DAILY CRESCENT.

NEW ORLEANS:

WEDNESDAY MORNING, JUNE 6, 1849.

See Third Page for CITY NEWS, &c.

Committee Meeting.

The Joint Committee met yesterday at the Mayor's office at 1 o'clock, P. M., Mayor Crossman presiding.

A letter was received from Mr. Dunbar, in which he laid before the Committee a plan for stopping the crevasse, submitted by Mr. Wood. No action was taken on this, as Mr. W. did not specify any time in which the work was to be finished.

Mr. Fabre introduced a resolution instructing the Municipality attorneys to prosecute any persons who may be discovered cutting or otherwise injuring the levees bordering the New Canal and the Canal Carondelet.

Mr. Stewart offered an amendment, including those persons who may heretofore have broken the levees.

Mr. Renshaw was opposed to the resolution in every point of view. He did not think that the levees should have been raised in the first place. Their effect is to increase the volume of water above, and if they be now repaired, Camp street, and even Magazine street, would be inundated. A rise of two inches would produce that effect. The engineers had told them that the levees did not raise the water above them. But this he did not believe; Mr. Forshay, a gentleman capable of judging, had said that a rise of six inches would be the consequence of raising the levees. If any levee is to be made, it should be made at Felicity road where the whole city would be protected.

Mr. Leeds said that the Draining Company was authorized by its charter to build the levees alluded to, and injuring them in any manner was a penal offence.

To this, Mr. Renshaw replied that if the Draining Company possessed any such rights, it would exercise them. Against that he would say nothing; but why should this body, a General Committee appointed to supervise the interests of the entire city be called upon to act in this manner? Why should the Second and Fourth Wards of the Second Municipality be asked to contribute towards paying the expense of a work which would only injure themselves? As to the beautiful gardens, etc., down town which would be injured by an overflow, he would let them know that there had been such places in the Second and Fourth Wards which saw now under water.

Mr Leeds remarked that it was the duty of the city authorities to protect the Draining Company in its rights, and in the prosecution of its works, particularly when a large portion of the city is to be protected from overflow. The gardens, etc., up town have already received all the injury they are liable to, and a little more water would not hurt them. Those down town were still intact, and they should be kept so.

Mr. Fabre was sorry to have introduced a resolution which had caused so much debate; but when they had taken a position they should adhere to it. They had yesterday, by a vote of 8 to 2, passed a resolution to repair the levees, and they should maintain the position then taken.

After some further conversation, the resolutions were passed as amended, Messrs. Renshaw and Cook voting in the negative.

At this juncture there was an interesting little episode, in which the actors were Messrs. Montayne and Renshaw. Mr. Montayne, in his seat, made some accusations against Alderman Golding for having, as he said, been concerned in cutting the levee on the North bank of the New Canal. Mr. Renshaw arose, and in a state of great excitement, said that if there were any accusations to be made, they should be made before the face of the accused party, and not behind his back: a committee had been appointed to investigate this subject, and it did not become any person to prejudge the case.

A resolution was offered by Mr. Fabre and passed, instructing Mr. Dunbar to go on with the work at the crevasse.

Mr. Renshaw offered a resolution instructing the city Surveyor to report to-day on the practicability and expediency of constructing a levee along Felicity Road from Apollo street to the Metairie Ridge.

THE MELPOMENE CANAL.—This Canal is now very high, and in some parts lacks but a very few inches of overflowing its banks. Should it do so, Camp street and the vicinity would be inundated. In order to prevent this, it is desired by persons residing in the neighborhood, to raise a levee around the Canal, in order to prevent the water overflowing.

OLYMPIC THEATRE.—This popular establishment continues to present superior attractions to those fond of dramatic amusements. To-night will be performed "The Rose of Corbeil," and "The Day after the Wedding."

☞ We are requested to call attention to the notice of a meeting of the Foremen of the Fire Companies, to take place this evening.

☞ The British West India steamship The Clyde, arrived in Mobile Bay on Monday last. She is three days from Havana. We did not receive our papers by yesterday's mail, but we are informed by the officers of the Mobile mail-boat Oregon, that there was no political news of importance. The Clyde had few passengers and brought no specie. Among the passengers from Havana are Madam Bishop and Signor Bochsa, who are on their way to Mexico, in the Clyde.

☞ We owe thanks to the officers of the steamboats Magnolia and Patrick Henry for late St. Louis papers.

☞ We are indebted to the Harpers—through J. B. Steel, Bookseller, 14 Camp street—for a copy of "My Uncle, the Curate," a novel, by the author of "The Bachelor of the Albany." This last-named work was one of rare merit, and its well-deserved reputation recommends its successor to favor.

☞ J. C. Morgan has sent us, from his Literary Depot, a new work called "Valerie, a Tale," by the late Capt. Marryatt, R. N., completed by a literary gentleman. In this hot weather good light reading is a luxury; and this, if it have something of Marryatt's agreeable gossipping, must be quite a treat.

☞ The U. S. steamboat Fashion was sold at auction yesterday for $18,000. The Telegraph brought $8000.

THE WASHINGTON UNION.—Edmund Burke, late Commissioner of Patents, has been associated with Thomas Ritchie in the editorial management of the Union. The arrangement was to commence on the 1st, and is announced in the Union of the 29th ult.—accompanied by a prospectus, which is to be sent to special agents throughout the States, with a view of increasing the circulation of that central organ of democratic opinions.

It was time for the democrats to be bestirring themselves in the matter of organs. "Father Ritchie," as the Union editor is familiarly called, has great zeal and indefatigable industry, and writes with fluency and force. He can do more work than any man of his years in the profession, and delights in the excitements and toils of politics. But he needs help—not only because his responsibilities thicken, but because his immediate adversaries at the seat of government have increased, and are increasing in number and vigor. There are two whig journals already in full blast; and a third, more dangerous to encounter, is about to be started. To meet this array the veteran has called in a powerful helper. Mr. Burke has experience, talents and zeal, and wields a very powerful pen. Mr. Ritchie and his party may well congratulate themselves on the accession, and not a moment too soon, for the Republic will soon be about—and where Bullitt is, his adversaries will need to be always on the alert, and to be skillful in the use of the weapon.

☞ A new arrangement for travellers on the Inland Mail Route East, is announced at Charleston. The Railroad and Steamboat Companies have agreed upon a through ticket from Charleston to Philadelphia for twenty dollars. Passengers by this route will have the option of proceeding directly on, or of stopping a day or longer at Wilmington, Richmond, Washington, Baltimore, or any other intermediate point, and resuming their journey when it suits their convenience. By this route travellers may reach New York on the third day from Charleston during business hours.

☞ We owe the Oregon for another civility in her bringing us Mobile papers.

RELIEF FOR THE ST. LOUIS SUFFERERS.—A joint meeting was called by the Mayors of Pittsburg and Allegheny City, for Wednesday last, the object of which was to adopt measures for extending aid to the sufferers at St. Louis from the late disastrous fire.

☞ The New York Express announces that the new Republic of Rome has appointed Felix Foresti, a resident of New York city, Minister to the United States. The Express describes him as a tried republican, who had suffered in the cause of Freedom. Being implicated in the affairs of Lombardy in 1820, he was condemned to imprisonment for life, and lay in the dungeons of Spielberg fourteen years, with some of the purest and noblest patriots of Italy, among whom he was conspicuous for his equanimity and indomitable spirit. He arrived in America with Count Confalionieri and others, on their release by Austria, under a sentence of perpetual banishment, and has ever maintained the character of a warm, intelligent and disinterested friend of Italian freedom.

A New Currency Scheme.

The New York Financiers have invented a new plan for a National Currency. It is a paper contrivance, of course. It takes quite a pamphlet to expound its merits—and long newspaper essays to explain to the satisfaction of its authors, how it may be kept, by a good deal of complex legal assistance, nearly as good as gold or silver—the National currency we have already. What we want of such a substitute is not clearly explained. We are told that the new currency is not to lead to bank expansions. If not, it is not to become a new basis for discounts; but merely a substitute for so much of the hard money, which is to be taken out of circulation. There are to be more silver teapots and spoons, and fewer silver dollars. The eagle and the new gold dollar are to be converted into guard-chains and ear-rings; else the creation of thirty or forty millions of paper must inflate the currency to begin with; and the scheme contains within itself the elements of inevitable periodical fluctuation. Indeed a paper circulation that shall be exactly adequate to the real business wants of a community, without liability to injurious inflations and destructive contractions, is yet to be discovered, if such a thing be possible in the nature of things. Certainly it is not to be attained by the device of stamping State Bank paper with a National endorsement, as the financiers are now proposing, to be used as a substitute for gold and silver, in the receipts and disbursements of the Federal government.

The project is simply this: the Secretary of the Treasury is to receive from State Banks stocks, bonds, and treasury notes of the United States, to the amount of half of the capital stock of each. He is then to countersign and endorse an equal amount of their bank notes as receivable for all duties and other payments to the United States. On the failure of any bank to redeem its notes, the Secretary is to sell the security, and redeem the issues, as in New York under the free banking law. As in the case of that law, the main object is the security of the individual note-holder. But there is no certainty obtained against an undue increase, periodically, of the quantity issued. In speculative times, the banks may issue as freely as they please, and the more freely, because the receivability for government dues, will give the notes a currency, independent of their convertibility at the counter of the bank. Each individual note may be secured, and the effect on prices, inflating them periodically to the ruin of thousands, will be not the less dangerous. The range of this tendency to expansion may be limited, but the principle of the evil is there. Wall street knows it, and will make its own profit, even of small things, if there be enough of them. It can see loss to its craft in the issue of the little gold dollars, to displace the ragged bank note. They will stand heartily by the effigy, who have the making of such, for their own gain.

The same motives for action will produce another deleterious effect. The conversion of government securities into currency, will create a vast associated interest, against reducing the quantity. To disturb the amount of the public debt, unless, perhaps to increase it, will be an interference to be resisted with the relations which the currency bears to its basis; as the payment of the debt would extinguish the security and the currency. How many formidable interests will be combined against the payment? How many will be the interests combined to find means for disposing elsewhere of the funds, which should be applied to the debt? How much then, might the whole policy of the government be swayed by such considerations, totally distinct from any clear system of administration, upon just principles. Besides, waiving now the question of the constitutional power to do what is proposed—the novel nature of the functions, with which it is proposed to invest the Federal government, may well startle the public. The U. S. Treasury is to become overseer, or comptroller of State institutions—to take charge of a part of their assets, as security for part of their contracts, and to act as a sort of assignee in insolvency, to ascertain their debts and collect and apportion their funds among their creditors. This is one singular class of duties, self-assumed towards State banks, which is, at least, unusual. There is another, to which there are some greater objections. The projectors of the plan may look to it, perhaps, as a privilege for other uses, not financial. The project refers to the discretion of the Federal Treasury—the amount and the proportions of currency assignable to each bank. Based on the idea that it represents revenue, it is to be apportioned among the States in a *pro-rata* share, "according as shall be most convenient to the Treasury of the United States." The number of banks is to be decided by the Secretary—to be one of them, and to get the largest share of the apportionment, are all special favors to be shuffled for. The effect of such a system, has been thoroughly argued, in the discussions on the old *Pet Bank* system, happily exploded long ago, by the common consent of all parties. Its revival, in one of the most offensive particulars, is precisely what the new project will effect.

We might go on enumerating objections, for they are manifold, but the time is not yet come; some influential names have been given to its support, but their success thus far, in enlisting popular favor has been small indeed.

☞ Captain Tibbats, late master of the ship Pacific, who was removed from the command of that vessel at Rio Janeiro, by the American Consul at the request of the passengers, has started for San Francisco from New York *via* Chagres, to take possession of his vessel again. He is armed with the necessary authority of the Government. Captain Tibbats was half owner of the ship. It is said that all the officers and crew, and some of the passengers, remonstrated against the removal of Captain Tibbats, who was refused a passage on the vessel and compelled to return to New York. The complaints of the passengers about the conduct of the Captain and the insufficiency of food and the general bad arrangements of the ship have probably some foundation—at least the testimony is unfavorable to him. But it becomes a matter for serious inquiry how far the authority of a consul abroad really extends, when it appears that a man can be turned out of his own ship and a stranger to owner and crew installed in command, some thousands of miles from home. The long voyage round Cape Horn, by which large numbers are seeking a passage to the Paradise of Gold, few of whom are accustomed to the sea, or know anything of the real responsibilities of a master, require that the relations between the master and his passenger should be clearly understood, and that the extent to which the consul can go in interfering with the navigation of the vessel should be well defined before starting.

In the case of the propeller Hartford from New York, which put into Bermuda in distress, a minority of the passengers were anxious to continue, and entered their protest against the abandonment of the voyage, at the instance of the majority. They hold the owners responsible for damages in not fulfiling the original contract, and completing the voyage.

POLITICAL MORALITY.—The editor of the National Whig does no entertain a very high opinion of the morals of leading politicians. He says: "So corrupt is the press and the greater part of the leading men of all parties, that the moment they are disappointed in their aspirations after office, they instantly turn and set upon the administration which they helped to put into power, with all the ferocity imaginable." The editor also calls "public attention to the corrupt state of party opinion on this subject, even in our own whig party." "Men claim office, now-a-days," says he, "as their right, their property, their spoils, without regard to fitness, honesty or fidelity." This is plain speaking for a paper which is said to be one of the organs of the administration—and the language may not be very palatable to the leading members of the party which it supports.

☞ The slender stock of marriage-hunting ladies taken out by Mrs. Farnham to California is described in some of the Northern papers as a *failure to be regretted*. We are well pleased that it does fail to be regretted. It would have succeeded in creating a good deal of regret, if a ship-load of women could have been found advertising themselves by invoice as searchers for husbands in the wilds of California. They are altogether happier in waiting at home to be sought, even though they should never get a successful gold-digger.

OLD SCHOOL PRESBYTERIAN CONVENTION.—The old school of the General Assembly of the Presbyterian Church, at their meeting in Pittsburg on the 25th ult., resolved that it would be inexpedient and improper to propose or attempt any measure in the work of emancipation.

NAVIGATION LAWS.—It appears that our Navigation Act of 1817, was one of retaliation. Of course as far as England is concerned, it ceases to be of any force, since the recent modification of their Navigation laws. The Act of March 1st, 1817, reads thus:

Be it enacted, etc., That from and after the thirtieth day of September next, no goods, wares or merchandise shall be imported into the United States, from any port or place, except in vessels of the United States, or in such foreign vessels as truly and wholly belong to the citizens or subjects of that country of which the goods are the growth, product or manufacture: or from which such goods, wares, or merchandise can only be, or most usually are first shipped for transportation: *Provided nevertheless, that this regulation shall not extend to the vessels of any foreign nation which has not adopted, and which shall not adopt, a similar regulation.*

☞ The liabilities of all the banks of the State of Connecticut, as reported to the Legislature now in session, were, on the 1st of April $7,015,340 74—the resources $16,920,097 93. The whole amount of banking capital is $8,985,916 46; circulation $4,511,571 06; specie on hand $575,676 07; bills discounted $13,740,591 07; surplus $684,315 06. The present circulation of the banks is less than it was one year ago by nearly $400,000.

IRISH IMMIGRANTS.—The Aberfoyle, an immigrant vessel from Ireland, has arrived at Grosse Isle, with 300 immigrants. Their landlord, Lord Fitzwilliam, shipped them, 300 head, in a vessel for Canada, after having paid their passage to Quebec. About what they are to do when discharged upon our wharves, Lord Fitzwilliam never troubled his noble brain.—*Quebec Gazette.*

CAPTURE OF A BALTIMORE VESSEL.—The Washington correspondent of the Philadelphia Ledger, refers to some difficulty of the United States with Denmark, about the capture of a Baltimore vessel, which difficulty, however, he says will, no doubt, be amicably adjusted. The Baltimore vessel which the Dane captured, sailed from America before official notice was given by the Danish Chargé, Mr. Bille, of the blockade, and cannot, therefore, be made a prize of under the law of nations.

CHOLERA IN NEW YORK.—A dispatch, dated at New York, May 28th, at 9½, P. M., says: Since the meeting of the Board of Health six cases of cholera have occurred, and out of these were two deaths—one of them Mr. Lawrence Hill, an extensive flour merchant.

LATE FROM BUENOS AYRES.—We learn from Capt. Beauvais, of the bark Mary and Martha, arrived yesterday from Buenos Ayres, that the blockade had been raised, but the Argentine Government would not allow English or French vessels to enter the port.—*New York Tribune.*

SHIP ASHORE.—The ship Isaac Newton, from Liverpool, is reported ashore on the flats near Bombay Hook.

FIRE.—In Wilmington (N.C.) on Saturday morning, 26th ult., between 8 and 9 o'clock, the North Carolina Lamp Black Manufacturing Establishment, situated about 400 feet north of the railroad depot, at Wilmington, was destroyed by fire. The building was of wood, and quickly consumed, with about 100 bbls. of lamp black, and all the fixtures. The loss is estimated at $5000.

HEAVY FORGERIES.—Charles G. Downes, merchant-tailor, has recently committed some heavy forgeries in Portland, Me. The amount of the forgeries is said to be $6000, the principal name used being E. C. Stevens, his former partner. The paper is mostly in the hands of brokers, and the manufacturer has escaped. He has heretofore sustained an excellent character.

INDIANA.—G. N. Fitch has been nominated for Congress by the democrats of the 9th (Cathcart's) district. The whig candidate is Williamson Wright, a free soil whig, who voted for Van Buren. Judge Kilgore is the whig candidate for Congress in the 10th (Rockhill's) district. Mr. Rockhill is the democratic candidate for reélection.

☞ The whig convention to nominate a candidate for Congress in the Mobile District, Ala., was to meet in Claiborne (Monroe Co.) on Monday. The democratic convention meets at the same place to-day.

☞ Lynn Boyd has been nominated for reélection to Congress, by a democratic convention, in the First District of Kentucky—held to decide between him and a democratic competitor. The democratic majority is large, and there is no whig candidate.

☞ A massive silver pitcher and salver have been presented by the Mayor of New York, in behalf of a committee of citizens to H. P. Russ as a compliment for his success in the invention of the Russ pavement.

INDISPOSITION OF MR. FORREST.—Mr. Forrest, although advertised to play at the Walnut street theatre in Philadelphia, on the 28th, did not appear. The manager announced as a reason his indisposition. Mr. Murdock took his place as a substitute.

STORM AND LIGHTNING.—There was a severe storm at Pittsburg on the 28th ult. The cupola of the Presbyterian church was struck by lightning and fired. The fire, however, was extinguished without injury of much moment to the building.

News by the Niagara.

The Bulletin of yesterday gives the commercial news by the Niagara, while the Picayune furnishes us the political.

Cotton.—The imports at Liverpool for the week ending the 19th of May foot up 72,600 bales. Sales of 1000 bales Mobile were made at 3¾ to 4½d.... *Grain and Flour.*—There is an improved feeling in the Grain trade. The Flour market is better sustained than when the Caledonia sailed. Philadelphia and Baltimore brands are quoted at 23s. to 24s. 6d. Best descriptions of Ohio, 24s. Yellow Corn 34s. to 36s. per quarter. Indian Meal steady at 15s. 6d. to 15s. 9d. per bbl. American Wheat, 5s. to 7s.... *Provisions.*—Bacon has declined. Beef and Pork are unchanged, and holders are anxious to sell.... *Rice.*—Carolina Rice is held at 15s. 6d.

NEW FRENCH ASSEMBLY.—Out of 450 Representatives elected to the new French Assembly, 298 are Moderates, 81 Socialists and 75 Constitutionalists (?).

AUSTRIANS IN THE PAPAL STATES.—The Austrians from the North had entered the Papal States, threatening all who should resist them with fire and sword. They were bombarding Bologna at latest dates, and it was thought that they would capture that city.

ROUT OF THE NEAPOLITANS.—The Neapolitans invaded the Papal States by the South, and were met by the Romans at Albano. Here a conflict took place which lasted but a short time. The Neapolitans flung away their arms and fled. The victorious Romans returned to the city on the 5th, with fifty prisoners and two pieces of artillery captured from the foe.

APPOINTMENTS.—The President has, it is said, made the following appointments: Abbott Lawrence, Minister to England; Wm. C. Rives, to France; Graham, of North Carolina, to Spain; Balie Peyton, to Chili; Geo. H. Marsh, to Berlin or Constantinople; Col. McClung, to New Grenada or Venezuela; T. L. Crittenden, Consul at Liverpool; Lorenzo Draper, at Havre; ex-Gov. Kent, at Rio de Janeiro.

Correspondence of the Crescent.

Fresh California Fever—Cholera—Immigration—Search after Sir John Franklin—Telegraphic Arrangements.

NEW YORK, May 27, 1849.

Eds. Crescent—Symptoms of California fever again begin to show themselves, and it is to be apprehended that many will be carried off by the complaint during the approaching summer. The reported arrival of the steamers California and Oregon at Panama, creates a sensation, notwithstanding the uncertainty as to its truth which still prevails. I have not been able yet to ascertain, from the parties receiving the dispatches, the exact character of their news, but will do so early to-morrow, and if worth reporting will advise you fully in the premises.

Two or three cases of cholera have been reported during the last 24 hours, one of which is officially reported as having terminated fatally, and another is thus stated, unofficially. The cases taken to the Hospital yesterday occurred in Mulberry street, between Chatham and Cross, in the near neighborhood of the point where the disease first showed itself. Mulberry is the next street to Orange, and the house in which these cases arose is about 200 feet due East from No. 20 Orange street—the first infected house.

Reports are rife enough of cases in other parts of the city, but I believe they are all untrue. Nobody dies suddenly without giving rise to a new report of the kind, and every case of cholera morbus, or cramp, is at once pronounced by the crowd to be Asiatic Cholera. Rumor has the disease raging on Staten Island, and yesterday's Pennsylvanian contains a letter from its New York correspondent, declaring that to his positive knowledge the real Asiatic Cholera has been raging at the Quarantine Hospital there for several days past.

What can be the object of such statements, so positively made, I know not. They are about on a par with those recently issuing from the same source touching the riot in this city, and bear the impress of malice on every line.

The tide of immigration is again beginning to flow into our port, more than 2000 passengers having arrived during the past 24 hours. Of these the New World brought 700, and the Yorktown 450.

I am informed that the report of the President having *decided* to send expeditions in search of Sir John Franklin, is incorrect. It is thought to be too late to fit out vessels of a proper size to proceed with a prospect of success in the search, and Captain Wilkes' proposition is said not to be viewed with favor by the Cabinet. The Secretary of the Navy has consulted Commander Hudson, of this city, on the subject, and he advises the selection of two small sloops of war for the purpose, but he thinks that they cannot be put in a complete state of preparation within the period necessary to meet the object of the expedition. It is said that the government has no authority to purchase suitable vessels, if such were to be found, that might be fitted up in time; and in view of all the difficulties presented, there is but small reason to hope that the praiseworthy design of the President will be carried into effect.

Our news from your city, concerning the crevasse, reaches down only to the 19th inst., and that came to Baltimore by mail, and was thence last evening transmitted to us by telegraph. We have, it is true, later news, but it refers exclusively to the steamers at Panama. I am happy to know that arrangements are in progress which will put our city and yours in a regular daily communication both ways.... The weather here is still cool—nay, cold—and uncomfortable.

Respectfully yours, INDICATOR.

European News—Debate in the French National Assembly—British and American Tonnage—New Orleans Travellers—Indignation Meeting.

NEW YORK, May 28, 1849.

Eds. Crescent—The details of the European news brought by the Caledonia are not vastly important, but attract very deep interest, especially as regards the relations of France and Italy. The letter from Louis Lapoleon to Gen. Oudinot, upon which I commented in a previous letter, seems liable to more serious objections than at first presented themselves to me. It was written under circumstances that placed the President directly at variance with the Assembly, and his ministers find its justification a matter of extreme difficulty. They are driven to the policy of its disavowal as a Government act, although they do not repudiate its sentiments.

The Government was charged by the opposition—and the charge was confirmed by a decisive vote of the Assembly—with having used deception in carrying out the intervention scheme. The vote declaring this opinion, in substance, showed a majority against the ministers of 87 in a house of 569 members. Of the truth of the charge there can exist no doubt, after a dispassionate review of all the known facts.

In a recent speech on the Navigation laws, in Parliament, the Marquis of Lansdowne stated that in 1816 the tonnage of Great Britain did not exceed 2,783,000 tons, while in 1848 it was more than 4,000,000. In 1836 there were 554,000 tons of British shipping engaged in trade with the United States, and the American tonnage was 1,255,000: in 1848 the British tonnage thus engaged amounted to 1,177,000 tons, and the American to 2,393,000—showing a considerably larger rate of increase in British than in the American shipping engaged in that trade.

As the warm weather advances, and your water privileges increase, we begin to look for samples of the migratory portion of your citizens, and I already observe some half a dozen pioneers of the movement in our streets—among them are Jacob Barker—(we think our correspondent is mistaken, as we believe Mr. Barker is now in New Orleans—*Eds. Cres.*)—and Alfred Munroe, perhaps the truest possible representatives of two important branches of New Orleans interests. We look with the deepest anxiety for farther intelligence respecting your flood, and hope, oh, how earnestly, that the worst has already been told. One of our dispatches says that "business is at a stand" with you; but as "only one paper has the news," we do not give the report full credit.

An indignation meeting is called for to-night, to be held in Centre street, with the steps of the Tombs for the speakers' stage, to express the popular feeling with regard to cholera hospitals in general, and the location of one in the neighborhood of the Five Points in particular. The police will be on hand, but no disturbance is anticipated.

The patients in the Hospital are doing well. No death, nor new case, has occurred within the past 24 hours.

A police officer was badly wounded this forenoon in arresting a negro at the foot of Wall street. I could not learn his name nor the offence of the negro.... Our weather is to-day quite pleasant. Respectfully yours, INDICATOR.

Supreme Court of Louisiana.

Condensed Decisions—NEW ORLEANS, June 1, 1849.

Under the statute of March 25, 1844, the surviving wife is entitled, immediately after her husband's death, to the usufruct of one-half of the fruits and revenues of the community property in her individual right, and the other half in virtue of her usufructuary right. The widow is only answerable for such interest as may have accrued from unnecessary delay which she may have caused in discharging the debts with which the community is encumbered.

SUCCESSION OF M. D. BRINGIER, WIDOW M. D. BRINGER, Adm'x, Appellant; D. F. KENNER AND WIFE AND H. B. TRIST AND WIFE.... *Appeal from the Fourth Judicial District Court, Parish of Ascension.*... KING, J.... [Eustis, C. J., dissenting from the opinion of the majority of the Court.].... M. D. Bringier died in 1847, leaving a large succession, the greater part of which consisted of community property, his widow, who is the administratrix, applied for a sale of a part of the movables, slaves and lands of the succession, for the purpose of paying the debts of the community, amounting, as is alleged, to a sum exceeding $88,000. Two of the heirs opposed the sale as being unnecessary, and alleged that the revenues derived from property of the community since the opening of the succession have been sufficient to discharge all the debts, and should be applied to that purpose. To this opposition the surviving widow answered that one half of the crops, fruits and revenues yielded by the community property since the death of her husband, belong to her in her individual right as the surviving partner in community, and the other half in virtue of her usufructuary right under the act of March 25, 1844, and cannot be appropriated to the payment of the community debts. The opposition of the heirs was sustained, and from the judgment dismissing the prayer for a sale Mrs. Bringier has appealed.

It is conceded, for the purposes of the suit, that the debts amount to the sum stated in the petition, and that the revenues from the community property since the death of M. D. Bringier, have been sufficient to discharge them. It is also admitted that if the revenues be not applicable to the payment of the debts, a sale of the property specified in the petition will become necessary.

It was held by the Supreme Court that under the statute of March 25, 1844, the surviving widow is entitled to the usufruct of the share of the deceased husband in the community property from the moment of his death, and previous to paying the debts; that the survivor had her election either to sell community property to a sufficient amount to discharge the debt promptly, or to exercise her usufructuary right upon the half of the residue; or if she preferred to preserve the property unsold, she could do so on paying the debts herself or on assuming them, thereby relieving the heirs from the burthen of interest which might ultimately absorb their entire inheritance. In the latter event the usufructuary is entitled to the entire fruits produced by the property; the fruits (of the property preserved from sale) being deemed equivalent to the interest on the sums advanced. C. C. arts. 578, 579. But she cannot retain the property, leave the debts unpaid to the prejudice of the heirs and return it to them at the expiration of the usufruct, encumbered with the additional burden of interest which may have accrued in the meantime. Succession of Anna Fitzwilliam, 3 Ann.

Per curiam: Under our view of the law Mrs. Bringier, as surviving widow, is entitled to the fruits produced by the community property since the death of her husband, and is only answerable for such interest as may have accrued in the meantime from unnecessary delay which she may have caused in discharging the debts with which it is encumbered. Judgment below reversed and the oppositions of the heirs dismissed; it was further decreed that the case be remanded for orders and proceedings necessary to effect sales of property belonging to the succession in community to an amount sufficient to pay the debts of said community, reserving the question of Mrs. Bringier's liability for the interest which may have accrued on said debts since the dissolution of the community, the heirs and appellees to pay the costs of appeal.

D. LINTON, ET AL. *vs.* F. STANTON.... *Appeal from the Third District Court of New Orleans.*... SLIDELL, J.... This decision contained an elaborate and able review of the bankrupt law, enacted by Congress in 1841, and an interpretation of several of its sections. The judgment below was affirmed.

UNION BANK OF LOUISIANA *vs.* P. A. GUILLOTTE.... *Appeal from the Third District Court of New Orleans.*... ROST, J.... This was an action of boundary and for the removal of certain fences erected by defendant around property claimed by plaintiffs. The Court, in its opinion, went into a history of the plans and sales made since 1811 of the plantation of the Ursuline Nuns, in the present city of Lafayette, between Felicity, St. Mary and St. Andrew streets, extending from the river to the Swamp. The case turned on matters of fact, testified to by surveyors. The judgment below of non-suit was reversed, and the case remanded, the costs of appeal to be paid equally by the parties.

T. W. DUNNICA, ET AL., Owners of Steamboat Maria, *vs.* A. FISK, ET AL., Owners of the Steamboat Sultana.... *Appeal from the Fourth District Court of New Orleans.*... This case related to a collision between the steamboats Maria and Sultana, on the Mississippi, which resulted in loss of life and property. The jury found a verdict for defendants, and plaintiffs appealed. The judgment below affirmed with costs.

HART & MCCLURAN *vs.* OMER LAUVE, ET AL.... *Appeal from the Fourth District Court of New Orleans.*... SLIDELL, J.... Judgment affirmed with costs.

CHARLES FORTIER *vs.* THOMAS BOUDAR.... *Appeal from the Third District Court of New Orleans.*... KING, J.... Judgment affirmed.

Where certain property was inventoried as belonging to a succession and the executors assumed the administration of it, and afterwards another party claimed title to a portion of the property and had judgement in his favor after a protracted litigation, the executors managing all the property inventoried during such litigation, procuring tenants, collecting the rents, making the necessary repairs, etc.: *held*, that the executors were entitled to charge their commission on all the property inventoried as belonging to the succession.... The meaning of the term "unproductive property," upon which executors are not allowed a commission, will depend upon the facts and circumstances of each particular case.

SUCCESSION OF NICHOLAS GIROD.... On Opposition to account rendered by Dative Testamentary Executor.... *Appeal from the Second District Court of New Orleans.*... SLIDELL, J.... In this case it was held by the Supreme Court that the executors are entitled to their commissions, as fixed by law, upon the whole amount of the productive property figuring in the inventory, although after the executors had entered upon the discharge of their duties, the Supreme Court of the United States had affirmed the judgment of the U. S. Circuit Court decreeing that five-eighths of an important portion of the property belonged to the heirs of Claude François Girod, a brother of Nicholas. It appears that this litigation had been protracted, and that during it the executors had the care and superintendence of the property, they attended to its administration, procured tenants, collected the rents, paid the taxes, preserved it by necessary repairs, etc. The Court observed that it was immaterial whether the compensation was termed a commission, *eo nomine*, in the technical sense of the code, or a just remuneration for services rendered to the benefit of Claude's heirs.

The Court then examined the meaning of the terms "unproductive property," as relating to successions, it being contended that there were several parcels of land of that description belonging to the estate, upon which the executors were not entitled to a commission. It was held, that the meaning of these terms would depend upon the facts and circumstances in each case. For instance, where a suit is brought to evict an executor from uncultivated land, belonging to the succession, and he defends the suit with success and thus saves the estate the value of the land, the Court thought a commission should be allowed. So, where levees are to be constructed in front of waste land. Where land lying on a water course, opposite to a plantation of the estate, is used for the supply of timber and fuel for plantation purposes, it could not be deemed waste and unproductive land.

The evidence not enabling the Court to decide upon all the matters in controversy, the case was remanded, the Executor to pay the costs of appeal.

FELLOWES, JOHNSON & CO. *vs.* W. W. DODGE AND A. CORRALL.... *Appeal from the Fourth District Court of New Orleans.*... KING, J.... Judgement below against Dodge, who alone appealed, affirmed with costs.

REYNOLDS, MARSHALL & CO. *vs.* JANE ROWLEY ET AL.... *Appeal from the Ninth Judicial District Court, Parish of Concordia.*... ROST, J.... The claim of the plaintiffs and that of the defendants in reconvention were both disallowed, and judgement was rendered in favor of defendants with costs in both courts.

Married:

On the 1st of June, by the Rev. David Kinnear, Capt. J. E. THOMAS, of Boston, to EMMA JOSEPHINE, only daughter of the late Capt. Henry Pemberton, of this city.

Died:

On Tuesday morning, at half-past 3 o'clock, Mrs. ELIZABETH PRECIOUS, of cholera, wife of William P. Precious, aged 29 years.
☞ Norfolk (Va.) papers please copy.

S. of T....Meetings This Evening.

PELICAN DIVISION No. 1, at Pelican Hall, cor. Common and St. Charles sts., at half-past 7.

OCEAN DIVISION No. 2, at Unity Hall, Marigny Buildings, Third Municipality, at half-past 7.

JEFFERSON DIVISION No. 10 at Gretna, at half-past 7.

Steamboat Departures This Day.

☞ *SEE ADVERTISEMENTS ON THIRD PAGE.*

Louisville.....BELLE KEY, Key, 5 P. M.
Pittsburg.....JOHN HANCOCK, Hauk, 5 P. M.
Red River.....TALLAHATCHEE, Sweeny, 5 P. M.
Pascagoula.....ARKANSAS No. 4, Frisbee, 9½ A. M. Cars.
Red River.....DUCK RIVER, Applegate, 5 P. M.
Mobile.....JAS. L. DAY, Gibertson, 2½ P. M. cars.
Memphis.....BULLETIN, Church, 5 P. M.
Cincinnati.....ROCKAWAY, Davis, 5 P. M.
Red River.....ANNES CROCKER, Shields, 5 P. M.

☞ **The Steamboat Bulletin.**—The splendid and swift running passenger steamer BULLETIN will positively leave THIS DAY, 6th inst., at 5 o'clock p. m., for Louisville and Memphis.
je6 T. B. SMITH, 96 Magazine st.

☞ **Louisville Packet Belle Key.**—This new and magnificent fast running passenger steamer will positively leave THIS DAY, Wednesday, 6th inst., at 5 o'clock, p. m., for Louisville, New Albany, Evansville, Smithland, Paducah Cairo and Memphis.
je6 T. B. SMITH, 96 Magazine st.

☞ **Steamer John Hancock**—For Cincinnati, Madison, Louisville, Smithland, Paducah, etc.—This light draft steamer will leave THIS DAY, Wednesday, at 5 o'clock p. m. positively, from Poydras street wharf. BYDE & OGLESBY, 12 Poydras st.
Passengers will please be on board at the above hour. je6

☞ **The Packet Bark Ceres, Captain Hodge,** from New York, is now discharging opposite the Vegetable Market, First Municipality.... Consignees will please attend to the receipt of their goods on the Levee, or they will be stored at their expense and risk.
je2 SAML. TOBY & NEPHEW, 36 Camp st.

☞ **Notice.—George Connelly, consignee of one case** indze. per bark CERES, from New York, will please make his residence known to the Discharging Clerk on the Levee.
je6 SAML. TOBY & NEPHEW, 36 Camp st.

☞ **Fire Department.**—A Special Meeting of the Foremen of the different Companies will be held THIS EVENING, Wednesday, 6th inst., at half-past 7 o'clock, at the Hall of Mississippi Fire Co. No. 2....A punctual attendance is requested.
je6 1t T. B. HEARTT, Secretary.

☞ **Philadelphia Fire Company No. 14.**—Attend a Monthly Meeting of the Company at the Engine House on THURSDAY, 7th instant, at 8 o'clock. [je5] J. NIMICK, Sec'y.

☞ **Louisiana Histrionic Association**—At the solicitation of a large portion of the "Honorary Members," and agreeable to a resolution passed on Tuesday evening last, at a regular meeting of the "Active Members," the representations of the Association will take place on WEDNESDAY EVENING in each week, instead of Monday, as heretofore.

The next performance will take place on WEDNESDAY, June 6th, when will be presented the celebrated five act Comedy of the HONEY MOON.

☞ In conformity with a resolution of the Honorary Members, this will be a *Contribution Night.*
je1 5t R. M. MCALPIN, President.

WANTED.

ONE OR TWO CARRIERS to carry the "Crescent." Enquire at this office. je5

CHARLESTON MONEY—Bought by
je6 1m E. J. HART & CO. 25 Tchoupitoulas st.

WANTED:

A COMPETENT GARDENER, to take charge of a small Flower Garden. An old man would be preferred, to whom a permanent situation would be given. Apply at the corner of Jackson and Prytania sts., Lafayette. je6 1w

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