

THE DAILY CRESCENT.

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NEW ORLEANS.

THURSDAY MORNING, FEBRUARY 22, 1849.

Correspondence of the Crescent.

Naval Promotions—Commander J. C. Long and other Officers—Fry of Naval Officers—Pennsylvania Bank—Rogers' Remarks—The Opera—Letter from the Herald concerning it.

New York, Feb. 11, 1849. Eds. Crescent—By the mail of the 10th inst. I have the honor to acknowledge the receipt of your issue of the 10th inst. containing a position which has been reached by our thirty-six year old son, Capt. Conover entered the Navy on the 1st of Jan. 1812, and consequently, at the date of his promotion, he served in the different ranks of Midshipman, Master, Lieutenant and Commander, thirty-six years and nine months—ten years and a half as Commander.

Commander Bailey is now first on the list for promotion of Lieutenants. There are five older in rank than he, but they are not on the list for promotion for higher office as well as for the duties in that which they now hold—yet they receive pay regularly—four of them \$1200 per annum, and the fifth \$600.

Lieutenants Jackson, Harwood and Bailey, entered the Navy in 1818, and have served nine years as Midshipmen and three years as Lieutenants—three years as Lieutenants—thirty-one years in all. Ninety-four in the list of Lieutenants in the list of Commanders—under the present rules of the Navy—must occur before they reach the rank of Captain.

John Quincy Adams is now at the head of the list of Passed Midshipmen, and the next for promotion to the rank of Lieutenant.

Messrs. Caldwell, Shields, Fleming, Rigely and Rutledge, all entered the Navy in 1825—served as Midshipmen six years and as Passed Midshipmen eight—making fourteen years service at date of promotion to a Lieutenant. Their next promotion will only take place, under the present rules, when 200 to 225 vacancies shall have occurred in the list in which they belong, by deaths, promotions, resignations, dismissals, etc.

The pay of each of these various ranks is as follows: Of Captains, \$1000 per month, which amounts to \$12000 per annum, when on usual sea duty. When on land duty, \$800 per month, which amounts to \$9600 per annum. Commanders, on sea duty, \$700 per month, which amounts to \$8400 per annum. When on land duty, \$500 per month, which amounts to \$6000 per annum. Passed Midshipmen, on sea duty, \$400 per month, which amounts to \$4800 per annum. When on land duty, \$300 per month, which amounts to \$3600 per annum.

Pennsylvania, after suffering an experience of many years in the matter of banking, is now about doing what she ought to have done long since, and is copying a page from the New York bank law. She, however, is wrong in imposing a clog upon the operation of our well-protected system. A bill to authorize "the business of banking, and provide a sinking fund for the gradual extinguishment of the State debt," has been introduced in the Legislature of this State. By this bill, bank notes are to be issued for circulation upon four-fifths of the value of State stocks, or stocks of the United States as per, deposited with the Auditor of the State. The dividends accruing on these stocks are to be paid to the owners, minus one-half of one per cent., which is retained by the State for a sinking fund for the redemption of her debt.

This law will probably be found to answer a poor purpose of all the objects designed. The State is too greedy. That one-half of one per cent. is too little to make up the fund retained, and too much to be deducted from the man's profits on a fair investment. Besides, the actual value of United States and her own State stocks, instead of one hundred and twenty per cent., would be ample security for the redemption of the bank notes issued under the law. The better policy, would be to deduct from the man's profits for the purpose, taking them at their market value, and relinquishing all claim to the half per cent.

The Herald of this morning contains an article on the Opera of this city, which embodies as much malice as could well be crowded into the compass of a newspaper column. It purports to be a letter from some one in New York to "John Smith, Junr.," in Paris, and is a tissue of slanders from A. to Z. Messrs. Fry and Maretz, and the glorious Truff, are shamefully libeled, and I have no doubt that Bennett will be compelled to disprove a page from the Herald's prosecution. I will quote a sentence from the document, just to give you a notion of its spirit.

"Now is it possible," says the slanderer, "that men of standing, taste and respectability will patronize, or in the least have done long since, and is copying a page from the New York bank law. She, however, is wrong in imposing a clog upon the operation of our well-protected system. A bill to authorize "the business of banking, and provide a sinking fund for the gradual extinguishment of the State debt," has been introduced in the Legislature of this State. By this bill, bank notes are to be issued for circulation upon four-fifths of the value of State stocks, or stocks of the United States as per, deposited with the Auditor of the State. The dividends accruing on these stocks are to be paid to the owners, minus one-half of one per cent., which is retained by the State for a sinking fund for the redemption of her debt.

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Supreme Court of Louisiana.

Condensed Decisions—New Orleans, Feb. 19, 1849.

When the sale of a slave, possession is taken by the vendee from the time of the purchase and before the rights of third persons intervene, the fact of the sale is not to be considered in appreciating the subsequent conduct of the parties. When such a sale is fair and real, the vendee is not liable for the venditor's fraud, unless the vendee had notice of the fraud at the time of the purchase.

Edward Brown vs. Wm. Gray. Appeal from the Ninth District Court, Parish of Carroll. No. 218 in the Supreme Court. King, J. Per curiam: A motion for a new trial was granted. The judgment was reversed, and the case remanded to the District Court for a new trial.

In the latter part of 1846 Brown hired Craig Fanny and her two children, born after the purchase. Craig was then going to Louisiana, to do certain work as a carpenter, and took the slave Fanny with him as a cook. It was understood that he should bring her back on a boat. The other child, Edward, remained with the plaintiff.

Craig, on his arrival in Louisiana, in 1847, held himself out as the owner of Fanny and her children. He fell in love with a girl named Elizabeth, and he married her. He then sold Fanny and her children to Elizabeth. The Louisiana law, at that time, provided that a slave could not be sold without the consent of the owner.

There is no doubt, under the evidence, of the execution of the bill of sale and the payment of the money; but the defendant claims that the sale was fraudulent. It is not shown that the slaves were sold for a price less than their value, or that they were sold to a person who was not a bona fide purchaser.

It appears, however, that Brown was in possession of them when they were sold by Craig, as a carpenter, and that he was not a bona fide purchaser. The court held that the sale was fraudulent, and that the slaves should be returned to Brown.

Having taken possession of the property in 1846 and continuing to possess it several months, the vendee is not liable for the venditor's fraud, unless the vendee had notice of the fraud at the time of the purchase. The court held that the vendee had notice, and that the sale was fraudulent.

Where it is shown that the creditor fraudulently obtained possession of certain property of his debtor, an abatement in favor of the vendee is granted. The court held that the vendee was entitled to an abatement, and that the sale was valid.

Edley T. Powell vs. Lawson B. McKee. Appeal from the Ninth District Court, Parish of Madison. No. 413 in the Supreme Court. King, J. Per curiam: The suit was dismissed, with costs.

Anna S. McComas, Petrix vs. Manuel Roquillo, Administrator. Appeal from the Second District Court, Parish of Plaquemine. No. 1065 in the Supreme Court. King, J. Per curiam: The judgment was affirmed, with costs.

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RESTAURANTS, &c.

Hobbrook Oyster Saloon and Restaurant. HAS made arrangements to be at all times supplied with the finest OYSTERS from Mobile and New York.

MURPHY'S RESTAURANT. BOWLING and Billiard Saloons—No. 100 St. CHARLES STREET.

AMERICAN OYSTER SALOON. UNDERMANNED MOST RESPECTFULLY. HAS made arrangements to be at all times supplied with the finest OYSTERS from Mobile and New York.

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