NEW-ORLEANS BEE.

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FOR PRESIDENT OF THE UNITED STATES
HENRY CLAY,
OF KENTUCKY.
Subject to the decision of a National Convention.

NEW-ORLEANS
WEDNESDAY MORNING, DEC. 11, 1839.

Mails.—Every paper comes freighted with loud complaints of the irregularity of the mails. Even the locofoco journals begin to discover that *Amos* is not infallible. At Charleston the northern mail had failed for three successive days, and that from New-Orleans usually fails every other day. Letters in whole batches at a time. How long must the patience of the community be abused by these shameful derelictions? Our latest dates from New-York are to the 27th ult. Consequently there are five paper and letter mails from New-York due this day. This, however, is no fault of the contractor here. The mail boat generally arrives at a proper hour, but he has no mail. The radical vice is to be found nearer head quarters.

THE CONTESTED ELECTIONS.

The language of the *Globe* and its kindred coadjutors, for some days past, in relation to the New-Jersey and Pennsylvania contested elections, indicates an apprehension on the part of the globe, that actual violence will be employed, if necessary, to compel the representatives from those states to forego their well founded and indisputable claims to their seats. We trust that the incendiary appeals of the sullen hireling of the administration have not tempted the whips from the performance of their duty. The profligate jobber and vile sycophant who conducts the columns of that journal, would fling time-serving that the dignity of congress should be overthrown, turbulent confusion and disorganization marks its proceedings, and the house of representatives be converted into an arena for the display of every brutal passion, than that he should forfeit a moiety of those fat jobs which have so long swollen the tide of official patronage, by which he has become enriched. The inflammatory appeals of this base slave and venal demagogue were to be anticipated; but our confidence in the firmness and determination of the whigs is diminished, if they suffer themselves to be frightened by the menaces of a hired brayer.

With regard to the disputed election between Newton and Ingersoll, we are at a loss to perceive how the defeated locofoco will be enabled to bolster up his feeble pretensions. The case is so clear that it requires nothing beyond the simple statement of the facts for its explication. Mr. Newton was elected by a majority of over 700 legal votes. Upon the paltry pretext of a convenient loss of a tally book, by one of the locofoco judges, the entire vote of the Northern Liberties was excluded, and Mr. Ingersoll declared the successful candidate. Gen. Barnett, however, under whose administration the contest occurred, perceiving the atrocious fraud attempted to be foisted upon the people, wisely and honorably withheld his sanction, and furnished Mr. Newton with the certificate of election. The locofocos were very quiet respecting this affair for some time, and it was generally believed that Mr. Ingersoll would have acted and honestly enough to avoid bringing the case before congress—an opinion which the silence and unusual moderation of the *Globe* appeared to confirm. But that eminently high-minded and equitable locofoco functionary, Gov. Poinsett, having thought proper to grant a certificate of election to Mr. Ingersoll, a person clearly usurped, since he was not gone near at the period of the contest, and Mr. Newton had already received the certificate from his predecessor—the locofoco candidate has determined to press his claims. The upshot of the resolution in that respective case has already matched in great a well founded confidence of the triumph of the locofocos in the ascendency, fraud or violence must be employed to strengthen the ranks of the party. Congress will, we believe, treat the impudent desperation of Mr. Ingersoll with the contempt to which it is entitled.

In the case of the New Jersey claimants, the principles at issue are full less clear and undisputable. The whigs were declared elected by the governor and council of New Jersey, and accordingly they were furnished with their credentials. It is alleged by the locofoco candidates, that they (the locofocos) received a majority of the vote at polled. This they or may not be. But the evident duty of Gov. Beasley was to refer the result of the elections from the returns forwarded by the county clerks. A duty which he strictly performed. Now, those returns gave the majority to the anti whigs, and the executive was correctly granted the certificates to those gentlemen. Ingersoll belong to congress to decide which of the two delegations is legally entitled to the privilege of membership. But the question at issue is, shall or shall not the members having the *prima facie* evidence of election, their certificates, be allowed to assist in the organization of the house, and retain their places until that body determines otherwise. There can be but one opinion on the subject. Reason and precedent both sustain the affirmative of this proposition.

The records of congress afford but a solitary instance of a departure from the general rule of allowing the member having the certificate to take his seat. This instance, is the celebrated cases of Moore and Lecompte, and it is worthy of remark, that though Mr. Moore had the majority, he waived the right to his seat by *special agreement*. This was a voluntary concession made in order to save the time of the house. Every other case illustrates the rule, in that of Claiborne and Gassaway, in which opposition was made to their taking their seats. Mr. Brent contended that they were entitled to equality. *In cases of contested elections, said he, the premia evidentia to the house prima facie evidence of his election is permitted to take his seat of quality.* Here we have the principle distinctly laid down by a locofoco himself, and the house recognize its validity, for the two members from Mississippi take their seats.

In illustration of this rule, the *National Intelligencer* cites another example equally striking:—

"At the congress which began its first session on the 24th day of May, 1813, John C. Bowers, *claiming* to be a member of congress from the state of New-York, took his seat, though it was denied that he was 25 of several hundred votes had been given in the state. It was more *intended* for another person than him. It was not until the 24th of the first month (June) that the subject was started in the house, and Mr. Bowers was allowed to retain his seat until that extra session, and till the 19th day of December in the session following, when by a *unanimous* vote of the house, Mr. Bowers was ousted, and Isaac Williams, jr. admitted to a seat in his place, to which he was reported by the committee of elections to be unquestionably entitled."

So much for precedent, an authority which the locofocos would not have thousand of disputing, but they entertained no misgivings on the subject of the speakership.

Every date of common sense celebrates the justice of the rule adhered to by congress. There is no other safe principle. If we depart from this, none is substituted that will not lead to the greatest absurdity and practical absurdities. If uncontested election be considered sufficient to deliver either party from the seat until a decision be arrived at by the usual legal investigation, endless will be the controversies and bickering. So senseless a precedent will be laid hold of on every possible occasion to defeat the majority of a state would be contested on the most false and trivial pretexts, and members on either side excluded from their prerogatives, by the simple act of depriving them of right to votes. It scarcely needs further argument to demonstrate the preposterous character and tendency of such a principle. We cannot doubt that despite the extravagance of partisan feeling in contest the majority of the members of the house of representatives will view the subject in its proper light, and refrain from any illegal and unwise decision that only serve to arouse and foster excitement and wonder all circumstances, by most sincerely are excited.

☞ Through the oversight of the compositor an error occurred in our article of yesterday, upon slavery, which we now correct. It was in the opening of the article and not 1829 as printed, that General Harrison made his speech against the abolitionists, at Vincennes. It was delivered about eighteen months before the last presidential election, and was the sin qua non of finally expression of his sentiments upon that interesting topic.

It will be recollected that at the time most of the northern states had declared for Judge White as the opposition candidate for the presidency—this speech could not therefore have been yet set by motives of electioneering character. Besides it was delivered in a non *slave-holding* state, in the midst of a population supposed to slavery, and it was unopposed, as evidence with General Harrison's own, which have ever been strongly marked by a vigorous and energetic national support of southern rights.

ANOTHER BANK MONOPOLIST.

We have heard a rumor which carries some plausibility with it, that one of the institutions established in the general banking law of New-York, has of late taken field attention speculation. We sincerely hope such a thing for the honor of the country, although we see no reason to believe it is not altogether groundless. When will the banks be taught that it is not their business or interest to confine themselves to the legitimate objects for which they were created, and leave merchants to travel in their own sphere without interruption.

On this be the loco-foco free banking concerns of New-York, that Mr. Hoyt, the collector of that port, has been prepping up with the money of the people! It will be recollected that Mr. H. used the public funds to keep afloat the Free Bank, over which Mr. Beers presides, and that, too, with the approbation of Mr. Van Buren, as the president was in the city when the first loan was made.

PAUL JONES.

We perceive that the drama, translated from the French of Alexandre Dumas, by our fellow-townsman Mr. Berger, is in preparation at the St. Charles. It is a play that is well entitled to a faithful representation and should it receive due justice at the hands of the performers, it will doubtless prove a source of considerable attraction. Paul Jones abounds in the peculiarities that give such marked success to the dramatic productions of the French school. Its story is exceedingly interesting, the plot ingenious, developed progressively and with great skill; the incidents numerous and effective, and the characters well delineated and drawn into strong contrast. It possesses the interest of Laurence Borgia, or the Tour de Nesle, without being like those dramas, little better than a tissue of horrors.

The translation is generally easy, though faithful—in some instances the author has adhered too closely to the text, and in one or two lines employed phrases that a critical reader would term *Gallicisms*.

THE RACES

Commence this day, on the Metairie Course. The contest of to day is between *Grey Dick, Glorvina* and *Ben Hur*, two mile heats, for the purse of $800. Two of the horses entered, are spotted stock, that have already acquired reputation. The third, though unknown to fame, belongs to Col. Bingaman—a sufficient guarantee for his speed. We anticipate a good race.

FROM TEXAS.

By the arrival of the steamer *Columbia*, Capt Wright, we have received files of Texas papers from Galveston to the 7th, and Houston to the 5th, both inclusive.

The Galveston *Gazette*, of the 5th, mentions that late accounts from North Mexico state that Col. Rose is now marching through the country at the head of about 2000 men, having already taken two towns and 300 prisoners. The Federalists recommended the indiscriminate slaughter of the prisoners, to which Col. R. objected. They all then joined his ranks. The Federalists were rising in Durango, and were expected to fall under the standard of Rose.

The papers contain their estimation of the president's message. Suffice truth it is a very, safe state papers, other condemn it unreservedly.

An expedition was soon to leave Austin for the Indian waters of the Colorado. The object appears to be to chastise the Comanches, and explore the country.

Gen. Hamilton had returned to Houston, and was on his way to the seat of government.

The advices respecting the crops are cheering from all parts of the country. On the Brazos the cotton crop has been remarkably good, and the corn flourishing. Red river, never yielded more plentifully. Nothing, thus the large amount of corn raised this season, says the Houston *Telegraph*, will still be required to support the discreditable emigration to the country.

A bill authorizing the erection of a lighthouse on the east end of Galveston Island has been offered in the senate, and it is said will pass without opposition. The want of a light house at this place has long been felt.

The senate has refused to confirm the nomination of the Hon. Richard Dudlip, as minister plenipotentiary to the United States. He will, therefore, be immediately recalled.

ST. CHARLES

Mr. Balls, as the "Laughing Philosopher," played on Monday evening with his usual dignity and success. The style of this artist in the genteel comedy is particularly pleasing, and the accept of his admirable acting is, that when he represents the gentleman he never descends to the buffoon. His province is to move to mirth, and he accomplishes it without resorting to the low farce and broad humor unbecoming the character he assumes. Mr. Grammer was excellent, and would have elicited more applause had he been better sustained, for, with the exception of Mrs. Stuart and Mrs. Field, who both played very creditably, nearly the whole batch of performers seemed to have come to the determination to outdo each other in murdering their parts and mangling the author. Cowell was very badly De Bat barely tolerable; Mrs. Smith utterly inappropriate, and the lady who personated Deborah never and intended by nature for any thing but a dowdy.

The opera—"Rafael, the Hunter"—was perfect, and played with more spirit; but it did not take so well with the audience as the play. Mr. Balls performed Rafael with good effect; Mrs. Stuart sustained the principal female character with propriety, and Miss Melton enacted the gamp-loving and spiritly *soubrette* charmingly. Still the piece did not go off with *eclat*. The incidentsare too revolting for a short play. The mind requires to be brought along by more gentle gradations of interesting before it can appreciate the horrors of a brother's unnaturally vindictive to the upbraids of his sister.

NAVY.

The United States sloop of war Concord, Commander Spence, sailed from Pensacola, last Friday, on a cruise to the windward.

The officers of the navy are cheering from all parts of the country. On the Brazos the cotton crop has been remarkably good, and the corn flourishing. Red river, never yielded more plentifully. Nothing, thus the large amount of corn raised this season, says the Houston *Telegraph*, will still be required to support the discreditable emigration to the country.

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☞ We are authorized to announce that, at the solicitation of a large number of the citizens of the ward, Mr. WILLIAM M FORREST, has consented to the present day to be name to his fellow citizens at the next ensuing election, as a candidate for the office of Mayor of the city of New-Orleans. 630

THE MARKETS.

RETURN OF THE MARKET

NEW-ORLEANS, Dec. 11.

REMARKS.—We have to put but little improvement to report in the tone of our city. A parcel from the Ohio river have enabled some 20 to 25 steam vessels to reach our levee, from Pittsburgh, Cincinnati and Louisville. Their arrival, however, has not in any degree augmented our supply of western produce, as their cargoes were very limited, the vessels of the river only performing the passage of boats drawing a very slight draught of water. They have brought a large portion of the merchandise intended for this and the adjacent ports, the office one of their operations. The weather since our last has been cool and pleasant.

COTTON. Arrived since the 5th, from Bayou Sara and Natchez 2,200 bales. Taken to sea and North Atlantic 1,56. Cleared 379 bales. Stock remaining 55,19 bales. Compared with the same time last year, we have received 16,000 bales less, and 2,000 less sales. Sales, Wed. 5th, West India, New York & N. E. Boston 400 bales, Liverpool 54 bales. Sales of the week 2,000 bales. Cotton in Liverpool 6d. Exchange 10,23 bank—including an addition in stock of 700 bales, and leaving but 1,000 bales, half of all on shipboard not cleared on the 15th inst., a stock of 1,000 bales.

Ship insurance which prevailed the entire week at the time of closing our report of Saturday morning last, was accompanied by a much greater activity on the part of the parties, and to the extent of about 30,000 bales, though in most instances, a considerable share current, as buyers, distributed their slight concessions, to induce them to operate. The transactions (Monday) comprised 3,000 bales, and the market continued to exhibit the same feeling, tendency, on Wednesday. Yesterday, the ice three miles down the river, and the weather consequently not only excluded a very full supply of the fleet, was also a disposition manifested on the part of holders to sell, and to allow a trifling shading from the full rates of Saturday. The sales were about 1,800 bales, making the business of the last three days amount to 5,800 bales. Our quotations have been kept stationary, since our previous report, that there for good ships, and rates are nominal, both finding rising in those qualities. We notice the following, as follows, viz.—825 bales Louisiana and Mississippi and upto 9,975 at 6 a 7 1-2; 700 do, 7 a 7 1-2; 1,000 do, 7 1-2 a 7 3-4; 1,000 do, 7 3-4 a 8; 1,000 do, 8 a 8 1-4; 1,000 do, 8 1-4 a 8 1-2; 1,000 do, 8 1-2 a 8 3-4; 1,000 do, 8 3-4 a 9; 1,000 do, 9 a 9 1-4; 1,000 do, 9 1-4 a 9 1-2; 1,000 do, 9 1-2 a 9 3-4; 1,000 do, 9 3-4 a 10; 1,000 do, 10 a 10 1-4; 1,000 do, 10 1-4 a