The Daily Crescent.

OFFICIAL JOURNAL
Of the Second Municipality Council, and of the Board of Liquidators.

NEW ORLEANS:

TUESDAY MORNING, MAY 14, 1850.

Amusements...This Evening.

American Theatre.—"Blue Devils"—"The Two Gregors"—"Tom and Jerry"—"Look at Home."

Placide's Varieties.—"The Rebecca Family"—"The Naval Cadet."

Orleans Theatre.—"Jerusalem."

Many thanks to the officers of the splendid steamer Sunscot for late St. Louis papers.

Recorder Caldwell Taking the Chair. Yesterday was the opening day for the lately-elected Recorder of the Second Municipality, Mr. Caldwell. He entered upon his duties at 10 A. M., and made a brief address on the occasion, in which he stated that in the recent canvass one of the objections urged against him was the excess of his humane feelings. He confessed that, naturally, he was inclined to look in mercy on the frailties of his fellow-mortals, yet such were the stern demands of the law on the station which he now occupied, as to force him to forego all personal feelings, and to look with the stern eyes of justice, on the demerits of those who were brought before him. To offenders, who show an incorrigible tendency to wrong-doing, he felt that he would be acting unjustly and unmercifully to society at large, to judge in a spirit of leniency. Severity, in such cases, he opined, was the just and merciful course, and to that he should adhere. His determination was to do his duty fearlessly, strictly and impartially, between the accusing and the accused, and he trusted that the officers who surrounded him would give him all that support and assistance which should naturally flow from the positions they occupied.

Recorder Baldwin accompanied his successor into the Court-room.

The Ruins of Nineveh.—M. Vattemare, the originator of the system of international exchanges, recently contributed to the State of Massachusetts a most valuable collection of literary and scientific works. Among these is the magnificent work on the ruins of Nineveh, by Botta, well known in this country for his able and impartial history of the American Revolution. In the exploration of the ancient ite of Nineveh, Botta was the predecessor of Layard, and is now his co-laborer. The Boston Transcript says: "The work is in large folio volumes, and the plates are of the most expensive description. They are, mostly, copies of inscriptions, figures and scenes, taken from the disinterred ruins and stones on the site of the ancient Nineveh. These are of the most characteristic description. A perfect idea of the habits and customs, the pursuits, the modes of warfare, the style of dress, the moral and intellectual culture of the people of this ancient empire, may be derived from them. They admit us, as it were, into their very temples and household gatherings; reveal to us their priests and men of authority in their garbs of three thousand years ago; and exhibit the state of society which existed in those remote days. Here we may see the good people of Nineveh at their feasts, lifting their cups, and pledging one another's health, just as if they were at a modern dinner table. Another transcript from these ancient carvings shows us a battle; and it is plain that men killed one another then as heartily as now. One scene represented a party of prisoners led by means of a hook passed through their under lips. In another a captive, perhaps a spy, is being skinned alive. These people must have been detestably cruel and superstitious. It is evident that their priests had great sway; and that they were under a most arbitrary form of government.

Public Testimonial to Father Mathew—*Meeting at the Commercial Exchange To-Night.* We understand that the Rev. Theobald Mathew will leave our city in a few days. Previous to his departure there will be a meeting of citizens who desire to testify their appreciation of his valuable labors during his sojourn among us, and to contribute to his relief from present pecuniary embarrassment.

We are requested to state that this meeting will be held at the Commercial Exchange *this evening*, on St. Charles street, at half-past 7 o'clock.

We hope to see a full attendance, and there doubtless will be. We know no man of the greatest age, nor scarcely of any age of the world, who has more disinterestedly devoted his life to the service of his species; no man who has more preeminently distinguished himself for the success of his labors. Hundreds of thousands of the human race on two continents are witnesses to his zeal, and recipients of his beneficence. Mankind owes Father Mathew a debt, which they will never, can never, discharge. He must look, and does look, to a higher source for his reward.

Still something can be done by his fellow species to testify their appreciation of his services, and to aid him, by a contribution of the necessary means, to prosecute his labors with continued efficiency. The opportunity for doing so is presented in the meeting to be held to-night.

Consecration of the Synagogue.—We are requested to state that the Consecration of the new Synagogue, corner of Canal and Bourbon streets, will take place this day, at 5½ o'clock P. M. The doors will be opened at 4½ o'clock, and the ceremonies will commence at 5½ o'clock; at which time the doors will be closed. None will be admitted without tickets of invitation; nor after the ceremonies will have commenced.

The American Theatre.—The union of the excellent German Company with the American has added greatly to the attractions of this establishment. Mr. Gaisford, by this masterly stroke of policy, has shown himself competent to manage successfully his Theatre. Last night was acted, in German, Victor Hugo's play of "Lucretia Borgia." Mrs. Thielman, as the heroine, acted with much power and judgement, and received the repeated evidences of the gratification of her audience. The singing of her daughter, a girl of some ten years, was wonderful. Her song was worth the price of the ticket.

Tom Placide's benefit comes off on Wednesday evening. Need more be said to those who during the past season have spent so many agreeable hours in his house. Up to the present time the frequentes of the Varieties have not been unmindful of their favorites. To Mr. Placide's energy and taste the city is indebted for a new Theatre, conducted with strict propriety and excellent judgement.

The Regatta To-Day.—*Rain or Shine*—And we hope for the benefit, that our citizens may enjoy the fine sports of the Lake, under the brightest influence that a clear sky and balmy air can give. The late Regatta came off on an inclement afternoon, when a raw Norther and a drizzling rain prevailed. Yet a gay and lively throng of pleasure-seekers crowded the "Franklin," and gave its popular host more than his numerous deputies could attend to. What, then, may we expect to-day, if we have only a glimpse of sunshine, inviting a sporting drive, to a capital dinner, with the race to add to the enjoyment, and the Lake breezes to one's appetite. The entries for the Regatta are—

FIRST CLASS.

1.. Kate	entered by	Rodger Stewart
2.. Victoria	"	J. G. Robinson
3.. Undine	"	A. L. Saunders

SECOND CLASS.

1.. Pilgrim	entered by	J. G. Robinson
2.. Flingaway	"	Ringold Club
3.. Marmyon	"	H. L. Sherman

THIRD CLASS.

1.. Doubloon	entered by	J. G. Robinson
2.. Mary Barker	"	S. A. Whitney
3.. Frank Finn	"	Dan Hickok
4.. Nella	"	McAllister & Co.
5.. Hannah Smith	"	Charles Castle

We refer particularly to the advertisement of the Regatta in another column.

American Theatre.—Tom Hyer appears to-night, and as there is a great curiosity extensively to see this hero of the Ring, no doubt the house will be crowded.

New Music.—We have received from our friend, Wm. T. Mayo, No. 5 Camp street, the following new and beautiful pieces of Music: "Carnival of Vienna," an quadrille, as performed by the Germania Society; "Gems of the Germania," a selection of favorite Polkas, Waltzes, etc.; "Rosegnol Polka," as danced by M. DeKor poser; "Valse Favorite" de Lucia di Lammermoor; "Carnaval Polka," and "Grand Promenade March."

Auction Sale of French Goods.—The attention of dealers in Dry Goods is called to the sale of C. Talasme's extensive stock of French Goods, to take place this day, at 10 o'clock, at his store No. 64 Chartres street, by F. H. Pettipain, auctioneer.

Cholera in St. Louis.—Several cases of cholera have occurred in St. Louis. The Times, of the 7th, says: "Still, we do not think there are sufficient indications to apprehend the disease in an epidemic form."

Congressional.

By a telegraphic summary by the way of Louisville, we have the proceedings of Congress on the 6th inst.:

Senate.—The Vice President being absent, Mr. Atchison moved that the Hon. Wm. R. King, Senator of Alabama, be chosen Vice President pro tem., which was adopted unanimously.

It was ordered that the Secretary of the Senate notify the President of Mr. King's election.

Several adverse reports and petitions on private claims were presented.

The Hon. T. H. Elmore, Senator from South Carolina, appointed to fill the vacancy occasioned by the death of Mr. Calhoun, appeared, was qualified and took his seat.

Mr. Borland reported in favor of printing 5000 copies of the geological and topographical report of Peraifer F. Smith and Dr. Tyson on California. Adopted.

Mr. Borland reported in favor of printing 30,000 copies of the agricultural portion of the Patent office report. A long and uninteresting debate followed relative to waste and want of economy and punctuality in the public printing.

House.—On motion of Mr. Bayly, the deficiency bill, with amendments, was referred to the Committee of the Whole.

Mr. Stanly, of North Carolina, asked leave to offer a resolution, instructing the select committee now investing charges against Mr. Ewing, to inquire further, what person in the department, edited or wrote for newspapers, under the last administration, who wrote the essays signed "Bundlecund," what office he held, and what salary he received: and whether during the Presidential canvass any office-holders absented themselves from the departments to make speeches, and whether they were required to subscribe money to operate against General Taylor, if so, at whose instance it was done. Objections being made, Mr. Stanly moved a suspension of the rules.

Mr. Hall, of Missouri, suggested that the resolution be sent to separate committees.

Mr. Stanly did not assent—the yeas and nays being taken, the rules was suspended. Yeas 109, nays 45.

Mr. Stanly then moved the previous question.

Mr. Cobb wanted to move an amendment.

Mr. Stanly objected.

Mr. Gerry, of Maine, sent up an amendment which was merely read for information, to inquire what clerks, if any, were sent last summer to any State to solicit an individual to become a candidate for Congress, and the names of persons sent.

Mr. McLane, of Maryland, moved a reconsideration of the vote by which the rules were suspended.

Mr. Crowell moved to lay that motion on the table. Agreed to.

A message was received from the President, stating that he had signed the bill accepting Mr. Grinnell's vessels.

Mr. Crowell asked leave to offer a resolution, calling on the Secretary of War to communicate to the House all instructions issued by the department to Bvt. Col. Monroe, touching the claims of Texas to the territory of New Mexico; also, by what authority said Monroe issued orders, in March last, requiring the commandants of the different military posts to observe a rigid non-intercourse with the Texas commissioners, who invaded New Mexico to establish the civil jurisdiction of Texas over it, and not to come in conflict with the Texas authorities.

The question was then taken, on seconding the demand, for the previous question, when the House being equally divided, the Speaker voted in the negative.

Mr. Brown, of Mississippi, said he was a member of the Ewing committee, and did not wish Mr. Stanly's resolution to embarrass its actions. If Mr. Stanly was desirous, not two Democrats would disagree to a Select Committee on the subject.

Mr. Stanly. Has the gentleman the power to speak for his party? [Many voices: Yes! yes! yes!]

Mr. Stanly. I congratulate him on the premiership of that side of the House.

Mr. Brown. I make no claims.

Mr. Stanly. But you assume it.

Mr. Brown said Mr. Stanly should have as good a committee as the Ewing committee was.

Mr. Stanly. Just as bad—four Whigs to five Democrats, who vote for every inquiry.

The resolution was modified so as to refer it to a separate committee of nine members, and under operation of the previous question it was passed.

The Speaker said the resolution must lie over under the rule.

Mr. Crowell moved to suspend the rule, which was carried, and the resolution was accepted.

Mr. Burt asked leave to offer a resolution, that it might be referred to the Committee of the Whole on the State of the Union.

The House went into committee on the census bill, and soon after adjourned.

Fire at St. Louis—*Steamer Destroyed.*—At half-past ten o'clock, on the morning of the 7th inst., a fire was discovered in the ladies' cabin of the steamer Mustang, lying near the foot of Spruce street, St. Louis. The flames spread with great rapidity, and a few minutes only elapsed after the discovery when the whole of her upper works were consumed. The hull is all that there is left of her.

The Mustang was partly owned, and at the time of her destruction, was chartered by Stoke's Circus company.

The members of the company have lost considerable baggage by the accident. The Tuscumbia, Isaac Newton, and several canal boats lay about the Mustang when she was in flames. One of them was towed away by the ferry boat.

Destructive Storm on the Coast.—We learn from the officers of the steamer Mary Foley, that on the 11th inst. they experienced a severe storm, in Bayou Lafourche, about four miles from Donaldsonville, which carried away both chimneys, pilot-house and a considerable portion of her cabin. The steamer Chalmette, lying one mile below, was more seriously damaged, losing her chimneys and making a complete wreck of her upper works. The plantations in the neighborhood have suffered severely. Several dwellings and sugar-houses were blown down. It is not known that any lives were lost.

Flood at Nashville.—A large portion of Nashville is overflowed. On Broad street the water is more than a foot in depth. The hotel known as Cannon's is invaded on the first floor about four feet. The boats upon Market and College streets, are doing a fine business in the way of ferriage, and hundreds are crossing to and fro. The water is almost within a few paces of the Franklin turnpike, near Wilson's noted spring. The distress is very great among the unfortunate people who reside in the portions of the city now flooded, and hundreds have been compelled to desert their dwellings, many of which are entirely under water.

From Rio Janeiro.—By a telegraphic dispatch by way of Louisville, we learn that the bark Isabella Hyde, arrived at New York from Rio on the 6th inst., whence she sailed 25th of March. She brings deplorable accounts of the ravages of the yellow or coast fever at Rio. Several Americans had fallen victims to it. There had been, however, a mitigation in its fatality; it raged worse among the shipping and lower classes; many natives had died of fright. Several foreign mercantile houses were closed, owing to the universal sickness among the inmates. American firms were more fortunate. Several members of both Houses of the Legislature had fallen victims.

The U. S. sloop-of-war Maria sailed from Rio on the 18th of March, having lost one midshipman and several of the crew by fever. The U. S. store-ship Lexington had sixty cases on the sick list, seventeen being of the prevailing fever. Lieut. Vandegraft, U. S. N., died on the 17th of March, of the epidemic. The epidemic was pronounced by medical men of experience, not yellow fever, but the kind that prevails on the coast of Africa, whence the contagion probably came. Business was generally very dull—the mercantile community being out of town, and payments were withheld by the Portuguese.

The Weather—The River—The Crops.—On Sunday night the rain again poured in torrents. These frequent and severe storms must help to augment the vast volume which is pouring down. At Natchez, on Saturday, the water had fallen eleven inches from the highest mark of this year. Since 1828, there has been no such flood.

By the country mail, we are in possession of news from the Red and Ouachita valleys, and the intelligence is of the most discouraging character. The cold weather and the continued rains have killed much of the cotton, retarded the growth of the plant, and afflicted it with rust and lice. This is the case on the hills of Mississippi and Tennessee.

During the month of April, the arrivals at the port of Boston were 735. Of these 238 were foreign, and 487 coastwise. This is less than the arrivals during the same month last year.

From Washington.—N, of the Baltimore Sun, says: The previous agreement to present the admission of California, the establishment of territorial governments for Utah and New Mexico and the Texas boundary in one bill, stands firm. The amount of indemnity to be paid to Texas is pretty well fixed at ten millions of dollars, the sum originally intended to be put in Mr. Douglas's bill; but it is not improbable the sum will be amended to twelve millions, to secure the whole payment of the Texas debt, which averages that amount. The amount of land to be ceded by Texas will be about 125,000 square miles—room enough for a handsome State.

Appointments by the President.—Edward H. Wright, of New Jersey, to be Secretary of the Legation of the United States at the Court of His Imperial Majesty the Emperor of all the Russias.

John D. Diomatari, of Georgia, to be Consul of the United States for the port of Athens, in Greece.

From the Plains.—*Emigrants Returning.*—The St. Louis Union of the 7th says—A passenger on the Bay State, just down from St. Joseph, informs us that there is considerable disheartenment among emigrants at that place; and many are wishing they had never started on the journey. He thinks the number returning, however, is not over five per cent, or one in twenty. We doubt not this number would be much larger, if more could get back. But this, with most of the emigrants, is impracticable, unless they submit to the loss of their outfit, experience wounded pride, and render themselves pennyless when arrived back at their starting place.

The number of California-bound persons now at St. Joseph is stated to be about 25,000. They are all living in tents, which extend for a long distance up and down the river.

Steam Boat Disaster and Loss of Life.—From the officers of the steamer Autocrat, we learn that the steamer Columbus, Capt. Post, on her trip hence to St. Louis, collapsed the flue of one of her boilers on the 7th inst. when near Island No. 4, killing eight deck passengers and two firemen. Some five or six deck passengers, being frightened, jumped overboard and found a watery grave. The Columbus was lying at Cairo on the 8th inst.

Reciprocity of Trade between Canada and the United States.—The Canadian Government has refused to permit American vessels to come from ports on the Upper Lakes direct to Quebec, there to reload with return cargoes.

It is known that an application is now before Congress for reciprocity of trade between Canada and the United States. Mr. Clayton has applied to Mr. Bulwer, at the instance of the Committee of Commerce in the House of Representatives, to know whether, in the event of the passage of such a bill, the free navigation of the St. Lawrence will be conceded. Mr. Bulwer replies, that in his judgement, the measure seems to be the natural consequence of those measures by which the markets of Great Britain have already been opened to the agricultural products of this country, and he adds the following:

"I feel no hesitation, therefore, in stating that the instructions with which I came to the United States, warrant me, under such circumstances, in assuring you that should a bill corresponding to that which has received the sanction of the Legislature in Canada, be passed by the Legislature of the United States, and receive the sanction of the President of the United States, Her Majesty's Government *will be ready to respond to any application* which the United States Government may then address to it, on the subject concerning which you have now applied to me, by at once consenting to open the navigation of the river St. Lawrence, and the canals thereto adjoining, (and which would be duly specified) to the shipping and citizens of the United States."

Quarantine at St. Louis.—Some days since we noticed the fact that the Mayor of St. Louis had published a proclamation of quarantine. It was intended, particularly, to prevent the discharge, at that port, of the large numbers of immigrants, affected by Cholera and other diseases, that are taken up by almost every boat leaving this port for St. Louis. The New Era of the 7th says the Grand Turk, which arrived on the night of the 6th, was boarded by Major Kennett and remanded to the quarantine grounds, some distance below the city, where she was compelled to discharge her passengers. This regulation will operate hardly in the cases of some immigrants; but, altogether, we approve of its adoption: it will have the effect, we hope, to prevent the crowding together on the decks of steamboats immigrant passengers in such numbers and in such condition as invariably to engender among them disease and death.

Horace Mann, of Boston, has addressed a letter to a number of his constituents, giving his views and opinions upon the questions now before Congress, arising out of the acquisition of territory by the treaty with Mexico. He is opposed to the views of Mr. Webster.

Increase of Atlantic Steamers.—The Cambria, Canada, Glasgow City and Washington, arrived at New York from Europe within the week ending the 4th inst. Two others were due within the same week—the British Queen and Helena Sloman from Hamburg. When the Collins Line gets fairly into operation, we shall have European news every two or three days. Before the end of 1850 we may expect to see *daily* arrivals and departures of ocean steamers from and to European ports.

The Forrest Divorce Case.—A Harrisburg dispatch of the 4th inst, says: "In the House of Representatives to-day a new bill was read by Sylvester Ceyland with respect to the divorce of Edwin Forrest."

Steamer Destroyed.—A dispatch to the Memphis Eagle, dated Nashville, May 7, brings the following intelligence:

The steamer James Dick was destroyed by fire at 4 o'clock yesterday morning. She was burned to the water's edge and floated from her moorings. Boat and cargo almost an entire loss. Most of her books and papers were saved. The iron chest, containing a few hundred dollars, was lost. The wreck of the hull will probably be recovered. She had on board 180 bales cotton, 1250 sacks corn, 26 hogsheads of tobacco and 42 cask bacon. The boat was insured at Louisville for $7,500.

Texas Wine.—A very fair Claret is manufactured from the native grape known as the Mustang. Its fecundity surpasses belief. In a few years we have no doubt that wine-making will be carried on upon an extensive scale in Texas.

Another Manorial Trial.—The Albany Free-holder announces that a trial is to take place at Kingston, to test the validity of a title to about 300,000 acres of land lying in Sullivan and Delaware counties.

The Ship John R. Skiddy.—Captain Shipley, who commanded this vessel, recently wrecked on the coast of Ireland, has written to his agents declaring his determination to remain by her while any thing can be saved. He has also corrected his former letter to the Liverpool Times, in which he declared that the natives of the coast on which his vessel was wrecked were a set of lawless villains. He referred only to the wreckers, or desperadoes who first came on board.

The Houston Telegraph of the 9th states that the accounts from all parts of the interior of Texas, respecting the prospects of the Planters, are gloomy in the extreme. The wet, cold weather had caused a large portion of the seed to rot in the ground, and there is little seed left to re-plant. The plants that have escaped the effects of the rain and cold weather, are generally drooping and sickly, and give little encouragement that they will yield even an average product of cotton.

The river was rising slowly at Louisville on the 6th, with a little over seven feet on the falls. The charter election was going on peacefully. There are six candidates for Mayor—Pitcher, Democrat, was ahead at noon on the 6th; Ronald, Whig, ahead for Marshal. A small vote was polling for and against the new Constitution.

Alabama Judicial Elections.—We have the following additional returns from the judicial elections in Alabama for Circuit Judges:

Second Circuit.—Butler county gives Pickens some 20 majority—he is doubtless elected.

Talladega Circuit.—Talladega—Woodward 361. Tallapoosa—Woodward 270. Macon—250 for Dougherty. Chambers—(Reported) 600 for Dougherty. Russell—Dougherty (reported) 50 majority. Randolph to hear from—election doubtful.

Madison Circuit.—Benton (in part)—Walker 977. Lane 111. Walker doubtless elected.

We refer our readers to the advertisement, in another column, "Headed Dwelling House for Sale." The location is desirable, and it is an excellent opportunity for investment.

Supreme Court—Monday, May 13, 1850.

Present—Hon. Geo. Eustis, C. J.; and Judges Rost, Slidell and Preston.

Eustis, J.....1. *Fletcher* vs. *Fletcher*....Application for a re-hearing. Judgement corrected by allowing the plaintiff a small sum in addition; and the Court said the judgement being for the price due the vendor, it necessarily carried with it the vendor's privilege on the land. Re-hearing refused.

2. *Grissap, e. al.* vs. *Police Jury of Concordia*.. Application for a re-hearing. Judgement dissolving an injunction, with damages, for enjoining the collection of certain taxes. The Court corrected the judgement by remitting the damages. Re-hearing refused.

3. *Robinson et al.* vs. *Travis, Sheriff, etc*.... A small error corrected, and re-hearing refused.

4. *Lee* vs. *Ferguson*.... Re-hearing granted and case sent back to be better prepared, and some instructions given.

5. *Mangroue* vs. *Maxwell*.... Re-hearing refused.

6. *Pulvroy* vs. *Puckerid*.... "For the reasons given by the District Judge, the judgement appealed from is affirmed with costs."

7. *Haggerty* vs. *Corri et al.*... "For the reasons given by the District Judge, in his written opinion, it is ordered that the judgement appealed from be affirmed with costs."

8. *Goldschmidt* vs. *Mayor et al. of New Orleans*. This case is not distinguishable from the one of *Short* vs. *Mayor, etc.*, (4 Annual Rep. 281.) "The Judgement of the District Court is therefore affirmed with costs."

9. *Hamer's Undertutor* vs. *Hamer's Succession*.. This is a suit to annul the sale of property because the price was below the estimative value in the inventory. The petition was dismissed and the sale maintained. The plaintiff, who is the undertutor of the minors Hamer, appealed: Held that the application of the 993 article of the Code of Practice, to the property sold, is impracticable. It requires property sold to pay debts, by an administrator, to bring the amount of the appraisement, if sold for cash, etc. The sale in this case was provoked by a creditor, and the sale was fairly made and no injury to the party resulted. Judgement affirmed.

Rost, J.....10. *Lemonier, Executor, etc.*, vs. *Jules Lavergne*....Suit for the price of a slave. Defence redhibition. The district Judge, considering this defence not sustained by the evidence, gave judgement for the plaintiff, which is affirmed.

Audier vs. *Boudar*....Suit for the rescision of the sale of a slave, on the ground of redhibition, that the slave was unsound. The evidence was deemed insufficient to authorize a judgement, and the plaintiff was non-suited....Judgement affirmed.

11. *Soley* vs. *Henriquez*.... The Court is not satisfied with the evidence in this case, and that it is a proper one to be tried before a jury....Judgement for plaintiff reversed, and case remanded, etc.

12. *Pettipierre* vs. *Henriquez*....Judgement of plaintiff reversed, and case remanded to be placed on the jury docket, and tried before a jury.

13. *May* vs. *Ranson*....Suit to compel defendant to demolish certain levees and embankments, which are alledged to be a nuisance, and obstruct the natural drains from the plaintiff's land....Verdict and judgement of plaintiff set aside, on the ground of improper evidence going before the jury; the case remanded for a new trial....The Court say, "The act of 1813 defining, etc., the authority and functions of 'Police Juries,' provides that they shall be empowered to cause to be opened again such ancient and natural drains as have been obstructed by the owners of the adjacent land, and prescribe the mode to be observed in that respect. The act also provides that where part of land on the Mississippi shall be divided among several proprietors, and it shall be found necessary to dig one or more common draining ditches, the Police Jury shall have power to ordain that the ditches be dug at the expense of the owners, and the expense be borne by a contribution among them to be levied in such manner as the Police Juries may prescribe. These powers are ample to meet the present case to remove all the difficulties which are shown to exist in relation to draining the Point of Bonnet Carre."

13. *Beaulieu f. m. c.* vs. *Tonnelier f. m. c. et al.*... In the case of Duclosiange et al vs. Ross, (3 Annual, 432.) Held, that a residuary donation "inter vivos," made to certain persons named therein, to be null, as containing a "Fidei commissum," but this does not annul a bequest, when there is no substitution....Judgement amended and affirmed.

14. *Delphine Lalaurie* vs. *Macarty's Succession*....Property, the title of which was in another, and which the Executors never had the seizin, although it passed from the Testator, they are not entitled to commissions. The various grounds of opposition were overruled....Commissions reduced, and judgement as amended, affirmed.

15. *Louisa Henry, wife, etc.*, vs. *Destrahan's Succession*....Judgement reversed, and new decree to be entered.

Slidell, J.....16. *Smith* vs. *Steamboat Eclipse*....We think the evidence sustains the opinion of the District Judge, that the collision was not attributable to the fault of the defendants....Judgement in their favor affirmed, with costs.

17. *Jorda* vs. *Gobet*....For the reasons assigned by the District Judge, the judgement is affirmed.

18. *Egana* vs. *Jackson*....Judgement for defendant affirmed, with costs. (8 a 2 Annual, 16.)

19. *Frierson* vs. *Brenham et al.*....Held, that Brenham had an insurable interest in the steamer insured, and was entitled to the insurance money....Judgement reversed, and a new decree for defendant Brenham to be entered.

Preston, J.....20. *Everist* vs. *Brig Lowder and Owners and Master*....Suit for the recovery of passage money, and damages for a lot of goods shipped for Chagres. The plaintiff paid his passage money, and the articles shipped on board. The vessel failed to sail on the day appointed, and the plaintiff fell sick and was unable to go when she started. The plaintiff had a verdict and judgement for $218, and defendants appealed....Judgement reversed for want of sufficient evidence to identify the goods shipped. Case remanded for a new trial.

21. *State* vs. *Spriggins & Ross*....Appeal dismissed for want of prosecution.

22. *State* vs. *Florez, indicted for murder and convicted*....A new trial is asked, 1st. Because the State peremptorily challenged a juror after he had been accepted by the prisoner; 2d. The indictment had on its face alterations, interlineations and interpolations in a different handwriting, etc., and was defective; 3d. The verdict not responsive to the indictment. Ramon Florez is indicted, and the verdict says Ramon Florey is found guilty. These grounds were all overruled, and this court held that they were not such irregularities as will warrant a new trial....The judgement and sentence of the District Court on the verdict is affirmed.

23. *State* vs. *Jose Fuentes, indicted for murder and under sentence of death*....Held, that the privilege of a foreigner to be tried by a jury of one half aliens, or a jury *demediate lingues*, originated or was allowed by the statute of 28d Edward III of England, but is never allowed in Louisiana: "That insulting language from a colored man was not more provoking, or calculated to excite the passions of a white man, and if immediately followed by a mortal stab, to be imputed to the weakness and infirmity of human nature," etc., so as to authorize the court to instruct the jury to find a verdict of manslaughter"....Defences all overruled. The court say, "it is truly a painful duty to perform when the life of a fellow-being is involved," to affirm a judgement which sentences him to death.

24. *State* vs. *Carter, Upton and Hough*....Indicted for altering or cutting a record of the First District Court; were tried and acquitted by the jury. The State appealed. Held, that an appeal does not lie on the part of the State from a verdict of acquittal and judgement discharging the accused....Appeal dismissed.

The Histrionics—*Benefit of Mrs. Fisher.*—Last night was the time appointed for the benefit of Mrs. Fisher, but owing to the inclemency of the weather, it was postponed to this evening, when will be presented Buckstone's *bijou* of "The Irish Lion," "The Swiss Cottage," and a variety of music by the talented amateur orchestra. Mrs. Stuart lends her powerful aid on the occasion, and will appear as the enthusiastic *Mrs. Fitzgig*. Although the bill is of itself an excellent one, by far the strongest consideration to attend this evening is the claim of the fair beneficiary herself upon the play-going public. We wish her such a benefit as her talents merit—though, indeed, "Histionic Hall" is not spacious enough to contain our city's admirers of true genius. We well remember how, some years ago, when Mme. Vestris played a "star" engagement in this country, at the Park Theatre Mrs. F. (then Mrs. Richardson) divided with her the just applause given by "Old Drury's" critical audiences. As she was then, so is she now—vivacious, witty, intellectual; and we hope she will have an overflowing house this evening, "*weather* or no."

American Theatre.—The American was well attended last night. The German Company have made a decided impression. Madame Thielman's *Lucrezia* was remarkably good; and Herr Ick's *Genaro*, a superior piece of acting. Despite of the inclement evening, Manager Gaisford defied the elements, and was rewarded with a respectable house.

Orleans Theatre—*Last Night but One.*—The grand opera of "Jerusalem" will be performed this evening at the Orleans. This magnificent opera is produced with fine scenic effect, and abounds in striking tableaux. The wardrobe is truly superb, and all the appointments throughout correspond. Mad. Devries, a bright particular star, whose matchless melody charms the ear, will be the great attraction to-night. This is the last performance but one of the season. Who will not regret the closing of the Orleans?

We would call the attention of the ladies to the very magnificent stock of Dry Goods now offering at very reduced prices by M. R. Haggerty & Bro., 58 Canal street. One of the partners having left for Europe to purchase for the Fall trade, they are compelled to close out their present assortment at very low prices. Parties desirous of purchasing have now an opportunity very rarely met with.

Married:

At Natchez, May 8, W. M. W. Cochran to Eliza A., youngest daughter of Mrs. A. M. Ogden.

At Baton Rouge, May 1, Edward Couenard and Miss Nancy Kinner, both of that place.

In West Baton Rouge, May 1, Oscar Duput, of Iberville, to Miss Elodie Landry, of the first named Parish.

Died:

May 12, Mrs. Bridget Nowlan, a native of Ireland.

In Baton Rouge, May 8, Miss Mary Reid.

Communicated.

From Gov. Tucker.

Eds. Crescent—For the benefit of suffering humanity, as well as out of justice to Dr. SAMUEL GILBERT, I make the following statement:—That in June last I had a small tumor upon my face, rather between my nose and cheek, which gradually increased, during the past summer, in size and extent; on account of which I consulted several truly eminent physicians, under whose treatment I received no benefit. In the latter part of last January I visited this city. In the space of seven days, before reaching the city, the tumor greatly enlarged, and the inflammation increased to an alarming extent; so much so, that from the tumor covered up my eye to the end of my nose, and eat to my cheek bone, because literally a lump of putrid flesh. The disease had also made its appearance on the opposite side of my nose. In this condition I presented myself to Dr. Samuel Gilbert, not knowing with what disease I was afflicted. Dr. Gilbert promptly pronounced it an evil Cancer, of the most virulent character. I put myself under his treatment. He extracted the tumor without the use of the knife, and in four weeks my face was well, as I then and still believe. T. M. TUCKER.

NewOrleans, March 13, 1850.

☞ Dr. Gilbert's office is No. 13 Carondelet street, in the buildings next on the Carondelet and the River. ap10 dly

☞ **To the Public.**—*Messrs. Editors:* I wish to bear testimony to Dr. GILBERT'S skill, through your valuable and truly independent paper. I was sorely afflicted with hereditary cancer, this disease killed my father, who had the best medical aid in the country. The disease made its appearance on my upper eye-lids, and continued to spread and pain me severely, until I will sigh last my sight; I consider my cancerous disease to have been a mere, same the worst. Having when heard of Dr. Gilbert's cures of the treatment of such cases, I left the State of Pennsylvania and came to New Orleans—where I put under treatment—and, am happy to say, soon cured, and no sign of the disease left, and my sight perfectly sound. This day I leave for home. A. C. CORWINE.

April 13, 1850. ap19 tf

Arrivals at the Principal Hotels.

May 13, 1850.

St Charles—J B Murrell, Coast; F A Clark, NO; J Hagan and lady; G S Lacy, H Jones, Baton Rouge; Mr Manning and family, Houma; S C McCorkle, U S Coast Survey; J P Staples, Covington; J E Murrell, H Myers, N Easton, Mobile; H Gallaghan, NY; A Claudon, La; J G Vasnes, NY; S M Tout, Mobile; J Y Randolph, Miss; S King, Ga; A H Johnson, C Hewit, Mobile; Rev C W Ellis, Ohio; J H Chapman, NO; A K Richman, Lake Providence; O Samson, D R Garrison, H P Wakeler, St John; A Fitzhalleit, T Henderson, NO; A Kennett; T D Mills, Texas.

Veranda—Doctor W J Lyle, West Baton Rouge; Mrs. J E Stirling, Bayou Sara; Mr Dubbs and family, N Stewart, S Scott, F J Harbord, J O Howell, La; H Bayou, Mex; J Boykin, Mobile; J J Hunter, La; F Crichton and son, Columbus; Mr Mitchie, Tenessee; W Knox, Ala; C D Bonner, C J Hester, Miss; R Avezet, Hartwell; I Johnson; G C Rabr, L Sellon, La; C A Jones, NO; M Fuller and lady; J C Beatty and lady; T Pugh; H Harris, Miss; J H Murray, Memphis.

Hewlett's—J B Bond, La; J L Cabot, W S Hood, T J James, T V James, Miss; M Langan, Yazoo City.

Planters—S King, S Hugher, Miss; R Simons; Ga; D Burns, Miss; J Sullivan, NY; W N Budd and family, La; J Roberts.

Bank Arcade—G W Hawkin, J S Anderson, J B Greene, Ark; E A Ferguson; J N Pierce; R L Meek, NO; E Anderson, R Garland, La; G F Rogers, Texas; M Ranser, NO; E Allen.

D. of T....Meeting This Afternoon.

Magnolia Union No. 2, Daughters of Temperance, meets at half-past 3 o'clock, at Pelican Hall.

Auction Sales This Day.

Sykes, Hyde & Co. will sell, at half past 10 o'clock, at 51 Magazine street—Groceries, Provisions and Liquors.

F. H. Pettipain will sell, at 10 o'clock, at No. 44 Chartres street—French Goods.

Notice!!! Younger Brothers of Temperance.

☞ The members of WASHINGTON FOUNTAIN No 1, Y. B. of T. T. are particularly requested to attend a meeting to be held at the Hall of the Fountain, No. 92 Tchoupitoulas street, on WEDNESDAY EVENING next, 15th inst. A general attendance is requested, as business of importance will be laid before the Fountain.—By order.

F. H. WILLIARD, E. S.
ap13 ABRAHAM LUNA, S.

Grand Temple of Honor of Louisiana.

☞ The members of this Temple of Honor, of the body will take place at Temple Hall, No. 12 Royal street, (Masonic Buildings) on WEDNESDAY EVENING, the 15th inst., at 8 o'clock....Representatives will please be punctual.

T. E. HEARTT, G. W. R. pro tem.
my13

Masonic.

☞ Warren Lodge No. 67, A. Y. M.—The Regular Meeting of this Lodge will be held at Masonic Hall, on TUESDAY EVENING, May 14, at 7 o'clock. Business of importance being before the Lodge, members will be punctual.... Visitors are fraternally invited....By order of the W. M.

L. N. LANE, Secretary.
my11

Native Am. Fire Co. No. 16.

☞ Fire men of the above Company are hereby notified to attend a Special Meeting on TUESDAY EVENING, the 14th inst., at half-past 7 o'clock....Particular business is to be transacted.

P. W. LESSLIE, Foreman.
my14

Beauty Water.

☞ Just received, a small supply of Monpelier's FRENCH CREAM OF ROSES, or Eau de Beauté, for removing Tan, Freckles, Sun Burn, Pimples, and Redness from the face and neck. This article can be used with confidence. It is in no way injurious to the skin, not causing it to chap or darken, but, on the contrary, gives it that smooth and delicate texture so much to be desired. To those exposed to the influence of the Lake breeze, this Wash is indispensable. Price $1 00.

☞ Sole Agency, No. 18 Carondelet street, near Common.
my13 2t 2tp

☞ **Notice.**—I beg leave to call the attention of the public to the notice published in the Crescent of the 8th inst. by H. CORRI, proprietor of Vauxhall Garden. The undersigned would not agree with him for the paltry sum of *three pieces* per night, which was the cause of his leaving. He may now be found at Mr. FRANCOIS ANSELMEN'S, who keeps a Garden on the Carondelet Canal, where may be found Refreshments, such as Ice Cream, Soda, etc., with a Free Ball every night. my13 1w* FELIX.

NOTARIAL NOTICE.

☞ **Notice.**—The undersigned, having united together in the transaction of Notarial Business in all its branches, beg leave to inform their friends and the public that they are prepared to execute with correctness and dispatch whatever business may be confided to them, at the old stand of D. I. RICARDO, late Notary Public, No. 79 Gravier street.

WM. MONAGHAN,
Successor to D. I. Ricardo.
GEO. BAKESHIDE.

☞ **Notice.**—The undersigned, on retiring from the Notarial Business, would respectfully recommend his successor in office, Mr. WM. MONAGHAN, and his late managing clerk, Mr. GEORGE BAKESHIDE, to the favorable notice of his old friends, and the public in general, with