MPORTANT RAILROAD MOVEMENT.

Action of the New York Legislature on Railroad Accidents.

Interesting Report of the Special Committee.

die., die., die. The following report of the special committee of the New York Legislature was submitted to that body on

NEW RAILROAD LAW,

Wednesday, the 15th inst :-REPORT

REPORT

OF THE COMMITTER APPOINTED TO INQUIRE INTO
THE CAUSES OF ACCIDENTS UPON RAILROADS, AND
TO REFORT A BILL THAT MAY PREVENT THE SAME.
Mr. William Taylor, from the committee appointed nader the following presemble and resolution, passed May
26, 1853, to wit:—
"Whereas the numerous fatal accidents upon railroads, by
which may valuable lives have been destroyed, call for such
logal enactments as will best tend to secure the safety of the
lives and limbs of persons travelling upon or engaged in the
cenducting of said reads:
"Resolved, That a committee of seven be appointed, whose

endesides of six econsists of some as appaired, where Revelved the account to the season with the local promitive delay, such measures as in their judement of a measure shall be a season of the seas

does by persons being run over by the driving of one train at a reckless, or at least careloss, rate of speed past another train when the same is receiving or discharging its passengers at some station.

All said companies should compel all passengers to enter and leave the cars at all times from the side corresponding to the exterior rail of the track, and to see that no train left any etation when another is receiving or discharging passengers, until time is given for the ignorant and inconsiderate to be beyond the reach of harm. It should be the duty of every company to take all the precaution that can be secured; and the persons whose duty it is to warn passengers to keep clear of the track, should do their duty in a less slovenly and careless manner than it is now often performed. The laws of the State punish with great severity the individual who places upon any railroad any obstruction designed to injure or upset the engine or cars. This law cas far less regard to the property injured than to the lives pat is jeopardy. The turpitude of the crime is such that it is not of frequent occurrence, but we would ask if the person who wantonly injures or attempts as injury to describe the engine or cars. This law day far less smot of frequent occurrence, but we would ask if the person who wantonly injures or attempts as injury to describe of the track of the track of the received of the track and much property destroyed; fortunately no lives were lost, although some limbs were broken. For the animals so killed, the companies were forced to pay. Ought eartie to be tune allowed for any upon railroads, endangering the lives of passengers and those engaged in the dates of the train of the same, which the suggestion will commend itself to the good sense of all that believe that the precavation of human life, while engaged in the security of travel, and these accidents be of less frequent occurrence? The

therefore, a subject of too grave a character, of too much importance to the community, to subject it to hasy or partial legislation, or so interfere in the managing of the police of the read as would increase rather than prevent sceldents. Regarding railroad corporations in the name light as we do banks or other institutions, the chief object of the stockholders being to make money, and of directors so to manage that large dividends will be the result, it must be evident that they are no less anxious than are the public to prevent all accidents, at least all such as tend to diminish the profits upon their reads. It is futile to suppose that they are careless as to the amount of capital invested in their roads, and that they do not shive to work them to be best paying advantage. It is, fortunately for the interests of all companies, to seek for the safety of the passenger. Interest, and duty, and safety, happily go in the same direction. But while it is the interest of the company to supply the best men they can secure for the various duties awageed and while we would by no means desire to serven them for the safety of the passenger. Interest, and duty, and safety, happily go in the same direction. But while it is the interest of the company to supply the best men they can secure for the various duties awageed and while we would by no means desire to serven them for the safety of management and the read and the secure of the company continued to the same and proper rules which they may prescribe for the guidance of such employes, it is due, we think to the public, that goes inatention to, or violations of duty by sump oyes, should be punished. Han engine is switched off the track a train destroyed cars overtured and property destroyed all that the company can do it to dismiss the offender. To some persons this would be not a slight punishment; to others it would be sens whether whenever human life has been put in jeopa dy by the violation of the anowa and prectable rules of the committee, which would, in the op

H CASE H CASE RUSSELL SMITH, GEO V. HOYLE, WILLIAM CARY,

AN ACT

FOR THE ENTER SECURITY OF PASSENGERS AND OTHERS TRAYELLING UPON RALLEGADS.
The people of the State of New York, represented in Senate and Assembly, do enact as follows:
Sec. 1. The State Engineer shall be, and is hereby, constituted the State Superintendent of the railroads of this State for the purposes herein mentioned.

Sec. 2. The said superintendent is hereby authorized, and it shall be his duty, whenever he shall deem it mecessary for the public safety or the general welfare, or for the information of the Legislature, to require of any railroad company, in addition to the returns or reports now required to be made to the State Engineer and surveyor by action thirty one of the general railroad act, passed April second, eighteen hundred and fifty, such other reports, returns or information from time to time, as the said superintendent may deem necessary for the public safety; he shall cause to be prepared the necessary forms, and shail direct the manner of making such returns or reports, or of furnishing such information, and fix the period of time within which the same shall be made; and any railroad company which shall neglect or refuse to furnish such terms, reports or information, within the time specified, when required as aforesaid, shall forieit and pay the sum of one thousand dollars for every day during which such company shall as naglect or refuse to furnish the same; and it shall be the duty of the said superintendent whenever he shall fail to obtain the information required, to communicate the facts in relation to such neglect or refused to the Legislature at their next session.

Sec. 3. It shall be la will for any railroad corporation,

said superintendent whenever be shall fail to obtain the information required, to communicate the facts in relation to such neglect or refusal to the Legislature at their next session.

Sec. 3. It shall be lawful for any railroad corporation, for the purpose of regulating the conduct of its officers, employes or servants, and for the more effectual enforcement of its rules and regulations, as well as for the better protection and safety of the public, in addition to the powers granted by section twenty-eight of the general railroad act, passed April 2. 1550, to make such forther by-laws as may be deemed necessary, and from time to time to alter and repost any such by-laws and make others, provided such by-laws shall not be inconsistent with the laws of this State. True copies of all such by-laws, orders, rules and regulations, made under the above powers, shall, within sixty days after the passage of this act, be laid before said superintendent; and every such by-law rule or regulation not so laid before said superintendent, and it shall be lawful for him, to aftirm any such by-law, rule, or regulation, so laid before him, and it shall be lawful for him, to aftirm any such by-laws so affirmed, to impose any such reasonable penalties upon all persons offencing against the same, as such company may think fit, not exceeding one hundred dollars for any non-offence; but all by laws made by such corporation shall be so framed as to allow the justice before whom any penalty in posed thereby may be sought to be recovered, to order a part only of such penalty to be paid, if such justice shall think it.

Sec. 6. If the infraction or non-observance of any such by-laws, rules and regulations affirmed as aforesaid be attended with danger or annoyance to the public, or hindrance to the company in the lawful ness of its railroad, it shall be lawful for the commany summarily to interfere, to obviate or remove such darger, ammoyance or hindrance: and every such person so offencing, and all others aiding or assisting therein, sh

tion of any such by laws, rule, and regulations, it shall be sufficient to prove that a printed copy of the same was so prated up, continued and replaced whenever ob literated or defaced, as soon as conveniently might be.

See 7. It shall be the duty of the said superintendent of railroads to report annually to the Legislature at the commencement of its first session, the condition of every railroad in the State, the condition of its equipage, buildings, machine sheps, and all appurtenances belonging thereto; the several accidents that have occurred upon each road, whether resulting in personal injury or otherwise, the causes of the same, the number of persons killed or injured, the cost to the company, owning or operating every road, of the said accidents, and the sums pard on account of passengers killed or injured; and embodying in said report all such other facts, statistics, or information as he may have obtained, as well as all the processings had by him under the provisions of this act, and to suggest such additional legislation as may be required to secure in a greater degree the public safety and beautiff.

See 8. The raid superintendent, and all persons ap-

act, and to suggest such additional legislation as may be required to secure in a greater degree the public safety and benefit.

See 8 The raid superintendent, and all persons appointed by him under provisions of this act, shall be in all respects achiect to the provisions of the 6th title of chapter 5 of the first part of the revised statutes, so far as the same may be applicable; and said superintendent, or any clerk, or any person appointed by him, who shall directly or indirectly receive any compensation or pay for any services or extra services other than the compensation allowed by the provisions of this act, shall be demed guilty of a misdemeanor.

Sec. 9. All penalties of the cited under the provisions of this act, shall be immediately paid to the tronsurer of the State. The comproller shall suit and accounts for services and expenses of the State engineer, and persons appointed by him, in executing the provisions of this act, which accounts shall be paid on the warrant of the comprinciller out of any money not otherwise apprepriated.

Sec. 10. That in all suits and actions against any railroad corporation for injury arising to any person or properly from any callision or other accident or misadventure, the fact of such collaion, accident, or misadventure shall be taken as full prima facie evidence sufficient to charge the defendants or those in their employment.

Sec. 11. Every action mentioned in the tenth section

to charge the defendants or those in their employment with negligence until they shall show that no negligence has been committed by them or those in their employment.

Sec. 11. Every action mentioned in the tenth section of this act shall be entitled to a preference at the trial or argument thereof, over every other action, at any circuit court, or special torm, or at any general or other term of any court, in which the same may be brought by appeal or otherwise.

Sec. 12. It shall be the duty of every railroad corporation to place some suitable person to take charge and costody of every drawbridge on the line of such railroad. It shall not be lawful for the pers a having charge of such drawbridge to open or suffer the same to be opened, either within affece minutes provious to the time, or until twenty from and after the time appointed for the arrival of each and every train of cars expected or appointed to pass over the same, (unless such trail shall before the expiration of the period almosaid, have passed over the tame, and it shall be the duty of every engineman having charge of any and every ongine approaching any such disabilities of the corosing the same, to stee exticitly the motion of the engine and train under his charge at a distance of at least tweety rods from such drawbridge, and not put the same in motion again until the occasion in charge of such drawbridge shall inform such drawbridge, and not put the same in motion again until the occasion charge of such drawbridge is properly arranged and adjusted for the passage of such drawbridge on the result and train.

Sec. 13. Every drawbridge on any railroad shall be provided with rod and white signals boards aby day, and rod and white signals by night, said boards at least four feet aquare, and once of said bards shall correctly show the conductor of the bridge.

Sec. 15. Ne resilicad company shall employ on their roads or trains any person and conductor, sugisseman, fireman brakeman, awitchman, signal man, figure as not cased to trains any person a

prisormement in the State prison for a term to prisorment in the State prisor need to be lawful for any railroad corporation to ornstruct across the rails or tracks of any other railroad tracks or rails for the purpose of running over the same, locomotives, trains, or cars. Any railroad corporation to offending shall be subject to a fine of not less than one hundred dollars for every day they shall so continue to offend.

ontinue to offend.
Sec. 19. In all cases where one railroad is crossed by continue to offend.

Sec. 19. In all cases where one railroad is crossed by the rails of another company, whether consolidated or an independent corporation, signals similar to those erected at drawbridges shall be errected, with a sufficient number of watchingen to give notice of the approach of any train, when at any time two trains are approaching said crossing. The right to pass over said crossing first shall at all times be in the train running upon the rails of the read first constructed at such crossing. Nor shall it be inwful for the engineer of either train to attempt to pass over such crossing when the appropriate signals are not exhibited by the watchman or signalman.

Sec. 20. It shall not be is wful for any railread corporation to run their trains, (when steam power is used.) without proper signals or gates at all street or read crossings within the limits of any incorporated village, town, or city, over which said cars do pass.

Sec. 21. It shall not be lawful for any railroad company to construct any curve upon the line of their road with a radius of less than five thousand feet at or within a distance of one hundred rods from any drawbridge, tunnel, cut, or other portion of the road, which from its character or position, obstructs the view of such bridge, tunnel, etc., and endangers thereby the lives of passongers or others.

Sec. 22. All sets or vortions of acts inconsistent with

others. Sec. 22. All sets or sortions of acts inconsistent with any of the provisions of this act, shall be, and are here-by, repealed. Sec. 23. This act shall take effect immediately.

King's County Court of Oyer and Terminer. Before Hog. Judge Barenle, and Justices Stilwell and Wright. TRIAL OF BERNARD HAGAN FOR THE MURDER OF

TRIAL OF BERNARD HAGAN FOR THE MURDER OF HIS WIFE.

JUNE 16.—Bernard Hisgam, indicted for the murder of his wife Bridget, was brought up for trial. There appeared to be the least possible interest in regard to it, and but few persons berides the witnesses and everal legal gentlemen were present. The prisoner seemed quite calmand cell possessed when brought into court, although be looked pale and somewhat care sorn, owing probably to his long confinement. He is swidently about interprise persons of a bardworking pensentle inches is haghs, light hair and complexion, and upon the whole presents the appearance of a bardworking pensentle man. He was dressed in a dark frock coat, velvet vest and dark brown pactaloous, and looked quite decent. The crime with which he stands charged, it is alleged was committed on Saturday, the 12th day of February last at his then residence, in the basement of a bouse on the corner of Charles and Tallman streets, in the Fifth ward. The prisoner and his wife, it seems, had lived unhappily to gether and had many differences, resulting in frequent quarrels and fights and on the day in question it is alleged he came home in the day in question it is alleged he came home in the day in question it is alleged he came home in the yard, he draged her forth by the arm into the house, and there inflicted injuries which produced death on the subsequent Sunday.

H. B. Duryes, Eq., District Autorney, and Alex. McCue, assistant, appeared for the prosecution, and A. D. Soore, Eq., on the part of the prisoner.

William Halsey, Peter Debon,

H. B. Duryca, E-q., District Autorney, and Alex. Mc-Cue, assistant, appeared for the prosecution, and A. D. Soref, Eag., on the part of the prisoner.

The following gentlemen were sworn as jurers to try the case:

William Halsey,
Thomas Simmons,
Samuel E. Lott,
J. F. Qurk,
John H. Heas,
Henry D. Hadden,
Joseph Francis,
John H. Voorhees,
James R. Stilwell.

The District Autorney briefly stated the facts of the case, when the following evidence was taken on the part of the procedulon:

Catharine Glenan, aword—Live at the corner of Tallman and Charles street, where I have resided for fifteen months; have known the prisoner since the 9th of August, was acquainted with his wife; they lived in the back basement next to me; she died at two o'clock on Sunday, whon she appeared very weak; she was lying upon a bed, and her hair was matted with blood; her eyes were black and closed; uncovered her bosom, and saw a large black mark; saw blood upon the bedpoet and foot of the bed; there were warfs like llood upon the floor; heard him accusing her of spending money; ahe apploigated, and said she lost it; saw Hagan and wife before I heard these blows; saw him dag her in from the woodhouse by the sim; did not see her between Saturday and Sunday, after they got into the house heard Hagan talking; she never left the room afterwards; up to the time of the Coroner's examination the body laid in bed; on Monday morning Hagan came to my room and called for Am saying Bridget (his wife) wanted to speak with her; she went down, and I went ster; she was very low them done her based the series of the coroner's examination the body laid in bed; on Monday morning Hagan came to my room and called for Am saying Bridget (his wife) wanted to speak with her; she went down, and I went ster; she was very low them done in the series of the form the woodhouse by the same to my room and called for Am saying Bridget (his wife) was not of the house on that day; the entrance to both assembles, occupied by Hagan and myself, was through the rear. by an ent

that I could speak to her. I continued watching for two hours, during which time I made a fire; I heard nothing of Hagan or wife till Sunday morning, before church service, when I sent a newspaper in their room by my daughter, about 2 o'clock the same afternoon I went in and sew Mrs. Hagan; it is very likely a person might fall out of bed and cause these marks on the floor.

John Cockvan, physician and surgeon, sworn—Some time in February isst partially made a post mortem examination of the body; it was lying on a bed in a back basement of a house corner of Taliman and Charles streets. The marks of violence were confined to face and head; no other members of the bedy; face swollen, and had two wound—one inflicted recently, and one old, which had on it a sticking platter (Boots produced, and identified.) Discoloration and wound on face; wound on right eye extending latitudinally. On examining the body, the contents of the chest were found in a natural condition; the belly also, with the exception of the liver, which appeared as if the person drank liquor; the brain was in an astonishingly good condition. The injury was evidently of a very light character, small and trifling. The recent wound was the result of some blunt hastrument. The swelling would be either the result of blows of the fist or boot shown. An instrument was shown to me something like a ship scraper; though it could not have been the weapon with which the wound was infected; the boot? I think was. The cause of her death was a combination of circumstances; no single wound was sufficient to produce death. I think she had been subjected to severe chartisement before which, with neglect, caused death. Probably had she been in the hospital, she might have been attll living.

Cress examination—I judged she had been subjected to chastisement, from the old wound. I don't believe she did from the new wound; a person addicted to Riquor is more subject to fatal consequences than a sober person; this is not the generally received opinion, but it is mine; if

bled.

By the District Attorney—Q Was there any disease produced, of which she died? A. I should say she died of concussion of the brain.

To a Juror—Her liver presented evidences that she was

To a Juror.—Her liver presented evidences that she was a diriking woman.

Josephus Buck, a peliceman of the Second district, sworn.—I went to the house between eight and nine o'clock Menday morning; found the woman birg is a bed under the quilt, and her face in a shocking condition; saw blood upon the ceiling side wall, foot of the bed, and on the bedparts saw no boots there at that time; saw a razor box, which looked as if it had finger marks o' blood upon it, (identified it); saw the boots afterwards; they had blood upon them; saw a bundle of clothes in the woodhouse, which had blood upon them; Mr. Philips discovered the clothes first, the bundle contained a pair of the west and a freek and pieces of calico.

Cross examined.—I examined closely, to make these discoveries.

defining the control of the person of the reached latter. It should be the duty of every company to take all the precaution that can be secured; and the person whose duty it is to warm passengers to keep clear of the track, should be their their control of the control of the

me she fell on an iron furnace, whether it was when I took him to the station house or jail.

Julia Paterson sworn—in February last, I lived in the same house with Hagan; I saw him pulling her from the woodhouse by the arm, she making some resistance, and they went into her own room; he was in his stocking face; the first that attracted my attention was the noise, made by the two; he wanted her out of the woodhouse and she would not come; I occupied the room over Hagan's. I heard some screaming after they get into the room, like the noise of falling, some heavy thing being thrown on the floor; heard the screams only for a short time; a few minutes; I heard nothing more during the evening; I never saw Mrs. Hagan after that; naw him that evening in the yard.

time; a few minutes; I heard nothing more during the evening; I never saw Mrs. Hagan after that; saw him that evening in the yard.

Cross examined—I do not now know Mr. Hagan; I did not see his face that day; I never saw him to know him; heard no words: I heard the noise of falling more than one time; heard the soreaming first and noise afterwards.

Anne Gleenan sworn—I was at home the Saturdy previous to Mrs. Higan's death; heard a noise, and saw Hagan taking her from the woodcouse; don't know whether he had hold of her arm or not; he had when hear the stop; she cried "Anne, for God's sake save me." I saw her about 10 or 11 o'clock next morning; everything seemed tossed about the room; I benede a paper to Hagan, when I looked around and saw her laying down, her eyes closed and black; screetime on Sunday I saw blood upon the bedictothes and pillow; in the evening I saw blood upon the bedictothes and pillow; in the evening I saw blood upon the bened, and also on the fibor, which appeared to have been which up this was on Sunday morning; there was likewise blood upon the wall, which I remarked on Monday monning, I observed no hair; I also saw a sitck of wood with bleed on to.

Cross-examined—I want in on Sunday and prepared some tess and least for her; her husband went to the cleast several times, and got something from somebody that she fell out of bed, I think, on Saturday night, if don't knew what it was; I heard something from somebody that she fell out of bed, I think, on Saturday night, I heard something is something to the total court.

To the cometing a fail that night like lumber; I cut some heir from her lead, and Hagan put a plaster on the wourd.

sound.
To the Court—She talked very little on Sunday; she meased and was vomiting all day.
To the District Attorney—No doctor was sent for on

Sunday.

I byz Stewart sworn-Lives on the corner of Tallman

To the District Attorney—No doctor was sent for on Snaday.

I bra Stewart sworn—Lives on the corper of Tallman and Charles streets back room, second floor; saw Mrs. Hagan after her death next morning.

Jane a cit wart, sworn—Live in the same house with Hagan: on Saturday night I beard, from the room above where Higan lived, the words, "By the holy Jewa I'll cut your throat;" don't know whether it was Hagan's voice or not, it was about 10 o'clock when I returned hame.

Cross examined—There was no light in that room on Saturday night, that I saw; I heard a nesse on the inside, which finduced me to stand still, when I heard the expression.

Mary Brittain, sworn—Resides on the corner of Tallman and Charles streets accord floor; saw Mrs. Hagan on Sunday, about 11 o'clock, in her bed; Hagan and Anne Gleonau were there at the time, he accused his wife of spending money in drinks, she drew the handker, chief from her eyes, and said, "No I dida't, Barnoy; I lost it;" her face looked badly bruised; never saw her drunk; saw him intoxicated several times.

Cross examined—While I was there Mrs. Hagan bagged for a little gin and water; he said he had no money, and I gave thin some; he then were after t.

John K. Mundell, sworn—Am a constable; saw blood on the ceiting and side walls of Hagan's house, on Monday neoning, at 12 o'clock; it looked like fresh blood, in apots about the riss of peas.

BYIDENCE FOR THE DEFENCE.

Michael McGuire, sworn—Have known Hagan for three years; slways found him to be an honest man; that is, I know nothing against him; he is a peaceable, hardworking man, and always pays his way.

By the Blattick Attorney—He is not a hard drinking man; I have seen him drink liquor; he is peaceable and gook humbered.

man; 'have seen him drink liquor; he is pesceable and goes himmored.

William Christian, sworn.—He ve known Hagan three years; has been in my employ for about three years; is industrious, peaceable and honest; have seen him in liquor several times; is a very mild tempered man when in liquor, as harmless as a very would not hurt a child.

Thomas Fields swern.—Had known Hagan about eight years; know nothing bad of his character.

Thomas Fields swern.—Had known Hagan about eight years; know nothing bad of his character.

THURSDAY, June 17.—At the assembling of the court this mounting the trial of Bernard Hasan was proceeded with, and Judge Soper, counsel for the prisoner, recalled one of the witnesses, who testified one that when she went into Hagan's apartment on the Sunday previous to his wite's death, she saked her how she became so disfigured, and she snawered by a fall; witness asked her what she fell on and she replied that she could not see nor say.

To the District Attorney—Thinks she said that he beat her with a boot or shoe, could not tell which; was in the habit of beating his wife regreatedly; I linefered twice in their quarrels; once, about three mouths before her death; hever saw Hagan under the influence of liquor more than two or three times; the last time was on the Friday evening previous; never saw her intoxicated; when I was in the room I saw spots of blood upon the wall, but did not see any upon the ceiling; the blood marks were apparently free.

To Mr. Soper—I was present at the coroner's investigation, but cannot now recollect what I said upon that occasios.

This concluded the evidence and Mr. Saper summed up.

marks were apparently fresh.

To Mr. Soper-1 was present at the coroner's investigation, but cannot now recollect what I said upon that occasion.

This concluded the evidence, and Mr. Seper summed up on the part of the prisoner. He said there was no dispute as to the death of Mrs. Hagan, but he contended that the injuries were inflicted upon her person without premeditated design to destroy life. The only inference which could be drawn from the svidence was that they had a quarrel, and a blow might have been struck in the heat of pession. The testimony of the physician, however, distinctly proved that the wound was of a nature too alght to cause death, and his opinion was that she died of concussion of the brain, produced by a combination of circumstances, not the least of which was, that the deceased had been addicted to drinking. It was likewise shown that the wound was not inflicted with an instrument which could be denominated a dangerous weapon, and therefore there could have been no intento hill As to the exact article with which the blow was struck, the evidence was some what conflicting. It might have been either a boot or a slate; and it was possible that she died of the effects of a fall from the bed, upon the floor. The councel theo weat into a detailed review of the testimony, and concluded his addees by adverting to the good character the prisoner had always borne and contended that this fact should also bave great weight with a jury.

Alexander McCue, Eeq. Assistant District Attorney, summed up on the part of the present was no dispute as to the death, or the causes, except so far as related to the vicknes used to a Salurday or Sunday morning. The conic restrees at the order to sunday morning. The

the violence inflicted upon the wife of the prisoner was a sextreme as to cause death. There was no dispute as to the death, or the causes, except so far as related to the violence used on Saturday or Sunday morning. The only pretence set up on the part of the defence, was that is he died of concursion of the brain, produced by falling from the bed, which was not sustained by the testimony. It might be true that she had been in the habit of druking liquor, yet there was no direct evidence presented to that effect and he hold that the whole of the testimony adduced went to show that she died of the effects of violence, unflicted by her bushand. He referred to the boost, the blood upon the bed, foor and ceiling, all of which went to prove that violence and been committed, and concluded by arging the o avoiding of the prisoner of murder, as alleged in the indictment.

Jurge Farendo, in charging the jury, said that the indictment was for murder, under which a conviction might be bad for murder or manslanginer, according to the evidence. The statute defined murder, which was the killing of a horem being, with premediated design; and second, by committing homicide with ne object or intest weakever, which was owing to a deprayed mind and reckloss disposition. It would be for the jury to determine whether the svicence brought it within either of these two clauses. The bearing had not been seen by any person, but blows were heard which it was alleged had been inflicted by her hurband. Whether it was consistent with the state of her person to suppose that her death was caused by injuries sustained by falling from a ben, was likewise the drity of the jury to determine. He explained the law in regard to all the points in the case, and the jury referred in charge of an office:

After an absence of nearly an hour, the jury re-entered court, with a verdict of guilty of manelaughter in the second degree; whereupon the prisoner was sentenced to the Sixte prison for the term of seven years, and the court adjourned.

Superior Court—Part 2.

Refore Hon. Judge Paine.

RAILROAD COLLISION.

JUNE 15.—Denici W. Whitney vs. The Hudson River Railroad Company.—This was an action brought by the above plaintiff against the defendants, for injuries sustained by the forrow, in consequence of a collision on the studeon River Railroad on the 4th day of December, 1861 near Croton, in Westchaster county, by which accident the plaintiff's ribs were alleged to have been broken or fractured, and his body otherwise injured and bruised. Pamages are laid at \$6,000. It was contended by his coursel Missess. Indimadge and Lathrop, that the plaintiff was permanently injured for life in consequence of the accident, and that the defendants were guilty of great negligence, which resulted in the collision. For the defence it was set up that the injuries were trilling, but exaggerated for the purpose of exterting from the company more damages than their nature entitled the plaintiff to receive. The cause was tried once before, when the jury diagreed.

Juny 16.—The case was resumed this morning, and the jury returned a verdict for plaintiff, \$2,500.

Superior Court—Part First.

Before Hou Judge Boswerth

JUNE 16 — Jones A. Howy and others on The American
incurence Company — This was an action on a policy of
memorace against fire effected on the plaintiff's oil factory
of Williams burg, and which was subsequently Jestroyed
of fire Verdiot for plaintiffs \$2,057, the amount claimed,
rich interven.

FINANCIAL AND COMMERCIAL

TEURSDAY, June 16-6 P. M.
The market opened heavy this morning. With one or two exceptions, prices were all lower than at the close yesterday. At the first board to-day, Canton Co. dechied & per sent; New Jersey Zine, &; Nicaragua Tran-ait, &: Cumburland Co., &; Eric Railroad, &; Hudson River Hailroad, 14. Reading Railroad advanced 34 per cent; Parker Vein, 14. There were some large transactions in Micoragus Transit and Camberland Coal, both of which deckned under the pressure of stock offered, Railrand bonds were pretty active. Eric bonds, 1862, fell off M per cent. There was no change in any other class-Back stocks are occasionally sold at the board in small lots, without any material variation in the market vanis. At the second board there was a better reeling among speculators, and better prices were obtained.

The sales at the Mining Board to-day were as follows:

1,000 chares Ulster Lead, 234 200 chs. McCollock Gold, 534 200 dc. Late Superior 25 de. Morris Conest. 7 Mining Co..... 534 500 de Minneral Capper 3 20s do. Leba Superior
Mising Co..... 514 500 do Mineral Cappor 3
There were sales of the McCallook Gold and Cappor

stock this afternoon, at it per cent, being an advance of I per cont since yesterday. In out week it will some 10

The Bank of North America has declared a semi-annua idens of three and a half per cent; the Providence and Worcester Railroad Company three per cent for

The offerings for the \$3,000,000 loan of the Illinois Central Railroad Company, amounted to nearly five mil-lions of collars, and the bids ranged from par to five and

a half per cent premium.

The steamship Asia, from Liverpool, does not bring anything of importance in the way of financial and commorcial advices. Quotations for cotton remained un-changed, with a moderate, steady business. There had been an advance in wheat, while other breadstuffs were firm at previous quotations. The London Times of the 3d

firm at previous quotations. The London Tones of the 31 inst. says:—

The speculative operations carried on yesterday and this merning in connection with the raising of the Bank rate of discount, caused a revival of the wish that that establishment would follow the true business course of obaging from day to day, such rate as the condition of the money markst may warrant, and discontinue the practice of making sudden armouncements, which, although they have little real significance are at all times calculated to create excitement and disturb the value of property. The rate of discount now charged by the Bank is the highest rate that has prevaited for marily diveyours. On the 24 of November 1848 it was refuned from 335 per cent to 3 per cent, at no below which it has remarked ever since. Consols were then 86, and the bottom in the Bank £13,400,000.

The receipts at the office of the Assistant Treasurer of

The receipts at the office of the Assistant Treasurer of this port to day amounted to \$116,105 44; payments, \$131;650-balance, \$7 654,239 91.

The North Carolina Copper Company has thus far proved

one of the most productive in the country. It is esti-mated that, with sufficient force, full fifty tons of ore can be mined every twenty-four hours. About one hunired men are now at work, and the product mustgive immuess dividends. The ore obtained thus far has been merely from the shafts. From this we can form some idea of that the production will be when the mine has been fully constructed and placed in thorough working order.

The earnings of the Obio and Pennsylvania Railroad

Company, for the month of May, in each of the past two years, were as annexed:-

When the other western connections of this road are completed, the increase will exceed even this amount

great as it is.

The Galena Jeffersonian, of the 2d inst., furnishes a very encouraging statement of the increase of the lead trade during the present year. The statements, we have reason to know, are authentic. The high price of lead, and experience of the uncertainty of gold mining, have stopped the rage for migration to California, and comparatively few persons have left the mines this sesson Others bave gone to work in the mines, and the result has been an increase of 68,104 pigs, compared with the ship ments of the same time last year. The following is the

Dubuque 17,052 We learn that the lower mines in Missouri are employ-

ing all the hards that can be obtained, and with an in-crease of mineral. The high price of lead has induced many persons to engage in mining, instead of continuing their ordinary pursuits, and by the end of the year the production will be materially increased. The Boston Journal of the 14th inst. says:—"Copper

mining stocks sold with more freedom. Copper Falls, Forest and Toltec, were most prominent, and show higher dent of their intrinsic value. No letters have been re-ceived recently in regard to the Forest, but these who are best informed continue to be sanguine in regard to are best informed continue to be sanguins in regard to its merits, and believe it will become a good dividend paying mine. Copper Falls is spoken of as beyond a doubt, and a dividend, during the year 1854, is counted upon as quite certain. Toltee is still according, and was decidedly upward in its tendency at both boards. We refer to these stocks as they are received by parties in the street, who have faith in copper mining enterprises; and although we have been disposed to think that too much "steam" was generated in the temporary excitement which prevailed recently, we have nevertheless always expressed faith in the success of many of the companies started. Copper mining cannot be tested in a month or a year. It is a work of time and the value of this or that mine, independent of speculative prices, cannot be calculated with any accuracy. While, therefore, we could not argue anything particularly favorable to intrinsic merits, from the inflation of prices which adscriminate and reckless speculation produced, we can draw no unfavorable conclusions from the reaction which was insvitable."

A company was organized under the general corporation law about the first of last February, to construct a railroad from Utica to Clayton, on the river St. Lawrence, a distance of about one hundred miles. The preliminary surveys, preparatory to the location, will be completed ed soop. The estimated cost of the road is between two and three millions of dollars; but it is almost invariably the case that the actual cost of railroads greatly exceeds the first estimates. Those interested in the project say that something like one million dollars have already been subscribed. By an act of the Legislature, passed on the 27th of May last, the city of Utica was authorised to "take stock in the Black River and Utica Railroad, and to sell its bonds to provide for the payment thereof;" and on Monday last, pursuant to the provisions of said act, the question was submitted to the tax paying voters of the city, whether the city would take stock to an amount not exceeding two hundred and fifty thousand dellars. Almost the entire vote was in favor of the city's taking the stock. The act authorizing the issue of the city bonds exceeding seven per cent per annum, for a period not ex-oceding twenty years, and that the bands shall not be disposed of for less than par. It is proposed to put about one third part of the road, commencing at Uties, under contract within the next two months. Mr. Theodore S. Faxton, of Utica, late President of the New York, Albany and Boffalo Telegraph Company, is President of the corporation; Mr. E. G. Merrick, of Clayton, the wealthiest citizen of Jefferson country, is Vice President, and Mr. D. C. Jerme is Chief Engineer. The Harvey Steel and Iron Company is the name of an

association organized under the general manufacturing law of this State, last year, by the election of Eugene Bogart, Esq., President; James B. Oliver, Esq., Vice President; J. W. Harvey, Chief Engineer; E. R. Billings, Treasurer and Secretary. The Board of Trustees is composed of Eugene Bogart, Edwin Hoyt, John A. Davenport, Wm. Rider, James D. Oliver, Tarrant Putnam, Samuel Loru, T. F. Secor, and T. W. Harvey. The company commenced operations in the early part of June, 1852, with a capital of \$1,000 000, divided into 100,000 shares of stock, the par value of which is \$10 per share. The company own fourteen acros and a half of land at Mot. Haven, im mediately adjoining Harlem bridge, with a water front upon the Harlem river of one thousand and sixty-five feet, with a sufficient depth of water for the largest class of vessels, affording a size for the location of iron and steel works, unequalled by any other. The company also holds a lease upon six lots of land, with the privilege of purchase, situated to the east of the railroad, adjoining and opposite the site just described, at Mott Haven; thes lots are occupied by the furnaces and steel works in successful operation, and they are now erecting a large convesting furnace and other improvements, which are near, ly completed, enhancing the value of the property, which otherwise has advanced, from the great increase of population in that neighborhood, to double the amount required by the terms of the lease. The company also owns valuable forge property at Canasa, Connecticut, where the larger portion of its from is now made: there is an active market in that vicinity for steel and fron, suitable for the higher railroad and mechanical purposes, at bet ter prices than any other American and imported iron will command. The mining rights of the company include eight farms

in the town of South East, Putnam county, in this State From the published results of the investigations made by ing State Geologist, in 1847-8, a marked pre-eminence was given to these mines over all others knewn upon any part of the globe. It was well known in that neighborhood some fifty or sixty years ago, that an excellent iron ore ed existed there, which was deemed of such importance as to pay for transporting the ore, in some instances, for fifty or sixty miles, on the backs of myles to the former. the whole population became so impressed with the value.

that even to this day many farmers have specimes of the trems.

Second with great care for specime uses. Some thirty or folly pears since, wood for observed became second in that

vicinity; the unlearned miners supposed, for some that the vein had nearly run out, and it became g homas W. Harvey of this city, a practical mis and a gentleman well known, of great experience and skill in the manufacture of iron, commenced a geological survey of this whole region about the period of the State Geologist's report, which resulted in not only confirming the various opinions of the superiority of this ore over all others, but he also discovered eight separate outcrops, together with a perailel velo of the same, specimens of which having been annalyzed, proved to be the richest and most valuable description for the manufacture of the finer qualities of iron and steel—all located within a short distance of the continued line of the Harlom Rasroad, and within fifty miles of New York; and every subsequent investigation has served to establish the fact more fully, that these mines not only afford an inexhausti-ble supply of ore, but that its metallic richness has never been surpassed in this or any other country-not even excepting the renowned Dannamora, which has Litherto steed first in fame and quality.

The chemical composition of the Swedish or Dana.

more are is 60 per cent peroxide, and 31 per cent protoxide of iron; while that of the Harvey Company rickle 98 per cent protoxice of iron to 2 per cent of siles. Even the surface ore, from the poorest outcrop, yields 86

The comeany has had one great difficulty to surmous! in the establishment of this enterprise, viz, the preju-dice existing generally against all American steel. This objection has bereforer been well founded, from the fact that a suitable and uniform character of ores could not hitherto be obtained, and hence the previously variable character of all American etcel. The Harvey company have been able, from the great purity and superiority of its ores, combined with the best scientific skill in their peanufacture, to achieve and retain a pre-eminence over the productions of all competitors. Its steel has been tested, and is now used with entire satisfaction by the following, among various other individuals and manufacturing companies:—Erg'e Cutlery Company; Beardsley Soythe Cempany; Winsted Manufacturing Company; and John Boyd, of Winsted; Scoville Manufacturing Company; Erown & Brothers, of Waterbury: Dewill Scythe Company; Stovens' Hoe Company; Plymouth Hoe Company; Nauga-tuck Hoe Company; Hartford Tin Company; Taunton Scythe Company, &c., &c. Many of the above companies are using this steel for all their purposes, and ethers for press dies and hammer dies, which require the severes tests. Mr. Conover, of Pleacant Valley, Barkhamsted, writes.—"I have used your steel for axes, adnes, chisels, &c., &c., and prenounce it better than any Reglish stee I ever saw, and hereafter will use no other steel." Mr. White, agent of the New York Iron Bridge Company, and several other gentlemen engaged in manufacturing ma-chinery, &c., upon an extensive scale, testify in the atrongest terms to the superiority of iron and steel made from the ore of this company.

The new de-oxidizing furnace invented by Gen. Harvey.

and conveyed to this company for its exclusive bene is now in successful operation. By this process, a sav-ing upon the production of the best description of harm-mered bars can be made of about fifty dollars per tenthe cost, therefore, of making iron and steel, being thus materially reduced, is not only calculated to bring about a revolution in the whole iron interest of the country, but it places this country for beyond the reach of any tariff; and if the laws of nature remain unrepealed, the Harvey Steel and Iron Cempany, with its sixty millions of one above the water level, and its unfathomable quantity below, will soon be able to make itself felt in the com of the country, by the export of its iron and steel, and its

ore, to Europe.

The company still retains in its possession twomater thousand chares of the capital stock, which at the pre-sent par value, is equal to \$200,000. A portion of this may be issued, to enable the company to extend its works and develope its mines and manufactures more rapidly. Thus far its operations have been upon a lim and it may be deemed advisable to make its reserve capital available, for the purpose of increasing its facility

ties for manufacturing.	
Stock Ex	change.
\$2500 US 6's '67.p &c 120%	100 Cumb CoalCe.be0 50
38060 do 120%	200 do 495
14500 U S 6's '68 120%	100 do 493
2000 U S 6's '62 115	400 do 49)
1000 Califor 7's 70., 90	1150 do60 40)
10000 E RR2d mtg bs 100%	100 L Island RR 60 36
7000 Erie Inc bds 9936	200 do b90 869
7000 E RR en ba '71. 00%	25 Parker Coal Co 85)
1000 E RR en bs '62, 101%	150 do 85
2600 do 10134	050 do 25
3000 Hud RR new bs 91%	50 40 85
10000 do 91%	100 de b60 86
50 shs Merch'ts Bak 134	150 do860 86
234 Def & Huds Can 1 122	10 do 36
15 Mercantile Bank 125	300 Eric Railroad . s30 87
5 St Nicholas Bank 100%	100 do 87
300 N O Cal &Bkg Co. 115	200 do 87
8 Centinen'l InaCo. 10634	600 do 87
20 Crystal Palacs., 148	250 de860 87
50 Canton Co600 3034	50 dob20 87
100 do83 3034	100 dob60 87
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	BOARD.
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\$ECOND BOARD.

\$2000 Califor'a 7'a '70' 91
2000 E RR con bs '71 99's 100 do ... b30
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200 Canton Co ... 30's 500 Reading RR ...
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100 do ... b35 30's 155 Eric RR ...
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100 do ... b30 30's 100 Harlers RR ...
5 N Y & N H RR ... 109

CITY TRADE REPORT.

CITY TRADE REPORT.

THURSDAY, June 16-6 P. M.

ASIDS —There were 200 bbls. taken, at \$4 75 for poin, and \$5 12% for pearls, per 100 lbs.

BIRADETIFES — Flour was in very brisk request. at enhanced rates; the sales amounted to 12,000 abls.—sour. at \$5 87% a \$4 66% superfine No. 2, at \$4 06% a \$4 25; ord nary to choice State, at \$4 66% a \$4 75; mixed to fance Western, at \$4 66% a \$4 81% and other grades at proportionate prices. Conadism was quist, but succept. The transactions in Southern comprised 2,900 bbls, at former quotations. We have no forther sales of ryc flour or comment to report. Wheat was less active, but tended upwards; the sales embraced 2,600 bushels. Western white, at \$1 19; and 5,000 Canadism do., in bond, at \$118. Ryc, barley, and cats were essentially unchanged. Corn favored buyers; the sales did not ercost \$0,000 bushels.—at \$60. a 50c. for damaged; 60c. a 62c. for mixed and white Southern; 61% a 62% for round white; 62% no 64%c, for mixed western; 64%c. a 65%c. for reend yellow; and 65%c. a 66%c., for Jersey and Southern do., pr bushel.

Covern.—But 180 bags Rio changed hands, at 9%c. a 9%c. per lb.

Covern.—The Asia's advices are more satisfactory them.

Southern do., per bushes, so changed hands, at 9%c. corrib.
Corrow.—But 180 bags Rio changed hands, at 9%c. at 9%c. per 1b.
Corrow.—The Asia's advices are more satisfactory them those per l'acific, but as a feeling of measaineas prevalle, buyers have the advantage, and, to effect sales, holdars must submit to a decline of Man, at which about 1,660 bales were disposed of to day.
Fine Charkets.—About 500 boxes Canton, 40 packs, realized 31 45.
FEUT.—There have been 400 boxes bunch raisias sold, at \$2,70 a \$2.72%.
FEUT.—The laverpool about 10,000 to 15,000 bushess grain were engaged at 5%d., with 3,000 do. wheat at 5%d., in ship's bags. There were 4,000 bbls. flour engaged at 8.9 6d. and 2.000 do. at 1s. 10%d. Cotton was at Md. per 1b. There was nothing new to Havre or London. Rates current to California ranged from 40c. a 50c. The Queen of the Clippers was taking goods at 60c. per foot, measurement. So there a rice were engaged for Rotton-dea at 25%, and 60 de. ashes at 22s 6d. A vessel was chartered for a Nova Scotis port, to load for Hull at 10%d. And a other at \$1. John, N. B., for Hull at 102a 6d.
Hav.—Some 650 bales river were procured, at 60c. a 66c. per 100 lbs.
Hers.—Only 17 bales found purchasers, at 19c. a 20c. per 1b.
LEAD.—There were 500 pigs Ulster county sold, at 3550

Hors—Only 17 bales found purchasers, at 19s. a 20s. per th.

122D.—There were 500 pigs Ulster county sold, at 2552 per 150 lbs.

LME—Rockissas in diwfair demand, at 80c. for common, and 3130 for lump, per bbl. A good inquiry prevailed for Glens Falis, at 88c. a 85c. for masous; and 31 12% for Johna per bbl.

Morason—But 40 hhds. Porto Rico were disposed of, at 29% c. per gallon.

Navat Storks.—Turpentine was very dull, at 24 25 per 280 lbs. Spirits turpentine ruled quiet at 44 at 5c. per gillon. About 500 bbls. common rosin brought, in part, 51 cc.

Ous—We only notice sales of 5,000 gallons Bussed at 6d rates, and 200 baskets olive at 84 12% and 35 12%.

PROVISIONS—Porit was less sought after; the business did not exceed 600 bbl. Western, at 813 for prime, \$15 87% for mess, and \$17 25 a \$17 37% for clear do., bar bbl. Some 300 ptgs. cut mest were sold at previous figures. There were 250 bbls hard obtained at 9% a 10% c. per lb. Herf did not vary much; the sales included 250 bbls at 36 a \$6 87 for country prime, \$6 a \$6 80 for city do., \$8 26 a \$10 12% for country mess, \$12 a \$12 75 for city do. \$11 75 a \$12 50 for repacked Chicago co., and \$14 a \$14 25 for extra do, per bbl. We have no change to notice in butter or cheese.

REE—The sales reached 186 tres., at \$3 37% a \$4 25 per 100 lbs.

Exar—About 100 boxes Castila were taken, at 10% c.

per 100 lbs.
Soar.—About 100 boxes Castila were taken, at 10%c.
For lb.
Tallow.—Sales of 6,500 lbs. were offested, at 9c. a 95/c.

per ib Tonaton. -There were \$0 cases Ohio sued leaf sold on