DAILY CRESCENT.

PUBLISHED EVERY DAY—SUNDAYS EXCEPTED—
By HAYES, M'CLURE & CO.
A. H. HAYES, J. R. M'CLURE, J. C. LARUE, J. O. PIERSON.
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TERMS OF THE CRESCENT.
DAILY—*Fifteen Cents a Week*, payable to the carriers, weekly.... or, *Eight Dollars* per year—half yearly and quarterly at the same rates—in advance.....Single copies, *Five Cents*..... The office will receipt for all subscriptions extending one week.
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WEDNESDAY MORNING, NOVEMBER 1, 1848.

☞ See First and Fourth pages.

☞ The mail failed entirely yesterday.

U. S. TROOPS.—The steamboat Sacramento, Capt. Atkeson, arrived yesterday from St. Louis, brought down 80 men, under the command of Maj. Scott, Capt. Burbank and Lieut. Wallace.

☞ We are indebted to Capt. Smith of the steamship Palmetto, for late Texas papers.

Smith O'Brien.

The trial of Smith O'Brien is ended—the sentence of the law has been passed upon him, and before now has probably been executed to the full extent of its inhuman provisions. Another name is added to the list of martyrs in the cause of Irish liberty—another name is engraven in deathless characters upon the Irish heart. Smith O'Brien, the last victim of British tyranny, has gained a place in history by the side of Emmet. What more exalted station could his fondest hope desire! Let the two rest together, and no epitaph be written upon their tomb, until that freedom is obtained which their efforts were unable to achieve. When that is done, a monument will have been erected to them, more enduring than the sculptured marble, and more worthy of the admiration of the world.

O'Brien is sacrificed! he is condemned to a felon's fate, though guiltless of a felon's act. But he has committed what the law of Britain holds more criminal that felony; he has dared to let his tongue give utterance to the wishes of his heart, and has avowed that his arm was ready to strike for the liberty of his country! For this his body is to grace the hangman's rope, after which, its four quarters are to be exposed to the people, as a warning to them, what they may expect should the noblest impulses of humanity induce them to follow his example. Will they be deterred? Though unsuccessful now, will they submit to eternal tyranny! The experience of the past, and a just appreciation of the causes which may be productive of particular effects would lead to a negative reply; while the same things might induce us to think that all future attemps to overthrow the authority of England will terminate as fatally and disastrously as the last. Yet we do not give up all hope. The hour of retribution must come, though it be not this day, this month, or this year. It is a common saying, that virtue is its own reward; must not vice, then, produce its own punishment; and the very existence of tyranny bring into action the means of its own successful resistance? Experience teaches us this, and if we apply those teachings to Ireland, we shall cease to despair of her final emancipation. The American people, ever lavish of their sympathies with the oppressed, have watched with the most intense interest, the late events in Ireland. Their money has been freely given—words of kind encouragement have been spoken, and their hopes were great that the moment had at last arrived, when the Irish people were to achieve their deliverance. In proportion to elevation of the hopes thus entertained, the disappointment is great. Many, who in their enthusiasm, expected with the advent of every steamer to hear of the complete annihilation of the British forces, and perhaps even dreamed of the establishment of a Republic, have now become cold and indifferent. This should not be so. Success is not always the test of merit; if it were so, the British Government would at this day be acknowledged as the purest and most liberal in the world. Neither is failure a sure indication of the injustice of a cause. The Irish are not less deserving of our sympathy because they have been crushed by superior power. Ireland, in her deep distress, needs more of our encouragement, and deserves more of our pity, than if she were triumphant over foes and happy in prosperity.

☞ Thanks to the officers of the steamboats Old Hickory and Sacramento, for late river papers.

THE WEATHER.—We had a forerunner of winter yesterday in the shape of a cold north wind. We have as yet heard of no frost near the city, though its advent is to be expected soon.

PICTORIAL ADVERTISER.—Messrs. Cook, Young & Co., propose to publish as early as the number of subscribers will warrant, a work to be called the New Orleans Pictorial Advertiser. It will be a volume of large size and splendid appearance, printed with different colored inks and upon excellent paper. As a medium for advertising, the mercantile community must at once perceive its great advantages, and we doubt not they will be duly appreciated. Its being published by Cook, Young & Co., is a sufficient guarantee for its typographical excellence. No money will be claimed until a copy of the work is delivered to each advertiser, so that although the publishers subject themselves to a great expense, the subscribers will be secured from loss in any contingency that may arise.

☞ The steamship Palmetto towed up from Galveston the bark Touro, Capt. Welch, previously reported dismasted, and landed her at the Point.

COMMERCIAL EXCHANGE.—It will be seen by an advertisement in another column, that the new and spacious Commercial Exchange has passed into the hands of Parson Gray and "Master Walter." As they are both early pioneers in their profession, in the Second Municipality, we have no doubt they will have plenty of calls from its "oldest inhabitants" for Auld Lang Syne, and from their attention to business will deserve the patronage of all.

☞ We understand that Mr. Stockwell has engaged a room in the Commercial Exchange for the exhibition of his panorama.

DAN RICE'S CIRCUS.—We learn that the celebrated Dan Rice will be in town in a week or two, with one of the most splendid circus companies which has ever appeared in the United States. His horses are unsurpassed—in fact, it is said that they are scarcely approachable. His trappings and housings are all new, and his troupe is "the flower of equestrian chivalry." His principal performers are the lovely Mademoiselle Rosa, Glenn Roi, Monsieur LaHan, H. P. Madigan—well known to our citizens—and Signor Germain, who does a great many wonderful things astonishing to the natives. Besides these, the company comprises many others of the most brilliant talent in their profession.

☞ Capt. Folger, of the U. S. steamship Telegraph, has our thanks for Matamoros papers.

☞ The ferry across Red River, at Shreveport, was leased to Mr. James S. Douglass, the former lessee, for the sum of $1785. In 1847 it was leased for $1001, and in 1846 for $657.

☞ We are obliged to the officers of the steamer Old Hickory for St. Louis papers.

THE ALEXANDRIA FIRE.—The loss by the fire at Alexandria, La., is not so great as was at first supposed. The Democrat says it is estimated at from $80,000 to $120,000.

☞ The Caddo Gazette states that a Clay ticket will be got up, in Shreveport. Mr. Rhys Jones has consented to serve as elector.

☞ A storm in Caddo parish and the surrounding country on the 18th ult., did great damage to the crops.

From Texas.

We received yesterday evening full files of Texas papers. The Houston Telegraph learns from Mr. McKenzie, of Dallas, that the French emigrants, or communists, who commenced a colonial settlement above the Cross Timbers, a few months since, have all become discouraged with the difficulties they have encountered, and the privations they have suffered, and are preparing to return to France. Some have returned, and the rest will follow as soon as the invalids can travel.

LATER FROM THE INDIAN CAMP.—We received on Thursday night, says the Houston Telegraph of the 26th ult., a letter from our correspondent at Victoria, dated October 15th, in which he states that the party of Indians which defeated the company from the Cuero settlement, at the mouth of the Cibolo, after passing down the San Antonio river near to Refugio, turned towards San Patricio, closely pursued by a force of 100 volunteers, who had collected from the settlements on the Guadalupe, the San Antonio and Mission rivers. The Indian force was supposed to number 200, all warriors. The pursuing force was pressing them closely, and a runner from camp, who arrived at Victoria late on the night of the 15th, stated that the Indians were preparing for battle on the afternoon of that day. Our troops were holding them at bay, waiting for more reinforcements, and if none arrived before evening, they intended to charge into the Indian camp. Nearly all the men of Victoria, able to bear arms, had gone in pursuit of the Indians. The runners reported that twenty-two persons had been killed by these Indians, on their route from the upper settlements on the Sandies, to the Mission.

It appears that they came down between Austin and New Braunfels to the head of the Cibolo, down that river to its mouth, and then followed the west bank of the San Antonio river to the Mission. If the citizens of Bexar and the upper settlements of the Guadalupe have received intelligence of their movements, they may have taken measures to intercept them on their return to the mountains.

INDIAN INVASION.—We just now learn by a gentleman direct from the West, says the Colorado Tribune of the 19th, that a large body of Indians have made an incursion into the country situate between San Antonio and Goliad, within the last two weeks, committing every species of robbery and murder upon the defenceless inhabitants within their reach. Almost within the immediate vicinity of Goliad, a Captain York, his brother and a negro, were found murdered by them a short time since, besides a number of others whose names we could not learn. They are supposed to be the Camanches, and were trailed heading in the direction of the lower country, and fears are entertained for a reincarnment of the Lynville affair on some of our isolated villages on the route—or at least an attempt at it. It will be recollected that a short time since, this tribe, in a "talk" with Major Neighbors, expressed much dissatisfaction and restlessness at the killing of one of their warriors, which they charged upon the Rangers, and they have now most probably availed themselves of the opportunity, on the discharge of the Texas troops, to wreak their vengeance upon the frontier inhabitants. Gov. Wood has ordered the immediate raising of three companies of Rangers, which will go far towards quelling the savages, though such a force is much too small.

CAVE IN TEXAS.—The Austin Democrat learns from Mr. J. C. Lee, that a cave was discovered a short time since by Capt. Harrell, on the Dry Prong of the Brushy. The chamber of this cave is about thirty feet wide, by sixty or seventy feet long. The height is not stated. The opening of the top is only large enough to admit the body of a man; and the distance from this opening to the bottom of the cave is about thirty feet. Mr. Lee and several others visited it a few weeks since, and found the shaft of a large spear with an iron ferule at the bottom, and a rattle-snake. A similar cave was found about three miles above Austin, on the west bank of the Colorado about ten years since. These caves were probably formed by streams of rain water, which, penetrating crevices in the soft limestone rocks, have gradually worn away low narrow caverns, which communicate by subterranean passages with the copious fountains, like Barton's Spring, and the Comal, which gushes out in large streams at the foot of the hills, between broad layers of limestone.

☞ The Victoria Advocate learns by several gentlemen from San Antonio, that a set of desperate men in that place—gamblers and discharged soldiers—had collected together to the number of about seventy, on pretence of fighting the Indians, but with the real object of robbing the Quartermaster's safe and stores, but were prevented by the death of their leader, a man named Sears, who was shot by Mr. Wallace, whose store he rode into with a cocked pistol, intending to kill him. Some of the party, after the death of their leader, revealed the secret.

GRASSHOPPERS.—The Austin Democrat mentions that myriads of grasshoppers, about an inch long, have lately appeared in that section, and are scattered along the whole country from San Antonio on the west, above the highest frontier settlements, even ope hundred miles north of Austin.

☞ There was a severe frost at San Augustine and in several of the Eastern counties as early as the 3d inst.

From the Rio Grande.

The U. S. steamship Telegraph, Capt. Folger, arrived yesterday from Brazos Santiago, in a passage of eighty-two hours to the Balize. The Telegraph brought over companies A and E of the 1s Artillery, and company E of the 3d Artillery, witht the following officers: Brevet Maj. T. W. Sherman, Brevet Maj. J. F. Reynolds, 3d Artillery; Lieuts. James B. Ricketts and A. Doubleday, 1st Artillery; Lieut. Thos. J. Rodman, of the Ord. nance; Lieut. J. A. Brown, 4th Artillery; Lieuts. D. M. Beltzhoover and O. H. Tillinghast, 1st Artillery; and Lieut. J. C. Tidball, 3d Artillery.

From the American Flag, of the 18th ult., we make several extracts. The Flag is now published at Brownsville, nearly opposite Matamoros.

[From the American Flag, of Oct. 18.]

Company E, 2d Artillery, under Capt. Jareseho, [Gareschę] went up the river on the steamer Col. Hunt. We understand that they have gone forward by request, to aid the civil authorities in arresting some gangs of desperadoes that have been infesting the upper country, and committing serious depredations. For some time to come it will require that the military should aid the civil authorities, and we are gratified to see it so promptly granted.

DISTRICT COURT.—The District Court for the county of Cameron commenced its sitting on Monday, the 9th inst., Judge Norton presiding. On Saturday, the 14th, the trial was had of the State of Texas against Thomas Lewis, for shooting S. J. B. Rhine, on the 13th of June last, of which notice was made in our paper at the time. The evidence in the final trial was the same as was published in the Flag after the examination of Mr. Lewis before Thomas B. King, who was the examining magistrate, and who bound Lewis to appear before the District Court at the present term. After the trial concluded the jury retired, and in about an hour returned with a verdict of manslaughter; but as the constitution and statutes of this State requires, in the trial of criminal cases, the jury trying the same to find and assess the amount of punishment to be inflicted, or fine imposed, except where the punishment is specifically imposed by law, and as the statute makes the punishment for manslaughter not less than one, nor more than ten years imprisonment in a common jail, the court directed the jury to return and assess the punishment, whereupon they returned a verdict of manslaughter and imprisonment for one year, the shortest period fixed by law, with their unanimous recommendation to the Executive of the State to pardon. Cornelius W. Peterson, District Attorney, for the State—and Rice Garland, Volney E. Howard and Israel B. Bigelow for the defence.

THE FERRIES.—A difficulty has occurred in regard to the rights of the American and Mexican authorities in relation to the ferries. It appears that the authorities of Cameron county first rented their ferry privileges. Some dissatisfaction on the part of the Mexicans, growing out of the then state of things being manifested, an arrangement was entered into that seemed fair and unobjectionable—which was that the authorities on each side should grant the privilege to both sides of the river, and thus have independent ferries. It seems, however, that the gentleman who purchased the privilege from the Mexican authorities, at a most exorbitant price, has within a few days found that the American ferry monopolized the chief part of the business, whereupon he attempted, with the aid of the police, to force passengers from the Mexican side to cross at his ferry. To this resistance was made and a personal difficulty occurred. An occurrence of this kind is certainly to be regretted, but if the honorable ayuntamiento of the city of Matamoros will allow their feelings to be inflamed and take hasty action at the investigation of an interested party, working as it were for life and death to save himself from the effects of a bad contract, the consequences must be with them.

The Rev. J. M. Rodriguez, curate of Matamoros, alive to the interest of his church, lately paid a visit to Brownsville, and offered to contribute handsomely towards the erection of a Catholic Chapel. Subscriptions were immediately taken, and we understand that the building will be shortly commenced.

By an advertisement in the Flag we see that a company has already commenced building a theatre at Brownsville, and the Secretary, T. P. Byrd, is ready to make engagements.

THE CROPS.—The prospect for a large cotton crop, in this region, says the Caddo Gazette, though not so flattering as it was before the boll-worm committed its damages, is still bright. There will be a general average crop, and while some planters will make less than they did last year others will make more—a majority, however, will make less. There could not have been a more favorable season for picking than we have thus far been blessed with. An old planter informed us the other day that he had never known so dry a season as we have had, low places which have hitherto afforded a sufficiency of stock water, are now totally parched. Travelling on our highways is rendered extremely disagreeable by the clouds of dust which rise at every step. The receipts at Shreveport the present season we predict will reach 40,000 bales. This we may attribute to two important causes, one is the increase in the production of cotton; the other, the difficulty and delay attending the shipment from points above, which have been hitherto vainly relied upon.

DINNER TO GEN. PILLOW.—Arrangements have been made to honor Maj. Gen. Gideon J. Pillow with a public dinner, by the citizens of Carroll and adjoining counties. All persons, without respect to party, have been invited to be present at Carrollton, Miss., on Saturday, the 4th of November. Gen. Pillow will certainly attend.

PUBLIC MEETING.—Upon the receipt of the melancholy intelligence of the death of Gov. McNutt, a meeting of the citizens of Vicksburg was held at Finney's Hotel for the purpose of paying a mark of respect to his memory. The following resolution was adopted:

Resolved, That a committee of seven be appointed to confer with the relatives of the deceased, and to make arrangements to pay a proper tribute of respect to the remains of ex-Governor McNutt on their arrival and during their continuance in this city.

[For the Daily Crescent.]

The Steamboat Piney Woods, Capt. W. J. Portivant.

Considerable time has now elapsed since the burning of this boat, and yet no correct or satisfactory statement of facts and particulars respecting this sad catastrophe has been made by any one. Mention was made of it in several of the public journals in this city, on the 9th and 10th ult.—little more than simply stating that the boat had accidently caught on fire and burned to the waters edge. It has been stated that a strong breeze prevailed at the time; and the very fact of Mr. Harvey's little son swimming and floating on the surface of the water as long as he did, shows plainly the contrary. The question now arises, were the officers on board the boat attending to their duty at their respective places? If they were, why was not the fire extinguished immediately, before it had time to envelope the boat in one blaze? Had they been in their proper places, no fire could have originated in that part of the boat (which a previous partial statement says it did) without its being timely discovered. The rapid rate at which the boat was propelled, must have fanned the flames, and caused the speedy destruction. Had the person in command of the boat exercised the least presence of mind, he could have saved all; but alas! self preservation must have been uppermost in his mind in the earliest stage of this awful scene, for, instead of stopping the boat, and resorting to means (of which he had ample on board) necessary for the rescue of his passengers, he abandoned all, the innocent and helpless, to their awful and their inevitable fate, and betook himself to a rope which he had previously fastened to the rudder or stern of the boat, and called for those on board to follow him; but while in that position, he found himself dragged too much under water, and afterwards caught hold of a plank which was floating near him, and thereby saved himself. Place most any other of our steamboat captains in such a situation, with exactly the same means, and in ninety nine cases out of one hundred, not an individual would be lost; and who is their having command of a boat which might be lost in this manner, but what would promptly render every assistance in their power to recover the bodies of the lost, and not abruptly leave the spot, with all the carelessness and indifference of a man void of the principles of humanity. All that can be said or done, will not restore those who have thus perished by the stupidity and ignorance of inexperience. Further investigation may convince persons who are travelling, that occasionally at least, it is sometimes well enough and necessary, (when it can be acquired) not only to have a knowledge of the boats they may travel on, but likewise of the ability of those who command them. Had this precaution been taken in the case of the "Piney Woods," but few persons would have been lost. People, generally, are much afraid of steamboat boilers exploding, but few think of their destruction by fire through carelessness and neglect. The cotton bales alone which were on the deck of the "Piney Woods" were amply sufficient to save all, had the boat been stopped, and use been made of them, with the smoothness of the water and short distance to the shore. By adopting this plan, which could have been done with all the ease imaginable, every soul would have been saved. W. N.

PROGRAMME
OF THE
Grand Illuminated Procession
OF THE FRIENDS OF
TAYLOR AND FILLMORE:
ON SATURDAY NIGHT, NOVEMBER 4.

P. N. WOOD, *Grand Marshal.*
Aids:
GEORGE W. HYNSON, LAFAYETTE GUYOL,
GEORGE C. LAWRASON, OVIDE DEBUYS.

First Division.
Music.
Deputy Grand Marshal—Col. J. B. WALTON.
Aids—Col. F. A. Lumsden, M. M. Thomas, J. A. James.
Fillmore Rangers.
Union Rough and Ready Club, Second Municipality,
Italian Rough and Ready Club,
German Rough and Ready Club.

Second Division.
Music.
Deputy Grand Marshal—Gen. E. L. TRACY.
Aids—Herman Doane, Celso G. Ferino, Jos. Fuentes
Spanish Rough and Ready Club (mounted.)
Spanish Rough and Ready Club (on foot.)
Crescent Rangers (mounted.)
Gunther Rangers (mounted.)
Independent Rough and Ready Club (mounted.)

Third Division.
Music
Deputy Grand Marshal—JULIEN NEVILLE.
Aids—Richard Pendegrast, P. J. Stanley, Capt. Brown.
Central Rough and Ready Club, Parish of Jefferson.
Gretna Rough and Ready Club
Freeport Rough and Ready Club.
Carrollton Rough and Ready Club.
Algiers Rough and Ready Club.
Boatmen's Rough and Ready Club.
Captains, Officers and Crews of Vessels and steamers in port.

Fourth Division.
Music.
Deputy Grand Marshal—VICTOR SERE.
Aids—L. Castera, P. E. Coquerelle, Octave Audry.
Rough and Ready Club, First Ward, First Municipality.
Rough and Ready Club, Second Ward, do.
Rough and Ready Club, Third Ward, do.
Rough and Ready Club, Fourth Ward, do.
Rough and Ready Club, Fifth Ward, do.
Rough and Ready Club, Sixth Ward, do.
Rough and Ready Club, Seventh Ward, do.

Fifth Division.
Music.
Deputy Grand Marshal—JOHN CUMMINGER.
Aids—Chas. Riddle, Copeland S. Hunt, J. D. G. Quirk.
Rough and Ready Club, First Ward, Second Municipality.
Rough and Ready Club, Second Ward, do.
Rough and Ready Club, Third Ward, do.
Rough and Ready Club, Fourth Ward, do.
Rough and Ready Club, Fifth Ward, do.
Rough and Ready Club, Sixth Ward, do.
Rough and Ready Club, Seventh Ward, do.

Sixth Division.
Music.
Deputy Grand Marshal—JAMES KATHMAN.
Aids—L. J. Hynes, F. Beckman, F. S. Bartlett.
Union Rough and Ready Club, Third Municipality.
Independent Rough and Ready Club, Third Municipality.
Rough and Ready Club, First Ward, Third Municipality.
Rough and Ready Club, Second Ward do.
Rough and Ready Club, Third Ward, do.
Rough and Ready Club, Fourth Ward, do.

☞ Each Club will appoint their own Marshal and Deputy Marshal for the direction of the several Clubs.
The Grand Marshal will wear a scarlet sash, and his Aids a badge upon the arm of the same color.
The Deputy Grand Marshal white sash, and the Aids a badge of the same color.
The Marshals of the several Clubs blue sash, and their Deputies a badge of same color.
☞ The Procession will form on the north side of Canal street, the right resting on Bourbon street, displayed towards the river, under direction of the Grand Marshal and his Aids.
☞ The several Divisions, under the direction of their respective Deputy Grand Marshals, preparatory to uniting in the mass column, will assemble as follows:
First Division on the south side of Canal street, the right resting on Bourbon street.
Second Division on Chartres street, right resting on Canal.
Third Division on Camp street, right resting on Canal street.
Fourth Division on Royal street, right resting on Canal.
Fifth Division on St. Charles street, right resting on Canal.
Sixth Division on Bourbon street, right resting on Canal.
☞ As the the First Division moves on the line of march, which will be announced by the discharge of rockets, each Division will unite successively in the main column.
The respective Clubs are requested to be at the points designated by 6 o'clock, as the Procession will move at half past 7.
The route will be up Carondelet street to St. Joseph, up St. Joseph Street to Camp, down Camp street to Julia, down Julia street to St. Charles, down St. Charles street to Canal, down Canal street to Bourbon, through Bourbon to Esplanade street, up Esplanade to Casacalvo, down Casacalvo street to Spain, up Spain street to Moreau, up Moreau to Esplanade street, down Esplanade to Royal street, up Royal to Canal street, where the Procession will be dismissed.
☞ The different Clubs will provide their own music.... All Clubs not enumerated in the programme, which are mounted, will report to Gen. Tracy, there on foot to the Grand Marshal: and appropriate places will be assigned them in the Procession.
By order of the Committee of Arrangements.
n14 4t P. N. WOOD, Grand Marshal.

The Late Disturbance.

A CARD.

In consequence of the conflicting statements which have been made, concerning the unfortunate affray which occurred at the corner of Circus and Perdido streets, on Saturday night, 28th ultimo—some of which go so far, as to charge the Democratic party with an act of premeditated assassination—the undersigned were requested, by the Democratic State Central Committee, to investigate the matter, and make such public report thereon, as justice to the Democratic party and the community at large demands.

It is to be regretted, that owing to the intensity of public excitement, statements and rumors should be received with credit, which, in a few weeks hence, the good sense of every intelligent citizen will pronounce, not only incredible, but impossible. In collecting, and in commenting upon the evidence which we lay before the public, the Committee have no disposition to fix upon the Whig party, a responsibility for excesses and outrages, committed by individuals; they can only deplore, in common with all who value the peaceful character of the city, that excesses, which, it is believed, are without precedent in its history, should have occurred in the prosecution of a political canvass, which, on all previous occasions, has been conducted, not only with good order, but with good feeling.

We now call the attention of the public to the following statements and affidavits of respectable citizens, some of whom are of long standing, and of the highest respectability in the community, who were eye-witnesses of the affray:

I was standing on the platform opposite Lilly's coffee-house when the Democratic procession was passing up Circus street. I noticed a man coming out of Lilly's house, in his shirt sleeves, and taking his stand at the verge of the banquette, near the curbstone. He commenced flourishing his hand around his head, and cheering—could not hear what he said. A man belonging to the procession swung his torch at him, but did not strike him with it; this person must have continued moving, as the torch disappeared from my view. At this moment, the man standing near the curbstone, drew a pistol, which he fired several times at the procession. The procession scattered—those opposite the house retired to the other side of the street; some up the street and others down. The man who first commenced the fire, then retired into the house, when another person, standing in the door of the house, commenced firing anew at the procession, in the direction which I was, before any assault had been made upon the house; and about the same time a third person came to one of the doors, and fired several times into the procession. I then retired with my family.

JOHN O'BRIEN.

Bernard Gilhooly being duly sworn, deposes, that on the night of Saturday night last, he was marching in the Democratic procession, with the Third Ward Club of the Second Municipality, that when the part of the procession which he was in, came opposite to Lilly's coffee-house, on the corner of Circus and Perdido streets, he saw a collection of persons in front of the coffee-house, ranged along Circus street, shouting for Taylor and Fillmore; the procession cheered for Cass and Butler. The persons in front of the coffee-house made use of abusive language toward those in the procession—one person standing on the side-walk, with his coat off, held openly in his hand a revolving pistol, and called upon the persons in the procession, in an insulting manner, and with offensive language, "to come on, that they were prepared for them." Up to this time the order of the procession remained unbroken—an individual immediately in the rear of me moved out towards him with a lighted torch, which he either swung or threw towards the man with the pistol, in the hot, heavy, and humid atmosphere, as deponent believes; some of the sparks may perhaps, have struck him; not, however, in such a manner as to have inflicted any persons injury on the man with the pistol, who immediately commenced firing in the crowd in every direction; discharging, as deponent thinks, all the barrels of his revolver. Mr. James Dunn was walking between the procession and the banquette, enforcing order, when the individual alluded to shot in the direction where he was. The procession immediately scattered, but soon rallied, other firing still continued from the house, in such rapid succession as to induce the belief that the firing was from revolvers. About the time the crowd had made its way to the house and soon after set it on fire; deponent was within ten feet from the banquette, immediately in front of the house, at the time of the affray. BERNARD GILHOOLY.

Sworn to and subscribed before me, this 31st October, A. D., 1848. G. B. BEVERLEY,
Second Justice of the Peace for the Parish of Orleans.

The undersigned states, that he was standing in company with Col. Bisone, on the corner of Circus and Perdido streets, at Lilly's, on Saturday evening, observing the procession; the pavement was crowded with spectators, some of whom were cheering for Taylor and Fillmore, at the same time using very insulting language to the procession, which was peaceably passing about the middle of Circus street. They were shouting for Cass and Butler, and some, bearing torches, would wave them as they cheered. Standing near me was a man, in his shirt-sleeves, who was cheering very loudly for Taylor. At this time, some of the torches in the procession were waved towards Lilly's, the bearers of them being about six or eight feet from the pavement; but I saw no one strike with torch, or burn with sparks from them. Suddenly, a pistol was fired near me, and I instantly turned, and saw it had been done by the man who stood near me in his shirt-sleeves; there were two men between him and myself; he fired, in rapid succession, upon the procession, three times, I think, with a revolver. Upon his firing the procession broke, and retreated a moment towards the lower side of the street; the man fired upon the retreating men; the men in the procession then rallied, and rushed towards the place where the man was, and a general melee took place, blows were struck with torches; the man who had fired the pistol, together with some three or four others around him, stood their ground for a moment, and then retreated into Lilly's house; as soon as they got in, a man appeared at each of the doors on Circus street, and commenced firing rapidly on the crowd outside. I think eighteen or twenty shots were fired; I had then got into the middle of Circus street, and saw distinctly what was going on; I had seen men fall at the time the torches were used; after the men in the doors had fired, as above stated, the men with the torches got into the house, and the men who had used the pistols seemed to have fled, and the house was instantly fired; I did not observe any man in the procession or those who came from it, with pistols or other arms.

O. LIVERMORE.

Sworn to and subscribed before me, this 30th day of October, 1848. GEORGE Y. BRIGHT,
Second Justice of the Peace for the Parish of Orleans.

Personally came and appeared before G. Y. Bright, J. P., Joseph H. Moore, a merchant of the city of New Orleans, who being duly sworn, deposes and says: That on the night of the 28th inst., he was in the Democratic procession, marching at the head of the Fourth Ward Club, up Circus street. He was below the intersection of Perdido and Circus streets, when he first heard the report of a pistol which was fired several times; he was then about twenty yards from the house of Lilly; but many persons stood between him and the house, and he could not see what was then going on at or near the house before or during the first firing... The procession, however, continued to advance a few seconds longer, when a good many persons ran from the doors and windows in such rapid succession that they could not be counted by the deponent; whereupon, that portion of the procession now immediately opposite the house—the Third Ward Club—dispersed; the Fourth Ward Club halted at the intersection of Perdido and Circus streets, and for the most part retreated to the opposite side of the street or dispersed. The head of this latter Club remained standing in the middle of the street a short time, when Capt. Sterling and others called upon them to proceed. Supposing the firing to be over, the procession again moved onward. When deponent got immediately opposite Lilly's house, he saw a person approach the door from within, with a revolver in his hand; he presented his pistol obliquely towards the intersection of Perdido and Circus streets, where the procession was again rallying, and its ranks appeared thickest, and discharged it at the crowd. At this moment the part of the procession fired at was forty or fifty feet from the house. From the time the second firing took place, all the persons standing between deponent, the procession and the house, had retired in different directions and left the field between the house and deponent entirely open to deponent's observation. Whilst the firing was going on for the third time, some person from the procession behind deponent, rushed to the house, with a torch in his hand, which he pushed in the face of the person firing within the house. Almost at the same time several other persons rushed from the procession with torches, and fired the house through the windows.

When I came in front of the house, and from the time of the second firing, the procession stood at a distance from the house, and no attempt was made to attack the house or molest any of its inmates, until the last firing. Deponent did not at any time while in the neighborhood of the house, hear any remarks or cries from the procession as to the character of the house or those who occupied it. JOS. H. MOORE.

Sworn to and subscribed before me, this 31st day of October, 1848. GEORGE Y. BRIGHT,
Second Justice of the Peace for the Parish of Orleans.

I was in the procession of the democratic party of New Orleans, held on Saturday evening, the 28th October. I marched with the democrats of the Fourth Ward, Second Municipality, where I was present. When the band of music which headed this portion of the procession had reached the intersection of Perdido street with Circus, I was some thirty yards in the rear, and not more than forty yards from Lilly's coffee house. The notoriety which attached to the establishment, being the headquarters of the "Union Rough and Ready Club," had drawn my eyes toward it some minutes before; and until the musicians were about crossing Perdido street, I saw nothing to cause apprehensions of a difficulty. The procession was moving at this time, about the centre of Circus street, and the intervening space, between the line of the procession and the side-walk fronting the coffee-house, was free from people. This part of the side-walk was occupied by a number of men, some of them in their shirt-sleeves, most of whom I perceived were gesticulating violently and offensively toward the procession. The distance and the noise prevented me from hearing what they said. All at once I heard four or five shots fired in rapid succession. For a moment, most of the people in the neighborhood of the attack, were panic-stricken, and they fled in every direction; notwithstanding which, the firing was kept up from the house; and, judging from the direction of the flashes, the discharges were aimed both up and down Circus street, and down Perdido street. Very soon, however, the people rallied. Four or five resolute men, in disregard of the firing that was still kept up, rushed to the doors of the house, which had now been closed, and broke them open. The people, believing that the attack was unprovoked, and that several of their numbers were killed and wounded, were wild with excitement, and the general cry arose to set fire to the building. In a few minutes afterwards the building was in flames. The procession having re-formed, I moved with it up Circus street to Julia.

There were from twenty to twenty-five shots fired on the procession, four or five from the side-walk fronting the coffee-house, and the remainder from the doors and windows of the building. I saw no assault made upon the house or its inhabitants until the firing was nearly over. I do not believe that any offence was offered to either by the people in the procession until after the firing commenced. The latter were evidently unarmed, for no shot was fired by them in return for those from the coffee-house, as would obviously have been the case had any of them had arms. JAMES GRAHAM.

From the foregoing statements, which were furnished by persons, who were for the most part, previously unknown to each other, and which concur in every particular, it is manifest:

1st. That the procession, while passing Lilly's corner, was insulted by abusive and offensive taunts, calculated to provoke an assault.

2d. That the persons offering these insults were inmates or frequenters of Lilly's coffee-house, and that they were armed beforehand for a desperate conflict.

3d. That some person from the procession, provoked at the abusive language, waved or threw a torch at the person most prominent in giving provocation, but that the torch fell harmlessly in the gutter; that it was not "thrust in his face," as has been alleged.

4th. That the person at whom the torch was thrown immediately fired five or six times, with a revolving pistol, indiscriminately into the crowd, scattering the procession.

5th. That after the procession rallied, the firing continued from the interior or from the threshold of Lilly's house, the person who first fired having retreated within the house.

6th. That it was not until fifteen or twenty shots had been fired at the procession—and there was every reason to believe with fatal effect—that any attack was made upon Lilly's premises, when, no doubt, the building was intentionally destroyed.

It is not contended that the taunts and offensive language used by the persons belonging to Lilly's coffee-house, furnished any pretext for the burning of the house, any more than the throwing of a torch even in a man's face (which, by the bye, was not the case,) affords an apology for discharging the contents of a revolving pistol indiscriminately into a crowd of citizens. It is true that the use of offensive language towards political processions, was a violation of the compact which had been entered into on behalf of both parties, recommending a course of conduct which the two political parties were to observe towards each other; but it was not to be expected that there would not be (as there have been) frequent violations of this arrangement on both sides. The cause of the conflagration was the attack (without adequate provocation) made upon the procession with deadly weapons. It is not for this Committee to attempt to decide whether the redress resorted to was, or was not, adequate to the provocation; how long men may be expected to receive volleys of bullets, without resistance, or to what extremity they may be justified in carrying retaliation, the Committee do not pretend to determine.

The high morality which inculcates the doctrine of non-resistance is often forgotten in an hour of excitement, even by those who approve of it. Whatever violations of law may have taken place, on either side, will, no doubt, be punished by the law. It is useless, however, to contend that an attack was premeditated on Lilly's premises. No expressions manifesting such an intention were used. Had such an act been contemplated, some preparation would have been made for a conflict; whereas, the persons engaged even in firing the premises, were unarmed, and the occupants of the house, it apparent, were armed to the teeth. If the charge of an intended assault is to be made against either party, it would seem most reasonable and proper to make it against those who were prepared for it, and who commenced it.

The statement which appeared in a morning paper, that no personal injury was inflicted upon those belonging to the procession, is erroneous. It is by no means certain, that the injuries sustained in the affray may not yet result in the loss both of life and limb. The committee, in conclusion, would repeat, they do not intend to hold the whig party responsible for an occurrence, which every good citizen must deplore. No party, as such, can be justly held responsible for individual acts of violence and brutality. Against organized ruffianism, we have, however, a right to complain; and it is to be regretted, that during the present canvass, organizations not corresponding to the geographic divisions of the city, and not officered by responsible men, have been formed. It is to this circumstance alone, that we attribute all the disturbances, which have hitherto been unknown in New Orleans, and which have contributed so much to compromise the character of its citizens, for good order and propriety.

J. N. LEA,
JOHN M. BELL,
W. W. KING,
L. J. SIGUR,
JOHN CLAIBORNE,
} Committee.

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