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CITY INTELLIGENCE.

The Killing of C. N. Harris—Recorder's Investigation—Third Day.—The usual routine of morning business was gotten through yesterday about half-past eleven o'clock, and the case of Dr. Peck was then taken up. Recorder Summers stated that he had consulted Attorney-General Moise, who informed him that any testimony which was admissible before a petit jury could be received by a Recorder. The Attorney-General had not explained, however, what kind of testimony was admissible, but the Recorder decided to hear all the evidence which the defense wished to bring forward.

Dr. Geo. D. Shadburne, of Madison parish, sworn—I met State Senator from the senatorial district comprising the parishes of Madison and Carroll. On Thursday, 12th inst., I was going to my dinner in the St. Charles Hotel, and when near the steps leading to the rotunda I heard the report of a pistol. When I reached the steps I saw a man running down the steps with a knife in his hand. When he reached the bottom of the steps he asked several persons to give him a pistol, using the words, "he's a large man and I want a pistol." Not knowing the parties, I immediately passed up. When I reached the first landing, I saw Mr. Harris (as he proved to be) starting up the steps. I passed on up the steps immediately, and went to the door of the rotunda. When I reached the door, I met Mr. Oliver Morgan, of Carroll parish, who remarked to me that he believed Peck was shot at or shot. I walked quickly to Mr. Peck, and asked him if he was in this difficulty. He said, "Yes." Then I told him that the man was coming up stairs with a pistol—at least armed—I do not remember which expression I used.

Recorder—Did Mr. Peck say who he shot at him?

Witness—No sir, he did not. I did not see any weapon in the hands of Harris when he came up stairs. When I told Mr. Peck this, he immediately drew his revolver and said, "Gentlemen stand back." He stood with his pistol in his hand for a few minutes, but no one coming in the rotunda he returned it to his side. I did not see precisely where he put it.

To Gen. Miles—When I gave Mr. Peck this information he was standing at the left side of the stove. From Mr. Peck's position he would have been in full view to a person outside the window. I was standing beside Mr. Peck and could see outside the window myself. Mr. Peck was in a position to see or be seen. When I gave Mr. Peck the information I do not believe he moved more than five or six feet. He held his pistol pointed upwards. He did not attempt to go out of the door or assail Mr. Harris, but stood there prepared for defense. Mr. Harris did not come in pursuit of Mr. Peck nor assail him. On Friday, 13th inst., I had just entered the rotunda, about 1 o'clock, when I heard the report of a pistol and immediately two or three other reports in quick succession. I got behind the first pillar on the left hand side of the rotunda. The firing then ceased for a short time, and I looked from behind the pillar toward the wine room, from whence the noise came. Saw Peck standing, looking toward the wine room. He was from four to six yards from the door. I saw some one, who proved to be Harris, come to the door and fire a pistol. Mr. Peck shot at him about the same time. The person in the wine room then moved out of my sight. I saw Mr. Peck then place his hand to his left side and move it, as if in the act of drawing a weapon. A second hand to draw, and he made a second effort and started to the door of the wine room. As soon as Peck entered the wine room I ran there myself. When I got into the room I saw Mr. Peck behind the counter, in a bending position, with his arm uplifted and a knife in his hand. I called to Mr. Peck, saying, "Willy, for God's sake don't kill him?" He replied, "Then come take hold of him, for if I let him go he will kill me. He is trying to draw a weapon now." I jumped over the counter and placed my hand on Mr. Harris. His face was then toward me, and I asked him if he was trying to draw a weapon. He made no answer, but turned his face downward, toward the floor. He attempted to raise himself; did so slightly, and put his left hand to his right side. I repeated the question, "Are you trying to draw a weapon?" He replied, "No." I then said, "I hope you are not much hurt." He answered, "Oh! I am killed!" As he said so he fell. I supported his head. Did not ask some person to take him away.

To the Recorder—I saw a red mark on Harris's arm which I supposed indicated a wound. When I put my hand on Mr. Harris, Peck let him go. When I first got sight of Harris, he was lying elevated on his right elbow, I thought. Mr. Peck had hold of him, I think, near the collar. I saw no weapon in Harris's hand. At the time Peck advanced into the door of the wine room the door on the left is closed. It was a double door.

To Mr. Hunt—I have known Mr. Peck six or seven years, I think. I have had frequent opportunities of judging of his character. He has universally borne the character of a high-toned gentleman. My regard for Mr. Peck is of the warmest kind, and I have been induced to feel thus from knowing his noble nature. I will state that I have often remarked to mutual friends he was sensitive in giving to every gentleman his due. I never saw any thing cruel or vindictive about him. I have never known Mr. Peck to be in any difficulty previous to this one, and he bears the character of being a most peaceable man.

To the Recorder—I heard there had been a difficulty between this young man and Peck. I knew there was some unkind feeling years ago between the father of this young man and the accused. The person who informed me of the difficulty is Mr. Morgan. I believe he has left the city.

Benjamin T. Penn, of St. Joseph, Mo., sworn—On Thursday, 12th inst., I was sitting on the portico of the St. Charles Hotel, when I heard the report of a pistol. I looked toward the rotunda and saw a crowd coming out. A few minutes afterward I saw Harris coming up the steps with a pistol in his right hand. He came up the left side of steps. When he got up to the head of the steps he remarked to some one, "There he is, now I" and advanced to within three or four feet of the outer door of the rotunda, then turned and started down by the right hand steps. That is all I know of the affair.

To the Recorder—When Harris said, "There he is, now," he did not mention any one's name that I heard.

To Gen. Miles—He face was toward the rotunda when he said, "There he is, now."

To the Recorder—I think Mr. Imboden, of Carroll, was of the advance of Harris. I supposed Harris made the mark to him.

Samuel C. Brewer, of Holly Springs, Miss., sworn—I was in the rotunda of the St. Charles Hotel, on Friday, 13th inst., standing by the bill clerk's window, leaning in it, talking to Mr. Hildreth. I occupied that position at the moment when I heard the report of fire-arms just behind me, from the direction of the bar room. I turned my head to the right, and as I looked round I saw a large man in the act of firing a pistol. He fired it a second time as I turned my face from the direction of the large man. The large man was to the right of me. He could not have fired the pistol that was discharged behind me. I would have seen him fire had he done so. The second shot, which was almost simultaneous with another report from behind, came from where the large man was standing. There was a difference in the sound of the shots, those from the large man's pistol being greatly louder than those behind me. There were shots exchanged from behind and in front of me, and then the large man advanced about three steps. The large man then paused, and instantly after went out of my sight. I did not see the opposite party at all.

To Mr. Van Dalsen—When I went to the bill clerk's window I have no recollection of observing any one else there.

Edward M. Yerger, of Mississippi, sworn—I was in the rotunda of the St. Charles Hotel last Friday, in conversation with a gentleman. My attention was suddenly arrested by the sound of a pistol-shot. I immediately turned in the direction of the sound, and saw Col. Peck and Mr. Harris in the act of firing. They fired almost simultaneously, as my eye was thrown upon them. Mr. Harris was inside the door of the wine room the time I heard the first fire. As soon as Harris fired, he instantly retreated behind the door of the wine room. He returned to the same position he had been in when I saw him first, and fired again at Col. Peck, and Col. Peck fired. Mr. Harris at the same time. Harris immediately retreated as he had done before, Peck maintaining his position. Harris again appeared at the door, almost immediately, and made an effort to discharge his pistol, but it failed; it wouldn't go off, or something. At this time Col. Peck abandoned his pistol and took his knife, and passed into the wine room. I saw no more.

To the Recorder—Mr. Peck went into the wine room more rapidly than slowly. He did not run.

To Mr. Van Dalsen—I recollect to have seen Mr. Peck fire only twice. As far as I could observe Mr. Harris fired twice. I do not know who fired the first shot. I heard five shots altogether; two of the four fired by Harris, and two by Peck. I do not know who fired the other. To the best of my knowledge there were but five explosions.

To Mr. Hunt—I recollect hearing five sounds, as of five pistol shots. In regard to the first sound I cannot say whether it was occasioned by the discharge of a single pistol or the simultaneous discharge of two pistols.

To the Recorder—I only saw Harris fire two from the wine room. He presented himself twice at the wine room door and fired, and tried to fire a third time, but failed. There was any firing done after that I did not hear it. The wine room was crowded, and I did not attempt to enter it.

Thomas L. Ellis, of Texas, sworn—I was standing in the St. Charles Hotel rotunda about 1 o'clock on Friday, 13th inst. I saw Mr. Peck standing by a pillar that runs up by the office, near the register book. I saw Mr. Harris coming near the bill clerk's window. Mr. Peck at that time had his arms akimbo, with his hands in his hips. Suddenly he put his right hand in his bosom. I saw Mr. Harris at that same time draw a pistol and give fire toward Mr. Peck. Almost at the same moment or probably a second or two after—Mr. Peck fired. At Mr. Peck's shot Mr. Harris fired, took a few steps, fell and fired again, and Mr. Peck fired at the same time. Harris then ran into the wine room. As I was about on a line with the clerk's window,