The New Orleans Crescent.

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J. O. NIXON, Editor and Proprietor.

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THE DAILY CRESCENT

is published EVERY MORNING—Mondays excepted. Yearly Subscription, in advance, $16; Half yearly, $8; Quarterly, $4; Single copies, 10 cents.

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is published every Saturday morning. Subscription, $5 per annum, in advance; half-yearly and quarterly, same ratio. Single copies 10 cents.

Rates of Advertising:

Squares.	1 month	2 months.	3 months.	6 months.	12 months
One	$ 5 net.	$ 9 net.	$ 12 net.	$ 20 net.	$ 30 net.
Two	9 "	16 "	20 "	32 "	50 "
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Four	15 "	27 "	35 "	56 "	90 "
Five	18 "	32 "	42 "	68 "	110 "
Ten	30 "	55 "	75 "	130 "	200 "
Fifteen	40 "	75 "	100 "	180 "	280 "
Thirty	70 "	120 "	180 "	300 "	450 "

WEDNESDAY MORNING, DECEMBER 2, 1868.

LOUISIANA ITEMS.

The Thibodaux Sentinel of the 28th furnishes the following items: "The grinding season has been excellent in this parish. Several frosts have ripened the cane properly, and the yield generally has been satisfactory. We hear some complaints of yields smaller than anticipated, but the majority of planters are contented. The sugar is of good quality, on the average, but we have seen and heard of some that will not do to brag on. Upon the whole, Lafourche has been blessed with excellent crops in 1868. May we never have worse ones. The cool weather of late has brought flocks of ducks to our hunting grounds, and our market has a supply of them daily for the consumption of our citizens. Lately we have had fine red fish, brought up from Terrebonne, for sale in our town, and at reasonable rates."

Messrs. Boyd & Rainey have leased the Johnson plantation, at the Lafourche crossing, and are going to plant rice on a large scale. We are informed that these gentlemen are experienced in the cultivation of this grain, and that they design erecting a mill for the purpose of cleaning rice. We hope they may do so, for such an establishment is sadly needed in that portion of the parish. There is one good thing connected with this lease of that plantation, and that is that the people of the surrounding neighborhood will be rid of the den of thieves who have made their home thereon for the last five years, living by plunder and stealing the crops of those who work for an honest living. This will clean out all such dens in Lafourche.

The citizens of Lafourche are called to meet on the 15th inst., at Thibodaux, to organize a "Property Holders' Protective Association," for the parish.

THE LARGEST SALE OF BOOTS, SHOES AND BROGANS EVER MADE IN THIS CITY.—Messrs. Louis Stern & Bros. will sell to-day at their auction rooms Nos. 33 Magazine and 96 Gravier street. This sale will comprise 1000 cases of fresh goods just received by late steamers. This assortment is one of the prettiest ever brought to this market, and will be sold in lots to suit purchasers. Now is a good opportunity for buyers from the country to lay in a stock at very low prices, and thereby reap the benefits of large profits. See their advertisement in our auction column.

PELICAN CIGAR AND TOBACCO WAREHOUSE. The attention of our readers is directed to the card of Mr. S. Hernsheim, 73 Gravier street, which will be found in another column. He has constantly on hand the choicest brands of Virginia chewing and smoking tobacco, and a large assortment of Havana and domestic cigars, meerschaum, briar and wood pipes, tobacco pouches, and every variety of smokers' articles. He also keeps a large supply of tobacco in hogsheads and bales suitable to the Mexican market and plantation use, together with a heavy stock of cigar leaf tobacco for manufacturing purposes. His prices are exceedingly low, while any business transaction with Mr. H. will prove to be of the most pleasing character. Read his advertisement and call on him before purchasing.

Country dealers, housekeepers and merchants in general will find it to their advantage to attend auction sale of furniture this day, at 11 o'clock A. M., by Chas. T. Nash, auctioneer, corner of St. Charles and Perdido streets.

A gentleman who has been present at the performance of many earthquakes, including the one which recently came off in San Francisco, gives a singular and interesting account of the effect of an earthquake on men, women, children and domestic fowls and animals. He says that, as a rule, men run into the streets laughing, while women and children sink down and cry piteously and hysterically. Horses generally snort with terror and dash madly away. Cattle bellow and run wildly about. Sheep huddle close together and stand still. Dogs bark vociferously and run about without any apparent object. And, according to the testimony of a lady who was standing in her yard feeding her poultry when the shock of the San Francisco earthquake was first felt, the hens and chickens all ran away and took to the hen-house as though a shower had occurred, while her only turkey ran toward her and lying flat down at her feet looked up into her face as if imploring protection.

It may be suggested to the people who are just now fashioning laws to forbid marriages considered improper, that in 1770 the king of Portugal issued an edict forbidding widows more than fifty years of age to marry. "Experience," says the king, "has shown that women of that age commonly marry young men of no property, who dissipate the fortunes such marriages put them in possession of, to the prejudice of the children and other near relations of their wives."

A highly intelligent lady, a resident of Syracuse, N. Y., says that she was afflicted nearly a year, periodically, with derangement of the circulation, the blood rushing to the lungs with such force as to threaten congestion and death. This was attended with the most intense pain in all parts of the body. Failing to obtain relief from any of the physicians whom she employed from time to time, she was induced to try the Plantation Bitters, and to her suprise and joy they have relieved her, and she is now in good health and spirits.

A FINE THING FOR THE TEETH.—The fragrant Sozodont has taken a very prominent place among the most approved dentifrices of the day. It is a very popular article for the toilet, highly recommended by all who have used it as a beautifier and preserver of the teeth, refreshing the mouth, sweetening the breath and arresting the progress of decay.

THE METAIRIE RACES.

SECOND DAY.

Joe Johnston wins the Mile Heats and Fannie Cheatham the Two Mile Heats.

A prettier day for a horse race than yesterday could not have been asked for by the most captious. The wet track of Saturday which compelled such comparatively slow time, and which made the great State post stake race less interesting than it would otherwise have been, had been dried by three days of fair weather, and was in really beautiful condition—not too dry and dusty, but entirely without mud, just hard enough and springy. The races bade fair to be tolerably interesting.

The first was for $300, mile heats for all ages; for this had been entered *Joe Johnston*, well known to New Orleans turfmen; *Jack Gamble, Jr.*, a five year old, by Jack Gamble the famous, out of Medora, and *Larkin*, a Lexington colt, dam Magenta, better known to our sporting men as General McMahon, the name which he owned before he was sold to Mr. J. B. Lyons, his present possessor. The last named horse had the call at all the pools on Monday evening, Joe ruling next, Jack, the son of Jack being left out in the cold.

The other race was two mile heats, $600 purse. There were five entries. *Fannie Cheatham*, a mare whose fame is daily becoming wider and who bids fair yet to take her place in the list of immortal horses; *Transit*, a beautiful chestnut, who made a good run in the dark on Saturday, but who, nevertheless, was considered nowhere in yesterday's race—being counted so low that in a $324 pool he only brought $2; *Carrie Atherton*, a three year old filly, who has yet a name to make; Col. Nelligan's *Bismarck*, who won the dash on Saturday, but who, as events proved, is not a horse for long distances, and *Little Mack*, an Eclipse colt, five years old. Fannie was largely the favorite, Little Mack coming next, Carrie, Bismarck and Transit following.

With the above races to be witnessed, a delightful day—just warm enough, sunny, invigorating—and a splendid track, the number of people who, yesterday, about two o'clock, commenced their pilgrimage to the Metairie Ridge, was not small. On the arrival of our reporter there he found a tolerably fair attendance in the public stand, the club's stand full, and the ladies stand fairly glittering in the sunshine in its variety of bright colors—colors bright as the ladies' eyes, making a sight, in its aggregate beauty, as attractive as the faces whose united loveliness composed it. At three o'clock, punctually, the bell was rung, the sonorous voice of ex-Governor Hebert rung out, "Clear the track!" Then came "Mount your riders!" and the three horses were ranged ready for the start. They got off pretty well, Joe leading. Larkin next, Gamble closing the list. Larkin at once made a rush to catch Joe, but failed, and all three passed the quarter pole in the same order as that in which they had left the stand, in 29½. Then Larkin, for some unaccountable reason, fell behind, and was passed by Gamble, who at once made for Joe. He nearly caught him, and as the horses passed the half mile (which they did in 55½,) it was only by a short head that Joe led the race. Up to the three-quarter poll the distance between the two first horses gradually increased, but as they entered the home stretch the brown horse was ahead, Larkin, the favorite, being too far behind to be reckoned. Just as the draw was entered his jockey gave Joe some hard digs with the spurs, to which he promptly answered, forging ahead of Gamble, who was being severely whipped, and winning the race by half a length.

After this heat favorite stock went down, many persons asserting that Larkin was sick and had no chance for the race; and, in fact, the unaccountable manner in which he had lagged all through the heat, would seem to have justified the supposition. But still he did not lack backers, many asserting that he had not fought for the first heat, but would assuredly take the two next.

When the horses were again brought up, Joe was exceedingly restive, and it was some time before a start could be made; but it was finally accomplished, he leading, with Larkin behind him and Gamble last. In this heat, as in the first, Larkin held the second place only till the first quarter was passed, when Gamble took it from him. A hard struggle between these two ensued, when at the half mile Gamble succeeded in shaking his rival off. Joe meanwhile had been in the lead, never losing the first place and running steadily along. They came into the home stretch Joe ahead, the others well behind. The nearer they got to the stand, the further in front got Joe, until he finally passed under the string four good lengths ahead of Gamble, in a gallop, with his jockey pulling him hard. Larkin made a poor third. Time, 1:54¼.

The first race over, and the favorite for once badly beaten, then came the usual refreshment to the inner man and preparation for the next race. As we have said above, it was two mile heats, five entries, and promised to be quite exciting. The favorite, Fannie Cheatham, had run before on the Metairie, but had not won many laurels; lately she has at Memphis and in the North done exceedingly well; as Little Mack was thought to be a good two mile horse; and as Carrie Atherton, although only three years old, is of fine blood and looks like a fine animal, it was thought that the end of the contest would be doubtful—Transit and Bismarck were not counted as having any chance at all for victory.

When the bell rung out stepped the five horses, as beautiful a sight as a man can see. Transit had drawn the inside, Fannie being next her, Carrie, Bismarck and Little Mack holding the outer places. After considerable maneuvering, caused by restiveness of Transit, a start was at last made, Bismarck leading, Transit following, the balance "all in a heap." At the first quarter poll (which was reached in 29½) the horses were strung out in a row, Bismarck leading, Transit, Little Mack, Fannie and Carrie following, the nose of each horse touching his leader's tail. The same order was maintained to the half mile—time 57½—with the exception that Fannie changed places with Little Mack. Just after the half mile Transit made a dash for Bismarck, but failed to reach him, and was himself, at the three quarter poll, overhauled by Little Mack, who came into the home stretch nearly neck and neck with Bismarck. But Bismarck still kept his place, and passed the stand in 1:57, with Little Mack behind him, Transit third, the two mares running quietly behind, and making believe fight for the fourth place. Then commenced the work, Fannie quietly passed up, and before the quarter poll was reached had caught the pretty chestnut Transit; she then went for Little Mack, caught him at the half mile, passed him, paid her compliments to Bismarck, showed him her heels, and passed the three-quarter poll leading the race. She kept her place to the end, coming in three long lengths ahead, with Transit behind her, Little Mack and Carrie next, and Bismarck, who had fallen behind the race as soon as Fannie had passed him, way in the rear, just saving his distance.

After this heat all the horses sweated well, Bismarck, however, looking much distressed, and Little Mack seeming somewhat blown. All the horses, however, came up to the string at the bell. After the same difficulty with Transit as had been experienced in the first heat, the horses got off, Transit leading, Carrie and Bismarck following, with Little Mack and Fannie bringing up the rear. Before the quarter was reached (which was in 28 seconds,) Carrie had edged herself up to the front and Little Mack had fallen to the last place, the other positions remaining unchanged. At the half mile—made in 55 seconds—Bismarck had, by an effort, taken the second place and was pushing Carrie hard. A struggle between these two then took place which lasted to the three-quarter pole, when Carrie shook her antagonist off. Then Transit rushed up, had a hard race with the little mare, finally caught her and gained the stand a neck ahead, with Fannie third, Bismarck and Little Mack bringing up the rear. Time 1:54¼. These positions were kept to the quarter pole, when Fannie took the second place and set to work to pass the chestnut. But this was harder work than her jockey thought, and despite of his endeavors, they swept around the track, with Transit still leading. As they entered the draw Fannie was shoved hard, but the whip kept Transit to his work, and he came in two lengths ahead, Carrie third and the two others badly distanced. Time 3:52¼.

Notwithstanding the loss of the heat, Fannie's backers were as confident as ever. Bets were freely offered of two to one on her, and sometimes lacked acceptance.

To the third heat the three came up, all looking as lively as though they had not run four miles hard. A start was made with Carrie far, far ahead, Transit next her, Fannie behind. Carrie kept her place to the quarter pole—made in 30½—when she was caught by both the others, and a lively race ensued. The half mile was made in 59¼, with Transit leading, Carrie behind him and Fannie quietly biding her time. Then Fannie took the second place, and in that order the first mile was made in 1:58¼. In the same order the horses reached the first quarter, when, between that and the half mile, the other horses had to give way to Fannie's long, steady gallop, and slowly fell behind her, she keeping the same stride. The race was then over, for no efforts availed to bring the others up; though Carrie did make a noble trial at the draw, it was fruitless, and Fannie came in first, winning the heat and the race easily in four minutes.

The following is a

SUMMARY.

METAIRIE COURSE — New Orleans Metairie Jockey Club—Fall meeting of 1868—Second day. First race—Purse $300; mile heats for all ages.

John Crickard enters b. h. *Joe Johnston*, 6 y. o., by Goodwood, dam by imp. Sovereign	1	1
Frank Green enters Wm. Brady's br. h. *Jack Gamble, Jr.*, by Jack Gamble, dam Madora, 5 y. o.	2	2
John Hawkins enters J. B. Lyons's b. h. *Larkin*, by Lexington, dam Magenta, 5 y. o.	3	3

Time—1:52¼; 1:54¼.

Second race—Purse $600; two mile heats.

H. B. Foley enters T. G. Moore's b. f. *Fannie Cheatham*, by Lexington, dam Laura, by by imp. Leviathan, 4 y. o.	1	2 1
John Crickard enters E. Warwick's ch. h. *Transit*, by Bleakhind, dam Prairie Flower, by imp. Sovereign, 4 y. o.	2	1 dis
A. K. Richards enters b f *Carrie Atherton*, by Lexington, dam Glycera, by imp. Sovereign, 3 y. o.	4	3 2
John Hawkins enters J. B. Lyons's ch. h *Little Mack*, by Eclipse, dam imp. by Weatherbit, 5 y. o.	3	dis.
H. W. Montgomery enters Col. Nelligan's b. h. *Bismarck*, by Lexington, dam by imp. Glencoe, 6 y. o.	5	dis.

Time—3:54; 3:52¼; 4:00.

Particulars of the races of to-day will be found elsewhere.

A Bear Loose in Chicago.

The Chicago papers describe the escape of a bear from a butcher's stall in that city, in the following terms:

At daylight yesterday the market was opened by the burly proprietor, who, after assuring himself that the bear was alive and doing well, proceeded to wait upon customers. While engaged in cutting and slashing, oblivious to ought else but weights and measures, dollars and cents, Wustum's attention was suddenly attracted by a series of piercing shrieks and accompanying growls proceeding from the rear of the shop. To his horror he discovered that the bear had broken loose, and in smelling about for some means of escape, had poked his nose into the pretty face of the servant girl who had been selecting a cabbage from a heap on the floor, and thinking of anything else but bears when she felt the clammy contact on her cheek. A succession of terrified shrieks, and then a genuine swoon, and she passed out of the reach of fright. Not so the other occupants of the shop, who, men and women alike, on discovering that the bear had broken loose, vanished as rapidly as the width of the door would permit.

Bruin followed leisurely, his corpulent owner too terrified himself to attempt a recapture, and, passing along Eighteenth street, reached Wabash avenue and turned his steps northward. It was not until the bear had reached the avenue that he created the greatest consternation. Here the thoroughfare was crowdad with teams and pedestrians, and the scene was indiscribably ludicrous. The sight of a big black bear is at all times awe-inspiring, but when one of these shaggy monsters makes his unexpected appearance upon a crowded metropolitan avenue, the effect is simply appalling. Bruin chose the center of the street, and without deigning to deviate for anything, or notice the sensation he was creating, trotted straight ahead. Horses took fright, became unmanageable and fled with their load, vehicles were overturned, men took to their heels, boys climbed trees and fences, foolishly forgetting the fact that "shinning up" is a bear's "best holt;" women, unable to make good time at running or a good appearance at climbing trees, fled into front yards indiscriminately, and rushed wildly into mansions imploring refuge and shelter.

Ludicrous and laughable—to a person a few blocks distant—as was all this by-play, infinitely more ludicrous was the main performance, in which the bear and his master were the only actors. Upon recovering from the spasm of terror into which the knight of the cleaver had been at first thrown, he at once set about the recovery of his property, and with that intent gave such rapid chase as his elephantine proportions admitted of. The bear had a lead of about half a block at the start, and the burly butcher went to work to overhaul him. Now, a bear's gait is proverbially deceptive; you imagine, by the appearance of his gait, that he is making no time at all, when, in reality, that shambling, sidelong swing is hard to overcome. Down the avenue they came, both trotting squarely, the bear gaining, and the man beginning to exhibit signs of exhaustion; but the latter made up in pluck what he lacked in muscle, and with a flood of perspiration coursing down his face, stuck to the uneven contest. Fortunately for Wustum, the bear was also fat, and at Congress street had subsided to a slow walk. He was soon overtaken and secured; and, seemingly abandoning the idea of regaining his native wilds, submitted to be led back to his place of confinemant, sadder and wiser, and no doubt perfectly resigned to his gloomy fate, since he had achieved a great success, which ought to satisfy a bear of moderate ambition, by creating one of the greatest furores in the same space of time on record.

The New York Mail, in an article entitled "How to get Office," gives the following list of consulates, with the values attached to them:

Among the consulates, Liverpool, London and Havre always go a begging at $7500. There is some little rush for St. Helena, owing to the marked resemblance of every applicant to Napoleon Bonaparte; this pays $1500, but the British government refuses to take American Bonapartes. Montreal is worth $1000, Quebec $1500, Halifax $2000. Fenians have the best chances for the places. Calcutta is worth $5000, and beautiful yellow fevers are taken there in fees. Paris is worth $5000; much in request by clergymen, because of the spiritual opportunities of the city. Marseilles and Bordeaux stand at $2500 a piece. Nobody wants these because of the cheapness of wine and living there. Madrid is worth $1800, and none of the other Spanish consulates more than $1500, but nobody wants these at all since there is a probability of republican government there. If any of your readers would like one of these places, a letter sent to General Grant will "fetch" it by return post. No postal stamp required, as the general has the franking privilege. You must ask him if he couldn't give you the consulate, to express you some franks and stationery.

Havana is worth $6,000. An honorable discharge under Lopez or Gen. Walker is sure to get this position at this time. St. Thomas is valued at $7,000; next after Havana. A silent man like Grant is wanted there, as owing to the hurricanes, a wind-bag might find opposition. Frankfort on the Maine is worth $3,000. Berlin only fees at $2,500. Vienna consulate $1,500; Trieste, $2,000; Munich, $1,000; Brussels, $2,500; Bremen, $3,000; Hamburg, $2,000. All the leading Italian places rate at $1,500, except Venice, hard to get, at $750. Pekin is worth $5,000. Tea is quite green there and nobody wants it. A drunken son-in-law might be sent there; specify the fact when you ask for the place and no further recommendation is needed. Constantinople stands at $3,000. There is nothing to do there but to take baths and smoke tobacco; consequently it is hard to get any person to accept the sinecure. A widower might be induced to go, because of the constancy of the Turks to the memory of their lost idols. There are Tangiers, Tripoli and Tunis, at $3,000 apiece; Alexandria pays $3,500; Jerusalem, $1,500; Monrovia, in Liberia, $4,000; Shanghai and Canton, $4,000; Foo Chow and Swatow, $3,500; Honolulu, $4,000—family all ready waiting for the consul; Mexico City, $1,800; Vera-Cruz, $4,500; Acapulco, $2,000; Panama, $3,500; Aspinwall, $2,500; Rio Janeiro, $6,000; Valparaiso, $3,000; Callao, $3,500. I give the proper salaries of these consulates that you may take your pick.

N. B.—To insure a certain appointment, refer Gen. Grant to the following persons who will take pleasure in indorsing you:

Gen. McClernand, Illinois; Gen. McCook, Ohio; Ignatius Donnelly, Minnesota; Mr. McCracker—Seward's correspondent—care of Mr. J. L. Morley, Harvard University; Don Carlos Buell, and Wendell Phillips.

FELLOWSHIP.—The use of this word as a verb has hitherto been considered as an Americanism. Recently, however, it has been discovered that in the history of King Arthur, written in 1469, by Sir Thomas Malory, and published in 1485 by Caxton, the great early English printer, "to fellowship with" occurs twice, and the English editor of that work subjoins the definition "to associate, to enter into fraternity with any one." Wright's Universal Pronouncing Dictionary, recently published in London, gives fellowship as a verb. It will, therefore, be seen that this word, like many others supposed to be Americanisms, is actually correct old English, but has fallen into disuse in the mother country while it has been preserved among the emigrants to the United States.

The Italian papers state that the great tunnel through Mount Cenis is making very satisfactory progress. The total length is to be 12,220 metres, and the length already completed is 8958 metres, so that there now remain 3262 metres to be excavated. Under any circumstances it is thought that the entire undertaking will be finished by the commencement of 1781.

A native Boston youth accosted a boy of decided African lineage a few days since, and inquired of the sable lad why he had so short a nose. The reply was, "I 'spects so it won't poke itself into other people's business."

THE COURTS.

The United States District Court.

The argument case of Jas. T. Tucker vs. the New Orleans, Opelousas and Great Western Railroad Company was continued from yesterday.

Mr. Taylor continued his argument for the respondent, in the course of which he eulogized the business character, commercial enterprise, and laudable intentions of Mr. Morgan, which as heretofore exhibited were for the best commercial interests of New Orleans; that he was interested in having the railroad completed to Sabine, because it would open new resources in the State of Texas, and could not destroy the trade of his line of steamers; that Jas. T. Tucker with his claim of a few hundred dollars, was the only creditor of the road who countenanced these proceedings. Mr. Taylor was about to read a letter, "signed by nearly every bondholder, and which he was requested to present to the court for the purpose of showing the real position of this court," when counsel for plaintiff objected to the reading of the letter. Objection sustained. In the concluding part of his argument, which was a lengthy one, Mr. Taylor said:

I will only say, before I conclude, that to my mind it is perfectly certain that in any event, at no distant day, through the action of the company or through that of the bond-holders, a change will be effected in the position of the property of this company, of such a character that the great work in which the city of New Orleans and the State of Louisiana have a peculiar interest will be entered upon and prosecuted with success; and I desire to state to the court my own conviction that Charles Morgan has a greater interest than any single individual in effecting that change in entering upon and carrying out that enterprise. The common idea has been—at least it has been so stated upon the streets and in some of the papers—that Mr. Morgan would be opposed to anything of that sort, because it would diminish the business of his steamers with Texas. Nothing is more fallacious. Mr. Morgan is a business man. He understands the position of things. When that railroad is completed, what will be the result? where will it run? The route will be upon the highlands which divide the waters running into the Gulf of Mexico from those running into the Red River. The tract of that railroad will be, after it leaves Louisiana, two or three hundred miles from the coast, and the effect of its completion will be that it fills a new country with population, that it favors the extension of settlements, that it will promote the opening of farms, the establishing of plantations; that it will aid in the growth of cotton, wheat, corn and cattle; that it will be an avenue through which population will flow into the State of Texas, and that population will spread on either side. Its effect will be to create a business for itself, which shall be great; but its secondary effect will be to increase the business of the steamers which are now owned by Charles Morgan and which are engaged in the Texas trade. A portion of the products raised by new settlers will of course come by railroad; the settlement of the coast will also be promoted and its property increased; the completed railroad would furnish a highway for a great trade; the trade which naturally flows to the ports of the coast would also be augmented, and the freights of Mr. Morgan's steamers would not only be assured, but in all human probability he would be required to put others upon the line in order to carry the freight. Mr. Morgan has a direct interest in the completion of that enterprise, because if it is not completed, and at an early day, other roads will be completed; the one to which your honor's attention was called by Judge Robertson will be entered upon, and if completed, have the effect of diverting from New Orleans and carrying elsewhere a large portion of the trade that now centers in this city.

Mr. Taylor was followed by Mr. Grant, for plaintiff:

I had intended, may it please the court, on last Saturday, to finish the few remarks which it was my part to make in this case. But since the argument has been commenced on behalf of respondent, some few remarks and insinuations, touching the character and the aims and objects of the gentleman whom I represent in this suit, have been made in this court. I deem it no more than the duty which I owe to my client to unmask the fallacy of these assertions. While I had not intended to touch upon the legal aspect of this case in the few remarks which I shall make, I shall premise them with a reference to the point at law, upon which my worthy friend Mr. Taylor based those inferences upon which his assertions were made. It seems that he has taken as true that in the preliminary proceedings of creditor against debtor, it was necessary under form 21 and 22 that the complainant should swear that he had not purchased the coupons and the claim for the purpose of instituting any proceedings whatever in a court of bankruptcy, and I do the gentleman justice to say that I believe it was solely because of this error that he has permitted himself to impugn the motives and objects of Mr. Tucker.

The Supreme Court, in its wisdom, has seen fit to prescribe what affidavit should be taken by complainant in proceeding against the debtor, and these forms were strictly complied with in this case, and nowhere, either in the text of the law or the rule of the Supreme Court, do we find that it is necessary for the party appearing before this court to force a debtor into bankruptcy that he should swear anything except that he, at the time of the institution of that suit, was the creditor, and that he was a creditor for a proper amount. All the other affidavits contained in the clause, and which require the debtor to swear that he has procured these claims, not for the purpose of instituting proceedings in bankruptcy, but that they came to him in the usual course of trade. The affirmation which is necessary to prove the claim against the defendant—it is upon that point in law that the gentleman has based all his arguments. Admiring, as I do, the learning and the pre-eminent abilities of my worthy friend, Mr. Taylor, I was considerably astonished when listening to his earnest and apparently ingenuous argument on behalf of the railroad company. Had I been a stranger at the time, and dropped into this court, I should certainly have said that the voice of Mr. Taylor had been raised with peculiar eloquence and earnestness on behalf of defendant; but knowing the position which he occupied, knowing that he comes here under the direction and the inspiration of Mr. Morgan, I understood for whom he was speaking—I understood the motive for all his eloquence. It was not a plea for the poor lamb; it was a plea for the wolf that had its fangs in the throat of its prey, and under these circumstances the motive which has inspired the gentleman is apparent; and coming into this court with that motive, which motive is expressed upon the record which appears in this case, I say that I was surprised that the gentlemen could find it in his conscience to make any remark about the bad faith of Mr. Tucker. Pleading as he is for one whose objects are selfish, I think it was not within the province of his position to assail the character of the gentleman whom we represent. His plea, when unmasked, is simply that this court should surrender all the assets of this great corporation into the hands of Mr. Morgan; and he has raised his voice and appealed to the mercy of your honor, and asked you to dismiss from this court the defendant, simply and solely upon the ground that when the defendant stepped out of the court room the officers of the law whom he had employed fastened their hands upon him. That is the position which the gentleman occupies—not as a friend of the road—not as a friend of the creditors—not as the friend of the people of New Orleans—not as an advocate of the rights of the foreign creditors—but as the partisan of one man, who has his hands upon all the arteries of trade around this city; as the partisan of the man who, while he pretends to be the friend of the defendant, has exacted three-quarters of the earnings of that line of transfers between here and the city of Galveston. One quarter, one miserable little pittance is dealt out by this *friend* of the undertaking of carrying passengers and freight. The gentleman says it is Mr. Morgan's interest that the road should be extended. I have no doubt but the assertion and the suggestion of the gentleman is entitled to peculiar and great weight; I certainly should be willing to take his advice in any matter—where his interests did not outweigh his candor; but in this case it is as if the gentleman had asserted that he was the friend of the man whom he has strangled—as if he were a friend to the man whose life he has taken—whom it was his interest should die. What would be the result of the extention of this road? The result would be to carry into other channels all the passengers and light freight, all the interest and business between here and the coast of Texas, and Mr. Morgan would be compelled to take all that line of steamers which now yields him so princely a revenue to enter into the contest on the outside passage, where everything is free and no monopoly can be organized. That is the result which would occur if the road was completed. I have heard it said here that it was the object and the wish of Mr. Morgan to finish that road through to Texas. He has had possession of it for nearly eight years, and what has he done? For eight years, instead of completing the road, he has held one terminus of it in his hand, and he has taken from its revenue three-fourths of its business, and now says that it is for his interest to surrender this monopoly and to relinquish his right to these monstrous profits. It seems to me that the assertion, in the face of the proceedings, in the face of the position of Mr. Morgan, is not entitled to any credit whatever. The assertions of the gentleman were not sustained either by facts in the case, or the written record on file. At the time of the institution of this suit, Mr. Tucker was a resident of the city of New Orleans; he was then and and is now well known to the commercial men of this city as a young man of energy and public spirit, one who has come down from the far West, with which we have such intimate relations, both social and business, to establish himself here in the prosecution of honorable enterprises. He has made himself a resident of this city, and if the gentleman had any wish to arrive at his motives, if he had any desire to understand the "means" used by him to procure this claim, he might at any time have called him upon the stand; but he was afraid of the damaging revelations which he would make; he knew too well that Mr. Tucker was conversant with commercial transactions and with railroad matters, and instead of making out a case to this court in favor of Mr. Morgan, it would be shown that Mr. Morgan was enriching himself at the expense of the people of New Orleans, and to the detriment and fatal injury of the road; that is what the gentlemen would have heard if they had called upon Mr. Tucker to testify; and they dared not do it. Mr. Tucker, therefore, not only as a citizen of the State of Louisiana, but as a business man, instead of confessing motives which gentlemen have seen fit to charge against him, has every interest in seeing this road completed from Brashear City to New Orleans. He has no steamship line, as Mr. Morgan has, the interests of which are that the road should stop where it is. He has no interest as an enormous coupon or bondholder; he has no interest in obtaining the adjudication of bankruptcy in this case, beyond that which any business man in the city of New Orleans can and should feel in all great public enterprises. To offset the gentleman's motive for opposing a movement which looks solely to the possession of the road, on behalf of Mr. Morgan, under this stage of process, I apply this statement of the motives of Mr. Tucker, as a citizen and a business man here, to see the road once more in a prosperous and paying condition. If there is any motive actuating either party in this case, which can be impugned, it is that of the man who stands before this court unsupported by one word of evidence as to his objects, which shall prevail over the apparent or expressed motives of the authority that makes the charge against him. Then, the commercial community and the voice of every business interest in New Orleans is raised in favor of the action which we have called upon this court to take in the matter. It is for our interest here in New Orleans, as has been well remarked by my friend, Mr. Taylor, to extend every facility to commerce, to open that great region beyond the boundaries of Texas throughout the State of Texas, to make it contribute to our State. In that I agree entirely with the gentleman. He has one way of accomplishing results, we have another. He thinks it is better that Mr. Morgan should be permitted to sell out the road on an execution for $240,000, at the expense of the interests of other corporations to the amount of $3,200,000, than that this court should administer its assets for the benefit of all. It seems to me that the propositions bear upon their face in the one case a most complete vindication, and in the other a most complete condemnation; and I say, therefore, that I have not only admired the eloquence which the gentleman has displayed to-day, but I have been surprised at the manner with which he can apparently throw himself into a case where his ulterior motives are the destruction of the very person that he has defended. I had never yet listened to any address where I was more impressed in seeing the ingenuousness of the gentleman than in the present one. I could scarcely believe that one who has been so long in the practice of law, that perhaps has lost that feeling of partisanship which a younger man might have, could still exhibit all the ardor and all the prejudices of youth. I must say, in vindication of myself, that when this case was first taken up for argument I had intended to confine my remarks entirely to the law questions at issue. It was therefore my intention to say nothing of the bearings of the case before the public, to whose opinion your honor is not in the least either amenable or responsible, so long as the law remains clear and undisputed in your mind. But we have been driven to this course; we have been driven to take some notice of the arguments that have been made outside of the law, in order that the public may judge not only of our motives, but the motives of the gentlemen who have appeared for the respondent in this case, and I feel certain that in this argument, from first to last, the gentlemen have appealed to the public mind rather than to the judicial mind of this court; they have appealed *only* to the public mind; and their appeal can have no bearing and no weight with this court.

We are in favor, then—and the motives of Mr. Tucker are such as to warrant me in saying that our only desire is—that the road may be relieved from the incubus which has hung upon it so long—may be relieved from the mismanagement which has borne it down into bankruptcy so many years, and that by changing hands it may receive that new life which is so necessary, not only for its completion but its successful working, so far as it is completed. There is no ulterior motive, no "fraudulent designs"—as Mr. Robinson was pleased to call it—lying underneath this proceeding. There is no great Illinois Central railroad whose interest it is to check and destroy this short line of road in order that some imaginary Pacific road from Cairo to the City of Mexico may receive all the trade and all the profit of a Mexican connection. I say this in vindication of the gentleman. I say it without the possibility of contradiction, because there is nothing in the record to condemn; because all the light this court has before it as to the motives of Mr. Tucker come from the mouth of the gentleman himself. Before this case shall have proceeded far, if it is adjudged a backrupt, Mr. Tucker and those connected with him, will have shown to the public that their only object is to obtain a speedy sale of this road; and he assures me that parties stand ready, not only to bid, if the sale shall be made speedily, but to contract that they shall finish and complete this great work, and by so doing add something to those causes which are now in operation to make the city of New Orleans, the second city, not only in population but in commerce and trade in the United States.

Judge Durell here remarked that time had been unnecessarily taken by counsel in discussing the bearings of newspaper reports, etc., which could have no weight with the court, whose province it was to administer the law—to decide whether a certain act is proved, and whether that act is bankruptcy within the meaning of the law—not to inquire whether a man's grandchildren may be injured by it or not. He hoped the counsel who made the closing argument would stick to the record.

The court then adjourned.

[The closing argument of Mr. Billings, for plaintiff, will be published in full in to-morrow's CRESCENT.]

Fifth District Court.

A. L. Lee, a resident of St. Bernard, sues out a writ of mandamus against J. O. Landry, controller of the city of New Orleans, based on the following allegations: That he was possessor of a certain contract entered into on the 27th July, 1868, purspant to act eight of the Legislature, approved July 24, between himself on one hand, and Gov. H. C. Warmoth, Lieut. Gov. O. J. Dunn and Chas. W. Lowell, speaker of the House of Representatives, on the other, whereby Lee is authorised and required to publish in his official journal all the advertisements, and do all the printing for the city of New Orleans; that he has published in the N. O. Republican, the official journal, all the advertisements and done all the printing required of him by and for said city, in a proper, speedy and satisfactory manner from the date of contract aforesaid to and inclusive of the 31st October. That he has at the end of every month presented to the controller detailed statements or bills for the preceding months. That said controller declines and refuses to warrant on the city treasurer for the amounts, as required by law. The amounts are for September $2498, for October $2147. That the controller's refusal to draw warrants has put petitioner to great inconvenience, and is a denial of justice.

Mandamus issued ordering controller to show cause on Thursday, Dec. 3d.

THE BRITISH CHESS ASSOCIATION.—It is the practice of this association to hold its meetings alternately in London and in the country. This year it is London's turn, and there are some circumstances connected with the gathering (says the Telegraph) which makes it unusually interesting to chess-players. The grand challenge cup, of the value of £50, now held by Mr. De Vere, will be again competed for. There will be a handicap tournament open to