[illegible]

COUR DES PREUVES.

Paroisse St. Charles.

ÉTAT DE LA LOUISIANE.

[illegible] mois de Février prochain, en [illegible] d'un ordre de la Cour des Preuves de cette paroisse, à deux heures du matin, et sur l'habitation ci-après décrite, il sera vendu par le [illegible] de la dite paroisse à l'enchère et au plus haut [illegible], les objets ci-après dépendans de la succession de feu Dame Louise [illegible], épouse [illegible] de biens et de corps de Mr. Louis Habine, [illegible] résident en France; savoir:

Une habitation établie en sucrerie, [illegible] sise en cette paroisse sur la rive droite du fleuve, à environ 8 lieues de la ville, ayant 32 arpens de face [illegible] fleuve sur 80 de profondeur, et ouvrant environ 13 degrés, avec tous les bâtimens qui [illegible] dessus sans exception; la dite habitation [illegible] dans sa partie supérieure par cette con[illegible] sous le nom de A. Bizet, lieutenant à la [illegible] de Mr. Joseph Girod, et dans sa partie inférieure par une petite habitation appartenant à la succession de Madame Habine,

[illegible] 40 paires de bœufs de tire, 50 vaches [illegible] têtes à cornes, de un à quatre ans, 300 [illegible], 35 chevaux anglais, toutes les [illegible], le [illegible] et le maïs qui se trouvent sur l'habitation; [illegible] les charrettes, les charrues, drays, tom[illegible] etc. qui s'y trouvent également; et 130 [illegible] attachés, tant à l'habitation qu'à la maison [illegible] trop long de nommer et de dé[illegible] lesquels se trouvent des domesti[illegible] bouchers, des charretiers, labourans, [illegible] charpentiers, maçons, sucriers, cuisi[illegible] chambrières, en nombre suffisant pour [illegible] d'une grande habitation, et dont on [illegible] connaissance sur les lieux avant [illegible]—L'habitation, les nègres, les animaux, [illegible] objets ci-dessus énumérés et autres [illegible] de la dite habitation sucrerie seront [illegible] en bloc et lot.

2°. Une petite habitation d'un arpent et six toises de front au fleuve sur la profondeur ordinaire, entièrement nue, habitée maintenant [illegible] Rigaud à qui toutes les batisses appartiennent et à qui portion de la dite habitation [illegible] face sur 4 arpens de profondeur) a été [illegible] pour un certain nombre d'années, dont [illegible] encore à courir.

3°. Tous les meubles, l'argenterie, les [illegible] de cuisine, provisions, linge de table et de [illegible], appartenant à la succession, etc. [illegible] bois [illegible] deux chaudières, [illegible] etc. etc.

CONDITIONS.

L'habitation, les esclaves, animaux etc. en un [illegible] tout ce qui est attaché à la dite habitation [illegible] en un [illegible] du prix, sur comptant [illegible] le reste [illegible] à 1, 2, 3, 4 et 5 ans [illegible] à compter en tout avril des années 1830, 1831, 1832, 1833, et 1834, avec hypothèque spéciale [illegible] la terre et les esclaves [illegible] à parfait payement.

[illegible] acquéreurs fourniront leurs billets [illegible] dénommés par coupons au gré des héritiers [illegible] à leur satisfaction.

La petite habitation sera vendue payable en [illegible] échéant en tout avril [illegible] 1830, 1831 et 1832, faits également [illegible] coupons, tendants de la manière satisfaisante, et portant hypothèque jusqu'à parfait payement.

Les objets de moins mobilier seront payés comptant jusqu'à 100 piastres et depuis 100 [illegible] dans un an, à dater du jour de la vente.

J. M. MOREL GUIRAMAND,
24 Janv—1m Juge

Dernière semaine

Des exercices du chien APOLLON.
et
Concert extraordinaire de M. Malzat,
(qui va partir pour Mexique.)

Divertissement raisonnable. — Nouveau spectacle au Cirque de Canix, rue de Chartres, No. [illegible], entre Conti et St. Louis; les soirs à six heures ½. Exercices [illegible] parallèles du chien grec Apollon.

Nouveauté extraordinaire.

[illegible] variera les divertissemens de la [illegible] répondant aux questions d'Arithmétique, de Géographie, ou d'Astronomie [illegible] personnes de la société voudront [illegible] lui adresser. Il épellera les noms qu'on [illegible] propose, il joue aux cartes, aux dominos, échecs, etc. etc.

On commencera par le
DIVERTISSEMENT MUSICAL EXTRAORDINAIRE
par
Mr. Hélène,
(Troubadour Italien.)
[illegible] un Concert extraordinaire, [illegible] lequel il jouera sur cinq instruments à la fois, savoir:

1°. Le nouveau violon, à clefs;
2°. La flûte italienne,
3°. Les cymbales,
4°. Le parasol chinois,
5°. La grosse caisse.

[illegible] forment un accompagnement [illegible] précédent, fait croire qu'il y a [illegible] plus d'instrumens.

[illegible] terminera par l'imitation du chant mélodieux de différens oiseaux, au nombre [illegible] se trouve le Serin ou [illegible] du Mexique. M. [illegible] chantera [illegible] morceau qu'une personne [illegible] lui adressera, lorsqu'il aura joué [illegible] qu'il connaît.

Prix d'entrée—Quatre gourdins, et les [illegible] moitié prix pour les deux premières places. On commencera à 6 heures et demie précises. 28 janv

E. HUNTER BAILE, BY E. DELAUZ
St. Peter-Street, between Bourbon & Royal.

NEW ORLEANS:
SATURDAY, FEBRUARY 7, 1829.

(From the Boston Pat. of January 22.)

9 o'clock, P.M.—By the arrival at Boston of the brig Ceres, [illegible], from Smyrne, which he left Nov. last, Mr. Topliff has received the Courier de Smyrna of that date.

Capt. Soule states that a severe battle was fought about the 9th October at Schumla, in which the Turks were defeated with the loss of 30,000 men. Annexed, are some translations.

Constantinople, Oct. 22.—The Sublime Porte has not published officially the details of the fall of Varna. The report of that fortress having fallen by treachery is not true. The garrison of Varna yielded only to superior force. Had it not been for the false movements of the Grand Vizier, and the consequent destruction of the army, which left the garrison unsupported, Varna would have held out.

The Russians have purchased Varna at an immense loss, and in despite of all the losses that the Turks have experienced, the Russian bulletins, as well as the prisoners in Constantinople, many of whom are officers of distinction, shew that the campaign has cost the Emperor great sacrifices.

Columbia.—An arrival at New-York from Porto Cabello brings intelligence that General Santander had been banished from the country, and that it was supposed he would proceed to the United States.—[A *banishment* to the United States, it must be confessed is rather better than being *shot*—which previous accounts had led us to conclude would be the fate of this General.]—The country was still in a very unsettled state, and several persons had recently been arrested. [Norfolk Herald.

Congress.—*Monday 19 Jan.*

A bill improving regulations [illegible] at Auction, for the further protection of the revenue.

Be it enacted by the Senate and House of Representatives in Congress assembled, that, from and after the 31st day of May next, no sale of any goods, wares, or merchandise, the growth, produce, or manufacture, of any foreign place or country, shall be made, at public auction, within any city or town within the United States, which, by the laws thereof, may be entered into a port of entry, or within twenty miles of such city or town, unless the auctioneer, or person so selling said goods, wares or merchandise, shall, at the time of said sale, exhibit the original invoice on which the duties had been levied at the Custom House of the port into which they were imported, or a certified copy of said invoice, under the seal of the Collector of the port, or his Deputy.

Section 2. And be it further enacted, That from and after the 31st day of May next, in all sales at public auction, of any goods, wares, or merchandise, of the growth, produce, or manufacture of any foreign place or country, in any city or town which is, or may be, by the laws of the United States, a port of entry or within twenty miles thereof, the auctioneer, or person so selling the same, shall publish, or cause to be published, in one or more of the newspapers printed in said city or town, forty-eight hours immediately before said sale, schedules of said goods, wares or merchandise, containing the name or names of the importer and consignee, with a particular description of said goods, wares or merchandise, with the original marks and numbers, and the name or names of the vessel or vessels in which the same were imported, together with the time of importation: and shall also exhibit a number of such schedules at the time and place of sale. Provided, That, if no newspapers be printed in such city, town or place, said schedules, either written or printed, shall be posted up, for the same number of hours before the sale, in three public places within said city, town or place of sale.

Section 3. And be it further enacted, That any auctioneer, or other person who shall, after said 31st day of May, sell or attempt to sell, at public auction, any goods wares or merchandise so imported, as aforesaid, without having on hand the invoice, or a copy thereof mentioned in the first section of this act, or without having published the schedule or schedules, according to the regulations of the second section of this act, shall forfeit and pay, for each and every offence, one third of the value of the goods so sold as a forfeiture.

Section 4. And be it further enacted, That any auctioneer or other person, who shall sell after said 31st day of May, any goods, wares, or merchandise, the growth, produce or manufacture of any foreign place or country, at public auction, knowing that the same goods, wares, or merchandise had been smuggled into any port or place within the United States, or any territory thereof, or knowing that the same had been introduced into the United States, or any territory thereof, in evasion of the revenue laws, or that the full amount of the duties by law chargeable thereon had not been paid or secured to be paid, shall forfeit and pay, for each and every offence, the full value of the goods, wares or merchandise so sold as aforesaid.

Section 5. And be it further enacted, That it shall be the duty of the Collectors of the Customs in their respective districts, to prosecute for the recovery of any fines, penalties or forfeitures which may accrue under this act. And all penalties and forfeitures which may accrue or be incurred, shall and may be sued for and recovered in the District Court of the United States for the district in which the said penalty or forfeiture may accrue or be incurred, in the name of the United States, or of the Collector of said district, by bill suit or information, one moiety thereof to the use of the United States, and the other to the use of the informer, or person who sues for the same.

Section 6. And be it further enacted, That the provisions of this act shall not be deemed or construed to extend to any sale made at auction of any property belonging to the estate of any citizen of the United States who has deceased, nor to any Sheriff's or other sale under process of law, nor to any sale where the same goods, wares, and merchandise had been therefore sold, bona fide at auction, under the forms and regulations of this act, nor deemed or construed to extend to the sale of any goods, wares, or merchandise, from whatever place imported, unless the same were at the time of said importation, chargeable with duties under the laws of the United States, nor shall the provisions of the first section of this act be deemed or construed to extend to the selling off at auction of the stock or goods of any retail merchant or trader.

[illegible] was twice read and committed.

[From the Norfolk Herald.]

The Erie and her Prize.

A friends has furnished us with the following extract of a letter, dated

U. S. Ship Erie, St. MARTINS,
December 5, 1828.

"As our prize sails in a couple of hours, I have only time to let you know we are all well, and also of our having captured a Buenos Ayrean privateer. She had been robbing an American vessel, and although the fact was acknowledged, and justified upon the ground that her instructions authorized it, the Swedish Governor at St. Barts refused to deliver her up,—so we fitted out our boats last night, and cut her out from under the guns of the fort, which fired several shot at us, but without injuring us in the least. The privateer offered no resistance, and we weighed her anchor and stood out.—Lieut. *Tatnall*, Master Commandant Salling, Master *Craven*, Lieut. *M'Cauley*, of the Marine Corps, and Midshipmen *Harris* and *Williamson* were in the launch; Lieut. *Bell*, and Midshipmen *Selden* and *Southard* in the first cutter.

"I don't know what you will think of the affair at home; but if you will consider that the Captain of the privateer acknowledged, without any hesitation that he had robbed the American vessel, and that he did not care for the Erie, or any other man of war, I think it will be admitted that we are on the right side of the question.

"We shall sail for St. Croix to-morrow, or the next day, and I suppose we shall be at Pensacola by the middle of January."

[The Privateer has arrived at Pensacola.]

(From the N. Y. Amer. Jan. 13.)

State of Maine.—The Legislature of this State assembled last week; and we have the Governor's Message in the Eastern Argus.

We give this extract from it, relating to the Tariff, and to the course which it behoves all patriotic States and individuals to observe in regard to it, and any other disputed measure:

[*Extract from the Message of Governor Lincoln of Maine.*]

Some of the measures however of the Congress formerly assembled, have been thought to be not simply preliminal in a national view, but exceedingly unequal in their local pressure on a part of our Union. Without presuming to question, and not doubting the integrity and ability of the assembly which made the Tariff, and being disposed to yield a venerating submission to its eventual decision, it is hoped you will seriously inquire whether or not there has been a sacrifice made to the cupidity of manufacturers and the ambition of politicians, and if you shall discover there has been, that you will declare accordingly the belief you may entertain. Yet with every advantage given to limited interests, first claimed and then enjoyed by those, if such there are, who act on rules opposed to patriotic entisement, Maine may defy competition, because she has superior means. She has, at least, strong encouragement to engage in a friendly rivalship, and has only to appeal to her resources, her enterprise, her economy and her industry, whenever she will rest on those supports. It has been stated in several public and some official communications, that the Tariff ought to be resisted as unconstitutional. With great respect it is suggested that the argument, pressed as it has been to dangerous consequences, ought to be more carefully used. When disunion is threatened on this account, it seems requisite to declare the conviction that the tariff is a discretionary measure to be considered on policy and not on constitutional grounds. The Southern disunionists rely on the motive of a tariff in their constitutional argument, and talk of resisting the Tariff for what was designed by it. It would be more nearly rational for the violent men who thus oppose it, to regard its action, than the motives to which it owes its parentage. That a congressional measure, being adopted under the combined constitutional authorities, should be submitted to, is believed to be the only safe doctrine.

(Communicated.)

THE CIRCUS,

The amusements of this place we can perceive by the announcement of benefits are approaching to a close.—The bad weather, and not the public opinion has produced this effect, and if the managers have not made a rich harvest, we trust the performers will, at their benefits be amply rewarded for the pains they have taken to render themselves acceptable to the community.—Mr. Degroot, the clown of the establishment, takes his benefit this evening, and it is but justice to him to say that by his activity, his humor and above all his pleasing deportment he has received the approbation of our fellow citizens, and we trust he will receive it.

Ship News.

PORT OF NEW-ORLEANS.

CLEARED.

Brig Mechanic, Wilson, Baltimore, J. H Gale
Brig Moro, Bradley, West-Indies, A Delonde
Schr Venus, Reed, [illegible] Grande, M [illegible]

ARRIVED.

Steamboat Pioneer, Perry, fm Cincinnati, with 245 bbls pork to Bridge and Ven[illegible] 617 kegs lard, 112 bbls pork to York, M [illegible] and co 1 box furniture to N & J Dick; 1000 bbls pork to R Bar, and different articles to sundries—10 pas

☞ The Ohio was falling when the Pioneer left Louisville.

Steamboat Natchez, Kimball, Natchez, with 257 bales cotton to L Millaudon; 80 to Fisk and co; 65 bbls flour to Wilkins and Linton—15 pas

Steamboat Crusader, Gilles, fm Vicksburg, cargo cotton to sundries.—30 pass.

Steamboat Cincinnati, Sevey, Ouachita, cargo cotton to sundries.

ARRIVED AT THE BASIN.

Packet schr [illegible], Loomis, 30 hours from Mobile, to J P Payson, 100 hbds coffee to J P Payson, 75 bales cotton to W M Beal; 23 do to M Gregory; 11 to order; 27 packages sundries to order; 5 hbds to Townsend [illegible]

AMERICAN THEATRE.

Mrs. KNIGHT and Mr. HOLLAND
Again on the same evening!

The general satisfaction elicited by the appearance together of the above distinguished performers to a numerous and delighted audience, has induced the manager to make another arrangement with them to the same evening.

This evening, Saturday, February 7.
Will be presented the popular melodramatic Opera of

ROB-ROY.

In which Mrs KNIGHT will introduce the following popular songs.

"*Draw the Sword Scotland,*"
"*Charlie take me home love,*"
(Arranged to the popular air of "*I'll be King but Charlie*")

And, *Merrily March, Strick and Trembled.*
All the Blue Bonnets are over the Border
After which the laughable farce of the

ROMP.

☞ Mrs. KNIGHT's benefit on Monday.

ORLEANS THEATRE.

On Monday Evening, February 9.
Will be given, the first Representation of

MR. BOTTE,

A new vaudeville in three acts.
To be preceded by a Representation of the MISTAKES OVERTURNED,
In one act in two acts.

ORLEANS BALL-ROOM.

On Saturday evening, February 7, 1829;
FULL DRESS &
MASQUERADE BALL.

Admittance, $1.
Ladies, 50 cts.
Children, 50 cts

ORLEANS BALL-ROOM.

MR. L. BRESSIS has the honour to inform [illegible] that the public generally, that the second Ball he intends to give this season, will take place on Monday the 16th of February.
feb 5.

BALL-ROOM,

Corner of Orleans & Bourbon sts.
On Saturday, February 7, 1829,
WILL BE GIVEN IN THE BALL ROOM,
A FULL DRESS BALL;
AND MASQUERADE.
Admittance——One Dollar.
Ladies will not be admitted without a personal ticket.

ST. PHILLIP BALL-ROOM.

On Saturday, February 7, 1829,
WILL BE GIVEN IN THE BALL ROOM,
A FULL DRESS
AND MASQUERADE BALL.
Admittance——One Dollar.

ORLEANS THEATRE.

MR. ELLE, first violin at the Orleans Theatre, has the honor to inform the Ladies and Gentlemen of New-Orleans, that he will give for his benefit on the 18th of February, ins.

A Grand Concert,
VOCAL AND INSTRUMENTAL,
The Programme of which will shortly appear in the gazettes of the city.
feb 7.

ORLEANS THEATRE.

[illegible] *February 9th, 1829,*
[illegible] nephew or Master [illegible]
Pupil of his father,
A GRAND CONCERT AND BALL.

PROGRAMME.

FIRST PART.

1st—Overture of *Cendrillon*, by *Isouard*, arranged by Sollamp.
2d—Air of *Lodoiska*, by Kreutzer, sung by Mr. Alfred.
3d—*Pot-pourri* for the base-viol, by Romberg, executed by Mr. [illegible], pupil of the Conservatoire.
4th—Duetto of *la Neige*, by Auber, sung by Mrs. Milon and Mr. Privat.
5th—The second concerto, by Tulou, on the flute, by Mr. Jandot jr.

SECOND PART.

6th—Duetto on clarinet and flute, by Mr. Jandot and his father.
7th—A Great Quintuor by P. A. Mellhine, on clarinet, flute, French horn and basson, by Mr. Jandot and son, Frechell, pupil of the Conservatoire and Mits.
8th—An air of the *Barber de Seville*, sung by Mrs. Mariage.
9th—Variations on flute of Emilie Adair, by Drouet, executed by Mr. Jandot jnr. To be followed by an air for two flutes, by MM. Jandot and son.
10th—To conclude by a *Pas Redoublé.*

Nota—The amateurs of the Philharmonic Society will joint the artists of the Orleans Theatre; the orchestre will be conducted by Mr. Jandot senior, who has leave granted to him by Mr. Caldwell to lend his assistance to his son.
feb 3.

COURT OF PROBATE.

PARISH OF ST. CHARLES.
STATE OF LOUISIANA.

ON MONDAY the [illegible] of the month of February next, at [illegible], by virtue of an order of the Court of Probate and for the Parish of St. Charles, county of German Coast, will be sold at public auction by the Judge of this parish, ex-officio auctioneer of the same, on the Plantation here below described, the following objects belonging to the succession of the late Louise Fortier, the wife of Louis Habine, now residing in France.

1st—A Sugar Plantation situated on the right bank of the river Mississippi, on 40 arpents front, opening about 13 degrees, with all the buildings and constructions whatever erected thereon. The said Sugar Plantation being bounded on one side by the plantation known by the name of A. Byron, now the property of Joseph Gisigé; and downwards by a small plantation belonging to the said succession Habine, with 40 draught Oxen, 50 milch Cows, [illegible] cattle, from one to 3 years old, [illegible] sheep, English Horses; all the Ploughs, Harrows, &c. necessary for the service of a large plantation; all the Hay, Beans and Indian Corn contained in the barns, and 130 Slaves of different sexes, attached to the said Plantation, whose names and qualifications it would be too long to minutely describe, among whom are found house servants, coach men, carters, ploughmen, coopers, carpenters, masons, cooks, [illegible] sugar makers, in a number sufficient for the use of the Plantation, and whom any body may take cognizance of before the sale.

2d—A small plantation adjoining the one hereabove described, having one arpent and 38 French feet in front, on 40 arpents in depth, without any buildings belonging to it, there existing on the said Plantation being the property of Dr. [illegible] who lives on the said [illegible] has rented a part of it (the whole front of 40 arpents in depth) for the space of seven years.

3d—All the moveables belonging to the estate of the deceased, such as beds, chairs, [illegible] glasses, silver plates, presses, [illegible] cloths, kitchen utensils, &c. [illegible] pieces of timber, two brass sugar kettles, &c.

CONDITIONS:

The Sugar Plantation with all the Negroes, Cattle, Horses, in a word all that is attached to the said Plantation, will be sold in a single lot, and the payable, viz. the 6th part of the price, in ready money, and the remainder in five annual and equal payments commencing from the [illegible] of April of the year [illegible], [illegible], and [illegible] with the stipulation [illegible] on the Plantation and [illegible] until payment.

2d. The small Plantation to be paid in three equal instalments, in all April of the years 1830, [illegible] and [illegible].

The moveables are to be paid in ready money for sums under $100, and for sums of $100 and upward, in one year from the day of the sale.

The purchasers shall furnish their noted satisfactorily endorsed, and divided into shares (coupons) at the convenience of the heirs.

J. M. MOREL GUIRAMAND,
January the 7th, 1829. Judge.
jan 14

GLASSES.

The subscriber has just received by the latest [illegible] from New-York a [illegible] of very handsome [illegible] of the latest fashions, [illegible] offers for sale at his Furniture Store, in Chartres Street, between St. Louis and Toulouse streets, No. 146.

J. ROUSSEAU,
Jan. *Cabinet Maker*

FOR BALTIMORE.

The elegant new coppered brig VIRGINIA, capt. Smith, requires the lading of 100 bales cotton to complete her loading, the freight of which, or passage, having fine accommodations, apply to the captain on board, or to
LINCOLN & GREEN.
jan 4

FOR FREIGHT OR CHARTER.

The coppered and fast sailing schooner LAFAYETTE, 53 tons burthen.
Apply on board, opposite Conti Street, or to
P. R. MORRE.
jan 24

MARSHAL'S SALE.

McCollum and Collins, vs. de Snyder & T. Waymouth.

BY virtue of a writ of fieri facias, to me directed by hon. J. Bermudez, associate judge, I shall expose to sale on Monday, the 9th of Feb. at 4 o'clock at the Principal, one billard-table seized in the above suit.

jan 30 L. DAUNOY, *Marshal.*