NEWS BY TELEGRAPH.

AFFAIRS IN WASHINGTON CITY.

THE NEBRASKA-KANSAS QUESTION.

THE HOMESTEAD BILL IN THE SENATE.

REMARKS OF GEN. CASS IN FAVOR OF THE MEASURE.

Exciting Debate on the Railroad Land Bills in the Senate.

Members Accused of Being Personally Interested in their Passage.

PROCEEDINGS IN THE STATE LEGISLATURE.

The Temperance Bill Engrossed by the Senate, &c., &c., &c.

The Latest from Washington.

THE NEBRASKA-KANSAS BILL—PROPOSED SUBSTITUTE IN THE HOUSE—THE ORGAN AND ITS TEST OF DEMOCRACY—THE PACIFIC RAILROAD, ETC.

WASHINGTON, March, 7, 1854.

It is said a substitute will be offered to the Senate Nebraska bill, by a Southern democrat in the House. The substitute will consist of the bill as originally introduced into the Senate from the Territorial Committee. That bill is precisely the same as the Territorial bills of 1850. The object of this move is to do away with the abrogation, in express terms, of the Missouri compromise of 1820. Col. Benton will make a great speech against the bill. He declares he will not be confined to an hour, and if the House insist upon his stopping at the conclusion of that period, he will finish his speech in the rotunda, or in the open air.

The *Union*, in continuation of its bargain with the free soilers, by which its editor received the public printing, declares this morning: "We repeat, that this paper does not now assume that this bill, in any of its stages thus far, or the votes upon it, constitute a test of democracy." Although the government is thus sold out, body and breeches, an attempt is made in the concluding paragraph to show that the sale of the organ may not alter public opinion on the bill, and that the people may regard the measure as a test, although the administration has caved in.

It is believed that the Pacific Railroad Committee will recommend three routes—a northern, middle and southern.

TELEGRAPHIC CONFEDERATION—NATIONAL MEDICAL CONVENTION.

At the Telegraphic Confederation to-day, the following were elected the executive board for the ensuing year:—B. B. French, Amos Kendall, Wm. M. Swain, J. M. Morehead, and J. D. Caton; and Tal. P. Shaffner, Secretary. The headquarters of the confederation are to be in New York, and the convention adjourned to meet there on the first Tuesday in October next.

The National Medical College to-day conferred the degree of M. D. upon C. C. Speiden, E. C. Moore, W. A. Bradley, Jr., G. A. Dyer, B. Johnson Hellen, of the District of Columbia; F. S. Holmes, of Maine; P. H. Weaver, of Maryland.

SENATOR EVERETT AND THE NEBRASKA BILL.

The following letter will appear in the Washington papers to-morrow:—

We beg leave to state to the public, through your paper, that to our own knowledge the Hon. Edward Everett was in the Senate chamber on Saturday morning until half-past 3 o'clock, and that he was then obliged to leave by illness, and did leave for that cause and no other; and that he having not only spoken against the Nebsaska bill, but having also voted against the amendment of the Hon. Mr. Douglas, which was a test question, and having been absent on the final vote only for the cause we have mentioned, and having uniformly declared himself, before and after those votes, as opposed to the bill, we regard him as standing in all respects on the same ground as if he had voted against the bill on its final passage. This statement is made entirely unsolicited by him and from our own convictions of justice.

(Signed)
WILLIAM H. SEWARD, TRUMAN SMITH.
SOLOMON FOOT. HAMILTON FISH.
B. F. WADE.

THIRTY-FIRST CONGRESS.

FIRST SESSION.

Senate.

WASHINGTON, March 7, 1854.

MESSRS. EVERETT AND CLAYTON DESIROUS OF RECORDING THEIR VOTES AGAINST THE NEBRASKA BILL, ETC.

Mr. EVERETT, (whig) of Mass., said that he was absent on Saturday morning when the final vote was taken on the Nebraska bill. He was severely indisposed at that time, and, as was well known, his health had not been good for some time. He was on that night over-fatigued, and was unable to remain till the hour when the vote was taken. There could be no doubt as to how he would have voted had he been present. He had opposed the bill in committee—had opposed the test amendment declaring the Missouri compromise inoperative and void, and had expressed his views in opposition to the bill. There could, therefore, be no doubt but that he would have voted against the bill. He now desired the unanimous consent of the Senate to have his vote recorded against the bill.

Mr. CLAYTON said that he had been desired to record his vote in favor of the repeal of the eighth section of the Missouri act, but when he heard the Senator from New Hampshire (Mr. Norris) advocating the bill as a triumph over the true non-intervention proposed by his bill of 1848, he determined to vote against the bill. He had remained till a late hour, but was unable to stay till five o'clock. He therefore desired to have his name recorded against the passage of the bill.

Mr. WELLER said he desired to interpose no obstacle to the request, but he would like to know what had been the general rule in the Senate.

The CHAIR said the rule was positive that no vote could be recorded after the result was announced. It therefore required unanimous consent.

Mr. DAWSON said he would not object; but if this precedent was established, the same thing could not be denied hereafter. Hereafter, when it might be necessary to pass a measure, to prolong the session during the night, Senators, knowing they could record their votes next day, would prefer to be more comfortable at home than in the Senate, and thus there might not be a quorum present.

Mr. ADAMS said there were other Senators who were not here, who would like to have the same opportunity.

Mr. DODGE, of Iowa, objected. He objected, because of the reasons suggested by the Senator from Georgia. Other Senators, who could not attend at the time of taking that vote, would come in, day after day, and ask the same favor. To allow such things would, on some occasions, lead to a difference in the result.

The request was then withdrawn.

THE PATENT COMMITTEE.

Mr. SEWARD, at his own request, was excused from serving on the Patent Committee, and Mr. Fessenden was appointed in his place.

PETITIONS AGAINST THE NEBRASKA BILL.

Mr. HAMLIN, (dem.) of Me., presented the resolutions of the Legislature of Maine, against the repeal of the Missouri compromise.

Mr. SEWARD and Mr. SUMNER presented petitions against the Nebraska bill.

WEST FELICIANA RAILROAD.

The bill for the relief of the West Feliciana Railroad Company passed.

WASHINGTON CEMETERY.

The bill incorporating the proprietors of the Washington Cemetery passed.

POSTAL EXPENSES ON RAILROADS.

Mr. RUSK, (dem.,) of Texas, offered the following resolution, which was adopted:—

Resolved, That the Post Master General be desired to report to the Senate what amount has been paid annually to the several railroads in the United States for the transportation of mails, for the last three years, up to the 18th of January last, with the rates of charges in the different States.

THE HOMESTEAD BILL

Was received from the House.

Mr. WALKER, (dem.,) of Wis., moved its reference to the Committee on Public Lands.

Mr. CASS, (dem.,) of Mich.—Before this bill is referred I desire to express my full concurrence in the great measure it proposes, and my hope is that the Committee on the Public Lands will report upon it speedily and favorably, and that it will pass the Senate with as little delay as possible. The time has arrived when the public domain has ceased to be necessary as a source of revenue, and we are now enabled to offer one of the noblest tributes to the value of free institutions which the world has seen, by furnishing the first example of an equal and safe system by which every citizen may become a landowner, and by which a government exhibits itself in the character, not of a tax collector, its old and established attribute, but of a medium on the part of the people of giving to all who desire it homes, permanent homes for themselves and their families. It is a new and noble function in the operation of governments, this power of distribution, without the necessity of taxation to exercise it—this granting to each a part of what belongs to all—this attention to the wants and the wishes of a vast portion of the country; and the measure itself, as well as the feeling it manifests, will do more to strengthen the cause of free government through the world than any event in our day. I will support this measure which passed the House of Representatives, who, from their immediate relation to their constituents, may well be supposed to express their sentiments, and I trust the Senate will not now withhold its cordial co-operation—and for one I desire to return my acknowledgments to the member from Pennsylvania (Mr. Dawson) whose earliest and able devotion to this bill conduced so much to its passage through the House. He deserves the gratitude of every friend of this great measure. I can conceive nothing in the progress of human society better calculated to add to the strength, the resources and the moral power of this country, than this plan of justice and policy. In times of danger it will give us a physical force ready for any emergency, and at all times a happy, contented population, adding by its industry to the wealth of the nation, and bound no less by gratitude than by patriotism to a government thus proving by its deeds its desire to promote the happiness of all.

Mr. JOHNSON, (dem.) of Ark., said he rejoiced to hear the distinguished Senator from Michigan declare that the time had arrived when the policy of the government donating territory from the public lands, should cease. He then discussed the bill, and the injustice of government deriving revenue from the sales of lands in the States.

Mr. GWIN, (dem.) of Cal., asked why the bill was to be referred? The Committee on Public Lands had a similar bill before it for three months, and had not reported it. Was this bill to be sent there to be buried?

Mr. WALKER said the committee had reported the bill long since.

Mr. DODGE, (dem.) of Iowa, said that the committee could not pass the bill. It would meet to-morrow, and probably would report back this bill to-morrow.

Mr. MASON, (dem.) of Va., said if the time had gone by when the public lands were to be sold by the government, there would be a change in the policy of the government buying lands for the purpose of giving them away.

Mr. BROWN, (dem.) of Miss., explained a substitute he intended to offer for the bill.

Mr. BAYARD, (dem.) of Del., followed in opposition to the bill.

Mr. SEWARD, (free soil) of N. Y.—I rise to express the hope that this debate may stop here. A question prematurely discussed is badly discussed. I wish also to say, notwithstanding what has been said by the friends and the opponents of the bill, that this bill is favored alone by the representatives of the new States. On the contrary, I am sure it will find other supporters and advocates. It will be very pleasant for me, as a friend of the bill, to speak and to vote for it now, as I have done more than once heretofore. It would be unkind and discourteous to withold it from the consideration of the committee, since we know the sincerity and the zeal of that committee in the support of the principles of the homestead policy—especially is it due that it should be submitted to the revision of the Senator from Wisconsin, who is on that committee. I remember when that Senator introduced and pressed a homestead bill here at times not long passed, when the proposition won almost no favor here, and very little popularity anywhere. I congratulate that Senator on the prospect of the speedy adoption of a policy identified with his character and fame.

The bill was then referred.

THE TREASURY BUILDING, ETC.

Mr. BAYARD moved to take up the bill for the completion of the Treasury building.

Mr. PETTIT opposed the motion, urging the necessity of deciding Vermont's contested Senator's case.

After much debate Mr. Bayard's motion was agreed to. The bill was then read and postponed

THE VERMONT SENATORSHIP.

Mr. Phelps' case was then taken up and postponed until to-morrow, when Mr. Phelps will speak.

LANDS FOR THE INSANE, ETC.

The bill granting land to all the States for the benefit of the indigent insane, was then taked up.

Messrs. Adams and Bayard opposed the bill, and Mr. Brown supported it. The bill was postponed.

After an executive session the Senate adjourned.

House of Representatives,

WASHINGTON, March 7, 1854.

JOURNAL OF THE SPANISH CORTES

The SPEAKER laid before the House a communication from the Spanish Charge d'Affairs near this government, transmitting an official printed copy of the journal of the Spanish Cortes for the year 1853, in accordance with the principle of national interchanges between the two governments. Referred to the Library Committee.

THE PUBLIC LANDS.

On the motion of Mr. COBB, the consideration of the bill reducing and graduating the price of public lands was further postponed for four weeks.

The House went into Committee of the Whole on the State of the Union on the special order, being bills relating to

THE ORGANIZED TERRITORIES.

The bill for the construction of certain roads in New Mexico, appropriating thirty-two thousand dollars for that purpose, and the bill establishing four additional land offices in Minnesota, were considered and laid aside to be reported to the House.

The Senate bill to aid Minnesota to construct a railroad in that Territory, for military, postal, and other purposes, was taken up.

Mr. RICHARDSON, (dem.) of Ill., said the amount of land proposed to be granted is between five and six hundred thousand acres, and the length of the road two hundred miles. The government, through the Secretary of War, has recommended this donation. A part of the road between St. Paul's and Lake Superior will extend through a section of such swampy character that the excess of the cost of the railroad over the common road will only be for the rails and cars.

Mr. FULLER, (dem.) of Me., wished to know whether he thought it competent for a territory to enter its contracts and make loans for internal improvements, thus exercising the responsibility of a sovereign State?

Mr. RICHARDSON replied that government made grants of land to both Iowa and Wisconsin while they were Territories for improving certain rivers.

Mr. RICE, delegate from Minnesota, in reply to a remark of Mr. Fuller's, said, Minnesota has chartered three or four railroad companies, but neither of them covers the proposed grant.

Mr. LANE, (dem.) of Ia., inquired whether six thousand acres of public lands have not been entered at the terminus of the road at Lake Superior. He had heard that one-fourth of this land has been sold since the meeting of Congress, and, further, that members of this House are interested in it.

Mr. RICE replied that not one foot of land in Minnesota has ever been advertised for sale. Whether any member of the House has been to that Territory on such usiness he did not know. There are not six thousand cres of land at the terminus of the road subject to rivate entry.

Mr. LANE inquired whether there are not claims under the Indian title.

Mr. RICE replied that there are gentlemen there who claim under Jonathan Cawer fifteen millions of acres.

Mr. WASHBURNE, (whig) of Ill., desired to know whether the gentleman of Indiana made his assertion of his own knowledge?

Mr. LANE repeated what he had said, and asked who holds or claims the land in and about the terminus of the oad?

Mr. RICE was unable to answer the question. He ould say, however, he owned none there, nor did he know of any other gentleman who did. These lands are not in market, and only about two thousand acres have been surveyed.

Mr. LANE remarked that being opposed in toto to giving one foot of land to any railroad, believing such grants would be at war with the Homestead bill, he was willing to resort to any honorable course to defeat the bill. He had been credibly informed by a gentleman from Minnesota that six thousand acres are held at and around the terminus of this road by gentlemen in this city. He would not give their names, but if members would call on him in a proper way he would furnish the information. One-fourth of the six thousand acres has been sold for twenty-eight hundred dollars.

SEVERAL VOICES—"Name them! name them!"

Mr. LANE said he would de so when applied to in a proper way. He had merely repeated a statement made to him from a creditable source.

Mr. BISSELL, (dem.) of Ill., remarked, what a mode is this of opposing a proposition to aid in constructing a railroad in a helpless Territory? Is it statesmanlike, and does the man who adopts this mode act on enlarged and liberal principles? The gentleman insinuates something dark and suspicious, and confines the secret to his own bosom. He says he will not tell. Why? Because he is not called upon in a proper manner. He has chosen the time and the place to let it out; therefore I take it this is the proper time and place. I suspect the time desired by him is after the bill shall have been defeated. I suspect if an answer were given here it would not weigh a feather in opposition to this bill. Of what consequence is it whether individuals own land on this or that side of the tract?

Mr. LANE replied—The first objection of the gentleman's to the course I have pursued is illiberal legislation. If I understood the argument of the other gentleman, (Mr. Richardson,) one point he made was that the construction of the road would not cost the general government anything, because the road would increase the value of the remaining public lands. The individuals owning lands at the terminus must be benefitted by the construction of the road. Therefore is it not an interesting question as to ownership of land? I repeat, I have been informed by a gentleman from Minnesota that this land at the terminus is owned or claimed by individuals, and a quarter of it sold since the commencement of this session. The distinguished gentleman from Illinois complains of me for the course I have pursued, but I will pursue my own course, irrespective of the opinions of any man on this floor. I am here to represent as intelligent a constituency as that of any other man on this floor. I feel I know the wants of my people, and am much more able to represent them than any other gentleman from any other section. I am responsible to them and not to the distinguished gentleman from Illinois. If he is disatisfied with my course I regret it, but he shall not here undertake to dictate to me what course I shall pursue. I shall select my own time and place to give the names.

Mr. TAYLOR, (whig) of Ohio, concurred in the remarks of Mr. Bissel, and thought the gentlemon of Indiana ought to give something more powerful than mere rumor to distract action on the bill.

Mr. HENN, (dem.) of Iowa, remarked he had just been nformed by a gentleman from Minnesota, that none of the land at the terminus has been surveyed.

Mr. TAYLOR—Does the gentleman know of any conflicting claim?

Mr. HENN—I never heard of it until to-day.

Mr. GERRIT SMITH, (abolitionist) of N. Y., was opposed to the bill, because he held, government has no right to make the contemplated use of the public lands. They beleng to the landless. Reason, religion, policy and principle require that they shall be surrendered to the landless. When he said the lands belong to the landless, he meant not the landless of a certain complexion, but all the landless—believing, as he did, all classes are equally dear to the great heart of a Common Father, and therefore equally dear to his own heart. At the last day he could meet them face to face, unembarrassed, being free from unrelenting, cruel, murderous prejudice and hate. He spoke at length on the land question.

Mr. CAMPBELL, (free soil whig) of Ohio, advocated the policy of granting land for internal improvement purposes.

Mr. RICHARDSON reminded the committee that three days had been set apart for the consideration of Territorial business. While he did not desire to stop debate till every gentleman opposed to the bill has been heard, he deemed it important that discussion should terminate so they may proceed to vote on this bill, and then proceed to other important Territorial business.

Mr. ORR, (dem.) of S. C., while favorable to the general principles of donating land for railroads, opposed this bill for reasons, he said.

Without ending the debate the Committee rose, and the House adjourned.

NEW YORK LEGISLATURE.

Senate.

ALBANY, March 7, 1854.

BILLS REPORTED.

To incorporate the Clinton County Savings Bank.

Authorizing aid to the Northern and Susquehanna Railways.

BILLS PASSED TO A THIRD READING.

To incorporate the East Brooklyn Savings Bank.

To appoint commissioners to examine into the title of Trinity Church to the King's Farm.

To amend the charter of the New York Juvenile Asylum.

The Senate concurred in the amendments of the House to the Division avenue (Brooklyn) Railway bill.

The bribery constitutional amendment was passed.

BILLS PASSED.

To alter the Commissioner's map of Brooklyn.

To authorise the city of Albany to aid the Northern Railway Company.

TEMPERANCE.

The Temperance bill was then called up, and the question on agreeing to the report of the committee on the amendment proposing to submit the bill to the people was lost—Yeas 8, nays 15.

The amendments designating December and February as the time for the bill to go into operation were also rejected.

The debate was continued by several members, when the bill was ordered to a third reading, by the following vote:—

Ayes—Messrs. Bishop, Bradford, Butts, M. H. Clark, W. Clark, Z. Clark, Danforth, Dickinson, Field, Halsey, Hopkins, Putnam, Richards, Robertson, Sherrill, Walker, Whitney and Williams—17.

Nays—Messrs. Barnard, Barr, Brooks, Crosby, Hitchcock, Hutchins, Lansing, Pratt, Spencer and Watkins—10.

Adjourned.

Assembly.

ALBANY, March 7, 1854.

BILLS REPORTED.

To charter the city of Poughkeepsie; regulating the fees of commissioners for opening streets in New York city.

The bill for the appointment of additional notaries and commissioners of deeds for New York was rejected—ayes 53, nays 33.

A motion to reconsider the bill was laid upon the table.

The bill making appropriations for the Clinton Prison was ordered to a third reading.

Progress was reported on the bill inquiring into the causes of fires in New York.

MEDICAL SCIENCE.

The bill for promoting medical science was debated in Committee of the Whole. The motion pending was an amendment offered by Mr. Dawson, providing that the friends of the deceased may reclaim the body after it has been in possession of the medical college twenty-four hours, and inter it in the usual manner. Progress was reported.

IDIOTIC EXHIBITION.

The use of the Assembly Chamber was granted for the exhibition of the pupils of the State Idiot Asylum, on Thursday evening. Adjourned.

Anti-Nebraska Meeting at Providence.

PROVIDENCE, March 7, 1854.

A large meeting was held to-night at the Beneficent Congregational Church, to protest against the passage of the Nebraska bill. Speeches were made by Revs. Drs. Wayland and Hall and Mr. Walcott, and by Hon. John Whipple and A. Payne. A series of spirited resolutions was passed.

Municipal Elections.

TROY, March 7, 1854.

The whigs have elected their candidate for Mayor of this city by about six hundred majority.

ROCHESTER, March 7, 1854.

Dr. Maltby Strong, whig, is elected Mayor by from 500 to 800 majority. Six of the ten Aldermen elected are whigs, and also six of the ten Supervisors.

AUBURN, March 7, 1854.

Underwood, whig, for Mayor, has been elected by fifty-eight majority.

SALEM, March 7, 1854.

George L. Newcomb, of the native American ticket, was elected Mayor to-day by seven hundred majority. The Board of Aldermen on the same ticket were also elected.

CAMBRIDGE, Mass., March 7, 1854.

Abraham Edwards (whig) was yesterday chosen Mayor of this city. A full board of whig Aldermen was also chosen.

DETROIT, March 7, 1854.

At our municipal election yesterday, P. M. Hyde, whig, was elected Mayor; and the entire whig ticket, excepting the Justice, was chosen by over 1,300 majority. Six of the eight wards have gone whig.

The Explosion at Hartford.

HARTFORD, March 7, 1854.

The jury investigating the cause of the late explosion examined ten witnesses to-day. The testimony was of much the same character as that heretofore given, showing that the engineer was habitually careless, and that at the time of the explosion the water was below the flues. The investigation will be concluded to-morrow.

Fire at South Glastonbury.

HARTFORD, March 7, 1854.

About one o'clock this morning the cotton mill owned by Messrs. Watkinson & Bartholomew, of Hartford, situated in South Glastonbury, was destroyed by fire. The loss is about $40,000. Insured for $20,000 in the Etna and Hartford companies, of this city. The mills were known as the Rob Roy Mills. About two hundred hands are thrown out of employment.

The Southern Mail Route.

CHARLESTON, March 6, 1854.

Travel is still interrupted on the land route from Wilmington.

The Marion at Charleston.

CHARLESTON, March 7, 1854.

The U. S. mail steamship Marion, Capt. Foster, from New York, arrived here at three o'clock this (Tuesday) morning.

Opening of Navigation.

ALBANY, March 7, 1854.

The propeller Dayton arrived at Oswego yesterday rom Toronto, with a cargo of 3,500 bbls. of flour.

The ferry boats of the Hudson River railroad and the Boston railroad have nearly effected a passage across the Hudson river.

Markets.

CINCINNATI, March 7, 1854.

Flour is selling here at $5 90 a $6. Provisions are stagnant, and sales could only be effected at a decline. Mess Pork is held at $12. Lard dull, at 8½c. a 8¾c., for bbls. The river is in fine navigable order.

CHARLESTON, March 6, 1854.

Our cotton market is firm, and the sales to day reached 1,800 bales, at prices ranging from 7½c. a 9¾c.

Kings County Court of Oyer and Terminer.

Before Hon. Judge Rockwell, presiding; Hon. H. A. Moore, County Judge, and Justices Stillwell and Stryker.

TRIAL OF RICHARD BRENNAN FOR THE MURDER OF MICHAEL HORAN.

MARCH 7.—The trial of this prisoner was commenced this morning in the Kings County Court of Oyer and Terminer. The charge standing against him is, that on the 30th of last December, he shot a man named Michael Horan, who was in prisoner's bar-room, on the corner of First and North Second streets, Williamsburg, and with others engaged in a scuffle. Brennan, in his endeavors to quiet the disturbance, brought a gun from up stairs, and pointing to deceased, the charge exploded, causing almost instant death.

The following jury was empannelled to try the case:—William Bunting, William Simonson, Alexander Davison, Henry Boerum, David G. Cartright, Edward Charmon, Joseph Dunderdale, Peter L. Kowenhoven, George W. Lee, Lawrence Wood, Francis C. Kirby, Horatio A. Carter.

Ex-Judge Morse, ex-Judge Soper, and N. P. O'Brien, Esq., appeared as counsel for the prisoner, and R. C. Underhill, Esq., District Attorney, and J. Winslow, Assistant District Attorney, conducted the case for the prosecution.

Mr. Underhill, in his opening remarks to the jury, detailed the circumstances and manner of the death of Horan. It appeared that deceased entered the porter house kept by the prisoner, about 10 o'clock on the night of the 30th of December, with other companions, and after partaking of drinks a scuffle ensued between the barkeeper and one John Murphy, who was drunk. About this time prisoner came down stairs and endeavored to restrain the parties. In the course of that endeavor he failed to use proper force to eject the disturbers, which he had a legal right to do, but instead went to a closet and took a sword, which it does not appear that he used, but returning it he left the barroom, went up stairs, brought a musket, loaded with powder and shot, or balls, and as he came in cocked it and advanced to Michael Horan. Without word or remark he pressed the muzzle of the gun against him, and by some means it was discharged and he fell dead. The defendant repaired to the police court some time after that, and gave himself into custody. The law bearing upon the case was then explained, and the examination of witnesses was commenced.

William McDonough sworn—I resided in Williamsburg on the 30th of December last; know defendant; never knew him before that night; knew deceased, Michael Horan; was in his house on the night of the 30th of December last, about nine o'clock; Brennan's house is at the corner of North Second and First street, I believe; I was there also about ten o'clock same night; Robert Coyl and Thomas McDonough were with us; Brennan kept public house; the barroom was on the corner; we all went in together; when we came into the room the bar-tender and George Murphy were there; Michael Horan said the it was a right place to have a drink, as we could sit down by the stove and drink at our leisure; Murphy was sitting near the bar; we took seats near the stove, and the barkeeper sat down with us; the stove was near the bar we had drinks; deceased told the barkeeper to give us a glass of beer a-piece; did not see George Murphy drink beer; the barkeeper drank with us; I think we were engaged in conversation about the stove when the barkeeper interfered, and Robert Ayres said it was none of his business at all; they went to fighting before they stopped—I mean Robert Ayres and Murphy.

[The other witnesses in the case were here directed to leave the room during the examination of this witness.]

Resumed—I don't know how it commenced; I saw Ayres strike Murphy; the rest of the party were "mussing;" Michael Horan sat Murphy down in a chair; Ayres went back towards the door towards North First; the rest of us were in the house; Horan said Murphy shouldn't have any fight; Murphy tried to raise to fight; Brennan came down at this time; he came out of a room behind the bar. (Diagram shown. Witness cannot point out position of parties from diagram.) Brennan came in from the door leading to the back room—the door opposite the street; I do not know whether there is more than one door there; I did not hear Brennan say anything when he came in; I saw him going to where Horan and Murphy were; they were between the stove and the bar; I did not see Brennan do anything; I was facing Horan and Murphy; I did not hear Brennan say anything; he went in between Horan and Murphy, and I turned my back; when I turned he had his hands on Horan and Murphy's shoulders; he then went in after a sword; went behind the bar and came back with his sword in his hand; it was in a sheath; he drew it, and waved it over his head two or three times; he stood opposite the door; he was about three or four feet from Murphy and Horan; Murphy, I think, was down; Horan said nothing; I saw Robert Ayres next outside, on the sill of the door; he had two bottles in his hand; when B. flourished the sword he stood near the door; don't know what kind of bottles Ayres had; don't know where he got them; Ayres said, "Look out what you are going to do with that sword—if you do"—that was the last I heard him say; B. went in behind the bar; he did nothing more with the sword; my brother then was talking with Murphy; I and Horan were going out; I looked back and saw Brennan coming; I said, "Mike, here he is with us again;" I spoke to Horan; I cannot say how long it was before Brennan came back with the gun, probably two or three minutes; he carried the gun one hand midway on the barrel, the other on the stock; it was a double-barrelled gun; I don't know whether it was cocked; Brennan went right straight to Horan; he held the gun straight; when the muzzle came near Horan he fell; I stepped back into the barroom; Brennan said nothing; Horan said nothing; he had not time; he fell when Brennan put the gun against his left breast; he was shot; the gun went off; he fell with his head about a yard inside the door; Horan fell, and never spoke that I heard; the blood came through his shirt from his left side; my brother and Murphy were inside; Ayres was outside; I did not see Ayres after I saw him with the bottles; Brennan laid by the gun somewhere; I remained there; the body was taken to Horan's house half an hour after; one or two messengers went for the Coroner; he couldn't come; he didn't come that night; I heard Brennan say he had shot his best friend; he took him up in his arms; I went for Patrick Whalen, on the corner of Second and North Seventh streets; Brennan was at Horan's when I left; I came back in two or three minutes; Whalen came back with me; Brennan was not there; a stranger had the body, with the head in his lap; some of them went for the Coroner; I remained there until the body was carried away; I helped to take him up to his own house; somebody came from the Coroner and told his friends to take him home; I think he lived in Fourth, near North Sixth street; his brother-in-law, myself and some others carried him up; I don't know what time it was; I saw Brennan next day, about 10 o'clock, after he was examined at the inquest; I don't remember where it was.

Cross-examined—I have lived in Williamsburg three or four months; am a stonecutter; I knew Horan in the Old Country; knew him when I came to Williamsburg; never saw him in this country before; I have been here two years; he was a ship carpenter; I met him after coming from work; I went up to see him that night; four of us went up; we went up after tea; don't know how long we staid there; Patrick Whalen proposed leaving; myself and brother, Whalen, Ayres and Horan left; Horan took us out; we din't want him to go; we stopped a while where Whalen lived, at a butcher's shop; we went to Duffy's; he had a glass of beer—may be two; Horan took out his watch when we left Duffy's, and said it was ten o'clock; he took us down to Brennan's; we didn't want to go in; he wanted us to go in and take a drink, and said it was a good place; I never saw Brennan before; I had drank three or four times before that day; I drank two small glasses of beer before I went to Duffy's, twice at Duffy's, once at Brennan's; nothing but beer; when Brennan came down, he was in his shirt and pants; he was bare headed; I did not hear him tell us to be quiet, and leave the house; I did not hear him say anything before he came down, until the gun was fired; I did not hear anybody say anything except the bar boy; the barkeeper said, "I wonder at you, Mike Horan, to have a noise in the house;" I didn't see Brennan with his shirt torn off; I didn't see his shirt torn at all, nor any one tearing it; I didn't hear him say anything when he had the sword; I was perhaps ten feet from Brennan, looking at him; I was frightened at the sword; I didn't like to leave when my brother and Horan were there; Horan said there was no fear in that house; Ayres had the bottles when Brennan had the sword; I think he was outside the house; he said, "look out what you are going to do with the sword, if you do;" he had a bottle raised; then Brennan left; we were going towards the door when Brennan came down with the gun; we had started; no one had gone out except Ayres; I did not see Ayres; he was not in the house; I was beside Horan when B. came down with the gun; when I told him B. had the gun Mike stopped and turned round; he advanced toward Brennan; I did not hear B. say anything; did not hear him say, "Mike, go home," or anything like it; Brennan didn't take Horan in his arms before he fell; he said, "I have shot my best friend;" he asked him was he hurt; I din't see Brennan cry; he looked pitiful; I didn't see him kiss Horan; he had him in his arms near enough; that is all I heard him say; some of the constables went for the coroner; I went out before, when Brennan was taking care of Mike; Brennan did not ask me to go with him to the police; when I came back B. had gone to give himself up.

Direct resumed—When Horan fell towards the door his head was about a yard from it.

Chauncey L. Cook sworn—Was a coroner at the time of the murder; held an inquest at the station house in North Fifth street; I examined the body of Horan at his own house next morning, about ten o'clock; the body was lying on its back; there was a wound in the left side, between the sixth and seventh ribs; I did not probe the wound; I judge the charge struck the apex of the heart; the wound was as large as a half dollar; the clothes were not on; there might have been a flannel shirt on; I judge the wound caused death instantly.

Cross-examined—The wound was between the sixth and seventh ribs; it did not present appearances sufficient to decide whether the gun was raised or not; I thought the gun was held obliquely; I gave the wound no particular examination, only externally; defendant was present at the inquest; he was not present at the examination of the body.

Direct—There was nothing in the wound to indicate the position of the gun.

By counsel for defence—If the charge was shot near the heart it would produce death.

Thomas McDonough sworn—I reside in New York; knew ddfendant; knew deceased; was in his employ on the night of the 30th of December last; met him at his own house; went with my brother and Patrick Whalen and Robert Ayres; it was between eight and nink o'clock; we remained near an hour; Patrick Whalen, Horace, my brother and myself; Ayres went to Whalen's house; he introduced treating all hands; we went to a corner grocery; the corner of Seventh street and Second Ayres and I went in and came out; we went to West Seventh and Sixth streets; went in; drank twice; remained there all of fifteen minutes; we then thought it time to go home; it was about ten o'clock; all went out except Whalen; Horan said he and Whalen would leave us at the ferry; we then all went along until we came to Brennan's house; we did not want to go in, but Horan pressed us and we went in; we drank; I think I drank five times that evening before I went to Brennan's; four of us went into Brennan; myself and brother, Horan and Ayres; the barkeeper and one George Murphy were there; Horan had a glass of beer, and said "let these gentlemen have what they want;" I drank beer, and we sat around the stove; don't know whether the barkeeper drank; Horan asked him; Murphy was behind me; he was still; we sat about fifteen minutes; Horan proposed a toast; Ayres proposed another; they disputed which was the best, and left it to the decision of the barkeeper; he decided in favor of Ayres; but he said one word would have done where he used three; Murphy made some remark, and Ayres said "you have the advantage of us—we don't know you at all;" Murphy and Ayres got disputing; I don't know what was said; they got talking, and I believe Ayres struck him; Murphy said he had as good a right to speak as any one; when Ayres struck him Horan stood up to go between them; nothing had been said about going home; Horan sat Murphy down; he resisted; they made a noise; Mr. Brennan came down stairs; Horan then had hold of Murphy; Murphy was sleeping when we went in there; I think the party was sober enough to conduct themselves right; Brennan came round the bar; I was standing near Murphy and Horan, was telling them to be quiet, and not raise a noise; Brennan said, "Murphy, you must not raise a noise;" he was near them; Horan told Murphy not to raise a noise, and gave him a push; Brennan said he wouldn't have him hurt Murphy; he turned back, and said, "I will soon put an end to this;" I didn't see him put hands on them; I saw him hold him to keep him still; I had my hands on Horan trying to get him off, and I saw the sword in Brennan's hand raised with the point up; I told Brennan then that he shouldn't raise his sword—that that was no way to make peace; at this time I saw Robert Ayres at the door, with a bottle in his hand; I got Murphy and Horan apart with the aid of my brother; Brennan said if I tried to part them he would lay by his sword; did not see him doing anything with the sword after that; the next thing I heard was the report of a gun; between the time I parted Horan and Murphy and the report of the gun, I heard no noise; two or three minutes after I got Horan off of Murphy I heard the report; I turned and saw Horan falling; I saw a gun in Brennan's hand—he was between the bar and the door; Horan was quite convenient to the door; he fell on his back; I then heard Brennan tell his bar-tender that he had shot Horan, and, laying down his gun, said he might just as well now give himself up to the police; he came to me and said, "You'd better go with me, for I am going to give myself up;" I said, "Hold on a bit—if you had nothing but powder in the gun he may not be shot yet;" he said he had it loaded with a ball; Horan did not move after he fell; my brother then went out to tell Patrick Wheelan; he came back with him in about five minutes; Brennan remained in the room all this time; I left then, and went to New York to inform Horan's brother.

Cross-examined—The disturbance lasted about five minutes before Brennan came down stairs; Ayres was the only man that was fighting; did not see Horan raise his hand; after Ayres struck Murphy, Horan was trying to keep Murphy still; saw no one have hold of Brennan; he had his pantaloons and undershirt on when he came down; don't know that he had his shirt torn; did not see Horan have hold of him; do n't know that Brennan tried to get them apart; he said he was going to quiet this noise; I was engaged about four or five minutes in getting them apart; my brother was assisting me; don't know whether Brennan was in the room or not when we had hold of Horan; I felt somewhat excited when I found the man was shot; I do not think I felt the effects of liquor that night; it was about two minutes before the report of the gun when I took Horan from Murphy; while I was talking with Murphy my brother was with Horan; I could not see them; my back was towards them; after the report I turned round, and saw Brennan with the gun in his hand; the next thing I heard my brother say was Michael Horan was shot; then Brennan says to the barkeeper, "Michael Horan is shot;" I saw Horan fall before I saw the gun in Brennan's hands; did not see Brennan catch him in his hands; saw him raise him up a few minutes after he fell, and he said he regretted that he had shot his best friend; I do n't know whether I did or did not testify before the Coroner that after I heard the discharge of the gun Brennan went up and kissed Horan.

The Court here adjourned till ten o'clock this morning, with the usual admonition to the jury.

Meeting of the Ten Governors.

This body held their regular weekly meeting yesterday afternoon—Present, Governors Draper, Pinckney, Henry, Dugro, Duke and West.

The following is a table of the number remaining in the public institutions at the close of the last week:—

At Bellevue Hospital..	676	Work House	561
Lunatic Asylum	546	Smallpox Hospital	42
Alms House	1,265	Randall's Island	1,068
Penitentiary	853	do Hospital	210
do Hospital	354	City Prison	257
Total			5,842
Increase 49.			
Number remaining Feb. 25, 1854			5,793
Admitted from 25th of February to 4th March			735
			6,528
Died		21	
Discharged		598	
Sent to Penitentiary		62	
Sent to State Prison		5—	686
Total			5,842

Several communications were received in regard to various repairs upon the Island.

The following resolution was passed:—

Resolved, That the President and Secretary of this Board draw their requisition on the Comptroller of the city, to issue his warrant payable to the order of our President and Secretary, for the sum of twenty-five thousand dollars.

A resolution was adopted ordering that a fire engine be purchased for the use of Randall's Island, and that the Clerk of the Board be requested to make a requisition on the Mayor for the same.

The Warden of the Penitentiary, in answer to a requirement from the Board, informing them if any of the employes of this establishment could be dispensed with sent in a communication, saying that four keepers and two watchmen, receiving six hundred dollars each, salary, could be parted with. This communication was referred to the Wardens to act upon.

The Board then adjourned.

MARITIME INTELLIGENCE.

ALMANAC FOR NEW YORK—THIS DAY.

SUN RISES	6 24	MOON SETS	3 04
SUN SETS	5 59	HIGH WATER	2 35

Port of New York, March 7, 1854.

CLEARED.

Steamship Roanoke, Skinner, Richmond and Norfolk, Ludlam & Pleasants.

Bark Lulan, Peterson, Liverpool, Arthur Leary.

Brig Thomas Connor, Storer, St Johns, PR, R P Buck & Co.

Brig T A Taylor, Sleeper, Neuvitas, Place & Watts.

Brig Detroit, Robinson, Neuvitas Place & Watts.

Brig John Alfred, Gray