The Daily Crescent.

OFFICIAL JOURNAL
Of the Council of the Second Municipality.

NEW ORLEANS:

TUESDAY MORNING, DECEMBER 3, 1850.

See advertisements of Auction Sales on first page.

See Fourth Page for Commercial, Marine and River News.

TO CORRESPONDENTS.—All communications for the Crescent should be addressed to *the Editors*. During the absence of one of the Editors, a large number of letters were received at this office addressed to him; they were not opened, and thus much valuable information has been lost. This will explain to many of our correspondents the apparent neglect of the Editors.

The Rev. R. R. Gurley, late Chaplain of the U. S. House of Representatives, and one of the executors of the McDonogh Will, arrived in town yesterday.

We were pleased to see, last evening, Frederick E. Bruns, who, after all, was not drowned, as we at one time understood, we learn from him that he will shortly open classes in dancing.

The Columbus Times is furious at its defeat in its own county. The Union ticket prevailed by 100 majority. The Times attributes the defeat of the secessionists to the "Yankees, Foreigners and Abolitionists." They are told "to look out for the time when it may be lawful to wield the sword as well as the pen in defence of the outraged rights of the South." If the Times should only wield the sword as well as it does the pen and no better, we are afraid not many coffins will be filled. The editor speaks of the Georgians as his countrymen, and denounces the Yankees and *Foreigners*. We hope he will be civil to our French Senator, who will unite with him in his tirades against the Yankees; and of course the Times man will keep silent about foreigners until Saladin has left.

THIRD CONGRESSIONAL DISTRICT.—The election was held on last Saturday. Mr. Alexander G. Penn, the former Post-master of New Orleans, is probably elected without serious opposition. Mr. Penn is a decided Union man. The Pelicians Whig advises its political friends to support him.

The following language of an old and highly respectable manufacturer of the New England States, closed a business letter to a correspondent in this city. It is believed to express the sentiments and feeling of the New England manufacturers, with few exceptions, and of seven-eighths of the entire population of those States:

"The Fugitive Slave Law is much discussed, and there have been strong resolutions passed in Boston against it; but as it is a constitutional act I think it will be carried into effect after a little *blustering*."

MORE YANKEE INFLUENCE.—The Savannah Georgian thus speaks of the recent secession defeat in that State:

"But we are beaten. The pure democracy in soil of Georgia is spread with the germs of a Northern influence which has defeated our honest purpose. We write *sad*, and will write over the victory, for she has fought the battle on the field of Georgia, and Georgia has capitulated to her terms."

The Georgian goes on to say that in Chatham county, the election was carried by the grossest corruption. That Northern paper was readily given for Southern votes. Alas for the chivalry whom bank notes can corrupt! The Union ticket prevailed by 160 majority.

THE LILY AND THE TOTEM; or the Huguenots in Florida. A series of sketches, romances and historical, of the colonies of Coligni in North America, by W. G. Simms.

The title indicates the character of this interesting book. We are glad that Mr. Simms is endeavoring to make his countrymen better acquained with the Huguenots, who first discovered and colonized the Southern States. Their history abounds with romantic interest, which he is well able to narrate with effect. The book is for sale at White's.

THE INTERNATIONAL AND HARPER'S MONTHLY FOR NOVEMBER.

Those excellent periodicals have been received at Morgan's. As usual, they contain a vast amount of valuable and interesting matter. We copy largely from their pages.

PRAIRIE CLASSICS.—As the Colonel is conversant with the classics—judging from his frequent references to them—we commend the following to his consideration; for we know of no one more competent to appreciate the aptness of the writer's allusions.

At the same time, we should be glad to see from the Colonel's classical pen or pencil a description or delineation of the gulf or rock to which the editor alludes. We confess our researches in ancient geography are quite limited.

"*Col. J. F. H. Claiborne.*—This distinguished writer we discover has taken charge of the Louisiana Courier as its principal editor. W. Enoch Col. C. Helps gentleman of elevated talent, and persons can write with more facility than any editor out of the Potomac, but if the Colonel intends to administer, what is commonly known as *Southern satisfaction*, he will have an awful responsibility upon himself. For if he intends to split with his own party, and bluff against that of the other, he will find himself like a frail bark between the rock of *Scylla* or the gulf of *carybdis*. We wish him, however, pecuniarily all success."—*Prairie Star.*

MR. NEAFIE, of whose histrionic merits the Northern prints have spoken in such glowing terms of approbation, arrived here on Sunday evening, and took lodgings at the St. Charles Hotel. He has been engaged, we understand, at the American Theatre, and will make his first appearance next Friday night. We predict for Mr. Neafie a most successful and brilliant career. His fine, commanding person, and polished manners of the stage, as well as on it, are greatly in his favor; and with his studious and regular habits, and the high tone and great excellence of his moral character, he cannot fail to become pre-eminently distinguished before he reaches the meridian of life. He will not play on Sunday nights, but follows the noble and praiseworthy example set by Charlotte Cushman last Winter. We trust the time is near at hand when managers and players, and all interested in our theatres, will agree together to dispense with Sunday night performances, as a physical regulation. There can be no doubt at all that all will profit by it. A law of our nature requires that we should have one day in seven for rest and refreshment from our labors and toils. Besides the moral sense of a large and highly respectable portion of the community, even among those out of the Church, is against it; and we believe that hundreds would go to the Theatre to encourage and sustain such a movement, who never go under present circumstances.

THE HISTRIONICS.—Last night the Amateurs gave one of their most successful entertainments. The house was literally filled with a fashionable audience. The chief attraction was *Sylvester Daggerwood*, by a gentleman well known about town for his sense. As a first appearance it was most fortunate. His imitations of Macready, Forrest and Kean, were received with shouts of laughter. His powers of mimicry are of the highest order, and in private we believe he amuses his friends with happy copies of all the public speakers whom he has ever heard. Imitations, of course, are always copies of the striking peculiarity, and are laughable parodies, and consequently should give no offence. But still we must object to the introduction on a public stage of any of our citizens.

FAIR AT THE ST. LOUIS BALL ROOM.—We ask attention to the advertisement of the Fair which is to commence at the above named place on the 9th inst., and to continue for several days thereafter. The proceeds of the Fair are intended for the benefit of the Catholic Male Orphan Asylum. We need not add any thing to this fact to elicit the favorable consideration of the benevolent and philanthropic.

CANAL LINE NOTICE.—The steamer Mobile having completed her repairs, will positively leave for Mobile, via all the watering places, on Wednesday evening next. The steamer James L. Day will continue to run from the Canal until the St. Charles resumes her place in the line.

A CURE FOR NERVOUS SICK HEAD-ACHE.—It gives us great pleasure to state that a cure has, at last, been discovered for this terrible disease. We refer our readers to the advertisement, in another part of our paper, of the "Harmonic Liniment," and earnestly recommend its use to those afflicted who are troubled with sick head-ache. We have known it to be used with entire success by a lady who has been most dreadfully tormented with this disease for more than twenty-five years. She has tried every remedy she has ever heard of, but none has ever given any decided relief until she tried the Harmonic Liniment. We, therefore, regard it as an act of humanity to urge its use. It is positively and certainly harmless, and we strongly recommend it because we know that in so doing we shall administer to the relief of human suffering in one of its worst forms. It is also an excellent stimulating liniment for rheumatism and all diseases requiring powerful excitement of the skin. It is sold by Clarke & Allison, druggists and apothecaries, corner of St. Charles and Union streets.

SALE OF PEWS.—The sale of the pews in St. Theresa Church will be continued at half-past four o'clock, P.M., by Maj. J. A. Bend.

THE CAMEL STEAM TUG.—Persons interested in the Camel Steam Tug, a new invention for towing and transporting ships over bars and shallows, are informed that a small model, with illustrative plates, is on exhibition at the office of the Crescent Mutual Insurance Company, corner of Camp and Gravier streets.

Mr. Downs and the Compromise Resolutions.

In our issue of yesterday, we commented only on the disunion avowals contained in Mr. Soulé's speech, reserving for to-day a review of the errors with which it abounds. He made an unjust and illiberal attack on his colleague, whose language in opposition to the Compromise *Resolutions* of Mr. Clay he quoted. Many of his auditors for a moment supposed that this strong language of Gen. Downs was applied to the Compromise *Bill*. Either Mr. Soulé does not understand the difference between the *Resolutions* and the *Bill*, or he reckoned on that ignorance of his constituents in regard to the politics of the day with which he charged them in his Rampart street speech. If he has been in error in this respect, we shall *correct* him; if he has attempted to deceive his audience, we shall *expose* him. Mr. Clay early in the session introduced eight resolutions, which were called at the time the Compromise Resolutions. The first was a recognition of California, with suitable boundaries, and without any regard to slavery. The second contained the distinct avowal "that as slavery did not exist by law, and is not likely to be introduced into any of the territory acquired by the United States from the Republic of Mexico, it is *inexpedient* for Congress to provide by law either for its introduction into, or exclusion from any part of said territory," etc. The third fixes the boundaries of Texas, excluding all of New Mexico. The fourth provides for the payment of a blank sum to Texas for her relinquishment of all claim to New Mexico. The fifth was extremely objectionable. It is in these words:

"That it is inexpedient to abolish slavery in the District of Columbia, while it continues to exist in the State of Maryland, without the consent of that State and of the people of the District, and without just compensation to the owners within the District."

The sixth declares it expedient to abolish the slave trade within the District.

The seventh contains the germ of the Fugitive Slave Bill.

The eighth declares that Congress has no right to obstruct the slave trade between the States.

These resolutions were offered on January 29th, and, with the debate, are in the Globe of the 31st. So far from the few remarks of Mr. Downs placing him in opposition to the Compromise Bill, they show his consistency. He objected to the admission of California with its boundaries. He then says: "As to the resolution relating to New Mexico and Deseret, *if it had simply* contained the provision that a Constitutional Government shall be established there, without any *mention of slavery it would have been well enough*. But inasmuch as it is affirmed that slavery does not now exist in those Territories, does it not absolutely preclude its admission there? And the resolutions might just as well affirm that slavery should be prohibited in those Territories." The resolutions in fact, conceded every thing to the North, as Mr. Downs remarked, and it was for this reason that he protested against them.

But the very grounds of his objections to the *resolutions* are removed from the Compromise *Bill*. Yet Mr. Soulé would have his constituents believe that Mr. Downs opposed the principle of the Compromise *Bill*, because it conceded nothing to the South, and afterwards advocated it! The Territorial *Bill*, judged by the protest of Mr. Downs against the resolutions, "*is well enough*," for it says nothing on the subject of slavery. The *resolutions*, Mr. Downs said, concede to the North, a State and two or three Territories, and the abolition of the slave trade in the District, and concedes nothing to the South. The Compromise Bill, on the contrary, not only left the Territories open to the introduction of slavery, but absolutely liberated some 80,000 square miles of Texan territory from the restriction excluding slavery! What support, then, does Mr. Soulé find in the protest of Mr. Downs? It answered his purpose for the moment—it was a capital clap-trap—it brought down the house at the expense of the consistency of Downs. But what will his credulous admirers say when they learn that the strong language of Downs was used in regard to an entirely different measure? We have never seen a more barefaced attempt to pervert history.

But Mr. Downs delivered a prepared speech, on February 18th and 19th. In that he avowed himself in favor of a bill which should embrace all of the measures of conciliation. He considered that as the only mode in which they could be passed.

In this speech he repeats his previous objections, but enters fully into their discussion. He opposes especially the obnoxious declaration that slavery does not exist in the Territories. Mr. Downs concurred with Mr. Berrien that slavery was not excluded in the absence of any legislation. He uses this emphatic language: "*Strike this out and pass the resolution as it is in other respects, and I will give it my support.*"

The Territorial Bill contained no such declaration, and Messrs. Downs and SOULÉ voted for it.

Mr. Soulé read an extract from Gov. Walker's message, recommending the appointment of delegates to attend the Nashville Convention. Gen. Downs concurred in these sentiments. And what are they? Gov. Walker did not think the Union in danger, but feel it might be, he thought it better to make an exhibition of strength. He only supposed that the Convention would give "expression of sentiments firm, determined and unmistakable." He only thinks of disunion "when the anti-slavery agitation shall be carried to the point of aggression upon our rights."

Gen. Downs, on February 18th, prior to the appointment of the Committee of Thirteen, and before there was any effort at conciliation, was in favor of the Nashville Convention. But when the Compromise bill was proposed, which, following his own suggestion, embraced all the measures, he voted for it as a whole, though several of the provisions were against his own feelings. When the bill was lost, he voted on each separate bill as his judgment dictated.

It is a notorious fact, that many persons originally in favor of the Nashville Convention, deemed the necessity for its assembling, had passed away with the introduction of the Compromise Bill. Whether Gen. Downs was one of these, we know not.

Our readers will thus see that Gen. Downs, by his opposition to the resolutions of Mr. Clay, succeeded in striking out of the Compromise *Bill* those declarations which rendered the *Resolutions* a concession, and not a Compromise. They will see, too, how unfair, or how obtuse, must be Mr. Soulé, when he quotes the opposition of his colleague to these *resolutions* as a precedent for his opposition to the *bill*.

A friend of ours, who takes pleasure in reviewing the past through the medium of old newspapers, has called our attention to articles published in a gazette in this city in 1819. At a moment when the public mind is directed to the scheme of connecting the two oceans, the retrospect is not without interest.

"A Mr. Foos, of the Ohio Legislature," says the writer, "has the honor of being the first American who has suggested in a deliberative body, the practicability of connecting the Atlantic and Pacific oceans by means of a canal through the Isthmus of Darien. The idea has generally been received with ridicule, and placed on a level with Symmes' theory." After speaking of several routes, he goes on to say that "the most northern, that by the Lake Nicaragua, is represented the most practicable, and the greatest difficulty occurs in the river Nicaragua itself. The river is full of rapids, and is the outlet of the Lake into the Gulf of Mexico; from this Lake to Realejo, a fine port on the Pacific, it is not more than 15 or 20 miles." * * * If the canal was to be appropriated to the exclusive use of one nation, it would probably be the cause of endless war and contention. * * If ever the United States extend their jurisdiction and possessions *to the Pacific*, a passage through the Isthmus would be of primary importance to us. * * * But would it not produce a revolution in the nature of these seas? The Atlantic is said to be much higher than the Pacific, the current through the canal would of course be rapid; would not this counteract the force of the Gulf Stream along the coast of North America, entirely destroy it, or produce a current in an opposite direction? * * * If this work could be completed, and would have the effect of diverting the Gulf Stream, this circumstance alone would compensate the expense of the work."

So much for *this* writer. According to his theory, our great Northern maritime cities would become inland towns, and we should be inundated worse than ever with *Northers*. [So Mr. Soulé would think.]

The article, from which we have extracted, called forth the next day the following in reference to the Tehuantepec route. We give the article entire:

"SIR—Seeing in your paper of yesterday some observations on the project of a passage in the Pacific Ocean by means of a canal across the Isthmus of Darien, brings to mind a project that made to the King of Spain by Mr. Don. Salva'or St. Martin, the Bishop of Chiapa, who resides in Ciudad Real, which is the capital of the Province. West of this city, the river Uscumacinta takes its rise, and, running north east, empties into the Gulf of Mexico, about thirty leagues east of Vera Cruz; it has ten and twelve feet water on the bar, and is navigable for craft of four or five feet up to the above city. East of the said city, the river (or a stream which empties into the river) Chamelecon takes its rise, and taking a westerly direction, empties into the Pacific Ocean at the port of Tehuantepec, which is a good harbor for large ships, and the river is navigable for craft of four and five feet up to the above city of Ciudad Real; the two rivers passing each other at or near the city in a parallel line at the distance of only seven miles from each other; neither of them have falls to impede their navigation, and the ground through which a canal would have to be cut to connect the two rivers is neither mountainous nor rocky.

"I have seen a minute description of the river, and the common through which they pass, contained in a petition to the King of Spain, begging permission to cut the above canal; it was presented in 1780, and contained the most convincing evidence of the facility with which the two oceans might be connected. The petition was with an urgent request from the King of Spain. Had it been done, the trade of those concerned was to have a steamboat employed between the two oceans, which would have made a voyage to much less than three days, between Omoa (or Boa) and Lamelecon, and to the mouth of the Guatzacoalcos is not more than eight or nine days sail from the mouth of the Mississippi, any we not with the money lame that Spain in America will soon shake off the European yoke, when she will see at liberty to make improvements for her own benefit, without consulting those who have no rule of government but their own jealous feeds. I think such a canal would be opened, and the two oceans wear embrace, and remain the future grandeur of New Orleans?"

THE LAW SCHOOL.—Judge McCaleb, the Dean of the Faculty, delivered the opening lecture. It was a rapid history of the Maritime Law, in which he traced the influence of Commerce on the improvement of society. This is undoubtedly the most interesting branch of the law; and the young gentlemen have in Judge McCaleb a teacher who is imbued with that enthusiasm so indispensable in a teacher. He gave an eloquent description of the seaman, his sufferings, his dangers on the sea, and on the land, his generosity, courage, fortitude—all these were delineated with pathos and justice. We shall, in to-morrow's paper, endeavor to publish extracts from this learned and elegant lecture.

The Supreme Court yesterday morning delivered several important and interesting decisions, of which we give an abstract. The opinion given by Judge Preston in the suit for the land on which the 21st stands, is a complete history of the fortifications of the city from 1724. The plaintiffs claimed the land as having been illegally sold at a probate sale of their ancestor's property in 1758. The defence was that the land was reserved by the King for the use of the fortifications, and never did become private property. The opinion is very long, but extremely interesting, and we shall endeavor to find room for it.

Supreme Court of Louisiana.

MONDAY, December 2, 1850....*Present, all the Judges.*

1. *H. L. Stone & Co., vs. Kidder, Dodson & Co., and Wilson & Simmons*....ECHTIS, Ch. J., delivered the opinion of the Court. This is a revocatory action, to annul the sale of the steamship Fanny. The plaintiffs are creditors of the defendants, and allege that an undue advantage was given by defendants to Wilson & Simmons in allowing them, as creditors, to be paid in preference out of the proceeds of said sale. *Held*, that Wilson & Simmons were cognizant of the insolvency of defendants, Kidder, Dodson & Co., when they attempted to secure their debt in preference, by purchasing in the steamer, and applying the proceeds of sale to their debts; and as she had been seqnestered, it is ordered that the sale be annulled, and that she be sold to satisfy plaintiff's debt, etc. Judgment for plaintiff affirmed as relates to the annulling the sale, and amended that a resale be made for the plaintiff's benefit.

2. *Parker vs. Kidder, Dodson & Co., and Wilson & Simmons*....For the reasons given in the above case of H. L. Stone & Co. vs Kidder, Dodson & Co., and others, the judgment for the plaintiff is affirmed.

3. *Samuel C. Young vs. Municipality No. One; John Pemberton, Appellant*....This is a suit to settle the priority of rank of mortgages. The plaintiff issued his execution on a judgment against the Municipality No. One, and the appellant, Pemberton, became the purchaser of a lot for $500. Young's judgment had been duly recorded, but there were other judgments recorded before it against the Municipality. The purchaser took a rule to apply this payment of the purchase money to the previously recorded judgments as having the preference, etc. *Held*, that the general mortgage creditor was not to wait, but might seize the property at any time before the others moved in the matter; but the mortgages follow the property into whose soever hands it goes, etc. The judgment of the District Court, decreasing the proceeds of sale to the plaintiffs, etc., is affirmed.

4. *Lewis Florance vs. Isaac Bridge*....Injunction suit. Bridge had purchased at the sale of his own bankruptcy, three fifths of a judgment, which he had obtained as liquidating partner of a firm composed of Bridge, Dykers & Smith, against Florance. Execution issued on it, and the plaintiff enjoined. ERATIS, Ch. J. "Conceding that Bridge acquired three-fifths of the judgment at the assignee's sale, he has shown no right to become the execution. He has shown no authority from Smith, one of his partners, and we think the evidence is not sufficient as to that of his other partner, Dykers. The execution would have been quashed on motion. The judgment of the District Court is to the same effect. The judgment is therefore affirmed.

5. *Burgstede vs. Clark*....SUPREME, J.... This is an injunction suit. The defendant originally brought suit to annul the election of Borgstede, as Recorder of the Parish of Jefferson. He obtained judgment annulling said election, but no mention was made in it of costs. An execution issued against Borgstede for the costs, which he enjoined. *Held*, that the execution has no *judicial basis*, and is therefore void: Injunction perpetuated.

6. *Albert & Guertier vs. Caisseux' Bank of Louisiana*....This suit is instituted on coupons or interest warrants attached to State Bonds, issued to said Bank and by them sold. The plaintiffs are holders for a certain amount. The only question, say the Court, is whether the Bank is bound to pay $12, or only $11 11 on each of these coupons, at a rate of 5 per cent interest per annum, payable half yearly on the sum of £199 sterling, or $441 44—1200 guilders. The Court held that the Bank should pay $12 or 50 guilders on each coupon, etc. Judgment of District Court affirmed.

7. *Marks vs. Nashville Insurance Company*.... This is an action on a Policy of Marine Insurance, on the schooner Relampago. The case embraces a variety of points and incidents which are complicated. The judgment of the District Court is *reversed*, and judgment rendered in favor of plaintiff for the sum of $——, with costs in both courts.

8. *Mrs. E. Andrews, Adm'x, etc., vs. The City Bank of New Orleans*....PERRON, J.... An action to set aside the sale of 421 shares of Bank stock. L. Andrews, in his lifetime, had obtained loans from the Bank on a pledge of this stock. He died, and before an administrator or any person was appointed to represent his estate, the Bank issued orders of seizure and sale, and sold and purchased in the stock. *Held*, that the sale was not binding on the succession, and the widow, afterwards appointed administratrix, had a right to set it aside.

9. *Villars' Heirs, etc., vs. Kennedy, Superintendent of the Mint, and Municipality No. One*.. The suit was instituted to recover the property where the New Orleans Branch Mint of the United States now stands. The Municipality No. One was born in, or having donated the property to the United States, for the establishment of the Mint. The learned judge went into a minute history, embracing the first plan and laying out of the city of New Orleans, up to the change of government and cession of Louisiana to the United States, and showed conclusively that the ancestor of the plaintiffs never owned this property, but that it always belonged to the King, for the purpose of erecting fortifications to protect the city, and was ceded as public property belonging to the city, and finally donated to the United States by Municipality No. One. Judgment affirmed.

10. *Estelette vs. Estelette*.... Suit on a promissory note of $200. The plaintiff took judgment by default and made it final, but allowed a credit on the note of $300, from the date of its rendition. The Court says: "The rule, which has been well settled, as to partial payments, is to calculate interest on the debt to the day of *part* payment, and deduct it from the aggregate debt, (principal and interest,) and allowing the balance to bear the interest stipulated."

This has been done, and there is no material error, etc. Judgment affirmed.

A steamer of 300 tons burthen, named Virginia, was launched at Philadelphia, on Thursday, being the first of a regular line of steamships to run between Philadelphia and Virginia.

LOCAL NEWS.

THE THEATRES.—A great variety of entertainments is offered by the different Theatres this evening; for full particulars of which we would refer to the advertisements in another part of the paper.

THE CAMPBELLS.—The Campbell minstrels continue to draw large, and what we are pleased to see, fashionable houses. This is well. It is only necessary to hear and see them, for any discriminating mind to accord them the hi hest credit as artists—in *their* way. They are certainly accomplished in music, and as comic actors, West and Peel can't be beat. Let all who love music and fun go and see them.—Those who have seen them once, need no injunction of ours to go again and often.

THE SECOND MUNICIPALITY MARKETS.—The Comptroller of the Second Municipality yesterday sold the different markets for the ensuing year as follows. The following is the result of the sales:

Faubourg Market, to N. Tourne, for	$43,400
St. Mary's Market, William Creonel	30,400
Vegetable Market do do	2,850
Total	$76,650

This is $1650 more than the markets brought last year.

SALE OF THE MARKETS.—The Mayor yesterday sold the Markets of the First and Third Municipalities, at auction, for the ensuing year:

First Municipality.

Beef Market to David Kaiser, for	$9,200
Vegetable Market, E. Fernandez	30,[illegible]
Tremé Market, Charles Rodiny	1,722
Total	$41,[illegible]

Third Municipality.

Port Market, T. Rombard	$12,0[illegible]

The Markets of the First Municipality were last year sold for $117,300, and the Port Market, Third Municipality, for $14,000.

MUNICIPAL ARBITRATION.—The Mayor yesterday sold the contract for paving Carondelet street, from Howard to Hercules street, and from Jacob to Sixth street; also Liberty street, from Calliope street to the New Basin, to H. G. Ai mondinger, at $2 25 per running foot.

IRONTANY LAW POINT.—An interesting case, entitled Breen vs. Schmidt, has recently come before the Supreme Court and will be argued in a few days. The plaintiff brought suit to compel the defendant to give a title to a certain piece of property. The plaintiff purchased the property from the defendant, and an act of sale was passed before a Notary Public, a cash payment and the notes for the balance being deposited with the Notary. Before the transaction was completed, however, the Notary absconded, and the question now comes before the Court whether the plaintiff brought suit too soon, or whether he is entitled to a title to a certain piece of property. The plaintiff purchased the property from the defendant, and an act of sale was passed before a Notary Public, a cash payment and the notes for the balance being deposited with the Notary. Before the transaction was completed, however, the Notary absconded, and the question now comes before the Court whether the plaintiff brought suit too soon, or whether he is entitled to a title to a certain piece of property. The plaintiff purchased the property from the defendant, and he now sues to compel him to give a title, and he says the Court should compel him to give a title, and he says the Court should compel him to give a title, and he says the Court should