Auction Sales—This Day.

J. M. Wetmoyr will sell, at 11 o'clock, at Commercial Exchange, St. Charles street—Furniture and Piano.

J. B. Blanc & Co. will sell at 10 o'clock, at 77 Chartres street—Clothing, Hats, Caps and Shoes.

Wm. F. Scott will sell, at 4 o'clock, at the corner of Dryades and Clio streets—Furniture.

S. of T.—Meetings This Evening.

Union Division No. 8, at Crystal Fount Hall, 132 Tchoupitoulas street, at 8 o'clock.

Lewisburg Division No. 12, at Duby Hall, Marigny Building, Bayou road, at 8 o'clock.

The Daily Crescent.

OFFICIAL JOURNAL
Of the Council of the Second Municipality.

NEW ORLEANS:
TUESDAY MORNING, MAY 30, 1851.

See First and Fourth Pages.

The Slave Rescue.—In to-day's paper, we continue the publication of the long and interesting decision of the Supreme Court, delivered by Judge Bliss.

Correction.—We stated yesterday that Mr. John Robinson had been detailed by the Recorder as officer of Lafayette Square. We did his honor injustice. The Recorder suspended him from duty, but the Police Committee restored him; and Capt. Forno, at their suggestion, placed him in his present charge.

The Family Quarrel in the Seventh Ward.—Arthur O'Donnell publishes a long card in yesterday's Delta, in which he attempts to account for the recent defeat of the democracy in this Ward. Ex-Alderman McCormick has excited his ire, by having backed Chris. Lilly, an English boxer, against Tom O'Donnell, in a disgraceful prize-fight at Natchez. We were living near Natchez at the time, and remember the disgust excited there by this ruffianly and illegal exhibition. Beside, when McCormick was elected Alderman, he voted against "Michael Brown, who had always been a good democrat, and had lost two hundred dollars on the fight of Tom O'Donnell." So it seems that the recent defeat is traceable to a prize fight in 1847. We intend to run our friend of the Irish Badger and the Scotch Terriers, next year.

More of the Recorder's Antics.—In the columns of the local reports will be found the Recorder's theatrical scene with the Captain of the Police. The officer whom he has committed for refusing to sign a bond to keep the peace, when no one had made a charge against him on oath, will apply for a writ of *habeas corpus*, and test the power of a Recorder to commit a man against whom no charge has been made, and no examination had. Yesterday, we learn that a German made a complaint against a man for a violent assault and battery, without the slightest provocation. The assault was brutal. The only defence was, that he had given all of his money to a lawyer, who neglected to appear at the hour of trial. The Recorder taking this into consideration, discharged him on his own bond to keep the peace! How long will such *justice* be tolerated! To-day we expect a scene of Roman firmness. The officers have been instructed to enforce the ordinances against disorderly houses, and some of his *Honor's tenants* will be brought before him! We expect something rich.

Not such a Terrible Fire-Eater.—Judge Bragg, nominated by the Southern Rights Convention, in answer to the Mobile Catechism, says: "In view of the object of your letter, however, candor compels me to add here, that in my judgment the compromise measures above referred to do not furnish adequate cause for a resort to the right of secession." Yet he was nominated by acclamation.

The Arkansas Whig is the name of a weekly paper in Little Rock, Arkansas, the first number of which we have received. Its columns are well filled, and its typographical appearance is excellent. It is published by John M. Butler, and edited by Robert C. Farrely. It is a staunch Union sheet, and has the name of John Preston, jun., of Phillips county, for Congress, at the head of its leading column. The position of Little Rock is highly favorable to an interesting newspaper, and there are certainly persons enough who like, or find it to their profit, to read a paper from that section, to make the newspaper business profitable there.

We understand that the members of the Louisiana Historical Association have it in contemplation to give their director, Mr. J. S. Charles, a complimentary benefit at Placide's Varieties. Mr. Placide has, in the kindest manner possible, offered his house for that purpose. We know of no one more deserving of a compliment like this than J. S. Charles. For years, on all occasions, to proffer his services, he really deserves some remuneration of this kind from the hands of the New Orleans public, and if all his friends turn out on that occasion, we are confident of a full and overflowing house. We understand that the benefit will come off during the early part of next week, of which due notice will be given.

Carrollton Railroad.—These warm summer days lead many of our citizens to "snatch a breath of unadulterated air," by taking a trip to the Gardens at Carrollton.

French Theatre—*Mr. Lehman's Concert.*—To-night a very tempting Concert is given at this Theatre, for the benefit of this well-known musician. It is the only amusement for the evening.

Fire-Works.—On Sunday night there will be another display of Fire-works by Mr. Cazot, for the benefit of the French Benevolent Association.

The officers of the fine steamer Crescent have our thanks for latest papers from St. Louis.

We have late Louisville papers from the steamer Georgetown.

The Natchez Courier says that there is to be a District Union Convention held at Monticello, Miss., on Monday next, June 2, to nominate the Union candidate for Congress, from that (the Fourth) Congressional District. Among the names already spoken of, in connection with the nomination, those of the Hon. A. B. Dawson, of Clarke, Vice-Chancellor Smylie, of Amite, Hon. A. L. Bingaman and F. L. Claiborne, Esq., of Adams; and Col. Humphreys, of Harrison county, have been mentioned.

Health of Memphis.—The Appeal of the 23d says that a report on medical police, recently made to the Medical Society of that city, declares that there is no cholera, and little disease of any kind existing there.

The Right Sort of a Democrat.—The democrats of the Indiana Third Congressional District have nominated John L. Robinson for Congress. Mr. Robinson has declared himself opposed to the repeal of the fugitive slave law, or any modification of it.

Hunt's Merchants' Magazine for May states the almost incredible fact that the exports from San Francisco are larger than from any other city in the United States, not excepting even New York, and stand in imports and tonnage it stands amongst the very first. When we reflect that three years ago it was a miserable hide village, containing about fifty mud huts and two hundred poverty stricken inhabitants, the above facts are almost beyond belief.

The Compromise in New York.—Governor Hunt, of New York, was present at the reception of the President at Buffalo, and being called upon, made an eloquent speech. He fully concurred in all the President had previously said upon the subject of the Compromise and the necessity of having those measures sustained, and avowed his determination to abide by, and uphold them to the utmost of his ability. It was, in fact, a thorough and unequivocal declaration, that he approved of the Compromise measures, and should do all that lay in his power to have them enforced.

Base Revenge and Outrage.—The Rev William Johnson, officiating Episcopal minister at Tuscaloosa, Ala., whilst on a recent visit to Lowndes county, in that State, was waylaid near the residence of Col. R. P. McCord, by two young men, named O. Rush and J. Rush, and beaten so severely with clubs that his life is despaired of by his attending physician, Dr. Paul Lee. This infamous attack was prompted, as the Mobile Register states, by an old grudge, that had its origin many years since, when these young men were members of a school in Lowndes county, of which Mr. Johnson was principal.

The New St. Louis Theatre.—The St. Louis papers inform us that Mr. Field has so far succeeded in obtaining subscriptions for his new theatre, as to remove all doubt of the completion of the enterprise, and that a meeting of the subscribers will be called in a few days, to whom will be submitted plans, etc., for the construction of the building.

The Administration and the Cuban Invaders.

The New York Herald has been endeavoring to create the impression that the prosecution of Henderson and others, indicted for the breach of the neutrality laws, was most grossly mismanaged by the Government officers in this city. To the District Attorney is imputed the failure to convict and his entering *nolle prosequis*, after three ineffectual attempts to procure a verdict, is attributed to an apparent pet, but real sympathy with Lopez. The New York Herald has evidently been misinformed, and we will endeavor to furnish it with the correct version of the facts.

The Herald says: "The trial of Henderson was first insisted upon, spite of all the evidence against Lopez. The result turned out to be what the instigators of such a course expected. Henderson could not be convicted after three trials." The District Attorney proposed to try Gen. Lopez first. He claimed, however, the benefit of a full bench, and Judge McCaleb improperly yielded to his motion. The Circuit Court consists of a Circuit Judge and a District Judge, but either can hold Court without the other. It has not been the practice to delay cases for the presence of the Circuit Judge. In 1848, Sibalich was indicted for murder on the high seas, convicted and executed, with only the District Judge on the Circuit Court bench. Many points of law were raised in the defence, and counsel argued the importance of reserving these questions for a full bench. The objections pointed out, on that trial, to the formation of the Grand and Petty Juries, were overruled; but the Juries, from that time, have been drawn as the prisoner's counsel contended. Now, if there could be no delay where a man's life was at stake, we do not understand why such consideration should have been shown another, charged only with a misdemeanor. But Lopez claimed this privilege, and it was granted him. Henderson claimed an immediate trial, and the District Attorney was compelled to grant it. We do not see that the Attorney could prevent this. The evidence against Henderson was just as full and conclusive, as it could have been against Lopez. The defence did not rest on the want of proof, but after an admission of participation in the purchase of the Creole, and of a full knowledge of the invasion, it was maintained that these acts did not bring the party within the words of the statute. Gen. Henderson was the agent who bought the Creole. He paid part in cash, part in his own note, and the rest in Cuba bonds, with a full knowledge of her destination. Three Juries had been unable to agree. More than a month had been spent in these trials. So far from throwing up the prosecution, either in a pet, or from secret sympathy with Lopez, the District Attorney acted from a sense of duty. It was apparent that no conviction could be had. The case of Henderson presented the facts fairly—that of Lopez could not have done any more. After three trials, followed by disagreements, it would have been persecution to force either Henderson or any of the others to another trial. We shall not attempt to defend Mr. Hunton from the charge of feebleness and mismanagement. We think he has thus far proved himself every way competent to discharge the duties of this important office with honor. He had also the assistance of Mr. Benjamin, confessedly in the first rank of the profession, and one who would fill, with ability, any station in the Government.

It is amusing to observe the different grounds taken by the Herald and the Delta. The first denounces the Administration, for the imbecility with which the prosecution has been conducted. While the other devotes about a column a day, to denunciations of the President, for his persecution of Henderson and the others.

The employment of Mr. Benjamin has been an object of particular censure. It would seem as if this was the first time when associate counsel had been retained on behalf of the Government. But we find that as early as 1796, four lawyers were fee'd to assist the District Attorney in the trials of the Whiskey Insurrection. Mr. Moise acted in this city in many prosecutions on behalf of the United States.

The fact is, that the prosecutions in this city were conducted precisely as they should have been. A large number of individuals had been indicted—the public feeling was in their favor—the most eminent counsel were retained in their defence—scarcely a man, of any note, had not either been retained or volunteered. The Government, under such circumstances, deemed it proper to offer the regular legal officer assistance. He himself selected Mr. Benjamin, who, as a lawyer and advocate, has a national reputation. The examinations were protracted for weeks. And after three Juries had refused to convict, Mr. Hunton entered a *nolle prosequi*. The Herald is the only press, which, to our knowledge, has accused the Administration of a deficiency of "firmness and determination."

In this city, many of the personal and political friends of the District Attorney, wished him to dismiss the prosecutions at the discharge of the second Jury. And his course on the third trial, met the approbation of the great mass of the citizens, who were anxious to maintain the neutrality of the country.

Views of a Candidate for Congress.

We have already noticed that in the "Southern Rights (secession) Convention" in Mobile, Alabama, on Monday last, to nominate a candidate to represent the District in Congress, the Hon. John Bragg received the nomination.

The whole proceedings of the Convention are now published. In these, we find that previous to the nomination being conferred on Mr. Bragg, a correspondence between that gentleman and a Committee of Delegates from Mobile county, relative to the great questions now agitated by politicians, and through their agency by the people, was read to the Convention.

The committee addressed these three questions to Judge Bragg:

"1st. Do you approve of the acts of Congress, commonly known as the compromise measures—or do you regard the measures as unjust to the South and aggressive on their rights?

"2d. Do you believe a State has the right to secede from the Union?

"3d. In the event that a State, in the exercise of its sovereign power, secedes from the Union, do you believe that the Federal Government has a right to coerce the seceding State to remain in the Confederacy? In the event that such an effort should be made, what, in your opinion, will be the duty of the other States?"

The Judge says in answer to the first, that a State has a right to secede, for adequate cause—that being a right paramount to the Constitution, necessarily residing within the States for self-protection, unalienated and inalienable; *but that the compromise measures do not furnish adequate cause for a resort to the right of secession.* Third, that he is opposed to the General Government resorting to force to compel a seceding State to return. In the event of such force being meditated, it is difficult to determine the duty of the seceding States. Before the use of force, the States should remonstrate and protest against it; but if all such appeals were unavailing, those having common interests should naturally unite to protect them. The thing would be resolved into a simple matter of sympathy and interest; consequences would be left to take care of themselves.

Judge Bragg announced that he would immediately resign his office, and enter on the canvass. In that canvass, he will be shown how humiliating will be the position in which he would place those who might unite for "common interests." South Carolina has already *told* the Southern States that they would have to accompany her, but not until she has grossly insulted Virginia, Georgia, and other Southern States, and falsely accused them of tame submission to violations of their rights.

The Terre Haute Journal says that over ten thousand acres of the land lately belonging to the Boston Land Company, were sold at Terre Haute on Wednesday, the 14th instant, at an average price of two dollars per acre. These lands lie in Illinois, mostly in Coles and Edgar counties; and in Indiana, along the valley of the Eel River. Near seven thousand acres of the lands sold were in the Vincennes Land District. Of the canal lands, situated in the same district, nearly twenty-seven thousand acres have been sold within the past four months. The sales of Congress lands are also very large. The probability is, that during the five months, ending on the first day of June next, about seventy thousand acres will have been sold within the Vincennes District.

The draymen of Cincinnati are making preparations for a grand parade on horseback, on the coming 4th of July.

LOCAL MATTERS.

Capt. Forno and Recorder Caldwell.—It will be remembered that a few days ago, a number of persons were brought before Recorder Caldwell, charged with disturbing the peace at the Fifth Ward Poll, and during the investigation, an assault was committed upon Officer Eloi, by an ex-Lieutenant of the police, named O'Leary. A charge was made at the moment against O'Leary, and the Recorder, after a slight inquiry into the cause of the disgraceful proceedings in his court-room, ordered both the officer and the ex-Lieutenant to give bonds to give the peace.

On the opening of the Recorder's Court yesterday morning, his Honor, in a stentorian voice, called for Captain Forno, and, with a theatrical tone and gesticulation, inquired whether he was the Recorder or the High Constable?

Capt. Forno—I am the High Constable.

Recorder—How dare you release a prisoner without his giving the bond required by me?

Capt. Forno—I have never done so.

Recorder—You have, in more instances than one. Have you not allowed Officer Eloi to go at large, without signing the bond required by me?

Capt. Forno—He was no prisoner of mine, but an officer in the discharge of his duty, against whom no complaint had been made, and he was not in my custody.

Recorder—He was in custody, or should have been, as soon as I ordered him to give bonds to keep the peace, and it was your duty to see the bonds furnished. In the investigation of the charge made by Eloi against O'Leary, it appeared that they had both grossly violated the peace of my court-room, and I ordered both of them to find bonds in $500 to keep the peace. O'Leary had to furnish the required bond, but officer Eloi was, from partiality or some other cause, allowed to escape. This arose from political partiality or prejudice, which has been encouraged in the police, perfectly antagonistic to myself, and which has rendered my court-room extremely unpleasant. I ask you now, (addressing himself to Capt. Forno, and looking pale and agitated) why the required bond was not exacted from Eloi?

Captain Forno denied that any political feeling interfered with the police duties, and begged to inform his Honor, that there was no statute or ordinance authorizing him to take bonds during court hours. He had no authority to take bonds in Eloi's case; it was the duty of the clerk of the court to take them, or the duty of the Recorder himself.

The Recorder said the High Constable had discharged prisoners, who were accused of gross breaches of the peace, without having sufficient authority to do so, and in violation of his (the Recorder's) magisterial rights.

Captain Forno—I beg your Honor's pardon. I have never released any prisoner charged with a serious offence; but I have discharged numbers who were charged with light offences, either on their own bonds or on the bonds of their friends, and in no instance, did I ever release one who was not duly reported to the Recorder. In all cases I have obeyed the ordinances of the Council, and not stepped beyond my duty; and I am directed by an ordinance to release persons charged with slight offences, rather than confine them in prison for forty-eight hours, or a less time, to await their appearance in your court.

Recorder—I have been improperly treated by the police, and you have disobeyed my orders.

Capt. Forno—I never disobeyed your orders. I never discharged any prisoner when I thought that by so doing the public peace or the city ordinances would be violated or set at nought. I regret very much that any ill feelings should arise between myself and the Recorder on this subject.

The Recorder made some further allusion to politics, and said that the officers were all opposed to him.

Capt. Forno wished to reply, but his Honor said he would go on with the business of the court, and ordered Eloi to be imprisoned until he furnished the bond that had been previously demanded.

Eloi—You'll have to keep me in a long time, for I won't sign bonds.

Recorder—For that word I fine you $10.

Eloi was then removed in custody, a commitment was ordered, and he was conveyed to prison until he should give the bonds to keep the peace.

This extremely unpleasant affair occurred while the court was crowded to its utmost capacity, and it appeared to interest every one present, for silence was kept during the whole conversation.

A Scene in Court.—Yesterday morning some excitement was occasioned in the Court of the Recorder of the First Municipality, by one of those strange circumstances which some times destroys the sameness of the proceedings of our Police Courts. An intelligent member of the bar was addressing acting Recorder Fabre, in a case of swindling, and his had occasion to allude in strong terms to the prosecutor, who, feeling annoyed, impolitely called the lawyer a liar. This insult raised the ire of the man of briefs, and he dealt the unsuspecting defendant a blow upon his *frontispiece that made his eyes strike fire*, and his nasal protuberance quiff beneath the weight of the clinched fist of the insulted gentleman. The defendant looked aghast as the bright-red stream ran from his face; and he showed, by his grimaces, that the blow had effected the well-merited chastisement. The Recorder informed the member of the bar that he had committed a contempt of court, for which he expressed his regret, although compelled by the force of circumstances, and his Honor fined him $10 for the offence, which was immediately paid, and with apparent satisfaction.

Third District Court—*Baron vs. Placide.*—The following is a brief synopsis of the speeches of counsel in this case:

Mr. Eyma commenced by stating that Mr. Placide had seduced this young girl from her situation in a Parisian theatre, by holding up to her New Orleans as an El Dorado. Yet after he brought her here, he then turned her out without a dollar. She came here and met with great success, and Placide turned her away abruptly and without any cause, and refused to receive her when she offered to return. On the law, he quoted Dalloz: "Contracts with actors often contain printed clauses which must be construed with reference to the usages of the particular theatres." He then quoted another clause, by which the manager cannot discharge an actor, even for cause, except after a judicial decree. He closed by quoting the articles of the Civil Code which lay down rules for the interpretation of contracts. He cited Cline vs. Caldwell, and Kelly vs. Caldwell. He closed by insisting that the contract, though to be executed in this country, should be governed by the laws of France.

Mr. T. H. Howard, for the defendant, read the petition and answer, and the translation of the contract. The Court permitted the plaintiff to prove that a part of the contract was printed and part in writing. But every clause is to be executed if possible, and it was a matter of indifference whether any part was in print or not. Such a construction is to be put upon it as will give force to every clause. But if there is any doubt as to the meaning of a contract, the construction put upon it by the acts of the parties is to govern. She had danced in the "Serious Family" during the first season without objection, and it is too late for her at the second season to object. The contract itself reads that she is to perform any dance in which she should be cast. The gentlemen for the plaintiff wrote her contract and not give her. They treated her as a dancing star, while the contract only treats her as a stock dancer. Why did she not erase the printed matter? It was written in her language, of which Placide was totally ignorant. He cited other clauses to show that the contract was one for a stock and not a star engagement. She was cast as Fortunio, and played it, but another had to speak the words, and she was excused from it. Mlle. Valé afterwards performed it. The fact that the manager excused her from the performance of her contract will not create any right. He argued at great length that the contract in its form was proper, and every provision bound every actor or dancer who signed it.

Mons. Maugin is the ballet-master, and his testimony was extremely prejudiced, as was apparent to every one. Maugin gave it as his opinion that an artist cannot be forced to dance, except in ballets and Fairy plays. The correctness of this opinion would depend on the terms of the contract. She danced a whole season in the part, and thus gave an interpretation to the contract, which she cannot afterwards repudiate. Her own conduct had made the dance a part of the piece, and the manager could not leave it out. If, after the refusal, Placide had not discharged her, there would have been an end to the discipline of the theatre. Dancers are the most capricious persons in the world, and female dancers particularly so. The form of the contract was the same used for all of the dancers, as well as actors, and it was drawn up by a house whose business it is to draw up such contracts. Mr. Maugin is contradicted, therefore, on this point by the fact. He analyzed the evidence of this witness with much minuteness, and certainly showed that in many points he was contradicted by the other witnesses.

"I, as an artist, consider the short time allowed for a change of costume, as injurious to the reputation of M'lle Baron." This sentence, so felicitous in its expression, was contradicted by Chippendale, and Mr. Duffield, and Mr. Rowe, who all declare that the curtain never was drawn until the dancers were ready. Hilariot had refused to dance in the piece; but she had refused at the proper time, and before the manager was committed to the public. There is, however, no comparison between these two ladies. The salary of Hilariot is enormous, and her talents and position are far above plaintiff. Placide did not enforce the contract against Hilariot, but that is no admission in favor of Baron.

But the only reason given by M'lle Baron for declining to dance on November 26, in the "Serious Family," was because she had not time enough to change her dress, though she had danced in the piece for thirty nights. Maguin swears he is sure the curtain was never down ten minutes. Mr. Rowe, the prompter, and who keeps a time book, says it never was down so short a time.

Mr. Howard ridiculed the idea that their dancing in the "Serious Family," was a mere favor. Because Placide was courteous in his treatment of those people, they imagine that gives them rights.

He commented with much severity on the testimony of Mons. Chan, assistant scene painter. The learned counsel not only smirched his testimony, but he damned his painting.

Mon. Pinguely said that the dancers are not obliged to appear in saloon dances. A Polka is a saloon dance. Why, all winter these people had danced nothing else.

The fact is, they cant act. They had engaged to act in ballets and pantomimes, but they could not act, and Placide had been compelled to give up the ballets, and the audiences were sated with the eternal divertissements. Eighty-nine of the printed words had been erased—the conclusion is, that the printed words left, did have application. Why was it not all erased?

He now commented on the evidence of defendant. Mr. Rowe, the prompter, said that he never raised the curtain after the "Serious Family," until after the dancers had said they were ready. He had frequently waited twenty or thirty minutes for M'lle Baron. She had danced in the "Belle's Stratagem," a comedy in which the dancers appeared in stock costume.

The amount in dispute is a very small affair—not enough to give the Supreme Court jurisdiction. Gentlemen might call it a five thousand dollar suit, but it did not reach $300. By the contract itself, Placide might cancel it after seven months, by giving two months notice. This is the most they can recover. Yet the papers have been filled with flourishes about this suit, and the sympathies of the editors have been enlisted for the interesting plaintiff. It was an imposition on the readers to hold out these expectations of a heavy judgment. The suit was a mere farce—a trifling affair in itself—but it was important to Placide. If the Court decide in favor of plaintiff, then all discipline is broken up in his Theatre, and ruin must follow. If plaintiff has a right of action against him for only a dollar, then he is deprived of all opportunity to conduct this extensive establishment.

Mr. Eyma thanked the gentleman for having argued the case for plaintiff. He had found, in his experience, that when an advocate had a bad cause, he usually attacked the witnesses on the other side. The vilest epithets had been applied to their witnesses; he would not retaliate; on the contrary, he would admit that they were all saints, and Placide the chief of saints.

He would submit the case without further argument.

The Late Insult to the Spanish Consul.—We noticed a few days ago, that some insult had been offered to the Spanish Consul, by a friend of Cuban freedom, which was likely to cause considerable annoyance. Since that time an eye-witness to the manner in which the insult was offered, and who overheard the words used towards that gentleman—as thief, scamp, etc.—has felt it to be his duty to offer chastisement to the Cuban liberator, and to challenge him to a duel, and as the *billet* expressed it—"to fight him for revenge, till he should die!" This annoyed the filibuster, and not liking war half so well as he pretended, he has preferred to take shelter under the curtain of the law, and to take a step towards binding his valorous, contemplated antagonist, over to keep the peace. We rather admire his resolution; for peace at any time is better than war.

First District Court.—Yesterday, Charles Audrieux and Alphonse Roger Bernard, were put upon their trial for stealing twenty-seven shirts, five combs, a breast-pin, and other articles, the property of Pierre Cazeneau, who keeps a store at the corner of St. Ann and Royal streets. The robbery was committed on the 25th of April, and the goods were in a house in Ursuline street, where they were found by Officer Riley, of the First Municipality police, a few days after they were stolen, and Audrieux was wearing one of the shirts when he was arrested. The jury found them guilty, and they were remanded to prison to await sentence. A second charge was preferred against them for stealing combs, and on this they were also found guilty.

Stealing Money.—The jury in the case of Jacob Auchell, who was charged with stealing money from his employer, Mr. Ecrot, of No. 188 Old Levee street, as noticed yesterday, were discharged, not being able to agree upon a verdict.

Sudden Death.—An inquest was held, yesterday, on the body of a man named James Cape, aged about 30 years, who died in a boarding-house on Gallatin street, near the corner of Barrack street, in the First Municipality. It appeared that he was suddenly taken ill, of cramp, and in a short time died; and the Jury returned a verdict in accordance with this evidence.

Troubles in the Third Municipality.—Some misunderstanding exists, in the Third Municipality, between the Council and Recorder Seuzeneau. For the last three sittings, he has not been present to preside over the meetings of the Council, and several of the members, at the last sitting, were desirous of taking some notice of his absence. Yesterday, the chair of the Recorder was observed to be removed from its proper place in the Council Chamber, and, in answer to some inquiries which were made, his Honor stated that it was not his intention to preside over the proceedings of the present Common Council. This state of affairs is looked upon with some interest by many of the inhabitants of the Old Third, and many persons regret that there should be any cause for dissatisfaction. It is hoped that the misunderstanding will be arranged amicably between all parties.

Assault.—A few days ago, a charge was preferred in the First District Court by Thos. Cunningham, against Capt. Forno, Michael Hughes, and Wm. and John Moclair, for striking him in the High Constable's Office of the Second Municipality on 23d of May. Upon this affidavit, a *capias* issued, and the papers were sent by Judge Larue to the court of Recorder Caldwell. Yesterday Colonel Field appeared on the part of the defence, and wished his Honor to order the papers to be sent back to the First District Court, that the case might be tried there. To this he agreed, and the papers were sent down.

Obtaining the Dimes.—Yesterday, a poor Irishman, named William McHale, was brought before Recorder Caldwell, having been remanded on the previous day, and charged with having committed an assault and battery. When arrested, he had $10 in his possession, which were taken charge of by the officers of the Watch. On being called upon for his defence, he looked round, somewhat bewildered. The Recorder asked him what he was looking for, and he replied, that his lawyer was not in court. The Recorder asked him "What lawyer!" and he said that a good-looking man, with a low-crowned white hat, had obtained $9 from the police, on his account, and promised to plead his case for him; and if he was sent down to the First District Court, he promised to become his bail. Now, that he wanted his lawyer, he could not find him. The Recorder, smilingly, took compassion upon the poor fellow, and ordered him to sign his own bond.

Recorder Caldwell's Court.—Yesterday morning the Recorder's Court was crowded by a large assembly of persons, who appeared thus publicly to witness the proceedings in the case of Women, arrest of some sixteen or eighteen, charged by the court with the keeping of a house of ill fame. The examination lasted a long time. Counsel appeared on behalf of the individuals, and he contended that the charge of vagrancy could not be sustained, on account of a deficiency in the affidavits. The Recorder contended that the fact of their frequenting grog-shops was a proof of vagrancy, and on this proof he should fine them five dollars each. In several instances the delinquents were discharged, but only in one case was any thing brought to excuse the persons from the general charge.

Breach of the Peace.—Stephen Keefe and Edward Rochford, were charged with disturbing the the peace, at twelve o'clock, on Thursday night, on the Levee, and were ordered to give bail for their good behavior.

Stabbing in Triton Walk.—Gustavus Barker was charged with cutting and wounding a man, named George Musback, on Wednesday night last. It appeared that about nine o'clock the parties met on Triton Walk, and had some difficulty between each other. Barker got into a passion, and took a knife from his pocket, with which he cut Musback on the side of the face and neck. The wounds were such as to prevent him from appearing in court, and the defendant was remanded.

Assault in Union Street.—Charles Jones was sent for trial to the First District Court for assaulting Mary Simmons, on the 17th instant, in Union street.

Stealing Gingham.—Thos. Keef was brought up on suspicion of stealing a piece of gingham, which was found in his possession on the 23d May, about twelve o'clock at night, and of which he could not give any satisfactory account. He was remanded.

Stealing Clothes.—John Shields was charged with stealing a quantity of clothing, the property of Dennis Bianagan, on Edward street. It appeared that the complainant left a box with the clothes in it at the door of a grocery store, on the night of the 26th instant, and Shields came up immediately and took the clothes from the box; worth at least fifteen dollars. He was arrested while in the act of carrying these clothes away, and confined in the Watch-house. The Recorder sent him for trial to the First District Court.

Recorder Genois' Court.—But little business was done at this court yesterday. Some six or eight persons made affidavits in petty cases of assault, but none of them possessed any matter of public interest.

Keeping a Disorderly House.—Mrs. Washington was brought up on a charge of keeping a disorderly house on St. Louis street, which was a nuisance to the neighborhood, and she was ordered to give bail for her appearance to answer the charge.

Stealing Hats.—Yesterday Thomas Donovan was charged before the acting Recorder, Fabre, with stealing two hats, the property of Andrew Johnson. It appeared that he kept a clothing store, at No. 17 Levee street, and on Wednesday night, about nine o'clock, two hats were feloniously taken and carried away from his store. They were immediately missed by Mr. Johnson, and on his making inquiries after them, he discovered that a watchman had observed the robbery, and taken the thief into custody, with the goods in his possession. He was remanded to prison to await further examination.

A Foot Race—Man vs. Horse.

A sporting event of this kind was witnessed by a large number of spectators, at the St. Louis race track, on Wednesday of last week. A man named Jackson, widely celebrated as the "American Deer," and Mr. H. Doyer's trotting horse "June Bug," (which has some celebrity, also, it seems,) were "the parties."

The match was, that the "American Deer" was to run five miles and six hundred yards while the horse made ten miles.

The "American Deer" won the race, a description of which we find in the St. Louis Reveille:

"Jackson looked clear and strong, and we think better than he did in his ten mile match against the Indian. The horse showed out well in his coat, and went sweetly in a few turns before the stand, but nevertheless it was said by the few that he was not up to the mark for a long distance. Both had warm friends, but very little money was laid out on the event; the horse, if any thing, having the call in the betting.

"Jackson, having retired to his station, at the terminus of the six hundred yards, which was on the turn out to the straight home quarter, the horse, driven by his owner, Mr. Doyer, was put to his work, and as he crossed the score, the red signal flag was lowered in the Judges' stand, and Jackson bounded off almost at the same moment.

"Both got off at a very pretty steady pace, and at the time Jackson made his first bow to the back stretch, June Bug had completed his first mile in 2:55. As Jackson reached the third quarter, the horse passed him and finished the mile as Jackson was about two hundred yards from the distance post. In this style they went on to the fifth mile, without any interesting change taking place in either, Jackson going on steadily at his work, and gaining, and the horse rattling along at a pace that made many fear for his lasting. As June Bug drew the score for the fifth mile in 2:59, making his whole time 14:42, Jackson was entering the back stretch for the third mile, (the six hundred yards added.) Here the horse first gave symptoms of there being something wrong, by breaking up. On the third quarter he broke up badly twice, and at the distance post broke up again: the story was told; it was very evident that the horse was not going at his ease. As the horse passed the score on the sixth mile in 3:07, Jackson reached the draw gates, and was cheered on by tremendous shouts from the hundreds present. The horse from this time was evidently beaten, as he frequently broke up and fell off in the pace, while Jackson, like a pretty little pocket Hercules, still kept on at the old sure and steady pace. As he dashed over the score in completion of his fourth mile in 5:45, the horse, beaten badly, had gained the turn into the straight run home. On the horse reaching the draw gates he was pulled up and walked in, while the "Deer" went on and completed his task, in the most game and untiring manner.

"We add a statement of the time made by the horse and man:

"Jackson's time 1st mile and six hundred yards 6:50; 2d mile 5:56; 3d mile 5:45; 4th mile 5:42; 5th mile 5:50; whole time thirty minutes and six seconds. June Bug's time 1st mile 3.02, 2d mile 2:55; 3d mile 2:53; 4th mile 2:53; 5th mile 2:59; 6th mile 3:07; 7th mile 3:27; 8th mile 6:16; whole time for the eight miles 25:32."

Elopement of Negroes.—We learn from Mr. Alexander Shiver, who was here a few days ago, from Henry county in this State, that about twelve or fifteen days ago, Capt. Kidd, of Calhoun, in Henry county, returned from Virginia with four negroes, which had descended to Mr. Joel Melton, from some estate in Fluvanna county, Virginia. Two of the negroes were men, the other two women. A man named Spriggs came from Virginia in company with Capt. Kidd, to assist in guarding the negroes. Spriggs remained about Calhoun a short time, and then disappeared, without taking leave, or giving any intimation of his design to depart. On Saturday night the two negro men ran off from Mr. Melton, and have not since been heard from. The presumption is, that they were conveyed off by Spriggs. The negroes will, doubtless, be advertised, and a description of Spriggs given. We notice this affair, that, if Spriggs be guilty, he may be apprehended and punished for his crime, and if he be innocent, he may have an opportunity to acquit himself of the foul suspicion. [Lexington Star, 17th.

The Late Gen. Worth.—A committee has been appointed, by the Board of Aldermen of the city of New York, to select a site in one of the cemeteries for the remains of the lamented General Worth, and also to procure a design for a monument to mark the spot of their repose.

The New York Commercial says that a method of taking daguerreotypes in oil has been discovered by a gentleman of that city.

What Railroads Effect.—Passengers on the Ohio Railroad now breakfast at Cincinnati, dine at Columbus, and sup at Cleveland.

Going North.

☞ Our friends are requested to call and leave their Measures with us for their supply of *FALL and WINTER CLOTHING.*

Persons visiting the North this season can have their Clothing ready for them upon their arrival in New York, by leaving their Measure with us, and every article shall be made in the latest style of workmanship, and if not satisfactory, not to be taken.

One of our partners will soon leave for New York, and will pay his personal attention to all orders intrusted to him.

Our friends visiting New York will find our house 115 Fulton street.

my9 1m 2dp MONTROSS & STILWELL.

Death from Hernia

Shall no longer annoy our Family Circles.

☞ Further evidence of the use of

DR. SHERMAN'S
Patent Truss and Rupture Wash.

"Arkansas, May 3, 1851.

"*Mr. Sherman*—Dear Sir: The Truss you fitted on my son last winter, (I think it was in January,) has done better than I expected it would. As far as we can judge from questioning the boy, the rupture is cured. Dr. Greenwood looked at him to-day, and thinks there is no use in his wearing the Truss any longer, but thinks it would be best for him to have another bottle of the Wash, to make the cure permanent.

"Will you be so kind as to write and inform me what I had better do. You took down a description of his case in your book by referring to it, you may remember all the circumstances, and be able to advise me what course to pursue. HENRY T. SMITH."

"I remain yours, &c.

TO ALL RUPTURED!

☞ The boy John alluded to in the following letter, was ruptured, according to Mr. Coleman's account, in 1849, by a fall from a horse. The first two years he paid little attention to it; consequently, it became large and painful, and a Truss was resorted to as a means of relief. Not much benefit was derived from it, as it let the rupture down when exercising. He was then considered unfit for hard labor, and became almost useless. Mr. Coleman called in, said he had read my advertisement, and called in to see if I could do anything for a boy who had been badly ruptured for ten years. I inquired the particulars of the case; he gave them. I replied I thought I could; if he would bring the boy, I would examine him and tell him what could be done. He brought the boy. I applied the Patent Truss, gave him the Wash, directions, etc. The following letter shows the result:

"Jackson, Miss., May 7, 1851.

"*Dr. Sherman*—Dear Sir: About two months ago, I had you apply on my boy John your Patent Truss, which has operated so well that I have concluded to send the other two boys, of which I spoke at the time you fitted John. Mr. Atkins, the bearer of this, has them under his charge, and he will pay you the price agreed upon. They are both valuable negroes, and my confidence of having them permanently cured is grounded upon what I have seen and heard, and from what my assistant said about your Truss and mode of treatment. If you think it best to furnish two bottles of the Wash to the boy who is ruptured on both sides, do so, and Mr. Atkins will settle with you.

"Eight or ten days ago the youngest one came near dying by strangulation, while at work in the field, having on the best common Truss I could find, but they do not seem to do any good at all, for the boys are always complaining of pain, and their ruptures get larger. If you fit them as well as you did John, I can do you a great deal of good. "Your friend,

my28 w,f,m&W "THOMAS COLEMAN."

BROUGHT to the Pond of the Second Municipality, corner of Robin and Annunciation sts.

A HORSE PONY, white color; branded on the right hip thus: ⊢2; shod all round; about twelve hands high; no other brand or mark visible.

It not claimed before SATURDAY, the 7th day of June, he will be sold by T. J. Speas, at his Auction Mart, at the usual time. W. J. AHERN, First Lieutenant.

New Orleans, May 29, 1851. my30 3t10d

CONDUIT aux épaves de la Second Municipalité, à l'encognure des rues Robin et Annunciation—

UN CHEVAL BLANC, (Poney,) marque sur la cuisse droite, aussi ⊢2, à-peu-près douze mains de hauteur, et pas d'autre marque visible.

Il n'est pas réclamé avant SAMEDI, le 7 Juin prochain, il sera vendu par T. J. Speas, à son encan, à l'heure ordinaire. W. J. AHERN, Premier Lieutenant.

Nouvelle-Orléans, le 29 Mai 1851. my30 3t10d

BACON—100 casks and tierces Hams, Sides and Shoulders, for sale by

my30 I. W. ARTHUR & CO. 28 and 29 New Levee.

MESS PORK—75 bbls., for sale by

I. W. ARTHUR & CO. 28 and 29 New Levee.

LARD—100 bbls. and kegs, for sale by

I. W. ARTHUR & CO. 28 and 29 New Levee.

RICE—30 tierces prime Carolina, for sale by

I. W. ARTHU