THE DAILY BEE. G. F. WEBB. R. DOVERY.

The Daily Bee.

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THE DAILY BEE.

WEDNESDAY MORNING, APRIL 14.

THE NORTHERN MAIL came through yesterday with the latest dates.

GENERAL BANKRUPT ACT.

The project of a general banking law applicable to corporations was recommended in the President's message, and is understood to be under consideration in Congress. The public mind has recovered from the exaggerated sentiment of repugnance caused by the wholesale swindling successfully practiced under the law of 1842. The radical error of that enactment was that it protected alike the honest and dishonest debtor. The unfortunate bankrupt might, by availing himself of its provisions, clear off old scores, and begin the world anew; but the fraudulent bankrupt enjoyed precisely the same advantage. As the financial crisis which preceded the passage of the law involved an infinitely larger number of rogues and adventurers than of honest men, it follows that of those who profited by the measure to get rid of their indebtedness, the majority consisted of unscrupulous speculators and sharpers, and that creditors were the chief sufferers. Hence the unpopularity of the law.

Against a properly devised and carefully framed bankrupt law no valid objection can be urged. The object of such a law should be to enable the merchant who can clearly prove that his failure resulted from calamities beyond his foresight or control, and was not occasioned by reckless extravagance, or improvident speculation, to settle with his creditors by the surrender of his assets, and to renew his business without the apprehension of being harassed for the payment of old debts. Another object equally important should be the keen and critical examination of every case of bankruptcy by a competent Board of Commissioners invested with plenary power to withhold certificates whenever fraud is proved, or strong doubts of fair practice exist. In short, the law, to be effectual and satisfactory, should be based upon the principles of the English act, the tendency of which is to moderate excessive credit, and check a wild spirit of overtrading. We say this is its tendency. Of course, periods of excitement in commerce sometimes occur when the terrors of the bankrupt law are forgotten, and all units eagerly and rapaciously in the pursuit of money-making, even by the most tortuous and reprehensible schemes. In such cases, however, the bankrupt law of England punishes if it does not prevent rascality. We to the tradesman or speculator who, having suspended payment, goes before the Commissioners of Bankruptcy with mystified accounts, and an incomprehensible ledger. He is severely censured, probably imprisoned for fraud, and certainly denied a certificate.

We want a bankrupt law of similar character. There are no doubt thousands through out the land who would hail with pleasure the passage of an act like that of 1842, which would sponge out their millions of indebtedness, throw the entire burden of loss on their creditors, and leave them free to commence a career of folly and improvidence. We think it better to have no bankrupt law at all than such a mischievous an enactment. Such a bill can be framed which will secure to the benefit of honest insolvents, and protect creditors from the devices of dishonest ones, we are dead against the exercise by Congress of the power. We greatly fear that the outside pressure for a bankrupt act proceeds chiefly from that vast horde who have contracted obligations to the extent of some hundred millions of dollars, and who fondly hope to clear themselves of this incumbrance by the chicanery of a loosely worded and carelessly devised bankrupt law. Seven-eighths of those who exploded under the late disastrous revulsion deserved their fate, and have not a title of claim to the obliterating operation of a bankrupt act.

THE MAYOR'S MESSAGE.

We invite public attention to the message of Mayor WATERMAN, addressed to the Common Council, and setting forth the reasons which governed him in casting the vote of the city of New Orleans against the acceptance of the act recently passed by the Legislature of Louisiana. Although upon the question whether the Jackson Railroad should be arrested at its Canton terminus, or carried on through North Mississippi, widely different views prevail even amongst the most intelligent and experienced persons, there can be no just cause to impeach the motives of a high official functionary, who, reasoning from premises which appear to him at least judicious, acts in accordance with his best judgment, against the wishes of a majority of the individual stockholders. We have read the Mayor's message with attention, and are entirely satisfied that he acted under a strong sense of duty, and we think he has made the ablest argument in support of the course pursued by him that we have seen. Even those who do not concur in his conclusions must admit that the Mayor vindicates his conduct completely from the aspersions cast upon it by enemies, or disappointed partisans. He was his bounden duty to represent to the utmost of his ability the interests of the city of New Orleans entrusted to him, and in the action taken by him he was animated by disinterested motives, and guided by approved legal counsel.

A building, gadget company has just been detected in New York. Oliphant, Hartley & Co., of No. 205 Broadway, had, by means of circulars, induced country merchants to become agents for the sale of their coffee, duping them into the payment of large sums in advance. The swindlers, it believed, realized $10,000 in a few weeks. One of them, named Philips, has been arrested, and Mayor Tiemann has seized many letters addressed to the firm.

THE MILLERITES MOVING.—The Newark (New Jersey) *Advertiser* gays some of the leading Second Adventists in that city have again set a period for the destruction of the world—professing to have discovered the errors of their previous calculations, and to have finally ascertained the exact truth. They regard the recent financial depression and the prevailing religious excitement as signs of the last days. By the next arrival from Europe they expect to learn the direction of the city of Rome, and this will portend the conflagration of the world next summer.

MORE BLOODSHED IN WASHINGTON.—The *Intelligencer*, of the 7th, has the following:

Yesterday afternoon another affair added to the long list of unhappy affrays which committed in our midst. Mr. Thos. B. Berry, printer, of Baltimore, in company with a friend, called at the house of Messrs. John and James F. Devlin, living on Pennsylvania avenue, on Capitol Hill, in this city, to get a change of clothing, his wife having been a fellow Devlin. Whilst within the house an altercation arose between Mr. Berry and the two brothers, in which high words passed, the gentleman outside, who entered the front door, and was requested by Mrs. Devlin, the mother of the young men, to use his efforts to compose the strife. At this juncture, it appears that Berry retreated by the back door and was making the escape, but, being closely pursued by the two brothers, was overtaken in the back yard, and knocked down by them. When in this state he was held down by both and stabbed by the younger, James F. Devlin, with a bowie-knife several times in the back, side, and breast. It is stated that there has been a bad understanding between Mr. Berry and his wife's family for a considerable time. Berry was a man in the full vigor of early manhood, and Mr. John Devlin is a lawyer, and a member of the Washington bar. The case was investigated by Justice Goddard, and the two brothers were by him committed to jail for further examination.

CONFLICT BETWEEN AN ORCHESTRA AND AN AUDIENCE.—At the performance of the oratorio of the "Messiah," at the New York Academy of Music, a singular uproar took place. The *Post* says:

Near the conclusion of the performance the audience demanded a repetition of a solo sung by Mr. Formes, with a trumpet obligato. Mr. Anschutz was determined that an encore should not be had. The audience afterwards Mr. Anschutz furiously flourished his baton, and insisted that the music should be resumed. For three or four minutes the Academy was filled with a horrible din of violent instrumentation, phrenzied vocalization, shouts, stamping, cat-calls, brass trumpets and frying pans. Mr. Anschutz's temper was up. So was that of the audience. The audience was in the majority and the unequal contest ceased. Mr. Anschutz turned, and in very commendable English, somewhat shattered by his passion however, declared, what was very sensible and very true, that "Gentlemen and ladies, it is *meine* custohmy to repeat *de* sacred music," and he might have added, with great propriety that the audience were behaving very disgracefully. Mr. Anschutz reversed his position and again ordered the instruments to strike up.

The first note was a signal for the renewal of the uproar, which was now sided by some violent old fogies, the kettle drum was vigorous, and the brazen instruments did not forget their duty; but again the audience were too many for them. Mr. Anschutz threw down his baton, and marched behind the scenes in disgust, and a pause. Also a brief consultation between the officers of the society, their defense was put on a different ground, and a gentleman was commissioned to say that the trumpet accompaniment was the difficult to reach. The audience and Mr. Anschutz returned to the scene of the evening triumphs, the audience behaved itself, and the performance proceeded successfully to its close.

CONGRESS.

WASHINGTON, April 6.

In the *Senate*, after the regular morning business, Mr Stuart, of Michigan, rose to a question of privilegd. He learned that the decision of the Senate on Friday last, in refusing to concur with the Kansas bill of the House of Representatives, had not yet been communicated to the latter body, and on inquiry of the Secretary he had further learned that the matter was held in suspense at the will of a Senator from Louisiana, (Mr. Slidell) on the plea that he might wish to move for a reconsideration of the vote by which the Senate had reached its decision on that day. No such motion to reconsider having been made by Mr. Slidell, it seemed to him (Mr. Stuart) that the public business was improperly obstructed in the premises, and he therefore moved that the Secretary be directed forthwith to execute the order of the Senate.

Mr. Slidell stated that for reasons satisfactory to himself he had filed an application with the Secretary asking that he should hold the resolution adopted by the Senate Friday last subject to a motion for reconsideration during the three days authorized by a rule of the Senate. In making this request he did not assert a right which he understood to belong to any Senator.

Mr. Stuart contested this right under the construction given to it by Mr. Slidell, and argued to show that in the present case it was an abuse of the legitimate practice of the public business, since he (Mr. Slidell) had failed to avail himself of the privilege in whose name this alleged right was asserted. He had had the opportunity to move for a reconsideration yesterday, and had it now, but omitted to improve it. It seemed, therefore, that the Senator from Louisiana was arbitrarily exercising a control over the Senate's proceedings which was not admissible on considerations of right.

Mr. Bayard defended the right of Mr. Slidell to make the application in question, which he thought was in conformity with the rules of the Senate, and, in the present case, could work no injury, as there was no necessity for exercising a control over the Senate's proceedings which was not admissible on considerations of right.

Mr. Bayard defended the right of Mr. Slidell to make the application in question, which he thought was in conformity with the rules of the Senate, and, in the present case, could work no injury, as there was no necessity for exercising a control over the Senate's proceedings which was not admissible on considerations of right.

Mr. Douglas could not concede the claim of Mr. Slidell on any principle of right, as it did not appear that there was any limitation actually to exercise it for the purpose of moving a reconsideration.

Mr. Fitzpatrick, as Vice President *pro tem.*, announced that he was responsible for the delay of the Secretary in transmitting the decision of the Senate upon the Kansas bill. He had learned that a Senator was entitled, by usage, as well as right, to the privilege claimed by Mr. Slidell, and he had therefore directed the Secretary to remain the order of the Senate subject for three days to the motion of the Senator.

After further remarks by Messrs. Bright, Crittenden, Seward, Hale, and others, the whole subject was laid over for the consideration of the Minnesota bill, which was next taken up.

Mr. Pugh and Mr. Douglas made personal explanations as to their respective zeal in pressing the claims of Minnesota for an early admission into the Union.

Mr. Seward, in brief argument, replied his objections to the Constitution of Minnesota—objections which he founded on the recognition of alien suffrage, and which were in his judgment so weighty that he should be constrained to vote against the admission under that instrument. He regarded those provisions in favor of alien suffrage as violative of the Constitution of the United States, and as tending to the rights and interests of the South—tending as they do to destroy the equilibrium between that section and the North. He quoted copiously from a speech delivered by Mr. Calhoun in support of his positions.

Mr. Johnson, of Tennessee, thought Mr. Kennedy's exceptions on this head were not well taken. He (Mr. Johnson) stated his views respecting the right of suffrage would prove subversive of all State sovereignty. It was for the States alone to pronounce who should exercise the right of suffrage within their limits.

Without coming to any vote upon the bill, the Senate adjourned for an hour o'clock.

In the *House of Representatives* the Deficiency bill was discussed, in Committee of the Whole throughout the sitting, of four hours and a half. The bill was defended by Messrs. Phelps, of Missouri, Underwood, of Kentucky, Letcher, of Ohio, Houston, of Alabama, and Davidson, of Louisiana; and opposed by Messrs. Jones, of Tennessee, Grow, of Pennsylvania, Houston, of Alabama, Sherman, of Ohio, Bocock, of Virginia, Mason, of Kentucky, Seward, of Georgia, Burnett, of Kentucky, Taylor, of Louisiana, and Tappan, of New Hampshire.

Just previous to the adjournment, Mr. Letcher, of Ohio, introduced a substitute for the bill reported by Mr. Goode, from the Committee on the District of Columbia, establishing an Auxiliary Guard in this city, which was ordered to be printed, and referred to the Committee of the Whole. The chief point of difference between the bill and the substitute is that the latter appoints three Police Commissioners—Messrs. Charles Lenox, John A. Linton and Richard Wallach are named—who are to appoint and manage the Guard, receiving therefor $2000 each per annum; the Commissioners to hold office two years, and to be elected by joint resolution of Congress.

The general debate on the Deficiency bill having been closed, that bill will probably be disposed of to-day, when the bill to establish the Auxiliary Guard will become the special order.

CHEVASSES.

We copy the following paragraph from the Plaquemines *Pilot*, a new journal just issued by Mr. MARCHAND:

The river has again commenced to rise rapidly, and is at this time nearly level with the top of our highest levees.

The planters living on the residing near the river should redouble their vigilance to avoid the dangers of an overflow which would destroy the labor of many years. Heretofore we have not put them in good order by doing so you may prevent the most serious calamity.

Already the old Mississippi has broken through its bounds in many places in our parish. The plantations of Mr. F. W. Hagley and T. L. Huff are completely abandoned to the destructive element. A short time ago these two plantations were in a high state of cultivation, but at present there is the appearance of immense lakes, and extend to the bays and swamps formed by the Gulf of Mexico. The lower line of Mr. James Brophy's plantation, on the left bank of the river, is the terminus for travelers by land; and below that point nothing is seen but a picture of desolation and waste. We are informed that the levees on the estate of McDonogh has also caved in, and the barbarous waters of the Mississippi have taken sovereign possession of the place. What are the prospects of our planters, at a season so late in the season, when all these disasters increase? Is this indifference or apathy to be misnamed vigilance, or be attributed to the mismanagement of our parochial authorities?

ABORTIVE CHEVASSE.—If we are correctly informed, it was an attempt made on the estate of Mr. Bardenne's plantation, in the neighborhood of the parish of St. Bernard. If such is the case, it is impossible to calculate the damages it will do. At this place the current is very strong, and the quantity of water which will pass will be immense. This is a serious misfortune for the part of our parish, as the fortune of some of our most wealthy planters will be jeopardized by it.

PUBLIC HEALTH.—The general health of the parish is good however. Some cases of small-pox are said to exist, but nothing serious is apprehended from it, as it could be easily prevented by the employment of vaccination.

TELEGRAPHIC ITEMS.

Destructive Fires.

A WHOLE FAMILY BURNED TO DEATH IN LERAY, JEFFERSON COUNTY, NEW YORK.—Watertown, April 6.—A fire occurred in the town of Leray, N. Y., on Sunday night, destroying the dwelling of Daniel Comstock. Mr. Comstock, his wife and four little children perished in the flames. The names of the children are Mary, Maria, Salome and Cora, all under ten years of age, and a member of the Washington bar. The case was investigated by Justice Goddard, and the two brothers were by him committed to jail for further examination.

BURNING OF A PROPELLER FOREST CITY.—Port Stanley, C. W., April 6.—The propeller *Forest City* was burned here last night. It is supposed she was set on fire by an incendiary. She was insured only a few days ago.

A REMARKABLE CASE.—We have heretofore noticed the case of Hansford Daniel, of Roanoke county, Virginia, who was convicted of an outrage upon his own daughter, chiefly on her testimony, but was afterwards granted a new trial and adjudged the girl and her mother having acknowledged that they swore falsely. A correspondent of the Lynchburg *Courier* says:

It is said that the joy of the innocent man was almost beyond bounds when he was released. He mourned and shed tears for his persecutors, and jumped and shouted, and clapped his hands for joy that he had escaped the thunders of a punishment which would have fallen so heavily on the innocent—Verily, it is better that ninety-nine who we believe to be guilty should escape than one innocent man to be punished. This plot originated with the mother, and was agreed to by the child, so that they might get the old man out of the way when they proposed taking up with two animals in the form, but lacking the morals of men.

GOVERNOR'S ELECTION.—Hartford, April 5. We have returns from all but seventeen towns in the State. The Republicans have gained one hundred and thirty-three representatives, and the Democrats seventy-eight. The Senate will be Republican with some sixteen Republicans to one Democrat.

The vote for Governor is in all but seventeen towns give Buckingham, the Republican candidate for Governor, a plurality of 3100;

By Telegraph.

[TRANSMITTED TO THE NEW ORLEANS BEE.]

LIVERPOOL MARKETS.

LIVERPOOL, March 31.—Western Canal Flour 24s. to 32s. Wheat very dull—prices nominal. Corn—all descriptions offered at 38s. 6d. to 34s. Beef and Bacon dull. Pork, 70s. Lard, 55s. Tallow, 1d. lower. Sugar and Rice dull.

LATEST.

LONDON, March 31.—The stock exchange is dull. Funds closed ½ lower. It is considered that the opposition to the India bill will imperil the Cabinet. The aspect of politics is France exc ites daily discussion in the discount markets.

ENGLAND.

Parliament had adjourned over for the Easter holidays.

INDIA.

The trial of the King of Delhi was pending.

CHINA.

Martial law had been proclaimed at Canton.

Commissioner Reed was going to Manalla to await the conference of the four Powers at Shanghai.

Admiral Seymour was at Shanghai; the Minnesota was in Canton river.

FRANCE.

It is contradicted that Persigny will become the heir of Napoleon's Cabinet.

It is rumored that Napoleon will again visit Victoria at Osborne.

SPAIN.

The report that the Spanish government had introduced a project to abolish slavery is false.

AUSTRALIA.

Advices from Australia state that the markets are depressed.

$300,000 in gold had been sent to England since the last mail.

CONGRESSIONAL.

WASHINGTON, April 13.—The Senate adopted Mr Green's motion to appoint a committee of conference on Kansas—yeas 30, nays 24.

The committee consists of Messrs Green, Hunter and Seward.

Mr. Wilson's bill to provide for a telegraph for the army of Utah, is postponed till next December, by 28 to 17.

The House discussed the Washington Police bill.

FOR UTAH.

St Louis, 13th—The St Louis Herald's correspondent of the Republican says that Russell, Majors, and Waddell have received orders to start one hundred and two wagon-loads of wagons each.

A company of sappers and miners from West Point had reached Fort Leavenworth. Col. Hoffman's command had passed Fort Kearney and was rapidly pushing onward.

MARKETS.

NEW YORK, April 13—Cotton closed quiet. Flour heavy. Wheat firm. White Ohio 72 to 74, yellow 73½ to 74c. Bacon—Hams 9 to 10½c; Shoulders 5½ to 5¾c. Mess Pork $17 50 to $17 55. Sugar quiet. Coffee 10 to 11½. Iron $25 to $26.

ST. LOUIS, 12—Flour $4 25. Wheat—red 80 to 90 c. white, 90 to $1. Corn, 46 Oats, 40 to 42c. Hemp, $72 to $90. Tobacco, $4 00 to $ 50 for lugs, and $6 00 for leaf.

CINCINNATI, 12—Flour, $3 55 to $3 65. Whisky 16 1-2. Provisions buoyant. Bulk meats, Shoulders 5 1-2. Middles 6 1-2. Bacon sides and shoulders 6 3-4; Sides 8 1-2. Mess pork, entire at $16 75 to $17. Lard 10c. Linseed, oil 65c. Bacon sides, 9 3-8.

RIVER NEWS

St Louis, 13.—The river rises nine feet since Saturday morning, twenty-eight inches of the rise being within the last 24 hours. It is still rising rapidly. The Missouri shows to rise in the channel to Western.

The Upper Mississippi is rising, and we have news of a rise in all the principal upper streams.

LOUISVILLE, 13.—The river is rising. There is already water enough on the falls for large boats.

WEATHER AT 9 A. M. APRIL 13th.

LOUISVILLE—Cloudy; Southwest, 58.

NASHVILLE—Cloudy; 67.

HARRIS—Cloudy; 48.

TOWANDA—Cloudy, showery; Southwest, 48.

STEAMBOATS PASSING.

CINCINNATI, 12—The Silver Tellow and the Natchez passed down at 2, the Belle of Lee and the City of Memphis at 6 P. M.

SUPREME COURT DECISIONS.—The following decisions were rendered by the Supreme Court last Monday:

No. 3281. Lewis & Clauss, appellees vs. Thomas and John Ridge. Appeal from the Sixth District Court of New Orleans. Judgment affirmed, with costs. Buchanan, J.

No. 3738. Giuseppe Musaich, appellee, vs. Capt. D. Bullard and others, claimants of the ship "Black Warrior." This is an action to recover the value of a fishing smack, or lugger, which came into collision with the "Black Warrior" as the latter was coming down the river on the night of the 17th of April, 1855, and is alleged to have been sunk. Appeal from the Fifth District Court of New Orleans. Judgment reversed, and plaintiff in error to pay the costs of both Courts. Cole, J.

No. 3399. State of Louisiana, appellee, vs. Frank Brown et als. Appeal from the Third Judicial District Court, Jefferson. Judgment affirmed. Spofford, J.

No. 3281. Atlantic Mutual Insurance Company, appellee, vs. George L. Brown. Appeal from the Fourth District Court of New Orleans. Judgment reversed, and it is ordered that plaintiff pay costs of both Courts. Merrick, C.J.

No. 3536. Nathan Mardis et als. vs. heirs of Sarah A. Mardis et als. The evidence proves that Sarah Ann Mardis was the concubine, and not the wife of William Mardis, and the testamentary dispositions of the latter in her favor are therefore void, under article 1468 of the Civil Code. Appeal from the Tenth District Court of Tensas. Judgment reversed. Buchanan, J.

No. 3445. Succession of Dunoan and Mary A. Shaw—D. Shaw, appellee, vs. Elizabeth Seymour. Appeal from the Second District Court of New Orleans. Judgment affirmed. Merrick, C. J.

No. 3256. City of New Orleans, appellee, vs. Francis Fernandez. Appeal from the Second District Court of New Orleans. Ordered that appeal be dismissed at cost of the appellant. Merrick, C. J.

No. 4699. E. R. Kimball et als., owners of steamboat "Columbus," appellees, vs. G. W. Shaw & Co. Appeal from the Third District Court of New Orleans. Judgment affirmed. Merrick, C. J.

No. 3123. Shannon & Moffett, appellants, vs. D. E. Elmore. Appeal from the Second District Court of New Orleans. Judgment affirmed. Merrick, C. J.

No. 3413. Mrs. Ann Riley, appellee, vs. William Christie. Appeal from the Third District Court of New Orleans. Judgment affirmed. Spofford, J.

No. 3445. Dauphine, f. w. c., appellee, vs. Mrs. Guillet et als. This case was formerly before the Supreme Court, and was remanded for a new trial. Upon the new trial there was a verdict that the plaintiff was not entitled to her freedom as soon as practicable and a judgment was rendered on the 15th of February, 1857, ordering the defendants to properly attempt to emancipate said plaintiff under the laws of this State, as expensive appeal was taken by the defendants. Since the rendering of the judgment the Legislature has passed an act prohibiting the emancipation of slaves within this State, the former opinion of this Court declared that plaintiff was not free, but under the will had a right to her freedom as soon as she should allow that it has been paid to her master. In consequence of the act of the Legislature it has been become impossible to affirm a decree ordering such emancipation. The judgment of the Second Judicial Court of New Orleans is therefore reversed. Spofford, J.

No. 3282. City of New Orleans, appellee, vs. J. A. Heard. Appeal from the Fifth District Court of New Orleans. Ordered that the appeal be dismissed at the costs of the appellant's succession. Merrick, C. J.

No. 3137. Harrison & Co., appellees, vs. W. W. Mitchell, Benj. Coe Howard for Edward A. Hall. Appeal from the Fifth District Court of New Orleans. Judgment reversed. Cole, J.

No. 3390. M. Savage, appellee, vs. John T. Jeter. Appeal from the Fourth District Court of New Orleans. Judgment affirmed, with costs. Cole, J.

No. 3555. Succession of Thomas McCrindell—Peters, Millard & Co. et als., appellants, vs. Mrs. Harriet M. McCrindell, administratrix. Appeal from the Seventh Judicial District Court of New Orleans. Ordered that appeal be dismissed, with costs. Cole, J.

No. 3652. The State of Louisiana, appellee, vs. J. H. H. Crary and his sureties. The sureties in this case appeal from a judgment against them on a bond of J. H. H. Crary, who failed to appear for trial on a charge of murder before the Seventh District Court of East Feliciana, appeal from the judgment of forfeiture. Judgment of said District Court affirmed. Spofford, J.

No. 3413. P. B. O'Brien, appellant, vs. Madame de Pontalba. Appeal from the Fourth District Court of New Orleans. Judgment reversed, and the plaintiff pay costs of both Courts. Merrick, C.J.

No. 3152. Victor Hebert & Co., appellants, vs. Pierre Pouit. Appeal from the Fifth District Court of New Orleans. Judgment affirmed. Buchanan, J.

No. 3582. Succession of Mary Bogel—D. P. Kenner, appellee, vs. P. M. Tourné, curator. Appeal from the Second District Court of New Orleans. Judgment reversed. Buchanan, J.

No. 3656. Crevy & Farwell, appellees, vs. master and owners of schooner Tunnell. Appeal from the Sixth District Court of New Orleans. Judgment affirmed. Motion to dismiss appeal dismissed. Buchanan, J.

No. 3433. Charles Van Wyck, appellant, vs. Mrs. Myra Clark Gaines. Appeal from the Fourth District Court of New Orleans. Judgment affirmed. Spofford, J.

No. 3163. James Kennedy, appellee, vs. City of New Orleans. Appeal from the Fourth Judicial District Court of New Orleans. Judgment partly reversed and affirmed.

No. 4090. Greenway Brother & Co., appellants, vs. Moline, Coffman & Co. Appeal from the Sixth District Court of New Orleans. Judgment affirmed. Merrick, C. J.

No. 3597. John E. Smith, tutor, et als., appellants, vs. Mrs. M. Nettles, administratrix, et als. Appeal from the Eighth District Court of St. Helena. Judgment affirmed, with costs. Cole, J.

No. 3605. Felip Huff, appellant, vs. Sarah A. Freeman. Appeal from the Seventh District Court of East Feliciana. Judgment reversed. Spofford, J.

No. 3400. State of Louisiana, appellee, vs. Julius Schmidt and Mrs. Agerta Schmidt et al. Appeal from the Third Judicial District Court of Jefferson. Judgment affirmed. Spofford, J.

No. 3417. Succession of Marcellin Fulse—Rosemond Champagne, administrator, vs. Pierre Folse et als. Appeal from the Third District Court of St. Charles. Judgment affirmed. Spofford, J.

No. 3427. Succession of Marcellin Fulse—Rosemond Champagne, administrator, vs. Pierre Folse et als. Appeal from the Third District Court of St. Charles. Judgment affirmed. Spofford, J.

No. 3623. John W. Kool, appellant, vs. Morgan Davis et als. Appeal from the Eighth District Court of St. Helena. Judgment affirmed, with costs. Buchanan, J.

EIGHTY THOUSAND DOLLARS' WORTH OF BOOKS DESTROYED.—About one o'clock on Saturday morning fire was discovered issuing from the second story of a two-story double dwelling-house situated near the printing establishment of H. O. Houghton & Co., at Riverside, Cambridgeport, Massachusetts, owned by Messrs. Little, Brown & Co., and occupied by them as a warehouse for the storage of printed sheet stock, books and stereotype plates. The building and contents were well drenched before the flames could be subdued. The building contained property to the value of about $100,000, and of such a character that the damage by smoke, water and smoke, was very great, much greater than by the fire itself. The loss is estimated at from $60,000 to $80,000. Most of the sheets and of the books were those of the Riverside Edition of the Poets, and the property was insured in Boston, English, and country offices by policies amounting to $75,000.

MESSAGE.

MAYORALTY OF NEW ORLEANS,
CITY HALL, April 12th, 1858.

To the Common Council:

Gentlemen—The Legislature of Louisiana, on the last day of the recent session, passed an act entitled "An act to authorize the Governors of the States of Louisiana and Mississippi to vote at all meetings of stockholders of the New Orleans, Jackson and Great Northern Railroad Company, upon the shares of stock in said company held by said States," which act was approved by the Governor on the same day, March 18th, 1858.

This act provides that the States of Louisiana and Mississippi shall be entitled to vote at all meetings of stockholders of the New Orleans, Jackson and Great Northern Railroad Company, and at all elections for directors, upon the number of shares of said company respectively held by each; and the Governor of the State of Mississippi and the Governor of the State of Louisiana shall cast the votes of their respective States in person or by proxy, as he shall prefer.

And it further provides, in its second section, that at the election to be held for the acceptance or rejection of the said act, the Governor of Louisiana aforesaid shall cast the vote of this State, in person or by proxy, if the City of New Orleans, in person or by proxy, shall cast the vote of the said city.

The duty imposed upon me to vote on the question of the acceptance or rejection by the stockholders of this act involves considerations in which I found much embarrassment, and which necessarily required that I should, before exercising the limited franchise granted to the Mayor, inform myself fully as to my duty in view of the best interests of my constituents, and of a desire to promote the welfare and prosperity not only of the railroad company, but also of the inhabitants and tax-payers of New Orleans, and without reference to private considerations, the peculiar interests or ambitious views of individuals, and totally regardless of the vain threats and insinuations which have been with so much freedom made for the purpose of influencing my conscientious convictions.

The results of my deliberations and examination of the entire subject have been, as you are already aware, in casting the vote of the city of New Orleans, at the election held on the 10th instant, against the acceptance of the act in question.

I now propose—in order that the Common Council and the public may be informed—to submit to you, and through you to my constituents, my reasons for thus casting the vote of the city of New Orleans; and before proceeding to do so it is necessary to state that one of the avowed objects aimed at in the passage of the act was that if the act were accepted by the stockholders, then, through the exercise of the power given to the Governor of Louisiana and the denial of the same rights to the City of New Orleans, a Board of Directors would, at the approaching election, be elected, whose fixed and determined policy would be to stop the further prosecution of the road at Canton, making that town the terminus of the New Orleans, Jackson and Great Northern Railroad; and that this determination presented to my mind considerations of vast magnitude, and of the gravest nature, tending to destroy the best interests of the city of New Orleans and of the State of Louisiana.

In a communication like this it will not be expected, and it would be foreign to my objects, that I should attempt to discuss the advantages of any proposed route for the road. I shall only assert that the route laid down upon the maps of the company, from New Orleans to Jackson, through Canton and Aberdeen, in the State of Mississippi, to the Tennessee river, was adopted and determined upon when the acts of the several Legislatures were passed, when the subscriptions were made to the stock, and when the citizens contributed by Mississippi were paid over to the company.

It will be seen by the annexed correspondence between myself and the Governor of Mississippi, that the route laid down is the ground, that it is contemplated by those in favor of stopping the work accordingly, to prosecute it in the interests of the road, and the seven million of dollars, and that it is not contemplated to involve the company to the extent of a single dollar beyond the means it may contribute after the payment of the current expenses, the payment of the interest on debt, the matured and maturing obligations, the expense of repairs, etc.; that the people and State of Mississippi do not expect, and do not desire that Canton, or from the city, any more money than can be legitimately, in view of these other claims upon the treasury, appropriated to aid of the construction of the road beyond Canton. They intend and will build the road from the means to be obtained from the State and from private aid, which will, I am assured, flow in the moment it is established that the road will be begun and carried beyond North of Canton as the means of the company will admit.

Then, if the revenues of the company, derived from the road as it now exists in its present condition, and the revenues from the channels already named, and if the road can be extended to the Tennessee river without any further contribution to that end beyond what will be made without aid from those other interests, why should it not be done? Will it be pretended that a road four hundred miles long will not be of vastly greater importance to the commerce, wealth and prosperity of New Orleans than one two hundred miles long? particularly when it is considered that part of the road yet remaining to be completed beyond Canton is the portion which will be the most easily and cheaply constructed, and that the portion already built is the most difficult and costly? Is it pretended that the portion yet remaining to be completed beyond Canton, to the Tennessee river, is not of the highest importance to the City of New Orleans? Is it pretended that the portion already built, and the portion yet to be completed, are