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The New Orleans Bee.

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OFFICIAL PAPER OF THE STATE. NEW ORLEANS, WEDNESDAY MORNING, DECEMBER 22, 1852.

(No. 6967 Vol. 11.—NEW SERIES. Vol. XXVI.—Whole No. 7046.)

THE DAILY BEE.

OFFICIAL JOURNAL OF THE STATE

Wednesday Morning, Dec. 22, 1852.

WHIG STATE TICKET.

FOR GOVERNOR,
LOUIS BORDELON,
of Terrebonne.

FOR LIEUT. GOVERNOR,
JOHN RAY,
of Ouachita.

FOR SECRETARY OF STATE,
D. D. AVERY,
of Bossier Bourg.

FOR STATE TREASURER,
G. C. M'WHORTER,
of Concordia.

For Attorney-General,
R. N. OGDEN,
of Orleans.

For Superintendent of Public Education,
T. B. THORPE,
of Baton Rouge.

For the Senate.
J. W. STANTON.
F. A. LUMSDEN
THOMAS A. SNOW.
JAMES DAVIS.

For Representatives to the Legislature.

First District—H. J. SUMMERS, W. L. CAMPBELL.
Second District—C. J. LEWIS, A. P. SIMPSON, C. J. LEWIS.
Third District—R. J. BARNEY, C. R. WHEAT, JOHN L. SHEAFE, T. HURT, J. N. HAWTHORNE.
Fourth District—PAUL POUCHET, V. HERMANN, G. LABLANC.
Fifth District—J. L. FARGE, J. RUSSEL, WM. ANDRY.
Sixth District—J. P. BARNETT, J. W. PAIN.
Seventh District—F. LAVILLE, H. C. CASTELLANOS.
Eighth District—J. B. LEFEVRE, S. P. LABARRE.
Ninth District—WM. FILKES.
Tenth District—T. G. MACKEY, G. W. RUFORD.
Right Bank (Also)—A. P. SIMPSON.

For Aldermen—1st District.

SAMUEL JONES, Jr.
PHENIX N. WOOD.

☞ The Northern Mail came through yesterday with the latest dates.

THE SENATORIAL TICKET.

About the most amusing illustration of Locofoco pretension to Democratic principles that we have seen, is the sneering style in which many of the party speak of the Whig Senatorial ticket. It appears that the Whigs have selected as their representatives in the Senate, four gentlemen not one of whom enjoys the doubtful honor of belonging to the scrub and mushroom aristocracy—four intelligent, honorable, true hearted men, who have been Whigs in and out of session, who are warmly devoted to the interests of Louisiana, who have zealously toiled in behalf of her prosperity and welfare, and who fairly represent public sentiment on the great and vital question of Internal Improvements. One of the nominees, J. W. STANTON, is a self made man, standing, of rigid probity, of decided ability of marked energy of character. Another F. A. LUMSDEN, is attached to the editorial profession, is an experienced legislator, and a gentleman of talent and sagacity; a third, Capt. SNOW, is a member of one of the Toubo boat Companies, an old merchant, emphatically one of the people, noted for his liberality, his honesty, his industry and his plain, blunt sense; the fourth, JAMES DAVIS, a contractor and wharf builder, is one of the most kind hearted, popular, and estimable citizens of New Orleans, universally known and generally beloved. These are the gentlemen who compose the Senatorial ticket, and who are subjected to the gibes and sneers of corner politicians and silk stock gentlemen.

We can tell our adversaries that they go the wrong way to work, by striving to depreciate the intelligence and worth of our Senatorial nominees. Each and all of them belong to the honest and sound portion of the community—to that class which has contributed disinterestedly and efficiently for the public weal—which took an early and active part in promoting and producing that new order of things which has already opened to our State a future redundant in prosperity. It is such men as these who, despising party organization and party machines, helped to give to the people of Louisiana a new Constitution—whose act to the Convention that framed that instrument, delegates in whom the people could confide—who breasted the storm of simulated Locofoco indignation raised upon the question of its adoption, and who by their votes and zealous exertions carried into effect the Constitution thus framed and ordained to which it was subjected. It well befits those who clamored against reform, and would have rather seen Louisiana prostrate than behold the ascendancy of a party jeoparded—it well befits such malcontents to indulge in cities and jeers at the patriotic and patriotic and hard working Whigs who, in much of our state candidates have been selected. For our part, we derive signal consolation for the loss of the services of a HUNT, a ROSS, and a DEBLEUX, in the reflection that the Whigs have availed themselves of the opportunity of placing in their places, men, not alike and more zealous in the cause, devoted to the State, tested, tried with her best and most prominent interests—friends of the people—sprung from the people, and acquainted with the wishes and the wants of the people.

If the Locofoco party challenge a comparison between the two tickets, we are quite ready to accept the proffer. We are not afraid of the scrutiny to which it will be subjected, of the merits and to consider the peculiar claims of Gen. LEWIS, and Messrs. KING, DUNBAR and VOLKAT; nor do we apprehend that Messrs. STANTON, LUMSDEN, SNOW and DAVIS will suffer one iota in the estimation of the community, by such comparison. The time has gone by when mere political politicians, and blind party hacks, or office and place hunting partisans can wield the suffrages of the citizens at their pleasure. The duties devolving on the coming Legislature, the principles which it will be required practically to enforce, and which have been signally disjointed by the popular verdict, are too momentous to the State to be entrusted to those whose solitary qualification the voters in the wearisome iteration of their patent "Democracy." Democracy forsooth! A springe to catch woodcocks—a gull trap for the ignorant and unsuspicious—a cover and blind for sentiments far more akin to the rankest federalism, than to the broad, catholic and kindly doctrines of genuine Democracy. And yet, labelled with this cunning catchword, whose magic power has been tried and proved so often, do the anti-reform, anti-constitution, and, be ought we know, anti-internal improvement and anti railroad nominees, invoke the support of the people, at a period when so much ought to be sent to the Legislature who has not established his fidelity to the paramount interests of the State by his acts. We are not able absolutely to assert the fact, but we have little doubt that every man on the Locofoco Senatorial ticket voted and voted against the ratification of the new Constitution. Now, we ask—not the partisans—but the laborers, the mechanics, the men who live by their toil and who are already reaping the benefit of the liberal charter we enjoy, in the shape of high wages and a constant demand for their services—we ask the tenantry of the State, if they are the citizens whom it becomes them to send to the Legislature? Will they feel safe under the rule of politicians who represent a party which refused to endorse or approve the platform of the Whigs, which opposed the convention and essayed by organized effort, to destroy the fruits of its labors?

These are questions which it behooves every honest citizen to ask himself. When he hears mishings and fugs trying to be exceptionably sarcastic at the expense of the Whig nominees, let him ask himself whether honest men, substantial men, fast friends of Louisiana, upholders of enterprise, are to be cast aside, for others, destitute of these claims, and whose chief recommendation rests upon their nomination by a party which, essentially undemocratic, still parodoxically claims the title of Democratic?

BARTLOW'S PLANTSMICK.—A very beautiful phantasium—or survey—is now exhibiting at the Mechanics' Institute. We advise all persons interested in astronomical pursuits to examine the splendid delineation of the movements of the Heavenly bodies. It is the production of American ingenuity and skill.

☞ Two German princes—the Prince of Wied and the Prince of Nassau—are at present at Washington, in the course of the tour which they are making of the United States.

☞ PENMANSHIP AND BOOK KEEPING.—New classes begin this week at Delbert's Academy, 105 Canal street (old numbering 56). See advertisement.

PAPIER MACHE FANCY GOODS AND JEWELRY.—We are requested to call special notice to a sale of papier mache fancy goods, ornaments and jewelry which will take place this morning, at 10 o'clock, by H. V. Guy, Auctioneer, at the corner of Canal street and Exchange Alley.

☞ The shipping of purchasers is requested to the sale at auction of the Cargo of brig Marguerite, from Bahia; sale will commence at 11 o'clock, THIS DAY, at R. B. Sylvat' Auction Store, No. 21 Magazine street, by samples from the cargo.

CONGRESS.

In the SENATE, on the 14th, Mr. Mason introduced a bill establishing a fund for carrying into effect the treaty for the continuation of the Mexican boundary.

Mr. BRADBURY gave notice of a bill changing the bankrupt law of the last session, so as to give to all who served in the last war 160 acres of land.

The President's message was taken up, and on motion, the portions thereof relating to foreign relations, commerce, naval affairs, military affairs, Indian affairs and public lands, were referred to the several committees on those subjects.

Mr. Davis referred to that portion of the message announcing the death of Daniel Webster, and pronounced an eloquent and feeling eulogy upon his virtues and services. He offered the customary resolutions of respect.

Mr. Butler, Mr. Cass, Mr. Seward and Mr. Stockton, followed in most chaste and thrilling offerings to his memory.

The resolutions were adopted and the Senate adjourned.

In the HOUSE, Mr. Meade of Virginia, made a strong speech against protection and was followed by Messrs. Stanton, Giddings, Millson and others. The discussion lasted until the adjournment.

ODD-FELLOWS' DEDICATION BALL.—The ball given by the Odd-Fellows on Monday night at their magnificent Hall, was really one of the most brilliant affairs it has ever been our lot to witness. The ball-room, as our readers are aware, is of vast dimensions, equalling length to any similar apartment in the country, and probably exceeding them in breadth. When lighted by the superb chandeliers imported by the Directors, and filled with the beauty and fashion of our city, it presented a coup d'oeil than which we have seen nothing finer. The music was particularly choice, the supper elegant and tasteful, and despite the warmth of the evening, the attraction was so great, that dancing was kept up with spirit even after the iron tongues of the neighboring steeples vainly warned the gay group that day light was not far distant. It was an occasion to be remembered.

NEW BOOKS.—Our thanks are due the publishers, THOMAS COWPERTHWAITE & Co., through WM. TEMPLETON, corner Jackson and Tchoupitoulas streets, for the following new publications:

The Works of Virgil, with the original text reduced to the natural order of construction, and an interlinear translation, as nearly literal as the idiomatic difference of the Latin and English languages will admit—adapted to the system of classical instruction, combining the methods of Ascham, Milton and Locke, by L. Hart and V. B. Osborn. The author has much to urge in behalf of this system, but we think that it tends to diminish diligence, and to habitume the scholar to a reliance upon the labors of others, rather than upon his own efforts. Combined with the usual mode of hammering at the Grammar and Dictionary, the method may prove more useful. The translation is the work done before us is skilfully and faithfully rendered.

Tales from Shakspeare, designed for the use of young persons, by Charles Lamb. This volume is from the fifth London Edition. It embraces the well known and eminently successful prose versions of Shakspeare's plays, arranged by Lamb in a style of simplicity and clearness intended to interest the attention of young persons. As far as practicable the language of the great bard is preserved.

FIFTH REPRESENTATIVE DISTRICT.—The Whigs of the 5th Representative District have nominated last evening Mr. WM. ANDRY as their candidate for the Legislature, in lieu of Mr. H. GALLY. Mr ANDRY is a young and ardent Whig and will be useful in the House.

AN IMPORTANT MOVE.—The Board of Aldermen at their sitting last night passed an ordinance granting to certain parties the right of constructing a railroad, under proper restrictions, to connect the upper and lower limits of the city. This is a most proper and important move. (See report in another column)

WINFIELD SCOTT AS LIEUTENANT GENERAL.—Senator CLEMENS' resolution to confer the title of Lieutenant General upon General Scott meets with very general approbation, by Democratic as well as Whig journals, as a compliment. The Boston Post says that Democrats can heartily join in the movement to confer on a veteran, who has shared the sense entertained of his patriotism and valor. It was political opinion which they contended against, and not the military excellence of Gen. SCOTT, and now that the contest is over, the Post holds that they will see with pleasure a deserved compliment bestowed on him as with the united voice of the public.

☞ We learn from the Louisville Courier that President Pillman has tendered to the Hon. John C. Helm, of Kentucky, the appointment of Land Commissioner in California, in place of the Hon. Gustavus A. Henry, of Tenn, who declined it.

THE ORPHANS' SOUVENIR.—We are indebted to Mrs. FORBES, the Editress, for this elegant and tasteful little newspaper, to be issued, we presume, during the Fair at Armory Hall. From the number before us we extract the following account of the origin of the Camp Street Orphan Asylum—that glorious memorial of woman's benevolence:

This institution was commenced by six Sisters of Charity, and with a charge of six orphan girls, in a hired house, on the 2nd of May, which was donated by Joseph Kennedy, Esq. In the space of three years, the number of children demanding protection increased to twenty, and by the daily acquisition of numbers, indicated the necessity of a suitable building which should be a permanent place of shelter.

The site of the present edifice had been bequeathed by the late Mrs. Soulet for a chapel and *Female Asylum*. By the usual proper representations, a deed to the property was obtained, with such modifications of the original bequest as enabled the movement to commence with the edifice—incurring, however, a heavy indebtedness, which has since been liquidated by the aid of Legislative appropriations, fairs, domestic festivals, &c.

Thus has an institution, in which the bereaved and destitute little orphan girls find a home and the comforts of life, been reared in our midst, and is now the safe retreat of two hundred and seventy one little girls. The institution, though bearing many friends, is yet invariably kind, and therefore, appeals to the benevolent for that assistance which so noble a charity must command from every pure heart.

It is not necessary to make an appeal abounding in flowers of rhetoric, in order to awaken an interest in such a cause; the mute eloquence of *orfans*, so forcibly sustained in the cause of humanity, and beaming happy faces of the little innocents thus wrested from the grim hand of want, are far more eloquent than any portraiture of the subject can be, for they are living incarnations of the heaven-born principle itself.

Correspondence of the Charleston Courier.

WASHINGTON, Dec. 12.

The statement made by the Census Bureau of Railroads in the United States is of much interest. We shall have, in this country, twice the extent of Railroads that exist in all the rest of the world.

South Carolina has the credit of being the pioneer State in Railroad enterprises. The first Railroad of any importance was built in South Carolina, and it is the cheapest, the most profitable, and the most continually employed road, and one of the longest roads in the United States. So says the Census Report.

A rumor was recently circulated that the overture for the purchase of Cuba was made by Mr. Polk, at the instance of Mr. Soulé, who had lately visited Spain. It is denied in the Cabal, to-day, at Mr. Soulé's request. But it is stated that Mr. S. might have mentioned circumstances existing in 1847, that might have brought about a crisis favorable to the opening of negotiations. It is also stated that Mr. Soulé has ever viewed the question which that subject involves as being fraught with great difficulties, and likely to be more embarrassed than relieved by intimations of the character of those with which certain papers have been teeming for some time past."

Members of Congress appear to be very shy of the above question. It is little agitated, as it is not of a pressing character.

A singular mistake has been corrected by Cuba in one respect. The British naval force has formed a circle around the Island for the purpose of capturing slavers on the ocean, and thus enforcing the treaty obligations of Spain herself. Several thousands of slaves, it is said, have been introduced into Cuba within a year.

THE LONDON TIMES.—The press is said to wield astonishing influence in Europe. "Stocks fall with rapidity on the strokes of its editorial pen, and a leading article from its gifted pen, effectively, will shake a throne, and may drag down principalities and powers." It is a joint stock concern, and its principal editor received a salary some years since of six thousand dollars per annum. Its advertising is enormous, and paid for before it goes into the paper. The new advertisement in a single day have been known to reach as high as ten thousand and thirty eight dollars. Probably the income from this source in a single day would be two thousand, or six hundred thousand dollars per annum.

AN INGENIOUS FRAUD ON BROKERS.—Several stock brokers in New York have lately been defrauded by an unknown party at New London, Conn., who, writing under the assumed name of Perkins, and of Wilmot, ordered them to make purchases on his account, and telegraph him of the transaction. He reminded them in his letter that he had made, on former occasions, several purchases through them, which was done to obtain their confidence, in which he succeeded, and the broker ordered were New London and New Haven, and Stonington. Under these purchases the stocks went up, and he then, through another broker, ordered sales to be made. The purchases he ordered he never made good, while the sales which he made were through another broker, who helped to name his principal.

Arrival of the Arctic.

NEW YORK, Dec. 14, 9 P. M.

The American mail steamer Arctic has just reached her wharf, bringing dates from Liverpool to the 1st of December, and from London to the 30th of November. She brings 71 passengers. The Arctic passed a steamer, supposed to be the Baltic, on Monday, in lat. 43 40, long. 66 56.—The steamer Africa arrived out on the night of the 30th.

ENGLAND.—The Earl of Derby has announced formally in Parliament the determination of the government to adhere to the principles of free trade.

Parliament intended to adjourn on the 10th inst., for a recess of nine weeks.

The ladies of England convened in meeting at the mansion of the Duchess of Sutherland, on the 20th, to adopt a memorial to the ladies of the United States on the subject of the abolition of slavery. It was attended by many of the highest rank in England.

In consequence of the extraordinary activity in the French Navy Yards, government has resolved to call for an additional 5,000 men for the British navy.

Disastrous floods have again occurred in various parts of England, doing great damage.—There had also been great loss on the coast of Scotland among the shipping, in consequence of violent gales.

The friends of the proposed London, Liverpool and North American Steam Screw Ship Company have appealed to Government in its favor.

Advices from Burmah, announce the capture of Prome with but little loss on either side.

Advices from Paris state that negotiations are nearly completed between England and France for the modification of the tariffs of the two countries.

A select committee has been appointed in the House of Commons to investigate the charge of bribery at the Derby elections, in which the Secretary of War, Lord Hesesford, is implicated.

Measures have been taken by government to put the naval depots at Jamaica, Antigua, &c., in a state of defence.

The steamer Adromache had arrived in the Thomas, from Sydney, with forty-two ounces of gold.

The Bank of England is now selling American eagles at 76s. 7½d.

FRANCE.—The Empire was to be formally proclaimed on the 2d of December. On the next day, the Senate will be convoked to settle the civil list of the Emperor, and the salaries of the members of the Imperial family.

Some of the legitimists had resigned in the departments, in compliance with the manifesto of Henry V.

The report is confirmed that Henry V. is about to issue a manifesto to all the Princes of Europe, protesting against the usurpation of Bonaparte.

The Municipal Council of Strasburg has voted to present the Emperor with the Castle of that city for the Imperial residence.

Telegraphic Items.

WASHINGTON, Dec. 14.

AFFAIRS AT WASHINGTON.—The contract for timber for gun carriages for the army has been awarded to Fuller, Chaffee & Co., Springfield, Mass. The amount contracted, for is 872,000 feet, at 28 to 843 per thousand, board measure. The contract amounts to about $35,000.

Simeon Baily, postmaster at New Bedford Massachusetts, has resigned and Thomas Coggeshall will be nominated to the Senate as his successor. It is also reported that Wm. Brady, the postmaster of New York, is about to resign.—W. B. Taylor, Esq., for many years past assistant postmaster, is talked of as his successor.

The public printing of the last session, of which a large amount had accumulated at the adjournment, is now very nearly completed, and General Armstrong is preparing the printing for the present Congress with unusual neatness and dispatch. The first part of the President's Message, and documents, making a volume of 650 pages, was sent to yesterday, and the second part will be ready next week.

WASHINGTON, Dec. 14, 10 P. M.

THE WORKMEN AT THE NAVY YARD, ETC.—At a meeting of the workingmen of the Navy Yard, held this evening, the committee appointed to wait on the Secretary of the Navy in relation to the order requiring the hours of work at navy yards, reported that they had performed that duty, and that Mr. Kennedy assured them that the order should be rescinded.

WASHINGTON, Dec. 14.

ALBONI AT WASHINGTON.—Alboni's first concert at Carusi's, to-night, was attended by the President and most of his Cabinet, several Foreign Ministers, Senators and Representatives, and a large and fashionable audience, and was received with rapturous applause. She gives another concert on Thursday evening, and then returns to New York.

ALBANY, Dec. 13.

SUICIDE OF A DEBAUCHEE.—A man named Gilbert Mellen, a former father resides at Lambridge, Mass., committed suicide at the Merchants' Hotel, in this city, yesterday, by taking morphine. In a note left on the table where he killed himself he gave two reasons for committing the rash act. One that he was desperately in love with Emily F. Abbott; and the other that he was a deserter from Col. Taylor's artillery, and feared the disgrace and punishment which awaited him upon being captured.

Samuel L. Hathaway, of Hebrebridge, Chenango county, recently committed suicide, by hanging himself with a chain, in his barn.

CLEVELAND, O., Dec. 13.

VESSEL IN DISTRESS.—The schooner Gazette arrived here this morning in distress, having been tossed about for a whole week by the gales on the lake. Her crew were destitute of food, and were down by fatigue. On entering the harbor she ran on to the pier, which knocked a hole in her bow. She then drifted into the lake and capsized, the crew saving themselves by clinging to the rigging until they dived, and swam to the pier.

BOSTON, Dec. 14.

MASSACHUSETTS ELECTIONS—CONGRESSMAN.—Mr. Scudder, Whig, is elected to Congress in the First District, Mr. Crocker, Whig, in the Second; Mr. Edmunds, Whig, in the Third; Mr. Upham, Whig, in the Sixth; Wentworth, Whig, in the Eighth; Dickenson, Whig, in the Tenth, and Goodrich, Whig, in the Eleventh.—N. P. Banks, coalition Democrat, is elected in the Seventh, and De Witt, Free Soiler, in the Ninth. The entire delegation is composed of 9 Whigs, 1 Democrat and the Free Soiler. In the last Congress there were 7 Whigs, 1 Democrat and 2 Free Soilers.

PHILADELPHIA, Dec. 14.

GREAT AND FATAL CHEMICAL.—The grain store of C. H. Cummings, on Water street, below Race, fell down at 3 o'clock this afternoon, with the weight of grain stored in it. The clerk was buried beneath the grain, but was rescued uninjured. A man was working in the building, who is missed, and is believed to be killed.

Condensed Decision of the Supreme Court.

Rendered Monday, Dec. 20th, 1852.

John R. Shaw & Co. Appellees, vs. John Nolan, Appellant. } Third Judicial District Court.

This is a suit instituted to recover $7,07 26, due on a contract for erecting a sugar mill and engine, and furnishing an engineer to take off the crop; and the further sum of $5,000, the amount of a promissory note endorsed by defendant. The answer averred that the mill and engine were not delivered in time, according to our contract, that the machinery was defective, and claims in reconvention $30,000 damages. Defendant also denied his liability as endorser of the promissory note, because plaintiffs took it as a note from the maker, giving further time for payment.

The District Judge gave judgment against plaintiffs on the note, and against defendant on the demand in reconvention and in favor of plaintiff on the contract for the amount claimed.

Held, It is settled by the highest authority, that the giving of a new note, though payable one day after date, is giving time for payment, even when the original note remains in the hands of the creditor. The new note bears interest at 5 *per cent*, whereas the old note only bears 5 *per cent*, interest; the difference in the rate of interest is a sufficient consideration. The arrangement was clearly a novation, and defendant cannot be liable as endorser. The judgment of the Court a quo on the contract is amended so as to reduce that judgment $100 in amount, giving the plaintiff the sum of $7,371 26 with interest and costs.

Hunton & Bradford—Appellees
Miles Taylor & Marr—Appellant.

T. B. Blanchard, Appellee, vs. John Davidson, Appellant. } Third Judicial District Court, Parish of Jefferson.

Plaintiff sues for the sum of $1300, for rent of property held by defendant as sub-lessee of plaintiff, and claims the lessor's privilege upon buildings, sheds and effects of defendant on the premises. Plaintiff took out a provisional seizure.

The judgement of the Court below was for plaintiff, for the sum of $450, interest and costs.

Held.—Petition does not allege the relation of lessor and lessee between plaintiff and defendant, nor any such state of facts as would create lessor's privilege, upon the property described in the petition. The judgment of the court below is therefore reversed, and the provisional seizure set aside, and the petition dismissed as in case of nonsuit.

Mithet—Appellee. Haynes—Appellant

F. Pillot, wife of J. Barides vs. Hooper, Curator. } Same Court.

The defendant, as curator of V. Privat's estate, has the possession of the steamer Daniel Boon, which was the joint property of the deceased Privat and of Count Frisinet. Plaintiff claimed the boat from defendant under a sale made to her by Privat's acting for himself and as agent of Frisinet. The answer was a general denial, and that the alleged sale was fraudulent and a forgery. The signature of Privat was proved by a comparison of hand to a notarial act not in the Record, and the judgment of the District Court was in favor of plaintiff, for the steamer. Frisinet, whose residence is in Pittsburg, took an appeal—averring that the signature of Privat was all bodily forgery, and that the evidence has been adduced showing the authority of Privat to sell the share of the appellant, who never authorized Privat to do so.

The judgment is reversed, so far as appealed from, and the case remanded to be tried between the appellant and the plaintiff C. P. 574.

Adam Frederick, Appellant, vs. Etienne Brunard, Appellee. } Second Judicial District Court, Parish of Plaquemines.

This was originally an action of boundary. The Court determined that, as the marks showing the direction of the line in controversy, were not visible, the case should be remanded for the purpose of having that line traced. The surveyor General was ordered to establish said line in conformity with the decree of this Court. Plaintiff took a rule on defendant to show cause why neither line then the one established by the surveyor was not the true one. Defendant answered that the rule assigns no error in the survey, and prays that the report of the surveyor be homologated. Judgment for defendant.

Held. There being nothing in the record to disprove the correctness of the report of the surveyor, it must be taken for true. Judgment affirmed.

Lambert—Appellant.
Benthouse—Appellee.

Gen. Cass' Eulogy on Mr. Webster.

On the 14th instant, resolutions of respect for the memory of DANIEL WEBSTER were introduced in the United States Senate by Hon. JOHN DIXON, and eloquent and affecting speeches were made by Gen. CASS, Mr. SEWARD, Mr. BUTLER and Commodore STOCKTON. We have not space enough to publish them all, but we cannot refrain from giving the annexed report of Gen. CASS' admirable and touching speech:

Mr. President:—HOW ARE THE MIGHTY FALLEN was the pathetic lamentation when the leaders of Israel were struck down in the midst of their warlike and their revels. We all may we repeat that nation's wail, HOW ARE THE MIGHTY FALLEN, when the impressive dispensations of Providence have so recently carried sorrow into the hearts of the American people by summoning from life to death three of their eminent citizens, who for almost half a century, had taken part, and prominently too, in all the great questions, as well of peace as of war, which agitated and divided their country. Full indeed they were of years and of honors, for

"The hand of the reaper
Took the ears that were heavy,"

but never brighter in intellect, purer in patriotism, nor more full of the fruits of life than when they were closed upon their labors, leaving their memory and their career, at once an incentive and an example for their countrymen in that long course of life, which, in wisdom and prosperity also, which is open before us. Often divided in life, but only by honest convictions of duty, followed in a spirit of generous consultation, and not of personal opposition, they are now united in death, and we may appropriately adopt, upon this striking occasion, the beautiful language of the poet, "Lovely and pleasant were they in their day of their gifted sons, when they were called upon to mourn, as we are now called, a bereavement which is indeed a sorrow, dismay almost, through the nation, and under circumstances of difficulty and danger, far greater than any we can now reasonably anticipate in the progress of our history:

"Seek not for those a separate doom,
Whom fate made brothers in the tomb;
But search the bloody field to find
Where shall we find their like again?"

And to-day, in the consideration of the message of the Chief Magistrate, it becomes us to respond to his admonition, commending itself, as it does, to the universal sentiment of the country, of the death of the last of these lamented statesmen, as a national misfortune. This mark of regret and respect was due alike to the memory of the dead and to the feelings of the living. And I have listened with deep emotion to the eloquent tribute paid to the great talent and worth and services of the departed patriot, which to-day have been heard in this high place, and will be heard to-morrow, and commended too by the American people.

The voice of party is hushed in the presence of such a national calamity, and the grave closes up in the asperity of political contests when it closes upon those who have taken part in them, and well may we, who have so often witnessed his bold and lofty bearing in the strife we, here, upon this theatre of his services and his renown, recalling the efforts of his mighty understanding and the energies which always followed its exertion; well may we come with our tribute of acknowledgment to his high and diversified powers, and to the influence he exercised upon his auditory, and, in fact, upon his country. He was indeed a leader in this deliberative body, who stand prominently forward upon the canvas of history, impressive their characteristics upon the age in which they live, and upon the world. Gifted with the rare faculties which he possessed, upon his auditory, and, in fact, upon his country. He was indeed a leader in this deliberative body, who stand prominently forward upon the canvas of history, impressive their characteristics upon the age in which they live, and upon the world. Gifted with the well known and popular socialist, died in New York, on Monday, after a protracted illness, of an affection of the heart. He leaves a wife and four children.

Mr. Segnin was an Englishman by birth, having been born in London, on the 7th of April 1809; he was, consequently, in his 44th year. He was a member of the London Academy of Music, from which he retired in 1830, having gained all the honors of the academy. In the following year he made his first appearance on the English stage, at the Queen's theatre, Tottenham street, London. He soon became a great popular favorite, and enjoyed probably the most extensive salary of any singer on the Italian Opera House and the theatres of Covent Garden and Drury Lane. He came to this country in 1836, and made his first appearance on the American stage at the old National theatre, New York, on the 18th of October in that year. He subsequently visited professionally the principal cities of the United States, and maintained an excellent reputation as a bass singer and comic actor.

Mr. Segnin has left a handsome competence to his family. Mrs. Segnin is an accomplished lady and vocalist. She has withdrawn from the stage, and at present devotes her time to the teaching of music and singing in her academy.—She has enjoyed a brilliant reputation in this country, to which she came with her husband in 1836.

RECEIPTS OF GOLD.—The New York Times estimates that for the year 1852, the receipts of gold at the Philadelphia mint will reach $5,000,000, and that the semi-monthly packet should be unavoidably delayed, against $46,656,000 last year. At New Orleans, there will be 4,000,000, against $8,666,000 last year. The foreign gold at New York, $300,000, against $2,900,000 last year—giving a gross total of $9,000,000, of which, allowing for an export of $3,000,000 for December from New York, and $4,000,000 for the year from Boston and other ports, about $32,000,000 will have been sent out of the country to foreign States, to 31st instant, leaving for home distribution $36,000,000, against $10,000,000 in 1851. The whole of this balance, or nearly so, like the last, will have gone into the interior, or lodged in the safe treasury by the close of the year. The banks at present are supposed to hold not over a million and a half in excess of 31st December, 1851, say $9,500,000.

Senator King.

WASHINGTON, Dec. 20.

The disease with which the Hon. W. R. King is afflicted, and which has compelled him to resign the presidency of the Senate, is affection of the lungs similar to the complaint of Mr. Clay.

Ohio River—Steamboats.

LOUISVILLE, Dec. 20, P. M.

The river is rising with 7 feet water in the canal. The steamboats Hungarian, the Mary Hunt, the Midas and the Ben Franklin, have arrived, and the Sam Cloon has departed for New Orleans.

LOUISVILLE, Dec. 21.

The river here is still rising. The steamboats Reindeer, Lewis Whitman and Yalo have arrived, and the steamboat has departed for New Orleans.

ST. LOUIS, Dec. 21.

The river here is now falling and much floating are running.

VICKSBURG, Dec. 21.

The steamboats T. P. Leathers and Southern Belle have passed here today, bound for New Orleans—the former at 1 and the latter at 7 P. M.

BY MAGNETIC TELEGRAPH.

[TRANSMITTED TO THE N. O. BEE.]

[By the National Line.]

Congressional Proceedings.

WASHINGTON, Dec. 20.

The Kentucky election case elicited considerable further debate this morning. Mr. Douglass, of Illinois, made a speech in favor of Mr. Merriwether's claims, and Mr. Buck of Texas, spoke in behalf of Mr. Dixon.

The vote was at length taken, and resulted in a majority of 11 in favor of Dixon, the vote standing 97 yeas against 16 nays. Mr. Dixon was then sworn, and took his seat.

Nothing of any moment has been done to-day in the House.

California Arrival.

NEW YORK, Dec. 20.

The steamship United States arrived here from Aspinwall, bringing three hundred and fifty thousand dollars worth of gold dust.

Ohio River.

PITTSBURG, Dec. 20.

The river here is now falling, with 9 feet 4 inches water in the Channel.

CINCINNATI, Dec. 20.

The river here is rising. Weather warm.

LOUISVILLE. The river here is now rising.

Later from South America.

NEW YORK, Dec. 20.

Advices have been received here from Valparaiso to the 14th November. The Government of Peru was quietly concentrating its forces, with the single object of resisting the demands of Ecuador.

More California Arrivals.

NEW YORK, Dec. 20.

The steamer Star of the West has arrived here from San Juan de Nicaragua, which place she left on the 10th inst. The Cherokee has arrived from New Orleans via Havana, having left the latter place on the 4th inst. No hindrance was offered to the free communication of her officers and passengers with the shore.

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COMMERCIAL.

The Markets.

BEE OFFICE
TUESDAY EVENING, Dec. 21, 1852.

The Cotton market wore a very quiet appearance to-day, and the sales did not exceed 400 bales, at our quotations.

LIVERPOOL CLASSIFICATION—LOUISIANA AND MEMPHIS.

Inferior	4¾ @4¾	Fair	6¼ @6½
Ordinary	5 @5¼	Fully Fair	6¾ @ —
Middling	5½ @5¾	Good Fair	7 @ —
Good Middling	5¾ @6	Good and Fine	— @ —
Middling Fair	6 @6½		

The Sugar market is firm, and the demand continues good. Sales 120 hhds. at 5½ @ 5¾ for Fair. Of Molasses 20 bbls. were sold at 21¾ @ 22¾ P gallon, mostly at the latter figure.

The Flour market after the heavy transactions of yesterday is firm, but there is less disposition to operate—sales 1 bbl. Fine at $3 50, 2 bbls. Fine at $3 62½, 1 bbl. for St. Louis, and 5 bbls. $3 75 for extra brands. In Corn, we notice a few small sales of prime white at 65.

Provisions are too limited to quote. Sales of 30 bbls. New Pork at $17. At retail, holders realize $17 @ $17 75. Bacon is selling in limited quantities at 8½ @ 9 for Sides, and at 7½ @ 7¾ for Shoulders. Of Lard, some 300 tierces and kegs have changed hands to-day at 11c., and about the same number of kegs at 12 @ 12½ P lb. There is nothing doing in Beef. A lot of the best ordinary Western Mess has been brought in.

Coffee is dull, with limited sales of Rio at 9½c.

Moderate sales of Whiskey are making at 20½ @ 21c P gallon for rectified.

Exchange bills Foreign and Domestic, is in fair demand, at our quotations.

EXCHANGE GIFT DOOR

Sterling	9 @ 9½ per cent
Paris	5¼ @ 5½
New York, early day bills	¼ @ ½ cent dis
Do.	¼ @ ½ cent dis
Boston, early date	¼ @ ½ cent dis
Philadelphia, early date	¼ @ ½ cent dis
Mobile, at five to eight days	¼ @ ½ cent dis
Florida at six to eight days	¼ @ ½ cent dis
Freights are still very dull, and we quote Cotton to Liverpool, in bd. and same pressure for comfort, may have been taken at the same rate.

Steamboat Departures—This Day.

Bilmont, Cincinnati, Walker, 5 P. M.
Ben Franklin, Louisville, Pennington, 5 P. M.
Fair Tennessee, Pittsburg, Hays, 5 P. M.
Cincinnati, J. M. Miles, Ireland, 5 P. M.
Louisville, Cincinnati, Jacob Run, 5 P. M.
Louisville, Chancellor, Bacon, 5 P. M.
Osacola, Marine, Baxter, 5 P. M.
Cincinnati, Europa, Scott, 5 P. M.
Louisville, Lucas Bell, Lynch, 5 P. M.
Yazoo, McLean, Johnson, 5 P. M.
Nashville, Gibbs, Gilbert, 5 P. M.
Alabama River, Georgia, Ward, 5 P. M.
Shreveport, Red River, Apple, 5 P. M.
St. Louis, St. Paul, Boudreau, 5 P. M.
St. Louis, Amaranth, Atchison, 5 P. M.
Cincinnati, R. H. Winslow, Martin, 5 P. M.
Montgomery, Wetumpka, Olds, 5 P. M.
Memphis, Bellevue No. 2, Chambers, 5 P. M.
Bayou Sara, Emperor, Linton, 5 P. M.
Plaquemines, Grace, Lee, 5 P. M.
Ouachita, Chester, Sterling, 5 P. M.
California, Daniel Webster, Grafton, 5 P. M.
Carlisle, Philadelphia, McKeown, 5 P. M.
Mobile, Oregon, Hunt, 4 P. M.
Covington, Lenora, Hunter, 10 A. M.
Donaldsonville, S. W. Barrow, Dugas, 9 A. M.
Napoleon, Fashion, Fowler, 9 A. M.
Montgomery, D. J. Day, Phillips, 5 P. M.
Grand Prairie, J. T. Dowell, Stiles, 9 A. M.

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

"DR. HOOFLAND'S GERMAN BIT