The Daily Crescent.

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THE DAILY CRESCENT.

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TERMS OF THE CRESCENT.

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NEW ORLEANS:

WEDNESDAY MORNING, MARCH 21, 1849.

More of the America's News.

THE ROMAN REPUBLIC—HAMBURG—AUSTRIA—TUSCANY.

ITALY.—*Opening of the Roman Assembly.*—The session of the Roman Constituant Assembly was solemnly opened on the 5th February. The Deputies marched in procession from the capitol to the palace of the Chancery, the old hall of which had been fitted up for their reception. At 1 o'clock the Ministers took their seats, and the senior Deputy having been called to the chair, M. Armellini, Minister of the Interior, read a speech, in which he endeavored to demonstrate the incompatibility existing between the temporal and spiritual power of the Pope. On leaving the tribune he exclaimed "Italy and the People forever!" and the auditory repeated the same cries. The Deputies were mostly young men, and about 140 were present.

Deposition of the Pope.—We have from Rome the important intelligence of the deposition of the Pope, and the establishment of a Republic.

This event took place at 1 o'clock in the morning of the 9th of February, the Assembly having sat from mid-day.

This sitting commenced on the 8th, at noon. M. Galletti occupied the chair, and all the Ministers were present. The number of Representatives present was 144. The proceedings commenced with M. Armellini, in the name of the Provisional Government, coming forward and resigning into the hands of the Assembly the powers which it had hitherto held.

The Prince de Canino called upon the Assembly to declare that the Government had not done all it ought to have done relative to three things—arms, money, and the purging of different departments. He concluded by a long examination of the acts of the Provisional Government, several of which he condemned. After some farther remarks, M. Corlo Rusconi proposed that the present Ministry be confirmed. The motion was carried unanimously, and after some farther debate the sitting was suspended for half-an-hour. When the Assembly resumed, M. Savini moved the following decree:

Art. 1. The Popedom has fallen, in fact as well as in law, from the temporal Government of the Roman States.

Art. 2. The Roman Pontiff will enjoy all the guarantees necessary to the independence of the exercise of his spiritual power.

Art. 3. The form of Government of the Roman State will be pure democracy, and will take the glorious name of the Roman Republic.

Art. 4. The Roman Republic will have, with the rest of Italy, the relations which a common nationality requires.

M. Mamiani made a long speech, in which he declared that the temporal dominion of the Popes had always been a misfortune to Italy, and that Rome was in such a state that she could not have any government but that of the Popes or that of Rienzi. He then gave a historical sketch of the present state of Europe, which he examined at great length, and, having come to the conclusion that it would be extremely difficult to maintain the Republic at Rome, he declared that, in his opinion, the best thing the Assembly could do would be to postpone the settlement of the form of government for the present, and to leave the question to the decision of the Italian Constituant Assembly.

When he sat down, M. Mamiani was saluted with groans and murmurs of disapprobation. M. Mari replied to him; and M. Filopanti warmly supported the adoption of the Republican form of Government, and insisted that the decree should be at once adopted. M. Agostini followed, and also opposed the postponement of the question proposed by M. Mamiani. At 6 o'clock the Assembly adjourned the debate for two hours. On the resumption of the sitting, M. Oudinot proposed that the Assembly should at once decree the deposition of the Pope, but that it should be left to the Italian Constituent Assembly to determine the Government to be adopted. A long debate on this proposition followed; but ultimately the Assembly resolved, almost unanimously, that the entire decree should be adopted, and that not only should the Pope be deposed, but the Republic established. Of 144 members who voted, five only opposed the adoption of a Republican form of Government. The proceedings were not closed until past two in the morning.

HAMBURG.—The Senate of Hamburg is about to convene an assembly of the citizens, for the sole purpose of introducing a bill for the emancipation of the Jews. The Council of Sixty has, according to the statement of the Senate, agreed to this proposition, but that of the Ancients made a proviso that the use of the Mosaic law, in matters relating to matrimony and inheritance, shall at once cease, while the Senate proposes that it shall still remain in force.

The Second Chamber of the States General of Saxony, unanimously adopted a motion for the recall of the Saxon Minister at Vienna.

AUSTRIA.—The latest intelligence from Esseg proves that fortress is not yet in the hands of the Imperialists, although its surrender was reported by the Vienna papers. On the contrary, it appears that the Emperor's troops have merely taken the town of Esseg, but that the citadel remains still in the hands of the insurgents, who did considerable damage by bombarding the town. The Austrian troops endeavor to protect themselves by temporary fortifications from the hail of balls and shells, which it is stated are continually pouring in. Nor have they been able to surround the whole of the citadel, the northern road being still in the power of the Magyars, who can thus receive provisions and reinforcements. The fortress of Arad remains still in the hands of the insurgents. The Austrian force, under Gen. Theodorovich, amounting to 26,000 men, has arrived to lay siege to that important place. Serious disturbances seem to have broken out in Croatia and Servia, but the accounts of their cause and extent are too conflicting to allow of any reliable statement.

TUSCANY.—The Grand Duke of Tuscany and family fled from Sienna on the 8th. The official statement of this act was followed by immense agitation in every part of the city. The *generale* was beaten, the national guards and troops were called out, and the Chambers were convoked. Meanwhile, however, the clubs issued a manifesto, convoking the people, who assembled in great numbers, and proclaimed a Provisional Government, choosing Montanelli, Guerazzi, and Mazzoni as its chiefs. Immediately upon the Duke's flight, Montanelli, the Minister, returned to Florence, and at the meeting of the Chambers, which was hastily called, read to them a letter, in which the Grand Duke declared that in order to avoid the excommunication with which the Pope, in a private communication, had threatened him if he had adhered to the Italian Constituent Assembly, he had come to the resolution of quitting Tuscany, and that he had taken the route of the Maramma. He had just finished reading this document, when the cries of the people without drowned all discussion; and immediately afterwards the multitude, who had proceeded to the Chamber, rushed into the galleries and compelled the members assembled to acknowledge and confirm the Provisional Government. The clubs proclaimed the deposition of the Grand Duke, and declared Tuscany to be part of the Italian Constituent, to be disposed of as the Roman Assembly shall hereafter decide.

THE REPUBLIC IN TUSCANY.—On the 12th a grand deputation of the clubs and people of Leghorn arrived at Florence, to demand the immediate proclamation of the Republic and the union with Romagna. Guerazzi contrived to give an evasive answer, alledging the approaching convocation of the Assembly.

Subsequent accounts have been received from Florence to the 12th inst., at which dates the town was tolerably tranquil. On the 10th the Provisional Government issued a decree declaring that, until the form of government for Tuscany should be settled by the Italian Constituent Assembly, the legislative powers are placed in a single Assembly, composed of the representatives of the people, elected by direct universal suffrage, and in a Provisional Government. The former Senate and General Council are consequently abolished, and the new Assembly is convoked for the 15th of March. The Provisional Government has appointed M. Antonia Mordini, Minister of Foreign Affairs; Professor Marmocchi, Minister of the Interior; Dr. Romanelli, Minister of Grace and Justice; Dr. Franchini, Minister of Public Instruction; M. D'Ayala, Minister of War; and M. Adami, Minister of Finance.

On the 11th the members of the Provisional Government went to inspect the troops in the forts. The soldiers received them very rudely, and some of them, cried "Out, out!" "Leopold II!" The officers had much difficulty in getting them in rank. Guerazzi and Montanelli, who both addressed them, were plainly told by some of the soldiers that they had no confidence in the Government. Guerazzi, finding they maintained their opposition, returned, saying he would give their discharges to those who wished to leave.

A letter from Genoa, of the 13th inst., says that the Republic had been proclaimed in Tuscany, but that a great ferment prevailed throughout the Duchy, and that the peasantry were preparing to march against Florence.

Letters from San Stefano, of the 11th of February, published in the Piedmont Gazette, state that the Grand Duke of Tuscany was still in that place, and that he had formally forbidden the publication of the proclamation of the Provisional Government. The English war-steamer Porcupine, and the English frigate Thetis, were at anchor in the roads, where they were placed at the disposal of the Grand Duke.

☞ The March number of the Lady's National Magazine contains the following sweet poem, addressed to Mrs. Polk:

TO MRS. JAMES K. POLK.

BY MRS. ANN S. STEPHENS.

Lady, had I the wealth of earth
To offer freely at thy shrine,
Bright gold and buds of dewy birth
Or gems from out the teeming mine,
A thousand things most beautiful,
All sparkling, precious, rich, and rare,
These hands would render up to thee—
Thou noble lady, good and fair!

For as I write, sweet thoughts arise
Of times when all thy kindness lent
A thousand hues of Paradise
To the fleet moments as they went:
Then all my thoughts were wing'd with light,
And every smile was calm and sweet,
And thy low tones and gentle words
Made the warm heart's blood thrill and beat.

There, standing in our nation's home,
My memory ever pictures thee
As some bright dame of ancient Rome,
Modest, yet all a queen should be.
I love to keep thee in my mind
Thus mated with the pure of old,
When love, with lofty deeds combined,
Made women great and warriors bold.

When first I saw thee standing there,
And felt the pressure of thy hand,
I scarcely thought if thou wert fair,
Or of the highest in the land;
I knew thee gentle—pure as great,
All that was lovely, meek, and good;
And so I half forgot thy state
In love of thy bright womanhood.

And many a sweet sensation came,
That lingers in my bosom yet,
Like that celestial, holy flame
That vestals tremble to forget;
And on the earth, or in the sky,
There's not a thought more true and free
Than that which beats within my heart,
In pleasant memory of thee.

Lady, I gladly would have brought
Some gem that on thy heart may live,
But this poor wreath of woven thought
Is all the wealth I have to give.
All wet with heart-dew, fresh with love,
I lay the garland at thy feet,
Praying the angel forms above
To weave thee one more pure and sweet!

☞ The American steamer Venezuela, sent out to navigate the Oronoco river, arrived at Port of Spain on the 17th of January, and created an intense excitement. She is one of four steamers which the Oronoco Steam Navigation Company are about to put on that river. The company was formed in this country by Mr. Vespasian Ellis, formerly our Charge in Venezuela, who was made President of the Company. Having acted as the agent of Gen. Paez in purchasing the Scourge, he has been displaced by the Company, who desire to avoid every appearance of connection with the party politics of Venezuela. The steamer was the first of the kind seen in Port of Spain, and was visited by nearly the whole population of the place. The Company intend to secure the carrying trade on the Oronoco from Bogota to its mouth—a distance of 1500 miles.

AN INTERCHANGE OF OPINIONS.—On Friday last Gov. Dewey transmitted to the Assembly a copy of the resolutions passed by the Virginia Legislature, adverse to the Wilmot proviso, in favor of slavery, etc. Whereupon, on motion of Mr. Strong, the Assembly voted that the Governor be requested to send to Virginia the resolutions on these same subjects which have been passed by our Legislature.—*Milwaukee Sentinel, 22d ult.*

ANOTHER WIFE MURDERED BY HER HUSBAND.—The New York Herald states that, on the afternoon of the 10th, the vicinity of Broome and Elizabeth streets in that city was thrown into a state of excitement, by the alarm that Hugh McDermott had, while in a drunken fit, beaten his wife on the head with a hatchet until he supposed she was dead. McDermott was taken into custody, covered with blood, exhibiting a horrible spectacle. The iron part of the hatchet was loose, and, after the first blow or two, it flew off the handle, and then he beat her about the head with the handle. At a late hour on the night of the 10th it was expected the woman would not survive till morning.

BROKER INSANE.—H. W. Olcott, one of the oldest stockbrokers in Wall street, N.Y., is become insane. His disappearance, with $13,000, created uneasiness, but he was found on the 10th, after having wandered all night in the woods of Hoboken, with it safe.

BEATING A SCHOOL TEACHER.—John Nelson has been put under heavy bail, at Pittsburg, for beating nearly to death a school teacher, named J. M. Phelps, who had occasion to correct one of N.'s children, and which child the directors found it necessary, afterwards, to dismiss. Inflammation has ensued from kicks in the stomach, and there is not the slightest hope of Phelp's recovery.

BUSINESS LIKE.—In some of the Northern papers we occasionally find obituary notices after this fashion: "Died, in Bristol, Feb. 20, of fever, Mr. William D. Allen, aged 29. Insured in Connecticut Mutual Life Insurance Company for $1000."

DROWNING OF A SEAMAN.—Mr. Edward Hoyt, mate of the Maid of Orleans, of Salem, Mass., was lately drowned while the vessel was going into the inner harbor of Buenos Ayres. He was standing on the anchor, when the stopper gave way, and precipitated him into the sea.

A CURIOUS ARREST.—A small girl called Mary Francis, aged six years, who was bound apprentice from the alms-house to a keeper of a house of ill-fame, in New York, was rescued by an arrest, and placed with proper persons.

Supreme Court of Louisiana.

Condensed Decisions—NEW ORLEANS, March 19, 1849.

Art. 107 of the new Constitution, enacting that "the accused shall have a speedy public trial by an impartial jury of the vicinage," does not extend to *slaves* who have committed offences, misdemeanors or crimes. The Act of 1846, establishing a tribunal composed of two justices of the peace and ten slaveholders for the trial of slaves charged with offences or crimes, is not in conflict with that article of the Constitution. Slaves are not entitled to peremptory challenges, but they may challenge for cause; that right, however, must be exercised before the Court is sworn. So far as crimes, misdemeanors and offences are concerned, slaves are considered as *persons* by the laws of Louisiana. Objections to jurors, summoned to sit upon the trial of slaves, for want of the legal qualifications, must be made before the tribunal is sworn, otherwise they will be considered as waived.

THE STATE OF LOUISIANA *vs.* SLAVE DICK... *Appeal from a Tribunal composed of two Justices of the Peace and ten owners of slaves, of the Parish of St. Tammany*....No. 1224....KING, J....*Per curiam:* The defendant was convicted of the crime of murder, alledged to have been committed upon the person of a slave, and has appealed from the sentence pronounced upon him.

After the Court, composed of two justices and ten owners of slaves, had been sworn and organized, the defendant, by his counsel, excepted to its jurisdiction on the ground that the law creating the tribunal violated the constitution of the State, which guarantees to all persons an impartial trial by a jury of the vicinage, and that the only jury known to the constitution is one composed of twelve jurors, in the selection of whom the accused is entitled to the right of peremptory challenge. The plea was overruled and a bill of exceptions was taken to the opinion of the Court.

The 107th article of the Constitution of the State is relied on in support of this position. One of its clauses provides that "the accused shall have a speedy public trial by an impartial jury of the vicinage." The same provision is found in the constitution of 1812, Art. 6, Sec. 18, and was taken from the constitution of the U. S., Art. 3, Sec. 2, and amendments Art. 8.

At the time that the constitution of 1812 was adopted, the Act of the 4th May, 1805, Sec. 33, introducing the Common Law method of trial, rules of evidence and other proceedings in the prosecution of crimes, was in force. The 47th section of the act limited its operation to free persons, and declared that its provisions should not extend to slaves. There also existed a separate Code of laws declaring the offences of slaves and creating a tribunal for the trial of offenders, composed of the county judge and not less than three nor more than five freeholders in capital cases.

The tribunal provided by this act was several times modified by different acts of the Legislature, commencing in 1825 and extending down to 1843. But no one of the amendments accorded to slaves a trial by jury in the sense in which that term is used in the constitution. See B. and C. Dig., pp. 57, Sec. 41; 99, Sec. 1; Acts of 1830, p. 146 Sec. 8; Acts of 1843, p. 91.

The article of the Civil Code of 1808, which declared that the rules for the police of slaves and the punishment of their crimes "are fixed by special laws," was also in force when the old constitution was adopted, and has since been incorporated into the Code of 1825, art. 172.

Thus, from the commencement of our legislation, two distinct methods of trial have existed: one applying exclusively to free persons, granting them a trial by jury; and the other extending to slaves, to whom a jury has been denied. This distinction existed when the constitution of 1812 was adopted, and continued down to 1845, notwithstanding the article which declared that "the accused shall have a speedy public trial by an impartial jury of the vicinage." The uniform interpretation given to that article by the repeated legislative acts to which we have referred, and by the tribunals at different times, created for the trial of slaves, has been that it does not extend to that class of offenders. The corresponding provision of the constitution of 1845 was adopted with a full knowledge of the interpretation which it had received for more than thirty years, and we must presume, that in adopting the language of the old constitution, it was intended to adopt the interpretation which it had previously received. See the cases of McKer *vs.* Ellis, 2 Annual, 167, and Colt *vs.* O'Callaghan, ibid, 190.

The act of 1846, under which the tribunal was organized for the trial of the defendant, in our opinion, stands in no conflict with the constitution. Under its provisions, slaves are not entitled to peremptory challenges. They may challenge for cause, but the right must be exercised before the Court is sworn. The State *vs.* Isaac, 3 Annual, [not yet reported.]

The next position assumed is that slaves are not treated as persons by our laws—that the statutes providing for the punishment of their crimes are all special, and none of them declare the killing of one slave by another to be murder.

The repeated acts of the Legislature declaring slaves capable of committing crimes, annexing punishments to their offences, and creating tribunals for the trial of the offences, must be considered so many recognitions that they are persons. It is difficult to conceive how a crime can be committed by a slave, unless he be considered in law a person. But we are not left to inference on this point. The first section of the Black Code speaks of slaves as persons. They are classed as persons in the Louisiana Code, in the title treating "*of the distinction of persons,*" and were so classed in the Code of 1808, p. 10, art. 13. They were also held to be persons by the late Court of Errors and Appeals in the case of the State *vs.* Moore, 8 Rob. 521.

Considered as persons, there are at least two statutes under which the offence charged against the accused may be punished. The first is the 11th section of the Black Code, B. & C. Dig., p. 59: the second, the act of the 7th of June, 1806, B. & C. Dig., p. 251, annexing the punishment of death to the crime of murder. There is no clause in the act last referred to confining its operation to free persons.

It is next urged that it does not appear that the two justices, or either of them, selected the ten slave-owners to assist at the trial, nor that the persons who sat on the trial were slave-owners of the Parish. These objections were not made in the Court below. The prisoner had the right to object to the want of qualification of the jurors, and to insist on the tribunal being organized as directed by law. But these objections must be urged before the tribunal is sworn, or otherwise they will be considered to have been waived. State *vs.* Isaac, 3 Annual. It has further been objected that it does not appear that the ten jurors were all sworn. We think that the objection is not sustained by the record. The judgement appealed from is therefore affirmed with costs....Attorney-General Elmore for the State, appellee; Alfred Hennen for the defendant and appellant.

A creditor whose debt has not yet matured may sequestrate the property on which he has a lien or privilege, whenever he can make the affidavit required by law.

WM. GARDNER *vs.* SAMUEL H. SHIPLEY.... *Appeal from the Sixth Judicial District Court, Parish of East Baton Rouge*....No. 1247....SLIDELL, J....Plaintiff was employed by defendant as his overseer, in January, 1848, for the year ending on the 4th January, 1849. On the 7th December, 1848, he sued out a writ of sequestration, upon affidavit charging that the crop of the preceding year had been entirely removed; that a portion of crop of the then present year had been shipped by defendant, and that he was shipping and disposing of the balance as fast as it was made; that the plaintiff had just reason to fear and believe that unless a writ of sequestration should be issued, the entire crop would be removed beyond the jurisdiction of the Court, in all probability out of the State; that a sequestration was necessary to secure his privilege, etc. The affidavit also stated among the reasons for the plaintiff's apprehension, that the defendant had refused to give him any security in case the property was removed.

The defendant excepted to the suit as premature, and moved the Court to set aside the sequestration, "for that the same could not issue until plaintiff's right of action had arisen." The exception was sustained, the sequestration set aside, and the suit dismissed. Plaintiff appealed. *Per curiam:* By the 6th clause of art. 276, C. P. it is declared that "a creditor by special mortgage shall have the power of sequestrating the mortgaged property when he apprehends it will be removed out of the State before he can have the benefit of his mortgage, and will make oath of the facts which induced his apprehension." By the act of 1826, it was enacted that in addition to the cases mentioned in art. 275, the plaintiff may obtain a sequestration in all cases where he has a lien or privilege upon property.

The argument presented by the opposite party is, that the debt, being unmatured, could not be sued for, and the right to a sequestration being a mere accessory right, must follow the fate of the principal. The text of the law does not require in terms that the debt secured by the mortgage or privilege should have matured; and certainly its spirit is conservative, and in our opinion embraces the present case. The defendant forgets that although it might be deemed part of the contract that the plaintiff should not be paid until the end of the year, it was equally, by legal intendment, a part of the contract that he should have the security of the crop for such payment. The intended removal of the entire crop would have bean a breach of that contract; and the manifest object of the Code is to anticipate and prevent such an injury when the party presents just grounds of apprehension. See Neilson *vs.* Pool, 17 L. R. 212.

It is therefore decreed that the judgment of the Court below be reversed, and that the cause be remanded for further proceedings according to law; the defendant paying the costs of the appeal. G. S. Lacey, for plaintiff and appellant; A. S. Herron, for defendant and appellee.

TABITHA MCCLEUR, CURATRIX, *vs.* ANTHONY HOGGATH....*Appeal from the Tenth Judicial District Court, Parish of Madison*....EUSTIS, C. J.... Judgment affirmed, there being nothing exhibited by defendant in support of his application for a new trial, which, in the opinion of the Supreme Court, showed that the discretionary power vested in the judge below had not been properly exercised.

MEDELIA THOMAS *vs.* JOSEPH WETZLER.... *Appeal from the Sixth Judicial District Court, Parish of East Baton Rouge*....SLIDELL, J....On the authority of the case of Williams *vs.* Kimball, 8 N. S. 355, and art. 253 C. P., the Supreme Court was of opinion that a judgment by default should have been allowed, and the plaintiff permitted to proceed without the appointment of an attorney *ad hoc*. It was therefore decreed that the judgment below be reversed and the case remanded, with instructions to the lower Court to permit the plaintiff to proceed without the appointment of an attorney *ad hoc*, the costs of the appeal to be paid by defendant.

THOMAS MEDLEY & CO. *vs.* J. WETZLER.... *Appeal from the Sixth Judicial District Court, Parish of East Baton Rouge*....SLIDELL, J....The same judgment as in the above mentioned case, for reasons therein given.

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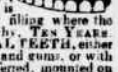

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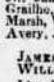

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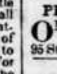
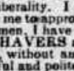
PERFUMERY, ETC.

TO THE LADIES AND GENTLEMEN OF NEW ORLEANS.—Having become agent for the sale of PERFUMERY made at the celebrated manufactory of L. Bussy,





No. 122 Chartres street, New Orleans, I can assure you that I can furnish every article in that line fresh, and not inferior to any imported from Europe. I pledge myself to sell every article, according to quality, as cheap as any one can possibly sell, and guaranty every article. Ladies or gentlemen who have fine Toilet-bottles for Extract of Cologne, Lavender, fine Pomade, Cold Cream, etc., can have them replenished on very reasonable terms, saving the expense of repurchasing new bottles. I hope you will call and examine my store, and see for yourselves. I wish to avoid every thing like deception. I wish to inspire every lady or gentleman who may purchase from me with confidence in my stock. I am here not to make a little money and run off to spend it in other countries; here are all my interests and sympathies. If successful, you will eventually see an establishment truly American, and worthy of your liberality. I am no fortune-seeker. I make money to enable me to approach as near a gentleman as possible.—For gentlemen, I have my Dressing-room well supplied with the best SHAVERS and HAIR-CUTTERS to be found any where, without any regard to expense. My BATHS have a careful and polite attendant. I shall ever be ready to wait on the ladies first, as is their due, and my choice. I shall give a general supervision to the whole establishment, and see that even the most fastidious are pleased.

☞ I am the sole agent in this city for the chemically-prepared *HONE, or Arkansite Stone*, prepared by J. H. Ward—a stone, I truly believe, far superior to any stone heretofore in use, for all kinds of instruments. The carver, engraver, dentist, cutler, barber, and all persons who wish to use a fine edge tool, will find it to their advantage to purchase this Hone.

My KAPURLAPIUM possesses all the virtue it has so long maintained, and still stands unrivalled for preventing the Dandruff. N. B. GOINS,
fy24 1y d&W Nos. 28 St. Charles and 94 Common sts.

ACT OF LIMITED PARTNERSHIP.

CREATING THE COMMERCIAL EXCHANGE COMPANY OF THE CITY OF NEW ORLEANS.—Before me, Greenbury Ridgely Stringer, a Notary Public in and for the City of New Orleans, State of Louisiana, duly commissioned and sworn, and in presence of the witnesses hereafter named and undersigned, came and appeared the persons hereinafter named, who declared that, by virtue of and pursuant to the provisions of an act of the Legislature of the State of Louisiana, approved on the thirteenth day of March, in the year one thousand eight hundred and thirty-seven, they have mutually determined and agreed to establish in the said city of New Orleans a Company of Limited Partnership, composed of themselves and such other persons as may hereafter legally join them, under the name and title of THE COMMERCIAL EXCHANGE COMPANY; and, in compliance with the said determination and agreement, said appearers do, by these presents, consent to the following stipulations, that is to say:

1. The establishment proposed by the said Company is to be located upon St. Charles street, at the corner of Perdido street, in the Second Municipality of the city of New Orleans.

2. The object of the said Company is to erect a Commercial Exchange and Reading-Rooms, and to conduct the business and affairs usually incident to such an establishment.

3. The amount of Capital of the Company is to be forty thousand dollars, in shares of one hundred dollars each, twenty dollars per share payable in cash, forty per cent. payable on the 1st of October, 1845, and forty per cent. payable on the 1st of December thereafter (1845.) The present appearers having already furnished their promissory notes for said last two stipulated payments, and having paid in cash the first instalment.

4. The following are the names of the persons and commercial firms who compose said "Commercial Exchange Company," and among whom the Capital Stock of the same in shares has been divided and apportioned in the manner following, namely:

To Robb & Hoge, fifty shares; Samuel J. Peters, twenty-five shares; Freret Brothers, twenty shares; Henry Blood, ten shares; John Freeland, ten shares; Alexander Grailhe, ten shares; Kelly & Conyngham, ten shares; Hewitt, Heran & Co., ten shares; Jules A. Blanc, five shares; Henry William Palfrey, ten shares; Henry Bier, two shares; Wilhelmus Bogart, one share; Jamison & McIntosh, one share; R. Leach, one share; Dunbar S. Dyson, two shares; Shultz, Hadden & Leach, three shares; John O'Brien, two shares; James Gallier, ten shares; Peter Conrey, Jr., five shares; William H. Avery, five shares; J. Warren Stanton, five shares; P. Sauve, one share; John R. Shaw, one share; John A. Merle, two shares; Joseph R. Beard, four shares; James B. Wallace, three shares; Wilson & Patterson, two shares; L. Matthews, ten shares; R. F. Nichols & Co., ten shares; E. Lawrence, Jr., one share; John Phillippi, one share; Robert Ferguson, two shares; Charles Briggs, two shares; James Robb, twenty-three shares; Fellowes, Johnson & Co., five shares; Laforest & Squires, five shares; Samuel L. Forgay, five shares; John B. Byrne, five shares; Thomas A. Adams, five shares; James L. Bogert, five shares; Hamilton M. Wright, five shares; J. M. Bell, two shares; Maunsel White, ten shares; Martin H. Devereux, five shares; Lonsdale & Gray, two shares; W. H. Haynes, one share; J. S. Brander & H. F. McKenna, four shares; William Mure, five shares; P. Rochford, one share; J. P. Whitney & Co., five shares; Rowland Redmond, two shares; Washington Jackson & Co., three shares; Bogart & Foley, five shares; N. N. Wilkinson, two shares; William Rice, two shares; George Allen, five shares; E. W. Wells, five shares; C. M. Rutherford, five shares; William S. Mount, five shares; Joseph Grant, five shares; J. B. Walton, two shares; Thomas Hagan, five shares; John Hagan, five shares; Holmes & Mills, five shares; B. Rodriguez & L. Beugiaud, five shares; D. Bravo, four shares; Galbraith & Greenfield, one share; John D. Marsh, five shares. Making four hundred shares. Amounting to forty thousand dollars.

5. The said copartnership is to commence on the first day of July in the present year, 1845, and continue until the first day of July, eighteen hundred and fifty.

6. The business and affairs of said company shall be managed by three directors—one of whom shall be president, to be elected by the directors.

7. The directors shall have power to receive for, and to the use of the company, those four certain lots of ground on St. Charles street, corner of Perdido, at the price of thirty-one thousand and fifty dollars—that being the sum at which they were adjudicated at a sale at public auction, made by order of the Council of the Second Municipality, on the tenth day of May last past; payable one-fifth cash, and the balance at a credit of from one to ten years.

To pay the cash part, and to issue the promissory notes of the company for the four-fifths and interest, as aforesaid; to contract for the erection of the building on said lots required for a Commercial Exchange and Reading Rooms; to lease the same or any portions thereof; to cause said building to be insured; to plead and be impleaded, and to sue for, have, take and recover, any and all sums of money due the company, and to do and perform all other acts required by the interests of the company; provided, said acts be in conformity with law and consistent with this act of copartnership.

It being distinctly understood that no note or notes payable shall be made and issued by the directors, without the authorization of the stockholders first had and obtained.

8. The first election for directors shall take place so soon as this act of copartnership shall have been legally promulgated; and each year thereafter, on the second Monday in January.

9. At all such elections, as well as on all other occasions when the stockholders vote, each share shall entitle the holder to one vote.

10. The President of the company shall be charged with the care of the moneys, notes and other personal effects of the same, and shall keep a correct account thereof; and also of all disbursements made by order of the directors. He shall also keep a book showing all transfers made of the stock, and he shall annually on the second Monday in January, exhibit to the stockholders, a general statement of the affairs of the company, which shall be examined by a committee of the stockholders.

11. The President shall be entitled to a fair annual compensation for the performance of the duties above set forth, but the same shall not exceed the sum of five hundred dollars.

12. Should the partnership hereby formed not be renewed at the expiration of five years, then, or whenever it may finally expire, the concerns, business and affairs thereof shall be liquidated by three commissioners selected from among the stockholders, at a meeting of the same to be held for that purpose.

13. The said commissioners shall sell or cause to be sold all the property belonging to the company, and upon such terms and conditions as may be prescribed to them by the stockholders. They shall divide the proceeds of the sale thus made, and also all other funds and effects belonging to said company, *pro rata* among the stockholders.

14. Dividends of so much of the nett profits of the company as may be deemed judicious and determined upon by the directors, shall be made on the second Monday in January of each year.

Thus done and passed at my office in said city of New Orleans, in presence of James Gardiner and Wm. Shannon, competent witnesses, and domiciliated in this city, who hereunto sign their names as such, together with all the appearers aforesaid, and me the notary, this eleventh day of June, in the year of our Lord one thousand eight hundred and forty-five:

SIGNED—John Freeland, William Rice, Samuel J. Peters, John R. Shaw, J. W. Stanton, Holmes & Mills, H. Wm. Palfrey, Peter Conrey, Jr., L. Matthews, J. P. Whitney & Co., Kelly & Conyngham, Jules A. Blanc, Freret Brothers, Shultz, Hadden & Leach, Robb & Hoge, J. B. Walton, Thomas A. Adams, Bogart & Foley, Dunbar S. Dyson, R. Redmond, John M. Bell, Robert Leach, R. F. Nichols & Co., B. Rodriguez, Henry Blood, Louis Berniand, Wilson & Patterson, Martin H. Devereux, John Phillippi, James Gallier, Charles Briggs, William S. Mount, Washington Jackson & Co., E. W. Wells, George Allan, H. F. McKenna, James L. Bogert, N. N. Wilkinson, John A. Merle, Hewitt, Heran & Co., John O'Brien, Fellowes, Johnson & Co., James S. Brander, Lonsdale & Gray, C. M. Rutherford, H. M. Wright, W. H. Haynes, J. B. Wallace, Thos. Hagan, John Hagan, Samuel L. Forgay, Henry Bier, Laforest & Squires, D. Bravo, Robert Ferguson, E. Lawrence, Jr., Jamison & McIntosh, P. Rochford, P. Sauve, A. Grailhe, Galbraith & Greenfield, William Mure, John D. Marsh, W. Bogart, J. B. Byrne, Joseph Grant, William H. Avery, James Robb, Maunsel White, J. R. Beard.

G. R. STRINGER, Notary Public.

JAMES GARDINER,
WILLIAM SHANNON.

I hereby certify the above and foregoing to be a true and correct copy of the original act extant in my Current Register.

{L.S.} In faith whereof, I grant my signature and the impress of my seal of office, this twenty-eighth day of June, 1845. G. R. STRINGER, Notary Public.

The undersigned, Recorder of Mortgages for this city and parish, certifies that the foregoing Act of Limited Partnership has been recorded this day, in his office, in Book Partnerships No. Two, folios, 141, 142, 143 and 144.

New Orleans, June the 30th, 1845.
EDMOND V. WILTZ, Deputy Register.

The following are the names of the present Stockholders, with their respective shares:

	Shares.		Shares.
W. H. Avery	5	R. Leech	1
Henry Bier	2	Lonsdale & Gray	2
Jules A. Blanc	5	H. F. McKenna	2
Bogart & Foley	5	John D. Marsh	30
W. Bogart	1	L. Matthews	10
J. L. Bogert	5	J. A. Merle	2
J. S. Brander	2	W. S. Mount	15
Charles Briggs	2	William Mure	5
J. B. Byrne	5	John O'Brien	2
P. Conrey, Jr.	5	S. J. Peters	25
M. H. Devereux	5	John Phillippi	1
Fellowes, Johnson & Co.	5	R. Redmond	2
R. Ferguson	2	William Rice	2
John Freeland	10	James Robb	83
Freret Brothers	20	Rodriguez & Berniand	5
Galbraith & Greenfield	1	C. M. Rutherford	5
James Gallier	10	P. Sauve	1
N. O. Gas Light Co.	54	J. R. Shaw	1
Thomas Hagan	5	Shultz, Hadden & Leach	3
John Hagan	5	J. W. Stanton	5
W. H. Haynes	1	J. B. Wallace	3
Hewitt, Heran & Co.	10	J. B. Walton	2
Holmes & Mills	5	J. P. Whitney & Co.	5
Washington Jackson & Co.	3	Maunsel White	10
Jamison & McIntosh	1	N. N. Wilkinson	2
Kelly & Conyngham	5	Wilson & Patterson	2
Laforest & Squires	5	H. M. Wright	5
E. Lawrence, Jr.	1		
		Total shares	400

New Orleans, March 17, 1849.
mh19—6t A. C. AINSWORTH, Secretary.

ACTE DE SOCIETE LIMITE.

CREANT LA COMPAGNIE DE BOURSE DU COMMERCE DE LA VILLE DE LA NOUVELLE ORLEANS.—Pardevant moi, Greenbury Ridgely Stringer, Notaire Public dans et pour la paroisse et ville de la Nouvelle Orléans, Etat de la Louisiane, dument commissioné et assermenté, et en présence de témoins ci-après nommés et soussignés:

Sont venues et ont comparu les personnes ci-après nommées, qui ont déclaré qu'en vertu et de conformément aux clauses d'un acte de la Législature de l'Etat de la Louisiane, approuvé le treizième jour de Mars de l'année dix huit cent trente-sept.

Elles ont mutuellement decidé et convenu d'établir en la dite ville de la Nouvelle Orléans une Compagnie ou Société Limitée, composée d'elles et de telles autres personnes qui peuvent par la suite s'y adjoindre également, sous le nom et titre de

LA COMPAGNIE DE BOURSE DU COMMERCE:

Et conformément à ladite détermination et à ladite convention, lesdits comparans adherent par le présent aux clauses suivantes, savoir:

1o. L'établissement proposé par ladite Compagnie devra être situé rue St. Charles, à l'encoignure de la rue Perdido, dans la Seconde Municipalité de la ville de la Nouvelle Orléans;

2o. Le but de ladite Compagnie est d'ériger une Bourse du Commerce et des salons de lecture, et de conduire les transactions et affaires du ressort d'un établissement de cette nature;

3o. Le montant du fonds capital de ladite Compagnie devra être de quarante mille piastres, en actions de cent piastres chacune—vingt piastres par action seront payables comptant, quarant pour cent payable le premier Décembre suivant, (1845.) Ses présens comparans ayant déja fourni leur billets pour lesdits deux paiemens ci-dessus stipulés, et ayant payé comptant le premier versement;

4o. Ce qui suit est les noms des personnes et des maisons du commerce qui composent ladite Compagnie de Bourse du Commerce, et parmi lesquelles les fonds capital a été divisé et réparti de la manière suivante, savoir:

Robb & Hoge, cinquante actions; Samuel J. Peters, vingt cinq actions; Freret frères, vingt actions; Henry Blood, dix actions; John Freeland, dix actions; Alexander Grailhe, dix actions; Kelly & Conyngham, dix actions; Hewitt, Heran & Co., dix actions; Jules A. Blanc, cinq actions; Henry William Palfrey, dix actions; Henry Bier, deux actions; Wilhelmus Bogart, une action; Jamison & McIntosh, une action; R. Leach, une action; Dunbar S. Dyson, deux actions; Shultz, Hadden & Leach, trois actions; John O'Brien, deux actions; James Gallier, dix actions; Peter Conrey, Jr., cinq actions; William H. Avery, cinq actions; J. Warren Stanton, cinq actions; P. Sauve, une action; John R. Shaw, une action; John A. Merle, deux actions; Jos. R. Beard, quatre actions; James B. Wallace, trois actions; Wilson & Patterson, deux actions; L. Matthews, dix actions; R. F. Nichols & Co., dix actions; E. Lawrence, Jr., une action; John Phillippi, une action; Robert Ferguson, deux actions; Charles Briggs, deux actions; Fellowes, Johnson & Co., cinq actions; Laforest & Squires, cinq actions; Samuel L. Forgay, cinq actions; John B. Byrne, cinq actions; Thomas A. Adams, cinq actions; James L. Bogert, cinq actions; Hamilton M. Wright, cinq actions; John M. Bell, deux actions; Maunsel White, dix actions; Martin H. Devereux, cinq actions; Lonsdale & Gray, deux actions; W. H. Haynes, une action; J. S. Brander & H. F. McKenna, quatre actions; William Mure, cinq actions; P. Rotchford, une action; J. P. Whitney & Co., cinq actions; Rowland Redmond, deux actions; Washington Jackson & Co., trois actions; Bogart & Foley, cinq actions; N. N. Wilkinson, deux actions; William Rice, deux actions; Geo. Allen, cinq actions; E. W. Wells, cinq actions; C. M. Rutherford, cinq actions; W. S. Mount, cinq actions; Joseph Grant, cinq actions; J. B. Walton, deux actions; Thomas Hagan, cinq actions; John Hagan, cinq actions; Holmes & Mills, cinq actions; B. Rodriguez & L. Berniand, cinq actions; D. Bravo, quatre actions; Galbraith & Greenfield, une action; John D. Marsh, cinq actions; James Robb, vingt-trois actions;

Faisant quatre cents actions—400;

Se montant à quarante mille piastres;

5o. Ladite société doit commencer le premier jour de Juillet de la présente année (1845) et continuera jusqu'au premier jour de Juillet de l'année mille huit cent cinquante;

6o. Les affaires et transactions de ladite Compagnie seront gérées par trois Directeurs, un desquels sera Président, et élu par les Directeurs;

7o. Les Directeurs pourront recevoir au nom et pour l'usage de ladite Compagnie, ces quatres certains lots de terre sur la rue St. Charles, à l'encoignure de la rue Perdido, au prix de trente et un mille et cinquante piastres, étant le prix auquel ils ont été adjugés à une vente faite à l'encan par ordre du Conseil de la Seconde Municipalité, le dixième jour de Mai dernier, payables un cinquième comptant et la balance à un credit depuis un jusqu'à dix ans.

Ils pourront payer en partie comptant et émettre les billets de la Compagnie pour les quatre-cinquièmes et intérets, comme il est exprimé ci-dessus; contracter pour la construction, sur lesdits terrains, desdits édifices requis pour une Bourse du Commerce et les salons de lecture; louer à bail lesdites batisses ou toute partie d'icelles; poursuivre et être poursuivis, avoir et recouvrer toutes et aucunes sommes d'argent dues à ladite Compagnie, et faire et accomplir tous autres actes nécessaires aux intérêts de la Compagnie, pourvu que ces dits actes soient conformes à la loi et se rattachent à cet acte de société.

Il est bien entendu qu'aucun ou aucuns billets ne seront faits et émis par les Directeurs, sans que l'autorisation des actionnaires n'ait été préablement obtenue;

8o. La première élection des Directeurs aura lieu aussitot que cet acte de société aura été légalement promulgué, et chaque année ensuite, le second lundi de Janvier;

A toutes élections semblables, ainsi qu'à toutes autres occasions dans lesquelles les actionnaires seront appelés à voter, chaque action donnera à son détenteur droit à une voix;

10o. Le Président de la Compagnie aura charge de l'argent, des billets et autres effets personnels d'icelle, et en tiendra un compte exact, ainsi que de tous les déboursés faits par ordre des Directeurs, et il tiendra aussi un registre où seront portés tous les transferts d'action, et tous les ans, le second lundi de Janvier, il présentera aux actionnaires un tableau général des affaires de la Compagnie, lequel tableaux sera examiné par un comité d'actionnaires;

11o. Le Président aura droit à une juste compensation annuelle pour l'accomplissement des fonctions sus énoncées, mais elle n'excédera pas la somme de cinq cents piastres;

12o. Si la société par le présent formée n'était par renouvlée à l'expiration de cinq années alors et quand elle expirera finalement les opérations et affaires d'icelle seront liquidées par trois commissaires choisis par les actionnaires à une assemblée de ces derniers qui devra avoir lieu à cet effet;

13o. Lesdits commissaires vendront ou ferront vendre toutes les propriétés appartenant à la Compagnie, et à tels termes et à telles conditions qui leur seront prescrits par les actionnaires; ils diviseront le produit de la vente, ainsi que tous autres fonds et effets appartenant à ladite Compagnie, au pro rata, parmi les actionnaires.

14o. Des dividendes d'autant des benéfices nets de la Compagnie qu'on le croira convenable et que fixeront les Directeurs, se feront le second lundi de Janvier de chaque année.

Ainsi fait et passé en mon bureau, en ladite ville de la Nouvelle Orléans, en présence de James Gardiner et de William Shannon, témoins compétens et domiciliés en cette ville, qui ont signé leurs noms avec la susdite qualité, ensemble avec tous les comparans précités, et moi, notaire, ce onzième jour de Juin de l'année de Notre Seigneur mil huit cent quarante cinq.

Signée—John Freeland, Wm. Rice, Saml J. Peters, J. W. Stanton, John R. Shaw, Holmes & Mills, H. William Palfrey, Peter Conrey, Jr., D. L. Matthews, Robb & Hoge, J. B. Walton, T. A. Adams, J. P. Whitney & Co., Kelly & Conyngham, Jules A. Blanc, Freret frères, Shultz, Hadden & Leach, Bogart & Foley, Dunbar S. Dyson, R. Redmond, John M. Bell, Robert Leech, R. F. Nichols & Co., B. Rodriguez, Henry Blood, Louis Berniand, Wilson & Patterson, Martin H. Devereux, John Phillippi, Jas. Gallier, C. Briggs, Wm. S. Mount, Washington Jackson & Co., E. W. Wells, H. F. McKenna, George Allen, James L. Bogert, N. N. Wilkinson, John A. Merle, Hewitt, Heran & Co., John O'Brien, Fellowes, Johnson & Co., Jas. S. Brander, Lonsdale & Gray, H. M. Wright, W. M. Haynes, J. B. Wallace, C. L. Rutherford, Thos. Hagan, Jno. Hagan, Saml. L. Forgay, Henry Bier, Laforest & Squires, D. Bravo, R. Ferguson, E. Lawrence, Jr., Jamison & McIntosh, P. Rotchford, P. Sauve, A. Grailhe, Wm. Mure, Galbraith & Greenfield, Jno. D. Marsh, W. Bogart, J. B. Byrne, Joseph Grant, Wm. H. Avery, Jas. Robb, Maunsel White, J. R. Beard;

G. R. STRINGER, Notaire Public.

JAMES GARDINER,
WILLIAM SHANNON.

Le soussigné, Conservateur des Hypothèques pour cette ville et paroisse, certifie que l'acte ci-dessus de Société limitée a été registré ce jour en son bureau, au Livre de Societes No. Deux, folios 141, 142, 143 et 144.

Nlle. Orléans, le trente Juin 1845.
EDMOND P. WILTZ, Dep. Conserv.

Les noms suivans sont ceux des présens actionnaires, avec leurs actions respectives:

	Actions.		Actions.
Wm. H. Avery	5	R. Leech	1
Henry Bier	2	Lonsdale & Gray	2
Jules A. Blanc	5	H. F. McKenna	2
Bogart & Foley	5	John D. Marsh	30
Wm. Bogart	1	L. Matthews	10
J. L. Bogert	5	J. A. Merle	2
J. S. Brander	2	W. S. Mount	15
Charles Briggs	2	William Mure	5
J. B. Byrne	5	John O'Brien	2
P. Conrey, Jr	5	S. J. Peters	25
M. H. Devereux	5	John Phillippi	1
Fellowes, Johnson & Co.	5	R. Redmond	2
R. Ferguson	2	William Rice	2
John Freeland	10	James Robb	83
Freret Brothers	20	Rodriguez & Berniand	5
Galbraith & Greenfield	1	C. M. Rutherford	5
James Gallier	10	P. Sauve	1
N. O. Gas Light Co.	54	J. R. Shaw	1
Thomas Hagan	5	Shultz, Hadden & Leach	3
John Hagan	5	J. W. Stanton	5
W. H. Haynes	1	J. B. Wallace	3
Hewitt, Heran & Co.	10	J. B. Walton	2
Holmes & Mills	5	J. P. Whitney & Co.	5
Washington Jackson & Co.	3	Maunsel White	10
Jamison & McIntosh	1	N. N. Wilkinson	2
Laforest & Squires	5	Wilson & Patterson	2
Kelly & Conyngham	5	H. M. Wright	5
E. Lawrence	1		
Faisant quatre cents actions			400

Nlle. Orléans, 19 Mars 1849.
mh19 6t A. C. AINSWORTH, Secrétaire.

BOARDING.

THREE OR FOUR Single Gentlemen can be accommodated with BOARDING and LODGING, at No. 236 *Baronne street.* o28 tf

PEW IN DR. SCOTT'S CHURCH TO RENT.

ONE-HALF of a pleasantly located PEW in the above-named Church. Apply at the Office of the "Crescent," 95 St. Charles st. ja27

GOLD ROCKERS FOR CALIFORNIA.

ANY person wishing to purchase GOLD ROCKERS, such as are recommended in this paper, apply at No. 26 TCHOUPITOULAS street, or at No. 93 CARONDELET. fy30

LOUISIANA CARRIAGE REPOSITORY, 46 AND 48 ROYAL STREET, NEW ORLEANS.

IN STORE, and constantly receiving, a great variety of CARRIAGES, of the latest and best Patterns, made expressly for this Market, suitable for City or Country—which are selling LOW FOR CASH or good paper. Purchasers can depend on satisfaction being given by this old and well established house.

☞ Particular attention given to Packing and Delivering on boat. mh2 1m

SPRINGS, AXLES and COACH-VARNISH for sale.

REMOVAL.

DR. R. H. WYNNE has removed his office from the corner of Carondelet and Union to No. 163 GRAVIER street. fy24 1y

GEO. PALMER, AGENT, Dealer in *WINES, LIQUORS, Sardines, Brandy Fruits, Raisins, Almonds, Nuts, etc.*—No. 8 CUSTOMHOUSE STREET, (Rear of Crescent City Hotel.) New Orleans. mh2 6m

EDWIN C. LECKIE, *ATTORNEY AND COUNSELLOR AT LAW*, 95 ST. CHARLES STREET. Any claims entrusted to him for collection or settlement in the Parishes of Rapides, Avoyelles or Catahoula, will be promptly attended to.

REFER TO—Gen. Jos. Walker, Wm. Dunbar, and W. R. Leckie, New Orleans. d12 6md&W

SPICE AND COFFEE MILLS, *No. 3 NOTRE DAME Street.*

J. L. BOLEN would respectfully inform the community of New Orleans that he is at all times prepared at the above Mills to furnish roast and ground Coffee, ground Spices of all kinds, together with Cornmeal, Hominy and Gritz. Steamboats, Groceries and Restaurants supplied at the shortest notice. o28 tf

CALIFORNIA MARKET.

THE undersigned is prepared to turn out an article of VINEGAR which he will guaranty to improve by age, and be better when landed at San Francisco than when shipped here, for the moderate price of 10 cents per gallon, delivered on shipboard....P. S.—No second quality.

J. H. WEBB, Vinegar Establishment, corner of Marais and Common streets, opposite Charity Hospital, or MORPHY & NEVIUS, 37 Magazine street.
fy19