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OFFICIAL PAPER OF THE STATE ——— NEW-ORLEANS, SATURDAY MORNING, SEPTEMBER 13, 1851.

No. 1588 Vol. X.—NEW SERIES.
Vol XXX—Whole No. 6637.

The New-Orleans Daily Bee:

Official Journal of the State, General Council, First Municipality and Board of Liquidators.

Saturday Morning, Sept. 13, 1851.

FOR CONGRESS,
Second District,
J. ARISTIDE LANDRY.

Fourth District,
JOHN MOORE.

The Northern Mail failed yesterday from beyond Charleston.

☞ The extreme length of the proceedings of the General Council comprise us to exclude a large amount of reading matter. We invite public attention to the official. It is both interesting and important.

GEN QUITMAN'S RESIGNATION. What was rumor yesterday, is fact to-day. John A. Quitman, candidate of the fire-eaters for the post of Governor of Mississippi, being thoroughly convinced that the people of that State are utterly opposed to secession and all the wild rantings and doctrines of the ultra school, has concluded to withdraw from the canvass. We give his letter as a matter of history.

To the Democratic State Rights party of Mississippi.

The result of the recent election for the Convention, however brought about, must be regarded, at least for the present, as decisive of the position of the State on the great issues involved.

The majority have declared that they are content with the late aggressive measures of Congress, and opposed to any remedial action by the State.

Although this determination of the people is at variance with my fixed opinion of the true policy of the State, I have ever expressed and still cheerfully entertained, yet as a State Rights man, and a Democrat, I bow in respectful submission to the apparent will of the people.

Because the State has not yet spoken authoritatively upon the acts of the Convention, I would be holding until they shall have been brought to a vote of the people, but by the action of non-resistance to the Compromises, a majority of the people have declared against the course of policy on the slavery questions, which I deemed it my duty to pursue while Governor, and against the principles upon which I was nominated, and upon which alone I consented to run as a candidate. I might perhaps, be elected, notwithstanding this demonstration of public sentiment in the election for the Convention; but as I have been mainly instrumental in seeking the expression of the people through a Convention, I feel, in my political act, to defer to it.

Therefore, upon full consideration of all the circumstances, respect for the apparent decision of the people, duty to the noble and patriotic party, who are struggling to maintain the rights of the South against Northern aggression, and to preserve our institutions from the fatal effects of consolidating all power in the Federal Government; and a sense of self-respect, which renders me not to seek a public station, in which my opinions upon vital questions are not sustained by a majority of my constituents, all concur in inducing me to the opinion that my duty requires me to retire from the position which I occupy as the Democratic State Rights Candidate for Governor. With emotions of the great gratitude to the patriotic party by which I was nominated, for the evidences of their unflinching confidence, both in the principles advanced in the warm and hearty reception accorded to me, I have been met every where in the canvass, I tender my resignation of the high and honorable post of their chosen standard bearer in the pending canvass, pledging myself to them and to the country, that I will to the last, as a private citizen, continue to labor faithfully in the ranks, as I have endeavored to do in the opposition. J. A. QUITMAN.

Monmouth, Sept. 6, 1851.

How Quitman calls his supporter the "Democratic State Right party." We should like to know how many democrats voted against State Rights at the late election? Almost as many as sustained the Secessionists themselves. The heavy blows aimed at the latter came from Tippah, Tishemingo and other counties, well known as uniformly democratic by immense majorities. There is no doubts however, that a large faction of the democracy are opposed to the Secessionists; neither do we deny that a considerable number of Whigs are in favor of ultra measures. It will not do therefore to give the party which supported General Quitman "Democratic State Rights" The title does not explain the character of his followers. But let it pass.

Break off from State Right-ism, but according to the *Natchez Intelligencer* it is to be supported by the Union men. We question whether the article will succeed in detaching democratic votes from Henry Foote. We suppose, however, the latter cares little about opinion, on the canvass since these new auspicies. Where a Quitman was instructed to give way, his subordinates have well deserved of victory.

THE DEMOCRATIC CONVENTION. We look upon the defeat of the Democratic candidate for Sheriff, at the ensuing election as a very probable. The nomination of Mr. Mazureau failed to secure the support of those democrats who were in favor of General Lewis. The withdrawal from the convention of some of the delegates is a pregnant sign of future disagreement. Lewis P. Freret ought to stand well with, without Mr. Marigny's party. Lewis could always command many whig votes which will now be transferred to Freret. Personal considerations secured them to Lewis, but he being no longer in the field, political affinities will ensure their being cast in favor of the Whig candidate. Mr. Freret will be able to receive some democratic support. There are democrats in this city who will stand by him under all circumstances. The recent remarks of a brother from the office of Collector would evoke in his behalf a large amount of popular sympathy. Mr. Freret will moreover obtain the unanimous support of his own party. With such appliances and means to boot of Mr. Freret, we do not fear Sheriff, we think, to exert our powers of political prescience.

As for Coroner, that is already *res judicata*. The man that can beat ROBERT SPENDER is not yet born.

THE PROGRAMME.—Mardeville Marigny, Sheriff, Joseph Genois, Mayor, and A. Fabre, Recorder!—*Orleanian.*

A very nice little programme, to be sure, and if the people had nothing to say, it might be carried out. But November will show that the winner has toppled headlong, and in April the loser will crumble all to pieces.

☞ Capt. DUMAS, of brig *Ohio*, reports as follows:

Brig *Ohio* left Sagua La Grande on the 3d inst. for New York with a cargo of molasses. Experiencing a leak, obliged to pump her one hour, decided to put into Havana. Experienced very heavy thunder squalls on Friday, 5th, in sight of the Moro Light, 15 miles North; the wind ahead, finding that we could keep her free by pumping every two hours, I then decided to steer for New-Orleans, where the vessel could be repaired quicker and cheaper. Sunday, 6th, close to the Tortugas Light-House, the wind East, and light on the same night, the leak increased, having to pump every hour; on the 10th inst., at 6 o'clock, A. M., made the South Pass at 7; the pilot took charge of the Brig at 9; the towboat Ocean took me in the river, S. W. Pass.

THE COLORED PRISONERS.—A despatch to the *Evening Post*, from Baltimore, under date of the 10th says: On the report of Capt. PLATT's despatches, relative to the disclosures made to him by the American prisoners in Havana, President FILLMORE immediately sent copies to the Spanish Minister, in order still further to enforce the appeal to be made for mercy towards the prisoners. The President thinks that as Lopez is dead, and the expedition subdued the Spanish Government should deal leniently with them.

CASES IN MISSISSIPPI.—The Natchez *Free Trader* says:—We hear from various persons calling at our office, that the cotton crop, generally speaking, turns out quite as well as expected. If, however, heavy rains set in, there may yet be considerable damage done before the picking is concluded.

A GREAT SALT WELL.—The Meigs (Ohio) *Telegraph* says: That Pomroy has the greatest salt well yet discovered in the United States. The well discharges in an unbroken stream fifty gallons of water per minute! The water will yield a bushel to each fifty gallons—a bushel a minute, or 300 bushels a day. There is water enough, allowing allowance for waste, for 200 bushels.

☞ The attention of buyers is called to the extensive sale of Dry Goods at No. 43 Bienville street, at 10 o'clock, THIS DAY, by Vincent Sellers, consisting of 135 packages and lots of Dry Goods.

By Magnetic Telegraph.

ARRIVAL OF THE NIAGARA.

NEW YORK, Thursday, Sept. 11.

FOREIGN MARKETS—GREAT EARTHQUAKE, &c.—The steamship Niagara has arrived—Cotton is firm at the quotations per Franklin. The sales of the week amounted to 57,000 bales, of which 13,000 were taken on speculation. Fair Orleans 6. Trade at Manchester active. Money was active. Consols 96.

The America Again Victorious.—The yacht America won the race with the Titania.

The Crops.—The crops in Ireland are promising.

The Queen.—The Queen of England is at Edinburgh.

France.—Five more councils have decided in favor of revision.

Great Earthquake in Italy.—Letters from Naples announce that the town of Barili had been swallowed up by an earthquake. Seven hundred persons were dug out of the ruins.

Germany.—It is thought that the Austrian amnestation question will probably not be presented on the attention of Germany. Newspapers report that Prussia and Austria had formed an alliance for the purpose of checking the spirit of revolution and anarchy prevailing in many countries of Europe, and that England, France and Sardinia have formed a league in opposition.—*Evening Picayune.*

HAVANA.

By the brig *Union* and *Tehuantepec* we have received last evening Havana papers to the 5th inclusive. Another of the American prisoners, named Harrison G. Summers, was pardoned by the Captain General and arrived in our city on board of the *Tehuantepec*. Van Vechten, set also at liberty, is now on board, of the *Albany* in the harbor of Havana. Capt. Kelly and Col. Haines have left for New York.

Great rejoicings have taken place in every part of the Island in honor of the success of the Spanish armies and of the defeat of the Patriots.

The Havana papers complain bitterly of the course pursued by the New Orleans press and attribute to their publications the departure of volunteers for Cuba and the recent riots against the Spanish population of our city.

The Capt. General has published under date of the 1st inst., a general order in which he expresses his satisfaction for the services rendered by the army in subduing the pirates.

La Prensa publishes some interesting details relating to the capture of Lopez. He was made prisoner by a small troop of sixteen men composed of 13 creoles, 2 Spaniards and a native of the Canary] islands. They were commanded by Don Jose Antonio Costaneda, a creole of Cuba. When overtaken, he showed a revolver, but all the muskets and swords were pointed to his breast, and he resolved to surrender, asking only not to be shot. The *guajeros* took no notice of his request, tied his arms behind his back, and led him in this way to the nearest place where there were troops. Lopez had on his person, when taken, a Spanish gold piece of four dollars, a few American dimes, and two silk handkerchiefs. The sixteen captors received each the cross of Maria Isabel Louisa and one thousand dollars.

Mr. H. G. Summers, one of the Cuban expedition, returned yesterday in the brig Tehuantepec, having been pardoned.

From him we glean the following interesting memoranda. On landing at Morilla, the inhabitants met the expedition with a volley of musketry, which was returned by Gotin, they immediately fled; they then took possession of the road. Lopez leaving Crittenden's command to take charge of the bagagge &c., and marched on to Lopez, 12 leagues distant, with 330 men. Lopez being surprised at that place by the Spanish troops, Major Kelley's command joined Lopez at this point; Crittenden had no communication with Lopez during this time. The engagement lasted about two hours. Col. Doming, Lieut. Labuzan, the Captain of the Cuban company, and other officers were killed. Gen. Pragues and Capt. Gotin, were mortally wounded. Capt. Ellis was wounded, but able to walk.

The party stopped at this place two days, and took up their line of march to the mountains. When they had several skirmishes, surprising several small parties, and taking provisions. Gen. Lopez behaving bravely on every occasion.

On Sunday, 17th, at Capital del Furez, Gen. Lopez was surprised by a large body of cavalry, taking them for Patriots, but when near the encampment drew them [illegible] of Summers, Ellis, fifteen and taking two prisoners. We then returned to the mountains, and was met by 600 infantry in ambush, who fired on us, when we started across the field to gain a safe retreat. They killed of our number three and wounded several, our men on the road dropping off by degrees, and that night we mustered about 200 men, we marched about until Thursday, 21st, in heavy rains, and were attacked by infantry and artillery, our muskets and ammunition being all wet and of no use, only 20 muskets going off, which kept the enemy at bay. General Lopez cried out to the Cuban company to follow him and the Americans would hold the battle. Gen. Lopez fled with the Cubans up the mountains, the Americans retreating by degrees to the place where Gen. Lopez had gone. The next morning the balance issued out of the woods towards San Christobal, and were fired on by some cavalry, when the Americans dispersed in every direction.

Mr. Summers and F. B. Hough went into San Diego on the 26th, and gave themselves up to the Captain, at the same time the Proclamation of the Captain General was received, Mr. Summers and Hough was then treated by the authorities with every kindness imaginable, and arrived at Havana on the evening of the 4th inst., the Captain General received him with cordiality, and gave the freedom of the city.

There was 192 Americans in the Punta, and would sail on the 8th inst., for Spain among whom was Mr. Brudore of this city.

Capt. Kelly, and Col. Haines, sailed in the brig Norma on Sunday for New York. Mr. Van Vechetin went aboard the Albany.

All the prisoners had their heads shaved.

HON. JOHN M. BERRIEN.—The Washington [Ga.] *Gazette*, says: "We learn from a private source, altogether reliable, that Judge Berrien has taken his position in the present contest, and avowed himself in favor of Mr. Cobb, and opposed to Judge McDonald and his party. It has been our pride and pleasure to sustain Mr. Berrien in times past, and none regretted more than ourselves to see the aid of his powerful mind lent, at least indirectly, to the cause of a party whose object was the overthrow of the Government. No one will be more gratified to find him, after a temporary aberration, again battling in the ranks for the Constitution and the Union.

"What will our Southern Rights friends have to say to this? We commend the fact especially to the notice of the Southern Rights orator at Danburg, who in a moment of enthusiasm, exclaimed, "would to God that the South had more such men to stand by her in her perilt, as John McPherson Berrien!"

☞ The *Journal of Commerce* looks upon the surrender of John Belding, the fugitive slave, to his master, Robert C. Anderson, of Columbia, S. C., and his removal from the city without the least attempt at disturbance as showing that the colored people and the Abolitionists generally, are aware that the state of public sentiment here gives them no chance in case of an attempted rescue. The confident assertions of some clergymen and others, in the public prints, while the law was pending in Congress, that it could never be enforced—that the people would help the slave to escape, and "trip the shameless hanier,"—prove to be all froth and misrepresentation, we are told. The law can be executed, has been, and will be, the *Journal* contends; and whoever obstructs its execution, will do so at his peril. The Editor says:

"Of the fact that Bolding is a slave, there is no doubt whatever. A respectable colored man told us the other day, that he personally knew that Bolding was a slave. Overtures have been made with a view to his purchase, but the price demanded ($1750) is deemed exorbitant, and the requirement of the claimant, that he slave shall first go back to South Carolina before he shall be redeemed at any price, has discouraged the friends who were disposed to aid him, and the probability is, that he will remain a slave for life, unless he should run away again.

MODE OF LAND TORTOISES.—The Burlington N. J. *Gazette* states that a short time since, W. Rogers Esq., found on his farm near the village of Crosswicks, two land tortoises with the following inscription cut on their shell: O. B. 1809, and E. R. 1816, thus making it 41 and 42 years since so cut. How much older they are deponent saith not.

The cellar of Mr. R. being much infested with mails he placed these tortoises therein and in a few days all those vermin disappeared.

CUBA.—A letter dated the 3d instant, from Havana, and published in the *Picayune*, states that the volunteers who have been liberated by the Captain General, one Capt. KELLY, Col. HAINES, and Mr. VAN VECHTEN. The two former were placed on board the ship *Norma*, and thence transferred to the sloop-of-war *Albany*.

The same writer furnishes some additional information touching the mutilation of the dead bodies of Crittenden and his companions. He persists in affirming the entire truth of previous statements. He says:

I have since made inquiries from those who were eye-witnesses of the horrible occurrences, and I can now confidently state that the mutilation of the dead bodies, the parading round the streets by respectable citizens (Spaniards) with the caps, shoes, &c., of the butchered prisoners, and the public exhibition of the ears, noses, other nameless parts of the dead men, and the triumphal show of pieces of their skulls, &c., *are literal facts*. I saw one of the ears at the Dominica, the principal place of refreshment in the town, has one of these *relics* preserved in a bottle. Another Spaniard has had a piece of the skull of one of them set in a ring, and says it shall descend in his family as an heirloom. A gentleman returning from the place of execution says he saw a Spaniard drunk, in one of the streets, who was triumphantly exhibiting the upper ... lid of a skull, with the hair and some of the bra... attached; he watched him until the fellow became too drunk to retain his prize, and dropped ... on the ground. My informant then picked it up, dug a hole in the ground and buried it. I might multiply these nauseating details *ad infinitum*, and, if necessary, I will procure the names and residences of some of those who possess these mutilated members and send them on for publication.

MR. ST-MARTIN'S ADDRESS.—The gentleman, after mature reflection and a considerable manifestation of discontent by members of his own party at his protracted silence, has at length thought proper to let the public know his opinions touching the Compromise. As will be seen below, Mr. ST-MARTIN is a Compromise man. This is strange, but what is far stranger is, that the *Courier* the sworn and bitter foe of the Compromise—agrees with Mr. ST-MARTIN! When will wonders cease?

The following passages comprise all that Mr. ST-MARTIN says about the Compromise:

A difficult and momentous question came up for discussion before the late Congress. After protracted and exciting debates, a series of measures, known as the "Compromise," were adopted by both Houses, received the Executive sanction, and thus became the law of the land. On the justice, expediency and propriety of several of these measures, great difference of opinion prevailed among the Southern members of the democracy. These measures, or at least that portion of the Compromise which was more strongly objected to by the Southern Representatives in Congress, are now beyond the reach of Congressional action.

Whilst I am not disposed to censure the conduct of the members who in the fullness of their judgment, then opposed the admission of California and the Texas Boundary Bill, nor to break up the present organization of our party on local or sectional issues, I accept the Compromise as a *final* settlement of the slavery question in Congress, and will, if elected, oppose any and every attempt to repeal or change it.

MELANCHOLY ACCIDENT.—A letter from Brunswick (Ga.) to the editors of the Savannah *Republican*, says:

Messrs. Editors:—Our village was thrown in confusion yesterday by a startling casualty. Several workmen who were engaged in dismantling the Brunswick Steam Saw Mill, were removing the "fire front" near the only part of the wall which was left standing, when a sudden gust of wind blew down the wall upon three unoccupied houses respectively the property of Harris, Mrs. Franklin, and the Estate of Ellis; the last of whom was crushed to death, the plate of the mill on the wall, fourteen inches square and as long as the building, falling across his back and shoulders. The two others fared better; they were struck down in an excavation that, to a great extent, shielded their bodies from the weight of the wall. They were severely injured, however, one having fractured his leg, the other receiving a contusion upon the head and back, which caused him to spit blood—his recovery is despaired of. Fortunately four or five white men, who were working with the negroes at the same job, escaped unhurt.

City Intelligence.

CONCEALED WEAPONS.—A negro named Keller is longing to John Crehenard, was fined $5 yesterday by Recorder Suzeneau for carrying concealed weapons.

FIRST MUNICIPALITY COUNCIL.—The members present, at a called meeting last evening, were all there, except Messrs. [illegible]

ROBBERY.—Joseph Taylor, a slave belonging to Mr Congle, and Therese, a slave belonging to Milme Gonzales, were arrested yesterday in the First Municipality, on a charge of larceny.

SUICIDAL ATTEMPT.—A man named John Lundon, was arrested yesterday on board the First Municipality Ferry boat, from which he attempted to drown himself, by throwing himself into the river.

LARCENY ON THE HIGH SEAS.—William Bongomaier and George Legett, were arrested by the First Municipality police last evening at the request of the Captain of the ship Hannon, who charges them with having committed larceny on the high seas.

FINED.—Recorder Caldwell fined William Nulty $5 yesterday, for abusing Lieut. Hughes, Second Municipality police.

REMANDED.—The examination of John Finn on a charge of perjury, was yesterday postponed by Recorder Caldwell to the 17th inst.—Anne Davis charged with the passing of Thomas Feeny, will be examined on the following day.

STABBING.—Recorder Genois yesterday remanded Frederick Grew for stabbing George Hoffman with a pocket knife, in four different places in front of a boarding house on St Philip, between Bourbon and Royal streets, on Thursday night last.

BREACH OF TRUST.—Arthur Daniel yesterday charged ——— Fiend with appropriating the balance of an account given him to his own use, ($8 90c.) and with retaining a large sum on account for $70 worth of accounts entrusted to him for collection. Warrant issued.

LARCENY.—William Crosse, charged with stealing $38 belonging to the cook of the steamboat Emperor, was remanded yesterday by Recorder Genois.

General Council of the City of New Orleans.

Regular Sitting of Thursday, 11th Sept., 1851.

The Council met this day pursuant to adjournment.

Mr Lugenbuhl was called to the chair.

On motion of Mr. Allan, the Secretary being absent, Mr. E. A. Michel was appointed secretary protem.

Members present—Messrs Alpuate, Allan, Collins De Feriet, Harris, Lugenbuhl and Payne—7.

The Council met at the usual hour.

The action of the two Municipalities is supported, we are told, by the written opinions of two eminent legal gentlemen, who, it is said, have carefully examined the proceedings of this Council, in connection with the laws constituting our city charter; but the Mayor has not favored us with a copy, and we are able to speak of the points and arguments contained in those opinions, though such meager information as we have been able to gather. It seems to us that an official message requesting the Council to retrace its steps, in consequence of so serious a conflict of authority as that stated by the Mayor, should have been accompanied by such documents and information as would, not merely put us in possession of the fact that a conflict of authority has taken place, but also enable us to know precisely the grounds alleged by its authors. The documents appended to the Mayor's message throw no light whatever upon this subject; they are resolutions of the two Councils confined to a request made the body to postpone the new wharfage rates, until the 1st of January, 1852. Not a word is said about any illegality in our proceedings; on the contrary the legal existence and validity of the new law is impliedly conceded by the request made for its repeal.

To come to this repeal, in the present state of things, would establish a dangerous precedent, and give sanction to a disorganizing example. The authority entrusted by the Legislature to this Council, is our duty to preserve from illegal encroachment. We should protect the important branches of administration constituted, and provide for their subdivisions of the city government. To yield to the pressure brought to bear upon this Council, by the Municipalities, would be to allow the authority to surrender to them the portion of power placed in our hands, would leave us only a nominal existence, and we would date our project upon their passive consent or approval. Such weakness on our part, would be the more culpable as it was clearly the intent of the Legislature, in taking the rights of wharfage to exclude the Councils of the several Municipalities from all control over the rates of wharfage, and instead of a reduction, upon the well known ground, approved by experience, that a decrease of price improves an increase of consumption. A diminution of wharfage would attract persons and vessels to our wharves. This is the policy which has been proved true wherever tested whether applied to the rates of railroads or of shops, the commerce of a city or a state.

Another feature of the argument based upon the business, is the assumption that the farmers of those budgets, and a right to assume that their respective Municipalities were by the Act of the 16th May 1850, entitled to a certain per adjusted percentage of the trade of New Orleans. It is only upon this assumption that their argument can be sustained in law, for if they are subject under either the old or the new Ordinance to such reductions and changes which happen in trade and in the flux and reflux of times, how can they assume as a legal premise, that under the old Ordinance the wharfage is would in any one Municipality be more or less than fixed amount, nicely adjusted and reduced upon by decree of the Council, one year before hand.

In one word, the product of the wharfage duty is from its very nature contingent. It depends upon a thousand circumstances. It varies from year to year, by thousands of dollars, and the proceeds received by each Municipality are constantly changing, from causes totally independent of legislation so that it is simply to frame any legal argument predicated upon the supposition that the rate of revenue received from it last year, must of necessity be equal to that of the present one.

Indeed all these views seem to have suggested themselves to the Legislature in making the law relative to the Budget. A single reading of the six first sections of that law will clearly show that it was made for no other purpose than to enable the Council to fix the proportion of the contribution to the Real Estate Tax, between the urban and rural parts of the Municipalities; and if the law has any other object, it certainly is not to prevent a reduction of taxation, but on the contrary, it would seem to be directed against the reckless course of taxation, and extravagant and oppressive taxation which have so frequently characterized our municipal administrations.

But, like all similar attempts on the part of the legislative wisdom of the State, it has been disregarded and defeated. Indeed, we find the law converted to uses directly opposite to the ends sought to be attained. In the present case, for instance, it is advanced to prevent a just and salutary reform, to prevent us from returning the burthens of commerce, to prevent the adoption of a more equitable rule in the assessment of the revenue, to prevent us from making this reform at a period of year, sufficiently distant for intelligence of the beneficial change to spread throughout the commercial world, and in time to cause a reaction in favor of our port, before the opening of the next business season.

Not a line, not a word, in the whole budget law, imposes any restriction upon the powers of the General Council, or confines the exercise of them to any particular period of time. Indeed, if any such restriction exists it is to be found in the 8th section of the Act of 1836, which seems to fix the first Monday of May of each year as the epoch for a commencement of action by the General Council, on the subject of wharfage.

Let us see, however, what has been the action of the Municipalities under this budget law, and inquire whether the estimates they have framed under it are such as are authorized by law, and are such as would bind this Council to provide means to meet them?

In the budgets of both the First and Second Municipalities, we find a pre-determined excess of expenditures over the revenue, amounting in the First Municipality to $97,000, and in the Second to $105,[illegible]? Do it seems that both Councils coolly and knowingly resolved before hand, to spend hundreds and thousands more than their income—to incur expenses which they knew they could be utterly unable to pay. Was not this fact of itself sufficient to give a blow to their credit; and do it not exhibit the real cause of the financial embarrassments of their Corporations? It comes with a bad grace from those who have wilfully created a deficit of hundreds of thousands, to complain so loudly of a small and even doubtful falling off in the wharfage revenue, which, compared with their premeditated default, would be a mere drop in the bucket. Is this Council to be bound in its conduct by this illegal creation of a new debt by the Municipalities? Are we bound to fill up this tub, the Danaus in which new holes are made every day?

All that can be expected of the Wharfage rates is, that they shall provide a revenue fully sufficient to pay for the building and maintenance of the wharves and the police and lighting of the levee. Beyond this, the Municipalities have no just right to demand an assessment from this Council out of this source of income. If we had reduced the revenue below these legitimate expenditures then there would be just cause of complaint, but we have not. The expenses for wharves in the First Municipality will amount this year to $75,[illegible], and that Corporation has already collected $[illegible]; the expenses of Second for the same purpose are estimated at $50,000, and $[illegible] have been already collected for wharfage, though the year has yet half its course to run and thousands are yet to be received.

The whole amount of wharfage received last year by the three Municipalities, was as follows:

First Municipality,	$101,051 80
Second Municipality,	146,681 89
Third Municipality,	31,603 28
Total,	279,031 97

The amount already received during the first six months of the present year is as follows:

First Municipality,	$56,[illegible] 97
Second Municipality,	95,521 43
Third Municipality,	15,217 70
Total,	$167,251 [illegible]

Now, this statement shows plainly that supposing the new rates to produce a deficit of one fourth for the 1st January, 1852, the deficiation will a portion itself as follows:

First Municipality,	$10,615
Second Municipality,	10,793
Third Municipality,	3,904
Total,	$24,[illegible]

Have then is the great blow which we would give in the budget of the three Municipalities, even admitting the worst forebodings; but your Committee insist upon it—The reform in the charges upon commerce commenced by the adoption of the new wharfage rates by this Council, and which it is hoped will be followed up by action on the part of our State Legislature in relation to pilotage, and port charges of various kinds, will, if the experience of other cities be relied on, soon bring commerce back to its natural channel from whence exhorbitant exactions were gradually driving it; and our city will then be enabled to see it port crowded again while all deficiencies of revenue will be made up. Strange to say, with the whole figures before them, showing the increase of the last year, the Municipalities have placed upon their budgets for the present year a higher figure. The First Municipality, for instance, has estimated its wharfage income, for 1851, at $[illegible], which is $[illegible] more than what was collected in 1850! Upon this speculative increase, has she rested for a portion of the means to meet her obligations. Is the rest of her bill of fare, but certain it is, that so far as wharfage is concerned, a budget of revenue made up of such fancy data, cannot form a legal ground of objection to the action of this Council. Your Committee are expected to guarantee the realization of such bill of fare, can take place this year.

3d. The law requires the wharfage dues to be collected throughout the city. Hence the assessment then depend upon the amount of the finished revenue. Municipalities *generally*? To us it seems impossible for any one Municipality, if we are controlled by figures totally disproportionate and conflicting. What greater disparity and contradiction can there be than between the rates of wharfage presenting the several funded debts of the Municipalities, and those which show the number of vessels and tonnage received in each Municipality last year? We defy any man to reconcile them to any *uniform* standard of taxation.

4th. Your Committee have come to the third objection made to the validity of the new wharfage regulations. It may be disposed of in few words. The law provides that rates adopted by the Council, on the 10th of June last, "two-thirds of the Council elected" to the Council were present, as required by the 8th section of the act of 1836.

5th. The law just referred to, does not apply to the Mayor's veto. The action in this is regulated by the 6th section of the act of 1836, which provides, "that when an Ordinance is returned by the Mayor, "if one-third of the members then present in said Council shall vote to pass Ordinance," it shall have the force of law. It has been decided by the Supreme Court, that the Council could proceed upon the veto; but if in quorum, must proceed in the usual way.

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