LATEST DATES

New York	jan 16	Liverpool	dec 4
Boston	jan 17	London	3
Philadelphia	jan 17	Antwerp	2
Washington	jan 15	Havre	nov 29
Baltimore	jan 17	Bordeaux	nov 22
Charleston	jan 12	Madrid	nov 3
Mexico	jan 7	Cadiz	nov 3
Tampico	jan 7	Malaga	nov 3
Vera Cruz	dec 3	Havana	jan 12

MARINE NEWS.

PORT OF NEW-ORLEANS.

CLEAR'D.

Ship Tarquin, Hunt, Liverpool, S & J P Whitney.
Ship Napoleon, Seeber, Liverpool, G Green.
Ship Sensitive, Sharp, Liverpool, W H Simmons.
Ship Caledonia, Collins, Liverpool, Bonnet, Ferriday & co.
Ship Jacob Pennell, Martin, Liverpool, T Lester.
Ship Norman, Wood, Liverpool, S & J P Whitney.
Brig Champion, Warren, Liverpool, L B Gale.
Brig Charles Joseph, Frost, Port Glasgow, Kelley & Abbott.
Brig Orpinio, Landon, Havana, R Groning & co.
Brig Atlantic, Montague, New York, Master.
Brig C F Williams, Mallory, Tampa Bay, J Goldsmith.

ARRIVED

Brig Catharine, Pitner, from Mobile, to master.
Brig Commerce, Towle, 17 days from Mobile, to master.
Sch Marcellus, Churchill, from Plymouth, to master.
Sch Albion, Bray, 17 days from New York, to master.
Sch Energy, Bassett, from Mobile, to master.
Sch William, Clarck, from Mobile, to master.
Sch Meridian, Ellis, 19 days from Wareham, to master.
Sch Sailor's Return, Tinker, from Mount Desert, to master.
Steamboat Corree, Gordon, from Orelousas.
Steamboat Avalanche, Brent, from Pittsburg.
Steamboat Galenian, Ensell, from Baton Rouge.
Steamboat Geo Collier, Relinhower, from St Louis.
Steamboat Baton Rouge, Irwin, from Bayou Sara.

EXPORTS.

Ship Tarquin—1661 bales cotton.
Ship Napoleon—900 do do
Ship Sensitive—2140 do do
Ship Caledonia—1720 do do
Ship Norman—2077 do do
Brig Jacob Pennell—1867 do do
Brig Champion—1029 do do
Brig Charles Joseph—955 do do
Brig Orpinio—448 kegs lard, 434 bbls flour, 75 boxes, 18 bbls ham, 4 boxes pork and sundries.
Brig Atlantic—33000 gallons molasses.
Brig C F Williams—government stores.

RECEIPTS OF PRODUCE.

Steamboat Galenian—82 bales cotton, molasses &c.
Steamboat Corree—213 bales cotton.
Steamboat Avalanche—flour, whiskey and sundries.
Steamboat Geo Collier—pork, beef, flour, tobacco, &c.
Steamboat Baton Rouge—1225 bales cotton, sugar, lasses, &c.

MEMORANDA

Steamboat Geo Collier reports—passed steamboat Star for Red River, on the 14th inst. Yazoo, No 10, met Madison at Middle Point; met the Star at Bordens shoal.

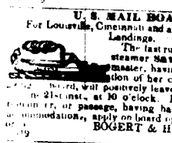
For St Martinsville (Attakapas) and all the intermediate landings

The fast running Steamer AJAX, Capt Barter, is now ready to receive freight and will depart for the above ports, on Friday next at 10 o'clock p m. For freight or passage apply to

POLLAIN, BOLLOCQ & DEGELOS, 19 St Louis st.

U. S. MAIL BOAT.

For Louisville, Cincinnati and all intermediate Landings.

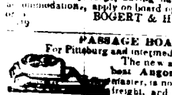


The fast running upper cabin steamer Savannah, D. Page, master, having a large proportion of her cargo engaged and will positively leave on Sunday morning 21st inst., at 10 o'clock. For freight or passage, having handsome furnished accommodations, apply on board opposite Poydras st, or

BOGERT & HAWTHORN, 63 Gravier.

PASSAGE BOAT.

For Pittsburg and intermediate ports.



The new and splendid steam boat Angora, P C. Tilley, master, is now ready to receive freight, and will have immediate despatch for the above ports. For freight or passage, having superior accommodations, cabin being entire in state rooms, apply on board opposite to Poydras street, or to

PIERCE SHANNON & BROTHER, 36 Gravier street.

UNITED STATES MAIL BOAT.

FOR LOUISVILLE—The splendid fast running steamer AMBASSADOR, Capt. J. J. James, is now ready to receive freight and will leave as above on Sunday, 21st inst. at 10 o'clock A. M. for freight or passage, apply on board at Common st. wharf or to

COMSTOCK, HYDE & Co. 18 Poydras st.

NOTICE—THE steamer LIVINGSTON, for Manchester Yazoo, having been unexpectedly detained, will leave on Friday 19th inst at 10 o'clock.

COMSTOCK, HYDE & Co. 18 Poydras st.

FOR LOUISVILLE & CINCINNATI.

The new and fast running steamboat Commerce, D Reid, master, is now ready to receive freight and will leave as above on 20th inst at 10 o'clock a m. for freight or passage, apply on board at Canal street wharf, or

COMSTOCK, HYDE & Co, 18 Poydras st.

FOR ST LOUIS, ALTON, And all intermediate Landings.

The first class upper cabin steamboat Geo Collier, J Belshower, master, will be in readiness to receive cargo on morning, and having a large proportion of her cargo engaged, will have immediate despatch. For other passage having superior furnished accommodations with separate state rooms, apply on board Bienville st, or on

BOGERT & HAWTHORN, 63 Gravier st

LOW-BOAT CONDAR, Capt. Edmund Gray,

Will in destined to tow vessels of any description from the port of New Orleans to Vicksburg, Grand Gulf, Vicksburg, or the Balize, regularly between this port and Vicksburg, or engaged in towing downward. The boat is expressly for the towing business, and has no towing boats of heavy burthen on the deck. Apply on the captain on board, or to

FRANCIS TURNER & CO. 34 Poydras st.

The Condor's slate is placed in Palmers & Morse's, 250 Old Levee st.

FOR NASHVILLE—The superior upper cabin steamboat John Randolph, Jos. Miller master, is expected to arrive in from will have despatch. Freight or passage and other desirous of making consignments for the above or intermediate ports, or for Nashville or intermediate ports on the "John Randolph" a superior boat. For freight or passage apply to

WEATMAN & CO, Corner St Charles and Common sts

FOR HAVANA—Passage only—The fast and fast sailing coppered and copper fastened brig SALVADOR, C P, master, will have despatch. For freight or passage, having only having fine accommodations apply on board to

J PRATS & SON.

FOR APALACHICOLA.

The fine packet brig Energy, Shannon master, having the greater part of her cargo on board, will positively leave for the above on Sunday the 21st inst. For freight or passage, having superior accommodations apply on board opposite Jefferson st, or to

BOGERT & HAWTHORN.

FOR TAMPICO

The splendid new packet brig Æ. Driscol master, having been built expressly for the trade, has elegant accommodations for passengers. Freight or passage, apply to

J W ZACHARIE & Co, 88 Custom House st.

FOR PHILADELPHIA—Hand's Line. (To succeed the Brig Swan.)

The fast sailing regular packet barque Josephine, Johnstone, master, will have despatch for the above port. For freight or passage, apply on board opposite the vegetable market

JAMES D. DENEGRE, No. 16 Customhouse street.

FOR PHILADELPHIA—Hand's Line, (To succeed the ship Georgian.)

The regular packet ship Swan, Captain Jones, will succeed the Georgian in the line and have despatch. For freight or passage, apply on board, opposite the Vegetable market to

JAMES D. DENEGRE, No. 16 Customhouse street.

FOR BALTIMORE—The packet brig William Henry, Capt. Mutrie, will have immediate despatch for the above ports. For freight or passage, apply on board opposite the Red Store on the two Markets or to

JAMES D DENEGRE, 16 Custom House st.

Persons having received goods, wares, merchandise or freight per brig Chariman on her last trip from Charleston to this port, are requested to send Bills of Lading, Permit and sign the average bond; all persons having claims for average are also required to present them on or before the 25th inst. otherwise they will be barred.

HARRISON & BALE ROPE—200 pieces Kentucky Bagging and 50 coils Rope, in store and for sale by HARRISON, CLEGG & CO. Custom house st.

EXCHANGE, on Philadelphia, Baltimore, Cincinnati and Louisville, for sale by

HARRISON, CLEGG & CO. 39 Bienville st.

FIFTY BISCUIT—40 barrels butter biscuit received and for sale by

PIERCE SHANNON & BROTHER, 36 Gravier street.

MONONGAHELA WHISKEY—80 barrels in store and for sale by

PIERCE SHANNON & BROTHER, 36 Gravier street.

COFFEE BAGS.—80 bales small, medium, and large, received and for sale by

ROBT H WHITE, 34 Gravier street.

FINE Dry Wale Off—50 barrels landing and for sale by ROBERT H. WHITE, 34 Gravier street.

MACKEREL—In whole, half and quarter barrels landing and for sale by

ROBERT H. WHITE, 34 Gravier street.

PORK AND LARD.—700 barrels mess and prime pork, 150 kegs No. 1 lard in store and for sale by PIERCE SHANNON & BROTHER, 36 Gravier street.

ROPE, Bagging and Twine—600 coils American Kentucky bagging; 456 coils 6s, 10 and 100 pounds twine in store and for sale by PIERCE SHANNON & BROTHER, 36 Gravier street.

THE BEE.

PRINTED AND PUBLISHED BY J. SELTON, Printer of the State, General Council, and of the First and Third Municipalities.

NEW ORLEANS:
FRIDAY MORNING, JANUARY 19, 1838.

☞ For official proceedings of the Legislature see first page.

In reference to the resolution offered yesterday by Mr Rannow in the house of representatives, the State Printer would observe that the bill reported by the Bank Committee was received by him on Monday and printed and delivered to the Sergeant at Arms of the Senate on the next day. If it was not received in due time by the house of representatives it was not his fault.

Disasters.—A considerable storm of wind and rain accompanied by violent claps of thunder, occurred yesterday, the effects of which were perceptibly felt in our harbor. The cables of several ships had a large number of schooners were broken and vessels forced by the wind into the middle of the stream. The brig Nestor of Newburyport has especially suffered, having had her bow-pirt entirely carried away. The ship Olympic lost one of her masts, and the ship Tarquin, moored yesterday for Liverpool with a cargo of 1670 bales of cotton, being struck by the electric fluid, had her mainmast shivered. The lightning descending perpendicularly penetrated into the hold, whence it is feared that fire has been communicated to the bale of cotton. The captain, as a measure of precaution, has had her towed to the other side of the river, where she is now discharging. Should not our insurance offices exact that every vessel should be furnished with a lightning rod?

☞ The Picayune finds that we are magnanimous We are delighted at receiving its encomium. Approbation from this wise and witty journal is praise indeed. We may be permitted in our own turn to award a medium of eulogy to our diminutive sister. Formerly her morals and manners were so perverted, she became so gross, indecent and scurrilous, that we were compelled to disown and disclaim her. But for some time past she has seen the error of her ways, and has commenced a serious reformation. Her thoughts are now sensible and delicate—her language mild and chaste—She has risen from the degraded and unworthy position into which she had been forced by the unwise counsellor whom she had chosen for her Mentor. She may now speak with freedom, and we will listen with respect and attention, and when she indulges in good humored satire we shall attempt to retort without wounding our sentiments by either malevolency or abuse. The Picayune has made in her career, a step more important than any that can be ascribed to the Press. We have departed from no opinion ever put forth in our journal, because our views were based upon calm consideration, the Picayune has deviated from an offensive and ignoble course, to pursue one more consonant with common sense and decency. We trust that the sensible mind that now directs the editorial department of this sheet, and infuses in it so large a portion of spirit, humor and shrewdness, may continue to maintain its elevated character "without fear and without reproach."

Names.—Names are of more importance than is generally imagine, particularly when applied to political parties. When a body of men holding particular opinions desire to be qualified by an appropriate title, some term should be selected, explicative as far as a name can be, of their views. The expression should be sententious, brief and comprehensive, embracing within the compass of a few syllables the cardinal points in the political creed of the party. Above all misnomers should be avoided—they lead to inexplicable error, and occasion confusion and uncertainty in regard to the doctrines advocated—Sometimes indeed, it happens that the principles acknowledged by a party are in themselves not remarkably perspicuous, and consequently give rise to a variety of titles, each indicating in some measure a portion of the opinions entertained, yet none clearly and definitely establishing the entire nature of those opinions. No stronger example of the last needs be adduced than that afforded by the party known under the Protean cognomen of the Whigs, Opposition, democratic whigs, &c &c. Not one of these titles is sufficiently devoid of obscurity to indoctrinate the uninitiated in the arcana of their sentiments. The conclusion would naturally be that their views cannot be essentially the same, that they discuss, that they are modified by national and other differences. In New York they graze themselves with the borrowed plumes of Democracy, appending the term Whig ignominiously behind—perhaps they claim the indefinite and curious appellation of opposition!—which in many states they are content with the simple title of whigs. Now there is no substantial reason for either one of these descriptive epithets. The word whig is certainly illchosen, for the whigs of England are clamorous for reform, and are infinitely more analogous to the Democrats of America, than to those who delight in the expression here. The whigs of the United States are violently opposed to reform—they are eagerly anxious that things should remain in *statu quo*, that the banking system should not be interfered with—they are for no change whatever, and are decidedly hostile to experiments. Hence they can scarcely with propriety term themselves whigs, for the whigs of the Revolution equally with those of the present day were loud in their cries for reform. It was an *experiment* of the whigs that obtained for us the liberty which we now enjoy, and the influential party in Gt. at Britain called whigs are unanimous in the extreme to attempt a series of *experiments* to which the Tories are resolutely opposed.

The title opposition is just as unsatisfactory—it is exceedingly vague and indeterminate—it explains nothing. Does it imply indiscriminate hostility to any measure proposed by the Democrats; does it mean opposition to the divorce of Government and the Banks, to the Sub Treasury scheme, to a resumption of specie payments, to one or to all these views? We are at a loss to trace the applicability of the term, but incline to think that it has for its object the indication of a settled, unflinching animosity to every proposal that emanates from, or receives the sanction of the present administration.

As for Democratic Whigs, that is a purple *rose de guerre*, one of those crafty stratagems familiar to the party, by which they have filched from the democrats their title, knowing it to be a captivating one, and have surreptitiously prefixed it to their crown. They have no earthly claim to it. They do not in any angle point of view coalesce or even assimilate with the Democrats, and it is only their perfect consciousness of the inefficiency of their own cardigan, abundant as it is, to furnish a competitous and attractive appellation, that has inspired them with the felicitous idea of investing their party in the robes of Democracy.

They need most lamentably an appropriate title—the Globe proposed some time since to baptise them Floridians—We think this a fortunate discovery. The expression which it defines more clearly the particular principles of the Whigs, conveys nothing disgusting or improper. Many of the most eminent and enlightened men in the country have adopted it in the contests of the Union projected in the *subject*. Federalists then let them be called, and then the Democrats can take the field, with a perfect understanding of the principles which they are called upon to combat.

Senate of Louisiana—Mr C Derbigny President

Sitting of Jan. 18th, 1838.

On motion of Mr. Bossier, the senate proceeded to the second reading of the resolution enjoining the Civil Engineer to proceed, under the direction of the Board of Public Works, to the survey of Old River in the parish of Natchitoches.

The Senate having dispensed with its rules, this resolution underwent its third reading and passed.

On motion of Mr. Lahaye, the senate took in consideration the bill amending the act which establishes the limits of the parish of Point Coupée.

A slight amendment was introduced by Mr Lahaye, for the purpose of making the two acts correspond—this amendment consisted in placing in the French text—10 arpents, instead of 35 arpents.

The bill thus amended, as adopted, underwent its third reading by its title only and passed.

Mr Scott proposed that the bill fixing the appointment of state representation, should be put on the order of the day for to-morrow.

The order of the day was the discussion of the bill to dispose of the sum accruing to the state from the surplus revenue.

Mr Johnson explained the reasons which induced him to draft and present this bill. He requested the senate to believe that he had not been guided by any sectional motive, and that he had in ver designed granting greater advantages to one portion of the state than to another; that his labors had been based solely upon justice and the general necessities of the state. He was aware of the necessity that the government should adopt some means of payment for certain debts, which demand immediate settlement.—In times gone by, the floating debt, that is that resulting from the various loans granted to the state, by several local banks, and 2d, various appropriations made by the legislature in favor of the colleges of Louisiana, for the purpose of instruction, or of public utility. This last debt amounted, according to the statement of the State Treasurer to $90,000, orders to the knowledge of Mr Johnson, had been drawn upon the Treasurer without his ability to meet them, and as these colleges were very much in need, it was presumed that their notes could be discounted at New Orleans. The general principle of the bill was then to provide for the payment of these two sorts of debts; now the most efficacious manner of arriving at this end was to consecrate to the purpose the funds received by the state from the distribution of the surplus revenue. If the bill were found defective in some parts, the Senator from Feliciana did not object to proper amendments, provided the fundamental principle were left untouched. He however thought the bill should pass as it was, lest amendments might produce obstacles difficult to surmount.

Mr. Derbigny called another member to the chair, and took part in the debate. The honorable member proposed to amend the 3rd section of the bill, so as to include the Barataria and Lafourche Canal Company in those to which the distribution would be applied, in order to balance 500 shares subscribed by the State in the funds of that Institution. The balance now amounted to $60,000.

Mr. Derbigny explained that the amount of surplus revenue to have been paid in slave labor, and that this not having taken place, the company was thrown back to its original position from want of necessary money to procure which needed. The subscription of the State was a lawful debt, the payment of which was urgently demanded, and the only means of effecting it was to devote to it a portion of the surplus revenue. The claim of the company was as valid as that of other and the enterprise undertaken by it would prove of advantage to almost all parts of the State, for reason of the easy communications would establish between Opelousas, the Attakapas, all interior Lafourche, Terrebonne, and New Orleans.

This amendment was adopted.

Several of the amendments were introduced, one, by Mr Bass, to devote half one of the state to the establishment of an hospital in New Orleans, another by Mr. Scott, to appropriate a portion in favor of the Red River Rail Road Company.

Mr Johnson having observed that from his calculations the appropriations in favor of the Barataria and Lafourche Canal company deducted there would only remain $1000 of the sum in question. Messrs. Scott and Hart withdrew their amendments.

Mr. Winn said he considered the claim of the Red River Rail Road Company just, nevertheless he did not object to the withdrawal of the amendment by the senator from Baton Rouge, but he gave notice that he would introduce a bill on the subject tomorrow or some other day, and in the meantime he would entreat for the adoption of the bill, he would explain the conduct of the Dan Bank towards that company, and the degree of confidence to be placed in the friends of institutions with regard to their aid in fulfilling their engagements.

Mr. Scott moved to re-consider Mr. Derbigny's amendment, his intention being upon the adoption of his motion, to move the rejection of the amendment.

The question being put, the motion of re-consideration seven members voted in the affirmative against it. Mr. Derbigny with the majority, so that the motion was rejected.

A discussion arose on the purpose of designing the seat of the vote of the President was or was not legal.

The president having explained parliamentary rules upon the subject, the member who had questioned the vote was satisfied with the explanation, and the vote was retained.

Mr. Winn moved that the Senate should dispense with the rules, and that the bill should undergo its third reading by the title.

Mr. Labauve objected. He was favorable to the adoption of the bill—had voted against the motion to recommitter, but thought the subject too important not to grant the members at least one day of reflection.

The question being put on the motion of Mr. Winn, the Senate decided in the negative.

The bill relative to adjudication between people of colour, the first section of which had been submitted to the debate yesterday, was placed on the order of the day for Monday next.

The Senate adjourned.

HOUSE OF REPRESENTATIVES.

Thursday, Jan 18, 1838.

Mr. Canon presented the petition of F. A. Aubert, keeper of a commercial academy in the city of New Orleans, praying the legislature to make an appropriation for the gratuitous education of poor students. Referred to the committee on education.

Mr. Avery from the judiciary obtain leave to report a bill to relieve citizens of certain parishes from the operation of certain taxes.

Mr. H. C. Thibodeaux reported a bill to establish a new election precinct in the parish of Terrebonne.

Mr Sidell, agreeably to notice, introduced a bill to incorporate the Bayou St. Jean Marine and Insurance Company.

Mr Conlan, agreeably to notice introduced a bill further to incorporate the Roman Catholic Church of the Assumption in the parish of Lafourche Interior.

Mr. Rodriguez, agreeably to notice introduced a bill better to define the limits of the port of New Orleans.

Mr. Avery gave notice of a bill to repeal certain laws of colours for the different regiments of Militia of Louisiana.

The bill upon the senate to compensate E. K. Wilson for services rendered to the state in prosecuting a certain individual accused of counterfeiting of treasury was taken up.

Mr. Blanchard said he was opposed to the bill—the Legislature had on a similar occasion refused to pass bills to compensate every gentleman who was called upon by the courts to assist the attorney in the prosecuting attorney, where would be little else to do. And the bill was rejected.

The bill relative to the election of police jurors in the parish of Rapides, after some discussion, was on motion of Mr. Bernard laid on the table, subject to the call of the house.

The bill to amend an act to be to incorporate the New Orleans Mechanics Society, being the order of the day, was taken into consideration. The bill permits the Society to devote funds to the establishment of a Mechanic's Institute in the City of New Orleans for the education of children of mechanics and apprentices—dollars to be paid by the State Treasurer in aid of said institute. The appropriating clause excited some debate. It was warmly supported by Messrs Canon, Sparke and Sibley, and opposed by Mr Lewis, on the ground that there existed a sufficient number of seminaries of learning and asylums for orphans supported by the state. The bill however, finally passed by a considerable majority.—The bill was filled on motion of Mr Bradish, with $3000 for five years; and a clause added to exempt the sections by Mr Canon, giving to the society parish authority over options committed to its charge.

The debate on the passage of this bill was of rather a personal character, though entirely good humored and rendered more so by gentlemen and sides of opinion, the political principles of Democrats and Whigs were similar to report it.

The house adjourned till morrow at 11 o'clock.

The following summary of cases decided in the Supreme Court in December last, will, it is presumed be found interesting.

CASES DECIDING IN THE SUPREME COURT IN DECEMBER LAST.

Joshua Baldwin, vs. A. T. Wood & Florence, } Appeal from the 1st District Court.

Carleton J. Furnishers of materials have a right to seize movables that are due the undertaker at the time of their seizure or process.

By anticipated payments are plainly meant those that are made before the debts is due.

Judgment affirmed: Bullard for plfs Jos plts for defts.

Buchner et al. vs. Ulrich Baker et al. } Appeal from the Ist Judicial District Court.

Brent for plts, Lafourcade for defts.

Carleton J. When a tacit does not appear on record it is to be taken adjudged to, in the opinion of the judge appeal, which is the opinion to be entertained upon by the counsel on both parties, the S. C. will feel authorised to adopt the fact.

When the intervenors in separate claims of intervention amounted to $300, and judgment in their favor was therefore below $300 in the aggregate, yet as the original plaintiffs had brought suit for $600, the S. C. retains jurisdiction of the case, as it is the sum claimed by the plaintiff, which imparts the constitutional right of appeal. See Hart vs. Ludwick, 8 La R. 167.

Although a former rule was discharged, yet as the petitioner and claim in intervention was not discontinued, and partial, based upon that petition in intervention may be taken again on the same subject, and a valid judgment rendered thereon.

Although the plaintiff claimed monies from the sheriff, yet as the sum in question had been ordered to be deposited in court, the judge was justified in considering that as being yet in the hands of the sheriff subject to his judgment in the case.

When the sheriff was in doubt as to the proper fund out of which to serve upon others, the judgment rendered in those proceedings, so far as they effect the sheriff, is null and must be reversed.

Judgment affirmed as between the plaintiffs and the sheriff, null and must be reversed, and the cause remanded as regards the sheriff.

Sorrel for appts; Pepin, Worthington and Smith, for appee.

Solomon Andrews, vs. His creditors. } Appeal from the Parish Court for the Parish of Orleans.

Plante & Merchants bank of Mobile, appts.

Bullard J. Although the doctrine that contracts entered into under statutes of a foreign state are valid, ought to be tested here by the *lex loci celebrati contractus*, is well settled, and must rule even when the contracting parties are not citizens of the state where the contract is made and is to be executed, yet when one of the parties, after having disposed of his property in his own state and according to local laws, comes over to this state to seek and seek benefit of the benefit of our insolvent laws, it may well be inquired, whether it was not the intention of our legislature to afford the protection of insolvent laws to such only as shall have obtained from giving an unfair preference to certain creditors in derogation of that vital principle of our system that the property of the debtor is from the contract pledge to his creditors, although such preference may be tolerated by the *lex loci*, where made.

The law of 1808 required the residence of one year to entitle any one to avail himself of its provisions—removal of the debtor resulting by the act of 1822 did not bring any modifications the general provisions of the law, which might be construed to place strangers on a more favorable footing. The same merit is required, and the same condition imposed on all who apply, whether citizens or strangers.

Although poverty and rights of the insolvent, whether all his creditors whether present or absent—any one, invoking the protection of the law of 1808, who should appear to have given an undue preference to some of the creditors anywhere, however soon the right may be repelled, by his other creditors, to whom he offers to surrender only a remnant of his property.

Such assignments are made to a part of the creditors as voluntary dispositions of property, and so far as to be discharged by our insolvent laws.

Cause remanded for a new trial.

Rosedale and Barrow for appellants, Grimes, Sidell and Lockett for plff and appees.

Morton, appee. vs. Graham, appt. } Appeal from the Parish Court for the Parish of Orleans.

Martin J. The appellee's appearance in court cures all the irregularities in the service of the citation of appeal, except those which are relied upon in the written application for dismissal of this appeal.

On a joint obligation, all the obligors must be made grass. C C 2000.

Partnership debt cannot be offered in compensation of the individual claim of one partner.

Judgment affirmed—Smith for appee; Lockett for appt.

(COMMUNICATED.)

THE PRAGUE MUSICIANS.

Our city has for years past enjoyed the reputation of "the Musical Emporium of the United States," and has in many respects sustained this prerogative with success. As such, the travelling artists, if even first welcomed in our northern cities—still look towards it with sanguine expectations and generally find their proper appreciation within our precincts. The musical taste prevailing among the better classes of our society—unequalled by any other city of the United States, shows itself the more the artists become known and appreciated. Such is the case with the accomplished and the brilliant band of the Prague Musicians. The talent of which the northern papers have so flattering given of its boldness and grandeur, arrived here and gave their first concert on Monday evening and not being sufficiently known among our French population gave a concert to a small but enjoyment and delighted audience of gentlemen, who all with one voice pronounced this numerous the best ever attended in New Orleans.

The "concertante" of the *Prague* is rare by admirable and with delicacy in the great orchestra, and in no other orchestra ever that difficult work, the "Rossini Arlem's Overture, and Rhythm on vary" performed and in precise as by the Prague Mandolins. Strauss's waltzes which have been charming our ears for years past were executed in the piano, the violin and the flute in his being the king of waltz composers. They also there in a manner inimitable.

The singers also performed the company went off well. His however the last remark of our metropolitan, that the exception of their "morgenag d'amore" is the exception.

Last, but not least, we can be permitted to say a word of the quantity and beautiful composition and arrangements of Mr B Herz, the double trombone, the grand pianoforte in clarinette and bill expressive and the Bellini and Donizetti in the Lucia and Sonnambula of Sirens produced on Monday evening.

The company is pledged to give another concert Saturday evening at the St. Charles Hotel Grand Salon—we wish them better success as to numbers than on the Ist—as the concert, especially as we are distressed, it is as a gentleman of discretion, when, when engaged in Germany, expressed that the encouragement to their country that the American public is indebted for the delightful performances of these accomplish d artists. M. P. C.

COUNCIL OF MUNICIPALITY NO. 2.

Sitting of the 17th January, 1838.

The council assembled agreeably to the appointment. The Recorder having called the meeting to order and directed the Secretary to call the roll, the following members were present: Messrs. Dumpenil, Marigny, Kitchen, Mandeville, Montague, Fraux, and Bernard.

After reading and approval of the journal of the preceding sitting, a letter was received from Messrs. Elliott and Cook, claiming compensation for services rendered in the Municipality.

Motion of Mr. Kitchen, and after deliberating of rules.

Received, That the mayor shall be authorized to draw his mandate on the treasurer for the sum of $14 65, in favour of Tobias de Clotte, being the amount of materials of iron furnished by him for the Washington market, as approved by the inspector of public works, and by Mr. Wm. Bell the contractor for its construction, 22 instant and Saturday.

A letter was read from Messrs. John Gibson and Wilkinson, praying the council to subscribe for the information which they have undertaken of a New Orleans Directory and Guide.

On motion of Mr. Fraux, amended by Mr. Dumpenil, laid on the table, subject to the call of the chairman.

A letter was read from Messrs. Lowe de Forest & Bernard, in which these gentlemen inform the council that they have of the propositions proposed by their body to the following resolution, which was carefully laid upon the table, and ordered to be considered security for the municipality to the sum now pending between the third municipality and Messrs Bernard and Mason.

Mr. Fraux moved that the council could not act on this request, inasmuch as it should be addressed to the mayor and not to the council, and moved that this letter should be laid on the table.

Mr. Bernard presented, as a substitute to the motion of Mr. Fraux, a resolution, the object of which was to have the letter of Messrs. de Forest & Bernard, laid on the table, and ordered to be printed in the journal.

Mr. Fraux moved the rejection of the resolution, and moved the adoption of the letter of Messrs. L. de Forest and J Bernard, to be inserted published. The yeas and nays called for by Mr Phelps, on the motion of Mr. Fraux, were taken, and the following members voted against the motion: Messrs. L. de Forest and J Bernard, to be inserted published. The yeas and nays called for by Mr Phelps, on the motion of Mr. Fraux, were taken, and the following members voted against the motion: Messrs. Dumpenil, Marigny, Bernard, Kitchen and Montague, voted in the affirmative, 5 yeas, and Messrs. Mandeville and Fraux in the negative, 2 yeas.

Mr. Bernard moved that the letter be authorized to be sent to the official gazette of the municipality, a certified copy of the letter of Messrs. L. de Forest and J Bernard, to be inserted published. The yeas and nays called for by Mr Phelps, on the motion of Mr. Bernard, were taken, and the following members voted against the motion: Messrs. Dumpenil, Marigny, Bernard, Kitchen and Montague, voted in the affirmative, 5 yeas, and Messrs. Mandeville and Fraux in the negative, 2 yeas.

Mr. Bernard moved that the letter be inserted in the official gazette of the municipality, because the publication would be some time in advance of the other, which would be in some time in advance of the other, which would be in some time in advance of the other, which would be in