THE DAILY CRESCENT.

THURSDAY MORNING, DEC'R 29, 1853.

WANTED—Two Carriers for the Crescent; best of references required. Apply at this Office between the hours of 10 and 12 m.

SLAVE QUESTION IN CONGRESS.

Mr Gerritt Smith, who triumphs in having instigated the Jerry rescue, and of course in arming men to bloodshed against the laws, the Constitution and officers of justice, has made no conscientious scruple of taking the Congressional oath to the Constitution, although he holds all parts of it in abhorrence which recognize slavery. He stands a perjurer, by his own avowal. He has already flamed out, in Congress, in an ultra-abolition speech.

As was to be expected, he proves to be a great Comte, as he was a great Kossuth man. In truth, all this is logical: he who goes at all forward in the received doctrines of Democracy, must presently, if he is honest, fall into Abolitionism. If "all men are born free and equal" and are imprescriptibly entitled to the same rights, then Abolitionism is inevitable, and is identical with Democracy. In truth, if the South would justify slavery, they must abandon the Democratic principles and seek the Republican one. This holds no such extreme, universal, Jacobinical and revolutionary theory of Liberty; but limits freedom to what law, history and practice have shown to be good and safe. In Republicanism, there is a stopping-point: in Democracy, there is none; all must be levelled. Republicanism has always permitted and generally possessed Slavery, as one of its elements: Democracy can never allow it, except in defiance of all its own principles. The fact is, the entire social condition of the Slave States is Republican, not democratic, and the sooner they find this out, the better for them. Where will Manifest Destiny, Progression, Intervention, Young Americanism, Annexation, Fillibusterism, or any of those democratic movements, which are to carry us about the world, raising up the "down-trodden," lead us, if not into Abolitionism? If we are to set the world free, why should not the world retaliate upon us, and set our negroes free? No, no: we shall have to quit all that trashy stuff, that babble of rights which mean noting for us but our destruction and nothing for any body but subversion and anarchy and a final military tyranny: quit it, we say, and adopt, if we would be either safe or respectable, a system, a theory and ideas of Rights and Liberty more in harmony with the reality of our own social state.

A LEGAL OPINION BROUGHT TO LIGHT.

"The law," quoth Lord Coke, "is the perfection of Reason;" which being certainly so, and Judge Cotton the perfection of Law, how can he, the great Cotton, be any less than thrice the perfection of both Reason and Law, reciprocally multiplied and magnified into each other, without end?

The very strongest-eyed human Reason, nevertheless, will occasionally wink; the very surest-footed human Law will trip, at times. The very wisest of mortals, not being a god, must, at least once in his life, pay his tax to error, his tribute to folly; and thus it comes that even Cotton, transcendant as he is, who from his pie-poudré (which means bare-footed) court hath erected his prætorian sceptre to smite down all law and reason but his, hath fallen into a mistake. Wherein it is, we will proceed reverently to explain.

Not sufficiently considering that there is a certain majesty in darkness, a certain obscurity which best agrees with the sublime, and that the works of Minos, Lycurgus, Solon, Numa, and other great legislators like himself have been left unedited, and are for that probably only the more venerated, he has committed his late great work of jurisprudence to writing, and has thus not only let himself down to the level of vulgar lawyers, but even exposed himself to the profanation of commentators.

In another column we have done what we can to preserve this great monument of legal science, and we will further do some little to hand it down with such slight elucidations as may enable future times somewhat to comprehend it.

We give, it will be perceived, the opinion at large. Yet for all that is in controversy, we have to do with but so much of it as relates to the question of the constitutionality of the late act for levying Railroad Taxes, and of the extent to which the law as once ruled by the Supreme Court, binds all inferior Judges to conform to such decision.

It will be recollected that originally Judge Cotton held that he was bound to set aside the judgments of the Supreme Court, whenever his conscience so commanded it.

This doctrine he has more wisely than honestly omitted, in the present statement of what was his charge to the jury.

Indeed, he does not conceal the fact that this is no faithful version of his charge, as originally given, and that he has endeavored, as far as he could, to mend it; of which, in truth, there was much need.

It is needless for us to enter into an argument with him who has none. The trivial reasoning which he attempts to employ has been all long set aside, by the judgment of tribunals of high resort, or is upon its face too futile ever to have been urged in the law. In a word, it is upon his authorities alone that Judge Cotton need be answered. For his mere opinions are, as such, worth no body's attention.

We have, then, taken up in regular order, the authorities to which he refers; and we find, little to our surprise, that there is not one of them which is not decisive against himself. Not having to-day space for all of them, we will give at length that which is the longest, the most comprehensive and the most in point of them all; namely, that of Judge Porter of the Supreme Court, in the case of Breedlove *versus* Turner. We place it at foot of Judge Cotton; who followith here, printed with his own spelling, punctuation and grammar, as closely as our copyist could transcribe him:

CITY OF NEW ORLEANS vs. MR. AND MRS. GRAILHE.—The pltfs have moved for a new trial on the following grounds:

First—That the judgment is erroneous in not allowing the Assistant Attorney of the City of NewOrleans, the five per centum claimed for collecting the amount of Judgment.

Secondly—That the charge of the Judge, and the verdict of the Jury declaired, as their opinion that the Statute of the Legislature, passed Feb. 12th 1852 giving power to the Municipal Corporation of NewOrleans to subscribe to stock of corporations undertaking works of internal improvements, and the ordinances of said Corporation exercising said power, and providing for the payment and disposal of said stock, were unconstitutional, null and void—notwithstanding he charged that the Supreme Court of the State of Louisiana had passed upon their constitutionality and maintained their validity" Upon the trial of this cause I did not reduce my charge to the Jury, to writing, as it was not requested of me by either of the counsel engaged, but now on the whole question is brought before me in such a shape as that I can give my opinion upon this very interesting and important case, I will cheerfully assume the responsibility and give to the Law in question what I conceive to be the propper and legitimate construction—In this Judgment I shall give the substance of my charge to the Jury and adopt it so far as it goes as the Judgment on this motion—then the first question to be determined in this case is leaving out of view the Constitution question, can the two Rail Road Companies recover the amount alleged to be due them by Defendants in the present Action? By reference to the Act of March 12 1852, the Corporation of NewOrleans is to subscribe for the stock in case a majority of the real estate holders of NewOrleans declair through the Ballot Box, that it is their wish to take said Stock, when this Subscription is due the City of NewOrleans, receive it and pay it over to the Companies—The Testimony of Wm H Garland, Treas'r of the City, shows that he receives the Stock and pays it over to the respective Companies every week, That the City is in no way bound for any of the Subscriptions unpaid—That the City of NewOrleans has no interest whatever in the amounts collected and paid to said Companies—This suit is brought by and in the name of the City of NewOrleans, the Bills are made out in favor of the Rail Road Compines against Mr. and Mrs. Graihle then under these state of facts, how can the City of NewOrleans, stand in judgment? How can, She recover in her individual Capacity, on a claim, in which she has no interest whatever? When she sits forth in the petition, that the Claim belongs to the Rail Road Companies, she does not sue as the Agent of the Company, but sue as principle the Corporation of NewOrleans shows that she is not Principle, nor has she any remote or direct interest in the suit? In order to enable a party to sue he or she must have a direct interest in the suit C. P. Ar. 1 3 14 15 95 96 and 112.

Secondly—Is the act of 12th March 1852 unconstitutional and has the late decision of the Supreme Court settled the mooted question of constitutional law? If this Court had entertained the slightest doubt about the incorrectness of the decision of the Supreme Court in the case of the Police Jury etc. vs the Executors of J. McDonogh, the Court would perhaps have adopted without further inquiry or consideration, the interpretation give to the law of the 12th of March 1852 by the Supreme Tribunal of the Land—But it is in the firm opinion and conviction of this Court that the decision just refered to is erronious, and that the Law of March the 12th 1852 is unconstitutional and can produce no effect. It was therefore the sworn duty of the Judge to charge the jury to this effect.

The law of March 12th, 1852 is First in direct contravention with art 121 of the Constitution of 1845 which was the paramount law of the Land, when this act of the legislature was passed and the ordinances of the City Council were passed in persuance of said act—The art 121 is as follows " *The State shall not become subscriber to the stock of any Corporation or joint Stock Company.*" The clear meaning and purpose of this Constitutional prohibition is well known and perfectly familiar to every citizen of Louisiana—It was to protect the Tax payers *all over* the State against the necessity of being burdened with taxes for the advantage of private corporations and joint stock companies" The Term *State* used in the article just cited includes in its broad and comprehensive signification all the authorities exercising the sovereign power of levying taxes. If the Legislature was absolutely prohibited from entering into such a contract relation with private Corporations—How could it deligate for the Corporation of the City of New Orleans, a power it could not itself exercise in a direct manner? Public Corporations within the limits of our State posses no rights or powers antecedent to our constitution and laws, they are creatures of the Constitution and laws and no power that lies not within the province and scope of the Sovereign can be delegated by him, and as the legislature did not posses the former, she could not delegate it to the City of New Orleans.

Whether the law of March 1852 is or not repugnant to the Constitution of 1852 is wholy immaterial for the decision of this cause. If the law be repugnant to the letter and spirit of the Constitution of 1845, and of this I have not the slightest doubt, it was at the time of its passage, and is *forever* to remain a dead letter in our Statute Book. The Constitution of 1852 has not and cannot infuse and give vitality to a document that never had possessed any legislative existence—this theory of constitutional interpretation is surely beyond controversy.

Thirdly—The Claim of Plaintiffs against Defendants for $849 17 is not for a tax—it has none of the distinct and well-known characteristics and marked features of a legal tax or imposition. It is nothing more nor less than a direct and tyrannical attempt on the part of the Legislature of 1852 to force defendants, under the false and disguised pretext of Taxation into contract relations with these two private corparations, in other words, it is an unlawful and unconstitutional attempt to force defendants against their *will* and *consent* to form a *contract* or *partnership* with these two rail Road Companies. Such a novel and extraordinary attempt aims at a physical, moral and constitutional impossibility—it strikes at the very foundation of all law, it is an attempt to sap the foundation of all obligations and to destroy all rights—First because the will and assent to a contract cannot be had, so long as withheld by the party refusing to bind him or herself—Secondly because the consent to a contract cannot be wrested but by a violent and criminal assault upon the personal liberty of the party resisting—Thirdly, because the Constitution of the United States, Art I. Sec 10, forbidding the States of this Union to pass laws impairing the obligations of a contracts, places under its supreme protection and guaranty, as well the absolute freedom of consent essential to form a contract, as the inviolability of the obligation resulting from the contract when voluntarily formed.

To recognize either in our Legislature or to any Government on earth, the tyranical power to form contracts for and between man and man in society, would be destructive of all civil liberty, subversive of all law and order, and all the bonds of society for the maintainance of which constitutions are framed and laws adopted.

4th. As respects the tender made by Defdts of the amount of the annual Municipal tax due by them—I deem it to be legal, by an admission on record the unpaid tax bills were in the possession and under the sole control of the City treasurer at the time said tender was made—The same tender was made to the Asst Attorney for the City, who had not the bills in his possession I do not understand what is meant by a constructive delivery in a case of this kind—The commission of 5 per cent. awarded to the Atty is for services rendered in the course of collecting Taxes in this Case he has rendered no services, he did not have the bills in his possession at the time the tender was made, and consequently is not entitled to receive any commissions, and in conclusion it is but right, that I should here state, that upon the Trial of the cause the Counsel for Pltffs requested the Court to charge the Jury that the decision of the Supreme Court and the case of the Police Jury etc *vs* Executors of McDonogh was a final settlement of the constitutional question of the Act of March 1852 and that inferior Courts and Jurys are bound to obey such decision, such a theory will not be seriously contended for by any person who is at all familiar with the jurisprudence of Louisiana—The judges of District Courts are sworn to interpret the laws according to *their* understanding—jurys are sworn to decide according to the Law and the evidence—These are moral and legal obligations upon Courts and jurors—So if the Court or jury are conscienciously of the opinion that the Superior Court has erred upon a question of law, it surely will not be deemed that they have a right and it is their bounden duty to state in what respect the judgment of the Superior Court is incorrect; in order that the question or questions may be more deliberately reflected upon and settled by that Court—but independent of these rights—it is a well settled principle of law that one decision of the Supreme Court, upon a mooted question, of law *does not settle* the jurisprudence of the State of Louisiana, "*The Rule stare decisis* is entitled to great weight and respect, when there has been on any point of law a series of adjudications, all to the same effect, but a single decision believed to have been unadvisedly or erroneously made, will be overruled—See Hennen's Digest 2 vol 831 Sec 24—And to support this well known principle of law See Breedlove *vs* Turner 9 M R 353—Smith *vs* Smith 13 L R 446—Griffin *vs* His Creditors 6 R R 225 Dugas *vs* Estilette 5 Ann 560. Lagrange *vs* Barnett 11 R R 302 So it is clear that this Court is not estoped from exercising a free and independent and conscienscious opinion upon a question of law submitted to it even when the Supreme Court has passed upon it, but independent of this I am not nor were I bound to charge the jury as requested from the fact that this case presents two distict and different questions—to those decided in the case of the Police Jury etc *vs* Executors of McDonogh to wit The first and third grounds set forth in this judgment—I am clearly of the opinion, that the Pltffs are not entitled to the relief asked for.

It is therefore ordered and decreed that the motion for a new trial be overruled.

JUDGE ALEXANDER PORTER'S OPINION.

The next objection, that the lawyers practising (365) in this State are not under any necessity of noticing the judgments given by the Supreme Court, has certainly the merit of novelty, to justify an examination of its correctness.

In support of this position, a great deal of time was occupied in showing that the decisions were not law: that nothing could be properly called so, but those acts passed by that branch of our government, in whom the power of legislation is vested by the Constitution. This is true, and we never before supposed that they were so considered. But as we are obliged, by our duty, to decide on every question that is brought before us, and as many of these questions turn on ascertaining the true meaning of the law-makers, when the expressions used are ambiguous, whether that ambiguity be considered in relation to the language used in the act, or the applicability of the provision to particular cases, I had supposed it not doubted that the decisions of this tribunal were to be regarded as the interpretation of the legislative will—as an expression of its meaning and intention. And that until the legislative authority, by subsequent acts, choose to make different provisions (366) on the subject, that it is an acquiescence on their part, that the court fairly understood their meaning, and wisely and faithfully expounded it. There is also a variety of questions presented for decision, when positive law is silent, and when recourse must be had to legal analogies, to arrive at truth.

Are not the decisions which this court makes amid the frequent conflicting opinions of foreign jurists, to be received as determining which doctrine is in force here? We are told not; that recourse must be had to the law itself, and that law is found where? In some obscure commentator, who lived, perhaps, some centuries ago, and who is quoted, triumphantly, as better evidence of what is a rule of action for the people of Louisiana, than the decisions of men, who, whatever in other respects be their abilities, have, at least, the advantage of using the knowledge and learning that later times have produced—who enjoy the light of the age in which they live, and who have the aid of able counsel, discussing every subject on which they are called to pronounce an opinion.

This, then, is the fair extent to which the authority of the decisions of this tribunal may (367) be carried. They are evidence of what the law is, under such circumstances, as has been just stated, and as is the duty of the Court to see that they are correct, and that they are uniform; so, also, is it important that society should know that we feel ourselves bound by them, unless we are clearly and beyond doubt satisfied that they are contrary to law or the Constitution, and that we never can consider it a proper discharge of duty in any member of the bar who pursues his profession with an avowed determination to disregard them.

It is no answer to this reasoning to say that the law is different from the decision of the Court, for that is begging the question, and taking for granted the very point which the court has otherwise decided.

On this view of the subject, I need not examine the difference between the authority to which decisions under our law are entitled, and those of the Courts of England; many of the latter, as was truly stated, turn on the common law; many of them, however, grow out of the expressions used in their statutes, and are given in expounding them. Cases of the latter description are delivered under circumstances (368) similar to those in which this court pronounces here, and have, in that country, the same weight which I have stated the decisions of this tribunal should enjoy in this.

Nor do I find that the opinion or practice of other countries is different on this head. In France, where the science of jurisprudence has been carried to great perfection, the decisions of their courts of last resort are referred to by the most eminent writers on the law of that country; D'Aguesseau, by Denisart, by Merlin, by Paillet, by Daguien, by Pothier, and by the jurists who have published a late edition of the last mentioned author's works.

Since the enactment of the different codes under the reign of Napoleon, an immense number of the reports of the decisions of their Court of Cassation, and other tribunals of appeal. Jurisprudence du Code Civil, 22 vols.; Journal des Audiences de la Cour de Cassation, 14 vols., by Denevers. If, as contended here, decisions of Courts, under the Civil Law, were only evidence of (369) the law between the parties litigating, why all this care in collecting and preserving them? And does not the simple fact of their publication, their rapid and extensive circulation, and the frequent reference to them, completely answer all that we have heard on this subject.

In Spain, also, the decisions of their Courts are quoted to the same purpose. Febrero Addicionado, pp. 2. lib. 3. cap. 3, sec. 2, N. 178, and many other passages in that author's works.

Nor is there any assumption of power in giving the decisions of this court the authority just spoken of.

The tribunals of the last resort, in every State of the Union, hold the same doctrine, each in relation to their own judgments. They are acquiesced in, without objection, by the citizens of those States—men not unacquainted with their rights, or slow to perceive or check any usurpation of them.

Congress appropriates annually a sum of money to insure a publication of the decisions of the Supreme Court of the Federal Government; and here in Louisiana the representatives of the people have expressed the same sense of their utility, by ordering the purchase of (370) the decisions of this Court, and directing their distribution through the State.

I confess, therefore, that I have been unable to feel the force of what has been said in the argument of this cause, respecting the impropriety of considering the decisions of the Court as any thing more than declaring the law between the parties. They, who in their zeal for their client, so eloquently urge this doctrine, would do well to reflect to what it leads. That its tendency is not to take power from this court, but to give it.

That if we were under no obligation to follow that which we have decided ourselves, or what was declared law by our predecessors, we would possess an authority dangerous to the citizens; and, in the exercise of which, this tribunal would at once become feared and hated.

MORE OF COTTON.

Not now, kind reader! of the plant or of the staple; but of that other Cotton, which, by the judicious suffrage of the people, sits, in Dogberrian state, upon the woolsack.

We had little thought ever to become the annotator of such an author. Had it pleased Heaven to give us our choice, when we became commentators, we should not, certainly, have pitched upon just this legal luminary as him whom it would have been delightful and a labor of love to elucidate. But the severity of Fate assigns us to each other, for our mutual discomfort. We cannot evade Cotton, nor Cotton us. Destiny hath appointed us to deal with one another; and she, at least, holds a Court of Appeals, whose decrees neither Judge Cotton nor ourself can set aside. We yield, therefore, to the stern power of necessity; who, as everybody knows, hath no law: in which particular, she and Judge Cotton are exactly alike—as has already been made fully to appear to all who chance not to be aware of it.

Heretofore, the number of these was very great; being exactly equal to that of all those who had never heard of him as either the briefless lawyer or the lawless Judge. Now, however, all that has been changed. The envious veil of obscurity, which till now concealed Cotton from the world's admiring gaze, hath been drawn aside; the cloud that covered him hath been blown away by the breath of the Press. Cotton himself, who slept supine and as if forever, in the maternal lap of oblivion, hath of a sudden waked up, as Lord Byron did one morning, and found himself famous.

Thrice happy Cotton! The renown which others are fain to work out by toil, he hath achieved without an effort. Others attain to a painful celebrity only by their knowledge: he hath accomplished an equal one by his ignorance!

But while we thus resound the praise of Cotton, let us not forget that something is due to our own. Save for our trumpet, where were Cotton's fame? What Agamemnon owes to Homer, or Dogberry the elder to Will Shakespeare, Judge Cotton owes to us. And herein lies our triumphant vindication from the ill-judging blame of some who deem us to be persecuting the admirable Cotton, while, in truth, we are but making him what he never made for himself—a reputation.

Had Cotton, the poorest of sticks, remained a little "limb of the law;" had he not, by demagoguism, grown up into a tree, under whose shade people must sit, perforce, for protection, we should never have sung of him. Had he rested content in his natural negativeness, a harm to no one but the very few and foolish clients who employed him, who would ever have molested him? Not only would it have been inhuman to do so, but impossible: for who could have found him? When, however, no longer modest, he aspires to the ermine, and, harmless no longer, gets it, he becomes a rock of offence and a stone of scandal, against which all who pass for justice by the way where lies the block of his ignorance must break their shins, if not their necks. It then grows imperatively the duty of every body to remove that stumbling-block out of this great highway to men's rights. More especially does it become the duty of us of the Press, surveyors and inspectors of that and of all other public ways, as we are, to stop not and stint not, until such a grievous impediment, such a wanton and foolish hindrance to Justice—the great end for which society is instituted—be cast out from the place which it encumbers and where it only offends. But even this is not all: bad enough was it that Cotton should be a judge; bad enough that he should, from his puny tribunal, deal out injustice to the suitors of a single unfortunate district: but when, dissatisfied with his petty sphere of wrong, he emerges from it, claiming to upset those supreme decisions which alone can bring a remedy to the existence of such a magistrate as he is; when, in short, he would set himself up to re-expound to the Supreme Court what they have deliberately settled in an opposite sense, to break down with his shallow-pate all rules, all precedent, all authority, so that the entire State shall stand in the condition of his own district, and have no law in it: why, in that case, Judge Cotton, ceasing to be the mere plague of a neighborhood, rises into the nuisance of the State, and must be abated. As his great prototype, Dogberry himself, says, "it is tolerable and not to be endured," that a man capable of pronouncing such judgments and of supporting them by such authorities as he produces to sustain them, should sit upon the judgment-seat, in any country of Jurisprudence.

ORLEANS THEATRE.—To-night we are to be favored with Meyerbeer's favorite opera of the "Huguenots;" in which the chief male parts are to be performed by Messrs. Lapierre, Lacroix and Genibrel; the chief female, by Mesdames Bertini and Berton. We need not say that all these are singers of great excellence. The fine music of the piece will therefore receive full justice.

NORMAN'S BOOK-STORE.—Mr. Norman, No. 14 Camp street, has on hand one of the largest assortments of annuals, gift books, juvenile works, and other literature appropriate to the holidays, that can be found in the city. His counter is covered with standard works and beautifully illustrated editions of the poets. We recommend those intending to select a present for the holidays to examine his stock.

MINIATURE DIARY.—We have been furnished by Messrs. D. Felt & Stetson, 24 Chartres street, with several specimens of a convenient blank Diary, the larger size intended for the desk and the smaller for the pocket. It contains a calendar for 1854, and one has but to glance at the ingenious arrangement to appreciate its utility.

☞ We have been requested to call attention to the sale of the Billiard Saloon, 110 Common St., at 12 o'clock this day, by Messrs. J. L. Carman & Co. See their advertisement under the proper head.

☞ The clerk of the Grand Tower has our thanks for St. Louis papers.

An effort is being made at Washington to establish the open ballot, or voting *viva voce*, in the Senate.

The new steamship Charles Morgan, intended for the New Orleans and Texas line, was launched at New York on the 19th.

Snow fell in New York on the night of the 20th to the depth of three inches.

LATEST TELEGRAPHIC NEWS

TO THE NEW ORLEANS DAILY CRESCENT.

By the National Line.

Further by the Pacific.

THE BATTLE OFF SINOPE.

NEW YORK, Dec. 27.—The papers brought by the Pacific contain various accounts of the naval battle off Sinope. One of these states that the entire Russian fleet from Sebastapol was engaged against the Turkish squadron of fourteen ships at Sinope. The shore batteries proving useless, the Russians forced an entrance to the harbor. The number of Turkish ships sunk and destroyed was thirteen. Besides the seven Russian ships that were lost in the battle, the remainder of the fleet was so much shattered, that it reached Sebastopol only with great difficulty. The Turks are reported to have fought like devils, and all preferred to die rather than surrender. The Turkish vessels sunk comprised seven frigates, two corvettes, one steamer and three transports—thirteen in all.

Another account states that only six Russian ships-of-the-line were engaged in the battle, and that they had to sustain the fire of five land batteries as well as that of the Turkish fleet.

An attempt was made to take the Turkish flag-ship with the Vice Admiral into Sebastapol, but she sunk, and the prisoners were transferred to the Russian vessels.

Admiral Menschikoff left Odessa immediately for St. Petersburg, with his official reports.

PROBABLE ARMISTICE.

Accounts from Vienna state that an armistice will probably be agreed upon. It is now said that the Ottoman Porte has consented that Servia shall remain neutral.

LATER FROM CHINA.

Later advices had been received at London from China. Canton continued quiet, but there was yet much fighting at Shanghai and Amoy.

GREAT CONFLAGRATION IN NEW YORK.

NEW YORK, Dec. 27.—This city has been visited this morning by a great conflagration, by which an immense amount of property has been destroyed. Among the buildings destroyed are 18 wholesale stores in Front street, mostly occupied by flour dealers. The great clipper ship Great Republic was burnt to the water's edge. The clipper ships White Squall and Red Rover, and the packet ship Joseph Walker are totally destroyed, and many other vessels are greatly damaged. The losses are not ascertained, but are known to be immense.

The Great Republic was insured for $300,000, and her cargo was valued at $600,000. The amount of insurance on the latter is not yet known.

NEW YORK FLOUR MARKET.

NEW YORK, Dec. 27.—The flour market here is excited, and prices have advanced 25 to 38c per bbl. Sales of State brands at $7 50 to $7 62½, and of Ohio and Southern at $7 62½ to $7 68¾ per bbl.

OHIO RIVER—MARKETS.

PITTSBURGH, Dec. 27.—The river here is now falling, with 4 feet 9 inches water in the channel. A heavy rise is reported at Brownsville.

CINCINNATI, Dec. 27.—The river here is falling slowly. Flour has advanced to $6 50 per bbl. Hogs are selling at $4 35 to $4 40, though most holders are asking higher.

LOUISVILLE, Dec. 27.—The river here is now falling slowly. The steamer Fanny Smith has departed for New Orleans.

Arrivals at the Principal Hotels....December 28.

ST CHARLES—M Andrews, N D Calhoon and lady, Adrian Hebert, J A Cotton, W H Clement, John H Doherty, Wade H Richardson, W M Smith, Jas R Marks, H C Stanard, La; A L Gibson, L Maltby, M B Mumford, lady and child, Dr James, NO; E W Drake, steamer St Charles; A Rankin, J Pollock, John O Reilly, Dr Sebastall, Ala; J Brooks, Cala; N J Benson, Mass; James Oliver, England; A Marsh, steamer Princess; C Ryan, Tennessee; Mrs G S Pike, Miss Adams, Louisiana.

ST LOUIS....W C Blackman, Iowa; M B Green, C Goodwin, Ala; A Montague, Texas; J M Murphy, Thos H Leggett, W H Pomroy, N Y; J Cleary, Mo.

VERANDA....H Young, NY; T M Schoonmaker, H D Brady, Mrs J D Howell, Mr Hill, H G Stanard, J R Marks, W T Mumford, H S McConnell, J Mumford, P M Moore and servants, La; B Poole, steamer T F Leathers; E M Hobson, Ky; J Bowen, Pa, W J Seldon, W S Houghton, NY.

ARCADE....P B Tyler, J F Keller, J G Carnby, T Abernethy, K G Brown, La.

CITY....H S Jones, Wis; C Moore, W Scarbough, Mrs Sparks, Miss Garnett, Mrs Garnett, Dr Kelly, Dr Duplantier, J C Wilson, C W Flatch, La.

RECORDER WINTER'S COURT.—Patrick M. Jennings made affidavit before this court, yesterday, to the effect that John Pollen, who was arrested some three weeks since as being a dangerous and suspicious character, was not pointed out to him by Cunningham R. Ferguson.

PROFESSOR HENRY DE MARSAN.—The method and abilities of this gentleman, so highly spoken of in this city, are in great favor among the ladies and gentlemen who study the French Language. Combining the oral system with the use of but one single and admirable book—it is a reasonable and true method, capable of producing the most satisfactory and incontestible results, and requires a great deal less time than any other system, ridiculously termed "the only successful, the only infallible one." Professor DEMARSAN has formed Day Classes for Ladies, and Evening Classes for Gentlemen. He gives Private Lessons as usual, at the residence of the Pupil, or at his own rooms, No. 9 Camp street, opposite the City Hotel.