The Daily Crescent.

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The Daily Crescent.

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BY J. H. MADDOX.

OFFICE.....No. 93 ST. CHARLES STREET.

For the Crescent

CHARLES SECOND, OF SPAIN, AT THE ESCURIAL.

Hushed was each sound of revelry within the Escurian walls,
And yet how gorgeous was the scene which shone in those bright halls.
Spain's beauty and her chivalry in all their pride were there,
But not the lightest whisper rose upon the perfumed air;
Each brow with care was clouded, each concrete chink was pale;
And even the stern warrior's heart throbbed high beneath his mail.
"Why comes the King not forth to-night, the midnight hour is passed,
"But, nay, our fears are idle, for King Charles appears at last."
Each waving plume sinks to the ground, each knee its homage paid,
But with a cold, abstracted air, the monarch only said,
"I bade you to a feast to-night, but little did ye deem
"You in the Escurial burial vault is found the feast I mean;
"Decay and darkness are the King's, whose realms I wish to see,
"As they have welcomed all my sires, so will they welcome me."
The guests of life unearthly feast hung back in dread dismay,
But when their King passed through the hall which of them dared delay.

The torches flung their radiance round, and by the King still led,
They passed the tapered staircase to the chamber of the dead,
Slowly and heavily hung back the door upon its hinges,
And with a shudder and a prayer the frightened train passed in;
High in a lofty room arose the great black crucifix,
Within whose shadow Spain's proud Kings their "dust to dust" doth mix.
"Now raise those coffin lids," said Charles, "that fairly I may see,
"As Death has dealt with those below, so will he deal with me."

Calmly the monarch gazed upon the ashes of the dead,
And with a melancholy smile thus to his courtiers said;
"Warriors, the last before you once bore well the shield and lance,
"Fair dames, the Eshlieu skeleton was prayed in the dance!"
But now the last great chest of bronze beneath the cross was raised,
Why does the King thus wildly stare, the courtiers stand amazed;
In her transcendent beauty, lay the wife so long deplored,
The embalmer's skill had well preserved the charms it had adored.

His every feature quivering with grief, he raced not hide,
He gazed upon the sweet pale face of his beloved bride;
Time had flown by, but brought, alas! no healing on its wing,
For the betrayed, the reason fissured, for him, the wretched King;
Long, long, he gazed on all he loved in Death's embraces locked,
Until his entering reason sank beneath the mighty shock,
With frenzied laugh, he cried aloud, "With God, beloved thou art,
Hence will we meet in thy bright home, never again to part."

With an unsteady, trembling step, he hastened from the vault,
And from the Escurial palace passed, without a pause or halt.
All alone through his realm, cried he amidst his mind in rage,
For a mansion from that wateful day lived and died Charles of Spain.

M. W.

"Macaulay," in a critique upon "Lord Mahon's Wars of the Succession," has given a description of the scene which cost the unfortunate Charles the remains of a reason already shattered by a long course of ill health, and the manner of his wife's death. He, however, does not mention the well attested fact of her having perished by poison. Vide *Siècle de Louis XIV, par A. Dumas.*

The First Locomotive on an American Railway.

Major Allen, the chief engineer of the Erie Railroad, made a speech in which he gives a thrilling description of the first locomotive trip on the continent:

"Having occupied your time with these statements of perhaps no general interest, but the omission of which would have been an act of injustice, I have thought that on this great railroad occasion a reference to some of the incidents in the early railroad history of this country might be appropriate.

"To bring before you as strikingly as is in my power, it has occurred to me to lead your imagination to the conception of the scene which would present itself, if on some fine morning you were placed at an elevation, and gifted for the moment with power of vision which would command the railroad movements of the whole United States. There would be presented an exciting picture of activity in the thousand iron *horses* starting forth from the various railroad centres, or traversing the surface of the continent in all directions. When the imagination has attained to some conception of this scene, let it seek to go back to the time when only one of these iron monsters was in existence on this continent, and was moving forth, the first of the mighty race. When was it? When was it? And who awakened its energies and directed its movements? It was in the year 1828, on the banks of the Lackawanna, at the commencement of the railroad connecting the canal of the Delaware and Hudson Canal Company with their coal mines, and he who addresses you was the only person on that locomotive. The circumstances which led to my being alone on the engine were these:

"The road had been built in the summer; the structure was of hemlock timber, and the rails of large dimensions, notched on to caps placed far apart. The timber had cracked and warped from exposure to the sun. After about 500 feet of straight line, the road crossed the Lackawanna Creek, on trestle work about thirty feet high, and with a curve of 250 feet to 400 feet radius. The impression was very general that this iron monster would either break down the road, or that it would leave the track at the curve, and plunge into the creek. My reply to such apprehension was, that it was too late to consider the probability of such occurrences; that there was no other course but to have the trial made of the strange animal, which had been brought there at such great expense; but that it was not necessary that more than one should be involved in its fate; that I would take the first ride alone, and that the time would come when I should look back to this incident with great interest.

"As I placed my hand on the throttle-valve handle, I was undecided whether I would move slowly, or with a fair degree of speed; but believing that the road would prove safe, and preferring, if we did go down, to go down handsomely, and without any evidence of timidity, I started with considerable velocity—passed the curve over the creek safely, and was soon out of hearing of the cheers of the large assemblage present. At the end of two or three miles, I reversed the valves, and returned without accident to the place of starting—having thus made the first railroad trip by locomotive on the Western Hemisphere.

"So rapid has been the railroad development in this country, that the impression is probably nearly universal that the system was imported from England full grown; but such was not the case; and some circumstances illustrative of this fact may be of interest, on an occasion like the present, although time will permit but a summary reference.

Massachusetts Free Bank Law.

The provisions of the Massachusetts Free Banking Bill, in its amended shape, and which has become a law, are as follow, viz:

SEC. I. Any number of persons not less than fifty, may become a body corporate for banking purposes, subject to all the duties, liabilities and restrictions to which the existing banks are now liable. The stock not to be less than $100,000, nor more than $1,000,000.

II. The stock of banks hereby authorized by this law shall be divided into shares of $100. One-half of the capital must be paid before the commencement of operations, and the whole within one year thereafter.

III. Before the commencement of operations, a certificate shall be filed in the office of the Secretary of the Commonwealth, signed by the president and directors, stating: 1. The corporate name of the bank. 2. The name of town or city where located. 3. The amount of its capital stock. 4. The names and residences of the stockholders, and the number of shares held by each. 5. When the bank is to go into operation. 6. No bank to assume the name of any pre-existing bank.

IV. The capital stock may be increased at a subsequent date, by a vote of a majority of the stockholders; the same proceedings shall be had as in the first instance.

V. Such bank shall carry on the business of banking at its own banking house, but not elsewhere, and may pay dividends semi-annually. If any bank neglect to carry on the business of banking, a forfeiture of privileges shall follow.

VI. The Auditor of State is authorized and required to procure the engraving and printing of circulating notes, of such denominations as previously allowed—all such notes to be registered, numbered and countersigned by the Auditor before delivery.

VII. Banks authorized by this law may transfer to the Auditor, at a rate not above its par value nor above its market value, any public stock issued by any city or town in this Commonwealth, or by either of the New England States, the State of New York, or by the United States; and receive therefor an equal amount of circulating notes.

VIII. The Auditor is authorized to exchange any such stocks for others deposited by the bank, provided the security to be equally good, and the amount of circulation not reduced below fifty thousand dollars.

IX. The Auditor is authorized to deliver to bankers under this act, powers of attorney to receive interest or dividends on their stocks held by him. Such power to be revoked whenever occasion may require it.

X. Such bank is authorized to loan and circulate such notes according to the ordinary course of banking.

XI. In case of failure to pay such notes on presentation, they may be protested; and if not redeemed within ten days after notice, the Auditor is authorized to give public notice thereof, and that they will be redeemed out of trust funds in his hands.

XII. Banks established under this law are restricted in the amount of circulation to the same limit as the old institutions—viz: twenty-five per cent. beyond their capital.

XIII. All plates, dies and materials, for printing such circulating notes, to remain in the custody of the Auditor of State.

XIV. The Auditor to be liable to a fine of five thousand dollars, and imprisonment not less than five years, if he permit circulating notes to be issued to any bank beyond its collateral stocks.

XV. Each bank established under this act shall, in addition to the ordinary returns required by law, specify the stocks deposited with the Controller for its circulation.

XVI. The Secretary of the Commonwealth is authorized to prepare separate abstracts for the banks established under this act.

XVII. The Bank Commissioners shall have the same power over the banks established by this act as over chartered banks; and they are required to examine the certificates of stock held by the Auditor in trust for such banks.

XVIII. Whenever any free bank shall return to the Auditor ninety per cent. of the bank notes received from him, and shall deposit funds for the balance, the Auditor may return to this bank all stocks previously received from it.

XIX. Free banks that relinquish business must give six years notice that "their circulating notes must be presented to the Auditor for payment within six years after the issue of such notice."

XX. The Justices of the Supreme Court are authorized to adopt proceedings against free banks, similar to those against chartered banks, whenever the court may deem it necessary.

XXI. Whenever any bank shall be placed in the hands of agents or receivers for liquidation, by the Supreme Judicial Court, the Auditor shall transfer to such agent all stocks or moneys held by him in trust for such bank.

XXII. This act may be amended or repealed at the pleasure of the Legislature.

An English Lady on Southern Slavery.

In Lady Emeline Stuart Wortley's book of travels in the United States, lately published in London, there is an account of her visit to the cotton plantation of Gen. Taylor, on the Mississippi, which must present a remarkable contrast for English readers to the atrocious reports they have been in the habit of receiving from other British travellers in this country. Her ladyship called on Gen. Taylor in Washington, and was invited by him to visit his cotton plantation when she went South. She says:

"The late President's son was there, and received us with the kindest hospitality. The slaves were mustered and marshalled for us to see; cotton was picked from the few plants that had survived the late terrible overflowing of the Mississippi, and the interior of one of the slave's houses was exhibited to us. As to the slaves themselves, they were as well fed, comfortably clothed, and kindly cared for in every way as possible, and seemed thoroughly happy and contented. The dwelling-house we went to look at was extremely nice; it was most tastefully decorated and an excellently furnished one; the walls were covered with prints, and it was scrupulously clean and neat.

"Y——— expressed a great wish to see some of the small sable fry; and a whole regiment of little robust, round, black babies were forthwith paraded for her especial amusement: it was a very orderly little assemblage, and it cannot be imagined how nice and clean they all looked. Such a congregation of little, smiling, good-natured, raven polypodies I never saw collected together before. One perfect duck of a child was only about three weeks old, but it compromised itself quite in orderly a manner as the rest, as if it had been used to give parties and assemblies, and receive any quantity of company from every nation on earth all its days, or rather hours. It was as black as a little polished image carved in polished ebony, and as plump as a partridge (in mourning.) These pitchy-colored picaninnies differed from white children in one essential particular, for they were all perfectly quiet and silent; all wide awake, but all still and smiling.

"After the pain body had departed, a small straggler was brought in, (whose mother, perhaps, had lavished additional cares upon its state toilette,) and it alone, apparently alarmed at finding itself thus unsupported and insulated, testified its disapprobation at the presence of English visitors by a very mild squall. We saw another child afterwards, who was very nearly white, with lovely features and fair hair; the mother was a mulatto, and the father almost white.

"Y——— was highly delighted with the whole company of little inky imps, from first to last, nursing and fondling them in high glee; and it may be readily conceived that the mothers stood by equally enchanted at having their little darkies so appreciated; and not a little proud, showing their splendid glittering teeth almost from ear to ear.

"All the slaves were evidently taken the kindest care of on Gen. Taylor's plantation. Men, women and children all appeared to adore Mr. Taylor, who seemed extremely kind to them, and affable with them."

John B. Harden, the Murderer and Highway Robber.

On Friday last, John B. Harden and Jack, (a slave,) his accomplice in the murder of Samuel Smith, were hung at Milton, in Santa Rosa county. Their death in this ignominious form was resolved on by the unanimous decision of two hundred and seventy-seven citizens of Santa Rosa county. Upon invitation, these citizens assembled, and after adopting a series of resolutions expressive of their sentiments for the many murders, robberies and other crimes committed by Harden and his band in Georgia, Mississippi and Florida, and of their full conviction of the inability of our laws to reach the offender, for want of testimony beyond the process of our courts, and of the insecurity of every citizen of this country in reference to both life and property, at home or on the highway, by day and by night, while so bold a desperado as Harden lived, they concluded that the law of self preservation imperiously demanded the immediate execution of Harden and his accomplice in crime. It appears that during the last fourteen years, no less than sixteen murders have been charged upon Harden. That he has within that time married sixteen wives, all of whom are now living; and that within that lapse of time he has mysteriously escaped from twelve different prisons. Shortly before the murder of Smith, for a slight provocation, he approached (under the dark mantle of night) the dwelling of Gardner Hanly, Esq., a worthy citizen of Santa Rosa, and with his rifle shot him as he sat at supper, the ball striking the temple corner of the right eye, glanced and passed through the cheek, carrying away the roof of his mouth, and destroying the right eye. He also, a short time since, robbed John R. Chapman, Esq., of $350, as he lay asleep at the house of Mr. Welch, where he had stopped at night, on his way to Pensacola from Geneva. There remains no doubt on the public mind, that there are many other wrongs were associated with Harden in his schemes of crime.

Although we are no advocate for "lynch law," yet we feel conscentiously assured that, if a case ever occurred to justify a resort to it, this was the case. The hand of this man was thicker than "itself in a brother's blood;" by him innocence, youth and beauty, were decoyed, degraded and despoiled, the sighs and tears of widows and orphans hourly ascended to heaven for vengeance on his guilty head. The unbending rules of law, designed for the protection of innocence, were but means of escape to so artful a man as Harden. No bolts or bars could confine him. The traveller on the highway was in constant apprehension, as well as the citizen at his peaceful fireside, so long as it was known that Harden was in the vicinity. In short, (save the interposition of Providence) there was no security against the attack of such a man, while he moved upon the earth.

* * * * * *

Painful and unpleasant as this deed of self-protection was, never was so solemn and serious a matter conducted with more calmness and deliberation. No boisterous excitement, no taunts or insults were offered to the unfortunate criminals. Their bodily wants were carefully attended to; free access was given for spiritual counsel and consolation. On the fatal gallows, prayers were fervently and eloquently offered up, at the request of Harden. And he, unfortunate man, requested to be prayed for, while life was in him. He repeatedly asserted that he deserved to die, and that he believed that if permitted to live, he could not reform. When this tragedy was over, the citizens quietly returned to their homes, and engaged with calmness and serenity in their accustomed avocations, evincing by their deportment that what had been done was a stern duty required at their hands; that nothing more than justice had been administered, in the punishment of the blackest of crimes. [Florida Democrat.

IMPORTANT DECISION IN REGARD TO THE SHERIFF'S POWERS—*What are Lawful and what Legal Means.*—Judge Lowrie, in the District Court at Pittsburgh, has given a decision that where, under the law making the county liable for damages arising from riots, and requiring the sheriff to take all legal means to prevent the injury, the sheriff hires, at great expense, armed military companies to aid him, he cannot claim to be repaid by the county for such expenses. The sheriff hired several volunteer companies to protect the rolling-mills, which were threatened with destruction by a mob. The Court drew a distinction between lawful and legal means, which the sheriff is authorized under law to adopt, when a riot is threatened. To say that the sheriff was bound to use all lawful means to prevent the threatened destruction of property, is to say that he must use all the means that are not unlawful; and this would include all those physical and moral means which might be adapted to the occasion, whether pointed out by the law or not; means which are not properly official, and which cannot reasonably be exacted of public officers.

When the law requires an officer to take all "legal means" to effect an object, it intends that he shall take all such means as he may officially use, and he is not chargeable with neglect of duty, if he adopts the means prescribed by law for such occasions, though he omit other plain physical and moral means. These may be lawful, because not forbidden; but they are not legal means, because not prescribed by law as means to be used by him in his office. He is not liable except for neglect of official duty, that is, for not using those means which the law puts into his hands by his official investiture. At common law the sheriff has authority to raise the power of the county, armed, if he thinks proper. He may demand the attendance of any number of armed citizens to aid him in his duty. When necessary, it is his duty to command and theirs to obey. But he has no authority to hire certain military companies for a price to do what they and ever, man were bound to do as a matter of public duty. By this decision the sheriff will have to pay $2,000 of his own money.

THE CENSUS.—The census table reveals some instructive facts. One is, that, notwithstanding the continual recruits from the South, by "the underground railroad" and otherwise, the number of colored persons in NewEngland has diminished 402 since 1840. In NewHampshire, Vermont and Connecticut, there are less colored persons now than there were thirty years ago. The greatest falling-off is in John P. Hale's State, where, since 1790, (sixty years,) the number of colored persons has diminished from 788 to 477, or about two-fifths. We think Mr. Jackson Davis has accounted for the heavy loss. There is also a loss of 2579 in the State of NewYork within the last ten years, which Gerrit Smith & Co. are expected to account for. Massachusetts and Rhode Island are the only New England States where the colored population has increased since 1840, viz: Massachusetts, 105, which we suppose is to be attributed to the efforts of Mr. Garrison, Abby Kelly, Wendell Phillips, etc. That in Rhode Island is not so easily accounted for. It is, however, 35 less than in 1830, which renders it probable that there was an error in the last census. [N Y. Jour. Com.

THE METHODIST CHURCH CASE.—The arguments in this case were closed on Wednesday. At the conclusion of the Hon. Reverdy Johnson's masterly argument, the court addressed some remarks to the litigants, which were pregnant with meaning, as we understand them. The court said emphatically that the interests of religion, and of the Methodist Church, would be promoted by an amicable settlement of the case prior to the decision which the court might make. Those who have carefully watched the trial, heard or read the arguments of counsel, and in other ways familiarized themselves with the subject, will probably infer from the court's remarks that the decision would be in favor of the claimants. At any rate, we will not permit ourselves to believe that the intimation *from the court will be carefully considered* by the parties to the controversy, since the assurance was given that any arrangement made between them, receiving the approval of the court, could not be disturbed by any subsequent legal process. This removes the difficulty under which the North has laboured—the fear lest any kind of settlement, other than that originally attempted, would not be legal—and which deterred the South from consenting to an arbitration. Well-wishers of religion and Methodism every where will be gratified by such a settlement. [N.Y. Com.

R. R. R.
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DUNBAR & CO., A. F., Commission Hat and Shoe Warehouse, 56 and 58 Common street, New Orleans. d2 6m

DEWEY, WM. J., Commission Merchant and Shipping Agent, 88 Gravier st. d14 1y&6m

ELLIS & CO., R.-M., Commission Merchants, 67 Gravier street. al

GREENWOOD & CO., MOSES, Commission and Forwarding Merchants, 66 Gravier street. al 1y

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HART & CO., E. J., 79 Tchoupitoulas street, Wholesale Dealers in Groceries, Drugs, Chemicals, Paints, etc.

HOWARD, T. H., Attorney at Law, 11 Camp street. f.5 1y

HEALD, J. H., (formerly of M. GREENWOOD & Co.,) Commission Merchant, No. 26 Bank Place, New Orleans. of

JONES, SAMUEL, Jr., (late TALBOT, JONES & Co., Baltimore,) Grocer and Forwarding Merchant, 45 Poydras street, New Orleans. ol1 1y

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MARK & BROOKE, Attorneys at Law, 27 Camp street. ap3

T. H. MARCH. W. H. BELL.
MARCH & BELL, Auctioneers and Commission Merchants, No. 30 Banks Arcade, Theatre Street, No. 135 Magazine street, New Orleans. jy23 1y

MARKS, JOSEPH B., Notary Public. Office No. 52 Carondelet street, between Common and Gravier, over the Insurance Bank of W. B. Parker. Re-appointed 25th February, 1851. mh3 3m

NUGENT & CO., RICHARD, Cotton Factors and Commission Merchants, 51 Union Row, Carondelet street. ia18 1y

POOLE, WM. L., Notary Public, successor to Joseph B. Marks, office No. 52 Natchez street, opposite Banks Arcade, New Orleans. ap11 1y

PAYNE & HENDERSON, Wholesale Grocers, 30 and 32 Gravier street. al7 d&W 1y

PUIG, MIR & CO. Commission Merchants, 83 St. Louis street. au11 1y

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PRICE, GEO. K. (late of Nashville, Tenn.) Wholesale Grocer, 26 Gravier street.

RAYMOND, W. C., Family Grocer, 71 Camp street. au24

G. W. RACE. W. H. FOSTER.
RACE & FOSTER, Attorneys and Counsellors at Law—Office, 14 Exchange Place, N.O. mh13 1y

RANDOLPH & POPE, Wholesale and Retail Druggists and Apothecaries: Dealers in English, French and German Drugs and Chemicals, 158 Poydras street, between Camp and St. Charles streets. of11 1y

ROMAYOSA, J., (Successor to COSTA & Co.) Importer of Havana Produce, keeps constantly on hand a large assortment of Havana and Manila Segars, Regalias, Cazadores, Canones, Panetelas, Dams, Small Regalias, Molar, Trabucos, etc. etc. from the most celebrated brands of Havana. No. 5 Front Levee, or corner of St. Charles and Gravier streets. m29 2y

WM. H. SEYMOUR. S. G. SEYMOUR.
SEYMOUR & BRO. (formerly AULT & SEYMOUR,) Wholesale and Retail Grocers, 242 and 244 Tchoupitoulas street. ol9

SOUTHMAYD, FRED'K R., Real Estate General Agency for the purchase and sale, leasing or improving of Real Estate, 59 Gravier street, New Orleans.
References—Samuel J. Peters, U. Adams, Jr., Jas. Robb, Thos. Slee, Esqrs. mh13 1y

STOUGHTON, CHARLES, Grocer and Wine Merchant, 94 Camp street. ap9

THEODORE O. STARK. GEORGE W. CHRISTY.
Notary Public. Attorney at Law.
STARK & CHRISTY, Office No. 10 Banks Arcade, New Orleans. ap10

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TOWNSEND, TOMPKINS & CO., Wholesale Dealers in Foreign and Domestic Dry Goods, No. 4 Magazine street. j-d

TOOLE, JOHN, Commission Merchant, Emigration and Remittance Office, 25 Bank Place. al2

TERRIO, J. NARCISSE, Parish Auctioneer, General Agent and Collector—Office 61 Chettimaches street, Donaldsonville, La. e

VEASIE, J. H., Attorney and Counsellor at Law, will practise in the Parishes of Concordia, Tensas and Madison. Office, Pearl st., Natchez. ap

JOSEPH WADE.
WADE & HENSHAW, Commission Merchants and Wholesale Dealers in Groceries, Provisions and Ship Chandlery, San Francisco, California. mh13 6m*

WRIGHT & CO., A. J., Cotton Factors and Commission and Forwarding Merchants, 67 Gravier street, New Orleans, La. jl 1y

WEBB, JOHN H., Original Vinegar Establishment, corner of Common and Marais street, opposite Charity Hospital. jl 1y

WOOD & CO., F. W., Ship Chandlery, Grocers and Provision Dealers, opposite Post 21, Second Municipality, and No. 5 Red Stores, Third Municipality.

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Davis' Compound Syrup of Wild Cherry and Tar.
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Dr. Coe's Syrup.
Dr. Clarke's Wild Cherry and Tar.

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Smith's Hair Tonic.
Owen's Registerania.
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Farrar Cosmetic.
Windsor Soap.
Rose Lip Salve.
Taylor's Shaving Soap.
Military Soap.
Transparent Soap.

Dentifrices.
Orris Tooth Wash.
Chlorine do. do.
Dr. Lacroix's Tooth and Gum Specific.
Calcined Charcoal.

Liniments.
Mustang Liniment.
Hewes' Nerve and Bone Liniment.
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