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NEW ORLEANS, SATURDAY MORNING, NOVEMBER 4, 1854.

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{Vol. XXVIII.—Whole No. 7563.

THE DAILY BEE.

Saturday Morning, November 4, 1854

☞ The Northern Mail failed yesterday from beyond Augusta. Let us see: from New York, papers of the 26th, 27th, 28th and 29th are now due, being four mails; from Philadelphia and Baltimore three mails, and from Charleston, dates of the 29th, 30th and 31st are due—three mails.

SEASONABLE TRUTHS.

Of all the cities in the Union we least expected conservatism from Charleston; for in theory, at least, your South Carolinian is thoroughly radical, and on any question even remotely connected with slavery, he will not tolerate the calmest discussion. With this knowledge of the prevailing tone of public sentiment in that quarter, we were completely taken by surprise on seeing quoted from the Charleston *Evening News*, the following reasonable and just remarks on the effect upon the country of the passage of the Nebraska bill, as demonstrated in the recent elections:

"There never was a complete or more disastrous miscarriage than the Nebraska bill. It has not only blasted every expectation that was originally formed of it, but it has proved to be therefore a positive and unmitigated curse. Instead of giving effect and confirmation to the compromise of 1850, it has blasted that compromise into nothingness. Instead of securing two additional slave States to the Union, it has secured two additional free States. And instead of putting an end to the free soil doctrine, it has given that doctrine a power and respectability which it never possessed before, and which, we believe, it could never have attained through any other medium than that opened by this bill. We do not speak of this in exultation. Most certainly not. There is much in the present aspect of things that we deplore—much that we did our utmost to prevent, by doing our utmost against the passage of the bill. But the responsibility is not with us—our duty has been thoroughly discharged. Able to do nothing more, we can fully turn the battle over to our former opponents of the Virginia school, and without envy or a smile or two at the sight of their chatferoonies vowings before all the stars of high heaven, they'll no'er submit, yet all the while submissive.

From the foregoing paragraph one thing is clear: that a journal published in the hot bed of ultra Southern feeling had the courage and the sagacity to oppose the Nebraska bill. That West was undoubtedly right in the views it took of the project. It saw what others refused, or were unable to see—that the compromise of 1850 would be destroyed by the adoption of the bill; that the opponents of the slavery would rejoice at an opportunity of releasing themselves from the expressed and implied obligations imposed by the adjustment; that they would occupy a strong and safe position, and would say to the South, "you threw the first stone—you voted in mass for a measure to which we objected as a rupture of a compact which had been strengthened by the act of 1850, and you cannot now complain that we have holding faith with those who have violated so solemn a covenant." The Charleston News saw all this in perspective, and so did Harris, of Mississippi, Funtear of North Carolina, Millson of Virginia, and Hunt of Louisiana, but their warning voice was unheard, or unheeded.

It is a curious thing to trace the consequences of this master stroke of the administration. Douglas who, if he did not inaugurate the policy, hewed it into shape and symmetry, and with all the dexterity of an accomplished party leader, forced it upon the reluctant hands of a large portion of the Northern democracy, has been literally extinguished by it. Wherever elections have been held in the North and West, the Nebraska bill has aroused universal indignation, and overwhelmed its supporters with ignominious defeat. Of Iowa, Ohio, Maine, Vermont, Indiana, Connecticut, Rhode Island, Pennsylvania and New Hampshire, not one has ratified the conduct of the administration. All that has been gained by this mischievous act, is to array the anti-slavery element into a formidable organization against Mr. Pierce on the one hand, and the South on the other.

The consequence to the South have been disastrous. As the Charleston News truly says, the time "instead of securing two additional slave States to the Union, has secured two additional free States." Nothing to our mind can be more certain than this fact. There was a hope for Kansas, but Northern enterprise soon stimulated emigration from the free States to a point at which Southern enterprise could not and Kansas will, in due season, have a constitution prohibiting slavery. Nebraska was a hopeless case from the first. So that the South has gained nothing but bitterness and disappointment from Mr. Douglas' beautiful scheme. It is a consolation, however, to reflect that the engineer has been thoroughly hoisted by his own petard.

☞ The Democratic party never had better reason to be proud of its position than now. Its inherent strength was never greater, and it is destined to rise above its present reverses, and to show the Republican and all other reformers its usefulness. *Journal & Times.*

There is a passage in one of DICKE's novels, which is never more jolly than when surrounded by every possible element of discomfort and irritation. The wife of the journal above quoted certainly is the Dickens heroine in this happy sense to that eccentric individual. He is satisfied that the "inherent strength of the Democratic party was never greater, when it has just been beaten 12,000 in Pennsylvania, 40 in Indiana, 35,000 in Pennsylvania, "open" in Ohio, he has an undoubted right to exult and be jolly over the position of his party. The philosopher in Lapsus who extracted sunbeams from cucumbers was not half so profound a wight as the Democratic editor who sees in the utter overthrow of his party proofs of its inherent strength, and of its future progress to certain triumph. His views penetrate far deeper than the ordinary sound sense of such an awful root as Democracy has experienced is a sign of "inherent strength," by a far extension of the principle, the total annihilation of the Democratic party would one unlovely establish its invincibility. "My wound is great, because it is so small," cried a love stricken lover in one of Thompson's tragedies. Then twould be greater, were it none at all," responded a wag from the gallery. This is precisely the case with the Democracy. It is mortally wounded, and therefore is vigorous and healthy, when it dies, it will be robust and full of life and energy.

☞ The present spring like weather, however delightful to our feelings, is most heartily and sincerely execrated by the entire commercial community. The shelves of both the wholesale and retail dealers are overloaded with goods, designed for the season, but winter is backward. Strangers are afraid to enter our city, and commerce suffers terribly. A sharp frost, followed by a genuine cold snap that would render great coats and furs indispensable comforts, would be the greatest of public blessings at the present time. It would annihilate sickness, revive business and bring back hundreds of absentees, and induce our country friends to visit New Orleans in perfect confidence. Oh for a frost!

☞ Some months ago we were promised a New Orleans mail via Nashville. It has never been, if we try through by that route. Where are all the post office agents? *Louisville Journal.*

We don't know. The Louisville and Cincinnati papers come regularly enough to our city by the Nashville route. Why the New Orleans papers should not reach those cities by the same route is a mystery, which we are not competent to solve.

GRAND EXHIBITION OF FIREWORKS.—To-morrow evening a grand exhibition of fireworks will take place on the Place D'Armes for the benefit of the Firemen's Charitable Association. Among the pyrotechnic displays announced, is a brilliant representation of the bombardment and destruction of Somersond. The exhibition will commence at half past seven o'clock

NEW WORK.—We are under obligations to the publishers, BLANCHARD & LEA, through J. B. SEBIN, No. 60 Camp street, for the following new work

Lives of the Queens of England before the Norman Conquest, by Mrs. Matthew Hall. In this excellent production, Mrs. Hall has filled a niche in history, hitherto vacant. Nothing has been more obscure than the details of the Celtic and Anglo-Saxon periods of English history, because they were only to be obtained by patient and laborious explorations of ancient chronicles, and musty and scarcely intelligible records. These obstacles have been overcome by the persevering diligence of Mrs. Hall, and we are now presented for the first time, in a connected form, with the annals of period, fraught with a romantic interest that is rarely perceptible in the history of more modern ages. We recommend this handsome volume to the student with the full confidence that it will inspire lively interest and add greatly to his stock of information.

☞ Very ingeniously contrived counterfeit quarter eagles are in circulation in New York. They are said to be made from a genuine New Orleans Mint dia, stole some years since, and bears "O" under the talons of the eagle. John Torry, Assayer, at New York, has analyzed the coin, and finds that it is made of a casting of pure gold, filled with silver, and probably pattune, to increase the weight. The weight is 66 grains, which is only four light, and the casting of gold weighs 30 1-16 grains. It is therefore worth $11 17 in gold, and 8 cents in silver, or $1.35 in raw material, besides the labor of making. The maker and vendor could not, she related, realize more than $1 each, which would seem too small a profit, except that the counterfeit is so well done that there is little risk of detection.

By Telegraph!

Transmitted to the New Orleans Bee.

[By the National and Southern Lines.]

THREE DAYS LATER FROM EUROPE.

ARRIVAL OF THE ARABIA.

COTTON MARKET QUIET.

Breadstuffs Further Advanced.

MONEY MARKET STRINGENT.

Later from Sebastopol.

BOMBARDMENT COMMENCED.

MENSCHIKOFF REINFORCED.

NEW YORK, Nov. 3.—The Cunard steamer Arabia has arrived here, bringing dates from Liverpool to the 21st of October, three days later than the accounts brought by the Pacific. The following is a summary of her news:

LIVERPOOL, Oct. 21.—The Cotton market have presented a rather active appearance in the early part of the week but since the departure of the Pacific on the 18th instant, the demand has considerably fallen off. The sales of the week embrace only about 46,000 bales, of which 5000 have been taken for speculation and 5000 for export, leaving about 36,000 bales for the trade. Prices close without any change of moment, the quotations of Messrs. Evans & Co. quote as follows: Fair Orleans 6¾d.; Middling Orleans 5¾d.; Fair Uplands 6d.; and Middling Uplands 5½d. ⅌ lb.

The market for Breadstuffs has been in an excited state throughout the week, and prices for all descriptions have steadily tended upward. Flour has largely advanced, and closes at 40s. for Western Canal and 42s. ⅌ bbl. for good Ohio brands. Wheat has advanced 1s. ⅌ 1s. 1d ⅌ 70 lbs. Corn has also improved, the rates closing at 39s. ⅌ quarter for yellow and white alike.

Lard has been in good request, and all qualities have advanced. The closing price is 55s ⅌ cwt.—Other articles of Provisions are without any change of moment.

Rice of all descriptions is considerably higher, and is quoted at 26s. The iron market has been dull.

Money and Trade.

The Money market has been stringent, and Consols have fallen off to 94⅝. United States Stocks are without any material change. The Bullion in the Bank of England has decreased 60,000 pounds sterling during the week.

Trade at Manchester has been dull, and the rates have slightly declined.

GENERAL NEWS.

BOMBARDMENT OF SEBASTOPOL.—The latest advices from Sebastopol state that the Allies had opened their fire upon the city from the heavy artillery at two points, on the 13th of October.

MENSCHIKOFF REINFORCED. A small portion of the Russian troops which had entered the Crimea as a reinforcement of the army at Sebastopol, had succeeded in joining Menschikoff at the north of the city.

PROBABLE REINFORCEMENT OF THE ALLIES.—Omer Pacha has left his army on the Danube for Sebastopol to attend a Council of War, to be held there. It was believed that his army would soon proceed to reinforce the Allies before Sebastopol.

Sailing of the Africa.

NEW YORK, Nov. 1.—Among the passengers in the steamer Africa, which sailed to-day for Liverpool, was Archbishop Hanc, of New Orleans, who is on his way to Rome.

The Africa takes out about one mill n of dollars in specie

Fire in Charleston.

CHARLESTON, Nov. 1.—A fire occurred here yesterday, by which Gilbert's extensive coach factory and machine shop were destroyed. The fire communicated to the Pavilion Hotel, but the injury to that building was slight. The losses are stated at $60,000.

Mails Stopped.

CHARLESTON, Nov. 1.—The difficulty between the Postmaster General and the Directors of the South Carolina Railroad remains unadjusted, and after this date the great Southern and Northern mails will not be carried over that road.

Black Warrior Arrived.

NEW YORK, Nov. 2.—The steamship Black Warrior has arrived here from New Orleans via Havana with dates from the latter city of the 28th Oct.

Mobile Cotton Market.

MOBILE, Nov. 1.—The Cotton market here has been quiet during the past week and the sales reach barely 3,500 bales. Middling closes at 5¾ ⅌ lb.—The receipts of the week are about 2,500 bales. The exports for the same time have been 2,700 bales, and the stock remaining on hand this evening is 50,000 bales.

FURTHER BY THE ARABIA.

Particulars of the War News.

Reported Fall of Sebastopol.

Another Sham Suspected.

CONDITION OF THE ARMIES.

NEW YORK, Nov. 3—The despatch announcing that the bombardment of Sebastopol had been commenced on the 13th inst. was received at London on Friday 30th, and had been forwarded from Vienna. It stated that the fire had been opened upon the city from two hundred pieces of heavy artillery, and it was expected that the place would not be able to hold out more than three or four days.

Rumors had even reached Berlin and Vienna, Paris and London, that Sebastopol had actually fallen. The public were very ready to credit the report, suspecting another fraud, but large stock operations were effected on the faith of the rumor. The government officials were evidently expecting very important intelligence before the 1st of November.

General Canrobert had stated in a despatch to the French Government that he considered the position of the Allies before Sebastopol as impregnable, and that they could be held by 60,000 men in the trenches against a force of 200,000 Russians. A corps of 15,000 Russians were posted near Sebastopol, but it was believed, that they could not long retain their position there.

MENSCHIKOFF'S ARMY.—Prince Menschikoff's private papers which were taken in his carriage at the battle of the Alma, contained a correspondence which implicated several persons connected with the Allies in a number of attacks and occasionally been made.

A RUSSIAN SPY AT ODESSA.—Despatches from Odessa, dated Oct. 4th, state that the Allies had opened their fire upon the city from the heavy artillery at two points, on the 13th of October.

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THE ARCTIC CALAMITY.

Narrative of the Second French Sailor.

The following narrative of the French sailor who was picked up from the wreck of the Arctic, is translated from the Montreal *Minerve*, a French Canadian paper:

My name is Jacomet Francois; I am from a village situated about three leagues distant from St. Malt. I generally employ myself every year in fishing at St. Pierre. I embarked on board the Vesta, to return home, when about noon on the 27th, as I observed no ice on deck, I heard the men who were in charge of the watch, and who were in the fore part of the vessel, sing out—"Leaf left, there is a pilot boating down upon us." I think, to the best of my opinion, that not more than half a minute elapsed before we received the shock. Our ship struck the Arctic on the starboard bow, near the wheel; our forecastle was swept away by the blow.

When we saw this accident, a general confusion ensued, and a man ascending from the hole cried out that the vessel was filling with water, which created a general panic among the passengers and crew. To lower a boat, and precipitate ourselves into it, was the work of a minute, and we proceeded toward the American vessel, which continued its course towards land. Our intention was to save ourselves on board the American vessel, for our idea was that our own vessel go down immediately.—We rowed for some time before we could reach the bow of the vessel, but a wave sent us to a distance again.

We then approached the wheel, and owing to some accident which I cannot explain, the boat was caught in it and upset. I alone was able to catch a rope, and got on the deck of the American vessel, where a general confusion and panic reigned. I soon learned that the vessel was in danger, and I cast my eyes around me to find some means of safety. There were near me about thirty bottles; I got a rope and attached them to my person, but one of them being broken, I soon saw that it would not be possible for me to throw myself into the sea with them; that is why, finding a box near me, I fastened myself on it with strong cords, and cast myself into the sea.

By good luck, there appeared to be, close to the vessel, a floating piece of the wreck, which I seized hold of, and abandoned myself to the mercy of the waves. In company with me on this raft was a young American, of from twenty to twenty-two years of age; this young man died on the morning of the 28th, from the effects of cold and hunger. The cold had taken such a hold of him that it became impossible for him to utter a single word. I took him in my arms and supported his head on my shoulder. When he breathed his last sigh, he gave me such a violent shock that he was near upsetting me into the sea. I attached him to the raft with cords, and I kept him for about twenty hours, at the expiration of which, finding that he was really dead, and apprehending the wait of some large sharks, I threw him into the sea.

After being in the mercy of the waves for a couple of days and nights—that is to say, fifty-two hours—on the 29th, toward ten in the morning, I perceived to the west a sail, which appeared to be approaching me; then, with the small plank which had served me as an oar, I was enabled to make some signals, which did not seem to be noticed by the crew. I continued to swim for another hour, and then became convinced that the vessel was coming directly toward me. This gave me a little courage, for my strength had begun to abandon me. I made a fresh signal, and I saw that they perceived me, for the vessel came straight toward me.

I was hoisted on board, and gave them to understand as well as I could, by signs and a few words of English, that there were to the leeward a great number of persons awaiting help, and the captain accordingly changed his course and steered in that direction. We picked up eleven persons, who had got on floating pieces of wreck, as also, Captain Luce. We then made sail and proceeded to Quebec. It was in this way that I escaped the waves which threatened to engulph me every instant. I was in the sea fifty hours without food or water of any sort, with the exception of one small sailor's biscuit, which my companion in misfortune gave me before he died.

CLINCHERS.—The Lexington *Gazette*, in commenting on the course of the Northern Democracy on the slavery question, and the ridiculous claims set up by their Southern brethren for their exclusive orthodoxy on this subject, makes the following pertinent and forcible remarks. We ask attention to the impregnable logic of the *Gazette*:

"It was a Northern Democrat at whose previous formal bidding the Wilmot Proviso was put. Northern Democrat who first promulgated the doctrine of squatter sovereignty. It was a Northern Democrat with Southern feelings who organized and led the Democratic party in the canvass of '48. It was a Northern Democrat President who approved the Nebraska bill, who dictated its opening the country south of the line of the Missouri Compromise to the Free Soil, and put an effectual bar against the admission of another slave State into the Union. It was a Northern Democrat who rejoiced over the passage of the Nebraska bill, congratulated the Senate in thus establishing the doctrine of squatter sovereignty, and who publicly expressing regret at the defeat of the Clayton proviso to this bill. It is Northern Democratic editors who defend their representatives in their support of this bill, because it contained a provision which made all territory south of it slave territory. And it is the Democratic journal par excellence, the Washington Union, which boldly proclaims that this Nebraska bill does recognize and practically establish the doctrine of squatter sovereignty.

"And in view of these few facts, it might be well for Southern Democratic editors to wash the skirts of their own Northern brethren free from the taint of Abolition, before condemning the same fault in Northern Whigs. In the Soil movements the Democrats appear to have had the honor of leading, while the Whigs only followed. Wilmot came from Northern Democrat, and a Free Soil party upon it. Van Buren can organize and lead that party. Cass can spring the doctrine of squatter sovereignty. Douglas can incorporate it in the Nebraska bill. Pierce can approve the bill because it embodies that doctrine. And the Union can endorse it as a glorious principle. But all the evil that has grown and is yet to grow out of these things is to be charged to the account of the Whig party North."

REPORTING UNDER DIFFICULTIES.—"A reporter of an evening journal of this city," says the Boston Traveler, "learning that the Know Nothing Convention was to be held in Tremont Temple on Wednesday, secreted himself in the baptismal tank to take secret notes of the secret proceedings. An examining committee secured him, and, *lest on the water*, giving the unlucky axes-dropper a more complete introduction to aqua pura than he had enjoyed for years past. At the same Convention another curious individual was found peeping through the iron of the organ pipes. Whether or no the music was the 'let out' to give this latter gentleman a 'blow out,' we have not been able to ascertain."

SHOOTING AFFAIR.—We understand, says the Natchez *Courier*, that yesterday evening about three o'clock, a man by the name of Edward Kerren was shot, in the bar room of the Globe Hotel in this city, by a man named G. W. Thompson, an overseer on one of Dr. Hand's plantations. Kerren was shot with a pistol ball, in the breast below the nipple. The wound is a dangerous one. Thompson was immediately arrested, and is now in jail. The particulars of the affray we have not learned, but judge from what is reported, that liquor was the cause of the difficulty.

ENGLISH RAILWAY CAPITAL.—Herapath's London Railway Journal contains an abstract of a Parliamentary return just laid before which it appears that the amount of capital and loan authorized to be raised for the construction of railways in the United Kingdom at the end of 1853 was £317 005,825, from which must be deduced £5,237,092, being the amount of reductions by subsequent acts in 1853, leaving the total amount to December, 1853, £306,769,733. The amount of capital sanctioned to the end of 1852 was £305,532,636, showing the actual increase of capital authorized during 1853 to be £10,159,375.

Of the £306,769,733 capital and loan authorized previous to the 31st of December, 1853, the sum of £164,724,178 raised is not receivable entitled to receive, any preferential dividend or rate of interest; the sum of £43,527,379 raised is receiving, or entitled to receive, preferential dividend or interest; and the sum of £63,072,956, raised on loans and debentures, at rates of interest varying from 3 to 5 per cent. These together make the total amount raised on shares and loans to the end of 1853, £273,324,516, leaving £33,280,649 which the companies retained power to raise, either by additional shares, new shares, or by loans. The length of railway open at single line on the 31st of December, 1853, was 1,699¾ miles, and at double line 5,987¼ miles; total length open for traffic, 7,686¾ miles. The length of line in course of construction was 3,838¼ miles; the length of line authorized, but which was not commenced on the 31st of December, 1853, was 4,979¾ miles; and the total length authorized, 14,504¾ miles. The total amount of capital raised during 1853 was £9,158,836. The aggregate amount of share capital authorized to be raised is £274,369,929 and of loans, £92,399,799, together £366,769,723.

The length of the line for which the powers for the compulsory purchase of land have been allowed to expire, previous to the 31st of December, 1853, without the exercise of such power, was 2,641 miles out of 3,838 miles. The amount of capital appropriated by Parliament for the construction of the 9,641 miles was £45,437,687.

HORRORS OF THE CHINESE WAR.—A friend has kindly furnished us with an extract from a private letter just received from Dr. Parker, the missionary surgeon of Canton, which will be read with interest. This letter is dated Canton, July 18, 1854, and reads as follows:

"China is at present the theatre of civil war and revolution, and within the last fortnight all sober horrors have been exhibited very near us. On the 6th of July, Fishshan, a town 10 or 12 miles west of Canton, embracing nearly a million of people, fell into the power of the insurgents, and the imperialists have endeavored in vain to recapture it. The smoke by day and fire by night of burning villages have been visible from my terrace. On the 13th instant, the first blood was shed on the north of this city, a few miles distant, if we except that spilt by the wound of the excommunicated, the number of decapitations daily averaging 50 or 60, and for the last year more than 30,000! To-day there has been a second battle in this vicinity—63 insurgents taken prisoners and 100 slain.

"Day before yesterday the insurgents were victorious, and 300 imperialists were killed. It is said some of the captives to-day were brought in on poles, their hands and feet being tied like pigs; others were brought in on the points of sharp bamboos; some have their ears cut off; others are beheaded. The mandarins in the city, at the gates, were placed during these skirmishes; and the flight of women and children, is so difficult to perceive; and from this time to we know not when may become the condition of there is a naval force—British and American—able to protect us against our foes, Alas for Cities!"—*Boston Traveler, Oct. 31.*

CITY INTELLIGENCE.

FIRST DISTRICT.

THE THOUGHTFULLY STREET MURDER—CONSTITUTIONAL OF THE ALLEGED MURDERER.—The examination of Edward Thompson, alias Green, charged with having perpetrated the dreadful murder on an Irishman named Thomas Jones, in Tchoupitoulas street, on the night of the 26th ult., was held on Saturday night before Recorder Bright. The accused, Crowen, was in Court. He is a stalwart man about about 25 years, and has rather an open and pleasing countenance. The court room was densely crowded with persons, who had witnessed the trial which held until a late hour.

The first witness examined was Dr. Philip Yelsey, who made the post mortem examination of the body of the murdered man. The wound of which Scanlan died was a stab, two inches in length on the right side of the breast, was about one inch in width and two in depth and penetrated the lungs, causing internal hemorrhage, of which the unfortunate died.

THOMAS SMITH was then examined and testified that on the evening of the occurrence, the deceased came home about March, and Hudson, were standing talking together at the St. Mary's Brotherhood, in North Market street, when the deceased came along and passed between them and made some insulting remarks to Crowen, with whom he seemed to be acquainted. The parties then passed on, deceased intoxicated. He shortly after went away, but in about half an hour afterwards he was invited by the accused to go to the Tivoli Coffee House, at the corner of Tchoupitoulas and Delord streets, and take a drink. The witness observed the accused passing the corner of Tchoupitoulas street, and saw the former leave the corner of Delord and apparently quite about some trifling affair between the two. They went there, and went away, and returned quite about some trifling affair between the two. They went there, and went away, and returned quite about some trifling affair between the two. The latter left the bar-room and was followed out of doors by the deceased, who was immediately followed by the accused, witness stood behind a post. The two men then engaged in low-voice conversation together, three or four paces from him, which conversation he did not hear as the attention was attracted to a fire engine which was at the same passing, but hearing something fall heavily on the banquette, he turned around and saw the deceased down upon the banquette, which he supposed had occurred from the effects of the liquor he had drank. The accused immediately came up to him and said: "Let's go home," after which they started off and walked eight or ten paces when he stopping, the deceased kept on, calling out to him to come on. The deceased was so drunk he fell made no cry, nor said anything. The accused had borrowed from him that night a small knife. Crowen, the accused is a moulder, and was employed in a foundery in this city. The next morning the witness went to the Coroner's office and there saw the body of the murdered man, which he recognized as the same man he had been in company with at the Coffee house, the evening previous.

GEORGE MASSE testified that he was standing on the evening in question, in front of the St. Mary's Exchange, in company with the accused, and a man named Thomas Smith, when the deceased came along and said something to the accused and passed him to fight, which the latter declined doing. The man was so intoxicated that he could not walk straight. The house told him that if he did not behave himself he would have him arrested and put in the guard-house. The deceased then left and came in an hour returned, and was invited by Crowen to go to the Tivoli Coffee House. Crowen said: Smith started for the Tivoli coffee house, about half o'clock Crowen returned to the house, and rapping at the door, he (witness) let him in, and showed him into the house. She observed, at the time, nothing unusual in his appearance. Later in the night the police came to the house and informed the witness of the identities the body which she saw the next morning in the Coroner's office, as being that of the man who came to her house in company with Crowen.

FRANK BENSEN, who is the bar keeper of the Tivoli coffee house, was then examined and his depositions stretch, testified, that on the night of the murder the deceased, the accused and Smith came in little after 9 o'clock and they seated themselves together. The deceased was very much intoxicated and called Smith a "liar." Shortly after the deceased left to go out, and the latter followed him. As Crowen, who was the last to go out, passed out, he heard the latter exclaim, "I will cut the liver, he heard him say: *"I will cut the d—d liver out of the d—d—d—