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NEW ORLEANS, WEDNESDAY MORNING, MAY 23, 1855.

THE DAILY BEE.

Wednesday Morning, May 23rd, 1855.

THE NORTHERN MAIL came through yesterday with the latest dates

SOUTHERN ENTERPRIZE.

It appears from the report of the officers of the Memphis and Charleston Railroad which is two hundred and eighty-six and three-quarter miles in length, that it is expected to be ready for business through the whole route by next November. The entire cost of the road is estimated at $14,900,223, or $15,228 per mile, for road construction, and $17,228 per mile, for construction and equipment. When that road is completed, the trade of both cities will be vastly augmented, while the population all along the route will increase by the settlement of villages and towns. We do not imagine that the Memphis and Charleston road will divert from New Orleans a material portion of the cotton of Tennessee, because that article can be transmitted to our city at a cheaper cost, and with nearly equal expedition and when it reaches us, will find a better market; but that a portion of the commerce of Memphis and the surrounding country will be transferred to Charleston, appears indisputable.

This is it that on all sides, from the Atlantic seaboard to the distant West, in every quarter which commands direct or indirect communication with the vast stream which waters the valley of the Mississippi, unceasing efforts are making to tap the commerce of New Orleans, to take away from us some part of that source of wealth and power which nature seems to have destined to be poured into our lap, but which we, by soulless and senseless apathy and overweening confidence, have contrived until quite recently to overlook and neglect. Had New Orleans been at all alive to her own permanent and real interests, her public improvements would have marched *pari passu* with the progress of the mighty West. Milwaukie and Chicago would have become tributaries to our greatness, and in trade our city would have quadrupled in amount, while her population would ere this have passed her next only to New York and Philadelphia. But her career thus wrong is not to repine at the past, but provide for the future. What we have forfeited will probably never be regained. The energetic energy and activity, the concentrated efforts of the Northern and middle States have secured to them the mercantile products of the teeming granaries of the upper region of the West, and it is for them to use it to retain what we still possess, and to open new avenues of trade.

That such three objects will be accomplished by the speedy completion of our two great railroads, we think has been demonstrated beyond cavil to admit of a doubt. When the Jackson and Northern Railway will have reached its terminus, Eastern and Central Mississippi, and the most fertile portions of Tennessee will enrich us with the rich harvest from which the Ohio and Great Western road shall have shed light in the pathway to Washington. Western Louisiana will employ our capital and easy communication with our city and the cotton, sugar, and live stock of that rich and fruitful country will be regularly brought to our doors. Let this road once enter the Parish of St. Landry, and the people of that opulent country, will eagerly lend their aid to carry it to the northern line of Texas. That point attained, the citizens of Texas themselves are pledged for the maintenance across the magnificent plantations of that growing State. Texas will then pour an immense amount of produce to the commerce of New Orleans, which for years almost boundless resources will have developed at a gigantic rate of progress.

I must be remembered, however, that we are running a race of rivalry with a thousand rivals, paths and persevering competitors. It will not do to pass the hours in a careless manner, and that we shall have power to stretch forth our hand and pluck the golden fruit. The much confidence has nearly ruined us already. Heavy prostrate us from another visitation of the moral epidemic. We must work with a will and grudge no reasonable expenditure, labor and industry, give invest our capital in enterprises that must inevitably make us rich returns. The sooner the two great railway lines are finished, the sooner will they begin to pay—and this after all is the grand consideration. We have set out with the fixed determination to live and flourish the time. New Orleans, by rendering her the emporium of the Southwest. Let us not pause in mid-career, nor fall with unrelaxed energy until the victory is achieved.

[illegible]

TAKE NOTICE—The American party have elected eighteen members of Congress in New York the Democrats but two. We have to know, says the Richmond *Whig*, to ascertain the political complexion of those elected in that State, and have heard of eleven of these elected by the American party, all of whom, we feel, we assured, are sound on the slavery question and opposed to any further agitation of the slavery question, whatever may have been their opinions as to the propriety of a repeal of the Missouri Compromise. Their names are Whitney, Peck, Chillis, Wheeler, Vail, Strautman, Clark, Edwards, Williams, Havens and Morgan. Of the other seven we have heard nothing. We have now before us two letters from Mr. Whitney, one of the gentlemen above mentioned, to Mr. W. C. Bouck, of this city, which settles this point.

Of the two elected by the Democratic party, one is said to be sound on the slavery question, the other, from Preston King's district, is said to be as arrant an Abolitionist as Preston King himself.

NEWS OF THE DAY.

The steamer *Atlantic* left New York on the 16th for Liverpool, with 225 passengers and about $2,000,000 in specie. Among the passengers are E. B. Morgan, and Messrs Grow, Pringle and Washburn, a party of Congressmen who intend making a four months' tour in Europe.

The extensive tannery of Henry Sanford, in Dorhamville, Oneida county, has been destroyed by fire, together with a boarding-house and out-buildings adjoining. Loss, $35,000.

The engineer and fireman who were injured by the railroad accident at Toledo, are not expected to recover. The name of the engineer is Wm. Huxley. A lady and four children, unknown, were the only passengers seriously injured.

On Saturday morning, the extensive foundry of Aultmen & Co., in Canton, Ohio, was discovered to be on fire, and the whole establishment, with a large amount of agricultural implements, was destroyed. The loss is estimated at $35,000, upon which an insurance had been effected of $7,000.

The extensive tannery of Henry Sanford, at Dorhamville Oneida county, was destroyed by fire on the 15th, with the adjoining bark-house, and other out-buildings. The loss is estimated at about $35,000, on which there is an insurance to the amount of $13,000. Part of the stock was saved in a damaged state.

Cholera is said to have already broken out at Cincinnati, and the papers of that city are calling on the local authorities to make early preparations for it by cleaning the streets, and removing every cause of unwholesomeness.

An association is about to be formed in England with the object of preventing any section of the community from monopolizing the functions of the administration.

Letters from the continent report that the season in Europe is three weeks behindhand, and, at the last accounts, there was a cold spell of bitter winds, which are very injurious to the early vegetation.

The sale of the County clerk of Carrollton, Ill., was broken open on the night of the 13th inst., and over $3,000 abstracted therefrom.

Col Kinney was brought before Judge Kane, of the United States District Court, Philadelphia, on the 15th inst., and held in $4,500 security to answer a charge of violating the neutrality laws by fitting out a vessel in this District to act against Nicaragua. It is alleged that the vessel is at the port all ready to sail, with ammunition, stores, and 300 men. Bailin the amount named was entered by Mr. Fire[illegible], of the Girard House. Hon George M. Dallas appeared as Counsel for Col Kinney.

On Saturday night a stabbing affair occurred in Wilmington, N. C., between Hosea Dannies and Alfred Armstrong, in which the latter was grievously stabbed in the groin that he is not expected to survive.

A fire broke out on Monday week in the town of New York, Pa., which destroyed an entire block of buildings.

Edwin Forrest, the tragedian, was seized with an attack of apoplexy in New York last Friday, from the effects of which he is still suffering.

The editor of the Augusta *Chronicle* has received a Strawberry *Longevity Pedigree*, which weighed six pennyweights and five grains—measuring 6½ inches in circumference and 4½ long.

Judge Conklin, late United States District Judge, in compliance with a request from the Executive Committee of the New York State Temperance Society, has written an opinion with special reference to the Search and Seizure clause in the Prohibitory Liquor bill, as adopted by Nicholas Hill. Judge Conklin sustains the law on these points, and as to other questions mooted confirms the opinion of Judge Sayre.

We are sorry to record a very heavy loss by fire to Rodolph Leroy, Esq., editor and proprietor of the N. Y. *Daily Tribune*. His country house, which he had lately put hands to Hackle County, was completely destroyed by fire. Not only was the house totally destroyed, but the valuable furniture which he had removed a few weeks ago from his town residence.

The Washington *Union* publishes the text of the treaty recently made between the United States and the Yanktonnais Indians, whereby the latter are dismissed and declared to be outside of the United States, to be a distinct and independent nation of all the rights, privileges and immunities of such citizens, subject to the laws of the United States and of the Territory of Kansas, in the same manner as the remainder of said territory, and the justification of the United States and of said territory and be extended over the Yanktonnais in the same manner as over other parts of said territory.

The treaty was ratified on the 1st of March last, but it provides for a brief delay in carrying it into effect.

In a recent suit in New York, the question came up whether a gold watch is a article of wearing apparel in the bankrupt bankrupt case. A gentleman in the Hudson River Rail Road lost his watch, and brought suit against the Rail Road company to recover the value of its contents, and those who were with him in the lower part of the cars. The judgment was given for the full amount, and the company appealed to the Supreme Court. The decision was sustained, the Court deciding that a gold watch is an article of wearing apparel, and when it is carried about the person, but in a trunk, while travelling, is to be deemed baggage.

Charles A Hoskins, proprietor of the St. Louis Hotel, at New York, has been arrested on suspicion of attempting to set fire to that building, on the morning of the 23d April.

TEXAS

By an arrival from Galveston we have received Texas papers to the 12th inst, inclusive. We find little intelligence of interest. The telegraph says:

Our exchanges from all parts of the State bring cheering intelligence that the late rains have extended throughout the State, and that the prospects are favorable for good crops. Many farmers are yet preparing to plant more corn and the best reports from the grain crop will be fully equal to that of last year.

The Washington Reporter of the 12th says: "The Brazos river has risen seven feet, and is still rising. The joints of the steamers Fort Henry, Betty Powers and Brazos started from the place yesterday, to fill their stations on their respective boats. We may, therefore, look for the arrival of these, the latter named boats to morrow. The Fort Henry will proceed to Galveston, and on immediately.

A thief who had stolen a horse in Washington, was arrested, the other day, in Houston. The Telegraph says he had secured his booty in the last sale of the stolen horses at John Johnson, William Alcorn and Andrew Cowell. He says he has a wife and three children in Wharton county. Some twenty stolen the different horses, and he says, that he has seven brothers who are engaged in the same business.

TWENTY HUNDRED WATCH MAKERS—The Houston Telegraph says that 2000 watches which were stolen from the new county, with Mount Constitution is about to establish in the neighborhood of Dallas. They will carry the watch making business on an extensive scale.

ARRIVAL OF THE GRAPESHOT, WITH BAKER—The clipper *Grapeshot* arrived at New York on the 15th, with the fugitive LUCIS BAKAR, accused of the murder of MILL POLK, on board. Her arrival created intense excitement, and crowds assembled to witness the landing of the captive. BAKER was taken to the city in a boat, and lodged in the Tombs. The following is an account of his capture:

On the 19th of March, the Grapeshot, Capt Hopper, set sail from this port, having on board eight officers, having all legal authority to arrest Lucis Baker, who was supposed to be in New York in the keep Isabella Jewett, for the port of Palmas, Grand Canary Island. Nothing of importance occurred during the voyage. The vessel, with her winds and good weather, made the remarkable short run of 20 days to Palmas, arriving at that port on the 7th of April.

Having safely anchored in the roadstead, the officers proceeded ashore where they learned that the Isabella Jewett had been arrived. They then informed the authorities of the nature of their visit, and requested their aid, should they require it, in effecting the capture of the fugitive. The authorities at first seemed somewhat timid about interfering one way or the other in the matter, but they should defend the honor of their country, and but at last consented to render all the aid in their power towards delivering the fugitive up to the officers of justice.

Ten days were anxiously spent in cruising about the island, so as to intercept the Isabella Jewett ere she should arrive at her port of destination. On the morning of the 11th a brig, standing to shore, was discovered from the masthead of the Grapeshot. All sail was at once crowded on, and the clipper bunsar for the brig. In about an hour the vessels came within hailing distance, when the captain of the Grapeshot requested the master of the brig to be a boat to report and leave to, as he wanted to board her. The request was without any delay complied with, and in a few moments the pursuit and the pursued were within a few hundred yards of one another. The officers having disguised themselves in sailor's dress, got into a boat and drove to the brig. Getting alongside, the object of their search was discovered on board the Jewett, apparently unconscious of the impending danger in pursuit of him. The officers hastily gathering on board, Baker, he was informed of the nature of their business, and warned not to make any attempt to escape, as they were fully prepared for anything of the sort at the same time, each of them presented a loaded revolver at his breast.

Baker, finding that any attempt at resistance was useless, quietly submitted to be manacled, and was quickly placed in the boat and rowed on board the Grapeshot. The Captain of the Isabella Jewett expressed no dissatisfaction at the conduct of the officers, thinking, no doubt, that he had been relieved of rather a troublesome passenger. A statement was prepared for the prisoner, and being well guarded, the Grapeshot set sail for New York with a favorable wind. During the passage home a constant watch was kept by the officers upon the movements of Baker, lest he should make an attempt at suicide. The voyage to New York was performed in twenty nine days, during which time nothing worthy of mention occurred, except, perhaps, that to any question asked Baker as to the name assigned by him for having shot Polk, he would tell the officers that he committed the deed in self defense alone, that the deceased was the aggressor, and that he acted in defense of his own life when he discharged the pistol at him.

After a prosperous voyage, the Grapeshot sighted the Highlands on the morning of yesterday, and succeeded in getting in port about 6 o'clock last evening.

While coming up the bay, it was determined by the officers to hire a steam tug and convey their prisoner in advance of the Grapeshot, so as to avoid the presence of crowds that would be undoubtedly waiting the arrival of the Grapeshot. The plan succeeded admirably, for the officers succeeded in landing their prisoner without any trouble or inconvenience that would otherwise have attended their labors.

By Telegraph!

Transmitted to the New Orleans Bee.

[By the National Line.]

River Intelligence.

LOUISVILLE, May 22.—The river is still falling slowly. The steamer Henry Lewis has arrived from and the Alvin Adams departed for New Orleans.

VICKSBURG, May 22.—The steamer Natchez passed down at 3 and the Empress at 4 o'clock, this evening, both bound for New Orleans.

FIRE AT GRAND CUTEAU.—We learn with regret that the house (with all its contents) of Mr. Victor Benoit, of Grand Coteau, was destroyed by fire on the night of Monday week, and that he had hardly time to save himself.

It is generally believed that it is the work of an incendiary.

COLLISION AND LOSS OF LIFE.

Yesterday morning, at about 30 miles below the city, a few minutes before three o'clock, the steamship *Louisiana* coming up the river, came into collision with the towboat *Angle Cliff*, Capt. HOOPER, bound down, with the bark *Neptune* in tow. The towboat was so much injured, that she sunk in a few minutes to her hurricane deck. The officers and crew were brought up to the city by the *Louisiana*, with the exception of PETER EPSOM, steersman, and WM. BRADFORD, a deck hand, who are missing, and supposed to have perished. The bark was uninjured, and came to anchor just below the wreck.

WASHINGTON IRVING is busily engaged on a biography of GEORGE WASHINGTON. The first volume of the work is already out of the press.

R. K. CRALLE—This gifted and accomplished gentleman has taken the stump in the West for the American cause. No man in the State or Union is more faithful to the interests of the South, or more devoted to the rights of the States than Mr. C. Doubtless he will be one of the most effectual instruments of preserving both. What do the followers of Mr Calhoun say to this demonstration?

LATER FROM UTAH TERRITORY.

By the Western Mail the St. Louis *Republican* has received papers from Salt Lake City to the 25th March. They do not contain many items of news:

The death of Captain William May, a well known mountaineer and trapper, and chief guide to Col Steptoe's command, died in the military hospital of Salt Lake City, on the 28th of February. Captain May was originally from Nashville, Tennessee, but at an early age he sought the great West, and adopted the profession of a beaver trapper. For twenty years he roamed over the country bordering on the head waters of the Missouri and Yellowstone, among the Grosventres, Minneta rees, Black feet, Crows and Sioux, and there is scarcely a stream that pours its waters into the Missouri from the Rocky Mountains, in which his traps have not been.

The News speaks of the refusal of Col Steptoe to accept the office of Governor of Utah Territory, and bestows upon him many flattering compliments.

We have found him to be in every particular an intelligent, honorable, and upright officer, and gentleman. It was this fact, coupled with his knowledge of the peculiar wishes of all our population for the appointment of Governor Young, with his having signed a petition to the President and Congress to that effect, with his popularity with the liberality of such appointments, and with the certainty of having to resign an elevated and highly honorable position in the army for a period of two years as a lieutenant, where the united voice prefer Governor Young to all others, which, doubtless, moved him to refuse to accept the appointment.

The News publishes a letter, dated Sandy Point, seven miles west of Fort Laramie, Feb. 14, addressed to J. M. Bernet & Co., in which it is said:

A part of our horses and mules, about sixty-five head, were driven off by the Sioux Indians, among them were three of your mules—the three best. There were six left by your partner, Mr Willis, a year or two since to return. We do not consider any property safe on this river, or rives either, any longer, as the Sioux, we think, are commenced their war on us traders, as well as the soldiers.

A SPHINX—A sphinx has been received at the State Department, sent over to the Government by Mr. De Leon, United States Consul General, Egypt. It is an antiquity of course, and has the body of a lion and face of a young woman. It is capitally cut in sandstone, and stands about two feet high. It is covered with hieroglyphics, and has carved on a representation of a beetle, a bull, a scorpion, dogs, a crocodile, lizards, and other figures.—*Star.*

CITY INTELLIGENCE

THE COUNCIL

BOARD OF ALDERMEN.—This Board met last evening, pursuant to adjournment, nine members present, Alderman Lugenbuhl in the Chair.

A message was read from the Mayor, which contained suggestions relative to certifying the indifferences of the city and strongly recommended that it be appropriately referred.

A letter was read from P. S Wilks, Actin Recorder of the Third District, tendering his resignation of that office, was read and accepted.

A communication from the Superintendent of Public Schools in the Third District, and a report of the pupils, teachers and schools, was read and referred to the Committee on Education and ordered to be published.

A petition of several members of the police for the relief of the widow of the late John Dunn, policeman, was referred to the Finance Committee.

A resolution of the Lower Board to pay $388 for the expenses of music, as usual, &c., on the 22d of February last, was referred to the Judiciary Committee.

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Mr Darell offered a resolution that a joint committee of three members of the Board of Aldermen, and a black member from the Board of Assistant Aldermen should be appointed to investigate the affairs of the New Orleans Drawing Company, and to determine the interests of the city in that institution. Messrs. Durell, Culbertson and Bailey were appointed on the part of the Board of Aldermen.

The Board then adjourned for a joint session with the Assistant Board, to elect an Assistant Recorder for the Third District.

After five minutes' absence, the Board returned and resumed its proceedings.

A resolution was offered to pay certain bills incurred by Mr. Reed, who is engaged in digging the Artesian well.

Mr. Pride, the chairman of the committee on the Artesian well stated that the boring had extended 380 feet, and that only quite a flow of water had as yet commenced. He was confident that a fine supply would be found at or before a depth of 500. He stated that three veins had been struck and that water in the amount of 100 gallons per minute would now flow in if the sand were cleared. The resolution was passed unanimously.

A report was read from the committee on the Pontchartrain Railroad. The committee recommended the concurrence of the Board in the action of the Board of Assistant Aldermen in adopting a resolution on the subject which passed the Board of Assistant Aldermen some time since. It was moved that the resolution be concurred in. The question being put, the yays were 7, the nays 6 (yeas 6 nays 7). The Board then adjourned.

BOARD OF ASSISTANT ALDERMEN.—The Board met pursuant to adjournment, the President in the chair.

A message was read from the Mayor, urging action in regard to mad dogs; reminding the Council of the time to make appropriations for the support of the public schools; urging the confirmation of the city ordinances, and transmitting the resignation of Assistant Recorder Wilks, of the Third District, and of Dr. Nott, as a School Director of the First District. Resignations accepted and Messrs referred.

The City Surveyor informed the Board that the contractors for repairing the wharves of the Second and Third Districts were not discharging their duties, and that he had discharged two of the superintendents. Referred.

Letters were read from the City Surveyor and Mr. Roselius, in regard to the opening of certain streets. Referred.

A resolution granting the use of Washington Square to Mr. Godard for balloon ascensions, which passed this Board, came back from the other Board with an amendment, providing that the ascensions do not take place on Sundays—This caused some debate which ended with Aldermen entered, and Mr. L. A Decros was elected Assistant Recorder of the Third District. When the Board came to order, the Assistants persisted in their resolution on the Sunday balloon affair, and a committee of conference was appointed.

W. P. Sandelland, a School Director of the Fourth District, sent in his resignation. Accepted.

Mr. P. S. Wilks offered his resignation as Chairman of the Police Committee. Accepted.

It was resolved to abolish the office of Superintendent of carts and laborers, and place them under the control of the Superintendents.

Place d'Armes was granted to Mr. Zamin for a fire-works exhibition for one Sunday only.

The Treasurer was directed to make weekly reports.

LARCENY.—A lad named James Broderick, stands charged before Assistant Recorder Fabre, with having stolen a pair of pantaloons and $2 in money, from a seaman named Guillermo Varrero, belonging on board the ship Celia. A warrant was issued.

BRUTAL ASSAULT.—A German drayman named Peter Schreiner, was arrested on Monday by the Third District police on the charge of having committed a brutal and unprovoked assault on Mr Ferrer, striking him over the head with the butt end of a loaded whip, and cutting him so severely that Mr F. fainted from the loss of blood. Bail in the sum of $500 Schreiner was ordered to give bonds for his appearance for examination.

WITHOUT LICENSE.—Within the last two days the police of the 1st and 2nd Districts have reported about 125 Coffee-houses, Cabarets, &c. as being kept open without license. Of the number so long than 65 were in the 2nd District.

DIED IN THE STREET.—A young Portuguese, aged 23 years, named Freminson Placido Butanet, died in a cab yesterday noon, in front of the Cathedral, while on his way to the Hospital from a boarding house in Gallatin street. The young man had been in the country but a few days.

SUPREME COURT.—In the Supreme Court, on Monday, the following decisions were rendered:

By Chief Justice Shkell—M. M. Miller, appellee, vs. M. Redgey et al. Appeal from the Sixth District Court of New Orleans. Judgment affirmed, with costs.

Sarah J. Mann, appellant, vs. Sarah Peaslier and the Sheriff of the Parish of Orleans. Appeal from the First District Court of New Orleans. Judgment amended and affirmed.

By Justice Ogden—L. E. Simonds, appellant, vs. Mrs. Sarah Crowell. Appeal from the Fourth District Court of New Orleans. Affirmed, with costs.

William E. Leverich, appellee, vs. Amos Adams et al. Appeal from the Sixth District Court of East Baton Rouge. Judgment amended and affirmed.

By Justice Voorhies.—Hewitt, Norton & Co., appellees, vs. Goodrich & Co. Appeal from the Second District Court of New Orleans. Judgment affirmed, with costs.

Succession of Louis Hortubise, appellant, vs Colvis & Dams and A. Boulé & Co. Appeal from the First District Court of New Orleans. Judgment affirmed, with costs.

By Justice Spofford.—Hortalez Depuy et al, appellees, vs. Jacques N. Dupont and Marie J. Dupuy, his wife. Appeal from the Fourth District Court of St. John the Baptist. A re-hearing ordered to be granted only as to the propriety of amending the decree so as to order the collection of the property in controversy.

John O. Woodruff & Co., appellees, vs. A. Billaud. Appeal from the Fourth District Court of New Orleans. Judgment affirmed, with costs.

State of Louisiana, appellee, vs John Doney et al. Appeal from the First District Court of New Orleans. Judgment affirmed, with costs.

Josephine Michel vs. R. G. Best et al. Appeal from the Sixth District Court of East Baton Rouge. Application for a re-hearing refused.

S. T. Harrison, appellee, vs. Mortimer Turner. Appeal from the Fifth District Court of New Orleans. Judgment amended, the plaintiff to recover of the defendant the sum of $475, with costs in both Courts.

State of Louisiana, appellee, vs. Thomas B Cunningham et al. Appeal from the First District Court of New Orleans. Judgment affirmed, with costs.

By Justice Buchanan.—Peters & Millard, appellants, vs. Mrs C. Toby. Appeal from the Third District Court of Jefferson. Judgment for defendant, with costs in both Courts.

John Butte, appellee, vs. city of New Orleans. Appeal from the Fifth District Court of New Orleans. Judgment affirmed, with costs.

Succession of George Foulkes, appellant, vs Johanna Foulkes et al. Appeal from the Second District Court of New Orleans. Judgment of the District Court reversed, and the cause remanded for further proceedings.

Madeleine Bourque, appellant, vs. the late Municipality No 2 of the city of New Orleans Appeal from the Fifth District Court of New Orleans. Judgment affirmed, with costs.

Nolan Stewart, appellee, vs Jane McCalop. Appeal from the Sixth District Court of East Baton Rouge. Judgment of the District Court reversed, the plaintiff and appellee to recover of the defendant the sum of $4500

In the matter of the New Orleans Drawing Company, praying for the confirmation of a statute of the State of Mississippi, vs. H. Duralde et al. Appellants and appellees. Appeal from the Third District Court. Judgment reversed, and proceedings dismissed, the parties to pay costs in both Courts. *Ogden*, separate opinion, concurring; *Spofford* dissenting; *Bisdell* not sitting, on the ground of interest.

We have found him to be in every particular an intelligent, honorable, and upright officer, citizen and gentleman. It was this fact, coupled with his knowledge of the peculiar wishes of all our population for the reappointment of Governor Young, with his having signed a petition to the President and Congress to that effect, with his popularity with the liberality of such appointments, and with the certainty of having to resign an elevated and highly honorable position in the army for a period of two years as a lieutenant, where the united voice prefer Governor Young to all others, which, doubtless, moved him to refuse to accept the appointment.

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A resolution was offered to pay certain bills incurred by Mr. Reed, who is engaged in digging the Artesian well.

Mr. Pride, the chairman of the committee on the Artesian well stated that the boring had extended 380 feet, and that only quite a flow of water has as yet commenced. He was confident that a fine supply would be found at or before a depth of 500. He stated that three veins had been struck and that water in the amount of 100 gallons per minute would now flow in if the sand were cleared. The resolution was passed unanimously.

A report was read from the committee on the Pontchartrain Railroad. The committee recommended the concurrence of the Board in the action of the Board of Assistant Aldermen in adopting a resolution on the subject which passed the Board of Assistant Aldermen some time since. It was moved that the resolution be concurred in. The question being put, the yays were 7, the nays 6 (yeas 6 nays 7). The Board then adjourned.

BOARD OF ASSISTANT ALDERMEN.—The Board met pursuant to adjournment, the President in the chair.

A message was read from the Mayor, urging action in regard to mad dogs; reminding the Council of the time to make appropriations for the support of the public schools; urging the confirmation of the city ordinances, and transmitting the resignation of Assistant Recorder Wilks, of the Third District, and of Dr. Nott, as a School Director of the First District. Resignations accepted and Messrs referred.

The City Surveyor informed the Board that the contractors for repairing the wharves of the Second and Third Districts were not discharging their duties, and that he had discharged two of the superintendents. Referred.

Letters were read from the City Surveyor and Mr. Roselius, in regard to the opening of certain streets. Referred.

A resolution granting the use of Washington Square to Mr. Godard for balloon ascensions, which passed this Board, came back from the other Board with an amendment, providing that the ascensions do not take place on Sundays—This caused some debate which ended with Aldermen entered, and Mr. L. A Decros was elected Assistant Recorder of the Third District. When the Board came to order, the Assistants persisted in their resolution on the Sunday balloon affair, and a committee of conference was appointed.

W. P. Sandelland, a School Director of the Fourth District, sent in his resignation. Accepted.

Mr. P. S. Wilks offered his resignation as Chairman of the Police Committee. Accepted.

It was resolved to abolish the office of Superintendent of carts and laborers, and place them under the control of the Superintendents.

Place d'Armes was granted to Mr. Zamin for a fire-works exhibition for one Sunday only.

The Treasurer was directed to make weekly reports.

LARCENY.—A lad named James Broderick, stands charged before Assistant Recorder Fabre, with having stolen a pair of pantaloons and $2 in money, from a seaman named Guillermo Varrero, belonging on board the ship Celia. A warrant was issued.

BRUTAL ASSAULT.—A German drayman named Peter Schreiner, was arrested on Monday by the Third District police on the charge of having committed a brutal and unprovoked assault on Mr Ferrer, striking him over the head with the butt end of a loaded whip, and cutting him so severely that Mr F. fainted from the loss of blood. Bail in the sum of $500 Schreiner was ordered to give bonds for his appearance for examination.

WITHOUT LICENSE.—Within the last two days the police of the 1st and 2nd Districts have reported about 125 Coffee-houses, Cabarets, &c. as being kept open without license. Of the number so long than 65 were in the 2nd District.

DIED IN THE STREET.—A young Portuguese, aged 23 years, named Freminson Placido Butanet, died in a cab yesterday noon, in front of the Cathedral, while on his way to the Hospital from a boarding house in Gallatin street. The young man had been in the country but a few days.

MORE STABBING.—Octave Claverie yesterday made an affidavit before Assistant Recorder Fabre, in which he charged a man named Joseph Jacques with having stabbed him in the side of the breast with a knife, yesterday noon, at the corner of St Philip and Royal streets. A warrant was issued for the arrest of the accused. Claverie's wound is not of a dangerous.

DEATH OF BURNS.—David Burns, who was so badly stabbed in the Fourth District on Sunday, died in the Charity Hospital yesterday morning, of his wounds.

FOR THE INVALID.—We cut the following from the "Philadelphia Saturday Gazette," and recommend our readers to peruse it carefully, and those suffering should not delay purchasing:

"DR. HOOFLAND'S GERMAN BITTERS"—this celebrated medicine, prepared by Dr. C. M. Jackson, at the imposing German Medicine Store, No 120 Arch street, is exciting unprecedented public attention, and the proprietor, who is a scientific physician, is selling immense quantities of it. The virtues of this remedy are so fully set forth in the extended notice of it, to be seen in our advertising columns, that it would be needless now to attempt to go over it. This much we may add—Of the long train of physical ills to which humanity is heir, there is none more distressing than the general derangement of the digestive apparatus, which never fails to announce itself in a disordered state of the liver. Headache, pain, languor, restlessness, a bilious tongue, a feverish breath, loss of appetite—in short, an indescribable wretchedness of existence, are its manifestations and the wearing attendants. These diseases, which have baffled the skill of the ablest Doctors, have been speedily cured by Hoofland's German Bitters." See advertisement.

COMMERCIAL.

TUESDAY EVENING, May 22, 1855

There was a fair demand for Cotton to-day, and about [illegible] bales changed hands.

[illegible]

Nothing was done in Tobacco.

Sugar, one hhds. were sold at firm prices. Fair 5¾ @5¾c.

Nothing of importance to be done in Molasses.

Rice. Prime remains dull and only a few hundred barrels were disposed of, at $3 30 for superfine, and $3 for fair.

Corn. 25,000 sacks were sold, mostly yellow, at 65c. White is dull at $1 [illegible].

Bales of Hay, about sacks at 80@90c. [illegible]

Grain. Wheat is dull and sales of [illegible]

Pork is dull. Mess nominal at $17 75@17.

Beef. 300 tierces and tierces are were sold at [illegible]

Lard. Sales of the whole have been [illegible]

Bacon. The market has been completely bare of [illegible]

Whiskey is dull, and retailing at 34c. @ gallon for rectified.

Coffee. 1000 sacks were disposed of at a range of 8¾ @9c. [illegible]

Exchange is scarce, but the demand limited. We quote Sterling, 10@12 prem. France, 5f. 10@5f. 40c. New York, sight, ¼ @¼ dis., dem. Cincin. & M ¼@¼ cent prem.

Nothing has transpired in Freights.

[illegible]

Twenty Dollars Reward.

RANAWAY from the subscriber on the morning of the 19 instant, on Sunday, 20th inst. a boy named Jerry, about 20 years of age, 5 feet 7 inches high, black complexion, has been known in this city, using a wheelbarrow for the last two or three years, for Mr. Charles Lefevre. Parties are hereby cautioned against harboring said boy, and the public are hereby warned not to trade with him, as I will not be responsible for any debts he may contract. Parties who will return said boy to the subscriber, or give information that will lead to his apprehension, shall be liberally rewarded and all reasonable expenses paid.

JOHN MCCARTY.

Attorney and Counsel at Law, Magazine street, opposite Lafayette Square.

No Law.

THE subscribers have dissolved partnership. TRENTON, late Commissioner, having been duly sworn, will hereafter transact business at No. 5 Carondelet st.

W. A. BRIGHT & FITHIAN.

[illegible]

ESTATE OF JACQUES GERARDIN.

CITATION.—Whereas, Jacques Gerardin, who has died in this city, leaving a will, and no heirs, and no property in this city, and being a native of France, and a resident of Paris, and being a private corporation; 4th, because it delegates the administration and police of a portion of the territory comprised within the limits of the municipal corporation of New Orleans, to a private corporation. The Court thought it necessary to examine only the first of the grounds of nullity, and it is not permissible of the charter, to show the motives which actuated the legislature in granting it. Had presumed may be easily assumed by the Legislature. "Whereas, it appears that the corporation which prevail in the city of New Orleans are to be attributed to two causes, intense heat and long continued rains, it is because the duty of the Legislature to prescribe and adopt the most efficient measures to remove both these causes of unhealthiness which are peculiar to the city of New Orleans. It is proper to add, that the D charter is a cause of every contagious and Europe Cholera, only confined to practice in this state, and from the [illegible] and the [illegible] in the [illegible] with the regular impression in the [illegible] Branches, [illegible] Lawyer of this Supreme Court [illegible] Lawyer, [illegible] Lawyer, [illegible] Lawyer,