# The New Orleans Bee.

NEW ORLEANS, SATURDAY MORNING, FEBRUARY 16, 1856. XVII—NEW SERIES. VOL. XXIX—WHOLE NO 8070.

OFFICE 88 CHARTRES ST.


## THE DAILY BEE.

Subscriptions by the Week.

The carriers of the Bee are authorized to receive subscriptions by the week, at the rate of 36 cts.

*SATURDAY MORNING, FEB.* 16, 1856.

THE NORTHERN MAIL failed again yesterday, bringing nothing beyond Washington.

### REPORT OF THE ATTORNEY-GENERAL.

The report of Hon. I. E. Moses contains some very judicious suggestions. He noticed the removal of many absurd and ridiculous legal technicalities which had impeded, and frequently defeated the ends of justice, but at the same time he complains that many more, equally serious, have been permitted to remain uncorrected. He alludes particularly to the strictness of construction of the criminal laws, which, though originally intended for the protection of the accused, operates to his serious disadvantage.

The law allows a prisoner to waive a trial by pleading guilty, but forbids him to consent to a temporary separation of the jury, under any plea whatever, or to be tried with his own consent, by eleven, or a less number of jurors, in case of the death or sickness of one of them. It is argued by the Attorney-General that such provisions frequently retard the administration of justice, compel the continued incarceration of the accused, and deprives him of the testimony of witnesses—that they constitute an evil requiring speedy reform. The report urges the necessity of throwing proper guards around the right of the prisoner to waive any of the formalities, but insists that the right itself should be granted.

Another subject treated by the report is the ungainsity required in the verdict of the jury. The great increase of suits in some measure attributable to this cause, not the necessity of absolute accuracy of guilt in criminal cases may justify the severity of the law, but private cases, upon no like ground. The separation of twenty-five jurors, observation and guarding has doubtless not that it is an absurdity, and any recognition for it is unjust. It is said that in England there is no greater than for many of the absurd rules of the common law, as the trial by battle, or the indictment of a man for stealing a hog and his wife. What sense or reason is there in requiring, in a case involving many intricate accounts, the jury to be kept from every man in the world, or should, after the inability of his counsel, declare the guilt in his belief (if the plaintiff be defendant) or the justice of it must be suppressed, because [illegible] cannot agree upon the case? This absurdity, stupidity, or, it may be, corruption of a single man, will and does daily defeat the most just and equitable claim imaginable. If it be true in law as in morals, that justice delayed is justice denied, a mistrial, from any of the causes mentioned above, always works great injury to the plaintiff, who, as a general rule, may be assumed to have some good ground of action."

True to the letter, and so splendidly does it work, that in nine out of ten civil cases in New Orleans, the parties waive the trial by jury. It would therefore be well to enact a law providing that the finding of three-fourths or two-thirds shall be conclusive.

In many cases the jury have been unable to find a verdict of murder or manslaughter, but would have willingly found a verdict of damages for the heirs of the deceased, had they been so empowered. It is suggested that a civil remedy should be allowed in such cases. The following law, in connection with this part of the subject, is recommended:

"That in case of the death of a person by any wrongful neglect or default of another, the person who would have been liable to an action for damages if death had not ensued, shall be liable, notwithstanding the death of the person injured, to an action for the damages caused under such circumstances as amount in law to felony (or not); the damages to lie for the benefit of the wife, husband, parent and child of the person killed, and in such cases the jury may give such damages as they may think proportioned to the injury resulting from such death to the parties respectively for whose use such action shall be brought."

### MEXICO.

ARRIVAL OF THE TEXAS.

The steamship *Texas*, FORBES master, arrived yesterday morning from Vera Cruz, which she left on the 11th inst. She brings a few passengers and $49,217 in specie on consignment.

By this arrival we have received files of Vera Cruz papers to the 9th inst., and a short letter from our correspondent at the capital, which we subjoin:

Our Mexican Correspondence.

MEXICO Feb 5th 1856

MESSRS. EDITORS: I have just been informed that in order to prevent any interruption of the correspondence from Mexico, to be forwarded via Tampico, and to preclude the possibility of falling into the hands of Habet Tamaul it will be sent off to day under the care of the English legation. That is a prudent and judicious measure, except that in place of leaving it at Matamoras it should be forwarded to Monterey, 6 P. M. as formerly. An unforeseen circumstance which will compel me to suppress various details respecting the condition of affairs, which I was desirous of bringing before your readers.

However after all I would not have much to say You will perceive by the papers, that Haro has entered Puebla, after a sort of capitulation which we do not exactly comprehend here, and that the only supporters he numbers are certain unprincipled partizans, officers of the army, who would sell the cause of what in other countries is known as honor and consistency

You will likewise see that Gen. GRILLADE has captured the headquarters of Gen. URREA in Sierra Gorda, and that the major part of the troops of the rebel leader have passed over to the government. It is probable that URREA himself has joined Haro at Puebla

The President, Comonfort, has sent against Haro, who has since declared himself at Puebla, a body of 4000 troops, consisting of the Zelooga brigade, the grenadiers and soldiers of the South Before starting they fraternized with the national guard, and made many protestations of fidelity Nevertheless, it is feared that they unite with the insurgents, for in the great struggle going on between the army and the people, large number of soldiers believing their interests involved, consider themselves warranted in making common cause with the rebels Already alarming reports are in circulation, and though they may be premature, they are likely to be true in the end.

Should the brigade Zaloaga and the other troops remain faithful, the insurrection will be put down, as GRILLADE and his men will shortly return, and the government will be in possession of ample power to crush rebellion. In the meanwhile the friends of order are throwing up barricades even in the most central streets, as if they anticipated intestine strife.

* * * * * *

The capitulation referred to by our correspondent took place on the 24th ult., the garrison withdrawing to the Capital. The papers say that HARO's forces do not exceed 2,400 men, and that he will be shortly compelled to evacuate the city, as the [illegible] against him exceed his in numbers, and are picked men.

Gen. GRILLADE furnishes a detailed account, with genuine Mexican circumlocution, of the capture of URREA's headquarters at Tolimau. The affair seems to have been almost bloodless, not more than a dozen soldiers having been killed and wounded on both sides.

The remains of Gen. ARISTA are to be transported from Lisbon, and interred at Mexico with the highest civil and military honors.

Funeral monuments are to be erected at Churubusco and Molino del Rey, in memory of the gallant defenders of those places.

At the last accounts Gen. GRILLADE had resumed Queretaro, on his way to the capital, and reports that all the leading citizens of Minas, Gordas had given in their adhesion to the government, and sat to be employed against the insurgents of Puebla.

CORRESPONDENCE BETWEEN FOREIGN POWERS.—A number of our leading citizens have expressed a desire to tender a complimentary benefit to this excellent vocalist. We concur entirely in the sentiment. Miss PARSONS richly merits such a testimonial of public esteem. She has been identified in her exertions to please, has exhibited the utmost affability and kindness, and has made the population of our city as far superior in musical appreciation to that of any other in the United States. She deserves a benefit for the good sense and discrimination.

HARDEMAN'S DIORAMA.—*Afternoon Exhibition.*—An excellent opportunity to gratify the juveniles will be afforded to-day at half-past one o'clock, when a representation of Hamilton's magnificent Dioramic Panorama will take place at Armory Hall. Go early, if you wish to secure good seats.

LYCEUM LECTURE.—The first lecture of Dr. GOULD on the "Theory of Perpetuities" was a most captivating one, and drew the greatest collection to the auditorium that has been present at the Lyceum Hall. We are happy to state that the learned Professor and many gentlemen of this city will deliver a course of fifteen to twenty lectures on Astronomy, the Natural Sciences, and other subjects, on Tuesday and Thursday evenings, commencing next week 19 February and March. These lectures will be highly interesting and will contribute to disseminate among us a general knowledge of sciences and a proper taste for learned recreation.

CAL. WEBB'S MENAGERIE.—After to-day the Colonel desires us with his Menagerie of Wonders. We commend him and his curiosities to our brethren of the press every where.—He has certainly one of the rarest and most novel collections to be witnessed anywhere.

## By Telegraph.

*Transmitted to the New Orleans Bee.*

[By the National Line.]

LOUISIANA LEGISLATURE.

BATON ROUGE, Feb. 15.—*Senate.*—The minority of the Special Committee on Elections made a long report to-day, which was ordered to be printed.

*House.*—The Committee on contested seats of Messrs. Shields and Brice report unanimously in favor of the contestants.

In the case of Hatch vs. Strickland, of the parish of St. Helena, the Committee declares the seat vacant, and recommends a new election.

The reports were laid over for future action.

The address for the removal of Huffy came up for a second reading, and was ordered to be engrossed for a final reading to-morrow.

A long and able debate sprung up between members Messrs. Eustis, Brice and Alexander spoke against the address and the removal, and Messrs. Hamilton, Verbridge and Semmes for it.

There was a very large crowd, including many ladies, gathered in the House during the debate, and considerable feeling was apparent.

The address, it is thought, will pass the House to-morrow.

Dr. Bard has been invited, by a concurrent resolution of both Houses, to address the joint session of the Legislature at the earliest convenience.

THE RIVERS AND THE WEATHER.

LOUISVILLE, Feb. 14th.—The weather continues to moderate, and the river has commenced rising slowly.

CAIRO, Feb. 15.— The Mississippi is still closed above here. The Ohio remains open as high up as Smithland. The weather is moderately.

ST. LOUIS, Feb. 15.—The weather is warm, with indications of a gradual thaw.

The Missouri and Illinois are still closed. as well as the Mississippi.

Preparations are being made here to blow the ice out of our harbor with gunpowder.

CINCINNATI, Feb. 15.—The weather is warmer, and thawing hopes are again entertained of a general thaw.

MARKETS.

NEW YORK, Feb. 14.—Flour is lower. State 6f 6@ Southern 8@ 35. Sterling Exchange 9 a 9¼.

CINCINNATI, Feb. 15.—Flour unchanged.—Mess Pork $14; Whisky 22; Sugar 8¼ a 9¾; Coffee 13¢; Molasses 41 a 42.

[By the Southern Line.]

FROM WASHINGTON.

WASHINGTON, Feb. 14.—To-day the Senate discussed the proceedings of the Naval Board. The House referred the President's message in relation to Kansas affairs, to a Committee of the Whole.

WASHINGTON, Feb. 14.—In the House, the seats of Whitfield, delegate from Kansas; Allen, from Illinois; Gallegos, from New Mexico; and Eustis, from Louisiana, are contested.

The Legislature of Maryland have elected Anthony Kennedy U. S. Senator.

NEW ORLEANS, Feb. 15.—The *St. Louis* sailed to-day, taking out $1,000,000 in specie.

A treaty of amity and commerce has been concluded between the United States and Chili.

RIVER INTELLIGENCE.

VICKSBURG, Feb. 15.—The *Sultana* passed down at midnight, and the *Alcona* at 10 this morning.

Secretary MARCY still declines to recognize Parker H. French as the Nicaraguan Minister, basing his refusal upon the same grounds as formerly.

The latest dates from Hayti announce that the Emperor *Soulouque* was not dead. He was at Cape Haytian gathering a force, it was supposed, to protect him on his return to Port-au-Prince against the malcontents in the south. The latter had proclaimed Wardi, who was said to be in the field at the head of 15,000 men. A couple of fine battles were reported to have been fought, in which Wardi was defeated. Soulouque in person, in celebration of Haytian's beautiful anniversary of the Haytian War, by release from the prison of a Frenchman with whom he was charged with complicity in a conspiracy to overthrow him. The Frenchman will also be a day exhibited this afternoon.

At Vansouhth's Museum, No. 119 St. Charles, a fine collection of wax figures, consecutive and disserving views are on exhibition, and there will also be introduced by Mons. Jacobs, the celebrated ventriloquist, a few days longer. The wonderful Fat Baby is still at this establishment.

This is the last week of the exhibition of Colonel Wood's Museum, No. 13 St. Charles street. Those who have not seen the elephant, human curiosities or exhibition here should not neglect to embrace this last opportunity.

Smith's Circus is still holding forth at the corner of Barracks and Conde streets.

The Grand opera of the Jewess, by Halevy, will be performed at the New Orleans to-night, with a strong cast. There will undoubtedly be a large attendance to witness the performance of this opera.

GRAND CONCERT BY PARODI.—*The Benefit of the Fourth District Orphans' Home.*—M'lle Parodi has consented to give, to-night, at Odd Fellows' Hall in count of building the Asylum. The concert will be devoted to the benefit of the Orphans' Home of the Fourth District. M'lle Parodi will sing several of her best pieces, and will be assisted by Mr. J. Mims, Sarakauch and Sig. Leonardi. The noble conduct of the artist will, we have no doubt, call a fleeting response to her call. If so, Odd Fellows' Hall will to-night be crowded.

THE COUNCIL.

BOARD OF ASSISTANT ALDERMEN.—There was a meeting of this body last evening for the purpose of electing a successor to the late Clerk.

Mr. SMITH offered the following preamble and resolutions, which were adopted unanimously:

*Whereas*, the late Clerk of this Board has demonstrated the impracticability of the present city charter; and

*Whereas*, considering the experience of those who have had most to do with the administration of the municipal affairs of this city in times past, as well as those now in power, no representative of the people, this Board is of the opinion that the amendments to the present city charter, as heretofore proposed, will be both wise and practicable, and acceptable to the large mass of the people of the city of New Orleans; therefore

*Resolved*, That the delegation from the city of New Orleans in the Legislature of Louisiana, to whom the subject has been referred, be, and they are hereby respectfully requested to urge before that body the following amendments to the present city charter:

1. The abolition of the Police Board.

2. The investment of the Mayor with full power over the police force of the police of the city; increase his salary to five thousand dollars per annum; fix his term of office at four years, and make him ineligible for re-election.

3. The substitution, with prudent checks and restraints, of a Board of Assessors, with a view to the more equal distribution of their duties; reduction of their number to two; and the increase of their salary to $4,000 per annum.

4. The abolition of the city lying north of Canal street, and extending from the river to the lake; and one to be established in the city south of Canal street, and extending from the river to the lake.

5. Increased power to the city government for the more effectual improvement of the streets.

6. That the Mayor shall have power to close all places of business of whatever character, with a view to the more equal distribution of their duties; reduction of their number to two; and the increase of their salary to $4,000 per annum.

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