now, to Josiah May & Sons, of this city; prisoner was one of the seamen; we were bound to New Orleans, with a crew of thirteen men—seventeen, officers and crew all told; we started from New York about noon, that day, in tow of a steamer; deserting to make all sail on the vessel, about 4 P. M. I ordered the yards braced around; the prisoner let go the main brace, and said to me, "Who the hell are you talking to?" I took hold of him one of the crew interfered, and I let go Hamilton; he went forward into the forecastle; I finished bracing the yards around; when I was about to set the fore topsail, and ordered it to be loosed, as I was going aft and crossing the main hatch, the prisoner made a cut at me with a knife; this was at least 25 minutes after he had gone forward, and I supposed him to be still sitting in the forecastle, where I last saw him; as he made the cut, he said, "You son of a b—h" I retreated 15 or 20 feet and caught my feet in some ropes; it was a common sheathe knife, and the wound was at the lower part of the left shoulder; he let the knife fall after stabbing me; he made no resistance and was carried to the cabin; when there, and while I was having my wound dressed, he said, "You had better secure me, or I will finish what I have begun;" I then had him put in irons; we did not reach port until the next day; we were about three miles from land, near Sandy Hook, when the difficulty took place. On cross-examination by Mr. Whedon, he testified that Hamilton had been drinking, but knew what he was about; when I was going aft I thought the prisoner was still in the forecastle; did not suspect that he was waiting to attack me. No further evidence was taken on the part of the United States counsel, the defence having admitted the assault, but alleged that the prisoner was provoked by the Captain. For defence, John Helms was sworn, and testified—I am a deputy of the U. S. Marshal, and arrested the prisoner; his face was bruised; one side not pretty deep. Under the charge of the Court, the jury returned in a few minutes with a verdict of guilty, and a recommendation to mercy.

STABBING ON THE HIGH SEAS.

JULY 7.—*The United States vs. James Allen.*—Upon the trial of this cause, Mr. Ridgway conducted the prosecution, and Mr. D. P. Whedon the defence. Several witnesses were examined on the part of the United States, who testified that defendant was steward of the American ship West Point; that she left Liverpool the 29th of last March, and arrived in New York the 19th of May, Allen having joined her in Liverpool. The first day of the voyage, Allen exhibited feelings of animosity towards Samuel Burton, the cook, (apparently without any cause) threatening to take his life. These threats were repeated at least six times during the following two weeks. At length, Allen became sick from inflammatory rheumatism, and remained off duty until the 8th of May, when he left his room between 6 and 7 in the morning and walked to the galley, passing into the inner stateroom. Burton, the cook, and one or two others, were there. Allen brought a candle, and Burton desired to know whether he wished a light, and lighted the candle with a match. Returning into the stateroom, he remained there a short time, then passed out on deck. Soon he came into the galley again, and said to the cook, cursing him, "Why don't you see about the captain's breakfast?" The reply from Burton was that he had enough to do in the galley without attending on the table, and the latter also told Allen how well he had succeeded in performing his own duty and the steward's, while he lay sick; also congratulating him on his recovery. The threats to take Burton's life were reiterated; and, as the cook was in a stooping position, taking a loaf of bread out of the oven, Allen caught up a large carving knife and made two cuts at him, which, however, only penetrated the cap upon Burton's head; finding himself assailed he said, "Why, steward, you are not going to cut me with that knife?" he replied, "Yes, I intend to kill you;" the cook ran, and in doing so stumbled over the door sill and fell on deck; at that moment Allen stabbed him in the back of the head, producing quite a severe wound.

For the defence George Vicars, the physician of the ship, was called, who testified that, at the time of the difficulty the steward had been ill for three weeks, confined to his bed; that he was delirious, and showed every symptom of insanity.

On cross-examination he testified that he did not know what the symptoms of insanity were; he had treated out one case of temporary insanity, and had had but little experience in the treatment of the disease; that he testified before the commissioner he did not know under what degree of insanity Allen was laboring, and he would not now give it as his opinion that the man was incapable of controlling his actions.

As rebutting evidence, George Thompson was recalled, and testified that half an hour before the affray, he saw Allen roll a heavy barrel of beans along the deck, and lift it two feet, and did not appear at all deranged; also, that on the 20th of May he met Dr. Vicars in the street and remarked that he had received a summons to attend an investigation of the case; to this Dr. V. replied, "Have you—I'll soon settle that; I'll bring the man in insane; I am paid for it."

Dr. V. was then recalled, and denied having said any such thing. The case was then summed up by counsel, and the jury were charged by his Honor the Judge, when they retired, and after an absence of fifteen minutes returned a verdict of guilty—recommending the prisoner to mercy.

Marine Court.

Before Hon. Judge Phillips.

JULY 7.—*William H. Coops against Henry C. Foster.*—The plaintiff claims damages for the wrongful seizure and detention of a quantity of liquors, wines and segars, by the defendant. The plaintiff keeps a saloon in Canal street. On the 30th March last he applied to the firm of Carr, Burnett & Oldner, of this city, to purchase a bill of liquors. On this occasion he looked at samples, and ordered a bill of goods from Mr. Carr. The next day he again called at the store of that firm, when Mr. Burnett inquired his name and address, which the plaintiff gave at the same time making a change in the goods he had ordered. Mr. Burnett then remembered that his firm had sold the plaintiff goods before, through their agent, the defendant, for which they had received the plaintiff's notes. Mr. Burnett referred to his note book and found that all notes of the plaintiff there entered were marked "paid," and, accordingly, when the plaintiff again called his bill for the goods was made out, for which he gave his note at six months, and the goods were delivered to him. It appears that a note which the plaintiff had given the defendant for goods purchased from him had been protested; that on the day that the goods purchased by plaintiff from Carr, Burnett & Oldner, were delivered, the defendant in passing the plaintiff's place of business, saw some of the goods on the sidewalk, and recognizing them as goods coming from the store of his principals, he called a cartman and put on the cart the goods he found on the walk, and was in the act of removing a coat he found in the hall near the saloon door, when the plaintiff coming in forbade him taking it away. The defendant then sent for policemen, and on their arrival, by consent of the plaintiff, the goods were all taken to the station house. There the persons in attendance refused to receive them, and the defendant directed the cartman to take them to his (defendant's) store. This the plaintiff forbade, and caught hold of the cartman's reins. The cartman seized a cart-rung and struck at him, when the police interfered and the defendant drove off with the goods. The defendant had not seen any member of the firm of Carr, Burnett & Oldner prior to his seizing the goods, but acted solely on his own responsibility. The goods were subsequently demanded by plaintiff from defendant, and were refused; that Carr, Burnett & Oldner tendered the plaintiff the note they had received from plaintiff, which he refused to accept.

PHILLIPS, Judge.—The defendant claims that the plaintiff obtained the goods in question from his principals by fraud, in concealing from them at the time of the purchase the fact that he had a note protested. There is no pretence that the defendant ever disclosed his principals to the plaintiff; on the contrary, the proof shows that all former transactions had been exclusively between the plaintiff and defendant. The plaintiff applied to purchase goods on the 30th of May, then gave his name and address, called again the next day, when the firm accepted his note, and the day following delivered the goods. I am at a loss to conceive how a mere concealment of the fact in a party buying goods from A, that a note he had given B some time prior, for goods, had been protested, vitiates the sale to him by A. It is true that a party may in some way commit as great a fraud by concealing facts as in uttering untruths; but in order to abrogate a contract of sale there must be some proof of a fraudulent concealment. There is no proof of how long the note had been protested—that any demand for payment had been made on plaintiff—that he had refused or was unable to pay it. But suppose the plaintiff did wilfully conceal this act from the firm of whom he purchased. The defendant was ignorant of that fact—he had not even seen his principal; but upon a mere assumption of fact, whether true or false, he entered the premises of the plaintiff, without process, and removed goods from them, and afterwards, by force, removed them from the possession of the plaintiff. Viewed in whatever light this transaction can be placed, it can only be considered a high-handed proceeding—one that every citizen loving law and order, should discountenance. A crowd was collected about the premises of the plaintiff, and the conduct of the defendant and the cartman certainly was calculated to, and had it not been for the interference of the police, probably would have resulted in a breach of the peace. I find nothing in this case on which to base the charge of fraud on the part of the plaintiff, and I accordingly order judgment in his favor, for the sum of $277 53—valuing the goods at $277 53—with costs, and $12 allowance.

Court of General Sessions.

Before his Honor Judge Beebe.

Attempt at Petit Larceny.—John King, on being convicted of having made an attempt to steal $16 from Elisha Germain, was sentenced to three months confinement in the penitentiary.

Grand Larceny.—Henry Rosenburgh and John J. Meyer were then tried for stealing 150 lbs. of beef from Mr. Van Buren. The evidence being very conclusive, the jury rendered a verdict of guilty after a few moments deliberation. Remanded for sentence.

Grand Larceny.—Charles Seiber pleaded guilty to stealing several gold and silver watches from Charles Shultz, of No. 253 Bowery. The Court sentenced him to two years confinement in the State prison.

Petit Larceny.—Thos. E. Flood, on pleading guilty to petit larceny in having stolen some property from David Bulloy, was sentenced to six months confinement in the penitentiary.

Assault and Battery.—Susan Poole, a colored girl, was tried and convicted of having stabbed Hannah Ferris, also colored, with a dirk knife, in the face, while both parties were attending a dance in Orange street. Sentenced to six months confinement in the penitentiary.

Robbery in the First Degree.—Hiram Holden was then placed at the bar, charged with having committed a highway robbery on the person of Thos. McCan in a saloon in Church street, and robbing him of a $20 bank bill on the City Bank of Brooklyn. The jury acquitted the prisoner, who was discharged.

Highway Robbery.—Wm. Johnson and Thomas Powell were tried and convicted of having committed a robbery on the person of Benj. Morril, and taking from his person, at the corner of Greenwich and Duane streets, a silver watch. The evidence of the prosecution being very conclusive, the prisoners were convicted, and the Court sentenced them each to ten years confinement in the State prison.

Grand Larceny.—Cennu Marcellu was then placed at the bar, charged with having stolen $500 from Charles A. Stoh, whom she induced to enter a den of vile prostitution in Greenwich street, and while there the $500 was abstracted from his stocking by two of her pals. The jury in this case, up to a late hour, could not agree upon a verdict.

The Grand Jury entered the room about six o'clock, and stated that they had disposed of all their business, and wished to be discharged. The Court, however, induced them to remain together until Monday, when some business would be presented for their action.

The Court then adjourned for the day.

Municipal Affairs.

BOARD OF ALDERMEN.

JULY 7.—The Board held the fourth meeting of their July session—Nathan C. Ely, Esq., in the Chair.

The minutes were read and approved.

PETITIONS RECEIVED.

Of John Kennedy for leave to erect an iron stairway in front of No. 73 West Thirty fifth street. Of Moses Taylor, Shepard Knapp, Stillman, Allen & Co., and others, to have the Bowery extended one hundred feet wide through Pearl street to the Battery. Of W. S. Pond, and others, for correction of tax.

RESOLUTIONS ADOPTED.

By Alderman BLUNT—That the Second Avenue Railroad Company be directed to pay the city for all pavements now laid and about to be laid in Grand street, in and about the railroad tracks, as called for in their grant.

By Alderman MOTT—That the Counsel to the Corporation give his opinion whether or not the Commissioners of the Sinking Fund are authorized to sell and dispose of any real estate of the city; also, in what way said Commissioners must proceed to sell such property, provided they have the authority.

REPORTS ADOPTED.

Concurring to pay bills of doctors for services at the police stations; to correct the tax of several persons erroneously assessed; concurring with the Board of Councilmen to construct a new market, with accommodation for a police station and bell tower, on the present site of Union market, in the Eleventh ward; also awarding the contract for building as follows: Mason work by Theodore Hurt, at $10,990 22, and carpenter work to J. L. Miller & Co., at $23,850—these parties being the lowest bidders.

LAID ON TABLE.

A report from the Board of Councilmen, to authorize the Mayor to purchase six horses, for the use of the Twelfth ward police.

REPORTS ADOPTED.

The report on the appointments, resignations and expulsions in the fire department for February was adopted. Report to regulate and grade Fifty-eighth street from Seventh to Eighth avenues, without the usual appointment of an inspector. Concurring with Councilmen in relation to the contract for the paving of the Tenth avenue from Forty-fifth to Fifty-fifth streets. To erect a shed over the space attached to Jefferson Market. Report of complaints against the firemen for fighting, &c., and disposing of the delinquents as follows:—A. P. Heath, of Engine 14, guilty of throwing barrels in the way of Engine Co. 42, while going to a fire, is expelled; Engine Co. 9, for assaulting the members of Engine No. 19, suspended for thirty days; Hook and Ladder Co. 2, for locking the wheels of the truck in the wheels of the carriage, &c., was tried, when Valentine McClutchey, one of Hook and Ladder Co. 2, was pronounced guilty, and suspended for thirty days.

COMMUNICATIONS.

From Thos. K. Downing, City Inspector, nominating two health wardens, Thos. Monroe for the Third ward, and Wm. Craft for the Twentieth ward, in place of those resigned; referred. From the attorneys of Wm. B. Reynolds, stating that Mr. R. would have to throw up his contract, in consequence of the city not paying his bills for over a year, and requiring an immediate understanding. Referred to special committee.

The Board then adjourned to Monday.

BOARD OF COUNCILMEN.

JULY 7.—Edwin J. Brown, Esq., President, in the chair.

THIRD READING OF BILLS.

This being Friday evening, under the rules the third reading of bills, previous to their final adoption or rejection, was first in order. Accordingly a large number of bills were passed, while a few others were rejected.

BILLS REJECTED.

Report of minority Committee on Printing—In favor of the further continuance of the contract for printing with McSpedon & Baker.

Report of committee advising the removal of the rails of the Harlem Railroad Co. in Centre street, Grand street, Bowery, and Fourth avenue to Twenty-eighth street.

BILLS PASSED.

Report of Committee on Fire Department—In favor of building a new house for Hook and Ladder Co. No. 13.

Report of Committee on Sewers—In favor of a sewer in Mulberry street.

Report of Committee on Roads—In favor of regulating and grading Forty-third street from Tenth-avenue to Hudson river.

Report of Committee on Finance—In favor of paying George E. Hewell $100 for loss of horse.

Of Committee on Roads—In favor of regulating Forty-fifth street.

Of Committee on Repairs and Supplies—Concurring to stop further payment to contractors for building house of Hose Company No. 9.

Of Committee on Police—In favor of paying medical bills of policeman Moore, of Seventeenth ward.

Of Committee on Finance—In favor of paying Thos. Devlin $100 for loss of horse.

Of Committee on Roads—In favor of regulating Forty-fifth street, between Ninth and Tenth avenues.

Of Committee on Finance—Relative to office for Clerk of Court of Common Pleas.

Of Committee on Finance—In favor of paying James Clancy $100 for injury to horse.

Of Committee on Sewers—In favor of sewer in avenue B.

Of Committee on Streets—In favor of flagging Twenty-third street, between Fourth and Madison avenues.

Of Committee on Streets—In favor of flagging Elizabeth street, between Grand and Hester streets.

Of Committee on Streets—In favor of flagging Sixteenth street, between Third avenue and Rutherford place.

Of Committee on Sewers—In favor of sewer in Sullivan street, between Prince and Houston.

Of Committee on Streets—In favor of flagging Bowery, in front of Nos. 99, 201, 203, and 205.

Of Committee on Streets—In favor of regulating Forty-second street, between Second and Third avenues.

Of Committee on Streets—In favor of grooving Russ pavement at crossing of every street in Broadway.

Of Committee on Sewers—In favor of sewer in Essex street, between Grand and Hester streets.

Of Committee on Sewers—In favor sewer in Second avenue, between Third and Fourth streets.

Of Committee on Fire Department—In favor of building a new hose carriage for Hose Company No. 4.

Of Committee on Fire Department—In favor of advertising for proposals for building a bell tower in Observatory square.

Of Committee on Sewers—In favor of sewer in Thirty-second street, between Second and Third avenues.

Of Committee on Wharves, Piers and Slips—In favor of granting permission to extend bulkhead in North river, near Hoboken ferry.

Of Committee on Cleaning Streets—Amending resolution for confirming contracts for cleaning the streets of the several wards of the city.

The Board then adjourned until Monday evening, at 4 o'clock.

Board of Supervisors.

The Board met Thursday evening, His Honor, the Recorder, in the chair, pursuant to adjournment.

BILLS REFERRED.

Thirty dollars to James M. Baker, for services in attending in Albany to a bill entitled "An Act to amend an Act relative to Commissioner of Jurors, passed 1847," at the request of Supervisor Mott and Judge Campbell; bill for the repairing of the naturalization office of the Common Pleas.

CORONERS' BILLS.

The bills of the four coroners of the city, for holding 604 inquests, for the quarter ending the 30th of June, 1854—amount $4,208 81¼—was also referred.

ADOPTED.

The report of Committee on County Offices, in favor of paying $77 for ice furnished to the Grand Jury.

FIRE COMPANIES.

The report in favor of paying the three fire companies $1,800, and taking the rooms now occupied by them in the southeast corner of the Park for the accommodation of the Superior Court, was referred back.

The Supervisor of the Seventeenth ward (Alderman Ely) offered a resolution requesting the Comptroller to make any arrangement he may be able to effect, by which the three companies of the fire department, who now occupy the second story of the new building in the Park, shall be induced to surrender the occupancy in order that the same may be fitted up for the Superior Court. Laid on the table.

The Board adjourned to Friday evening at 4 o'clock.

JULY 7.—His Honor the Recorder in the chair.

The minutes of the last meeting were read and approved.

REPORTS ADOPTED.

From the Committee on Annual Taxes—In relation to the tax levied on the Metropolitan Bank for the year 1851, referring the matter in dispute to the Common Council, the time for the action of the board having expired.

In favor of paying Wm. C. Havens for expenses incurred in going to Sing Sing.

RESOLUTION ADOPTED.

That the Comptroller be authorized to make an arrangement whereby the three fire companies now occupying the second story of the building on the southeast corner of the Park, may be induced to surrender them for the occupancy of the Superior Court, $3,000 to be placed at the disposal of the Comptroller for the purpose. The other papers on this subject were also referred to the Comptroller.

REPORT ADOPTED.

In favor of paying the bills of the Coroners for holding inquests up to June 30, 1854, amounting to $4,208 81¼.

American Bible Society.

The regular meeting of the Board of Managers was held on Thursday, the 6th inst., at 4½ o'clock, P. M.; Dr. Thomas Cock presiding, assisted by William B. Crosby and Francis Hall, Esqs.

Seven new auxiliaries were recognized: two in Kentucky, two in Wisconsin, and one in each of the States of South Carolina, California and Missouri.

Letters were presented from Rev. R. S. Maclay, of Foh Chau, China, giving encouraging accounts in regard to the circulation of the scrip urea in that city; from the Rev. Sherman Hall, of the Crow Wing Mission, in reference to publishing a new edition of the Ojibwa New Testament; from Dr. Samuel Wells Williams, of Canton, in regard to the character of the Chinese insurgents, and statements in regard to the recent expedition to Japan, to which he was official interpreter; from Rev. Mr. Schauffler, of Constantinople, in reference to the revised edition of the German Hebrew Bible; also, from Rev. Drs. King and Hill, and Rev. Messrs. Buel and Arnold, in regard to the publication of the Modern Greek Testament in Athens.

Three new agents were appointed for Florida, Southern Arkansas, and North Indiana.

Several valuable additions to the library were received, among which was Nicholas de Lyra's translation of the Bible, in six volumes, printed in 1601.

Grants of books were made to public institutions and individuals, among which were Bibles to the House of Refuge, to the Industrial School in Thirty-seventh street, to the Board of Foreign Missions of the Presbyterian Church, Bibles and Testaments for Nauvoo, Ill.

The issues of the month were 80,774, among which were 71 volumes in raised letters, for the blind.

Naval Court Martial at Philadelphia.

TRIAL OF CAPTAIN SAMUEL W. DOWNING, U. S. N., FOR CARRYING TO RIO JANEIRO, IN THE U. S. SHIP JAMESTOWN, COMMODORE J. H. COE, OF THE ARGENTINE SQUADRON, DURING A CIVIL WAR IN BUENOS AYRES, AND FOR OTHER OFFICIAL MISCONDUCT.

[From the Pennsylvanian, July 7.]

THURSDAY, July 6, 1854.

The officers of the Board comprising the Court Martial, met at the Philadelphia Naval Station at 11 o'clock A. M., and, according to instructions from the Navy Department, organized as follows:—

Captain F. H. Gregory, President.
" E. A. F. Lavallette.
" Wm. Mervine.
" Thomas Crabbe.
" James Armstrong.
" Hiram Paulding.
" French Ferrest.
" James McIntosh.
" Thomas Conover.
" John B. Montgomery.
Commander William H. Gardiner.
" Robert B. Cunningham.
" Samuel F. Dupont.

O. S. X. Peck, Esq., of Washington City, appeared as Judge Advocate.

Wm. H Crabbe, Esq., appeared as counsel for Captain Downing.

The Judge Advocate read the order for holding the court martial, also his own commission, signed by J. C. Dobbin, Secretary of the Navy. He then proceeded to swear the members of the Board, and was in turn sworn by the President.

The Judge Advocate then proceeded to read the following

CHARGES AND SPECIFICATIONS OF CHARGES

Preferred by the Secretary of the Navy against Samuel W. Downing, a Captain in the Navy of the United States.

CHARGE 1st.—Scandalous conduct, tending to the destruction of good morals.

Specification 1st. That on or about the twentieth day of June, 1853, the said Captain Samuel W. Downing, being in command of the United States ship Jamestown, in the river La Plata, near Buenos Ayres, where a civil war was at that time raging, received on board the said ship, and under the protection of its flag, an individual named John Halsted Coe, who had been the Admiral or Commander of the Argentine squadron, employed in the blockade of the port of Buenos Ayres, and who, as the said Downing had reason to believe, was induced to take refuge on board said ship, in consequence of his having betrayed and sold the squadron commanded by him, to the enemy against whom he was engaged, the said Downing thus discrediting the flag of his country, and abusing the public means and authority entrusted to him, by employing them in countenancing and encouraging an individual who had been guilty of an act of base treachery and venality.

Specification 2.—That on or about the 8th day of July, 1853, the said Captain Samuel W. Downing, in contempt of explanations and remonstrances addressed to him by the diplomatic representatives of the United States then in Buenos Ayres, did further protect, assist and encourage the said John Halstead Coe, by taking him again on board the said ship Jamestown, at Montevideo, and conveying him thence to Rio de Janeiro, thus bringing scandal on the flag of the United States, subjecting his fellow countrymen in Buenos Ayres, Montevideo and Rio de Janeiro to shame and mortification, and rendering himself liable to disgraceful imputations of collusion with the said Coe.

Specification 3d.—In this, that during the latter part of the month of May, 1853, the Hon. R. C. Schenck, U. S. Minister Plenipotentiary and Envoy to Brazil, then at Buenos Ayres, the Hon. John S. Pendleton, U. S. Charge d'Affairs, at Buenos Ayres, and Joseph Graham, U. S. Consul at Buenos Ayres, having, with their exertions and influence with the Provisional Director, General Urquiza, then commanding in chief the belligerent forces employed in the siege of Buenos Ayres, and having, by their appeals to the courtesy and liberality of the said General Urquiza, and to his respect for the government and people of the United States, obtained permission from him, under certain restrictions, to obtain certain supplies of provisions for the use of vessels of war and citizens of the United States then at Buenos Ayres, and for the relief of suffering families of citizens of the United States then resident within the said besieged city of Buenos Ayres; and the said Captain Samuel W. Downing, commanding the United States ship Jamestown, then at anchor in the roads of Buenos Ayres, having been informed of the said permission obtained from Gen. Urquiza, and of the terms and conditions of it, did in violation of the said terms and conditions employ an individual named St. Clair to procure provisions of the kind designated in the said agreement with Gen. Urquiza, at a different place and in a different manner from that agreed upon with the said Gen. Urquiza, and did knowingly permit the said St. Clair, under the protection of the flag of the United States, to procure such provisions, to be disposed of for the private use and emolument of said St. Clair, the said Downing thus bringing upon the flag and reputation of his country and fellow-countrymen the reproach of bad faith and dishonorable conduct, encouraging dishonesty in the person of the said St. Clair, and rendering himself, the said Downing, liable to charges of collusion with the said St. Clair.

Specification 4th.—In this, that on or about the twenty-seventh day of May, 1851, the said Captain Samuel W. Downing, being then in command of the U. S. ship Jamestown, at Norfolk, Va., did, in the presence and hearing of John Simonds, seaman, and John Carroll, ordinary seaman, on board the said ship, use language tending to encourage and incite the said Simonds and Carroll to desert from the service of the United States; and after the said Simonds and Carroll had accordingly deserted, did not use the proper means to have them apprehended, the said Downing thus encouraging men under his command to commit a criminal offence, in violation of the laws for the government of the Navy.

CHARGE 2d.—Contempt unbecoming an officer.

Specification 1st.—In this, that on or about the twentieth day of June, and eighth day of July, 1853, the said Capt. Samuel W. Downing, being then in command of the U. S. ship Jamestown, in the river La Plata, and being the senior officer of the Navy of the United States in that river, did receive on board the said ship, and under the protection of the flag of the United States, a certain John Halsted Coe, who had been a principal officer in the service of one of the parties to the civil war then prevailing at Buenos Ayres, after the said Coe had deserted and betrayed the party to which he had belonged—the said Downing thus unnecessarily compromising the neutrality of his flag, improperly interfering in the affairs of the belligerent parties, and impairing his ability to interpose justly and with dignity, if necessary, for the protection of citizens of the United States residing as neutrals in places under the control of the belligerent parties.

Specification 2d.—In this, that on or about the second day of July, 1853, the said Captain Samuel W. Downing, being then in command of the United States ship Jamestown, and senior naval officer of the United States in the river La Plata, left his station and anchorage near Buenos Ayres, and proceeded to Rio de Janeiro with the said ship, at a time when he had reason to believe, and was informed by diplomatic representatives of the United States, then at Buenos Ayres, that his presence with the said ship in the vicinity of Buenos Ayres, was particularly necessary for the protection of citizens of the United States, and so reported himself in his intercourse with the said diplomatic representatives, at the time of leaving the said station, as to indicate a contempt for them, and disregard of the interests of his fellow countrymen, unbecoming in an officer of the navy of the United States in command of a foreign station.

CHARGE 3d.—Neglect of duty.

Specification.—In this, that the said Captain Samuel W. Downing, on or about the second day of July, 1853, being then in command of the U. S. ship Jamestown, left his station, in the vicinity of Buenos Ayres, at a time when he had reason to believe that his presence, with the said ship, was particularly necessary for the protection of citizens of the United States, and proceeded to Rio de Janeiro, for the alleged purpose of having the said ship caulked and otherwise repaired, and neglected to make the proper exertions to have the said caulking and repairs, so far as actually necessary, effected at some place in the vicinity of Buenos Ayres.

CHARGE 4th.—Disobedience of orders.

Specification 1st.—That on or about the twenty-eighth day of June, 1853, the said Captain Samuel W. Downing, at Buenos Ayres, did unnecessarily interfere with the movements of the U. S. steamer Water Witch, commanded by Lieut. Thomas J. Page, then on special duty, such interference having been expressly forbidden by instructions from the Secretary of the Navy exhibited by the said Page to the said Downing.

Specification 2d.—That on or about the thirty-first day of May, 1854, the said Captain Samuel W. Downing, being then in command of the U. S. ship Jamestown, at Norfolk, Va., did refuse or fail to obey an order given to him by Captain S. H. Stringham, then commanding the navy yard at Norfolk, to report to him, the said Captain Stringham, all the circumstances connected with the desertion of John Simonds, seaman, and John Carroll, ordinary seaman.

CHARGE 5th.—Suffering the ship under his command, through his negligence, to be run upon a shoal.

Specification.—In this, that on or about the nineteenth day of March, 1854, the said Captain Samuel W. Downing, then commanding the U. S. ship Jamestown, did, through negligence, suffer the said ship to be run on a shoal near Pernambuco, on the coast of Brazil, whereby the said ship was injured and endangered, and expenses entailed upon the government.

J. C. DOBBIN, Secretary of the Navy.

Navy Department, June 21, 1854.

Mr. Crabbe, in behalf of Captain Downing, offered the plea of "not guilty" to everything except the fourth specification of the first charge, and the second specification of the second charge, to which he pleaded in bar for informality.

The President ordered the room to be cleared for deliberation.

On re-opening the Court, it was decided that the plea was insufficient, and the exceptions could not be admitted, but they would be placed on record.

The defendant then pleaded not guilty to all the charges and specifications.

Dr. F. Folts called—I was surgeon of the Jamestown; I knew that Coe was commander of General Urquiza's squadron; I was on shore when he came on board the ship; when I returned I found him there; I was on shore when the squadron came; as it came from the inner road, there was great rejoicing, with salutes and illuminations; heard the universal expression of contempt for Coe's perfidy.

Americans and Englishmen, as well as natives, used the word "pimp" (in Spanish) as applied to Com. Coe. Capt. Turner, commander of a brig in Coe's squadron, came on shore. I was informed by the President of the Board of English Merchants at Buenos Ayres, that he met Capt. Turner as he landed, who told him that Com. Coe was on board, and that he (Turner) had brought a letter from Coe to the Governor.

Counsel objected to the evidence, on the ground that it was double hearsay.

Witness proceeded—The whole squadron came over during the day. On the second day after, the legislative branch of the government passed a vote of thanks to the Governor of Brazil for his success in getting over the squadron of the enemy, and appropriated twenty-five millions of paper dollars to enable him to get possession of the army; and in the speeches that were made it was suggested that the same means be employed as with the navy. When I returned on board the Jamestown, I met Commodore Coe in the cabin; he advanced to speak to me, but I declined knowing him, and passed on to the inner cabin. I told Capt. Downing of the state of feeling on shore, and that I regretted to see Coe on board the ship. When about to leave, I met Lieut. Page, of the Water Witch, on the quarter deck, who told me that—

Counsel again insisted that hearsay evidence should not be introduced, and presented his objections in writing.

The court room was cleared for deliberation by the board.

On re-opening, counsel for Capt. Downing having objected to the admission, as evidence, of any statements which Dr. Folts might have heard from Capt Turner, not in the presence of Capt. Downing, and also of any conversation had with Lieut. Page, under like circumstances, the court, through its Judge Advocate, announced its decision that it would rule out all evidence that was clearly hearsay, but would admit the relation of all facts and circumstances upon which any reasonable inference or presumption might be founded in regard to the subject in dispute.

The hour of 3 P. M. having arrived, it was agreed that Dr. Folts should be no further examined, and the Court adjourned till 10 o'clock to-morrow, (Friday.)

TELEGRAPHIC.

THE JUDGE ADVOCATE CHARGED WITH INCOMPETENCY—PROSPECTS OF A BREAK-UP.

PHILADELPHIA, July 7, 1854.

The court martial in Captain Downing's case was in session six hours to-day, but made no progress, in consequence of the Judge Advocate (Peck) not being prepared with a proper record of the previous session. The record was re-copied, and the Court directed the following to be entered as the record of this day's session:—"The Court met pursuant to adjournment, but in consequence of the Judge Advocate not being prepared with his minutes, a recess was had to enable him to make up his record, which being read, the Court adjourned."

Captain Crabb openly charged the Judge Advocate with incompetency. The Court room was then cleared for a private session, concerning the delays imposed upon the Court.

The Susquehanna Railroad Disaster.

ADDITIONAL PARTICULARS—MORE DEATHS—CONDITION OF THE WOUNDED, ETC.

[From the Baltimore Sun, July 7.]

The terrible calamity which occurred on the Susquehanna Railroad on Tuesday afternoon, full details of which appeared in the *Sun* of yesterday, still constitutes the engrossing topic of conversation. The reported destruction of human life, as well as the character and the number of the wounded, instead of being exaggerated as some persons supposed, have been exceeded by the truthful details of the occurrence, whilst the consequences to the afflicted families of the injured parties will be experienced for years. A great portion of these are of the humbler walks of life, and relied upon the labor of their relatives for a comfortable subsistence; now, their principal support has been suddenly removed, and they will feel much more the afflicting bereavement.

Upon careful inquiry yesterday more facts have been obtained, which are here given:

Thomas O'Neil, mentioned yesterday under the head of wounded, sustained severe injury on his side, whilst one of his legs was so horribly crushed as to require amputation, but he has since died. He is aged 22 years, and unmarried. He came from Cumberland, where he resided, for the purpose of visiting his sister, and was at the house of a relative on York avenue.

The funeral of Charles C. P. Boyd, aged 27 years, took place yesterday morning, from his late residence, and was largely attended. Boyd was a single man, and the principal support of a widowed mother, whose afflictions, doubtless, are more weighty and difficult of forbearance than any other sufferer. It appears that about two years since she lost one of her daughters by fire, an affliction which resulted in the insanity of her second daughter. Six weeks ago her son Nicholas died of consumption, and whilst recording the disaster which caused the death of Charles Boyd, another sister has gone perfectly crazy, and is now in charge of the male relatives of the family.

Nathaniel Parsons, Esq., Justice of the Peace for Baltimore county, held an inquest on Wednesday, at Hampden village, four miles from the city, on the Falls Road, over the body of James Starr, who was fatally injured in the groin. The verdict of the jury was that he came to his death by being crushed between the cars attached to the trains of the Baltimore and Susquehanna Railroad Company coming in collision with each other, caused by the negligence of the superintendent of the said road. The deceased was about 22 years old, a plasterer by trade, a hard working man, and the support of a widowed mother and aunt.

Mr. John Scott, the conductor of the excursion train, had his right thigh broken, and also the tibia of his right leg. There is also much contusion in this limb. His left thigh suffered a compound comminuted fracture, and is very much mangled. Drs. V. C. Secord and Bode set and dressed his limbs on the night of the accident, and are still in attendance. Mr. Scott is doing very well, under the circumstances, and there is every reason to hope that amputation will not be necessary.

Wm. Steinhagen, of Powhattan, had his left thigh and leg broken, and is now lying in a precarious condition at the house of his brother-in-law, Mr. Samuel Getty, of Hampden village.

We also learn that a German, whose name has not yet been ascertained, died on Thursday at Mechanicsville, a few miles from the city, in consequence of injuries received.

George Duffield, who was killed, was a member of the Independent Order of Odd Fellows, and was buried in a very respectable manner by the Jefferson Lodge. His remains had first been conveyed to the Hall on Gay street.

Isaac Johnson, janitor of the High School building, who had both thighs crushed, is lying in a very dangerous condition, with slight probability of recovering.

Madison Jeffers is supposed to be slightly improving.

Mr. John F. Sellers, St. Paul street, was rather easier during yesterday than previously. His nervous system was much affected at first.

James B. Wampler is lying in a very critical condition. One of his legs is broken and crushed, collar bone broken, and the flesh torn off the inside of a finger.

Of the list published yesterday of those who had been received at the Infirmary, eleven in number, it is gratifying to state, that with a single exception, all are doing remarkably well. Patrick Fitzgerald, however, is dangerous, and the probability is that he will not recover.

Yesterday evening, Edward Myers, a watchman of the southern district, was brought in. He is about forty years of age, has a family, and is very severely bruised, his right eye badly injured, and two ribs fractured very badly.

Michael Graham, a shoemaker, aged twenty one years, was also brought in during the morning. He received a scalp wound, and his ankle is much contused.

We have been careful in reporting the number of deaths, which thus far amount to thirty-one, viz.: twenty-eight reported yesterday, and three additional to-day.

TELEGRAPHIC.

BALTIMORE, July 7, 1854.

Up to the present time there have been thirty-two deaths from the late disaster on the Susquehanna Railroad, and there are three or four more persons in a doubtful condition.

A warrant has been issued for the arrest of Mr. Parks Winchester, the superintendent of the road.

It is reported that Mr. Winchester has resigned his office this morning.

The accident is now attributed mainly to the recent removal of the former competent and experienced President and Superintendent by political proscription, and the appointment of inefficient and inexperienced successors of the right political stripe.

Theatres and Exhibitions.

BROADWAY THEATRE.—This evening Mrs. B. Williams appears for the last time. She will play in two pieces—the drama of "Dick, the Newsboy," and in the new burletta of "Crossing the Atlantic." The farce of the "Rendezvous" will conclude the entertainments. This is a very good bill, and considering that Mrs. Williams appears for the last time, no doubt the house will be crowded.

BOWERY THEATRE.—The programme of amusement for this evening cannot fail to draw a full house. "Lucille," with Miss Ellen Gray and Mr. Goodall in the principal characters, will commence the entertainments. Miss Hiffert and Mr. Dunn will sing a duet; dancing by Miss Wells, and Mad. Olinza will ascend from the stage to the gallery on the tight rope. "The Floating Beacon" will conclude the performances.

NIBLO'S GARDEN.—Mad. Anna Thillon, the English cantatrice, will appear for the second time, this evening, in Balfe's opera of "The Enchantress," in the character of Stella, and Mr. Fraser as Don Silvio. The other characters will be filled by eminent artists. The Ravels will appear on Monday evening.

NATIONAL THEATRE.—Yankee Locke, the comedian, takes his benefit to-night. The pieces are the "Flying Dutchman," the comic drama of the "Yankee Duellist," and the "Chieftains of Churubusco." Herr Cline will dance on the tight rope. On Monday evening the door keepers take their benefit, when it is hoped the dramatic public will remember them.

AMERICAN MUSEUM.—The moral drama of "Rosina Meadows" is so much admired, and draws so well, that the manager of this very prosperous establishment announces that it will be played both in the afternoon and evening of to-day.

HIPPODROME.—The light and very amusing performances which are given every afternoon and evening at this very popular resort, attract large and fashionable audiences. The equestrian and other exercises for this evening are such as cannot fail to please the visitors.

CHRISTY'S MINSTRELS.—This old and favorite band still clings to the simple negro minstrelsy by which the proprietor made a fortune. A fine bill for this evening.

WOOD'S MINSTRELS.—The same amusing performances of negro minstrelsy and the burletta of "Black Douglas" are again announced for this evening.

BUCKLEY'S SERENADERS.—The burlesque opera of "Cinderella" continues to draw large audiences, who give evidence of their pleasure by repeated cheers.

Mrs. Barrow has been playing her new drama of "Genevieve, or the Reign of Terror," at Cincinnati, with great success. The Press in that city pronounce it a piece of great merit and interest.

Poor Shepard, the actor, who lost his life by the burning of the National Theatre, Philadelphia, was engaged by Manager Purdy, of the National Theatre of this city, for the coming season, and would have commenced his engagement in a couple of weeks.

RESIGN