Amusements....This Evening.

AMERICAN THEATRE.—"Precious"—"Dead Shot."
PLACIDE'S VARIETIES.—"The Young Scamp"—"The Untold Gold."
OLYMPIC THEATRE.—"The Prophet."

The Daily Crescent.

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

NEW ORLEANS:
TUESDAY MORNING, MAY 21, 1850.

The Cuba Expedition.

The Bulletin of yesterday admits the right of American citizens to engage in this enterprise when once the war breaks out, but does object to their taking the initiative when there is no certain information of the wishes of the people themselves. But it is fair to presume that men would not engage in an adventure of this kind, without *knowing* exactly the state of the popular feeling in the Island. There are many reasons for the concealment of the information upon which they acted. The Bulletin, like ourselves, is ignorant on this subject. Not so with these gallant and adventurous spirits. As we have already said, the initiative was taken, and the revolution commenced, when the wealthy men of the Island contributed millions to the cause.

The Bulletin thinks the Spanish Government will emancipate the blacks. Such a step would be in violation of the usages of war. The inevitable result would be the death of every Spaniard on the Island, and the annihilation of the miserable slaves themselves. This threat has as little terror, as that which British writers use when there is any appearance of difficulty between Great Britain and America—that they will send the black regiments into the Southern States. We will not pursue that subject further at this time. But we wish to know whether the people of Cuba really hold their property only at the will and pleasure of the King. Can he take away their plantations or slaves? If so, it is not difficult to conceive that the people must eagerly desire emancipation from such despotism.

The Bulletin fears, too, that the great powers of Europe will object to our acquisition of Cuba. Thank God, America is at length able to play her part in the great drama of the world. Great Britain and France united cannot wrest Cuba from us. England with her immense debt, her grinding taxation, her galling dependence on American cotton, and her insecure grasp on Ireland and the Canadas, is not a match for the weaker but unfettered rival. France has been for a century the natural ally of America. Historic memories have a strong hold on that enthusiastic people, and they will not enter into a war with the nation which was the first to welcome them on their redemption. France is not a commercial nation. She is the Florence of the present century—the great workshop and manufactory of the world. The genius of her people is artistic, not commercial. She would prefer that Cuba should be one of the American States, then to remain a Spanish colony, or a British stronghold. This country has nothing to fear from European interference. The Northern States will readily admit Cuba as a counterpoise to Canada. At the same time, the abolitionists themselves will favor the movement, as thus the horrible African trade will be stopped, and slavery will then assume the milder form which it exhibits in the United States.

While we are indulging in these speculations the armament has landed and the blow been struck, from which are to flow consequences of such political and social importance.

ANNIVERSARY OF THE ORDER OF SONS OF TEMPERANCE.—It will be seen by reference to the Programme published in another column, that this honorable and devoted body of men—disciples of that faith which deems the sacrifice of one for the good of the many the noblest of virtues—celebrate their anniversary to-morrow afternoon and evening by a public procession and appropriate exercises in the Lyceum Hall.

The Daughters of Temperance are earnestly invited to be present and share in the in-door festivities of the occasion. The disciples of the noble Apostle of Temperance—Father Mathew—who has lately been laboring in our midst, will also be proudly welcomed to the ranks of the Sons, and on suggestion made to the Grand Marshal, a proper position be assigned them in the procession.

The public generally are also invited to be present. The centre seats will be reserved for ladies and visitors generally.

The exercises, as will be seen, commence at half past 7 o'clock. The ceremonies will amply prove that Temperance affords a "feast of reason and a flow of soul" free from the regrets that oppress the votaries of Bacchus.

The Galveston News says: "We presume the N. O. Crescent may properly be considered the organ of General Sam. Houston, judging from its frequent eulogiums of him." This is said of us because we have taken occasion to commend the elevated and patriotic position of Gen. Houston, in the U. S. Senate, on the slavery question. It was scarcely to be expected that he would have so firmly planted himself by the side of Clay, Cass, Webster, Bell, and Dickinson, on the compromise platform. That he has done so, has conferred honor on his State, and has greatly advanced his own reputation in the estimation of the conservative portion of the American people. If our commendation of a man who, regardless of party or sectional considerations, patriotically announces his determination to stand by the Union, and to defend it against the assaults of fanatics and demagogues, justifies the allegation that we are his "organ," then his "organ" let us be considered.

The Concordia Intelligencer has been transferred to Z. York, Esq., a young lawyer of intelligence, energy and character. Under his charge this long established and extensively circulated paper will recover its former position. We recommend this as one of the best country papers for city advertisements.

The Literary World of May 11th contains an amusing sketch from the "Manhattaner in New Orleans," describing the celebrated "Sheet Iron Band" and its leader, *Capt. Rice*, from which we publish an extract. The Literary World is one of the best family papers in the country. Each number contains a list of the works published during the week. This of itself is worth the subscription price.

We particularly call attention to the card of Dr. J. Bordley. This gentleman has permanently located in our city, and brings with him high testimonials of character and professional skill. He has performed, during his short sojourn here, several difficult operations in dentistry, which must tend to advance him at once to an elevated position in his profession.

FOR CHAGRES.—An excellent opportunity to reach the half-way house to El Dorado is offered by the splendid steamship Guadalquivir, Capt. Auld, which leaves the foot of Girod street on Monday next. Those California bound cannot do better than to call and examine her fine accommodations. Messrs. C. J. Meeker & Co., 66 Poydras street, are her agents. The G. forms, in connection with the Alabama, a regular semi-monthly line.

THE "JENNY LIND."—We are informed that Captain Dennis has chartered this splendid, airy, spacious, stanch hulls, and fast-running steamer, to take the place of the steamer "Lenoer" for the season. The J. L. is now being repaired, and elegantly fitted up for the summer business between this city and Mandeville, Lewisburg, Madisonville, and Covington; and we congratulate our friends on the other side of the Lake on this acquisition to their travelling facilities. The boat is very stanch, and has very superior and entirely new boilers and machinery.

The Fire Works to-night at the Lafayette Square will be a brilliant affair. It seems a little curious that Fire Works should befriend the Firemen, who, on every other occasion, wage relentless war against them. The money derived from the exhibition will go to swell the treasury for the relief of the widows and orphans of Firemen.

THE VARIETIES.—Senor Vegas was complimented with one of the finest houses of the season. He is evidently the favorite member of the Ballet. His Spanish dances, with their complicated but graceful figures, set off by his rich costume, have always excited the highest admiration.

The Histrionics had a brilliant house last evening, and they performed with unusual spirit. The plays, however, were of the minor drama, and the highest compliment we can pay them, is to say that all acted and none overacted their parts.

The Forest Trees of America.

The Delta, in spite of our actual personal experience of the durability of the Catahoula rock, proposes that Louisiana shall send a block out of the heart of a Live Oak. In the first place, the rock which can bear the heat and exposure incident to a chimney, which, in the country, is always on the outside of the house, will, in the monument, be able to stand the fretting of the elements as long as ranite. The capitol of Mississippi, in the city of Jackson is built of this stone. When first quarried, the blocks were extremely friable, and several of the mbroke. Much anxiety was felt as to the strength of the material. The architect, Mr. Nicols, a man of standing in his profession, staked his reputation on the fact that the stone would harden on exposure. The experience of ten years has proved the correctness of his knowledge. The jail at Harrisonburgh, built of rock from the same quarry which has furnished the monumental block, has stood more than twenty years, and is as firm and substantial a building as any in thecountry. In the second place, the Live Oak of Louisiana grows on the alluvial land, and is not nearly as durable as that of the hammocks of Florida. But why should not each State furnish a portion of the wood required for the monument? Texas could send a trunk of the Pecan; Louisiana the Cypress, which is the tree of the State; Mississippi the Magnolia; Florida the Live Oak; Georgia and North Carolina the Yellow Pine; South Carolina the Palmetto, though we fear the structure of this beautiful tree would be as impracticable as her politics. This is the finest specimen of the Palm family indigenous to the United States. It is the Chamerops Palmetto of the botanists. In the Sketch of the Botany of South Carolina, by the lamented Elliott, is the following interesting description of this tree:

"*Stem* sometimes attaining a height of 40—50 feet, 12—15 inches in diameter. The *fronds* 5 or 6 feet in length, growing at the very summit of the tree. *Flowers* in naked panicles. *Drupe* bluish black.

"This palm possesses a great, and to this country an increasing value. It is the only tree produced in our forests which is not attacked by the *teredo navalis* or ship-worm; and as it is *incorruptible* in salt-water, its value for submarine construction is almost incalculable.

"*Its leaves can be employed in the manufacture of hats, baskets, mats, and many other purposes of domestic economy; the 'cabbage,' composed of the unexpanded embryo leaves, may be classed among the most delicious vegetables produced on our tables. It is, however, a wasteful luxury, as the tree always perishes when deprived of this part of its foliage.*

"Grows along the sea coast of Carolina and Georgia, confined to the neighborhood of salt-water; preferring damp, rich soils. Flowers June—July."

And now that we are on the palms, we will give a beautiful description from Linneus:

"Princes of the vegetable kingdom, of Indian origin, distinguished by their shaded and many spiked flowers, their flowing habit, their lofty stature, the simple elegance of their unbranched, long enduring stem, the leafy evergreen garlands, with which they are crowned, and their princely treasures of rich fruit."

To return to the idea of incorporating specimens of the Woods of America in the Washington Monument, we think such a collection would be full as interesting as that of the Rocks. America is rich in its forest trees; they excite the wonder and admiration of foreign travelers.

The Sylva of North America, by Michaux, is a magnificent work. This enthusiastic naturalist made an extensive tour over a large portion of the continent, though he did not reach the Rocky Mountains. Mr. Nuttal, Professor of Natural History in Harvard University, however, traversed the continent with a party of trappers and hunters. On his return he added, or was to add, a volume to the work. Unfortunately for the cause of natural science, this gentleman inherited a title and fortune in England. Unlike the Baron Von Humboldt, he appears to have given up the more laborious researches—in fact, we have lost sight of him. Bartram, more than a hundred years ago, explored the Southern States and Florida.

Neither of these interesting works on America, are in the Lyceum Library. We advise the worthy managers to add these books, now difficult to be obtained, to the Library.

We have designated the trees peculiar to some of the Southern States. The catalogue might be readily enlarged by enumerating the trees of the Western and Northern forests.

We will close this somewhat rambling article by an extract from Irving's "Visit to Abbotsford." It will be seen that Walter Scott appreciated the giants of America:

"Our ramble took us on the hills commanding an extensive prospect. 'Now,' said Scott, 'I have brought you, like the pilgrim in the Pilgrim's Progress, to the top of the Delectable Mountains, that I may show you all the goodly regions hereabouts. Yonder is Lammermuir, and Smailholme; and there you have Gala-hiels, and Torwoodlee, and Gala Water; and in that direction you see Teviotdale and the Braes of Yarrow, and Eltrick stream winding along like a silver thread, to throw itself into the Tweed.' He went on thus to call over names celebrated in Scottish song, and most of which had recently received a romantic interest from his own pen. In fact, I saw a great part of the border country spread out before me, and could trace the scenes of those poems and romances which had in a manner bewitched the world.

"I gazed about me for a time with mute surprise, I may almost say, with disappointment. I beheld a mere succession of gray waving hills, line beyond line, as far as my eye could reach, monotonous in their aspect, and so destitute of trees, that one could almost see a stout fly walking along their profile; and the far-famed Tweed appeared a naked stream, flowing between bare hills, without a tree or thicket on its banks; and yet such had been the magic web of poetry and romance thrown over the whole, that it had a greater charm for me than the richest scenery I had beheld in England. I could not help giving utterance to my thoughts. Scott hummed for a moment to himself, and looked grave; he had no idea of having his muse complimented at the expense of his native hills. 'It may be pertinacity,' said he at length; 'but to my eye, these gray hills, and all this wild border country, have beauties peculiar to themselves. I like the very nakedness of the land; it has something bold, and stern, and solitary about it. When I have been for some time in the rich scenery about Edinburgh, which is like ornamented garden land, I begin to wish myself back again among my own honest gray hills; and if I did not see the heather, at least once a year, *I think I should die*.' The last words were said with an honest warmth, accompanied by a thump on the ground with his staff, by way of emphasis, that showed his heart was in his speech. He vindicated the Tweed, too, as a beautiful stream in itself; and observed, that he did not dislike it for *being* here of trees, probably from having been much of an angler in his time; and an angler does not like to have a stream overhung by trees, which embarrass him in the exercise of his rod and line.

"I took occasion to plead, in like manner, the associations of early life for my disappointment in respect to the surrounding scenery. I had been so accustomed to see hills crowned with forests, and streams breaking their way through a wilderness of trees, that all my ideas of romantic landscape were apt to be well wooded. 'Ay, and that's the great charm of your country,' cried Scott. 'You love the forest as I do the heather; but I would not have you think I do not feel the glory of a great woodland prospect. There is nothing I should like more than to be in the midst of one of your grand wild original forests, with the tides of hundreds of miles of untrodden forests around me. I once saw at Leith an immense stick of timber, just landed from America. It must have been an enormous tree when it stood in its native soil, at its full height, and with all its branches. I gazed at it with admiration; it seemed like one of the gigantic obeliskes which are now and then brought from Egypt to shame the pigmy monuments of Europe; and, in fact, these vast aboriginal trees, that have sheltered the Indians before the intrusion of the white men, are the monuments and antiquities of your country.'"

FROM HAVANA.—The Guadalquivir brings us papers up to the 15th inst., inclusive. Every thing is quiet in Havana and the authorities entertain no suspicion of the danger which is impending over them. The papers are filled with accounts of the religious fetes in the different churches.

There had been several fires in the city, but they had been extinguished before they had done much damage. The Captain General and his suite were present and assisted at one of these conflagrations. The cholera was prevailing through the Island.

Sugar was at former quotations and tending downward. In coffee no operations.

We give a list of the principal prizes in last drawing of the lottery on the 11th inst.:

No. 8735, $100,000; 8298, $50,000; 17,665, $16,000; 18,079, $8000; 10,507, $4000; 2838, $2000; 12,714, $2000; 6284, $1000; 10,586, $1000; 14,032, $1000; 15,420, $1000.

The capital prize was drawn at a place called Sanctí Spiritu, and the second at Matanzas.

AMERICAN THEATRE.—The German company continue to draw good houses at this establishment, which, under Manager Gaisford, is acquiring the popularity which it possessed in its early days.

The Rey Case.

First District Court, Judge McHenry....State vs. McConnell, Llorente, Eagle, and Marie, charged with Assault and Battery and False Imprisonment of Rey.

This case, which has been continued over twice, was called up again yesterday. Capt. McConnell and Marie were present in Court, but Llorente and Eagle, the other parties accused, have absented themselves from the State. Their bonds, therefore, amounting to $2500 each, were declared forfeited. The witnesses having been called, it was found that Charley Rodgers was absent, and the State expressed its unwillingness to enter upon the trial without his testimony. Attachments were accordingly issued both for him and some other witnesses on the part of the defence. Messrs. J. C. Larue and T. W. Collins appeared for the accused, and the District Attorney conducted the prosecution. On motion of Mr. Larue, the Jurors were separately examined as to whether they had formed or expressed any opinion as to the guilt or innocence of the parties. Under this rule several Jurors were rejected, and an attempt was made to exclude Mr. W. T. Mayo on the ground that according to his own admission he had at the time expressed an opinion in the case of the Spanish Consul, but was perfectly able to act impartially and without any bias in the matter now before the Court. His Honor decided, however, that he was a good Juror, upon which the counsel for the defence stated that they would take a bill of exceptions. After eleven members of the Jury had been sworn in, the panel was exhausted, and attachments were issued for absent Jurors. The Jury having been finally completed, consisted of the following gentlemen: A. Iuklan, S. Flynn, A. Flotte, J. Boylan, N. H. Grashe, Charles Bablan, M. Spindall, P. Sherry, J. Gantz, T. McGrath, W. T. Mayo, and J. Cavellier.

The District Attorney having read the indictment, comprising two counts, viz: assault and battery and false imprisonment, as well as law bearing upon both offences—the first witness sworn was Jose Morante. The counsel for the defence wished to have some of the witnesses separated, particularly Rey; he did not object, however, to have the testimony of the latter taken beforehand, in which case no separation would be necessary. The Court decided that Rey should be separated, as also the witnesses for the prosecution and defence, agreeably to the wishes of the District Attorney.

Mr. Morante's evidence being a greater part overruled by the Court as irrelevant, in the opinion of the Judge, to the charge at issue, we pass by the series of questions propounded by the defence, and objections made by the prosecution and sustained.

CHARLES RODGERS sworn.—I know Capt. McConnell to be commander of the schooner Mary Ellen, which left for Havana on the 5th of July last. On that afternoon Mr. Eagle called at my house, and left word that he had something for me to do. I subsequently met Mr. Eagle, who told me——

Mr. Larue.—Never mind what Mr. Eagle told you; he is not on trial.

District Attorney.—The object is to show that he was employed by Eagle.

The court.—You can state any thing going to show that any party or parties conspired to commit an offence.

Witness.—I was employed by Eagle to put Rey on board in company with Llorente and Eagle. (Witness identified Marie.) I was stationed outside a coffee house this side of the Custom House—was told by Eagle that I would see a small man with moustaches coming along with a stout man. The small man had a black dress and were a very small Panama hat. The witness here recounted the particulars of the act of abduction, which is sufficiently familiar to our readers. After we had put the man on board, the vessel went off immediately—in fact, scarcely a minute elapsed. Marie was present to Rey when he was walking over the Levee. I was paid for the job. Rey was picked up whilst standing on the Levee and carried on board of the vessel. He did not appear to make any resistance when picked up. The vessel was sufficiently near the Levee for a man to have walked on board without assistance. I did not see any baggage.

The cross-examination confirm of Rodgers tended to confirm the direct testimony.

JUAN PEDRO GARCIA, *alias* REY, sworn.—The witness, who is the hero of the case, appeared on the stand. He did not present the same robust appearance that he exhibited a few months since. The fire of the Parish Prison must have altered, or, perhaps, they have changed his residence "beneath that hospitable roof." The Court having decided to restrict the evidence to the time of the alleged abduction, the detail of his sufferings in the Dungeon were not given by the witness. Rey was first examined through Mr. Sere, who acted as interpreter, upon the nature of an oath, and was then informed of the punishment inflicted by the law for the commission of the crime of perjury. He testified as follows: That, on the 5th of July last, he was residing at the house of Mr. Morante, in St. Peter street; that on the afternoon of that day, he accompanied one Llorente to an entire strangers and that about 9 o'clock at night they proceeded along the levee, and met Marie; stepped into a coffee house, where Llorente insisted he should drink a drink; Llorente, notwithstanding his protestations, had mixed something with it, which was handed him by the bar-keeper. After they had left the coffee house, they had not proceeded far when the witness was seized by four men—Charley Rodgers and Merli were of the party—who carried him forcibly on board of a vessel (the Mary Ellen) which was lying at the levee. He tried to escape, and made all the efforts that he could for that purpose, but saw nobody on the wharf. One of his assailants placed his hand on his (witness's) mouth the moment he was seized, which was not removed until he was taken on board. Two men carried him from the side of the vessel into the cabin—they were the stewards (Domingo) and one of the crew. Witness made no outcry, when the hand was taken from his mouth, because he was "so astounded." He struggled when placed on the vessel, and made a resistance when forced into the cabin. He was not gagged, although he was not prevented from doing so. Witness would have escaped, but as soon as he was put on board he was taken below; he found in the cabin a passenger (Mr. Robinson) the act done by him, and then asked for a glass of wine. The two men who forced him into the cabin remained there a few moments; when they left the witness did not know if he was "so astounded" at his situation. The captain shortly after came into the cabin, and witness, being sick, went on deck with him. The Mary Ellen passed down the river during daylight; witness could not escape when the pilot was on board, although his boat was alongside with a crew, but he did not understand English. Witness did not know whether any of the men spoke Spanish. While lying at the Balize, he was in the cabin; he came on deck early in the morning, when the vessel was in the river, before the towboat left her, but did not attempt at any time to escape, and gave no alarm.

The defence here wished to show the course of the witness after he arrived at Quarantine at Havana, but the Court ruled that the evidence should be concentrated within ten days after the 5th of July, and showed a constant and harassing desire to end the trial.

Mr. Larue said that they wished to show that Rey left the Mary Ellen with marks of good will to the captain and crew, and that he parted from them with expressions of friendship.

Mr. Collins wished to prove that he had admitted to others in Havana, that he was not taken away by force; also, to produce Rey's affidavit to that effect, and a letter stating the same. These were ruled out by the Court, as occurring after the time fixed upon by the prosecution to limit its case.

Mr. Larue asked the witness whether he had left the vessel.

The Court stated that this was a useless question—it was to be supposed that he had.

Mr. Larue remarked that they do not wish the suppositions of the Court—they wanted the evidence.

The Judge hastily asked what the counsel had said.

Mr. L. replied that they did not wish any suppositions, but the testimony in the case.

"Does the counsel mean to comment on the remarks of the Court?" inquired the Judge, in a tone of high authority.

"If the Court makes remarks to counsel, I have a right to comment," was Mr. L.'s reply.

Judge McHenry, in a still more imperious tone, declared that comment would not be allowed.

Mr. Larue stated that it was his right, and he should do so.

The Sheriff was then ordered to "*put the counsel into the street*"—to which the Judge appended some remarks relative to Mr. Larue's course on the Sever trial. The officer of the court advanced to do his duty, and was quietly informed by Mr. Larue that he should leave the court, but not in his custody. He then rose, stated that he should return again, and walked from the hall. The Judge vented his indignation by exclaiming that he knew the counsel's purpose—that it was to obtain notoriety, and he should have it. He called upon the Sheriff to confine the gentleman for twenty-four hours in the Parish Prison, and sentenced him to pay a fine of $100.

Judge Collins immediately arose and defended Mr. Larue; he was astonished at a sentence pronounced without cause, and when the counsel was outside of the court room!. He called the attention of the Judge to the latter fact, and cited instances where former alleged contempts had been committed before other tribunals, and after a few hours of calm and *dispassionate* reflection, the affair had been arranged.

The Judge, who evidently felt the force of the courteous but decided remarks of Mr. Collins, decided that he would hear Mr. Larue himself. That gentleman at the moment entered the court-room to make an inquiry relative to the surprising sentence which had been pronounced against him. Judge McHenry stated that he would allow him to purge himself of the contempt on oath. Mr. Larue replied that he was too great a respecter of the laws, to exhibit a contempt toward any tribunal, and that the he could state on oath if required; which he did, with the reservation that when the Court after depriving him of his rights as counsel, by ordering him to leave his place, also attempted to violate his rights as a citizen by an ejectment into the streets, that then he did decide that he would resist the illegal mandate in any and every way. The Judge concluded to remit the sentence, and the trial proceeded.

This scene, we are sorry to say, was but of a class with many that have taken place in the First District Court-room, while Judge McHenry has been on the bench. The cause which led to so painful an exhibition of the infirmity of temper, for which this officer has become noted, was not sufficient to provoke the consequences that followed. The constant sneers made by the Judge to the remarks of Mr. L. on a former trial, perhaps showed that the germ then implanted, required but little to grow into a storm of passion.

Mr. Collins presented several letters dated the 10th of June—the witness acknowledged the signatures attached as genuine. They were dated at this city, directed to Havana, and the contents showed that Rey had at that time made his arrangements to leave for the latter place. One of these communications contained a list of conspirators in Havana, denounced the Round Islanders, and solicited the writer's pardon from the Government.

The Court would not allow the evidence to go before the Jury.

Mr. Collins presented a draft from Rey, drawn on the Spanish Consul, which he asked the witness if he did not present to one of the men who went with him on board of the Mary Ellen.

The District Attorney objected to the testimony.

The witness said the signature was his, but that he signed no document of the kind.

The Court gave an opinion that the accused might have drawn money from the Spanish Consul, or any other person, and yet not have subjected himself to a false imprisonment.

Mr. Larue asked the witness whether he did not make an affidavit on the subject of the abduction, on another occasion than the present one.

Witness replied that he had not, neither in Havana or this city.

Mr Collins offered the proceedings before a tribunal in Havana, certified to by the American Consul in that city, showing that Rey had made an affidavit of the kind.

Objected to and ruled out.

Mr. Collins.—Did you not state to Celso Farina that you had no cause of complaint against Capt. McConnell, except that he would not return you your passport.

Witness replied that he did not—neither did he know the party named.

Mr. Larue submitted to the witness the printed account of his abduction, as contained in a pamphlet published by Mr. Scully.

Rey testified to the fact that he had authorized the statements contained in this work.

Mr. Collins commented upon a paragraph in which Rey stated that he attempted to jump on shore from the Mary Ellen, while at the Levee.

Witness resumed. He said that he had never spoken to Ayala relative to going to Havana. That he wore spectacles at the time of the alleged abduction, to keep the sun from his eyes, as they were sore from previous sickness, and that he had them on at 9 o'clock at night, when he was taken on board.

The first witness examined for the defence was Mr. ROBINSON, who was a passenger on board of the Mary Ellen at the time of the alleged abduction. Mr. Robinson's testimony was the same as that given on the former examination. He testified that he saw no restraint exercised toward Rey while on board, and that he was treated the same as any other passenger. He saw Rey come on board of the Mary Ellen; he was accompanied by three or four others. Two of these who came down with him went also with him to the cabin door. Rey left the schooner at quarantine, and went on board of the Mary Ellen.

JOHN C. SMITH, sworn—I knew Capt. McConnell, and was down at the Mary Ellen on the eve of her departure, on the 5th July. I shipped the crew of the schooner. Towards 9 o'clock, I asked the Captain whether he was ready; he answered that he was waiting for a passenger, but should go off without him if he did not come immediately. A moment or two afterwards I saw some persons coming up, and sung out, if there's a passenger he'd better make haste; they then took hold of a man and hurried him along until he got on board. The bow of the vessel had already swung off when the passenger got on board. I took no notice of the man to see whether he was gagged. There was nothing out of the way in what I saw.

RICHARD SMITH was sworn. He was the second mate of the Mary Ellen. He stated that he saw Rey in the cabin on the night of the 5th of July; that he was smoking a cigar, and was not sick at the time. Rey used to daily converse with the cook and one of the crew, who could both speak Spanish. In going down the river, the vessel once stopped for an hour. Rey, while on board, was free from every restraint—sometimes on deck, and sometimes in the cabin. While the pilot was on board the captain was attending his own business, and Rey was not under his control.

W. K. WASTON sworn.—Mr. Collens handed the pamphlet of the Rey case, published in this city, and asked Mr. Wanton whether the statements which it contained were authenticated by Rey himself. Mr. Wanton stated that they were: Mr. Scully took down the testimony, and the witness was interpreter. He believed that it was almost word for word as given by Rey, who at the time was in the Parish Prison. Witness believed that it was correct from his recollection after reading it in print. At the time it was written Rey was present; witness read the statement over to Mr. Rey in Spanish, who said that it was correct.

Mr. Collens then offered that part of the pamphlet which purported to be Rey's own statement in evidence; he wished the whole statement to go to the jury; he offered it to contradict the evidence of Rey, as given on this trial, which he stated contradicted every line of the pamphlet.

The Court refused to entertain the evidence.

Mr. Collens reserved specially a bill of exceptions on this point.

CELSO FARINO sworn.—The witness stated that he had a conversation with Rey at the parish prison. Having a thorough knowledge of the man, by reputation, he asked him what he had against Capt. McConnell. The only reason that Rey could give was that Capt. McConnell had kept back his passport. This it is the duty of the Captain to do, under a penalty of $500, as the witness testified.

ROBERT DONALDSON sworn.—Witness was the Stevedore that loaded the Mary Ellen on the 5th of July. He felt confident that he saw Rey going on board of the Mary Ellen two days before the alleged abduction. The man he took to be Rey came on board at that time, and went down in the cabin; the Mate said that it was the Consul's man, and that another passenger—a sick man—was coming on board.

THOMAS PATTERSON sworn.—Witness saw Rey on board of the Mary Ellen on the 3d of July, two days before the alleged abduction. Rey came on board with two other persons; some one of the party inquired of the Mate whether they had any passengers; the Mate could not give them any satisfaction. The witness was positive of Rey's identity.

Mr. Collens offered the depositions of Duquesne, Coleman, and Richardson, as taken before the examining magistrate, the witnesses being absent from the city.

The District Attorney objected, and the Court sustained the objection.

JOSE AYALA sworn.—Witness stated that he sailed for Havana, on the Pierre Soule, on the 27th of June; that on that day Rey told him that he could not go with him on the Pierre Soule, but that he should leave on the first schooner that would sail afterwards, and he would meet him in Havana. The first schooner to sail after the Pierre Soule was the Mary Ellen.

J. A. BONNEVAL sworn.—Witness stated that Charley Rodgers came to him one day, and said that two men had paid him to put a man on board of a vessel. Witness asked him the names of the men; Rodgers said he did not know them, but that one of them was playing billiards at the time over the City Coffee-house.

Here the defence closed.

The District Attorney submitted the case on the part of the prosecution.

Mr. Larue addressed the Jury. During his remarks, the Court stated that if it would expedite the closing of the case, the Court would charge that the first count in the indictment (the assault) had not been made out against the accused by the evidence.

Mr. Larue's speech was an eloquent effort. He was followed by Mr. Preaux, in French, who acquitted himself with his usual ability. Mr. Collens closed for the defence, in an argument displaying much learning and research.

M. M. Reynolds, the District Attorney, conducted his case with much zeal, and his closing speech well merited the encomiums which it received.

The Judge's charge was unfavorable to the accused, and at twenty minutes of 11 P. M., the Jury retired. At 11 o'clock the Sheriff reported that there was but little prospect of their agreeing, and they were accordingly locked up for the night.

THE CITIZENS OF NASHVILLE REPUDIATE THE SOUTHERN CONVENTION.—A meeting of "the voters of Davidson county irrespective of party," was held at Nashville on the 6th inst. The object of it was to take into consideration the expediency of appointing delegates, for the county, to the Southern Convention proposed to be held in that city on the 1st of June. We notice that the Hon. A. J. DONALDSON, a nephew of Gen. Jackson, his Private Secretary while President, and, during the administration of Mr. Polk, Minister Plenipotentiary to Russia, presided at the meeting. A series of resolutions was offered on behalf of those favorable to the Convention and to the appointment of delegates. On behalf of those opposed to the Convention the following resolution was offered in lieu of the series, viz:

Resolved, That it is the sense of this meeting that it is inexpedient at present, to appoint delegates, to represent Davidson county, in the Southern Convention to be held at Nashville on the first Monday in June next.

Upon the introduction of this resolution a warm debate arose, in the course of which the principal speaker of the Conventionists said that "the object of the meeting was not to discuss the *propriety* of appointing delegates, but to *appoint* them;" that, "it was an unheard of thing for them (those opposed to the Convention) to come here and out vote the friends of the Convention, because *they have the most men*."

After the debate was concluded the resolution, declaring the appointment of delegates inexpedient, *was carried almost unanimously*. On motion the meeting then adjourned *sine die*.

[After the adjournment of the meeting the discomfited Conventionists, about fifty in number, called a special meeting *for themselves*; adopted resolutions, and appointed delegates, *on their own account*.]

So (says the True Whig of the 9th,) "the voters of Davidson county irrespective of party" will not be represented in the Southern Convention.

VITO VITI'S SALE.—It will be seen that this dealer in works of vertu and the fine arts has another sale on to-morrow. His store is crowded with beautiful and costly toys. Even those who do not feel able to purchase should at least call and enjoy the pleasure of viewing these elegancies. Notwithstanding the comparative low prices at which his sales are allowed to go off, yet he has made his purchases so judiciously, that he can afford to sell cheap and yet realize a profit.

TRIP TO CARROLLTON.—The summer weather of the last few days makes a visit to the country, however brief, a luxury.

"A breath of unalbitrated air,
The glimpse of a green pasture, how they cheer
The citizen, and brace his languid frame."

The evening cars are filled with passengers making a flying visit to the gardens at the Carrollton Hotel. There can be no higher treat for children than an afternoon spent in the gardens.

The Evansville (Ind.) Journal says that there is a young man named Masterson awaiting his trial at Rockport, in that State, who possesses the remarkable faculty of being able to throw a stone with almost the precision a man can send a bullet from a good rifle. He can go into the woods and kill as many squirrels with dornicks as an experienced hunter can with his gun. A drunken man was pursuing a brother of his with a knife in his hand, when Masterson threw and struck the fellow upon the back of his head, killing him instantly. He says he intended to strike the arm of the drunken man, to knock the knife from his hand, but his own arm was caught and the object frustrated.

The question of building a bridge over the Connecticut at Middleton, for the purpose of what is called the "Air Line Railroad," is to be revived again, in connection with that project.

AMERICAN THEATRE.—The great German drama of "Preciosa," with Weber's original music, will be repeated this evening. The enthusiastic manner in which this was received by a crowded house on Sunday, justifies the manager in announcing it once more, and we bespeak for him a fashionable attendance. In addition to this and the warblings of the little songstress, the bill contains the farce of the "Dead Shot;" characters by Miss Petrie and the English company.

SENOR VEGAS'S BENEFIT.—Quite a variety was presented in the exhibitions at Placide's, last night, the chief of which was Mlle. Hilariot at the piano. Those who have been accustomed to seeing her, and thinking of her only as a *danseuse*—dashing, graceful, and almost magnificent, as she always is in this character—were surprised to witness the ease and dignity of her position at the piano, and the skill with which she executed some of the most difficult compositions. Senor Vegas well deserved the compliment of the full house which he had. His Spanish dances are always received with applause.

Mlle. Baron should not be overlooked. We are not sure that her merits as an artiste have been duly appreciated. If her style is not so striking as Hilariot's, it is not less pleasing. It fully realizes our conception of "the poetry of motion." The Mlles. Vallée are always greeted with pleasure—Henrietta especially, whose bounding step, free and easy motion, and happy face, never fail to put the house in an excellent humor with her and themselves. Monsieurs Mangin, Bonvary, and Pinguely should, also, be mentioned in this connection. This talented troupe of dancers have, during the entire season, constituted one of the chief attractions at Placide's most attractive place of entertainment. To them, in a great measure, is owing the remarkable success of his establishment.

Died:

On the 20th inst., of Scarlet Fever, in her 9th year, MAY GRIFFITTS, daughter of Catherine A. and M. Fisher.

☞ The friends and acquaintances of the family are invited to attend, without further notice, her Funeral, from the residence of her father, in Magazine, between Eerdin and Edward streets.

☞ Philadelphia papers will please copy.

Auction Sales This Day.

STREET, HYDE & Co. will sell, at half-past 10 o'clock, at 51 Magazine street—Groceries, Provisions and Liquors....At half-past 4, commencing at the Louisiana Press—Cotton.

J. A. BEARD will sell, at 12 o'clock—Slave.

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

MAGNOLIA UNION NO. 2, Daughters of Temperance, meets at half-past 3 o'clock, at Pelican Hall.

Arrivals at the Principal Hotels.

MAY 20, 1850.

☞ *SEE ADVERTISEMENTS ON THIRD PAGE.*

ST CHARLES—J Collins, La; J W Johnstone, Mobile; R W Crossler; J W Goodwin, Md; Dr Hulse, Pensacola; Mrs Hulse; Cuz, Sherritt; P G Mitchell, N O; G W Koontz, Natchez; E Cochrane, Mobile; H P Emery, Ala; W R Adams, Baton Rouge; R A Wilkinson; J E Montgomery.

VERANDA—E M Allen, Miss; J G Stevens, A V Walker, Ark; W D Winter, La; A Bronsseau, N C; J Surget, Natchez; A P Love, H R Segus, Ala; J Williamson, W A Patterson, Natchez; T B Kemper and lady, Tenn; R C Matson, Rodney; Dr Broson and two ladies, (Misses Clark, of Del) Miss; R E Hammer, NO; Mrs J Gibbin, La; Dr A C Winn and lady, Ga; Dr McRearr; J A Avent, Miss; E R McLean; V E Jarrain, Memphis; T Summons; C R Wright, NO; Dr Anthony.

PLANTERS—R G Kendall, NO; S G Kendall, Miss; S C Rice; T Keeffer.

ARCADE—J C Argo, L M Beanford, Port Hudson; E B Bennett, Ky; J C Davis; W H Eslil, W P Clayton, Ky; E H Fosdick, NO.

HEWLETT'S—W S Smith, W Van Antwerp, T L Heith, NO; R C Ballard, Louisville.

LOUISIANA—J Johnstone, Miss; C L Johnstone, NO; Mrs Pierson and child, Ga; Dr Johnston, La; Mr Elliott, Port Gibson; Mr Hamilton, NO.

Communicated.

From Gov. Tucker.

Eds. Crescent—For the benefit of suffering humanity, as well as an act of justice to the author, I request you to publish 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 remained on board, in the latter part of last January I visited the 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 inner corner of my eye to the end of my nose, and out to my cheek bone, became literally a lump of purest 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 to be eating Cancer, of the most virulent character; I put myself under his treatment. He extirpated the tumor without the use of the knife, and in four weeks my face was well, as I then and still, remain.

T. M. TUCKER.

New Orleans, March 13, 1850.

☞ Dr. Gilbert's office is no. 72 Magazine street, in the buildings between the Customhouse and the Post Office.

Notice.

☞ Owing to the numerous complaints of vessels trading in the New Canal, of detention and damage caused by the large number of small craft and boats occupying the harbor at the Lake entrance and in the Canal above the bridge, notice is hereby given that from and after the 15th June next, all Steamboats, Vessels, Yachts, Boats, and other craft of every description, will be charged TOLLS for each and every time they come inside of the Light-house, the same as if the whole distance to the city was used, and that the Collector of Tolls at the Lake end of the Canal will be required to collect the same, in conformity with the 11th section of the Charter, as follows:

"That the said Company shall be entitled to receive from every vessel entering said Canal a sum not exceeding thirty-seven and a half cents for every ton of the admeasured burthen of said vessel, and so in proportion for any boat of a less burthen than one ton; and on the request