The Daily Crescent.

OFFICIAL JOURNAL
Of the Council of the Second Municipality.

NEW ORLEANS:
THURSDAY MORNING, DECEMBER 12.

See advertisements of Auction Sales on first page.

Judge Bullard took his seat in the House on the 9th inst.

CONGRESSIONAL DISTRICT.—*Third District*—All the parishes have been heard from, except Washington, Madison, Franklin and Avoyelles. The result thus far, is: Penn, (democrat,) 1,603; Stewart, (whig,) 554. Penn's majority, 1,409. A correspondent in yesterday's Evening Delta is our authority.

NEW FIGS.—We received last evening from Messrs. W. L. Cushing & Co., grocers, No. 55 Common street, two drums of new figs received per steamship Ohio, one large and one small, as specimens of what they can do for dealers in this fine and delicious fruit. They are fresh—undoubtedly of the new crop—and as fine as we ever saw opened. This, we understand, is the first lot of the new crop imported this season, and it is doubtful if there will be another arrival before Christmas. Dealers would therefore do well to call early and supply themselves.

NEW ARTICLE OF GOODS FOR WEARING APPAREL.—Our readers will remember that we a few days ago mentioned that a patent had been taken out in England for a wearing fabric composed entirely of fur. It is adapted to all purposes, either for gentlemen or ladies. The article is lighter, softer, firmer and warmer than any other material ever worn as a covering to the human body. It is the perfected ideal of cloth. The softest satin is harsh to the touch, and the finest lamb's wool coarse, compared with this beautiful fabric. It is made into cloth composed wholly of fur, and of part silk and part fur. By an advertisement in another column it will be seen that Alfred Munroe & Co., 34 Magazine street, have been furnished with a limited supply of this beautiful goods from the Astoria Manufacturing Company of England. Who would be without Fur Under Garments?

Hartford, Ct., and Springfield, Mass., papers, will please copy a death as desired in advertisement.

For cheap dinners and good board, in French or American style, we refer our readers to the advertisement, headed "Great Reduction in Prices."

Mr. R. Brooks, of the steamer St. Charles, will accept our thanks for Mobile papers.

We are obliged to the officers of the Iowa, Sarah Gordon, Empire and George Washington, for late papers.

THE AMERICAN.—Mr. Neafie's *Claude Melnotte* is not one of his best characters. We think his genius much better adapted to the highest tragedy. The plot is most contemptible, and, then, the play itself has been fairly worn out. We never wish to see the sentimental gardener again.

To-night he appears in "Mohammed," and this, we are confident, will be a grand exhibition.

GREGORY'S EXPRESS.—It will be seen by reference to an advertisement in another column, that a branch of this wonderful express which extends throughout the North and to the shores of the Pacific, as well as to a large portion of Europe, is about to be established in this city, and its benefits extended to this region of the country.

BENEFIT OF MR. WESTON.—The numerous friends of Mr. J. M. Weston will be pleased to learn that this evening is set apart at the St. Charles for his benefit. Mr. W. has by his gentlemanly conduct, good acting and fine social qualities, during a long career on the New Orleans stage, secured a host of warm friends, and not one of them should forget him. He has improved much during the two years he has been absent, and now sustains the most arduous characters in a manner that astonishes even those who know him best.

We are very happy to announce that Miss Julia Dean has evinced her friendship for, and her appreciation of the beneficiary, by volunteering her services in two places on Friday evening. She appears as *Margaret Elmore* in "Love's Sacrifice," and as *Clara* in the one act comedy of "Matrimony." Mr. Weston appears as *Mathew Elmore* in the first, and as *Dolceval* in the second. The performances coincide with the farce of the "Peep Bo Party," in which these two favorite manufacturers and dealers in fun, Ben Debar and Chapman, sustain the principal characters. Apart from the occasion, this is a bill which should not fail to draw a crowded house at any time.

GEORGIA ELECTION.—The Macon Messenger and Journal says: Below will be found the returns of the late election in this State, as far as they have come to hand. The triumph of the Union is complete, and the recent importation of *Yankees* and foreigners into Georgia seems to have been very extensive.

The delegations from Dooly, Thomas and Telfair, it will be seen, are divided. The opposition members in these counties, we are informed, professed to be quite as strong, if not stronger Union men than the regular Union nominees. Indeed, this was the case, with scarcely a single exception, in every county in the State. Had our opponents honestly adhered to the doctrines proclaimed at the Macon meeting, and by their press generally, in the early part of the campaign, they could not have elected a single delegate in the State. As it is, they will not have over thirty members in the convention, while the popular majority will be very large—say 30,000 votes. [Mobile Advertiser.

CROPS.—The past week has been one of continual showers. The sugar cane has been greatly injured by the frost. Not more than half the crop of Sugar will be made in this parish that was expected. Cotton is almost entirely picked. The yield is from two-thirds to three-fourths of an average crop. [Jackson (La.) Mirror.

THE CROPS.—The majority of the planters in this section have finished grinding. The Sugar which has been made, till within the last ten days, is of an excellent and superior quality—but since that time, it has been nothing more than ordinary. The crops this year will fall short by fully one-third of that of last year. [Plaquemine Sentinel, 7th.

AN AFFRAY.—The winter season, for fighting, opened rich on last Thursday. The parties participating in this beautiful amusement were Messrs. Everett and Dever, the former acting as manager of Mrs. Williams's plantation, and the latter employed as carpenter on the place. A dispute arose which ended in one of the parties having a "slice" taken out of his upper lip by the grinders of his antagonist, and the face otherwise disfigured; while a hatchet, and other formidable weapons were brought to bear upon the skull of the other. They appeared before Judge Harris on Friday, and both held to bail to the sum of two hundred dollars each. [Alexandria Democrat, Dec. 4

We learn from the Selma Reporter, that ground was broken on the Alabama and Tennessee River Railroad on Monday, 25th ult., by Messrs. R. M. & W. Waddell. Other contractors will soon commence operations. We believe, with the Reporter, that, considering the enterprise of the contractors, the energy of the Chief Engineer and his corps, and the zeal and ability of the Directors and President, this great work will be completed within the shortest possible time.

We learn from a gentleman just in from the West, that fifty negroes had been stolen from a gentleman in the vicinity of Austin. It is thought that there is some connection between this business and the recent visit of Wild Cat, the Seminole Chief, to that region. There was an attempt to raise two hundred men to pursue them. Very little was known as to the destination of these Indians, or where they intended to take the slaves. $10,000 reward was offered for the apprehension of the slaves. [Marshall (Texas) Patriot, Nov. 23.

TELEGRAPHING BY SOUND.—The Washington papers state that an experiment would be made with the steam whistle at the Foundry, to test the ability of telegraphing by sound. The object of this invention is for telegraphing, by means of a whistle of great power, the names of lighthouses to vessels enveloped in fog, and ignorant of their true position, and on the coast. The utility of such an invention appears incalculable, when we consider the number of lives and amount of property lost upon our long line of dangerous coast every year. It is understood that application will be made to Congress to adopt this valuable invention.

The following is the telegraphic alphabet for the word Washington:

W a s h i n g t o n
(— — .) (—) (. . .) (. . . .) (. .) (. . — .) (— —) (— .) (. . .) (—) (. . — .) (— —).

With due deference to others, we think that musical characters might be used as efficiently and more easily.

A few days before the steamer Europa left Liverpool, the Pope was burned in effigy on Peckham Common, in presence of 10,000 or 12,000 people, who marched thither in procession, in which lighted torches, tar-barrels, theatrical fires, chiefly blue, and images of Romish prelates, formed the principal features. The ceremony was performed amid shouts of "No Popery," "Hurrah for the Queen," "No foreign priesthood," "Down with the Pope," etc.

SERIOUS AFFRAY.—On yesterday morning, a Mr. John Billew, of this county, was shot by Mr. Benjamin G. Thornton, of this place—the ball entering very near his heart; his recovery, therefore, is next to an impossibility. The cause which led to this serious result, so far as we are able to say, is, that Mr. Billew, a few days previous, in a most wanton and unprovoked manner, attacked Thornton on the public square—striking him several severe blows with a stick, with the intention, as we since learn, of killing him. This, from all the circumstances, is regarded as a case of self-defence, and not punishable by law or justice, though Thornton has surrendered himself to the authorities. Since penning the above, Mr. Billew has died. [Dahlonega Signal, 30th ult.

In the NewYork Deaf and Dumb Asylum recently, a marriage took place, in which the bride, bridegroom, attendants and officiating clergyman were all deaf mutes, the ceremony being conducted entirely with the fingers.

Railroad to the Pacific.

In our article of yesterday on the subject of a Railroad to the Pacific, we spoke particularly of the plan of Mr. Whitney as being regarded, for the reasons stated, as the most practicable of the three that have been projected. Mr. Bright, Chairman of the Committee on Roads and Canals in the U. S. Senate, at the last session, made an elaborate and able report on the subject of a Railroad communication to the Pacific. The Committee stated that, after duty sifting, weighing, and comparing the reasons for the different plans, they arrived at the conclusion that that submitted by Mr. Asa Whitney, ought to be adopted. In accordance with this report, a bill was presented by the Committee which they recommended to be passed into a law for the accomplishment of the great design.

In their consideration of the subject, the committee were aided by the very favorable and full reports of different committees of both Houses of each Congress for the last five years, and of the legislatures of some eighteen States, decidedly and expressly recommending the adoption of this plan over all others. The unanimity with which these resolutions have been adopted in both branches of the different legislatures is, as the committee believe, without a parallel. Public meetings throughout the country, in our populous cities, have been equally decided and unanimous in expressing the same favor for this plan; and even since the two Conventions held at St. Louis and at Memphis, public meetings numerously and most respectably attended, have been held at Cincinnati, at Louisville, at Indianapolis, and at other cities in the West, at all of which, resolutions have been almost unanimously adopted in favor of this plan, and declaring it the only one capable of being carried out. The Committee believed, from the frequent expressions of the public press, and from other sources, that the opinion of the country is almost universally concentrated on this plan.

We have before alluded to the constitutional difficulties which would give rise to insuperable objections to the building of the road by Government, or by means of capital obtained on the credit of the Government, which might naturally become a burthen upon the national treasury. These difficulties would be avoided by substituting the principle of private enterprise and private responsibility, regulated and controlled by laws of Congress.

The main objection to the plan recommended by the Committee is that it gives away for a trifling consideration a vast amount of the public domain—some 78,000,000 of acres; which at ten cents per acre would place in the Treasury something less than $8,000,000. But the Senate's Committee, in reply to this, say that, when it is considered that tens and scores of millions of acres of the public domain are being, and about to be, given away, for various objects, and that some of our leading statesmen are proposing to give *all* the public lands away, with some prospect of success; and when, moreover, it is considered that only a little more than one-third of the belt proposed to be set apart for this road is good and saleable land—it must be seen there is little chance or probability that the Government will ever get as much for this Territory as by selling it for the road at ten cents per acre. Consequently, the road, built on this plan, will itself be a capital of immense and incalculable value, and so much *positive gain* to the nation, which could in no other way be realized.

In regard to the main feature of the plan recommended, we quote from the report of the Committee:

"The capital *is created—a positive creation—not borrowed.* If it were borrowed, or drawn from other sources, as all other plans contemplate, it would be necessary to impose bills for dividends to satisfy the interest; and then the great end in view would be unsettled. The end proposed is to draw trade and commerce to this line, to unite and cement compact between the East and the great West of the United States between the United States and Asia, and between Europe and Asia. But if bills should be required to meet the interest on the cost of the road, this end could not be accomplished, and the enterprise would be a disastrous failure. But on the plan proposed, with no bills, and only the expenses of operation and necessary repairs, it is believed that a passenger may be taken over the whole line of the road, 2,600 miles, for $20; a bushel of corn for 20 cents; a barrel of flour for $1; a ton weight of merchandise for $10; and one ton measurement of tea (a half ton weight) for $5. At these rates, can it be doubted that the cars of the Mississippi Valley may be put down in China for 40 cents transit per bushel—worth there, at your Commerce as informed, from $1 to $2; and that the cars of China may pass back at an average of from 20 to 25 cents a bushel to the producer, and, as the Committee are also informed, with an unlimited demand? And of agricultural products and other articles, the species of merchandise, going to and fro between the Atlantic and Pacific ports of the United States, between the Mississippi Valley and Asia, between Eastern cities of the Pacific, and between Europe and Asia—in a word, between a population of 250,000,000 in Europe, *across our bosom*, and 500,000,000 in Asia; as also between ourselves and Asia.

"But double these rates of transport—it would inevitably be the case were the road built on any other plan of means, always reserve a sufficiency to keep the road in good condition of operation and repair, to meet the interest on the cost of the work—and the whole of this immense and vastly extended commerce would be never prosperous and always suspended in being; and the comparatively small annual new carried between Asia and Asia, and between Europe and Asia, would be forced to follow its old routes, to the great injury, indeed, of none, of course, but those who have contributed *to capital created by itself*, as by the plan proposed, and that it would be closed in sixty days, if it should be attempted, on the credit of the Government, as the people would never submit to perpetual taxation for the interest on its cost."

The question remains, can capital sufficient to accomplish the work be raised on the proposed plan? The estimated cost of the road on this plan is about $60,000,000. Col. Abert, of the Topographical Engineers, estimates the cost of the road, if built by the Government, at $127,500,000. Add to this $8,000,000 the amount to be paid to the Government for the lands at ten cents per acre, making together about $68,000,000 required to be produced from this tract of 78,000,000 of acres, good, bad and indifferent; being an average of 87½ cents per acre for the whole tract. Can this be done? The chief reliance must be on the first 800 miles, which constitute, with little exception, the good and saleable lands. From what is known of the effect of railroads and canals on the value of lands and other property bordering upon them, it is safe to conclude that such a road will add great value to the land through which it passes; and whether it will be sufficient for the purpose, is the risk of the party undertaking it. It is his interest and his business to make it so. Mr. Whitney has already devoted more than eight years exclusively, and at his own expense, to the investigation of the subject, in this country, in Asia, and in Europe, as also in placing the whole subject before the people. It is to be presumed, therefore, that he has well considered the cost and the chances of success. The public certainly risk nothing, and are sure to be large and immense gainers, if he succeed. The Senate's Committee give it as their decided opinion, if the grant is made by Government, that he will succeed.

And if the grant should be made, and this immense project should be carried to completion, what will be the results? These are presented in the report of the Senate's Committee, in the following extract:

"The distance from New York to China, by Panama, is 13,138 miles; by the Cape of Good Hope, it is 14,[illegible]—time by sails 150 to 160 days. From New York to Shanghai, in China, by the proposed railroad, it is 8,261 miles—time by steam 25 days. From Canton to London, by the Cape of Good Hope, is 12,230 miles; by Panama 15,558 miles; time by sails 150 to 160 days—average out and home average over a year. From London to Shanghai, by the proposed road, is 11,261 miles—time by steam 27 days. From New York to the mouth of the Columbia river by steamers, and by the Isthmus, is 6000 miles, time about 16 days; distance for sail vessels small, owing to the trade winds in the Pacific, be much greater, and time would be three to four months. From New York to the mouth of the Columbia river, by the proposed road, would be but 2,851 miles, and time from five to eight days. The results would be similar to San Francisco or to any of our Pacific coast possessions, and the expenses of transit would always be in favor of the railroad route, which, with the great saving of time, it being the great and controlling line of trade, would settle the question forever, as your committee believe, as to the routes of all or the principal part of the commerce between these great parts of the world.

"With these facts as to time and distance, which have been adopted and published in the reports of committees on the subject in both Houses of Congress, and authenticated from undoubted sources, your committee cannot doubt that the execution of this road, as proposed, is destined to revolutionize the entire commercial world, and its social and political influence cannot fail to be vastly beneficial. If the immense commerce of Europe and Asia, amounting, as your committee are informed, to an annual aggregate of imports and exports of two hundred and fifty thousand dollars, can, as has been proved, be changed from its present route around the Cape of Good Hope to this proposed road, it appears evident that the number of vessels or tonnage then required to carry on the same commerce would not be more than one-third of the present number or amount; and as this is a commerce in which we do not now participate to the amount of one dollar, the change would, while diminishing the marine of Europe, inevitably greatly augment our own between us and Europe, and we could have no rival on the Pacific. That vast ocean, hitherto almost a desert waste of waters, would become our appropriate domain, covered with a navy and marine bearing our flag, and contributing the commerce of the world."

NAVAL FORCE OF THE UNITED STATES.—From the report of the Secretary of the Navy, we learn that the vessels of the Navy of the United States consist of 7 ships of the line; 1 razee; 12 frigates; 21 sloops of war; 4 brigs; 2 schooners; 3 steam frigates; 3 steamers of the 1st class; 6 steamers less than the 1st class; 3 store ships.

Of these there are in commission, 1 razee; 6 frigates; 15 sloops-of-war; 4 brigs; 2 schooners, (coast survey;) 2 steam frigates; 1 steamer of the 1st class; 1 steamers less than 1st class; 3 ships of the line, as receiving ships; 1 steamer, do.; 1 sloop, do.

There are also on the stocks and in progress of construction, but the work thereon now suspended, four ships of the line and two frigates.

To the foregoing may be added a contingent naval force of vessels owned by individuals, but built by contracts with the Government, and employed as the transportation of the mail, and liable in any emergency to be taken at valuation and converted into vessels of war, namely: Four steamers of the first class, employed on the line between New York and Liverpool. A fifth is contracted for, but not yet constructed. One steamer of the first class between New York and Panama. A second steamer on this line has been brought into use, but has not been finished so as to undergo inspection and be received. The contract on this line, as on that to Liverpool, provides for five steamships.

The total amount drawn from the Treasury during the fiscal year ending June 30, 1850, as shown by the statement of appropriations for the Naval service, prepared by the Second Comptroller of the Treasury, is $9,691,805, 61
From which deduct repayments.... 1,799,913 67

And there is left the sum of..... $7,891,891 94

as the expenditures on all objects under the control of the Naval Department. Of this amount there was expended for special objects the sum of $2,368,169 11, leaving the true expenditures for the support of the Navy and Marine Corps, the sum of $5,523,722 83.

Letter from Hon. J. R. Poinsett.

The Hon. J. R. Poinsett, a distinguished citizen of South Carolina, who was Secretary of War during the administration of Mr. Van Buren, and for many years was U. S. Minister to Mexico, has addressed a letter to his "fellow-citizens" of South Carolina. It embraces a calm and clear exposition of the questions by which the people of his State are now so deeply agitated, and is one of the most sensible productions we have at any time seen. We give one or two extracts, which we can commend to the deliberate consideration of some persons out of Carolina:

"The great error, it appears to me, that we have committed, is, that we have given too much consequence to the wicked and designing men, who strive to produce discord among us, and to destroy the peace and prosperity of the country, that they may revel on the spoils, or elevate themselves to power, by pandering to the passions and prejudice of the wilest factions. Depend upon it, these men are moral lepers, despised by the masses, as well as by the enlightened portions of the community every where. They are powerful for evil, I know, because they are organized, and unscrupulous; and from the period of the first French Revolution, when a small organized faction delinged France in blood, to the present day, they have wielded the power exercised by a well organized and unscrupulous faction of the people, however insignificant in number and character.

"It is certainly to be lamented that the balance of power between the slave and free States, could not have been maintained in the Senate. We have struggled for it in vain. It is with States as with individuals. Equality of strength or of fortune cannot be maintained by either; but this is no legitimate cause of strife or revolution. And yet, we are told that the necessity of these evils is to be sought for in revolution—for what is secession but revolution? Is the right of secession to be found in the Constitution? It existed, I grant, under the old confederacy, for that was a league; but, the Constitution was framed and adopted after solemn deliberation, to form a more perfect union of the States. The first time we ever heard of the right of secession, was during the proceedings of the Hartford Convention, and at that period, no people received the doctrine with more indignation and contempt, than ourselves. In fact, if any State possessed the power to secede from the Union, whenever it thought proper to do so, our constitution would be a mockery, and our boasted strength as a great and powerful nation would be despised by foreign powers. It is true, if Virginia, North Carolina, Tennessee, South Carolina, Georgia, Alabama, Louisiana, Florida, Mississippi and Texas were to form a confederacy and agree to secede, there might be no opposition for a time. But main of these States form but the entrance and portico to the great edifice reared in the West. How long would the inhabitants of that mighty structure endure the privations they must suffer, of their ingress and egress were in the hands of foreigners. Would they permit Louisiana to be the ally of some maritime powers that might occupy New Orleans and fortress the mouth of the Mississippi valley? I think not. No line can be drawn that will not involve questions of boundary and right, only to be settled by the last appeal, and this country would soon exhibit the miserable aspect of the Spanish American States. Besides, such a confederacy would present no barrier against the attacks of the abolitionists of all the world. The sympathies of civilized Europe are against our institutions, and if they be not protected by the Constitution, and the north despised Union, our slaves would not be worth two years purchase. In such a confederacy, how many causes of discontent would occur! How could we with our habits of eternal agitation be satisfied with our station in it? Our relative importance, in the Southern Confederacy, would diminish every year unless we could change our habits altogether, and instead of devoting all our energies to political agitation, as we have done for the last twenty years, turn our minds to the promotion of manufactures, agriculture, and easy communications by land and water, from the interior to the coast. But, under the lead of South Carolina, such a Confederacy will never be created. We are unfortunately not renowned for our wisdom or prudence, and our invitations, and our taunts, will be alike in vain to drive our sister States into measures of violence for the past—what the future may bring forth, time will show. But, I warn the Northern men who love their country and desire to preserve the Union, that they must restrain their own agitators; men whom my own self-respect prevents me from characterizing as they deserve—men, who are not fanatics, for fanatics are honest, but political demagogues of the worst description, using their money and abusing their talents, to deceive and seduce the people; and who would not hesitate to elevate themselves to power over the reeking ruins of their country. The opposition, commenced under my own eyes, to the infamous machinations of these men, must be continued by the united efforts of the good and true of all parties, and the Constitution will be safe and the Union preserved."

CALIFORNIA.—We had the pleasure of meeting an acquaintance yesterday direct from San Francisco, which city he left on the first of November. He has spent the past year in this new State, and has possessed fine opportunities for obtaining information relative to the country. He informs us that the dreaded cholera was prevailing at San Francisco, Sacramento City and Stockton, and a good many deaths had taken place previous to his leaving. We notice the Alta California paper reports a considerable number of deaths were reported in San Francisco on the 31st of October. Our informant also states that an expedition was fitting out in South California to take a small strip from Mexico and *annex* it to California—also that murders and robberies are too common in the Southern mines. He is an Alabamian, and gives it as his decided opinion that if California had been divided on the line of 36 30, the result would have been *two free States instead of one.* [Mobile Adv.

A late number of the Milwaukee Wisconsin contains the following announcement:—Hon. Alexander Col. E. W. Saunders has been appointed Register at Cahaseba, Ala., in place of Dr. Saltmarsh.

A gentle heart is like fine fruit which bends so low that it is at the mercy of every one who chooses to pluck it, while the harder fruit stays out of reach.

Rumors are afloat of an intended invasion of the Island of Cuba, but no importance is attached to them. There are now 30,000 regular troops on the Island.

We learn from the Alexandria Democrat that two or three cases of small pox had occurred on the plantation of Mr. Kelso, in Rapides parish, a few days back.

The papers are handing round, as a curious piece of intelligence, that only five of the graduates of Harvard University have been hung.

George King died at his plantation in the parish of St. Landry, on the 25th ultimo, in the 85d year of his age. He was intimately known in Congress.

"If the person who took a barrel of flour last evening from the sidewalk in front of Simon Stone's grocery, on Walker's Patent, will call in broad daylight, I will give him another. SIMON STONE."

The Municipal election in the city of Savannah took place on the 29th inst. Richard Warren, democrat, received 921 votes for Mayor, against Richard D. Arnold, who received 1,000.

Upon the reception of the news of the death of Gen Taylor at Santiago de Cuba, the resident American citizens called a meeting and passed appropriate resolutions. Hon. Alex Peyton presided.

John B. Prentiss, of St. Louis, has been appointed Surveyor General of Oregon, vice Wm Gowdey, deceased. Mr. Prentiss was formerly engaged on the Illinois canal as engineer.

Railroads are running steamboats off the track in many places, and so diminish their value. The Hartford Times says that the splendid steamer Connecticut, only two or three years old, which cost $100,000, has been sold for $6,000.

The Tuscaloosa Monitor says that the contemplated telegraph line from Columbus, Miss., to Mobile, via Tuscaloosa, Greensboro' and Demopolis, is a "fixed fact." Dr. Hastings, the Agent of the O'Reilly line, says that the line will be in working order early in February.

The Annual Commencement of South Carolina College took place on the 30 inst. The degree of A. B. was conferred on sixty-three young gentlemen of the graduating class. The honorary degree of LL.D. was bestowed on the Rev. John Buchman, of Charleston.

The bill to bridge the Ohio at Louisville, which has passed one branch of the Kentucky Legislature, provides for a capital of $600,000 in shares of $100, and allows the city of Louisville to take twenty shares, upon the popular vote of its citizens.

The Little Rock Gazette and Democrat of the 23d says: Col. John Drennen, Superintendent of Indian Affairs was, on Saturday last, arrested at Rapes's Bluff, on White river, a few days ago, with four thousand dollars in specie, to be distributed among the Indian tribes on the frontiers. The money was subsequently released at Rapes's Bluff, and proceeded from thence direct to Fort Smith.

A gambling case occupied the Circuit Court for two or three days past, and was decided in New York. It was to recover back three thousand dollars from the stakeholder, which was stolen against two thousand two hundred dollars on a race between Lady Suffolk and Ambrose, four or five years since. It was tried before, and a verdict rendered for the plaintiff, but the Supreme Court reversed the, on the ground that he had consented, after the race, that the money should be given up; this decision was again reversed by the Court of Appeals; and the case came back for trial. The jury gave a verdict for the plaintiff for the three thousand dollars, but without interest.

LOCAL NEWS.

AMERICAN THEATRE.—To-night is the last of the engagement of Mr. Neafie at this house, on which occasion the new prize tragedy of "Mohammed." We have already mentioned the piece, and we are inclined to expect something fine, from the fact that it has been highly spoken of by able critics. Mr. Neafie will be ably sustained by Messrs. Foster, Crisp, Grace, Mrs. Crisp and Miss Durst. The ballet corps appear in a series of dances; the whole to conclude with the farce of the "Young Widow."

PLACIDE'S VARIETIES.—The performance at the Varieties to night commences with the new farce of the "Cabinet Question," in which George Holland, DeWalden, Conover, and Mrs. Conover appear. Let the piece be what it will, fun may be anticipated. Two grand divertisements will be given during the evening by Mlle. Hilarion, Mangin and Vargas, after which, the vaudeville of the "Chaste Salute," and the laughable farce of a "Separate Maintenance."

THE NORTH AGAINST THE SOUTH—*Great Sport Today.*—The great stake race between the celebrated horses *Rosalie*, of New York, and *Joe Wilson*, of New Orleans, for $1000, comes off this afternoon over the Metairie Course, and some of the fastest travelling in sulkies ever witnessed in the South, is expected.

Joe Wilson has changed hands within the last three days, and the trainer who has handled him for the last two years, is not to town. He is, however, under the care of Albert Conchin, a celebrated trainer, but who should have had more time.

Rosalie, as is well known, has been his mile in 2.20½—the fastest time on record—and he is said to be in fine condition, which facts tend to throw the odds in his favor. A large amount of money has been staked on the result, and the attendance will be large.

THE JOINT COMMITTEE ON THE MCDONOGH WILL.—The committees appointed by the Councils of the three Municipalities, to confer together and adopt such measures as might be deemed advisable for preserving the bequest to the city, will meet in the First Municipality Council Chamber at 4 o'clock, this afternoon, for the purpose of deciding upon some plan of proceedings.

ATTEMPT TO SWINDLE.—An attempt was made yesterday morning to obtain $60 from Judge Bidell, of the Supreme Court, by using the name of Cyprien Dufour. The following is a copy of the note received by Judge B.:

Hon. Thomas Bidell, Esq.:

Dear Sir—By preferring to write, than to come personally, I call on you, dear sir, to ask you a little favor, expecting you'll success. This may appear very strange towards you, but I wish to excuse me, and to act towards my wishes; my present situation obliged me to do so. I am very much mortified to be in such a necessity to call on your honesty, and promising to rest upon my word of honor to transact the same to your kindness on a very short delay. It is, dear sir, to have the evening go alones to send me sixty dollars. If that demand is accomplished, you may send it by my brother in-law, and receiving, dear sir, my best sentiments and respect.

Your most obedient, your most ob'd'nt serv't,
CYPRIEN DUFOUR.

December 10, 1850.

This mode of raising the wind has been tried several times of late, and in one or two instances, has succeeded. The last one, however, is rather a lame one, and its probably would naturally excite suspicion.

MCDONOGH WILL.—Judge Buchanan decided yesterday morning in favor of qualifying the Baltimore Executors of the McDonogh succession, Rev. R. R. Gurley and Benjamin C. Howard, without bonds and security. The question, as will be recollected, came up before Judge B. on Monday last.

FIFTH DISTRICT COURT.—*B. F. Duregat & Co. vs. The Crescent Mutual Insurance Co. of New Orleans.*—The petitioners in this case are merchants doing business in San Francisco, and their agent commenced suit yesterday for the recovery of $2500 insurance effected on their stock of goods in May last. In April last, they sent instructions to their agent here, D. C. Labatt, instructing him to effect the insurance. The proposition was submitted to the President of the Crescent Mutual Insurance Company, and was by him accepted. The policy was made out on the 6th of May, and it was specified in it, that the insurance was to cover twelve months from date. This fact was not noticed by Labatt, and as he knew, he considered that the insurance dated from the time the proposition was accepted.

On the 4th of May, two days before the policy was signed, a fire took place in San Francisco and the petitioners sustained damage to the amount of $25,000 or more. As soon as the fact came to their knowledge, they refused to pay for the insurance money, which was refused on the ground that the fire took place before the policy was signed, as above stated. Petitioners contend that in equity they are entitled to the money, and therefore they bring suit. Janin and Taylor counsel for petitioners.

HOUSE JAIL.—Philip Dameron, who was arrested on Monday, on the charge of stealing a watch and breastpin from the dressing-room of McKean Buchanan at the American Theatre, escaped from the looking out of the Barracks street watch-house on Tuesday night. He was accompanied in his flight by a fellow named Bill Willing, who was also locked up on a charge of larceny. The watch and pin were found in Dameron's possession when he was arrested, and they have been returned to Mr. Buchanan.

THIRD DISTRICT COURT.—*Baron vs. Placide.*—M'lle Emilie Derville, known in the habitues of Placide's as the "graceful little Baron," has commenced suit yesterday in the Third District Court against Tom Placide, for 15000 francs, or $3000, being the penalty for the violation of a contract entered into between the parties, which is alleged to be illegal. Two thousand francs is claimed as damages, and $1000 for services, past due. Able counsel are engaged on both sides, and the matter has already created considerable interest.

THE CAMPBELLS.—We were one of a numerous audience that listened with delight to the music of the Campbells last evening, and we have never could a more pleasant evening. Their music is nearly all of that simple kind which addresses itself forcibly to the feelings, and we have never seen more delight produced by a song, than was visible at the conclusion of "Home, Sweet Home," which was sung by Mr. Murphy with a native that touched the heart. The melody seemed "more than a key notes," which was also sung by Mr. Murphy, was received, while the sounds lasted, with silent admiration, and an outburst of applause at the conclusion. The "Irish Emigrant" and "Rosalie, the Prairie Flower" was very pleasing, and was warmly applauded. We could recommend many other pieces with which we were highly excited, but we would advise all our friends to see and hear for themselves.

A BLACK THERESE.—Betsey Bartlie, (c. w. o.,) a well known character, residing near the corner of Harrock and Dauphine streets, was yesterday brought before Recorder Genois, on the charge of unmercifully whaling a carpenter, with whom she had some difficulty. Betsey was committed to await a trial before the First District Court.

FIRST DISTRICT COURT.—The trials in this Court yesterday were all of a trifling character, there being but one case of larceny, and that a small one.

STOLEN PROPERTY.—Officer Dunbar of the Second Municipality police, last evening seized two barrels of flour by virtue of a search warrant, which are alleged to have been stolen from the bakery of Jean Lanzos on Good street.

WHARF RATS.—All the efforts of the police to rid the Levee of the numerous petty thieves which infest it seem to be unavailing. Loitering of every description is going on all the time, and the arrests which daily take place seem to have no good effect. An old house of standing coffee, corn, etc., was successfully resorted to on the Levee adjoining the steamer Fox Municipality on Tuesday afternoon. A lot of coffee was hauled on to the wharf and deposited, preparatory to its being put on board the steamer America. In a very short time hands commenced removing it, when it was ascertained that all the lower sacks were nearly empty. The thieves had gone under the wharf with a hook, and through the cracks in the wharf tapped the sacks, letting the coffee run out to make better. Sam, a slave, was yesterday arrested on the charge of having been concerned in the affair.

THE ESTATE OF JOHN MCDONOGH—*United States Circuit Court—Judge McCaleb.*—The heirs of the immense estate of the late John McDonogh, on Tuesday last, by their solicitors, filed a bill in chancery in the United States Circuit Court, for the purpose of annulling the will of the deceased. The bill is very lengthy, and we give only such portions of it as will prove interesting to our readers. It commences:

Your orators, Mary Murdock, (another with Wm. F. Murdock, her husband;) Anne Cole, Eliza Cole, Sarah Cole, together with Geo. Waters, her husband; George T. Jenkins, of Baltimore, hereto acting as guardian of his minor children, George Jenkins, Maurice McDonogh Jenkins and M. Conway Jenkins, all residing in Baltimore, Md.; George F. Cooke, of the State of South Carolina; and Louisa St. Roy, together with Hugh W. Jeffey, her husband, of the State of Virginia; Eliza Beaver, together with William Beaver, her husband; Sarah Beaver, together with Jonah Beaver, her husband, Robert N. Haworth, Jane Hanover's Ann Maria Hanover, together with her husband Peter Stance, all of the State of Maryland; Eliza Anderson, together with her husband Joseph Anderson, of the State of Tennessee; Ann Maria Cole, Mary Dare, Rosalie P. Lynch, wife of Andrew A. Lynch, all of the State of Maryland; Mary Louisa Owl, wife of Pacificus Owl, of the State of Mississippi; and Mary Ann Reynolds, legal guardian of Louisa Welch and three others, minors, residing in the city of Baltimore, Md.; being the then living heirs of Mary Ann Cole, Sarah Cole, Eliza Cole, Sarah Reynolds, E. B. Bowman, and A. D. Cousins, executors of the last will of John McDonogh, deceased, against the Mayor and Councils of the City of New Orleans, a municipal corporation, for the Relief of Destitute Orphans, and against all minor heirs of said deceased. The bean above quoted are the issue of four sisters and one brother of the deceased.

The bill, after setting forth the principal clauses in the will, proceeds:

And your orators further say that all and singular the clauses and provisions aforesaid of said will have been partiously specified and set forth, are utterly null and void.

First—That the leading object of said will is to substitute and divide the enjoyment of the residue of the testator's real and personal estate of the testator, from the owner-ship and title thereof, forever, which is a purpose reprobated by law.

Second—That there is no legatee in existence to receive the said benefaction, and that the Constitution and laws of the State forbid the creation of a corporation to receive the commissioners and agents of the said general estate, which is the sole donee of the residue of said estate forever.

Third—That the said will makes no provision made to such commissioners for their own use and benefit, but merely to transmit the money to other bodies corporate and politic, of nearly foreign to be created, but which could not be created under the laws of Louisiana. That an attempt is thus made to create a mass of trusts not for immediate enjoyment but remote, which are to substitute and to be, in the State, valueless and less commerce, all of which dispositions are prohibited by the law.

Fourth—That the costs and expenses are to be paid by said commissioners and agents of the General Relief Fund, and to be by them distributed from time to time to other charitable institutions, and to other persons, are decisive by said will to the purposes of accumulation and of investing in real estate, which shall never be alienated or sold, which objects are also prohibited by the law.

Fifth—That the residuary clauses in favor of the States of of Louisiana and Maryland convey to pass of the said commissioners, or any right, title or interest whatever in said States, because said States cannot receive sale in case of a bequest or gift to the cities of Baltimore and New Orleans. That the said will gives to said cities nothing but unlawful power of certain associations and bodies corporate, which are to be created as foreign set forth, but which can never exist, because all such corporations or associations are utterly prohibited by law and inasmuch as there is no legatee whatever, and no heir, Heir or proprietary interest in the property of the succession, or any part thereof, bequeathed to said cities, or either of them, or such legacies can inure to the profit of said States or either of them.

Sixth—That the entire net rents and revenues of the said estate, real and personal, under existing circumstances, exceed the sum of $80,000 per annum, and under such administration as the said will directs, could not be increased; and that the surplus of the income whatever, after the expenses and claims demand to be in future devoted to the purposes expressed in the will, before they can be used for said purposes, would extend from fifty to two hundred years—terms utterly beyond those for which the law allows the will of a testator to control the destination of his property.

The bill ends with a prayer that the Mayor and Councils of the city, and the executors and the Society for the Relief of Destitute Orphans, be enjoined and prohibited from taking possession of the property of said estate, and that the bean be decreed to be the sole and exclusive owners thereof.

J. E. GAYNE,
BENJAMIN K. MILCH,
RICHARD JOHNSON,
MOTT & FRAZEE,
Solicitors for Complainants.

THE FORREST DIVORCE CASE.—That unhappy affair, the Forrest divorce case, has once more been dragged into print. The Herald of day before yesterday gives nine columns of a document recently presented to the Supreme Court by Mr. Forrest, in answer to a complaint against him made before that tribunal by his wife. It is a recapitulation of the old charge of infidelity, the only new point in it being a very convincing proof of the fact that Mrs. Forrest, instead of disapproving of her husband's controversy with Macready, instigated him, in her letters, to "give it to the superannuated, now that his hand was in." A few vague extracts from letters written by Mrs. Voorhies are also given. Their only value, as evidence against Mrs. Forrest, is a tone of frivolity incompatible with the character of a married woman. It is also averred that when Mr. Forrest requested the hand of Catherine Sinclair from her father, that he, the father, cautioned him to beware of her, "and warned him that her character and education were such she might deceive him." Also that when Mr. Forrest told her of this, she said: "I knew he said it. I was secreted in the closet, and overheard it, and I cursed my father in the bitterness of my heart." It is indeed melancholy that this painful affair cannot be suffered to remain in future oblivion. Mr. Forrest evidently believes that he has been deeply wronged, and supposes that he is acting as an honorable and injured man