The Daily Crescent.

OFFICIAL JOURNAL
Of the Council of the Second Municipality.

NEW ORLEANS:

TUESDAY MORNING, DECEMBER 10, 1850.

See advertisements of Auction Sales on first page.

The New England Address of Mr. Prentiss was published in the Picayune and Bulletin of December 23d, 1845. If any person will leave a copy at this office we will give him a dozen in return, as it is our intention to republish it on the return of the Pilgrim day, if a copy can be procured.

THE SUPREME COURT.—We publish to-day the digest of the decisions rendered yesterday. The tax on capital yet remains undecided, being up on the rehearing. There are some forty suits now in the Third District Court waiting for the decision of this case. It is one of those cases in which great public interests are involved, and this must be our apology for calling the attention of the Court to the subject. There is not in the United States a Bench which performs so much hard work annually as the Supreme Court of Louisiana. This arises in part from the ridiculous system of making the highest Court Judges of the *facts*. In all of the other States, they decide only questions of *law*, brought up by bills of exceptions or agreed statements. But here, three-quarters of their time is spent in reading through voluminous records filled with the evidence. Then, too, the authorities cited and examined, are much more numerous than in any other State. The Roman, Spanish, French and English Codes are searched. And to diversify their labors, during the hottest months of the year, they are treated to an agreeable horseback ride from Opelousas to Monroe, and then to the Mississippi—some four hundred miles.

THE VERANDAH.—Yesterday we had the pleasure of dining at this popular house, in company with several of the editorial corps. The Ladies' Ordinary has been most expensively furnished with silver plate, cut glass, etc., etc. As to the dishes, wines, etc., we are unfortunately poor judges of such affairs and refer our readers to the other papers.

The hotels of New Orleans are equal to any houses of their class in the United States. The only cause of regret is that a man cannot live at all of them at the same time! We must not forget the St. Louis, which like its founder, is just now the worse for wear. Mr. Soulé claims the credit of erecting this house by means of the *Improvement Bank*. It was built to rival the St. Charles. For the last ten years it has been occupied about, on an average, one month in the year. That malign Yankee influence even extended to frying pans and kettles. The Gauls were beaten at their own furnaces. The St. Charles and the Verandah have been perfect mints, and the St. Louis has fared worse than its founder.

APPOINTMENTS BY THE PRESIDENT.—We are pleased to learn that Col. R. M. McAlpin has been officially notified of his appointment, as Superintendent of the Branch Mint in this city. This appointment, so far as we have heard an expression, gives general satisfaction, and is especially gratifying to the young men of New Orleans, with whom Col. M. is a great favorite.

Mr. Augustus Devall has also been officially notified of his appointment as Chief Coiner of the Branch Mint, in place of Mr. John Brooks. Though Mr. Devall is but little known to us personally, we have no doubt he is well qualified for the office to which he has been appointed. He is the inventor of the Devall Cotton Press, for compressing cotton bales; which is said to be one of the most simple and yet beautiful pieces of machinery, and the finest and most perfect combination of power ever exhibited in this country.

COTTON FACTOR'S DIRECTORY.—Mr. Henry Lawrence, cotton broker, 7 Bank Place, has sent us a large and beautifully printed card, which he has prepared with great labor and care, exhibiting in alphabetical form, a complete list of all the receivers of cotton in New Orleans, with their present localities. It is in fact a complete Directory for all the cotton houses in the city, and must prove highly useful to all persons in any way connected with the cotton trade. We understand it was printed by Messrs. Cooke, Young & Co., of the Price Current office, without charge, Mr. Lawrence having determined to give the funds derived from the sale of it, without any deduction for expenses, to the Orphan Boy's Asylum.

THE SCHOOL DIRECTORS.—These gentlemen have obtained an injunction to prevent the Council of the Second Municipality from going into an election. The suit is brought by J. R. Grymes and Perry S. Warfield.

THE ST. CHARLES.—Miss Dean last night appeared in one of her best characters, "The Wrecker's Daughter." The play has several striking passages, and the interest of the audience is kept up to the last. Mr. Dean supports the difficult actor of her father, as all fishermen and wrecker. It is decidedly his best character, and he received repeated rounds of applause. We need not say that Miss Dean acted to admiration. To-night she takes a benefit, and presents a most attractive bill—"The Belle of the Faubourg," and "The Love Chase." Let her numerous friends and admirers show their friendship and admiration by their presence. She should have, in a crowded house, substantial evidence of the appreciation, by our citizens, of her excellence as an actress, and her merits as a lady. If the stage deserves patronage at all, then one of its brightest ornaments, who is also an ornament to her sex, deserves to be specially noticed on this, her benefit, occasion.

THE AMERICAN.—Mr. Neafie's *Brutus* was an entirely different style of acting from any of his previous performances. His figure is admirably adapted to this range of character, while the beauty of his elocution is not the less effective when compared to giving expression to the noble sentiments which Shakspeare puts in the mouth of *Brutus*. The best scene was admirably given. The last *Brutus* we have seen was Macready. But we give Mr. Neafie the preference. Macready did not look the character. Mr. Neafie does. The voice betrays age as much as the face or body. Mr. Macready, neither in voice, walk nor form, came up to our ideal of the noble *Brutus*.

Yesterday, in speaking of the pronunciation of the r, we said it was to be rolled when it followed a consonant, and then became a liquid. Persons who have paid any attention to elocution must have seen the mistake; the word should have been vener.

The fine steamer Tuscumbia, commanded by Capt. Cable, remarkable for polite and courteous attention to his passengers, will positively leave for St. Louis this evening at 5 o'clock. Travellers desiring a pleasant trip would do well not to miss this opportunity.

Thanks to the steamers Florida and Buena Vista for late papers.

BURNING OF THE COLUMBUS.—We learn from Mr. Cowdery, agent of Messrs. Adams & Co., between here and Norfolk, that last night as the steamer Georgia was off the Wolf Trap lightboat, they were hailed by the keeper who informed them that several of the crew of the Columbus were there. Capt. Cannon immediately answered the signal and with much difficulty, and not without danger, succeeded in getting them all on board of the Georgia, where they were kindly cared for and brought up to the city this morning.

The particulars of the burning of this unfortunate steamer we gather from Mr. Cowdery. It appears that there was a spark-catcher used on the smoke pipe of the Columbus, and it must have become choked from the damp atmosphere, which prevented the heat and smoke from escaping, so that combustion was inevitable. The engineer found that there was very little steam generating and, upon investigation, could discover no impediment as the wood was all dry and in fine order. Just at this crisis, about 3 o'clock on Thursday morning, the flames burst out from the flues, and spread almost instantaneously over the whole boat. The officers and crew attempted to reach the boats, but there was only one that was cut loose with the persons saved, which, however, had the plug out, but the engineer soon stopped it. It was with the greatest difficulty they kept her from sinking on account of the high sea, but by continual bailing with their caps they succeeded in reaching the light boat which was five miles off. Here they were taken care of until Captain Cannon arrived.

[illegible] ght was very light, as we stated yester- [illegible] were six horses on board that were [illegible] o a passenger for Petersburg, whose [illegible] ster. He was saved and sent on [illegible] oat, as he became very sea- [illegible] to have to record the [illegible] Hollingshead, his [illegible] avid, 7 years old, [illegible] man passenger [illegible] John Sher- [illegible] Saul, the [illegible] ria,

Misrepresentation.

Under this title the Delta accuses the Crescent of misrepresenting Mr. Soulé. We beg leave to assure these friends of the "American Senator," that we have never been ranked among his flatterers, and certainly, at this time, we are not disposed to pay him that most delicate of all compliments, the misstatements of his arguments. That is the resort of a discomfitted logician. Mr. Soulé, in his St. Louis Hall speech, said:

"Not satisfied with excluding us from California, they proceeded to shut us out of Utah and New Mexico, by a territorial organization, which, if it does not expressly exclude slavery, referred the matter to the decision of a tribunal, a majority of whom are your enemies."

Would any person imagine that this referred to Congress?—that the same body which had organized the Territorial Government had referred to itself further action? Webster's first definition is as follows: "Refer—to direct, leave, or deliver over to another person or tribunal, for information or decision; as when parties to a suit refer their cause to another Court."

It is unfortunate that the American Senator makes use of language so ambiguous, and gives words a meaning different from the received usage. Is Congress a *tribunal*, to which Congress *refers* its own action?

But that he means by the "tribunal," the Supreme Court, is evident from the history of the controversy. In the debate on Mr. Clayton's Compromise Bill, the power of the Territorial Council, or even of Congress, to legislate on the subject, was fully discussed. Mr. Calhoun then avowed himself in favor of the principle of non-intervention. He was willing to leave the question to be settled by the Supreme Court. He denied the power of Congress, or even of the people of the Territory, to legislate on the subject.

"There is a very striking difference between the position in which the slaveholding and non-slaveholding States stand in relation to the subject under consideration. The former desire no action of the Government; demand no law to give them any advantage in the Territory about to be established; are willing to leave it, and other Territories belonging to the United States, open to all their citizens, so long as they continue to be Territories, and when they come to be so, to leave it to their inhabitants to form such governments as may suit them, without restriction or condition, except that imposed by the Constitution, as a prerequisite for admission into the Union. In share, *they are willing to leave the whole subject where the Constitution and the great and fundamental principles of self-government place it.*" * * * "I have now shown, I trust, beyond controversy, that *Congress has no power whatever* to exclude the citizens of the Southern States from emigrating with their property into Territories of the United States, or to give an exclusive monopoly of them to the North. I now propose to go one step further, and show that *neither the inhabitants of the Territories nor their Legislatures have any such right.*" * * *

"We are in favor of free Territory, and opposed to monopoly. We wish to save the soil open to every American citizen so long as it remains a Territory, leaving the people to form their own Government when it becomes a State."

Mr. Butler, of South Carolina, concurred in these opinions of Mr. Calhoun, and both of these gentlemen were willing to rest the rights of the South here. Now how can the rights of the South be tested, and who shall decide upon them? In the debates all admitted that the question must be referred to the judicial tribunals. But the Delta says:

"Now, we presume that no sincere or intelligent person could mistake Mr. Soulé's reference in this sense. The tribunal spoken of by him, is the Congress, which possesses the power of repealing, amending, or rescinding any law passed by the territorial legislature. But the Crescent chooses to take the ex reference to the Supreme Court, a tribunal, which, it never has had the determination of the question, whether slavery should exist in the new territories or not, and proceeds to show that a majority of that tribunal are hostile to the South. Thus it claims the Crescent finds its conclusion very easy. Its power is equal to that of Archimedes, who could have moved the world and he found a sufficiently strong fulcrum to work his lever upon."

According to the South Carolina doctrine, Congress has no right to legislate on the institution of slavery in the Territories. Mr. Soulé, since the death of Mr. Calhoun, is ambitious to be the leader of the Southern party. He certainly could not mean Congress as the tribunal to decide the matter, simply from want of jurisdiction in that body; for he is certainly lawyer enough to know that to enable a tribunal to decide, it must have jurisdiction. The Northern party asserted that Congress had the power. The South maintained that neither Congress nor the territorial government had the power, but that the rights of Southern slaveholders were protected by the Constitution, and neither Calhoun nor Butler wished any other protection. * * The Supreme Court alone is to decide. Such was the character of the debate on the Clayton compromise. But now the Delta says that Mr. Soulé, when he spoke of that tribunal to which the subject was referred, did not mean "a court of justice," (the meaning of the word,)—the Supreme Court, but meant the very Congress which had made the reference. That is, Congress refers to the tribunal, Congress, the decision. With all his blunders, poor Soulé never uttered such an absurdity. As to what he meant, we do not presume to know. It is to be deplored that Mr. Soulé's ignorance of the American language should enable his well-meant friends to set up such a ridiculous defence for him.

The Delta asserts very positively that the Supreme Court can never determine the question.

It is with great reluctance we differ from such high authority on a legal question, and we have examined our opinion with great scrutiny and an anxious desire to concur with the higher authority of the Delta. But, unfortunately for us, the Constitution of the United States stands in the way. "The Judicial power shall extend to all cases in law and equity, arising under *this Constitution*."

The great Judiciary Act of 1789, which furnishes the machinery to carry out this section, confers an appeal from the decision of the State Courts to the Supreme Court, in all cases where *the construction of any clause* in the *Constitution* under which a party holds is drawn in question. The laws for the organization of the Territories of Utah and New Mexico, provide for appeals from the decisions of the Supreme Courts of the Territories to the Supreme Court, on terms similar to those of the Act of '89. With these statutes before us, we are compelled to remain of the opinion that the Supreme Court is the "*tribunal*" which alone has the power to decide the question. As to the means of bringing the question before the Court, that is a matter of practice which every lawyer understands, and of no interest to the public generally. Whenever the Territorial Courts shall decide that the slave-holder has lost his property, his lawyer will find a mode to take the writ of error to the Supreme Court.

Should the Territorial Council pass a law abolishing slavery, and even Congress approve it, the question would still be referred to another tribunal, whether such action was within the powers given to the Council under the section:

"That the legislative power of said Territory shall extend to all rightful subjects of legislation *consistent with the Constitution* of the United States, and the provisions of this act."

But even if Congress had given full power to legislate, the question would again come up whether Congress itself has authority to confer it. This question, too, must be referred to some tribunal for decision. The arguments of Calhoun, Butler, and other distinguished Southern statesmen, we think, prove triumphantly the right of the Southerner to carry his slaves, and hold them as such in the territories of the United States. They ask no protection beyond that of the Constitution. Mr. Soulé, however, understands the Constitution better than they, *and he is not satisfied* with what Mr. Calhoun deemed sufficient.

The Delta comes to his *relief*, but like Grandfather Whitehead, only makes matters worse—another instance of ill-timed benevolence. Whatever we may think of Mr. Soulé, as a politician, we are bound in justice, to protect his reputation as a lawyer from the awkward defence of the Delta.

Messrs. Editors of the Crescent—A great deal has been said and written on the New Orleans and Jackson Railroad, and I believe it is universally admitted that its construction would not only be an important accession to New Orleans, directly, but, that it would indirectly add to the wealth of the city, by increasing the value of lands in its vicinity, and confer many other advantages which have been fully and ably set forth by others. I consider that, in a community who have suffered much by the adoption of ill judged plans for public works, and who have for years, principally been the cause, been prejudiced against them, the early and successful completion of any proposed public work, is of more vital importance, and the greatest care should be taken that too much is not attempted.

My object is to give what feeble aid I can, to ensure the successful establishment of the proposed Jackson Railroad; and with that view I propose to consider the important subject of the route from the city to be adopted, on which there is considerable diversity of opinion. It is known that four different plans have been suggested, as follows: one from some point on the North shore of the Lake, in the vicinity of Madisonville; a second, round the East end of that lake; a third, on the line of the survey for the New Orleans Railroad; and the fourth, on a line nearly parallel with the usual course of the Mississippi to Bonnet Carre Bend, thence to the nearest high land on the Amite river. The second and third mentioned routes have been shown to be impracticable, on account of the swamp, and low, unstable marsh lands, that would have to be crossed; also the danger and heavy timber construction from the fires that occur in low water, and the necessity of having to cross the Chef Menteur, Rigolets Passes, or the connection between Lakes Maurepas, Pontchartrain, where, if bridges were suggested or the objectionable feature of a dense wood have to be cleared which has always been a drawback, indeed, on [illegible] they have been adopted. These facts, [illegible] of contracting and maintaining the [illegible] Railroad, on either of these routes, [illegible] sufficient for their rejection. The [illegible] which I have seen no public discussion, has recently sprung into favor; so at least I conclude, from the resolutions adopted by the joint committee of the three Municipalities and Lafayette, to appropriate $2000 for a survey of it. The writer, under the impressions set forth in the beginning of this paper, thinks that a grave solicitation to this last mentioned plan, is the great proportional increase in the length—and of course in the expense—of the road to be made; for be that way too, the same parallel of latitude in which Madisonville is situated, next 50 or 60 miles would have to be passed over, a great portion of which is deep swamp; and when that point is reached, a much worse route and greater distance would have to be gone through to get to Jackson, than there would be from Madisonville. I estimate that the River plan would involve the necessity of constructing about sixty miles more road than would be required from that place; and if precaution is made for the contingency of a crevasse in the levee of the Mississippi, at next double the expense that would be incurred by the construction of a good Railroad from Madisonville to the State line, including two crossings to cross the Lake; therefore, I consider that the adoption of this route would be attended with the most serious consequences, and would be a terrifying *fee* which, at the present time, to ensure success.

It will be seen from the preceding, that I would recommend the route via Madisonville, against which objections have been urged (as has been said) more "founded in prejudice than reason. The principal objection set forth is, I believe, the supposed necessity of the establishment of the landing and unloading of freight at each shore of the Lake. This is not the case, for it is not a new proposition to cross wide estuaries by means of a "floating railroad," driven by steam. The Susquehanna is crossed by this means, and the "Edinburgh and Northern" railway traffic is carried across the mouth of the Tay at Brought, and Ferryport on Craig Harbors, where the tide rises and falls, twice in twenty four hours, sixteen feet, and the same system is used in a rough weather to secure. The arrangements necessary to transfer loaded freight cars from the railroad on to steamers built for that purpose, would not be nearly so extensive or costly as is required on the Tay, for the reason that the variation of the level of the water in the Lake, at the most, is so small. On the Tay the steamer has three rail tracks on its main deck, and has silver room for over five hundred tons in length of stowage, yet it is but 75 feet long. On the Lake, to build a boat 200 feet long or more, with tracks on the main deck, and a cabin overhead for passengers? The freight and baggage cars could be run on which passengers were transferring themselves from the cars to the steamer's saloon, which would be an agreeable relief after a long ride on the railroad, to say nothing of the convenience of meals, refreshments, etc., while crossing the Lake. A signal on the boat, as far off as the coast be clearly seen, would give information how many cars would be required on either side, which could be prepared ready in train, so that no delay need occur. The ships to receive the boat on either side of the Lake would be very simple structures, and by no means expensive. They can easily be so arranged that the greatest facility and safety would be secured in placing cars on and off the boats. Barges with tracks upon them to carry freight cars might be towed over by a steamboat if necessary.

I am convinced that the Lake could be crossed in the time that the same relative distance could be attained on a railroad by the river route. Having, as I think, shown that crossing the Lake is not an obstacle sufficient to cause the rejection of a route via Madisonville, which possesses the great preponderant point of view, I would solicit the movers in the matter to examine these statements closely before coming to any conclusion, bearing in mind that the river route to the State line would cost more two and a half times that across the Lake. These statements are founded upon estimates made by one who has had some practice, and are only prompted by a desire that the project should succeed and pay a fair dividend on the outlay. H. L.

Supreme Court of Louisiana.

MONDAY, December 9, 1850.....*Present, all the Judges.*

1. EUSTIS, C.J.....*Egana* vs. *J. L. White.*

We are of opinion that the appeal has been taken for delay, merely; the judgment is, therefore, affirmed, with ten per cent. damages, to-wit: the sum of $250, with costs.

2. *Same* vs. *Same*.....Appeal taken for delay, and judgment affirmed, ten per cent. damages and costs.

3. *Dorsey, et al*, vs. *Lambeth, et al; and A. R. & W. C. Taylor, intervenors*.....The plaintiffs claim, as heirs-at-law of the late Philip Taylor, of St. Louis, suing for a legacy. This claim turns on the dispositions of two wills, that of Philip Taylor and Archibald R. Taylor, and are complicated in fact. Lambeth had received the legacy, and gave bond, with C. A. Jacobs as surety. The principal question relates to the effect of the bond for the payment of the legacy. "Where two persons bind themselves to pay a sum of money, each is only bound for his half; but, by the contract of suretyship, the obligation on the surety is to satisfy the debt, if the debtor does not. Such being the legal character and effect of the contract, where the surety is bound for a portion of the debt only, it ought to be so expressed in the contract." Judgment affirmed in part, and amen ded.

4. ROST, J.....*Gaspard, f. w. o.*, vs. *Robertson, C. w. r.*.....Suit on a note signed by the defendant, with his ordinary mark. He denied having made such a note, and that it had been altered, etc. The case turns on questions of fact. The evidence proves that the note was read to the defendant before he signed, and he was apprised of the nature of the contract. Judgment for plaintiff affirmed.

5. *Holloway* vs. *Zerlinger*.....Suit of Engineers alledging that defendant employed him, at certain rates, to take off his sugar crop, and relied on declarations made to third persons, by defendant, for proof. The plaintiff never entered the employ of defendant, and the evidence does not sustain his demand. Judgment, dismissing his petition, affirmed.

6. SLIDELL, J.....*Pons* vs. *His Creditors*.....The District Judge must have been of opinion that Gurot became the holder of the mortgage note in contest in good faith, and for a valuable consideration. Under the evidence we are not prepared to reverse his judgment. As such holder he was properly closed as a mortgaged creditor. See Wilcox vs. Beal, 3 Annual Rep. 407. La. Code, 2613. Judgment affirmed.

Preston, J., dissented. He considered the mortgage and note given after the debtor was in insolvent circumstances, and within less than three months of actual insolvency, and that it was in fraud of creditors, etc.

7. *Succession of Lewis*—Appeal of B. F. Lee from judgment homologating the administrator's account. Lee made no appearance, and was not *in default*. He obtained the order of appeal *ex parte*, on the affidavit of his attorney that he believed Lee to be a creditor, which is denied. The Court say, under the authority of several cases, they will direct the issue, whether Lee is a creditor to be tried before proceeding further in the case. See Oakley vs. Phillips, 6 Martin, N. S., Taylor vs. Jeffries Estate, 10 La. Rep. 438, 15, Idem 17. Judgment rendered accordingly.

Chief Justice Eustis dissented.

8. *Pasquier & Co.* vs. *Riley*.—Judgment on reasons of District Judge affirmed.

9. *Elkes* vs. *Phillips*.—Judgment affirmed for reasons of District Judge.

10. *Brinkmann* vs. *Tonner*.—Judgment affirmed.

11. PRESTON, J.....*Dorsey* vs. *McAdam & Co.*.....Suit about mere matters of fact. Judgment of District Court for defendant affirmed with costs.

12. *McAdam* vs. *Davis*.—Judgment turned on matters of fact, and is affirmed with costs.

LOCAL NEWS.

ST. CHARLES THEATRE—*Benefit of Miss Dean.*—The performances at the St. Charles tonight are set apart for the benefit of Miss Dean, on which occasion she appears as *Madelaine*, in a new play called the "Belle of the Fishbourg," and as Constance, in the "Love Chase." Mr. Wemm sustains the principal characters in both pieces.

PLAYING'S.—A new pocketbook "Bachelor's Torments," in which Holland appears, is to be produced at this house tonight. Mr. and Madame Leon, Mr. Reeves, and the Ballet Company will appear, the whole to conclude with an aquatic extravaganza called the "Deep Deep Sea."

AMERICAN THEATRE.—Mr. Neafie appears to night as *Macbeth*, in which he will be sustained by the whole strength of the company. The ballet company will appear in several dances, the entertainments to conclude with the farce of "Raising the Wind."

DIGEST OF ORDINANCES.—The Mayor yesterday sold the contract for preparing a digest of the ordinances of the Third Municipality. Such a work has long been needed, and a want of it has often caused unusual difficulty in the Council. The contractor, Mr Nagues, the Secretary of the Council, is fully able to perform the task, and we feel assured that it will be done properly.

CHARITY HOSPITAL.—The following is the report of the Clerk of this Institution, for the week ending December 8, at six o'clock, P. M.: Admissions, 29; Discharges, 25; Deaths, 6; Remaining in the hospital, 1142. Of the deaths reported, 40 were by cholera.

MUNICIPAL SALES.—The Mayor yesterday sold the contract for making a digest of the ordinances of the Third Municipality to P. F. Nagues, Secretary of the Council, for $1100.

The farming of the Port Market, Third Municipality, was adjudicated to Jacob Mahle, for $15,800, the cash warrants of the Municipality to be taken in payment of the rents. The market was sold, as will be recollected, last week, for $16,000.

The contract for building a school house at the corner of Bouville and Robinson streets, First Municipality, was sold to M. Trassell, for $6700.

FIRE.—A fire occurred at an early hour yesterday at the New Basin, which destroyed two wooden buildings. The damage was not large.

FIRST MUNICIPALITY COUNCIL.—This body met last evening, Recorder Genois in the chair. The minutes of the last meeting were read and approved, and the Council proceeded to business.

A message was received from the Mayor, stating that in accordance with instructions from him, the Captains of the police, of the different Municipalities, had reconciled the number of arrests during the year ending 30th June last. His House gave the details of the returns, relating more particularly to that of the First Municipality. We have already published the particulars. The Mayor also called the attention of the Council to the fact that the State had appropriated the estate of John McDonogh, and that some action was necessary.

On motion, the Message was taken up paragraph by paragraph, and that part of it relating to the police, was referred to the Police Committee.

The action of the State in regard to the McDonogh estate is looked upon by the Mayor as entirely uncalled for and unwarrantable. When the paragraph referring to this matter came up,

Mr. Fabre presented a resolution, according, in the name of Municipality No. 1, the bequest of McDonogh, as intended by him.

The resolution was adopted, and the sale of the markets, mentioned by the Mayor, was approved of.

The sale of the contract for building a school-house at the corner of Robinson and Bouville streets, which was made to Mr. Trassell for $6700, then came up for consideration.

Mr. Derion moved to disapprove of the sale, stating that the finances of the Municipality did not warrant such an expenditure.

Mr. Loughlin concurred in the sentiments of Mr. Derbes, and thought that the Municipality had better pay rent for a school-house for a few years longer, than build new houses.

Mr. Fabre was surprised that members should object to the sale, when the Council had purchased the lot and authorized the sale of the contract for building the school-house. He hoped the sale would be approved of.

Mr. Hagan was glad to hear the sentiments of Mr. Fabre. He, too, was in favor of erecting the school-house. He thought the Second Ward entitled to a school-house, and he could not see why the Council should purchase a lot for the special purpose of erecting a school-house in it, and then abandon the project.

Mr. Derbes did not wish to deprive the Second Ward of the benefit of a public school, but he did not think the Municipality could afford to build a house at present. He was in favor of renting a building, which would answer all purposes.

Mr. Hommedieu sustained the views of Mr. Derbes. He did not think the Municipality able to pay $6,700 for building a school house, when a building could be procured for a much smaller sum.

Mr. Loughlin made some further remarks enforcing the views already put forth by him, when the yeas and nays were called for on the motion to disapprove of the sale, and the motion was sustained.

Mr. Hagan then moved to authorize the Mayor to advertise the sale of the contract again, but he did not persist in the motion, and the balance of the Mayor's message referring to the complaints of certain lamp-lighters of the bad quality of the oil furnished them, was then taken up. It was passed over, and

The Council then proceeded to the election of a member of the Board of Liquidators, in place of Mr. Soulie, deceased. Mr. T. B. Blanchard was elected. Mr. Felix Grima was elected at the last meeting, but he sent in a letter declining the appointment.

The President informed the Council that the assessment roll of the Sixth Representative District had not been finished by the Assessor as pointed by the General Council.

A letter was received from the Wharfinger, asking for an assistant. Referred to the Police Committee.

Messrs. Saul and L. Delgado asked for permission to erect their stores on Camp Square. A resolution was offered granting the permission, but the Council refused to suspend the rules, and the resolution therefore became the order of the day for the next meeting.

The Council soon after adjourned.

THE SENTINELS.—At the meeting of the Second Municipality Council this evening, a memorial, numerously signed by merchants, merchants, ship-masters, etc., will be presented, praying for the repeal or modification of the following ordinance:

Resolved, That from and after the passage of this ordinance, all persons having loose pieces of the woodwork of the wharves of the Municipality, for the purpose of loading or discharging vessels, shall cover the woodwork with a movable wooden platform, to be placed in such position and to be of such dimensions as the Wharfinger may direct, and to be removed upon the orders of the Wharfinger, when on inspection he shall deem such platforms to cause obstructions to the wharves.

Be it further resolved, That all persons using loose pieces on the wharves, shall be liable to a penalty of $50 for each violation of this or any existing ordinance relating to the wharves, recoverable before any Court of competent jurisdiction; and shall also be liable for any damage done to the wharves in consequence of loading and unloading.

The memorialists demonstrate the advantages of the use of loose pieces in loading and unloading vessels, to the ship-masters, merchants, the stevedores and the Municipality; and they aver that the Second Municipality has already sustained an injury by the hostility shown by some laborers and others to the system.

They say that since the passage of the above ordinance, several riots have occurred, and that several ships have been taken to the Third Municipality to discharge in consequence, thus driving a considerable quantity of revenue from this Municipality. The memorial is able drawn up, and we doubt not that it will meet with the attention it deserves.

FIRST DISTRICT COURT.—George Westbrook was yesterday tried and found guilty in this court, of stealing a gold pencil case from N. L. Drury. He was recommended to the clemency of the court.

George B. Riley, was found guilty of stealing a quantity of jewelry from a black woman in the Third Municipality.

INQUEST.—An inquest was held yesterday on the body of a woman named Catharine Casey, who was found dead in a yard of the Hermine street watch-house on Sunday night. The poor creature was picked up drunk at an early hour on Sunday evening, and she expired in a few hours after being brought in. The Coroner's Jury returned a verdict of "death from intemperance and exposure."

RECORDER CALDWELL'S COURT.—The crowd at this establishment yesterday morning, was immense, and the number of prisoners very large. Charges of all sorts were preferred against all sorts of people, but few of them, however, were investigated, and consequently we cannot give them.

Michael Lynes was brought up on the charge of introducing himself into the grocery store of John Gallagher on Common street, and stealing therefrom two papers of tea, a hone, and some other articles which he owned in the hurry of the moment. Michael was committed to await an examination before Judge Lacoste, and a dozen of his fellow-citizens.

George Gallagher and a friend of his were called upon to answer to a charge of allowing against the peace and dignity of the State by fighting in the street. They were fined $1 each.

Mr. and Mrs. Nicholas Thunder were brought up on the charge of raising very particular thunder in their neighborhood, to the peace and quiet of one particular neighbor. This neighbor stated that although Mr. and Mrs. Thunder were held to bail a short time ago, they paid no attention to their bonds, and made as much noise as ever. The unruly pair were rebuked to keep quiet, whereupon they bolted out of the room.

RECORDER GEDDES' COURT.—There were several cases in this court yesterday, but none of them were of any importance, and none of them were examined.

FROM SALT LAKE.—Mr. J. N. Brown, in the employ of Holladay & Warner, has arrived at Weston from Salt Lake City. He left there about the 1st of October. He brought but little news, though he had something quite as acceptable—a good deal of money. The appointment of officers for the new Territory of Utah gave great satisfaction at Salt Lake City, particularly that of Brigham Young for Governor. The Crow Indians had stolen forty-seven mules from John Owens, of the firm of Rich, Wilson & Co. [St. Louis Rep. Nov. 30.

FLORIDA.—The Legislature of this State met on the 25th ult. The Democrats have a majority of two on joint ballot. A United States Senator has to be elected, Mr. Yulee's term of office expiring on the 4th of March next; also four Judges of the Supreme Court, a State Treasurer and Comptroller.

BIGBY BYRNE.—Intelligence has been received at Little Rock, (Ark.) that this enterprising and much esteemed prelate is on his way home. He precedes the colony he proposes to settle in Arkansas, for the purpose of making arrangements for them. The number of colonists has been swelled from 600 to 1200, including many of substantial character and worldly substance.

John Faile, one of the nurses in the New York Hospital, sailed for Europe on Wednesday, to take possession of the sum of $20,000, which, by a Chancery suit just decided in London, has fallen to him and his two brothers.

Arrivals at Principal Hotels .... Dec. 9.

ST. CHARLES.—A Hoffman, Va; H Lanier, W Francis [illegible]

AMERICAN.—H Hilton, Ala; S Mulvey, Ohio; M Cuthing, Ala; W H Harper, A Wood, La; J T Hall, Mrs Dudley, A [illegible]

PLANTERS.—Henry Dixon, Tom Fitzson, La; T O Smith, John L Thomas, Ala.

HEWLETT'S.—N Yerger, A J Lacy, MO; J Brown, Jr, La.

BANKS' ARCADE.—J Montgomery, Ala; J C Davis, W P Chase, Ky; R Hodgson, W F Brown, G W Hogan, H H Teagle, Texas; J T Hilliard, J C Brown, Miss.

Died:

At his residence No. 211 Twenty-second street, New York City, on the morning of the 5th inst., at 6 o'clock, of consumption, Mr. URIAH A. POLLARD, aged 42 years.

On the 9th inst., at half-past 2 o'clock P. M., ADELINE FRANCES, only daughter of Henry W. and Adeline F. Olivier, aged 2 years and 4 months.

☞ The friends of the family are respectfully invited to attend the funeral from the residence of Mrs. Freeman, corner of St. Charles and Perdido streets, This Afternoon, at 4 o'Clock.

Auction Sales—This Day.

SYKES, HUBE & Co. will sell, at half-past 10 o'clock, at 51 Magazine street—Groceries, Provisions and Liquors.....At 11 o'clock, on the Levee, opposite the Public Square, Five Hundred—Bales, Cotton, Bags, Rope, Bagging, etc., etc., as per advertisement.

WM. P. SCOTT will sell at half-past 10 o'clock, at No. 87 Camp street—Furniture.

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

MAGNOLIA UNION No. 2, Daughters of Temperance, meets at half-past 3 o'clock, at Crystal Fount Hall, No. 222 Tchoupitoulas street.

☞ **James Gulick Fire Co. No. 17.**—At the regular Annual Meeting of the Company, held on the evening of the 10th inst., the following officers were elected to serve for the ensuing year:

JOHN QUIN, Foreman.
PHILIP OTTER, First Assistant Foreman.
JOHN KENNEDY, Second Assistant Foreman.
GEORGE MAYNE, Secretary.
JOHN SULLIVAN, Treasurer.
GEORGE SAUBLER, Steward.

Delegates to the Firemen's Convention in December:

JOHN REYNOLDS, GEO. MAYNE, JOHN SULLIVAN
A committee of the members:
JOHN SULLIVAN, Sec. pro tem.

WANTED—A situation, by a young married man, who, after several years experience in the city, feels competent to take charge of a set of books and to undertake the responsibility of a commission or other business house. Address H. this office. 2tw 1w

WANTED—The advertiser is anxious to learn surveying, theoretically and practically, and would be glad to know of some one competent to give instruction in the department of science. Address box T, 41, Post-office. 2tw2w

☞ **Louisiana State Colonization Society.**—A Special Meeting of the Board of Directors will be held on THURSDAY EVENING next, the 12th inst., at the office of the Crescent Insurance Company, at 8 o'clock.

By order:
J. B. GRIEBLE, Secretary.

New Orleans, December 10, 1850. d10 2t

Red Rover Hose Co. No. 16.

☞ The officers and members of this Company will meet at their engine house on Saturday Evening, at half past 6 o'clock, P. M., when business of importance will be transacted.

Every member will please be in attendance, as business of importance will be brought before the meeting.

By order:
CHARLES FINNEY VERLANDER, Secretary.

d10

Masonic.

☞ WARREN LODGE No. 67.—The members of this Lodge are requested to assemble at the Hall, THIS EVENING, the 12th inst., at 8 o'clock, for the transaction of important business.....By order of the W. M.

L. N. LANE, Secretary.

☞ **Public Invitation.**—Dr. GILBERT has time and again proved the Medical Faculty by witness his success in removing Cancers without the knife. He has one on hand of great importance. This gentleman has visited New York in search of a scientific knife. The Cancer was removed, but returned, as usual, with such fearful rapidity as to threaten destruction to the patient. The Cancer is now removed; but the patient, Gibson, and place Linen and Silk Handkerchiefs, will be open to the eyes of all who may wish to see, THIS MORNING, at 10 o'clock, at my office, 198 Poydras street. The Medical Faculty and others are respectfully invited.

B. GILBERT.

d10 1t

MADAME EMERY,

The Secrets Daughter of the GIPSY FAMILY, BEGS LEAVE to inform the citizens of New Orleans that she has returned to her residence, No. 128 Julia street, between Philippe and Nassau streets, where she will be happy to accept those of the PRESENT and the FUTURE.

F. R. Ladies and Gentlemen wishing to know the circumstances which surround them and likewise their future prospects, will do well to call on Madame E. Price $1 only. d10 2tw 1t

Rare Chance—Valuable CHRISTMAS and NEW YEAR'S GIFTS.

☞ SEMI WEEKLY SALES, without reserve, of very fine *JEWELRY, SILVER WARE, DIAMONDS, WATCHES, MANTLE ORNAMENTS, FANCY ARTICLES*, etc. to close out the business of the concern in the city.

BY N. VIGNIE, Auctioneer.

WILL SELL, at 11 o'clock, without reserve, at No. 29 Charles street, assortment, every THURSDAY and FRIDAY evening, at 10 o'clock, and on SATURDAY next, 12th inst., at 10 o'clock, a splendid assortment of GOLD JEWELRY, being the remaining portion of a lot of GOLD JEWELRY, being styles, including Diamond Rings and Breastpins, splendid Gold Watches, Silver and Plated Ware, very rich Lava Cameo and Mosaic Breastpins, Bracelets, Lockets, Medallions and other elegant Clocks, fine cut Glassware, Guns, etc., etc. and a large assortment of Fancy Articles, too numerous to mention. Gifts will be given away. Strangers, Housekeepers and others, are requested to attend. Terms cash. d10 1t

SPLENDID ILLUSTRATED BOOKS:

For the Holydays.

☞ Just received, and for sale at

J. B. STEEL'S

N. O. Stationers' Warehouse, 14 Camp st.

THE QUEENS OF ENGLAND: A series of Portraits of the Queens of Family Sovereigns, drawn and engraved by eminent artists, with Biographical and Historical Sketches from Above the original.

WOMEN OF THE OLD AND NEW TESTAMENT: A splendid Portfolio, with above twenty beautifully engraved Scripture Subjects. Edited by the Rev. John R. Vinton, D. D. 12 mo. cloth, engraved expressly for this work. Beautiful edition, 1851.

EVENINGS AT RONALDSON MANOR; or, The Christmas Dinner. By Mrs. Mathews, author of "Women in Authority," "Two Lives," etc. Illustrated with 10 steel engravings.

OUR SAVIOUR, WITH THE PROPHETS AND APOSTLES: A series of 18 highly finished engravings, engraved expressly for this work, with descriptions by eminent divines, including Dr. Wisemann, Dr. J. M. Winscright, D. D. 18 Engravings, 4to.

A BOOK OF THE PASSIONS. By G. P. R. James. Illustrated with 16 splendid eng