Commissioner Mather. Reference was made to the canal letings, submitting whether there was in them a due administration of law. These contracts had been repudiated by the Senate, and by this House. The crime had been denounced in thunder tones; and he desired to know if after it the criminal was to be shielded. New York has a mission to perform. It had been said, that if New York was pure, the Union would be pure. This State was to lead the republic, and to confer upon it honor and glory, or to sink it in degradation. He did not demand the condemnation of John C. Mather. He had not the enmity that was charged upon him, and if he had he could not demand more than his trial, and if guilty his conviction. Allusion was made in eloquent passages to the existence of other republics, and the lesson this nation was to learn by their downfal. The people were to look to the tribunal of this House for a maintenance of law, and he believed here would be found a firm reliance upon justice.

Mr. D. B. TAYLOR, (dem.) of New York, had not expected to follow the gentlemen in this question, but as no other member had taken the floor, he felt impelled to give a few reasons that would control his vote upon the resolution of impeachment. He would make no reference to "Ancient Greece," but should seek to consider the subject as a candid American citizen. He had sought in vain for the proof in the documents adduced, of any "high crime or misdemeanor," nor could he find him guilty of even the most trivial offence. He thought a mis-quotation of document 71 had been made by the gentleman from Alleghany, (Mr. Champlin)—a wilful perversion. Allusion was made to the gift of a watch to Goodsell. He claimed that occasion for the gift was found in services rendered at various times, as an engineer. There was no greater reason for Mr. Mather's impeachment than that of the rest of the commissioners. In every case of inquiry into, or of censure upon, the conduct of those guilty of extravagant expenditure, Mr. Mather's name was recorded in the affirmative. He noticed the several charges in detail, involving all of the commissioners equally. That of excessive mileage, he contended, was sanctioned by the auditor. That of neglect to visit the canals as often as required by law, was only sustained by the testimony that the Superintendent, Mr Skinner, did not see him. He illustrated the nature of this kind of evidence by the story of the Dutch Judges, who acquitted the prisoner, charged with horse stealing, because three men swore they saw him do it, and nine men swore they did not see him do it. He spoke of the Troy dock, a work in favor of which the people of that place could not speak too strongly, and claimed that could members go and see the work, they would, rather than drive Mr. M. into retirement, branded with the highest crime known to our laws, cause a monument to be erected to perpetuate his name and fame. He dwelt at length upon the unfairness, as he considered it, of the committee, in seeking to impeach but one of the Commissioners. If he was, as claimed, guilty of causing the several acts of the Board claimed to be wrong, then should the rest of the Board be impeached for imbecility, for if altogether led by Mr. M., they were not fit for the place they held. He did not understand the positions of the gentleman from Alleghany, (Mr. Champlin,) upon this point. He again alluded to the "watch," given by Mr. Somebody to Mr. Somebody, with neither of whom Mr. M. had anything to do. He thought it required a great stretch of the imagination to make it apply to the case at all. Mr. T. said he did not appear as an apologist or defender for the Canal Commissioners; he only sought that justice might be done, and before he could give his vote in favor of the resolution, he must be perfectly satisfied that John C. Mather was guilty of the charges alleged against him. Mr. M. should, with him, have the benefit of every doubt, and he could view with no degree of allowance the plea that would weigh doubts against him, because, forsooth, he was yet to receive his trial by another court. The committee, in their effort to involve Mr. M., had, it appeared to him, utterly failed; and he must still regard him (Mr. M.) as pure as any man under heaven.

Recess to 4 P. M.

AFTERNOON SESSION.

THE CANAL REPAIRS.

Mr CASE moved to forward the bill to let the canal repairs on contract.

THE EXPENSE OF RECORDS IN NEW YORK.

Mr. RUSSEL SMITH introduced a bill to authorize the Supervisors of New York to raise money, by a tax, to pay the expense of records.

THE REGISTRY OF DEEDS IN NEW YORK.

Mr. LIVINGSTON introduced a bill relative to the registry of deeds in New York city—to amend the law of 1847, and restore fees.

THE IMPEACHMENT CASE.

Mr. D. B. TAYLOR resumed and concluded the consideration of the case.

THE INTERRUPTION OF CANAL NAVIGATION.

Mr. BURNETT asked consent to offer a resolution calling upon the Canal Commissioners to report the number of days that navigation has been interrupted upon the Champlain and Erie canals during the last ten years; also, the causes of the same. Granted.

The resolution lies over.

THE IMPEACHMENT CASE AGAIN.

The resolution for the impeachment being under discussion, its further consideration was postponed till to-morrow.

Mr. HENDEE, (whig) of Livingston, moved the previous question.

Mr. J. E. ELY, (dem.) of Broome, asked consent to offer a resolution to direct the Select Committee, appointed to [illegible] lutions of impeachment against Levi S. Chatfield, E. Church, and John C. Wright.

Objected to.

The Assembly then adjourned.

The Latest from Washington.

SPECIAL CORRESPONDENCE OF THE N. Y. HERALD.

SPAIN AND SANTA ANNA.

WASHINGTON, June 16—7 P. M.

The rumor that the government has received advices from Havana, showing that Santa Anna is about to be seconded by Spain and England in his hostility to this country, is unfounded in fact. No such advices have been received by the government, nor is there any evidence of a reliable character to show that Spain intends to strengthen Santa Anna in any way. Communications from private individuals residing in Mexico have been received, speculating upon the dictator's movements, but nothing authentic. SENTINEL.

A NEW EDITOR FOR THE UNION.

WASHINGTON, June 16, 1853.

We understand that A. O. P. Nicholson, of Tennessee, is very soon to take charge of the editorial chair of the *Union*. He is a Cass man, as will be remembered by the famous letter of 1848 of the General, known as the Nicholson letter. That letter, written to Nicholson by General Cass, constitutes, as far as we know anything about him, the foundation of Nicholson's eminence as a democratic politician. Yet he is said to be a man of superior talents and very large political experience. His friends say that he declined a seat in the cabinet, and might have had a foreign mission for the asking. His connection with the *Union* indicates a desire on the part of its managers to conciliate the hard shells. What his policy as editor may be, remains to be seen. Perhaps he has an eye upon a share of the spoils of the printing of the next Congress. HARD SHELL.

STOCK SUBSCRIBED TO THE METROPOLITAN RAILROAD—MURDERER SENTENCED TO BE HUNG—EXAMINATION OF MIDSHIPMEN AT ANNAPOLIS, MD., ETC.

FROM THE REGULAR NEWSPAPER REPORTER.

WASHINGTON, June 16, 1853.

The subscriptions to the stock of the Metropolitan railroad closed to day. Our citizens subscribed liberally, and although the result is not fully known, there is reason to believe that enough has been subscribed to insure the construction of the road, which will connect Washington directly with the West.

The examination of clerks in the War Department was commenced to-day.

During a suspension of the Sassoer case in the criminal court, this morning, owing to the sickness of a juror, the motion for a new trial in the Woodward case was argued and denied. Judge Crawford then asked the prisoner if he had anything to say why sentence should not be pronounced. Woodward rose, and made an able and eloquent speech, averring his entire innocence, narrating the circumstances of his wife's death, and leaving it to be inferred that she killed herself. He appealed to all who knew him to bear witness to his past good character and patriotic services as a sailor and soldier under the American flag. Said he was not afraid to die, and asked nothing on his own account, but for the sake of his mother and sisters begged for a new trial.

The Judge, deeply affected, proceeded to pronounce the sentence that the prisoner be hung by the neck until he is dead, on the 2d of September next, between 9 A. M. and 2 P. M., exhorting him to banish all hopes for pardon, and prepare for death. The prisoner was entirely unmoved during the delivery of the sentence.

Mr. Hester, who was shot by Morrison, last night, is better this morning. The ball has been extracted, and there is some chance of his recovery.

The following Midshipmen have passed their examination at Annapolis, for promotion to Passed Midshipmen:—Date of 1846—Oscar F. Johnson, of Tennessee; Lewis A. Kimberly, of Illinois. Date of 1847—Edward P. Williams, of Maine; Wm. S. Lovell, Henry Wilson, and Andrew E. K. Benham, of New York; Andrew B. Cummings, David B. Harmony, and John Irwin, of Pennsylvania; John T. Wood, and Charles W. Flusser, of Kentucky; Wm. P. A. Campbell, of Tennessee; Bayard E. Hand, of Ga.; John D. Rainey, of Miss.; Robert E. Chapman, of Ala.; Frederick F. Brose, C. E. Thorburn, Jared P. K. Mygatt, and John J. Cornwell, of Ohio; Wm. Gwin and James P. Foster, Indiana; Wilson McGunnegle, Mo.

The Threatened Rising of Negroes in New Orleans.

NEW ORLEANS, June 16, 1853.

The story about the intended rising of the negroes is understood to have been greatly exaggerated, and the excitement has subsided.

Several affidavits were made last night against an Englishman named Dyson, in regard to the recent insurrectionary attempt.

Dyson, for a year past, has been teaching a school of negro children. He was accused about two years ago of harboring a negro criminal, and was imprisoned for several months. He then displayed great acuteness and legal knowledge in defending himself.

The present affidavits are strong against him, as sole planner and instigator of the recent attempt. The examination has been fixed for Wednesday next, the 22d inst. Meantime Dyson remains in prison.

If the offence is proved against him, the penalty will be very severe—probably death.

Strike of the Cumberland Coal Miners, &c.

BALTIMORE, June 16, 1853.

The Cumberland *Allephanian* states that all the miners struck on Tuesday last for an advance of six cents per ton, and that none of the companies had consented to the advance. Only 9,000 tons of coal were sent to market last week, and many boats on the canal were idle.

Destructive Fires at Lowell.

LOWELL, June 16, 1853.

Two destructive fires occurred at Lowell last night and this morning. The first fire destroyed Webster & Lewis's sash and blind factory, Isaac Place's sash and blind storehouse, George Fisk's storehouse for bobbins, and some others. Total loss, $12,000. No insurance.

At seven o'clock this morning the old Merrimack mill took fire in the carding room, supposed from friction, and so rapid was the spread of the flames that the entire upper part of the most extensive mills in the country was totally destroyed, and the lower stores badly damaged. The treasurer of the mills estimates the loss at $80,000, which is covered by insurance in the Associated Manufacturers' Insurance Company.

Ship and Cargo Consumed

CHARLESTON, June 16, 1853.

The ship Gondar, loading for Liverpool, was burned at her wharf, in this city, on Wednesday night, together with 1,800 bales of cotton, mostly uplands, and 375 barrels of resin. The ship was insured and the cargo was mostly insured in Liverpool. The total damage amounts to about 75 per cent of the value of the vessel and cargo.

Loss of a Steamer in Texas.

NEW ORLEANS, June 16, 1853.

The steamer Louisiana, arrived here from Galveston, reports that on Sunday, the steamer State, with a small cargo of cotton and sugar from Houston, caught fire and was scuttled and sunk. Her cargo would probably be saved in a damaged state.

Markets.

NEW ORLEANS, June 15, 1853.

The sales of cotton to day have been barely 800 bales—operators awaiting the Asia's news. The exports to day have been large—reaching 12,000 bales—while the receipts of the last four days have been only 1,800 bales.

Superior Court.

Before Judge Duer.

THE BROADWAY RAILROAD CASE.

JUNE 16.—This case was continued this morning, by the examination of Mr. Lawrie, an engineer.

Mr. Hanagan was then called by Mr. Van Buren, and examined generally as to the solvency of the grantees. The following was elicited on cross examination by Mr. Field:—

Q.—Do you know of any corruption of any sort or description in connection with this grant? Do you know of any man having paid or received any money in respect to it?

A.—No, sir; on the contrary, I believe there has not been anything paid.

Q.—Have all the funds that have been raised by the associates been put into one place, under the joint supervision of all?

A.—Yes.

Q.—Has the disposition of the funds been known to all the associates?

A.—It has been, or could be known.

Q.—Have you, yourself, taken pains to know about the business of the associates, from the time this application was made?

A.—I have been pretty closely connected with them from the time the application was made.

Q.—Have you known, or been informed, or heard of any payment of any money, whatever, to any member of the Common Council, for his vote or influence in favor of the grant?

A.—Never.

Q.—Or to anybody to procure it?

A.—Never.

Q.—Have you known of any promise made, or any information given, or understanding had, in respect to any such thing in respect to any member of the Common Council?

A.—No.

The Court then adjourned until to-morrow morning, at [illegible]

The Turf.

CENTREVILLE COURSE, L. I.—TROTTING.

WEDNESDAY, June 15.—Trotting match, $2,000 (?) mile heats, best three in five, in harness.

H. Woodruff named b. m. Flora Temple	2	2	1
F. J. Nodine named b. m. Highland Maid	1	1	dis.

Time, 2:29—2:27—2:32.

As was anticipated, the above was the fastest harness race that ever took place. Pelham once trotted a heat in 2:28, but he could not repeat. The day was very favorable for speed—not too warm, with a gentle, refreshing breeze from the ocean, and the track in the most perfect order, which with the superb condition of the nags, combined to ensure a confirmation of the anticipations of the masses in regard to time, many of whom, in their wagers, marked as low as 2:28. There was a very large attendance at the course, the number being estimated at four thousand, nine tenths of whom were betters on the race. Highland Maid was the favorite previous to the start at 100 to 60; after the first heat at 100 to 40; and before the start for the last heat, 100 to 10 on her went a begging. Never before was so much money won and lost on a trotting match; and never before did a race terminate so unfortunately to a favorite. Highland Maid had more speed than Flora, and could trot away from her in any part of the race; and still, either by the folly of her driver, in forcing her beyond her speed when there was no occasion for it, or by the reckless driving of Hiram Woodruff in running his mare into collision with the other, frightening her so as to break, the backers of Highland Maid were relieved of their finances, and the trotting track doomed to receive another stain on its already much disfigured escutcheon. More than one-half of the persons who witnessed the contest left the course under the impression that it was a jockey race, and that the driver of Highland Maid broke her up purposely; but this opinion was pronounced erroneous by others, as he had a great deal of money staked on his mare, as much, probably, as any other individual interested in the race. They attribute the cause of her defeat to the great anxiety of Mr. Nodine to take the lead on the turn; and after receiving the rap from Hiram, in forcing his mare too much to get clear of him. Had he held her together and gone moderately around, as soon as he struck straight work on the backstretch he could have got away from Flora at his pleasure, won his money, and added to his reputation as a driver. But of these conflicting opinions we have nothing to say, further than that the race is not always to the swift; and the backers of Highland Maid must console themselves with the hope of better luck next time.

On the first heat the nags were started parallel, and for the first hundred yards were head to head. Highland Maid then began to draw gradually away from Flora, and was a length ahead at the quarter pole, in thirty six and a half seconds. On the backstretch she opened the gap, and was a couple of lengths clear at the half, in 1:13, both going as prettily as possible. On the lower turn, Flora made a brush for the lead, and closed quickly, but Highland Maid shook her off again, and led up the homestretch about a length in front, without the least apparent effort, crossing the score in 2:29.

In the second heat, they were started very evenly, and kept side and side until their wheels touched, when Highland Maid dashed away from Flora, and led to the quarter pole two lengths, in thirty-six seconds. She increased her speed down the backstretch, and was four or five lengths in front at the half mile pole—time, 1:11. She seemed to go a little easier around the lower turn, Nodine looking back at Hiram, and watching closely his movements. Hiram again cut Flora loose as he approached the homestretch, and closed very rapidly; but after getting within a couple of lengths of Highland Maid, she was kept there, and in that way came to the score. During the last half mile of this heat, Nodine paid more attention to the movements of Flora Temple than to his own mare; and had she not been one of the most honest nags in the world, would have broken up and lost the heat from his carlessness. Time, 2:27.

In the last heat, Flora Temple had the lead at the start by about half a length, and as Highland Maid closed with her, Hiram drew in, and the wheels of both vehicles came together, striking hard enough to break some of the spokes in the one of Highland Maid. The collision frightened her, and she trotted wildly away from Flora more than a length, when her check rein getting loose, she broke up, and would not trot again for some time. Flora was two hundred yards ahead of her at the half mile pole, and more at the stand. Time, 2:32.

After the race was over, the excitement on the track beggared description—some swearing that Nodine threw the race, and others abusing the judges for their decision. This should not have been done; because, as Justice is blindfolded, it cannot be expected that she can see everything that is going on around the turns. Nodine was struck with a club as he came to the stand, but was not much hurt. At all the stopping places on the road on the return to town, similar scenes were enacted; and, no doubt, many of those who took parts in the play will long regret their attendance at the race between Highland Maid and Flora Temple.

The Murderers in the Tombs.

FITZGERALD TO BE HANGED TO-DAY—RESPITE OF NEARY UNTIL NEXT FRIDAY.

The culprit Fitzgerald is sentenced to suffer death on the gallows this day, in the City Prison, for the murder of his wife. During the day, yesterday, Fitzgerald conducted himself with much composure, attended the greater part of the time by Father Willett, his spiritual adviser. The first thing the unfortunate man wanted done for him in the morning was to be shaved, as he said in all probability a number of persons would call to see him, and he wished to look clean and decent. Mr. Wood, the deputy keeper, granted the request. After taking breakfast, Father Willett visited him. After the interview, Fitzgerald came from his cell, and walked about in the corridor. The keepers asked him how he felt. He replied (laughingly)—"Very well, but to-morrow I shall be out of prison, and shall be glad to leave you; but I must say to all of you gentlemen belonging to the prison, that I have been treated in the very kindest manner since I have been with you."

The keeper remarked, "Fitzgerald, you must give up all hope of any clemency from the Governor." "Yes," replied Fitzgerald, "I have been told by a gentleman this morning that I must not expect any hope. It was a gentleman who has taken a great interest in my case, and went up to the Governor about me. Indeed, I would not consider it any favor for the Governor to commute my sentence. I am ready and prepared to die. The ignominy of suffering death on the gallows I don't consider anything—some people do; but I don't. What is that death compared to what our Saviour suffered on the cross? I know I am innocent of the crime of wilfully taking the life of my wife. The law says I must die, and I am ready to meet my fate like a man. I shall die with the knowledge that I never was guilty of the crime."

The prisoner looks remarkably well considering the length of time he has been incarcerated in a prison cell. A number of persons visited him yesterday. To all he expressed a wish to die, rather than be confined in a State prison during his natural life.

Thomas Neary, also under sentence of death for the murder of his wife, has been respited until next Friday. This fact has created some little dissatisfaction on the part of the convicts, as they were both to be hanged on the one day, and at the same time; they had, therefore, arranged their plans accordingly, and expected to be company for each other on the sad and fearful occasion; but now they are destined to suffer singly, which appears somewhat to have misplaced their ideas and plans laid out by them on that momentous event. The gallows was erected last evening in the prison yard at the Tombs, and inspected by the Sheriff. Four of the Deputy Sheriffs were placed on duty to watch the convict during the time; and to day between the hours of 10 and 12 o'clock, the wretched man Fitzgerald will end his earthly career. The Sheriff on this occasion, as on the former execution, intends to conduct the affair privately; no one will be admitted to witness the hanging but those authorised by law.

THE CONVICT NEARY.

The convict Thomas Neary, yesterday morning was asked what he thought of the decision of the Jury on his case of insanity, and replied:—"My mind was made up from the first; I never expected any commutation of my sentence, and don't expect it now; I don't deny taking the life of my wife, but it was done through the man Tansey; I feel now the same that I did then—that an improper intimacy existed between my wife and Tansey; she was a very aggravating woman; I am perfectly resigned to my fate; I am willing to die; I don't expect any commutation; my mind was made up on the first Jury; I never had any hope; I still hear voices outside my cell at night, and sometimes in the day; it sounds like Tansey's voice; it is all of no use now; I am willing and ready to die."

Supreme Court—Circuit.

Before Hon. Judge Morris.

ACTION FOR LIBEL.

JUNE 16.—*John and George Hecker vs. Henry A. Smith.*—This was an action brought by the plaintiffs, millers, against the defendant, who is proprietor of the *Scientific American* newspaper, for an alleged libel contained in that paper, in May, 1852, and which was a communication to the editor, and referred to an article which appeared in a previous number. Mr. John Nelson read the first article alluded to. It related to the patent "self raising" flour, in which it was said, "that this new fermenting flour will become quite a favorite, and we must say, if the fermenting ingredients are healthful, we hail its introduction; if not, we deprecate its use."

The libel complained of in the present action was in the same paper of June 5, 1852, in a communication to the editor, stating, "that this self raising flour can be bought as low as from 20 to 24 shillings a barrel, and is nothing more than sour flour, and only fit to make starch, and any person continuing to use it might as well take as much slow poison. I know in one family where only 28lbs. were consumed in eight days, it made them all sick, *licet*."

For the defence, it was contended, by J. E. Burrell, jun., that the name of the plaintiff was not mentioned in the paper, and that the communication only referred to the article of self raising flour generally, and not to the plaintiff's manufacture. Verdict for the plaintiff, 6¼ [illegible]

Is Barnum a Fighting Man?

MR. P. T. BARNUM AND A BANK NOTE LIST PUBLISHER—A THREATNED ASSAULT.

Yesterday Mr. Lewis J. Leonori, a bank note list publisher, of No. 47 Dey street, appeared before Justice Osborn, and entered a complaint against Mr. P. T. Barnum, charging him with an assault and threatening personal violence. The assault, it seems, originated in consequence of Mr. Leonori publishing in his Bank Note List an article headed "Issues Without Securities." We annex a copy of the complainant's affidavit, now on file at the Police Court, which gives the matter more in detail:—

Lewis J. Leonori of said city being sworn, says—That on the 15th day of June inst., between 1 and 2 o'clock P. M., Phineas T. Barnum and a person to deponent unknown, came into deponent's office, No. 47 Dey street, and threatened him with personal violence for publishing an article in the *New York Bank Note List* of which deponent is proprietor, entitled "Issues Without Securities," on the 11th June inst., saying at the same time that he was interested in a bank referred to amongst others in said article, and that he came to give deponent a damned good licking, doubling his fists and putting them to deponent's face, and calling deponent a damned thief, villain, scoundrel and other vile and opprobrious names repeatedly; said Barnum repeated that he wanted a chance to lick deponent, and said if he was not a rich man he would do it on the spot, and even as it was, he would do so if deponent said a half dozen words; said Barnum and his accomplice approached deponent in a menacing manner, at which deponent ordered said Barnum out of the office, who said he would not go until he got ready, and dared deponent to do something whereby he could get the chance to beat him (deponent;) he then stated that he was a rich man, and he knew deponent would like to have him lick him in order to get his (Barnum's) money, because he was rich; and he would not do it now himself, but would get a poor man to do it when deponent least expected it. On departing, he dared deponent to mention what he had said in said office, at deponent's peril, and after making a threat against deponent, Barnum said, "and I add, personally, a damned good licking;" and deponent further saith, that he is apprehensive of receiving from said Barnum or some one in his employ, great bodily injury; and deems it absolutely necessary to deponent's personal safety that said Barnum should be compelled to give a heavy bond to keep the peace towards this deponent.

As corroborative of the affidavit of Mr Leonori—

Rufus W. Leonori and Edward I. Roome, are sworn, and say that they have heard read the foregoing affidavit, that they were present and witnessed what transpired in the office, and that the facts therein stated are true.

On the above complaint, the magistrate issued a warrant for the arrest of Mr. Barnum, and placed the same in the hands of officer Smith for service.

City Intelligence.

FIRE AND LOSS OF LIFE.—On Wednesday, shortly after 6 o'clock, P. M., a fire broke out in the third story of the building No. 34 Maiden lane, occupied by J. B. Purdy, as a fancy goods store, as well as for fireworks—the whole building and goods being destroyed. Messrs. Caulkins & Darrow, occupied the first floor as an umbrella factory—loss about $10,000, covered by insurance in the Broadway and St. Nicholas Insurance companies. The fire was caused by the ignition of some of the fireworks. Mr. Purdy and his porter, Joseph Clark, attempted to extinguish it, but the heat was so intense and the flames burning so fiercely that Mr. Purdy was forced to leave. Clark, the porter, got out by the third story window, and hung by the sill of the window as long as he was able; at last he was obliged to let go his hold, and fell to the ground. He was taken to the City Hospital, by Mr. Haggarty and officer Sullivan, where he died. He leaves a family. A large body of police were present under the command of their respective captains, from the First Second, Third, Fourth, Fifth, Sixth and Seventh wards. Mr. Purdy estimates his loss at $12,000; he is insured for $8,000 in the Washington, Clinton, and other insurance offices.

ALMOST A FIRE.—Early on Wednesday morning, between 2 and 3 o'clock, a fire was nearly breaking out at No. 50 Mulberry street, in the front room, second story, of a frame building occupied by a man named Joseph Connolly. It appears that Mrs. Connolly, the better half of the aforesaid Joseph Connolly, in taking an observation in the street about the time above mentioned, held in her hand a lamp, which by some carelessness on her part, came in contact with the window curtain, causing a very large blaze, and a deal of alarm to the lady. Officer McAuley, of the Sixth ward, in patroling his district at the time, discovered the dangerous situation of Mrs. Connolly, and immediately went to her assistance. By the administering of about half a dozen pails of water, he succeeded in extinguishing the flames with only the trifling damage of the loss of the curtains and of a few broken panes of glass.

DEPARTURE OF THE WATER WITCH ENGINE COMPANY.—The above mentioned fire company left this city *en route* for home, yesterday afternoon, by the Stonington steamboat. They were escorted from their quarters, at the Irving House, to the wharf, by Guardian fire engine company No. 29, whose guests they have been during their sojourn in our city. Previously to proceeding to the boat, the two fire companies, preceded by Adkin's full band, made a *detour*, by the Bowery to the Gotham, where the visitors were regaled with refreshments. They then marched down to pier No. 2, escorted by the Guardian engine company, who saw them on board of the Vanderbilt steamboat, in which they took passage for Stonington. They will be received there by the fire department of the place, and arrive in Providence this morning, at ten o'clock.

FATHER GAVAZZI has not gone to Montreal, as it has been wrongly stated by some city paper. He is quietly r