NEW-ORLEANS BEE

SPECIAL JOURNAL OF THE STATE AND GENERAL GOVERNMENT.

BY BULLITT, MAGNE & CO.
At No. 81 Chartres street.

TY PAPER, PUBLISHED DAILY, per annum, in advance, $8
JOINT PAPER PUBLISHED TRI-WEEKLY.

"Truth is paramount, and Public Justice certain."

FOR GOVERNOR

HENRY JOHNSON.

NEW-ORLEANS:
THURSDAY MORNING, OCT. 28, 1841.

GREAT BRITAIN AND AMERICA.

The trial of ALEXANDER McLEOD, which has resulted in a verdict of acquittal, gives a new aspect to the source of international controversy between the United States and Great Britain. Pending the whole of this memorable affair, it may be remembered that we occupied the position most ably sustained in Mr. VAN BUREN'S letter to the British Minister. In our opinion, the outrage on board the *Caroline*, though it is at once seen an insult and wrong offered to the State of New York, became, on the avowal of the responsible Government of Great Britain, a controversy between the two nations. We believe with Mr. WEBSTER at New York had no competent jurisdiction over the case and that viewing the authors of that bloody outrage only as the mere instruments of a superior power whose criminal decision should have been left to the general Government, as the fit asserter of our claims to reparation for a grievous aggression committed on American territory. But the opinion of the Supreme Court of New York ordained otherwise, and the complex relations of the Federal and State governments forbade further interposition.

Were McLEOD has been tried and his innocence established by evidence so overwhelming, as to leave not a shadow of doubt in the minds of men. Well as result we acknowledge ourselves gratified. His conviction would only have further embarrassed a question already sufficiently complicated, and might have led to events of a far graver character, which those who believe in the doctrines maintained by Mr. WEBSTER would have regretted, as springing from so erroneous conception of international law. We think that New York had no right to try McLEOD, but since the competency of her jurisdiction has been approved by her highest judicial authority, we are glad that he was tried. Our satisfaction arises from causes fully explained, and perfectly consistent with the principles just expressed.

It is known that on the reception of the intelligence at McLEOD has been arrested on American ground, and incarcerated on the charge of murder and arson, the British people raised an astounding outcry and were clamorous for revenge. Their public journals, with inconsiderable exceptions, assumed the position that the individuals who destroyed the *Caroline* and butchered AMOS DURFEE, were acting under the orders of a commander whom, as soldiers, they were bound to obey; that they were subordinates and tools owing an unquestionable obedience to the mandates of authority that Great Britain had acknowledged herself responsible for the deed, and that to her alone could the outrage of the American government be addressed. Entertaining these views, they declared that not only had no right to try, acquit, condemn, or execute those concerned in the outrage on board the *Caroline*, but that their detention and imprisonment for a single instant, was unlawful, improper and unjust. Such a position necessarily led to the inference, that the question of McLEOD'S innocence or guilt had nothing whatever to do with the international quarrel, and that his incarceration and trial were criminal acts, gross outrages perpetrated on a British subjects, and for which our government would be held to a fearful account. Accordingly, we were menaced with immediate retaliation, an exterminating war, the bombardment of our harbors, and the severest retribution on our citizens, unless McLEOD was forthwith given up.

The British Government appears in this respect to have acted upon a principle with which it is perfectly familiar—that of arrogantly lavishing threats and imprecations with a view to terrify the party to which it is opposed. But in the present instance, menaces were unavailing, and at length her wisdom and prudence got the better of her pride. M'LEOD was no illtreated and in spite of a thousand rumors circulated by the more timid of the press, to the effect that Mr. FOX had demanded his passports, that English war steamers had been despatched to our coast, &c. &c., the controversy was protracted by diplomatic intercourse until M'LEOD was tried, and acquitted after a most deliberate and impartial investigation.

In conformity with the doctrines maintained by the British authorities the innocence of M'LEOD does not in the slightest degree affect the relations between the two countries. They hold that we had no right to try him. In despite of this opinion he has been tried. They pretend that we will be held accountable for his imprisonment. We, it is to be hoped, are prepared for the responsibility. But will it come?—We doubt it. M'LEOD will possibly demand of the state of New-York damages for his long incarceration, and he may recover some few thousand dollars, which will help to cut his wounded honor; but as for any national quarrel growing out of the trial, it is our firm belief, founded upon a tolerably careful observation of the conduct of the British Government, in contradistinction to its language, that nothing of the kind will follow.

A point more difficult to be determined is, whether we are still to prosecute our claims for redress. The burning of the *Caroline* and murder of an American citizen, are crimes yet unexpiated. Had New York set M'LEOD at large without a trial, there would be no embarrassment whatever in bringing the controversy to a definite point. But she has now established the precedent, that the authors of that atrocity are not finally responsible to her authorities. If the British Government acquiesce in this view, it seems unlikely that we can much longer pass our claim, since we were voluntarily, it never, the outrage from a national into a state grievance, and instead of appealing to a Government for reparation, have sought vengeance upon its instruments. We are not learned enough in the international code to settle this question, but it appears to us that Great Britain by such a mode of reasoning can easily avoid further interference. We shall see, however, what the Department of State thinks of this new phase in the controversy. If any man in the country be qualified to unravel the intricacies of international controversy, Mr. WEBSTER is the man.

☞ Will the Editor of the BEE be pleased to inform his country folks what he means by the "*non-resident population of New Orleans*"—*Natchitoches Herald*.

Certainly. We mean that portion of our community which, whether from fear of the pestilence, the calls of business, or the pursuit of pleasure, leave New Orleans every summer, and pass the cold season only in our city. We use the term because it expresses our meaning, and will not quarrel about its etymology.

HEALTH OF THE CITY.—The number of interments reported to the Board of Health during the 21 hours ending yesterday at noon, was 11; of which 7 were of yellow fever.

The above report comprises the burials in the following cemeteries:—

		Yellow Fever.
Potter's Field	9	6
Protestant	1	1
St. Patrick's	1	0
	11	7

REPORT OF THE CHARITY HOSPITAL.—During the 24 hours ending on yesterday evening:

Admissions 10, of which 2 yellow fever.
Discharges 10 " 6 of yellow fever.
Deaths 10 " 8 of yellow fever.
Number of patients remaining, 315.

LARCENY.—Gerard Norriat was arrested yesterday by the officers of the First Municipality, at the instance of the Ocean Insurance Company, charged with having stolen various articles at the fire on Levee street, on the night of the 25th instant. He was remanded for further examination.

We are indebted to the clerk of the steamboat Somerset for late St. Louis and Natchez papers.

St. Louis Races—Second day.

The one hundred dollar purse was won by G. W. Chouteau's Rosabel—distancing her competitors.

The race about Trapper was to have left St. Louis the same day the Somerset left, and the Mercer the next day, but on going to fall of 20 inches during the 20 hours previous to the departure of the St. Mary have been detained.

There are about 5 feet water in upper Mississippi, and about 7 feet in the Ohio and falling.

Per steam-car Natchez-ward, we have been politely furnished with the full and correct report of the election in Cincinnati up to the 6th inst.:—Senate, whig 18, locofoco 11—House, whig 42, loco 9.

Dr. GRANT'S idea of the identity of the Nestorians of Persia with the "lost tribes of Israel" is strongly contested by Dr. Robinson, the author of Researches in Palestine.

GRAHAM'S MAGAZINE.—Our punctual friend Cupas has sent us the November number of this excellent magazine. The embellishments are extremely rich and beautiful. The engraving of the Pet Lamb is finely executed, and the embossed view of Boston is something not less beautiful than original. The gold mezzotinty plate of the fashions should be stimulated by our approbation. Of the literary contents of "Graham" we are bound to speak favorably. Few better magazines are published in this country. The running before us contains much entertaining matter among which a most curious chapter illustrating characters from autographs, will richly repay attention.

PENNSYLVANIA.—A slip from the Harrisburg *Key Stone* contains election returns from 39 counties, in which the majority for Porter is 18,908.

OHIO.—We get the following returns by the way of Baltimore:

Montgomery County—The whig candidates for the Legislature are elected by 50 majority.

Delaware County—Is reported to have given about 250 majority for the whig ticket.

Fairfield County.—Van Buren majority about 1000.

Franklin County.—The whig candidates elected.

Madison and Clark.—S. M. Wheeler, whig, returned to the House.

Pickaway.—Joseph Olds, the whig candidate, is elected to the House by 150 to majority.

ANOTHER PATRIOT OF THE REVOLUTION DONE.—The New York *Post* announces the death of John Crolius, sen., in the 86th year of his age. He took an active part in our revolutionary struggle for independence, being engaged in the sanguinary battles of Monmouth and White Plains, and has lived long to enjoy the blessings and benefits of his labors.

DEFALCATION.—Mr. Redfield, cashier of the Commercial Bank of New York, recently enjoined, is a defaulter to the amount of $56,000. His securities are said to be good for half the sum.

☞ The fourth trial in Bangor, Me., for the choice of a representative, resulted in favor of Cyrus Goss, whig, by 53 majority.

A large screw manufactory and furnace adjoining, in Richmond, were destroyed by fire on the 17th inst. The loss is very considerable—insurance only $9,000.

THE CRANBERRY LANDS in Massachusetts are said to be so productive as to yield 300 bushels to the acre. Each bushel is worth about one dollar, and fifty bushels can be gathered in a day.

☞ The ship *Sully* from New York for Havre, took out $185,000 in specie.

Trial of One Hundred and Twelve Men for Murder.—The correspondent of the Illinois Free Trader gives an account of the trial of the persons charged with the murder of the Driskalls, John and William, from which the editor of the Era has made the following extracts:

He says "the September Term of the Ogle Circuit Court has just closed, and its session has been marked by a trial, which, in the number of the accused lodged in one indictment for the crime of murder, is without a parallel. One hundred and twelve men were indicted for the murder of John Driskall and William Driskall, in June last, near Washington Grove, in this county. About one hundred plead not guilty, and were put upon their trial. Judge Ford, whatever might have been his feelings, (the accused were his neighbors, Judge F. living in Ogle county,) exhibited upon the bench a stern determination that the accused should be fully and fairly tried. However, the very fact of the great confusion occasioned by so many names in the indictment, left the accused without any evidence to contend against.

"The two men, or three, whose names were endorsed upon the indictment, (and by the laws of this State none except those whose names are so endorsed, can be called to prove the substantive part of the accusation,) only knew some of the preparatory steps taken, which led to the supposed offence."

The facts connected with the killing of the Driskalls are stated as follows: That the Driskalls were a part of an organized gang, embracing a large number of persons in the county of Ogle and the adjoining counties, who carried on a *systematic* scheme of operations against the lives and property of the inhabitants. That murders, robberies and larcenies had been carried on by them for a number of years; and that, owing to the extent and perfection of their combinations, it had become impossible to convict them by the ordinary process of law. Perjured members of their gang swearing to alibis or such defence as were adapted for the occasion, had for a long time defied and defeated the course of justice. That a few days previous to the execution of the Driskalls, a Mr. Campbell, a citizen of the highest respectability, had been waylaid, shot in his own yard, for his presumed exertions against this gang; and that there was sufficient evidence to leave no reasonable doubt that the Driskalls planned and incited, and probably perpetrated his murder.—Further, that the Driskalls were the chief and most dangerous of the gang. They were offered a pardon examination which satisfied several hundred of the most respectable citizens of Ogle and the adjoining counties of the truth of the foregoing facts.

The case was submitted to the jury' who without leaving their seats, rendered a verdict of Not Guilty. This verdict was given partially from want of evidence, and from what the jury considered the absolute necessity of the case. The writer says the *laws* could not protect the community where the banditti committed their many enormities—the occasion was too urgent to wait for their uncertain amendment and adoption to the emergency—individually they could protect themselves—such is the belief of the people, and they therefore resorted to a counter organization, ordained new rules of evidence, and a new mode of proceeding; such, and such only, as in their judgment were effectual to protect them. There may be those who are disposed to cavil, perhaps to condemn. The judgment and precipitance of such would be less unfeelingly invigorated could they have dwelt for a short time here and suffered the murder of their friends, the burning of their dwellings, and the plunder of their property; and when they called on the law to redress these wrongs, to see those whom they knew to be the perpetrators, escape with impunity."

CONFLAGRATION OF GEORGETOWN, S. C.—A large portion of the town of Georgetown was destroyed by fire on the 18th inst. The following letters furnish the particulars of this distressing calamity:

"Georgetown, Oct. 19.—Our town was visited with a dreadful fire last night, supposed, and I have no doubt correctly, the work of an incendiary. The fire commenced near Mr. Benjamin King's wharf. All the buildings from the market to J. G. Heusing & Co's. wharf, are destroyed on the water side of the street. The principal sufferers are: estate Wm. Chapman, Benjamin King, R. Frisbie, J. C. Potter, John Ralston, S. Kirton, Colwell & Lathers, G. C. & W. J. Munroe, Jacob Wayne, L. Farrow & Sons, C. A. Magill, Berry T. Cuttino, and M. Keaze. It is impossible to say who are and who are not insured, nor what amount of loss as all is confusion to day.

"You will be pleased to learn that the Bank is in no way implicated."

"Georgetown, S. C., Oct. 19—I am pained to inform you of the destruction of the entire range of stores, brick granite and wooden, below the Market House, by fire. The fire broke out about 1 o'clock last night, and before it was known and any assistance could be rendered, it had made such rapid strides that it was impossible to stop its progress until it reached the store formerly occupied by John Ralston, as the premises and its contents were the property of the estate of Shackelford. Mr. Gaitbold was engaged in saving Mr. Robertson's books and a few goods, the rest a total loss, with all the outbuildings; unfortunately, his new goods just arrived and opened are also gone. Mr. B. King's store house, books, &c., all lost; as well as Kirton's store, books, papers, &c. The whole range, but yesterday the seat and life of business, presents a sad spectacle. It was with great difficulty that the fire roof dwelling of Mr. Robertson was saved. We looked every moment to see the building take fire. A great deal of merit is due Dr. Young, Gilchrist and W. Lester, for the active part they took in keeping the house wet with water. The loss is estimated at about $300,000."

FURTHER PARTICULARS OF THE MURDER AT THE NARROWS.—It appears that the three men started in a skiff from the Port at the Telegraph, on the Staten Island side, in pursuit of a lost boat. In the evening, between 7 and 8, it being calm and dark, the inhabitants on the shores of the island, about a mile above the Narrows, heard a noise from the boat, and cries of "murder! I am killed! O, save me, if you are a white man, save me." The boat drifting with the tide, on coming opposite the long dock there, although no boat could be seen. At one time it was apparent that some one was in the water, and that the person in the boat was striking at him with an oar. Boats were despatched from various points to relieve the sufferers. When they came up with the boat, there was one person in her, and he preserved a sullen silence; he was taken to Fort Hamilton, and confined for the night, and in the morning was taken across to the works on the Staten Island side, and placed in Richmond County jail, where he now is. He has been examined before a Justice, but all the confession he makes is, that the two men struck him with an oar, and that in the fight he had put them overboard. He still keeps the name David, but says he has been a few days at the works. He is a young man, slight built. It is, however, known that he had a bowie knife with a long blade, and that the other two had no knives or weapons of defence. The two men that were killed were young and powerful, and one very temperate, the other occasionally drank to excess. From the quantity of blood in the bottom of the boat, there can be no doubt, that the survivor used his knife with such skill that he killed both his comrades. Both of the deceased have left widows and children, who are entirely destitute.—*New Era.*

THE SELF-MARRYING DUTCH PREACHER at Boston of whom mention was made in our paper a short time since as having seduced a young German girl by leading her to believe that her own consent was all that was necessary to make their marriage valid without the presence of any other minister, was put on trial on Tuesday last. After his counsel had closed his argument in his defence, Rebekah's counsel rose to soften the hearts of the jury by his own sweet voice, and said —"Sir, I have to tell you plain—trick—shame to say!—shame among the smart yewsh—mine vife, as is mine by all de law of God."

His speech, however, was soon cut short by the Judge, and in a few minutes the jury return'd a verdict of "GUILTY," and no mistake.

Col. JAMES LONG, the owner of Boston, has made the following old challenge: Will he be taken up? Where are Wagner, Browning, Allen, and other heroes of the turf?

"I will run my horse *Boston*, four mile heats, against any two horses in the world, for TWENTY THOUSAND DOLLARS each heat. That is, I will run Boston one heat against one of the two horses that may be matched against him, while the other remains in his stable; and run the second heat against the fresh horse. Should there be broken heats, the choice of the two to see must start against Boston for the deciding heat. To secure the match, I will run it over any course in the United States the opposite party may designate, and I will also let them have the match in two heats."

EGREGIOUS MAGNATS.—Those of our readers who have paid much attention to the recent political and official changes in England have observed, we presume, that there was some difficulty in the appointment of Chancellor in England, and that Sugden was mentioned in the earliest lists, but it was afterward announced that he had declined the office; and some weeks elapsed before his appointment and acceptance were positively known. A London correspondent of the Montreal Gazette furnishes a solution of the mystery, as follows. It will be remembered, we suppose, that Sir Edward is of very humble origin—his father having been a barber—and that, like Erskin, Stowell, Lyndhurst, and other great men of the English bar, he owes his present rank and fame solely to his own great talents and unwearied industry. This circumstance connected with the difficulty about the Irish Chancellorship, is explained in the account of the Gazette's correspondent.—N. Y. *Com. Adv.*

Sir Robert Peel has completed his judicial appointments by that of Sir Edward Sugden to the Irish Chancellorship. In this he gets two points; he gratifies a steady adherent—the first equity lawyer of the day—and he puts the settlement of the conflicting claims of some of his leading friends for ever beyond the appointment of no other English lawyer to the Irish woolsack. The difficulty in the way, which, of course, is but delicately alluded to in public, was this—Lady Sugden, whose conduct in other respects is irreproachable, is understood to have had a *liaison* with her husband before marriage. This is the case with the ladies of more than one judicial notability, who, in early life, were models of strictness of virtue, to support themselves with the recognized claims of wife. These connections are frequently sanctified by marriage after wild, and it is well if perfect reformation succeeds the scandal of Lord Thurlow, and other distinguished personages, tending to corroborate, that either marriage, or a cessation of the connection, must precede promotion to a judicial office. Whether this was exactly the case with Lady Sugden, or not, I do not know, but it is certain that seven years ago, when Sir Edward was Chancellor, Lady Sugden was refused to receive her at the Vice Royal Court. She did want, perhaps thanking the stigma unmerited, insisted on receiving the Lady Sugden, and on her remaining away, threw up the seals. It is said that the way the difficulty is now got over is this: Lady Sugden is to be received in certain distinguished circles in London, and after this initiation, she is to be received on probation into Irish female society. This, a good stand certainly does Sir Edward treat, as the station of their mother is a matter altogether out of his children.

A LITERARY CURIOSITY.

THE FALLS OF LODORE.

BY ROBERT SOUTHEY.

How does the water come down at Lodore?
Here it comes sparkling,
And there it lies darkling;
Here smoking and frothing
Its tumult and wrath in,
It hastens along, conflicting and strong,
Now striking and raging,
As a war waging
Its caves and rocks among:
Rising and leaping,
Sinking and creeping,
Swelling and flinging,
Showering and springing,
Flying and foaming and running,
Calming and glooming:
Dividing, collecting, uniting, reflecting,
Now shooting along in contracting channels,
Dreadfully discharging its rage in the gulf,
Receiving and rejoicing,
And clamouring and knocking,
And abounding and rebounding,
Now gushing and flushing,
And driving and striving,
And raging and assuaging,
And dimpling, and wrinkling, and sparkling,
And twinkling, and shrinking,
And whitening and brightening,
And foaming and roaring,
And thundering and pouring,
And dashing and flashing,
And splashing and clashing,
And so never ending,
But always descending,
Sounds and motions for ever blending
All at once and all o'er,
With a mighty uproar—
And this way the water comes down at Lodore.

DIED—On Tuesday night, at nine o'clock, WILLIAM BENOIST, born He-ibe Montigny, grandmother of Messrs Delabarre, aged 19 years.

FOR SALE.—The Coffee House and grocery store at the corner of Bourbon and Conti streets, the situation of which is unsurpassed for a business of the kind. Any one wishing to purchase, or rent it, can call on the subscriber, and obtain every information. E. E. BOUDOUSQUIE.

COMMERCIAL COURT.—No. 2417—Simeon Champion & Co. vs. Champion & Mississippi Steamboat Company.—On motion of Mr. Bullitt, counsel for plaintiffs, it is ordered that the defendants be cited to appear in this court on the 1st day of November next, to answer the petition of plaintiffs, and that a copy of this order be served on the defendants, by the sheriff of the parish of Orleans.

By virtue of the above written order, I do hereby cite the Mississippi Steamboat Company, defendants in the above entitled cause, to appear in the Commercial Court, on Monday, the 1st day of November next, at 10 o'clock, A. M., to answer the demand of the plaintiffs, and I do hereby give notice to all persons interested, that on and after the 1st day of November next, the Commercial Court will be held in the Exchange, in the city of New Orleans, in the room in which the Court of Probates is now held. By order of the Court. L. A. LEVY, Jr., Recorder.

Commissioner's Office, New Orleans, Oct. 26, 1841.

Notice is hereby given to all persons interested, that the following described property, seized by the Marshal of the United States for the Eastern District of Louisiana, on the 25th inst., as the property of the Mississippi Steamboat Company, will be sold at public auction, at the Exchange, in the city of New Orleans, on Monday, the 1st day of November next, at 12 o'clock, M., to satisfy the claims of the libellants in the above entitled cause, viz: The steamboat Commerce, her engines, boilers, tackle, apparel and furniture, now lying at the port of New Orleans. The sale of the above property will be made subject to the following conditions, viz: The purchaser will pay three dollars for each ton of the boat's measurement, and give approved security for the payment of the purchase money, with interest from the day of sale, before the delivery of the boat. The vessel will be delivered to the purchaser at the wharf where she now lies, and all charges of the Marshal, in relation to the seizure and sale of the boat, will be paid out of the proceeds of sale. The purchaser will give security to indemnify the Marshal against all claims that may be set up to the boat, and will pay all charges that may accrue after the delivery of the boat. The vessel is now in the port of New Orleans. The officers employed will give their aid to the purchaser in taking possession of the boat. Any resistance of the Marshal, or those employed by him, in the discharge of his duty, will be considered a contempt of Court, and will be punished accordingly. The Marshal will give every facility to the purchaser in taking possession of the boat, and will not be responsible for any resistance that may be made to the delivery of the boat after the sale. The officers employed will give their aid to the purchaser in taking possession of the boat. Any resistance of the Marshal, or those employed by him, in the discharge of his duty, will be considered a contempt of Court, and will be punished accordingly. The Marshal will give every facility to the purchaser in taking possession of the boat, and will not be responsible for any resistance that may be made to the delivery of the boat after the sale. The vessel is now in the port of New Orleans