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The Daily Post.

JAMES P. BARR,
EDITOR AND PROPRIETOR.

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LOCAL AFFAIRS.

The Kennedy Libel Suits in the District Court.

At nine o'clock yesterday morning, at the opening of the District Court, the jury in the case of James W. Kennedy vs. Foster & Fleeson, tried on Wednesday, brought in a verdict for the defendants.

The case of John B. Kennedy vs. Foster & Fleeson, of similar character, was then taken up, the same counsel being engaged. The declaration in this case was the same as in the other, except that it was amended so as to oblige defendants to prove that Mr. M'Knight had been "taken in" as alleged in the libellous article.

For the plaintiff's the libellous article, which we published yesterday, was read.

Mr. Charles M'Knight testified that he believed the *Dispatch* worth $20,000 or $25,000; think their property is worth $40,000.

For the defendant the provocatory articles from the *Chronicle* were read.

John Edler reiterated his statements of Wednesday. He loaned the Kennedys $400; took their note at twelve months, which was afterwards renewed for six months. It fell due after his discharge, when they paid him $100, and gave him a third note for $300. Nothing was said about five years time; the note was to be met punctually. The money was loaned in November, 1854, and paid in the fall of 1858. During the time he was with them John Kennedy bought one or two notes; one of these was from Alexander Russell. He told me he had discounted it. Witness did not know if Kennedy was then connected with a bank.

The record in the case of Edler vs. Kennedy was offered in evidence.

The boy Alexander Robinson repeated his testimony in the former trial.

A. P. Callow testified that all employed in the press room were under his control; when that control ceased he considered himself discharged; Kennedy paid witness and he paid the boys.

Charles M'Knight testified that he became one of the owners of the *Chronicle* in February, 1857. Before he went into partnership with the Kennedys they had a heading, "circulation treble that of any two cent daily;" he was induced to believe that such was the fact; when his veracity was impeached, he had the heading altered to read "double," and subsequently, when he believed the circulation justified it, again changed it to treble. He purchased under the impression that the circulation was as set forth in the heading at the time. He found it to range from 1,900 to 2,500. When he expostulated with Kennedy as to the misrepresentation, he defended it by saying such was the custom of newspapers. There was an agreement that no member of the firm should endorse in the name of the firm without the consent of the other partners; this agreement was violated, as Mr. Scully of the Trust Company called upon witness and informed him that a note, with the endorsement of the firm, had gone to protest. Witness knew nothing about it; when he discovered this, the Kennedys were not in the firm. When he found the matter was injuring his credit he went to John Kennedy and stated that if he wanted to get along without trouble, he, M'Knight, would endorse a new note for the amount, if Kennedy would agree to pay it at maturity; this was done; the note has not matured.

At the time of the dissolution there was a verbal agreement that Kennedy was not to interfere with the organization of Mr. McKnight's office." He (K.) within two weeks, did interfere, by making propositions to the mailing clerk, and subsequently to the hands about the office, and Mr. O'Niel, the reporter, to enter his employ.

On cross-examination Mr. M'Knight said the proceeds of the note discounted were noised in the firm, unless it went in as a credit in Kennedy's. He knew it was not entered to the credit of the firm on the bank book.

Mr. Williams questioned witness at some length as to the circulation of the *Chronicle* and other city dailies, eliciting nothing new.

At the assembling of Court in the afternoon, Mr. Sproul rose and said he desired to call the attention of the Court to a circumstance which had transpired since adjournment, he having learned that one of the jurors, Mr. D. C. Holtz, had expressed an opinion of the case, saying that John B. Kennedy had a much weaker case than James W. For this reason he asked that Mr. Hultz be withdrawn, and the case proceed with eleven jurors.

Mr. Hultz rose and said he had expressed such an opinion from the evidence that he had heard on Wednesday.

Defendants' counsel agreed to the withdrawal if the expression of opinion would prejudice the juror, and prevent his giving a true verdict.

The Court asked if the opinion was expressed after the jury was sworn.

Mr. Sproul replied in the negative, stating that the expression was made in his presence, in the morning.

The Court asked the juror if the opinion which he had formed and expressed would interfere with his giving an impartial verdict. He said he was afraid it might.

The counsel for defendants expressed their willingness to have the juror withdrawn, and the case proceed. They preferred this to a discharge of the jury, and consequent continuance of the case until next term, as they wished to have the matter disposed of.

The Court requested Mr. Hultz to withdraw, which he did, stating, previous to leaving the box, that he did not wish to be empanelled in this case, and had requested the clerk not to call him; that he had made the expression in the hearing of counsel in the hope that he might be challenged. The case then proceeded with only eleven jurors.

Wm. B. Ross was called and testified to the facts which we have already published on the first trial. He stated in addition that Mr. Kennedy was still indebted to the Church in the sum of $25, having assumed the subscription of a Mr. Simpson, in case the latter did not pay, which he has since said he would never do.

Mr. Ross was subjected to a rigid cross-examination, but little additional matter was evolved.

The defense here rested, and Mr. James Magill was placed on the stand as a rebutting witness. He stated that he held the Church bond, Mr. Kennedy and he made an arrangement by which Mr. Magill was to loan him $1,600, the bond, for $964, to be a part of it, Mr. Kennedy being then Treasurer of the fund. The arrangement was not carried out, as the security offered by Mr. Kennedy was not satisfactory to the witness.

James Cumming testified that Mr. Ross had informed him that Kennedy had refused to pay over the money because he (Ross) was not a member of the Church. The session had said that Mr. Ross was not a member of the Church.

Charles M'Knight being asked if he was "taken in" by Mr. Kennedy in the purchase of the *Chronicle*, said he had bought one-third of the paper, on low terms, and that he paid him for the remaining two-thirds, at the time of the dissolution, at the same rate. He had found Mr. Kennedy fair, upright and honorable, but still if he had known, then, as much of the man as he had since learned, no amount of money would have induced him to enter into co-partnership with him.

Here the testimony closed, and Mr. Williams addressed the jury in behalf of the plaintiff for more than half an hour, making a speech nearly the counterpart of that delivered on Wednesday.

Mr. Swartzwelder followed, in conclusion for the defense, in an able address. During his remarks, he made a humorous allusion to the counsel opposing, who had, in his speech said that newspaper, frequently built up a kind of bubble reputation for men not entitled to it. Mr. Swartzwelder intimated that the gentlemen felt that he had been overlooked. Mr. Williams had also alluded to King Nebuchodnezzar, who had erected a wooden idol and fell down and worshipped it. Mr. Swartzwelder referred to a speech recently made by a learned member of the bar, who had said that the gentleman had made an idol of himself and fell down on the political plain of Shinar and worshipped it. This sally convulsed the court room with laughter, and was considered a "very palpable hit." Mr. Swartzwelder then came down to the facts in the case, which he reviewed very ably, pressing their bearings upon the jury, occupying one hour. At its conclusion the Court adjourned. Judge Hampton will charge the jury this morning.

Frank at a Pic-Nic.

One fine day this week, Frank, the subject of our sketch, drew a week's wages, put on his fine clothes, and betook himself to the St. Bridget's pic-nic. Frank had attended such places before, but he feels now that he is assuming a new *role*—that he is at least a hobbledehoy, if he is not leaving the interesting period of adolescence, and rapidly approaching manhood; so he gallants his lady, dances, partakes of the choice viands usual at such festivities, and, in short, indulges in all the sources of pleasure that the occasion affords. This morning, however, the excitement having passed off, Frank takes a philosophical view of the case, like many who have gone the same way before him, and thinks there is not so much fun in the thing after all—that the viands were not so fresh and well cooked as they might have been—that the lemonade was sour—that his muscles are slightly cramped after the unusual exertion of excessive dancing—that the—well, on reflection, we do not think that we will compromise him, and damage his future prospects, in a certain quarter, by exposing all that he thinks and says, on a morning after a day of excessive amusement, as he grows older and gets used to it, he will feel differently.

Frank is industrious, and attends to his duty with commendable perseverence; he is quiet, and not bad looking by any means, though under the usual size of young persons of his age; his impulses and habits are all apparently good, and his demeanor naturally modest. This latter qualification, however, is in danger of being modified by the circumstances under which he is placed, and we take this opportunity to administer a little timely caution in this respect, in order that his fair prospects for usefulness may not be impaired by a trifling a matter. On the whole, Frank is rather above the average of young persons in his situation—his speciality is opening oysters in an eating saloon where he is employed, which he does with great skill—in fact, Fritz cannot approach him in this line—and very few excel him that have had much more experience.

Frank is trying to improve his whistling, under the tuition of Fritz, but his talent evidently does not lie in that direction. We wish him success in his business, and any amount of fun at pic-nics, or other places of innocent amusement, when he may choose to find a little relaxation; but advise him by all means to keep his name out of the papers.

A Model Circus.

It is seldom that we residents of the Iron City are favored with as fine an equestrian entertainment as is daily and nightly offered at Lent's National Circus, now exhibiting on the Trimble lot, Penn street. It is complete in every department, and its horses and equipments are unequalled by those of any establishment now "on the wing." The artistes have been selected with equal care and at a large expense, and the success which the company has met with here is a sufficient evidence that the enterprise of the excellent manager, Mr. Lent, is fully appreciated, as the audiences which have been present at every representation have been large in numbers and enthusiastic in their admiration. Among the troupe are many worthy of special note, foremost among whom are the veteran S. P. Stickney, looking as young and fresh as he did thirty years since, for the family which in that time he has reared. Miss Sallie Stickney, his daughter, is with the circus. She has a fairy, sylph-like form, a pleasing, intelligent countenance, and with surprising ease, and "grace in every motion," she commands, as she circles round the ring, her really beautiful steed, assuming a hundred classical attitudes, the admiration, and excites the astonishment of all by the exhibition of skill which constant practice from infancy has given her. The boys are equally accomplished in their line. Mr. Henry Bates's feats on barebacked riding is certainly the most astonishing performance of the kind we have ever witnessed. Mr. Kincade, one of the clowns, is an expert tumbler, and wins thunders of applause at every appearance. Sam Wilson, the Mr. Merryman of the troupe, is among the first of his profession; his comicalities are original and striking, and his jokes fresh and laughter-provoking. But we have not space to enumerate all the attractive features concentrated in this mammoth establishment; suffice it to say that all who have yet visited it have expressed their entire satisfaction. We are pleased to learn that Mr. Lent has concluded to remain two days longer, giving performances this and to-morrow afternoon and evening, when those who have not yet visited this mimic circus can have an opportunity of so doing.

COURT OF QUARTER SESSIONS.—In this Court yesterday Charles Coll was tried on an indictment charging him and his son Hugh, with assault and battery with intent to kill. The younger Coll was not in Court, having left the city. The testimony went to show that on Sunday the 12th inst. Andrew Young, the prosecutor, was passing the door of Coll's house at the foot of Irwin street, when the two Coll rushed out and struck him on the head with a slung shot, knocking him down. While down, the father kicked Young and struck him with a brick-bat, inflicting serious injuries. The defense showed that Young had bounced Coll's house, and that he had advances to a daughter of the elder Coll, which provoked the attack. The count in the indictment charging the intent to kill, was withdrawn, the jury found a verdict of guilty of assault and battery, and the Court, properly considering the gross provocation, imposed a fine of six and-a-fourth cents and the costs.

CHARGE OF LARCENY—Letitia Hutchison, a daughter of the eccentric Capt. Hutchison, of the Ninth Ward, recently deceased, is in the tombs awaiting a hearing on a charge of larceny. She is charged by John B. Smith, who resides on Second street, in the Second Ward, whose employ she left on Wednesday, with stealing from his wife silk dress, worth $10; a delaine dress, worth $5; and a silk basque, worth $3. The articles were found at a house in Allegheny, where the girl had gone. We learn there is also another charge against her for taking some articles from the residence of John D. Davis, but no information has yet been made.

BENEFIT OF MISS LOUISE WELLS.—This *petite* and charming actress and equestrienne, who has become a great favorite here, takes a benefit at the Apollo Theatre to-night. She is, besides, an actress of no mean talent, and deserves a full house. She appears in two characters, that of Kate Putnam, in the revolutionary drama of "The Iron Son of '76," and as "Jack Sheppard" in the drama of that name. We always regret to see a good actor or actress perform this part, especially on a benefit night, and we trust Miss Wells may never be cast in it again. We fear that she will find that it is not a "good card."

A SUMMER WARDROBE.—Now that the season for light, airy and cool clothing has arrived, every gentleman is expected to make his appearance upon the street and in the parlor properly costumed in new and suitable dress. If he desires to feel comfortable and appear to advantage, of course he will have Wm. H. McGee & Co., at the corner of Market square and Federal street, to arrange his fit. A word to the wise.

A MONSTROSITY—The Johnstown *Echo* notices the birth of a child, in that borough, without eyes, and having six toes on each foot and six fingers on each hand. It is otherwise fully developed, and is in good health.

MUCH time and a great deal of care are bestowed in the cutting department of J. L. Carnaghan & Co., in order to stamp their work with that peculiar neatness of style which is its characteristic.

ATLANTIC MONTHLY.—Hunt & Miner, Masonic Hall, have received the Atlantic for July. It is filled with excellent reading.

Court of Oyer and Terminer, &c.

Before Judges M'Clure, Maynard, Adams and Parke.

THURSDAY, June 23, 1859.

At eleven o'clock this morning the case of Thomas Hanna, accused of killing William P. Cable, at a ball at Neville Hall, on the morning of the 7th May, was taken up. A jury was empanneled and the Court took a recess until two o'clock.

District Attorney Collier, assisted by Mr. J. H. Miller, conducted the case for the prosecution, and Thos. M. Marshall and Gilbert McMaster, Esqs., for the defense.

At two o'clock the prisoner, a young man, only nineteen years of age, and of a rather prepossessing appearance was placed in the box, and the indictment read to him.

Mr. Miller opened the case to the jury, and the following evidence was given for the commonwealth.

James Crow, sworn—Was one of the managers of a ball at Neville Hall, on the 6th of May last; saw Hanna, the prisoner, that night; I saw him at the time of the quarrel, at the water cooler in the dressing room; I got information that there was a fuss; went into the dressing room and told Hanna to keep quiet; said he was not going to raise a fuss, but wanted to get a drink; the next I saw, Hanna had his knife out; it was a pen knife or a large pocket knife; it was open and had a blade two and a half or three inches long; had the knife between his thumb and fore finger; he said, with an oath, that he could whip any Crow that ever walked; this is the first information I had that he even knew my name; he said he would cut the heart out of any son of —— that laid hands on him. He pulled off his coat and came towards me with the knife in his hand. I backed and he followed me; my brother Samuel jumped between him and me; at an instant after I saw Hanna cut my brother with a knife; my brother turned away, and P. Cable, deceased, came to Hanna; saw Hanna strike him on the shoulder or breast; saw the knife in Hanna's hand at this time; Cable turned away and came to me; said he was cut; Hanna came at me again with the knife, and I struck him with a chair; cannot say what went on after that; had my hands on Hanna but once; struck him once with my fist and was pulled away from him; this was after Cable and my brother were cut; after this I used a chair and anything I could get hold of; don't know who arrested Hanna; last I saw of him, he was in the ball room. Did not see Cable after he was cut, till I saw him in the doctor's office.

Cross-examined—Have give a fair statement of all that occurred in Neville Hall that night; was examined before the Coroner's jury; can't say that I saw Cable strike or catch at Hanna; did not swear before the Coroner that I saw Cable strike Hanna; can't say who was the persons who went with me into the dressing room; my brother came after me; the room was nearly full; Hanna was talking, but I don't know what he was saying; told him to get his drink and keep quiet; did not strike him when he turned to the water cooler; did not approach him, but he me; the water cooler stood near the door, at the landing of the stairs; saw my brother strike at Hanna, think he struck him on the arm; they both struck at the same time; can't say whether Cable reached for or struck at Hanna; saw Hanna strike at Cable.

Dr. J. A. Phillips, sworn—Was called to attend W. P. Cable, on the 7th of May; found a wound made with a cutting instrument in the region of the stomach, running transversely about an inch and a half, and penetrating the cavity of the abdomen; the wound was about four inches to the left of the medium line of the body, and about two inches below the cartilage of the eighth rib; the wound was from three quarters to an inch in depth; there was but little hemorrhage or protrusion of the stomach or intestines; his symptoms indicated that the coat of his stomach had been penetrated; the wound was dressed by Dr. Tindle and myself; Hanna was removed from my office about three o'clock on the morning of the 7th, to his house in Allegheny, where he was attended by the physician of his family, Dr. James B. Herron; Hanna lingered in a pale and exhausted condition until 12 o'clock of the 8th, when he died of nervous prostration, produced by the wound. Assisted Dr. Tindle in the *post mortem*; the wound penetrated the cavity of the stomach; the intestines were uninjured, and no large blood vessels were severed; the wound could have been produced by a common knife, the stomach of deceased being distended; a blade two or three inches in length could have produced the wound; the deceased vomited freely in my office, which indicated that he had taken a hearty supper.

Cross-examined—The wound might have been produced by a knife like that—[a common pocket knife shown.]

Dr. Tindle corroborated Dr. Phillips in all points on which he was examined.

Robert M'Farland, sworn—Hanna started into the dressing room and was talking about somebody; saw the managers came in; James Crow came and laid his hand on him; said he must come down stairs; Hanna said wait till I get a drink of water; as soon as he said that he put his hand in his pocket and drew out a knife, one side of the handle rough; the blade looked like a dirk. The crowd came rushing in; James Crow went to catch Hanna, but can't say whether or not he struck him; saw Hanna make a strike at James Crow with a knife; he cut his vest; saw Samuel Crow come in and strike at Hanna, and then Hanna cut Crow; somebody caught Samuel and Cable came in and went to catch Hanna by the neck; Hanna cut Cable in the left side; I saw the blow; when Hanna was cut he kicked at Hanna and fell back; put his hand to his side and said he was cut; Mr. Hampton, police-officer, caught Cable; James Crow then struck Hanna with a chair; the lights were put out; Cable came out and then took Cable down stairs; saw Hanna have the knife out in the ball room and opened before he went to the dressing-room; after he went to the room he commenced laughing and said he was only making fun and did not intend to cut any one.

Cross-examined—It looked like a dirk blade; it didn't look like an ordinary pocket knife; I followed him into the dressing room; was there about fifteen minutes before the Crows and Cable came into the room; things were quiet that time; Hanna was sitting down when the managers came in, and as soon as they came in, Hanna started for the water cooler; James Crow first spoke to him, and said, "see here, Hanna, come down stairs;" there were present two Crows, Thompson and Cable; Crow first laid his hand on Hanna's shoulder; did not see Cable kick Hanna till after he had been cut.

Isaiah Short, sworn—Was at Noville Hall on the night of this occurrence; I was about starting with a lady to take a waltz; heard a noise and left her to see what was the matter; saw Hanna with a knife in his hand. Hanna said to one, "is your name James Crow;" and the answer was, "no, my name is Sam Crow;" this occurred in the ball room. [The counsel for the prosecution offered to prove certain declarations of Hanna, to show the state of his mind that night, to which the defense objected The Court stated the rule of law in the premises, to which Mr. Marshall took exceptions, which were sealed and made a part of the record, when Mr. Short resumed:]

Think the knife blade was 2½ or 3 inches in length; Hanna said to James Crow he would cut his heart out; I left, and soon after the dance commenced; I heard the fuss again; got upon a chair and saw the cutting; saw the knife in Hanna's hand; Jim Crow struck Hanna over the head with a water cooler and then with a chair; Hanna rushed out and cried enough.

Isaac Patterson, sworn—Was at the ball; was down stairs and heard a fuss above; I went up and saw two or three fellows holding Hanna; after a little, Hanna sat down and appeared to be picking his nails with his knife; somebody asked him to give up the knife and he said he wouldn't do it, he wanted to use it; Hanna came towards me and cut at me; I wedged out of the crowd and left, and that was all I saw of it.

Cross-examined—After the Crows came in, Hanna went forward towards the water cooler, and somebody said he was going to throw a tumbler; Jim Crow was in the middle of the dressing room; Hanna was in the corner pulling off his coat, saying that he wanted to get his knife out.

Robert Sloan, sworn—Saw Hanna at the ball; saw the trouble, and heard Hanna say he would cut Jim Crow, or any other son of —— who would lay hands on him; don't know who was holding Hanna; managers said to Hanna, "come out," and he said he would as soon as he got a drink; didn't get the drink, but took off his coat, took out a knife, and struck at Crow with it; saw Cable go towards him, and saw them "in holds;" saw Hanna cut at him two or three times; Cable backed out, and said he was cut; then Hanna went towards Jim Crow, who picked up a chair and hit Hanna on the side of the head; Hanna got out in the hall, when the night police arrested him.

Cross-examined—Before any blows were struck and before there was any fighting that I saw, Hanna took off his coat.

James Thompson, one of the managers of the ball, testified that at about 1 o'clock they went down stairs to make a settlement; there was a fuss up stairs; we went up, and Robert Benny and James Wells were "in holds;" we parted them and went down stairs again, but soon there was more scuffling; we went up to the dressing room; there was a scuffle, and somebody said "Hanna's got a knife;" I said "put up your knife, this is no place for a knife;" Hanna said he would cut, &c.; I went for a police officer, and as I came back, Cable was carried out, or went out, and that was the last I saw of it.

George Dilworth, Washington Lane, James Johnston and Samuel Forrey, were examined. The latter testified that he heard Hanna state just before the fuss, that there was two certain men in that room whom he was bound to cut that night, and that was Jim Crow and Bill Cable.

Cross-examined—Am from Ohio; am railroading; never told any one else of what I heard before I told you; that is all I know about the matter.

James M'Gill, Gustavus Brinn, Robert Benny, Francis Dill and Lawrence Dilworth, were examined, but their testimony was similar to Samuel jumped between him and me; at an instant after I saw Hanna cut my brother with a knife; my brother turned away, and P. Cable, deceased, came to Hanna; saw Hanna strike him on the shoulder or breast; saw the knife in Hanna's hand at this time; Cable turned away and came to me; said he was cut; Hanna came at me again with the knife, and I struck him with a chair; cannot say what went on after that; had my hands on Hanna but once; struck him once with my fist and was pulled away from him; this was after Cable and my brother were cut; after this I used a chair and anything I could get hold of; don't know who arrested Hanna; last I saw of him, he was in the ball room. Did not see Cable after he was cut, till I saw him in the doctor's office.

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Isaiah Short, sworn—Was at Noville Hall on the night of this occurrence; I was about starting with a lady to take a waltz; heard a noise and left her to see what was the matter; saw Hanna with a knife in his hand. Hanna said to one, "is your name James Crow;" and the answer was, "no, my name is Sam Crow;" this occurred in the ball room. [The counsel for the prosecution offered to prove certain declarations of Hanna, to show the state of his mind that night, to which the defense objected The Court stated the rule of law in the premises, to which Mr. Marshall took exceptions, which were sealed and made a part of the record, when Mr. Short resumed:]

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Robert Sloan, sworn—Saw Hanna at the ball; saw the trouble, and heard Hanna say he would cut Jim Crow, or any other son of —— who would lay hands on him; don't know who was holding Hanna; managers said to Hanna, "come out," and he said he would as soon as he got a drink; didn't get the drink, but took off his coat, took out a knife, and struck at Crow with it; saw Cable go towards him, and saw them "in holds;" saw Hanna cut at him two or three times; Cable backed out, and said he was cut; then Hanna went towards Jim Crow, who picked up a chair and hit Hanna on the side of the head; Hanna got out in the hall, when the night police arrested him.

Cross-examined—Before any blows were struck and before there was any fighting that I saw, Hanna took off his coat.

James Thompson, one of the managers of the ball, testified that at about 1 o'clock they went down stairs to make a settlement; there was a fuss up stairs; we went up, and Robert Benny and James Wells were "in holds;" we parted them and went down stairs again, but soon there was more scuffling; we went up to the dressing room; there was a scuffle, and somebody said "Hanna's got a knife;" I said "put up your knife, this is no place for a knife;" Hanna said he would cut, &c.; I went for a police officer, and as I came back, Cable was carried out, or went out, and that was the last I saw of it.

George Dilworth, Washington Lane, James Johnston and Samuel Forrey, were examined. The latter testified that he heard Hanna state just before the fuss, that there was two certain men in that room whom he was bound to cut that night, and that was Jim Crow and Bill Cable.

Cross-examined—Am from Ohio; am railroading; never told any one else of what I heard before I told you; that is all I know about the matter.

James M'Gill, Gustavus Brinn, Robert Benny, Francis Dill and Lawrence Dilworth, were examined, but their testimony was similar to Samuel jumped between him and me; at an instant after I saw Hanna cut my brother with a knife; my brother turned away, and P. Cable, deceased, came to Hanna; saw Hanna strike him on the shoulder or breast; saw the knife in Hanna's hand at this time; Cable turned away and came to me; said he was cut; Hanna came at me again with the knife, and I struck him with a chair; cannot say what went on after that; had my hands on Hanna but once; struck him once with my fist and was pulled away from him; this was after Cable and my brother were cut; after this I used a chair and anything I could get hold of; don't know who arrested Hanna; last I saw of him, he was in the ball room. Did not see Cable after he was cut, till I saw him in the doctor's office.

Cross-examined—Have give a fair statement of all that occurred in Neville Hall that night; was examined before the Coroner's jury; can't say that I saw Cable strike or catch at Hanna; did not swear before the Coroner that I saw Cable strike Hanna; can't say who was the persons who went with me into the dressing room; my brother came after me; the room was nearly full; Hanna was talking, but I don't know what he was saying; told him to get his drink and keep quiet; did not strike him when he turned to the water cooler; did not approach him, but he me; the water cooler stood near the door, at the landing of the stairs; saw my brother strike at Hanna, think he struck him on the arm; they both struck at the same time; can't say whether Cable reached for or struck at Hanna; saw Hanna strike at Cable.

Dr. J. A. Phillips, sworn—Was called to attend W. P. Cable, on the 7th of May; found a wound made with a cutting instrument in the region of the stomach, running transversely about an inch and a half, and penetrating the cavity of the abdomen; the wound was about four inches to the left of the medium line of the body, and about two inches below the cartilage of the eighth rib; the wound was from three quarters to an inch in depth; there was but little hemorrhage or protrusion of the stomach or intestines; his symptoms indicated that the coat of his stomach had been penetrated; the wound was dressed by Dr. Tindle and myself; Hanna was removed from my office about three o'clock on the morning of the 7th, to his house in Allegheny, where he was attended by the physician of his family, Dr. James B. Herron; Hanna lingered in a pale and exhausted condition until 12 o'clock of the 8th, when he died of nervous prostration, produced by the wound. Assisted Dr. Tindle in the *post mortem*; the wound penetrated the cavity of the stomach; the intestines were uninjured, and no large blood vessels were severed; the wound could have been produced by a common knife, the stomach of deceased being distented; a blade two or three inches in length could have produced the wound; the deceased vomited freely in my office, which indicated that he had taken a hearty supper.

Cross-examined—The wound might have been produced by a knife like that—[a common pocket knife shown.]

Dr. Tindle corroborated Dr. Phillips in all points on which he was examined.

Robert M'Farland, sworn—Hanna started into the dressing room and was talking about somebody; saw the managers came in; James Crow came and laid his hand on him; said he must come down stairs; Hanna said wait till I get a drink of water; as soon as he said that he put his hand in his pocket and drew out a knife, one side of the handle rough; the blade looked like a dirk. The crowd came rushing in; James Crow went to catch Hanna, but can't say whether or not he struck him; saw Hanna make a strike at James Crow with a knife; he cut his vest; saw Samuel Crow come in and strike at Hanna, and then Hanna cut Crow; somebody caught Samuel and Cable came in and went to catch Hanna by the neck; Hanna cut Cable in the left side; I saw the blow; when Hanna was cut he kicked at Hanna and fell back; put his hand to his side and said he was cut; Mr. Hampton, police-officer, caught Cable; James Crow then struck Hanna with a chair; the lights were put out; Cable came out and then took Cable down stairs; saw Hanna have the knife out in the ball room and opened before he went to the dressing-room; after he went to the room he commenced laughing and said he was only making fun and did not intend to cut any one.

Cross-examined—It looked like a dirk blade; it didn't look like an ordinary pocket knife; I followed him into the dressing room; was there about fifteen minutes before the Crows and Cable came into the room; things were quiet that time; Hanna was sitting down when the managers came in, and as soon as they came in, Hanna started for the water cooler; James Crow first spoke to him, and said, "see here, Hanna, come down stairs;" there were present two Crows, Thompson and Cable; Crow first laid his hand on Hanna's shoulder; did not see Cable kick Hanna till after he had been cut.

Isaiah Short, sworn—Was at Noville Hall on the night of this occurrence; I was about starting with a lady to take a waltz; heard a noise and left her to see what was the matter; saw Hanna with a knife in his hand. Hanna said to one, "is your name James Crow;" and the answer was, "no, my name is Sam Crow;" this occurred in the ball room. [The counsel for the prosecution offered to prove certain declarations of Hanna, to show the state of his mind that night, to which the defense objected The Court stated the rule of law in the premises, to which Mr. Marshall took exceptions, which were sealed and made a part of the record, when Mr. Short resumed:]

Think the knife blade was 2½ or 3 inches in length; Hanna said to James Crow he would cut his heart out; I left, and soon after the dance commenced; I heard the fuss again; got upon a chair and saw the cutting; saw the knife in Hanna's hand; Jim Crow struck Hanna over the head with a water cooler and then with a chair; Hanna rushed out and cried enough.

Isaac Patterson, sworn—Was at the ball; was down stairs and heard a fuss above; I went up and saw two or three fellows holding Hanna; after a little, Hanna sat down and appeared to be picking his nails with his knife; somebody asked him to give up the knife and he said he wouldn't do it, he wanted to use it; Hanna came towards me and cut at me; I wedged out of the crowd and left, and that was all I saw of it.

Cross-examined—After the Crows came in, Hanna went forward towards the water cooler, and somebody said he was going to throw a tumbler; Jim Crow was in the middle of the dressing room; Hanna was in the corner pulling off his coat, saying that he wanted to get his knife out.

Robert Sloan, sworn—Saw Hanna at the ball; saw the trouble, and heard Hanna say he would cut Jim Crow, or any other son of —— who would lay hands on him; don't know who was holding Hanna; managers said to Hanna,

THE LATEST NEWS
BY TELEGRAPH.

From Washington.

WASHINGTON, June 23.—The opinion among gentlemen connected with the diplomatic corps is that although the governments of Europe, not engaged in the present hostility, are desirous of, and hope for peace, the complications are so great, that there is almost an impossibility of preventing a general war. In such an event, there is no doubt that Russia will array herself with France.

The friends of Judge Douglas here are in possession of the following letter explaining his position on the subject of the Presidency; a copy of which they have permitted to be taken for publication:

WASHINGTON, June 22, 1859.

MY DEAR SIR: I have received your letter, inquiring whether my friends are at liberty to present my name at the Charleston Convention, for the Presidential nomination. Before this question can be finally determined, it will be necessary to understand distinctly upon what issues the canvass is to be conducted. If, as I have full faith they will, the Democratic party shall determine, in the Presidential election of 1860, to adhere to the principles embodied in the compromise measures of 1850, and ratified by the people in the Presidential election of 1852, and reaffirmed in the Kansas and Nebraska Act of 1854, and incorporated into the Cincinnati platform in 1856, as expounded by Mr. Buchanan in his letter accepting his nomination, and approved by the people in his election,

In that event, my friends will be at liberty to present my name to the Convention, if they see proper to do so. If, on the contrary, it should become the policy of the Democratic party, which I cannot anticipate, to repudiate these, there time-hon ored principles, on which we have achieved so many patriotic triumphs, and in lieu of them, the Convention shall inter-polate into the creed of the party, such new issues, as the revival of the African slave trade, or a Congressional slave code for the territories, or the doctrine that the constitution of the United States either establishes or prohibits slavery in the territories, beyond the power of the people legally to control it as other property, it is due to candor to say, that in such an event, I could not accept the nomination if tendered to me. Trusting that this answer will be deemed sufficiently explicit, I am

Very respectfully your friend,
Signed, S. A. DOUGLAS.
J. S. Dorr, Esq., Dubuque, Iowa.

Kossuth and the War—Advice to Hungarian Exiles in the United States.

NEW YORK, June, 23.—The New York *Times*, of this morning, publishes a long letter, the editor, from Louis Kossuth, dated London, June 9th, together with an address to the Hungarian exiles in the United States, in which he warns his exiled fellow-countrymen that it is not yet time for them to move, or attempt to take part in the war. Grave considerations forbid his entering on premature explanations. Suffice it to say, though the skies are brightening promisingly, there are yet great difficulties to overcome. They shall be duly apprized in due time. Let them patiently wait. Any inconsiderate rashness might bring personal ruin on them, without the slightest advantage to the public cause.

From Boston.

BOSTON, June 23.—A special messenger from Washington arrived in this city to-day, bringing a document from the National Executive postponing the execution of Cyrus W. Plummer, the mutineer of the Junior, from Friday June 24th, to Friday July 8th.

Returns of the recent vote in Maine indicate that State aid to the Aroostook Railroad has been refused.

The sum of $175,000 has been subscribed by the merchants of this city for the purpose of establishing a southern steamship line. A meeting will soon take place for the permanent organization of the company.

Democratic Nominations for Congress in Georgia.

AUGUSTA, Georgia, June 23.—The Democratic Convention at Warrenton, nominated Alexander C. Walker, formerly a member of the Georgia Legislature in place of Hon. A. H. Stephens, who declined, as a candidate for Congress.

Explosion of a Gas Meter.

BOSTON, June 23.—A large gas meter on Washington street exploded last evening, fatally injuring John Campbell and two other parties. George Dartmouth, Superintendent of the Gas Works, and Daniel Eaton, were also badly injured.

Sporting News.

NEW YORK, June 23.—At the second race between Princess and Flora Temple, which came off to-day, Princess was the victor; winning two straight two mile heats. Time: first heat, 5:1; second heat, 5