THE NEW YORK HERALD.

WHOLE NO. 6514. SUNDAY MORNING, JUNE 25, 1854. PRICE TWO CENTS

EWS BY TELEGRAPH.

THIRTY-THIRD CONGRESS.
FIRST SESSION.

House of Representatives.

PRIVATE BILLS.

WASHINGTON, June 24, 1854.

Fourteen private bills were passed, including the nate bill to reimburse to the Common Council of New rk city the expenditures made for the first regiment New York volunteers.

THE GENERAL APPROPRIATION BILL.

Mr. HOUSTON, (dem.) of Ala., moved that the House go to committee on the general appropriation bill, wishing finish it to-day, so as to take up on Monday the bill propriating $10,000,000 to carry the Gadsden treaty to effect.

The motion was agreed to.

A debate took place on the amendment, which was assed, appropriating $75,000 for a bridge at the Little alls, over the Potomac.

Mr. CHANDLER offered an amendment appropriating 00,000 for continuing the aqueduct for supplying the strict of Columbia with water.

A long discussion ensued. The friends of the proposition contended that it was necessary to the preservation the public property, the comfort of the national representatives, and the cleanliness of the city, that the work ould progress. Congress heretofore employed the President to select the site and plan, which he has done.

The opponents of the scheme insisted, at the time the appropriation was made, for surveys. No one thought ongress would be involved in a work which would cost 5,000,000, or thrice the amount of Capt. Meigs' estimates. Water could be procured, they said, at a cost of 1,000,000. Others thought the people of the District ould build their own waterworks.

Pending the adjournment, the committee rose, and the ouse adjourned.

From Rio Janeiro.

COMMERCIAL AND SHIPPING NEWS.

BALTIMORE, June 24, 1854.

We are in receipt of Rio Janeiro dates to May 16. The offee market showed a slight decline on inferior grades, nd a slight advance upon selections. Sales are reported f 30,000 bags, at 4⅝000 a 4⅝500. The new crop would be n the market about the 1st of July. The flour market vinced a better tone, and sales of Richmond had been made at an advance of $1 per bbl.

Arrived May 9, bark Hahneman, from New York, in distress; cleared again, on the 13th, for Salinas Bay.

Sailed, brig Owenavwa, for New York. Cleared, for New York, bark Utah.

Propeller Ashore on Lake Huron.

BUFFALO, June 24, 1854.

The propeller Bucephalus was beached and sunk on Lake Huron, while on her passage down with a valuable cargo of flour and corn. It is thought she will be got off. The loss is covered by insurance.

Interesting Masonic Celebration.

BOSTON, June 24, 1854.

St. John's day was celebrated in Framingham to-day by the freemasons. The Rev. Mr. Alger, of Roxbury, delivered an address. A dinner took place under a large tent, at which numerous speeches were delivered. About four hundred persons went up to the celebration from this city.

Our Washington Correspondence.

WASHINGTON, June 23, 1854.

The Pacific Mail Contract.

A bill is now before the House of Representatives, entitled "A bill to provide a weekly mail service between the Atlantic States and San Francisco," which provides "that the services to be performed semi-monthly, and at such times as, in connection with other mail service, will secure, as near as practicable, a weekly mail each way, between the points designated and determined upon: provided the entire cost of such service shal not exceed two hundred and fifty thousand dollars per annum." We believe that the importance of our commerce with California requires this additional mail service; and if this were all that the bill provides for, we should be glad to see it become a law. But the second section of the bil gives to the Postmaster-General the power, and makes it his duty, to determine any existing contract for the service herein required, and to make a new contract therefor, when ever greater expedition can be secured, within the provisions in this act expressed.

In the course of debate on this bill on the 17th inst., Mr. Taylor, of Ohio, asked Mr. McDougall, the mover, "whether the bill which he proposes, and which is now under consideration, will interfere with the present mail contracts between the eastern cities of California," to which Mr. McDougall replied, "Not at all." "Then," said Mr. Taylor, "I have no objection to the bill, and I hope it will pass." We believe Mr. Taylor thus honestly expressed the opinion of every man who appreciates the importance of our trade with California.

What, however, will be his astonishment when he again examines this attempt to smuggle a bill through Congress, giving the power to the Postmaster-General to repudiate a contract made by the United States, in good faith, and which, so far as we know, has been hitherto faithfully and honorably complied with by the contractors? If, as has been alleged, the contractors have forfeited their contract by any infractions of their covenants, let the case come fairly before Congress for its action; but we protest, in the name of the people of the United States, against this covert attempt to repudiate the pledged faith and contract of its government. Let the bill, in all its bearings, be carefully examined, and we venture to say that no man who regards the honor of his country will give it his vote. There may be corrupt legislation; but this barefaced attempt at fraud upon the people, and dishonor to the government, cannot be consummated.

Obituary.

DEATH OF CHIEF JUSTICE WELLS.—We learn with regret of the death, yesterday afternoon, after a very short illness, of Hon. Daniel Wells, Chief Justice of the Court of Common Pleas of this State. He died about two o'clock, at his residence in Cambridge, the attack appearing to be a disease of the heart. Judge Wells was about sixty-three years of age. He was graduated at Dartmouth College in the year 1810, while that institution was still under the charge of the venerable Dr. Wheelock. After he was admitted to the bar, he entered into practice in the western part of this State, where for the greater part of his life he was known as an upright and successful counsellor. He was appointed District Attorney for that district in 1838. He represented the county of Franklin in the Senate of the Commonwealth. At that time, and for some years after, he resided in Greenfield. On the resignation of Chief Justice Williams, in 1844, he was made Chief Justice of this court, and he has performed the active duties of that position till this time. The death of Judge Wells is not simply the loss of a faithful public officer. The kindness of his disposition gave ease and grace to his discharge of public or of private duty, and his many personal friends will feel that they have lost a friend on whom they could always rely.—*Boston Advertiser, June 24.*

THE IMPRISONMENT OF THE AMERICAN CONSUL AT TURKS ISLAND.—The brig Union, from Turks Island, June 8, arrived at this port yesterday. At our last accounts from that island, Mr. Nelson, the American consul, had been sent to prison for the non-payment of a fine imposed by a court for an assault upon an official of the island. When the Union left, Mr. Nelson was still in prison, having determined not to pay his fine, saying that he would leave his government to take him out. Some of his friends advised him to pay the fine under protest, but this he declines doing. The authorities of the island allege that Mr. Nelson was fined for the assault, simply, as would have been any other person, whatever his nativity or official station. Mr. Nelson alleges that the prosecution and sentence were the result of a personal feeling against him, and calls upon the American government to redress his wrongs.—*Boston Traveller, June 23.*

DIVIDING THE SPOILS.—On Sunday, four young Irishmen, belonging to Ware, discovered a keg containing eight pounds of powder, which had been left by the workmen on Saturday night, on the new road between that place and West Brookfield. They took it off with them, and, about 9 o'clock in the evening, commenced a division of the spoils by the candle light, when a spark from the candle fell into the powder, and the explosion which followed burnt three of the men very severely, and blew the other out of the second story window, injuring him so badly that he is not expected to recover. The explosion, fire and smoke produced an alarm which called out the fire department.—*Worcester Spy, June 22.*

City Intelligence.

PLASTERERS' BENEVOLENT SOCIETY.—A general meeting of the Operative Plasterers' Benevolent Society was held at their lodge room, corner of Twenty-seventh street and Sixth avenue, on Thursday evening, June 22d, to hear the report of Frederick A. Talmadge on the law of granting charters to such societies in the United States. After an explanation of the law, he delivered a short address, congratulating the members on the formation of the above society, and encouraging the members to go on in the good work thus begun. At the conclusion of his speech he made the society a donation of $20, to enable the members to prosecute the good work, after which the society passed a unanimous vote of thanks to Mr. Talmadge. The meeting then adjourned.

Coroners' Inquests.

THE MAN SLAYING AT HAVERSTRAW, ROCKLAND COUNTY—ACTION OF THE GRAND JURY—CONSTABLE MYERS HELD TO BAIL IN $15,000.

It will be in the recollection of our readers that a man, named Bernard Reilly, an Irishman, died in the New York Hospital, from a pistol shot wound he received at the hands of George S Myers, the constable at Haverstraw, who, according to the evidence given before the Coroner's jury, assembled in this city to inquire into the cause of the man's death, shot him down in cold blood—the man at the time being a prisoner, tied with a rope, which was wound round his person and incapable of resisting; and that the jury rendered a verdict, which, had the act been committed in this city, would have placed Myers on trial for his life; and that after the rendition of the verdict, the constable, Myers, was arrested and an inquiry was instituted before two magistrates of Rockland county, and Myers acquitted of all blame. A full account appeared in the NEW YORK HERALD at the time. Yesterday Coroner Hilton received from the District Attorney of Rockland county the following letter and enclosure. We give them entire. They speak for themselves with sufficient significance:—

CORONER HILTON:—

MY DEAR SIR—I write to inform you that Geo. S. Myers, charged with shooting Bernard Reilly, who died at the New York Hospital, was indicted by the Grand Jury at the late Court of Sessions, of this county, for manslaughter. He has been arrested and held to bail in the sum of $15,000, as will more fully appear by the enclosed notice. I think it would be well to give publicity to these proceedings through the New York press. If you concur with me, please have the enclosed published in the daily prints. Most respectfully yours,

A. E. SUFFERN, Dis. Att., county of Rockland.

Haverstraw, N. Y., June 22, 1854.

The enclosure was as follows:—

THE HAVERSTRAW HOMICIDE.

George S. Myers, the constable of the town of Haverstraw, who on the 21st of May last, shot an Irishman, named Bernard Reilly, of which said Reilly died a few days after, in the New York Hospital, was indicted for manslaughter by the Grand Jury, at the June Term of the Court of Sessions, of the county of Rockland, and the indictment sent to the next Court of Oyer and Terminer, of said county, for trial. He has been arrested upon a bench warrant and admitted to jail by Hon. John W. Brown, Justice of the Supreme Court in the Second Judicial district, in the sum of $15,000 for his appearance at said Court.

FATAL FALL.—Coroner O'Donnell yesterday held an inquest upon the body of Mary Kehoe, an Irish woman, fifty-three years of age, at 249 West Sixteenth street. The deceased, about a fortnight ago, was carrying up stairs a pail of water and some shavings in her apron when her foot became entangled and she was precipitated to the bottom of the flight and sustained severe internal injuries, of which she has been suffering until Friday evening when she died. The jury returned a verdict of death from injuries received by falling down stairs.

DEATH FROM INTEMPERANCE.—Coroner Wilhelm yesterday held an inquest upon the body of John Allis, a sailor, a native of Ireland, thirty-eight years of age. Deceased on Friday morning went to the house of Mrs. Brown, No. 80 Oliver street, in a gross state of intoxication, and after he had been there a short time he was seized with a violent fit of vomiting which continued, with few intermissions, until he died. Medical aid was procured, but the physician was unable to afford any permanent relief. Deceased died in the evening about seven o'clock. His body was examined by Dr. Richardson, who stated in his opinion, deceased died of congestion of the brain, produced by intemperance. Allis was an habitual drunkard.

Police Intelligence.

A Fugitive from Justice from New Jersey.—Dr. Lyman Andrews Abbott alias Andrews Abby, was yesterday arrested by officer Spicer, of the Court of Sessions, on a charge of being a fugitive from justice from New Jersey. Mrs. Sarah Eaton, of 168 Essex street, attended before Justice Wood, at Essex Market Police Court, before whom Dr. Abbott was taken, and stated that the accused had intermarried with her sister, Elizabeth L. Roberts, at Newark, on the 26th of January, 1854—he having another wife living at the time. The deposition of the second wife was made at Newark, of the first wife at Syracuse. She also stated that there was process issued against him from Essex county, New Jersey. Dr. Abbott was detained by the magistrate, to await a requisition from the Governor of New Jersey, but has since consented to go back without it.

Grand Larceny.—Mary Barbenck was arrested yesterday by officer Johnson, of the Third district Police Court, on a charge of having stolen from Samuel Morris, of 74 Mott street, a silver watch, a gold chain, a vest, and a five dollar bill, which he had deposited in his hat, and placed on a table in a room where he and the accused were alone together. She suddenly left the room, when he discovered that his property had also vanished. After some difficulty, he met with her, in company with a man named Stephen Theodor. She denied the robbery. Upon the person of the man the chain was found, and he stated it had been given to him by the woman Mary. She was held for examination by Justice Wood.

The Hog Nuisance—Mr. Thomas K. Downing, the City Inspector, attended yesterday before Justice Stuart, and procured warrants against the following persons for keeping hogs on their premises contrary to the city ordinances, and creating a nuisance detrimental to the public health: Michael Burns, Forty-first and Forty-second streets, between Tenth and Eleventh avenues, 20 hogs; John Malone, Forty-second and Forty-third, do. do., 12; Daniel Morn, Forty-first and Forty second, do. do., 17; John Wallace, Fortieth and Forty-first, do. do., 41; Wm. Garvey, Forty-first and Forty-second, do. do., 38; John Holland, Forty-second and Forty-fourth, do. do., 20; Patrick Lyons, Fifty-seventh, south side, between Broadway and Seventh avenue, 200; Thomas Carman, same location, 80; Terence Kerbal, Fifty-seventh and Fifty-eighth, between Sixth and Seventh avenues, 50; Michael Devlin, Fifty-eighth street, do. do., 50; Jas. McDermott, Fifty-seventh and Fifty-eighth, do. do., 45; Michael Hammer, do. do., do. do., 35; Michael Mitchell, do do., do. do., 110. The warrants were issued against all these parties, and placed in the hands of Captain Witter, Twenty-second ward.

Charge of Embezzlement.—George Klein, the Frenchman, whose case we reported yesterday as being held on a charge of forging the name of his employer to a check, has had a charge of embezzlement preferred against him by Mr. Martin, who states he has embezzled between $600 and $700, and converted them to his own use. When arrested on the first complaint by officers Van Vort and Redfield, of the Ninth ward police, he had taken his passage, and was about departing to Europe. He denies the charge. On searching his box $300 in gold was found, and a quantity of new clothing. He had been in the employment of Mr. Martin for upwards of two years. He was committed for examination by Justice Stuart.

Charge of Stealing Lead Pipe.—Mr. Enos Harris, the proprietor of some new buildings in Twenty-second street, has had continual complaints made to him that the new lead piping has been cut and carried away from the buildings, and any loose piping or other materials left about the premises is stolen. Mr. Harris stated the loss in lead piping alone amounted to upwards of $500. Yesterday, a plumber at work on the premises, John Judge, going to the premises unexpectedly during the dinner hour, caught a man named James O'Conner in the act of conveying away some lead piping. He was immediately arrested and taken before Justice Stuart, by whom he was locked up, in default of bail in $500.

Embezzlement.—John Keley, a clerk in the employment of Theodore Molton, of 254 Cherry street, was yesterday arrested on a charge of having embezzled some money, the property of his employer, and converted it to his own use. He was held for examination by Justice Wood.

Domestic Miscellany.

One hundred and nine dogs were killed in Cleveland in four days, under the direction of the city marshal.

The Wilmington (Del.) *Journal* understands that the Messrs. Dupont have appointed two carpenters, two masons, two plasterers, and other gentlemen, from the best mechanics in that city, to assess the damages caused by the late explosion, in order that full and ample reparation may be made to the injured parties, without delay. They have already settled a number of the claims in a very satisfactory manner. The loss of property will amount to from $30,000 to $35,000.

The semi-annual report of the Chief of Police of New Orleans is published in the *Picayune*. It shows that within the six months 9,710 men and 1,567 women were arrested.

We have learned, says the Trenton (N. J.) *Gazette*, the curious and rather alarming fact, that within two or three years past, the sale of opium in this city has increased something like one thousand per cent.

The artesian well at Frederick, Md., has been completed. The shaft has been carried down 585 feet, and now, the *Examiner* says, the water runs out at the rate of one hundred and fifty gallons a minute.

The *Nashville Whig* says: "A warrant was issued in New Orleans last Thursday, for the arrest of a free colored woman, named Marguerite Persus, who was alleged to be in the habit of ill-treating her slaves, and using instruments of torture in their punishment.

DIVORCE EXTRAORDINARY.—A woman applied to one of our attorneys not long since, to take steps towards procuring a divorce, on account of habitual drunkenness and ill treatment in her liege lord. The attorney, who is a strong temperance man, was much impressed with the story of her wrongs, and engaged to commence necessary proceedings at once. A few days ago, the fair plaintiff called again to consult about the case, and at the close of the interview inquired how long it would be before the matter was finally consummated. The attorney replied that he sincerely commiserated her situation, and would do all he could to relieve her from it in the shortest possible time. He thought he would be able to do so against the 1st of September at farthest. "Oh!" said she, her voice betraying the deepest emotions, "can't it be done sooner, for I'm engaged to marry another feller in July?" The attorney cauliflowered.—*Lafayette (Ind.) Journal.*

ARRIVAL OF THE ILLINOIS.

News from the South Pacific, Australia, and the West Indies.

The mail steamship Illinois, Captain Hartstene, arrived at this port yesterday morning, from Aspinwall, which port she left on the 16th instant, having been detained awaiting the arrival of a portion of the mails.

The Illinois brings the California mails of June 5, five hundred and two passengers, and $965,830 54 in treasure on freight, consigned as follows:—

Adams & Co.	$246,854 54
American Exchange Bank	22,000 00
Jno. Cunningham	9,600 00
Duncan, Sherman & Co.	200,000 00
Jno. Fobes	5,185 00
Heckenrath, Schneider & Co.	4,490 00
Wm. Hoge & Co.	68,000 00
Newhouse & Spa's	19,000 00
C. W. Thomas	3,650 00
Wells, Fargo & Co.	137,761 00
J. Watson & Sons	26,400 00
J. H. Williams	6,180 00
O. W. Pollitz	13,050 00
Mesquera & Co.	500 00
Total	$949,630 54
Adams & Co (from Australia)	16,200 00
Total	$965,830 54

We are indebted to the Purser of the Illinois, also to Messrs. Berford & Co.'s Express, for files of California papers.

The mails, passengers and treasure were brought down on the Pacific side to Panama by the steamship John L. Stephens.

The news has been anticipated by the arrival of the North Star.

The steamship Sierra Nevada left San Francisco on the same day for San Juan del Sur, having on freight treasure amounting to $1,147,739.

Trial of Edward H. Avery for the Murder of Susannah Russel.

[From the San Francisco Herald, May 30.]

The trial of Edward H. Avery, for the murder of Susannah Russel, by stabbing her in the left side on board the Yankee Blade, on the 13th of February last, was commenced in the United States District Court yesterday, before Judge Hoffman. Mr. Glassell appeared for the prosecution, and Messrs. Foote and Baker for the defence. The following jury were empannelled:—John Benson, J. Wilson, A. Pollard, Geo. S. Gladwin, A. M. Comstock, E. S. Boardman, Wm. Moody, E. W. Smith, L. P. Eaton, E. L. Winchester, R. D. W. Davis, B. F. Lupton.

THE PROSECUTION.

Mr. Glassell briefly stated the facts of the case to the Jury, and concluded by reading over the indictment.

Mr. Swales being sworn, deposed—I am a physician and surgeon; on the 13th of February I was on board the Yankee Blade, thirteen degrees above the line; it was an American vessel sailing under an American flag; on the 13th of February, about half-past seven o'clock in the evening, was sitting near the purser's office; there were some gentlemen and three or four females, the wives of mechanics on board, present; they were walking up and down; it was moonlight; saw this female walking with another female; she had a white dress on; heard a rustling; she ran towards me, exclaiming "Doctor he has killed me," she was gasping; she fell forward and I caught her; heard then the click of a pistol, and one of the passengers rushed forward, saying "He will kill us;" heard the click of the pistol three times; Avery was found, and I saw a wound in the side of his neck; he said, "Doctor, I have cut my throat, if I did it right—I killed that girl—I love that girl," and he stooped over and kissed her; his wound was a most extensive one, and I thought several times that it would be the cause of his death; the girl was dead the first time I left her; the wound was between the third and fourth ribs, and came out near the shoulder blade; the edge of the wound looked ragged; from the appearance of it, it seemed to have been caused by a knife; I saw Avery a few days before that; my attention was called to him a few days before by a little occurrence which took place.

Cross-examination waived.

Charles H. Hewitt being sworn, deposed:—I am first officer of the Yankee Blade; on the evening of the 13th of February was sitting aft, talking with the officers of the ship; heard a rushing on the deck; a female came aft, saying, "He killed me!—he killed me;" she laid down on the centre of the deck and died; saw Avery there; heard him say, "I killed her—nobody else killed her;" as soon as she lay down went to find the murderer; he was standing at a corner snapping a pistol; I think at himself; snapped it twice, and then threw it overboard, and said, "Don't come near me—I am a desperate man;" he made a motion, and I think cut his throat; I went for irons, and when I came back he was lying down by the side of the woman he had killed; she also said that "he killed her;" if I remember rightly she said, "My brother here killed me;" Avery was represented as her brother, and I never knew anything to the contrary; he shipped as a deck hand; after he cut his throat, and was lying beside her, he said he was not her brother; I am not certain whether she said he was her brother or not.

Cross-examination waived.

Samuel L. Voist being sworn, deposed:—I have heard the testimony of some of the witnesses in the case; on the evening of the 13th February was in my office, trying to light my candle; I am Purser of the Yankee Blade; I heard a rushing, and saw Susannah Russell lying on the deck, with a wound in her side; presently Avery came up; said he killed her; laid down by her side, kissed her, and said "I loved that girl."

Cross-examination waved.

John A. Edwards being sworn, deposed:—I have nothing more to say than has been already stated; was sitting in the Purser's office; heard some screaming; he went out before me; when I went out I saw them lying (Avery and Susannah Russell) on the deck; heard nothing said.

Cross-examination waived.

Mr. Glassell stated that he had some witnesses to introduce relative to some previous transactions, but they were not present now; he would rest his case here for the present, by asking

Dr. Swales—Q. What was the cause of her death?

A.—A wound in the left breast caused by a knife.

FOR THE DEFENCE.

Edward Magagnas being sworn, deposed—On the evening of the 13th February was sitting forward, when I heard the mate rushing forward, saying, "Get irons—that man has killed his sister;" I went forward then; I saw Avery on board a few days after the boat left; he was working as a deck hand; Mr. Hewitt brought him to me to assist me in painting; noticed for two or three days before the act that he was very agitated and extremely nervous; on the evening of the day he committed the murder, he told me, while on the couch, that he killed the girl by giving her three or four stabs; he was employed assisting me painting in the cabin; I discovered this agitation three or four days before the homicide; his conduct induced me to believe that he was somewhat deranged; he was moody, abstracted, and had a certain twitching of the mouth; there was a nervousness about him that showed him to be very much excited; I have not thought much about the matter.

Q. Was his conduct generally such as that which characterizes an insane person? [Objected to.]

Q. What was his manner—calm and cool, or otherwise?

A. It was not. I would say he was sane in doing his work, but still, by the glaring of his eye, I should judge that he was insane on some other point.

Cross-examined by Mr. Gaskell—He was working for me three or four days before the occurrence; he painted remarkably well for one who knew nothing about the business.

Col. Baker argued that the opinion of the witness as to the sanity or insanity of the accused should be admitted, and quoted Chief Justice Hornblower, in the case of Spencer, in support of his argument.

After an ingenious argument on the part of counsel, the court ruled that the witness might state the deportment of the accused, and whether that deportment was that of an insane person.

A. I would state that it was on a scientific examination that I came to the conclusion; and though I have no diploma, I have studied physiology very deeply; and my reason for not stating it in a technical manner is, that the jury might not understand it; I have no doubt that he was, at the time of the commission of the act, insane or a monomaniac

To the Jury—I did not sleep with him before the occurrence, but did sleep near him after the occurrence, at his own request.

By Mr. Glassell.—The difference between a monomania and monomaniac is, that the former is taken in the plural tense, and the latter in the singular, referring to one individual; he painted remarkably well; he asked me one day, did I not give my men some drink; upon all other subjects he was sane, except on this point; he had a feeling of adhesiveness towards the girl that attached him to her, and an angry jealousy resulted in the derangement of his brain; he was attached to me because I treated him and her kindly.

To the Court.—I formed the opinion of his insanity—jealous insanity—a few days before the occurrence; the jealous feeling caused his monomania; I believe before God that the man was not sane on all points two days before the occurrence.

To the Jury.—He told me she was not his sister, the night after the occurrence; I judged that he was jealous of the conduct of his sister.

By Mr. Glassell—Though I was not informed that they were anything else than brother and sister, still my opinion sometimes varied on that point.

Captain H. Randall—Am Captain of Yankee Blade; know the prisoner was on board; had an opportunity of seeing him; I did not notice him particularly on the day of the murder; he looked somewhat slightly, stirred up about something.

Andrew Van Orden, being sworn, deposed—I had no acquaintance with Avery previous to the occurrence; I saw him on the evening of the occurrence; his countenance was wild and his whole appearance indicated insanity; the conversation we had was rather doubtful; I entertained the opinion that he was laboring under a high degree of excitement; his eyes appeared to be wild, glassy and very brilliant; I was storekeeper on board.

Cross-examined by Mr. Glassell—I heard him say something; came to me two hours before the occurrence and looked for a bottle of rum, from his appearance I refused it and said I would give it him to-morrow; I was sitting in the mizzen rigging; she came to me and said "he cut me to death." I asked who? and she said "my brother;" I did not know much about her; in fact, I did not like the girl; she then staggered and fell, and Avery came forward looking perfectly crazy; when he came for the liquor I thought he was laboring under much excitement, and that was the reason of my refusal.

By Gov. Foote—After the occurrence he looked distracted, and said, "Keep off, keep off—I'm desperate;" I should certainly say his conduct was that of an insane man.

By Mr. Glassell—I consider any man laboring under high excitement to be insane for the time.

By Gov. Foote—I considered his mind unsound at the time.

By Mr. Glassell—What I mean by insanity is high excitement.

Capt. Randall—By Gov. Foote—I had an interview with him the morning after, and I asked him "How he came to stab the girl?" he said, "I knew nothing about it—I'll stab nothing;" thought him sincere; formed an opinion at the time that he did not know what he was about.

By Mr. Glassell—After I had talked with him the morning after, I formed the opinion I gave.

Dr. Colt, examined by Gov. Foote—I knew all the branches of the prisoner's family, with the exception of his father; a number of the members of the family were insane; one committed suicide—another died in the Insane Hospital in Massachusetts; his grandfather was a man of enthusiasm; was a colonel in the Mexican revolution, and was wounded mortally in battle; the grandmother of this man was named Huntingden; her brother, named Levi Huntingden, was an intemperate man, and subject to apoplexy; the second cousin of this young man's mother was subject to fits of insanity at the birth of every child; I had no acquaintance with this young man, but when I heard of the name, I went to see him in his cell, and when he told me the name of his mother, I recollected that I knew all his family; I offered my testimony voluntarily this morning; the flow of blood, described to have come from the wound in his throat, would have the effect of relieving his insanity; I knew of a woman who, in a fit of insanity, had gone into a back room to commit suicide, and after a large flow of blood from a wound inflicted by herself on her throat, she became entirely relieved of the insanity, and very anxious for life.

Q.—From the testimony you heard this morning, and your knowledge of family facts, what is your opinion as to the sanity or insanity of the prisoner at the time of the commission of this act? (Objected to.)

Judge said that he might be asked whether, assuming the facts detailed to be true, then on that hypothetically, whether he considered him sane or insane?

A.—I should consider him morally insane—not supposing him demented.

By Mr. Glassell—He may have known right and wrong on every other subject but this.

By Gov. Foote—It was a sort of morbid illusion he was laboring under.

By Mr. Glassell—The insanity he was laboring under was a high state of excitement; I believe that he thought he did this act thinking it was an act that a man ought to do; I presume that he knew that he was doing an unlawful act, though he considered it an act he ought to have committed; I believe he thought he was performing at the time a moral right, though not a legal right; I believe so, because he took measures to put himself out of the reach of the law; I believe if he had been put in irons before the act, he would have gone on till he became completely crazy; I would not call it monomania, nor general madness, but a sort of moral insanity; his affections being fixed on the girl, and having become jealous, he was led on from step to step to the commission of this double crime; I rely upon my previous knowledge of the family, their intensity, &c., and the testimony I heard this morning, for the opinion I have formed; the jealousy was the immediate cause.

Mr. Goddard—I can corroborate the testimony of Dr. Coit relative to the insanity of the family. I can state another case that was not known to Dr. Coit—a young lady of eighteen, who, while her father was absent, went out and drowned herself without any apparent cause. The insanity continued in the family for three generations.

The defence here closed the case.

REBUTTAL.

Dr. Swales was called by the prosecution, and testified that on the 9th, two or three passengers were sitting near the Purser's office; it was hot, and we went down to buy some hats, and I said, "we can get them painted;" we went down to the painter with them—

Gov. Foote objected that this was not rebutting testimony.

The Court allowed the witness to proceed, provided he confined himself to the relation of facts tending to show that he was sane previous to the commission of the act.

Witness—We left the huts and went to get a glass of ale, and the first thing I saw was the glass falling out of the hands of a gentleman named Conckline, who had gone with me, and the prisoner having hold of him by the hair of the head and in the act of striking him; I pulled him away and said, "I'll allow no fighting here;" he then said, "you must take that back," and Conckline said, "if I said anything about your sister I take it back;" from that time I observed him; sometime afterwards he came up with the hats painted, and said, "you should have allowed me to whip that fellow;" I observed the girl, that she was somewhat light and airy; the evening that the murder took place I took a glass of ale with him, and advised him to let the matter drop; I think that it was nothing more than excitement and jealousy on the part of Avery; I think he must have known right from wrong; assuming the testimony to be true, I think his act was the result of jealousy; I do not think there was any fixed derangement.

By Col. Baker—I know sufficient about insanity for medical purposes; I read Mr. Briggs' works, (of the Insane Asylum at Utica); I think this was moral insanity or frenzy; I believe that a man worked up by jealousy to frenzy is insane, and does not know right from wrong.

Question by Mr. Glassel—Explain what you mean by moral insanity. [Objected to and ruled out.]

A. It has connection with the heart and the affections. From the peculiar temperament of the accused, I think these causes would be sufficient to produce insanity. Moral insanity acts on the brain, and is something more than excitement.

Q. How does this moral insanity act on the brain?

A. It would make him for the time insane; it was excessive jealousy combined with frenzy.

Question by Col. Baker—I ask you for a definition of insanity?

A. It is a deranged state of the faculties of the mind, which prevents a man from knowing right from wrong.

Henry Martin—I have heard the testimony; saw Avery every day since we left New York to the commission of the deed; did not know him much; I was behind the bar when the doctor called for the ale; saw him knocking Mr. Conklin up against the side of the ship; on the day of the commission of the act he drank twice and wanted more, but I refused because his eyes looked wild.

By agreement, the case was submitted without argument, and after having been charged by the Judge, the jury retired in charge of the Marshal.

At seven o'clock, P. M., the jury came into court, and stated that it was impossible for them to agree, and the counsel for the prosecution and defence consenting, they were discharged. Eight were for acquittal and four for conviction. The case was fixed for a second trial on Wednesday, the 31st instant.

The Marysville Fire.

The Marysville *Express* publishes the following list of the losses sustained by the fire of the 25th of May:—

East side of D street—S. Luis, $1,000; H. Burton, $1,000; J. C. Greene, $3,500; David Parks, $1,000; George Minser, $4,500; Jas. Sweeny, $3,000; Hudson & Co., $3,400; Thos. Bissett & Co., $7,000; Chas. O'Neil, $1,500; George Rowe, $3,000; Nightingill & Bro., $1,000; Dr. Czapkay, $500; E. D. Wheeler, $300; Keyser & Reardan, $1,000; C. N. Gray, $4,500, and Post Office not estimated.

West side of D street—R. J. Murray, $15,000; C. Redfield, $2,500; N. Delbanco, $2,500. John McKinney, $1,500. R. F. Gilmore, $4,000; John Parks, $2,000; Dr. Presson, $1,000; Dr. McLean, $250; Charles P. Stewart, $700; Wm. Myers, $3,000; H. Bynum, $1,500; Goodman & Goldbaum, $5,000; S. Morris, $4,000; Jacob Myers, $1,500; W. R. Call, $1,500; B. F. Mann, $1,500; Theatre, $10,000; McGrath, $2,000; Chas. Scholl, $8,000; Chas. Corner, $1,500; Olcott, $600; Chas. Lindley, $2,000; M. Gray, $1,600; Court House, $6,000; Presbyterian Church, $4,000; S. Phillips, $600; E. Slossen, $1,200; E. M. Pierson, $2,500; Joel Burligame, $3,000, and H. Sondheim, $600.

Third street—M. Barbee, $1,000; Michael Burns, 1,000; James Cushing, 1,000; Drs. Pixley & Tweed, 1,000; Dr. Teed, 2,000; Dr. Rice, 3,000; Mark Brumagim, 1,000; Mrs. J. Rawls, 1,500; W. P. Miller, 1,000; Dr. Winton, 1,200; S. Pixley, 5,000.

High street—T. Gilligan, $800; Dr. Rice, 500.

Maiden lane—John Keller, $2,500; N. Caulk, 1,500; Dr. J. B. Warfield, 500; Dr. R. H. McDaniel, 800. Total, $167,950.

The *Express* adds:—While the ruins on the burned district are still smoking, several of our energetic citizens are engaged in replacing their lost buildings. The sound of the saw and the hammer is greeting the ears of the curious as they take a stroll to view the ruins. In a few short weeks we shall expect to see the entire burned district rebuilt, and in a much more substantial manner than before. Such is California enterprise, and our citizens will not permit themselves to be behind their neighbors.

Australian News.

[From the Panama Times, June 8.]

We have a file of the Melbourne *Argus* up to the 2d March.

Peace and plenty reigned throughout the colony.

The gold mines were improving. Speaking of this, the *Argus* says that "the alteration in the rate of exchange on London, by the banks, from two to three per cent premium, had the effect of raising the price of gold, viz.:—by adding 9d. per ounce to the previous market rate." Gold is now 78s. 6d. to 78s. 9d. per ounce, with every probability of its continuing firm. This increase of price goes direct and at once to the pocket of the digger, without the necessity of any assay office to convince him that he is entitled to it.

The quantity of gold had increased in various parts of the colony. In Ballaarat so much as 1,000 ounces in one week, (the week before our file of papers,) also we see a like increase in Mount Alexander and Bendigo.

Heavy rains had fallen, and came in a very seasonable time, for they will have the effect of enabling the diggers to commence washing the accumulation of stuff piled up during the long continued drought, so frequent in Melbourne; and it is confidently expected to add greatly to the amount of this year. Speculators are sanguine.

The produce has shown a gradual increase since the commencement of this year:—

Number of persons arrived	1,660
Number that have left	239

Addition this week, (24th March,) 1,429, and for the year 13,397.

The escorts have brought from—

	Ounces.
Mount Alexander and Bendigo	18,244
Ballaarat, including Geelong	19,860
Amount this week	38,104
Amount for the year	445,207
Gold shipped in 1854	511,279
From Samuel Baddington, to London	24,266
Total	435,545

or 22 tons 6 cwt. 1 qr. 3 lbs. 9 ozs., at 77s. 6d., making a sum total of £2,075,236. This shows a splendid return in the market.

Drafts against London 3 per cent discount. The bank advances 60s. per ounce. Freight of gold delivered at the bullion office, London, at 4½d. per ounce. Insurance two and a half guineas per cent, free of war risk.

A great excitement had occurred amongst the Melbourne merchants, in consequence of the attempted departure of the Peninsular and Oriental Company's steamer Chusan, leaving the citizens and commercial bodies in great perplexity as to how they could despatch their correspondence, seeing they were only left twelve hours.

The bark Irene, bound to Callao, had put into Geelong for repairs; her pumps were choked with her sand ballast.

LABOR MARKET.

The demand for skilled labor is still in excess of the supply, and masons, carpenters, bricklayers, and plasterers readily obtain employment at the rates quoted below. Agricultural and road laborers are also sought after, and respectable female servants are much wanted. Rates of wages are as follows:

With rations—General farm servants, £70 to £80 per annum; bullock drivers for the roads, £3 to £3 10s. per week; bullock drivers on farms, £2 10s. to £3 per week; cooks, (male), £2 to £5 per week; waiters, 30s. to 40s. per week; shepherds, £40 to £50 per annum; hutkeepers, £35 per annum; gardeners, £70 to £100 per annum; hay-cutters, 10s. per ton; wood splitters and fencers, 15s. per day; female thorough servants, £30 to £40 per annum; laundresses, do. do.; housemaids, £25 to £30 per annum; nursemaids, £20 to £25 per anuum; cooks, £40 to £50 per annum; married couples, £90 to £100 per annum.

Without rations:—Compositors, 2s. 6d. per thousand; do., £7 7s. per week; carpenters, 20s. to 25s. per day; masons, 30s. to 35s. per day; blacksmiths and horseshoers, 20s. to 25s. per day; laborers on the roads, with tent, wood, water, and tools, 12s. to to 15s. per day; reapers, 25s. per acre.

In cases where rations are supplied, they consist of 10 lbs. flour, 10 lbs. meat, 2 lbs. sugar, ¼ lb. tea, weekly, each person.

RATES OF CARRIAGE TO THE DIGGINGS.

The recent boisterous weather has had the effect of raising the rates of cartage to the various diggings, which may be quoted as below, for the present. Fair weather will probably lower these prices once again before they permanently rise for the winter quarter. Bendigo, 35s. per cwt. for merchandise; 45s. do., luggage. Forest Creek, 30s. do. do.; 30s. do. Tarrengower, 35s. do. do.; 45s. do. do. Balaarat, 30s. do. do.; 40s. do. do. Ovens, (no quotation,) for large quantities lower rates are asked, and by bullock teams, about one-third less is demanded, where quick delivery is not an object.

Our Panama Correspondence.

PANAMA, June 4, 1854.

Details of the Conspiracies on Board the Ships Virginia and Emily Taylor—Effects of a Norther—Freights—The Copiapo Mines and Panama Railroad—Progress of the Peruvian War—Yellow Fever on the Coast—The American Consulate at Callao—Payta and Guayaquil Travel—A Hint to Steamboat Owners.

Since the last mail many things of interest have occurred on the coast of South America, and as I am passenger for the United States