THE NEW ORLEANS CRESCENT.

VOLUME XVIII. WEDNESDAY MORNING, FEBRUARY 10, 1869. NUMBER 151.

Woman.

Females, owing to the peculiar and important relations which they sustain, their peculiar organization, and the offices they perform, are subject to many sufferings. Freedom from these contribute in no small degree to their happiness and welfare, for none can be happy who are ill. Not only so, but no one of these various Female Complaints can long be suffered to run on without involving the general health of the individual and are long producing

PERMANENT SICKNESS AND PREMATURE DECLINE.

Nor is it pleasant to consult a physician for the relief of these various delicate affections, and only upon the most urgent necessity will a true woman so far sacrifice her greatest charm as to do this. The sex will then thank us for placing in their hands simple specifics, which will be found efficacious in relieving and curing almost every one of those troublesome complaints peculiar to the sex.

HELMBOLD'S EXTRACT OF BUCHU.

Hundreds suffer on in silence, and hundreds of others apply vainly to druggists and doctors, who either merely tantalize them with the hope of a cure or apply remedies which make them worse. I would not wish to assert anything that would be injustice to the afflicted, but I am obliged to say that although it may be produced from excessive exhaustion of the powers of life, by laborious employment, unwholesome air and food, profuse menstruation, the use of tea and coffee, and frequent childbirth, it is far oftener caused by direct irritation, applied to the mucous membrane of the vagina itself.

When reviewing the causes of these distressing complaints, it is most painful to contemplate the attendant evils consequent upon them. It is but simple justice to the subject to enumerate a few of the many additional causes which so largely affect the

LIFE, HEALTH AND HAPPINESS OF WOMAN

In all classes of society, and which, consequently, affect more or less directly the welfare of the entire human family. The mania that exists for precocious education and marriage, cause the years that nature designed for corporeal development to be wasted and perverted in the restraints of dress, the early confinement of school, and especially in the unhealthy excitement of the ball room. Thus, with the body half clothed and the mind unduly excited by pleasure, perverting in midnight revel the hours designed by nature for leep and rest, the work of destruction is half accomplished.

In consequence of this early strain upon her system, an necessary effort is required by the delicate votary to retain her situation in school at a later day, thus aggravating the evil. When one excitement is over, another in prospective keeps the mind morbidly sensitive to impression, while the now constant restraint of fashionable dress, absolutely forbidding the exercise indispensable to the attainment and retention of organic health and strength, the exposure to night air, the sudden change of temperature, the complete prostration produced by excessive dancing, must, of necessity, produce their legitimate effect. At last an early marriage claps the climax of misery, and the unfortunate one, hitherto so utterly regardless of the plain dictates and remonstrances of her delicate nature, becomes an unwilling subject of medical treatment. This is but a truthful picture of the experience of thousands of our young women.

Long before the ability to exercise the functions of the generative organs they require an education of their peculiar nervous system, composed of what is called the tissue, which is in common with the female breast and lips, evidently under the control of mental emotions and associations at an early period of life; and, as we shall subsequently see, these emotions, when excessive, lead, long before puberty, to habits which sap the very life of their victims ere nature has self-completed their development.

FOR FEMALE WEAKNESS AND DEBILITY,

WHITES OR LEUCORRHŒA,

TOO PROFUSE MENSTRUATION,

EXHAUSTION,

TOO LONG CONTINUED PERIODS,

FOR PROLAPSUS AND BEARING DOWN,

OR PROLAPSUS UTERI,

WE OFFER THE MOST PERFECT SPECIFIC KNOWN:

Helmbold's Compound Extract of Buchu.

Directions for Use, Diet and Advice accompany.

FEMALES IN EVERY PERIOD OF LIFE,

from infancy to extreme old age, will find it a remedy to aid Nature in the discharge of its functions.

STRENGTH IS THE GLORY OF MANHOOD AND WOMANHOOD.

HELMBOLD'S EXTRACT BUCHU

IS MORE STRENGTHENING THAN ANY OF THE PREPARATIONS OF BARK OR IRON,

Infinitely Safer and More Pleasant.

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Having received the indorsement of the most prominent physicians in the United States, is now offered to afflicted humanity as a CERTAIN CURE for the following diseases and symptoms, from whatever cause originating:

General Debility,
Mental and Physical Depression,
Imbecility,
Obstruction of Blood to the Head,
Confused Ideas,
Hysteria,
General Irritability,
Restlessness and Sleeplessness at Night,
Absence of Muscular Efficiency,
Loss of Appetite,
Dyspepsia,
Emaciation,
Low Spirits,
Disorganization or Paralysis of the Organs of Generation,
Palpitation of the Heart, and, in fact, all the concomitants of a Nervous and Debilitated state of the system.

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[594 Broadway, New York.

None are genuine unless done up in steel-engraved wrapper, with fac-simile of my Chemical Warehouse, and signed H. T. HELMBOLD.

THE CRESCENT'S DISPATCHES.

WASHINGTON.

Mudd's Pardon to be Signed Yesterday.

LIEUT. BRAIN'S CASE—PROCEEDINGS OF CONGRESS.

The Constitutional Amendment—The Supreme Court.

THE GEORGIA CASE--THE POSTAL RAILROAD BILL.

MICHAEL HAHN IN THE POLITICAL DISABILITY BILL.

Another Suspension by Supervisor Creecy.

AIDS TO GEN. BUCHANAN

Text of the Suffrage Amendment As it Passed the Senate,

WASHINGTON, Feb. 9.—The president signs Dr. Mudd's pardon to-day.

Senator Whyte, of Maryland, visited the attorney general to-day in behalf of Lieut. Braine, at the instance of a large number of Baltimore ladies.

The Senate discussed the constitutional amendment until half-past eleven this morning, met again at twelve, and is now voting down various amendments to the original bill.

The House is discussing postal telegraph. In the Supreme Court the case of Texas vs. White & Childs is progressing. P. C. Merrick arguing in favor of Texas.

The House, after an ineffectual effort to include Louisiana, passed the Senate concurrent resolution in regard to counting Georgia's vote.

The concurrent resolution don't require the president's signature. This action leaves Georgia's status in the Union an open question.

House.—Kerr spoke in opposition to the postal railroad to New York. He said the system would soon extend to telegraphs, insurance companies and canals, creating the necessity for new bureaus and departments. With them would come a fearful multiplication of officers and clerks, and increasing swarms of corrupt, infamous men, land thieves, subsidy beggars, swindlers, villainous contractors, operators and speculators. Such characters would command, if they did not fill, seats in the House of Representatives. This bill was only the pioneer with which to break down constitutional barriers and inaugurate a new policy.

An amendment forbidding the road to connect with other roads now built passed.

An amendment extending the schedule time from six to seven hours passed by 104 to 61.

The bill was then ordered engrossed.

Several Senate amendments to the consular appropriation bill were rejected.

The committee of banking and currency have the floor on Saturday to report business on hand.

Paine gave notice that he would to-morrow call up the bill for the relief of political disabilities, reported by him from the reconstruction committee.

The House went into committee on the army appropriations. Recess.

Senate.—Day devoted to the suffrage amendment. Still in session.

There was a full cabinet session to-day.

The internal revenue commissioner, Rollins, is absent.

During the contest to-day over the suffrage amendment to the Constitution, Mr. Vickers offered an amendment looking to the restoration to the exercise of the elective franchise of those who are now excluded by reason of participation in the rebellion, which was rejected by 21 to 32; those voting in the affirmative being Messrs. Bayard, Buckalew, Davis, Dixon, Doolittle, Ferry, Fowler, Grimes, Harlan, Hendricks, McCreery, Norton, Patterson of Tennessee, Ramsey, Rice, Robertson, Sawyer, Trumbull, Van Winkle, Vickers and Wilson.

Included in the bill for removal of political disabilities is Michael Hahn, of Louisiana.

Supervisor Creecy has suspended H. W. Mullen, acting collector of the third Louisiana district.

Brevet Major I. D. DeRussy, captain 1st U. S. infantry, and Captain George Baldey, 39th U. S. infantry, have been appointed aids to Brevet Major Gen. R. C. Buchanan, commanding department of Louisiana.

The constitutional amendment as it finally passed the Senate, reads: No discrimination shall be made in the United States, among the citizens of the United States, in the exercise of the elective franchise or in the right to hold office in any State on account of race, color, nativity, property, education or creed. The vote was 40 to 16. It goes to the House for concurrence.

FROM HAVANA.

The Progress of the Insurrection.

PANIC AT CIENFUEGOS--OUTBREAK AT CAMARONES

Critical Situation--Excitement in Havana

ARRIVAL OF SUPPOSED REBEL RECRUITS--ARRESTS.

HAVANA, Feb. 9.—A band of insurgents, numbers unknown, made their appearance at the town of Camarones, on the line of railroad between Cienfuegos and Villa Clara. A detachment of troops were marched against them. A panic prevails at Cienfuegos. Many families that fled from the town, fearing the insurrection would spread, have arrived here. Fort Cabanas, which guards the place, is garrisoned by a battalion of volunteers. A force of regulars have been dispatched to reinforce them.

The Diario in its account of the outbreak at Camarones, states that the first act of the rebels was to destroy a section of the railroad between Cienfuegos and Villa Clara. The same paper acknowledges the situation in this quarter is very critical, and much excitement is created in Havana by the versions of the news (more or less exaggerated) from the central department. The approach of the revolution to the vicinity of Cienfuegos, which is the center of a large planting district is expected. Several astempts have been made at revolution in Vuelta Abajos region. The first and fifth battalions of volunteers are to proceed to that point to prevent a renewal of the disorders. Strangers continue to arrive from various points on the coast—it is supposed with the intention of joining the insurrectionists. Many have been arrested on suspicion.

FROM BALTIMORE.

Arrival of Gen. Breckinridge.

BALTIMORE, Feb. 9.—Gen. Breckinridge is here, the guest of his brother-in-law, Rev. Dr. Bullock.

FROM ATLANTA.

The Georgia Legislature—Resolutions of a Republican Meeting.

ATLANTA, Feb. 9.—A strong effort was made in the Senate to-day to reconsider its action of yesterday referring to the eligibility of colored men to hold office to the Supreme court. No action.

At a meeting of the Republicans at the city hall to-day the following was adopted:

WHEREAS, An assault has been made on the governor by the State treasurer, based upon certain financial transactions of his excellency in connection with fitting up the State House, and believing the action of the governor was prompted by high and honorable motives, looking to the interest and dignity of the State and the convenience and comfort of the Legislature; and

WHEREAS, His entire conduct in the premises has been sanctioned by numerous well established precedents in various administrations past; therefore,

Resolved, That we, as citizens of Georgia, deem it proper on this occasion to give expression to our unabated and implicit confidence of the integrity of the chief magistrate of Georgia, and regret that the treasurer of the State should have made such an unjust, unprovoked and unwarrantable attack on the governor, when the proper course on his part would have satisfied him of the correctness and propriety of the governor's course.

FROM MEMPHIS.

Drowned—Murder Trial—Peddler Murdered.

MEMPHIS, Feb. 9.—Mick Dupont, of Helena, Ark., was accidentally drowned last Saturday.

The trial of Doran, for the murder of Capt. Ed. Whitfield, commenced to-day.

An unknown peddler was murdered in McNairy county a few days since by a boy named Quill Moress, only fourteen years old. The boy was arrested, and confessed his guilt.

FROM NEW YORK.

Death of James T. Brady.

NEW YORK, Feb. 9.—James T. Brady died today of apoplexy, aged 54 years. All the courts adjourned out of respect.

FROM EUROPE.

The New Ministry and King Adhere to the Resolutions of the Conference.

ATHENS, Feb. 9.—The new ministry have unanimously agreed with the king in adhering to the resolutions of the Paris conference.

FROM THE PASSES.

SOUTHWEST PASS, Feb. 9—Noon.—Barometer 30. Wind S. W. and light. Thick fog prevailing. No arrivals or departures.

SOUTHWEST PASS, Feb. 9.—Barometer 30. Wind W., fresh. Arrived: Santiago de Cuba, McDearmid, master, from New York, with merchandise and passengers to Harris & Bidwell. No departures.

PASS A L'OUTRE, Feb. 9.—Arrived: Ship Australia, from Liverpool—outside the bar awaiting orders. Wind S. W., light.

SOUTHWEST PASS, Feb. 9.—Arrived: Steamship Vicksburg, Burton, master, from New York, with merchandise and passengers to G. A. Fosdick & Co.

RIVER NEWS.

VICKSBURG, Feb. 9.—Passed up: Louisville at midnight last night. Down: Swallow at noon today. River falling.

VICKSBURG, Feb. 9.—Passed up: Peytona and barges at 1 P. M.

LOUISVILLE, Feb. 9.—River stationary; 8½ feet in the canal.

MEMPHIS, Feb. 9.—Raining. River ten inches higher and rising. Departed—Belle Memphis for Shreveport, Forsyth for St. Louis, Strader for Cincinnati, Mollie Hambleton for Evansville, Argonaut for Louisville, and the Bismarck and Kilgour for New Orleans.

MARKETS.

LONDON, Feb. 5.—Noon.—Consols 93¼. Bonds 76¾. Turpentine 34s. Tallow 47s.

LIVERPOOL, Feb. 9—Noon.—Cotton dull and unchanged; middling uplands 12¼@14¼, middling Orleans 12½@12¾. Sales 10 000 bales. Bombay shipments to the 6th inst. 18,000 bales. Breadstuffs quiet. Turpentine 32s. 6d.

LIVERPOOL, Feb. 9—Cotton a shade firmer but not higher. Pork flat and nominal. Bacon 59s. Lard 77s. 6d.

LATER.—Manchester advices less favorable; causes dullness. Old corn 33s.; new 30s. 3d.

LIVERPOOL, Feb. 9—Evening.—Cotton market firmer and more active, but not quotably higher. Sales to-day 12,000 bales.

NEW YORK, Feb. 9.—Cotton market firm. Sales to-day 5000 bales. Middlings 30½c. Flour rather more active without change of prices. Wheat moderately active, prices unchanged. Corn a shade firmer. Pork buoyant; new $33 50. Lard firm; kettle 21½c. Whisky quiet. Groceries quiet but steady. Naval stores and freights quiet.

NEW YORK, Feb. 9.—Five-twenties of 1862, 113½; of 1864, 110¼; of 1865, 111½; new issue, 109¼; of 1867, 109¼: of 1868, 109½. Ten-forties 108¾.

NEW YORK, Feb. 9.—Money very easy, 5@7c. Gold 135. Sterling 9¼@9½c. Southern securities quiet. Tennessees, new, 66¾, North Carolinas, new, 61½, Virginias 56, Louisiana levee sixes 67½, Georgia sevens 93. Stocks closed generally improved but unsettled; governments closed strong; 5-20s of 1862 113½.

SAVANNAH, Feb. 9.—Cotton opened quiet but closed firm. Sales 9000 bales; middlings 29c. Receipts 3002 bales. Exports 925 bales.

CHARLESTON, Feb. 9.—Cotton quiet but unchanged. Sales to-day 600 bales; middlings 28½@29c. Receipts 1278 bales. Exports, coastwise, 1178 bales.

MOBILE, Feb. 9.—Cotton in moderate demand. Market closed quiet. Sales 500 bales. Low middlings 28c. Receipts 1575 bales. No exports.

CINCINNATI, Feb. 9.—Flour dull and unchanged. Corn 64@66c. Oats 65@67c. Whisky 93c. Pork held at $34. Lard 21c. Bulk meats—shoulders 13½c., sides 15½c. Bacon—shoulders 15½c., clear rib sides 17½c., clear sides 18½c. Hams 19½c.

LOUISVILLE, Feb. 9.—Sales 180 hhds. tobacco; new lugs to cutting leaf $5@21. Pork $24. Lard 21c. Bacon—shoulders 15½c., clear rib sides 18½c., clear sides 18½c. Bulk meats—shoulders 14½c., clear rib sides 17½c., clear sides 17½c. Superfine flour $5 75@6 15. Corn 63@65c. Oats 63@65c. Whisky 96c.

CHICAGO, Feb. 9.—Flour $5@6. Wheat No. 2 $1 16. Corn 57½c. Oats 52¼@52½c. High wines 91c. Pork $33 25. Clear sides 17c. Hams 17¼@17½c. Lard 20½c. Bulk meats—Shoulders 13½c.; sides 15c.

MEMPHIS, Feb. 9.—Cotton market stiff; middling uplands 29c. Receipts 1867 bales. Exports 137 bales.

ST. LOUIS, Feb. 9.—Flour—Superfine $5 25@5 35. Wheat $1 60@1 80. Corn 72@76c. Oats 65@67c. Pork $34. Bulk meats—Shoulders 14c., clear rib sides 15c., clear sides 17½c. Bacon—Shoulders 15c., clear rib sides 17½c., clear sides 18½c. Whisky 92c. Lard 20c.

Local Intelligence.

THE THEATERS were not largely attended last evening. This may be considered the natural result of the attractions offered outside. To-night, it may in brief be stated, the attractions will be "Under the Gaslight" at the Varieties, "After Dark" at the St. Charles, and "Humpty Dumpty" at the Academy.

THE COUNCIL.—Both boards met last night in regular session, but without doing any business adjourned until Thursday evening.

THE TEMPERATURE yesterday, as shown by the thermometer at C. Duhamel's, 111 Canal street, lately corner Bienville and Chartres streets, was as follows: At 6 A. M. 57 degrees; 12 M. 63; 3 P. M. 66; 6 P. M. 63.

THE "OLD THIRD," as people are in the habit of styling the Third District of the city, is beginning to look up, in the neighborhood of the Pontchartrain Railroad depot. Old Mrs. Caldwell was one of the most enterprising of its residents, and built, about twenty-three years ago, a stately, substantial and commodious edifice, wherein she kept an excellent hotel and established a bar and a billiard room equal in every respect to any other similar establishment in New Orleans, with the exception of the St. Charles, the St. Louis and the City. For many years—in fact, almost ever since the old lady's death—the buildings have been unoccupied, or merely quasi occupied. Recently, however, a new man, and an energetic one, has leased the premises; and the pleasant tinkle of tumblers, the popping of champagne corks and the concussion of billiard balls are again to be heard in the halls where, in former times, the good people of New Orleans used to gather when waiting for the cars to go down to the Lake. The present amphitryon is Pete Newman, who is popular all over town as a kindly fellow, and an honest host, particularly in the quality of his liquors. Passengers and frequenters of the Lake shore will find Newman's an excellent place to while away the interval between the arrival and the departure of the cars.

ONE OF THE BEST SPECIAL OFFICERS in this city, while plying his avocation at one of the city banks, Monday, was deprived of his umbrella by a smart chap whom he saw take it, but did not dream it was his own.

A COLORED SERVANT, named Amanda McGill, twenty-five years old, tidy and good looking, has suddenly disappeared, and it is suspected she has been foully dealt with. She has been a confidential servant for two years in a family which reached the city from Natchez, on the R. E. Lee, Feb. 1st. The family went first to the Oviatt House, Dauphin street, and afterward to the corner of Chestnut and Harmony streets. Saturday night, Amanda, in company with a colored woman residing in the house, took a ride to Canal street. They got out at the terminus and walked up St. Charles street, and when near the Academy of Music, the older woman stopped to speak to a friend. From that time she has not been seen. The woman has a trunk of valuable clothing in the hands of her employer, another at Natchez, besides a bounty claim, her husband having been a soldier in the United States army.

ABOUT FOUR O'CLOCK yesterday, a driver of a coal cart, Pat Egan by name, fell from his cart and was quite seriously injured about the face. He was sent home.

A COMPLAINT is made against certain police officers who are daily seen on St. Charles street in company with notorious thieves and pickpockets. The conclusion of these associations is obvious.

THE AMERICAN UNION CLUB, composed of ex-officers and soldiers of the United States service, will hold a special meeting at their rooms, No. 116 Carondelet street, on Friday evening, the birthday of the late President Lincoln. We acknowledge the receipt of an invitation to be present and participate in the exercises.

A YOUNG AND PRETTY QUADROON GIRL, named Mattie Perkins, was arrested yesterday by Special Officer Goewey, suspected of having left Canton, Mississippi, with a large amount of stolen money. The arrest was made by virtue of a telegram from the chief of police of Canton.

AN EX CAPTAIN of the United States service, named David O. Gibbs, aged thirty-five, and a resident of Algiers, was arrested for safe-keeping by Officer Miller, of the river police, at the Canal street ferry landing, charged with having attempted to drown himself in the river.

ABOUT HALF PAST ONE O'CLOCK yesterday, a boy named Adolphe Fernandez, about nine years old, was run over by city railroad car No. 72 of the Esplanade street line, and had one of his legs crushed so badly that his recovery is doubtful. He was taken to his residence, No. 72 St. Anthony street, and cared for. The driver, R. Jackson, had not as yet been arrested.

THE STEAMER DAN ABLE, from Baton Rouge, reports having picked up at Brady Landing, West Baton Rouge parish, a man named Neal Boyle, with a broken leg. He was brought down here and sent to the Charity Hospital.

SEVENTH DISTRICT COURT.—The State of Louisiana on the relation of Andrew Hero vs. A. Pitot, Jr. The act relative to notaries in and for the parish of Orleans, passed 12th March, 1857, (acts p. 84,) vacates the office of every notary previously appointed, and provides that "the governor shall by and with the advice and consent of the Senate, appoint not less than forty and not more than sixty notaries for the parish of Orleans." These notaries are required to give bond, etc. The third section of the act provides "that in making the appointments above provided for, as well as in the event of the death, resignation or removal of any notary in the said city, and parish of Orleans, the governor shall by special order, under the seal of the State, designate the notary, to whose custody shall be consigned the records of the notaries, so dead, resigned or removed." All former laws to the contrary are repealed.

By virtue of this act the governor, on the 9th April, 1867, appointed A. Pitot, Esq., a notary, to have and to hold said office during the time limited by the laws of the State." The Senate was not then in session. Hence, to say the least, the commission ran until the end of the next session of the Legislature; and we know that the session next after the date of the commission ended on October 20th, 1868. (See Constitution of 1864, art. 55, and Constitution of 1868, articles 61, 150, 122.)

Before the defendant received his appointment, the Legislature passed an act "to organize a central office of notarial records, and to appoint a custodian thereof," approved 28th March, 1867. This act provides that "a central office of notarial records shall be, and the same is hereby established in the city of New Orleans, for the purpose of preserving the records of such notaries in the parish of Orleans, who officially shall have ceased to be such either by death, removal or otherwise, whose records are not *now* in the custody of some other notary."

I underline the word *now* in the last clause as it gives a key to the intent and meaning of the whole section, and indeed of the whole act. I must judicially notice the fact, that previous to the passage of this law creating the "custodian," the office already existed by military legislation. The records of notaries, abandoned, or in the possession of persons having no official character, had been collected and confided to a keeper appointed by the commanding general. The act of 1867 was passed to create a civil officer of the state, to take charge of those records. Thus they came into the possession of the present custodian, who holds his commission as a civil officer of the State under the law just quoted. It was the intention of the Legislature, plainly expressed by the last clause of the section quoted to confine the custodian to the collection and keeping of such notarial records, as existed *at that time* (28th March, 1867), and were not *then* in the custody of any notary. This meaning is made still clearer by the third section which makes it the duty of the custodian to collect and keep the records "of all notaries, who shall have ceased to be such," etc., "except such records as are *already* in the custody of other notaries." This phraseology, taken in connection with the "now" in the last clause of the first section, shows that the verb "shall have ceased," and the adverb "already," refer exclusively to the past; the *now* defines the *shall have ceased*, and makes the verb point backwards, and without any possible reference to future cessations. It excludes all right to take and keep any records but those which had then no proper custodian. The reservation of all others then existing, they having been *already* given by the governor to notaries, specially designated by him, also confirms this understanding of the act. I consider that the Legislature did not intend to interfere with or restrict the power vested in the governor, when making appointments under the act of 1857, to designate by special order the notary to whose custody should be confided any other notarial records than those given on 28th March, 1867. This interpretation leaves the two acts to have their full effect, without adopting a sense creating a conflict between the two, or a necessary or implied repeal of the former by the latter. Suppose the governor to-day, with the advice and consent of the Senate, were to appoint a notary and designate the appointee to take custody of the records in defendant's possession, and suppose the defendant's commission to have expired, could he refuse to deliver those records to the notary so designated? Would the relator have a better right, and could he claim those records in preference? I think he could not; for the records now held by defendant do not come under the description of those which the relator was appointed to take into custody. The records held by defendant came into existence after the act of 1867, and are in no wise embraced in terms or intention of that act, unless we strain those terms beyond their natural meaning, in order to restrict the governor's appointing power, and his right of designating the defendant's successor, under the law of 1857, and under the 60th, 61st and 122d articles of the Constitution. (See also acts 1868, p. 27.) When the governor appointed a notary he gives actuality to one of the forty or sixty officers created by the act of 1857, and when the commission of any one of these expires, a vacancy occurs. Then the act of 1868, p. 27, requires that whenever such a vacancy happens, "*from any cause whatsoever*," it shall be filled by *appointment by the governor*.

Then since the passage of the act of 1868 relative to usurpation in office, (see acts, page 199,) the remedy in a case such as the one presented by the issue formed by the petition and answer herein, is *not* by mandamus on the sole relation of the claimant. The attorney general is the proper officer, though he may join the relator. At any rate, the suit must be under the act of 1868, and not by mandamus. This is clearly decided by the Supreme Court in the late case of Sternberg vs. Lagarde, in which it is said: "The right to an office cannot be tested under existing laws, on an application for a writ of mandamus." In vain it is argued that the suit is not for an office but only for the *records* of an office. Still the right to office must be tested and decided as a premiss to a conclusion disposing of the records. That right to the office in this case is on the one side affirmed, and on the other denied. Besides by the sixth section of the act relative to usurpations, the delivery of the records is made expressly to follow (not precede) the decision on the right to the office itself.

Need I add, that by the acts of 1855, defining the duties and powers of the attorney general (R. S. p. 15, Sec. 1) it is enacted that it devolves upon him "to appear and prosecute and conduct in the District Courts of the City of New Orleans, all suits in which the State may be a party; or be interested."

Let plaintiff's petition be dismissed with costs.

THE UNITED STATES COURT adjourned shortly before noon yesterday, no proceedings of public interest occurring. The revenue and custom-house offices were also closed at an early hour.

MARDI-GRAS.

IMMENSE CROWDS ON THE STREETS

Clay Statue—The Maskers—Everything Orderly.

THE SHOW—YE MISTICK KREWE.

THE ANKLES AND THE TIGHTS.

THE APE—THE YOUNGSTERS—THE CROWD.

Serious Accident — Several Persons Injured.

THE BALLS.

Yesterday was a great day for the votaries of Shrove Tuesday. The day was as warm and sunny as an April day, and the people were all upon the streets. We can't say the turn out of masks was as numerous or as gorgeous and laugh-provoking as last year, or in years preceding, but still it was very fine, and the throngs of people on the streets returned to their homes far from disappointed.

If the full grown mummers were few, those of a tender age were exceedingly numerous. The principal streets were thronged with little girls, whose fair features were bedizened with outlandish masks; but the golden and flowing locks Dame Nature had endowed them with burst forth from all constraint, and would not be concealed. As to the boys, they were still more numerous, but they be hanged! The many twinkling feet, graceful and beautiful, that glanced along the pavement yesterday, from noon to dewy eve, a summer's day, were too bewildering for a lover of the beautiful to look elsewhere.

But there was an ape that deserves more than a passing notice. That ape had herculean proportions joined with the agility of the species which he represented. He must be one of the clowns or harlequins at the Academy. He climbed the iron pillars of the Crescent Billiard Hall; he leaped upon a wagon containing eleven bales of cotton, and squatted suddenly and unexpectedly upon the broad shoulders of the negro driver, and when that fear-stricken darky jumped in his fright to terra firma, he seized the reins and drove the four mule team two squares before leaving the van. He sprung into a light wagon in which there was an upright empty flour barrel, ensconced him in that, and concealed himself entirely within it. Arrived at the corner of Canal street, the ape espied a lot of girls in mask, sprang from the car and started in chase of them. They screamed and ran with all their might. Their masks impeding their breathing, they tore off the masks, and lo! they were all darkies, darker than the—lieutenant governor of Louisiana. As to the other maskers we saw none worthy of special notice. There was the conventional Yankee, the nigger legislator, the carpet-bagger, the Grecian bend and all the monstrosities peculiar to this unfortunate generation—but that was all. A friend of the writer, a sober-sided, quiet, but most observant man, remarked that the reason why there was not so great a celebration of Mardi Gras yesterday, is that every day now is Mardi Gras. "See that girl, for instance," he said, pointing to a young lady in sky-blue satin, from head to foot, her skirts reaching only half way down the calf, and her Grecian bend protruding like a phenominal elephantiasis from her rear; her body bent forward at an untold angle, and a huge pile of foreign hair upon her head similar to the "chips" of a buffalo on the Western prairie—"if that isn't equal to any Mardi Gras, I'll lose my head—and the best of it is you will find scores just such maskeraders, powdered and perfumed and painted, every day on Canal street." Our friend was right, and he might have added something about tight pantaloons, monkey jackets, Grant hats, hair parted in the middle, etc., etc., etc.

The Mistick Krewe.

The reporter of the CRESCENT went on a wild-goose chase all day yesterday, in order to learn the starting place and the route of the Mistick Krewe. Some told him they were to start from the Jackson railroad depot; some from the St. Louis Hotel; others from the St. Charles, and others again from the Pickwick Club on Canal street, corner of Exchange Alley. Ye reporter thought the last named the safest and surest. After looking all day long at the varied maskers that marshalled their throngs along the streets of the city, and doing naught else; and after partaking of a particularly good dinner with two *ante bellum* friends, he set himself to work in dead earnest. He installed himself, about half-past six o'clock at the pedestal of one of the columns of the Bank of America, *Solus at que rotundus*, determined to await the approach of the Krewe, even if they approached like the rugged Russian bear, the armed rhinoceros or the Hyrcan tiger. He waited and—along came a covey of good Samaritans who invited him to the *Gem*. The gongs and the hew gags were not audible, and he thought that, consistently with duty, he could charge the bank watchman to keep his seat until his return. He found the seat occupied, on his return, by an individual bearded like the pard, and judged from one glance of his eye that he was sudden and quick in quarrel—also that he was of Gallic origin, and would make reprisals in the morning. He therefore left Whiskerando to the quiet enjoyment of the seat, and stood on the edge of the curb, midway between the bank and the corner of Royal street. He waited and waited. To and fro went the crowd—but there were few maskers. One young gentleman, with two young ladies clothed in purple and fine linen, and with their dainty feet and ankles covered with the whitest stockings and the finest little boots—he rushed—they tripped—from Royal to Exchange and from Exchange to Royal, six times between twenty minutes after 7 and half-past that hour. What became of that party, deponent knoweth not. Carriages and cabs, omnibuses and furniture vans had their living freight, principally women and children, all breathless, to see the Mistick Krewe. Nobody knew which way or by what street the Mystical Krewe were to make their appearance. Such running to and fro, such uncertainty, amounting almost to a panic, we never saw outside of a surprised army or a threatened town. The blast of an oyster horn towards the levee or the bray of a car mule would start the entire crowd to swaying, and like an immense flock of sheep, where one went, thither went all the others.

Finally, about 8 o'clock, looking away down Canal street, a glare lighted up the sky above and shone upon the neighboring buildings. It was the Mistick Krewe. It is, it *is* the Comus Krewe, was whispered on every side. Then came a tremendous pressure around the statue, whilst old bronze Harry Clay looked down complacently upon the surging multitude, whilst they crowded and quarreled, and uttered curses not loud but deep against each other. The reporter aforesaid is full six feet in stature, but he had to stand a-tiptoe to witness the gorgeous pageantry of Comus ever the mass of people that were in front of him. What he saw he is unequal to describe, but as it is his office to attempt a description, here goes:

First came an ambitious horseman, a dark visaged, bewhiskered son of Spain or Sicily, (mind ye, he was no son of Comus,) and after him came half a dozen cabs, barouches and carriages. They turned incontinent down Royal street, and such a scattering to head the procession on Bienville, Conti and St. Louis was hardly ever witnessed outside of Stonewall Jackson's corps in the the valley of Virginia. The CRESCENT reporter was one of the fools who went with the crowd. But the huge lighted obelisk in the van of the procession, and what followed, proved how false were the prognostics of the general. The Krewe passed up by the statue, by the Pickwick Club—and there it was that a small mouse was smelt by the knowing ones assembled; the kisses, wafted by the Misticks in sheep's clothing, to the gentlemen on the Pickwickian gallery, showed—what? "Ask not to know!"

Just as the head of the procession reached a point between Common and Gravier streets, a balcony upon which there must have been some fifty or more persons, was seen to begin a downward movement. The excitement instantly became intense—not only upon the balcony, but among those on the street. Gradually settling forward, the balcony dumped quietly and harmlessly the great majority of those upon it into the gutter, but when it was relieved of this weight, it flew back towards the wall of the building with tremendous force. One lady sought to save herself by catching hold of an iron bar which ran out from the building to support a sign. She would have escaped harmless, however, if the balcony had not rebounded; but as it was, she was caught between the wall and the rebounding scaffold, and was a great sufferer by the accident.

The casualties of the occasion are as follows:

Mrs. Talbot, compound fracture of the lower part of the right leg, and dislocation of the ankle. Amputation supposed necessary. Miss Eliza Brown slightly hurt.

If all on the awning had let themselves go at the slow pace at which it went down, they would doubtless have been saved; but, unfortunately, Master Randell Hunt Uhlhorn, a nephew of Randell Hunt, only 12 years old, was seriously injured in the back, and has since complained exceedingly of his spine. Injury probably not dangerous. Master Wallace Frazier was picked up in a fainting condition, but proved to be only under the influence of the terrible panic.

A lady was seen to be carried off in a carriage and supposed to be dangerously hurt; but we could not learn her name or any particulars regarding her.

The Krewe proceeded on their way up Camp street to Julia, down the latter street to St. Charles, and down St. Charles to the City Hall, where they made a

Call Upon the Mayor.

As time honored a ceremony as the parade of the Krewe itself is the call made upon the mayor by its esteemed head King Comus. People knew this and as a consequence, flocked to the neighborhood of the City Hall. By half-past seven o'clock the steps, colonade and windows were all crowded, while on the railings and in the trees of Lafayette square expectant observers were numerously perched. New Orleans is famous for the crowds she can gather at short notice, but never did she send forth a denser mass of nonpluses than that which waited to see King Comus enter to pay his salute to the chief municipal officers.

And when, around the corner of the Moresque Building, flashed the lights and glittered the pageantry of the procession passing up Camp street toward Julia, the crowd was all alive with anticipation, and on its outskirts ebbed and surged in that direction. A few minutes more and the head of the column turned into St. Charles. Then all was expectancy. "There they come! there they come!" shouted the juveniles, croaked the old women, whispered the pretty girls, and sure enough there they did come. Those who had the privilege hurried into the mayor's parlor, the better to observe the coming interview. A squad of policemen kept open on the steps a passage way for his majesty. Inside the mayor's office, books and records had been for the nonce laid aside, and lo—in their place were festive bowls of punch and iced cakes, rich and tempting. In waiting to receive the illustrious potentate to whom we all of us, on the principle of laugh and grow fat, doubtless owe whatever corpulency we may possess, were gathered a good number of the city fathers and the mayor with his secretaries, Messrs. Overall and Bower. Quite a number of ladies and children were also present. When lo—in the doorway appeared a demoniac figure, with grotesque features, jaws wide oped, protruding tongue, caudal appendage coiled upon his back, a crown of huge spikes radiating from his cranium. This was the first arrival. After him came more, three or four, of the same ilk, all ferocious looking fellows, yet good-natured as could be; and last of all Comus came also, a great, strapping fellow ten feet high, of rubicund visage, shadowed by locks of coarse hair falling far below his portly waist. He bowed; they all bowed. Spoke then the first visitor, he of the protruding tongue and coiled caudal. Said he, "Mr. Mayor, we have called to pay you the respects of King Comus, in accordance with the annual custom." The mayor expressed his satisfaction at so high an honor. "We regret," continued the spokesman, "that our costumes prevent a visit by a larger delegation, but hope at some future time to call upon you more numerously." The mayor was pleased to see them all—tendered them the hospitalities of the city, and hoped to be the recipient of their own at the Opera House that same evening. Then the distinguished guests withdrew, the procession resumed its march, and the vast crowd dispersed in a twinkling in all directions.

The Opera House.

Long before 8 o'clock, the hour at which it was announced that the doors of the Opera House would be opened, the crowd who had collected around there was so great as utterly to preclude the idea that any one, however hardy and however ready to throw looks of protestation and words of expostulation, could approach the magic portals. Ladies were there—refined and delicate ladies—who were pushed, smashed, shoved, and had their dresses torn—more, "mussed," but who heroically through it all held on to the places they had won, refusing to yield to the pressure of the surging crowd, who every moment grew larger, holding all their waiting and all their trouble cheap if they could only obtain that for which their soul longed—a good seat. Those of our readers—and they are not a few—who have ever been at one of the similar crowds which for years gathered every Mardi-Gras evening around the doors of the Varieties can imagine the scene in front of the Opera House last night. If possible, it was a little worse, for the larger capacity of the Opera House had induced the issue of a greater number of tickets than usual, so the crowd was a more numerous one, every element of confusion and push in it being thus multiplied. But at last the moment came, the doors were opened, and with a rush such as the damned might make were the gates of Paradise thrown suddenly open to them (excuse us, ladies, this rather uncomplimentary comparison, but really it is the only similitude which is applicable), the crowd surged into the theater, and hurrying pell mell up stairs the fortunate and much enduring ones at last obtained those positions for which they had struggled so manfully.

Then commenced the influx of a steady stream.