The New-Orleans Bee.

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TERMS OF THE BEE.

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The New-Orleans Daily Bee.

Friday Morning, Jan. 18, 1850.

MUNICIPAL TAXATION.

We have before us a copy of a memorial signed by a number of respectable citizens, and addressed to the Legislature, asking that body to pass such laws in the premises as will secure a proper administration of justice, and relieve the petitioners from ruinous and unlawful taxation by the municipalities of New Orleans.—The facts set forth by the memorial are as follows:

The unincorporated limits of the parish of Orleans, embrace an extensive space, considerably larger than that which is occupied by the city and its suburbs, as within these limits are to be seen sugar estates and farms, one of which has a front of nine miles on the Gentilly road, and is more than nine miles distant from any portion of the municipality, which is divided into streets and town lots. The Legislature, from a sense of justice towards the inhabitants of a part of the parish, which could derive no possible benefit from municipal ordinances, relative to light and protection of property, has at various periods passed laws exempting from taxation the real and personal property, situated and owned out of the limits of the incorporated part of the city and suburbs. The petitioners proceed to cite the decisions of the Supreme Court, under the old Constitution, in maintenance of this principle, and refer particularly to the ordinance passed by the Third Municipality, on the 24 April, 1845, abolishing the tax on rural estates and personal property therein held, and thereby conforming to the decisions of the judiciary, and the obvious necessity and propriety of the case.

It appears further, that on the 29th December the Council of the 3d Municipality revived this tax, and ordered suit to be instituted against the Ursuline nuns, who owned and held real estate and slaves within the rural limits as defided by the act of 1805, but without the limits of the city proper and incorporated suburbs. The suit was dismissed by an inferior court, but the municipality succeeded in obtaining a judgment in its favor before the Supreme Court. The memorial controverts this decision at some length, arguing that it was made in the teeth of the judgment of the late Supreme Court; that it utterly overlooks or misinterprets various enactments of the Legislature which specially exempt such property from municipal taxation; and that the decision is at war with justice and equity, inasmuch as the owners of rural property will be compelled, under it, to pay for the paved streets, police and gas-light of the city, while enjoying none of these conveniences, and will be necessarily forced to construct roads and highways at their own expense, to establish their own police, and to trust to themselves for the protection of their own domicils. The operation of the tax is illustrated by the remark that a plantation in the parish of St. Bernard, on the division line of the parish of Orleans, pays a parochial tax of one per thousand, while a plantation in the parish of Orleans, next adjoining it, pays, in lieu of a parochial, a municipal tax, amounting to twenty per thousand; or that a plantation in the parish of St. Bernard, within two or three miles from the city, pays no municipal tax; whereas a plantation fronting on the Chef Menteur river—a distance of twenty miles from the city, is made to pay a municipal tax of twenty per thousand.

The memorial examines the subject with great care, and reviews the decision of the Supreme Court with decided ability. We must say that it makes out a highly plausible case; so that if existing laws are unable to protect the holders of rural estates from the burdens imposed on urban property, we deem it a matter of justice that the Legislature should come promptly to their relief, by such specific enactments as will hereafter clearly exempt them from the compulsory payment of taxes from which they derive no correlative advantage whatsoever. It is an unsound and illiberal principle that compels the planter living 20 miles from the city, to contribute his quota for the comfort and protection of the people of New Orleans, simply because in consequence of the vast extent of our unincorporated limits he is regarded as a resident of the parish of Orleans. Impose on this class of citizens a parochial tax, but relieve them from Municipal taxations, which, in their case, is an absolute burden and a seemingly gross abuse.

CONGRESS.

In the SENATE, on the 9th, many memorials were presented from citizens of New York, Pennsylvania and other States, in favor of suspending diplomatic relations with Austria.

Mr. Seward offered the following resolution, which lies over:

Resolved, That the conduct of Austria and of Russia in the war in which those powers have subverted the nationality and the liberties of Hungary has been marked by injustice, oppression and barbarity, which justly deserves the condemnation of mankind, while they commend the Hungarian people to the sympathies of other nations, and especially of Republican States; and that the committee on the public lands be directed to inquire into and report on the propriety of setting apart a portion of the public domain to be granted free of all charges to the exiles of Hungary arrived, and hereafter to arrive, in the United States, as well as to the exiles flowing from oppression in other European countries.

Mr. Seward likewise submitted a bill to prevent the sale and farming out of public offices. Read twice and referred to the Committee on the Judiciary.

The election of a Chaplain being in order, the Senate proceeded to ballot. On the fifth vote the Rev. Mr. Slicer, of the Methodist Church, had thirty votes, and the Rev. Dr. Butler, Rector of Trinity church, Washington, thirty votes.

There being a tie, the question arose whether the Vice President had a right to vote.

Mr. Clay, Mr. Calhoun and Mr. Berrien gave the opinion that he had.

The Vice President voted for Dr. Butler, and he was declared duly elected.

The Senate went into executive session and soon after adjourned.

In the HOUSE the first business in order was the election of a clerk. Mr. C. H. Williams withdrew the name of Mr. Campbell as a candidate for clerk. Three more votes were taken, Messrs. Forney and Foote standing highest on the list. No choice having been effected, numerous propositions were made for postponing the election, for adopting the plurality rule, &c., &c. They were all rejected and the House adjourned.

NEW GERMAN WEEKLY PAPER.—We have received a copy of "*Der Zuschauerum Potomac*," (The Spectator on the Potomac,) a new English and German newspaper published in Washington, by Frederick Schmidt. It is devoted to the support of the present administration, and will undoubtedly prove an able and efficient advocate of Whig principles.

FINANCES OF KENTUCKY.—According to Governor Crittenden's message, the finances of the State, though the figures are small, are in good condition. Receipts for the past year, $ 658,530; expenditures, $447,620. Public debt, Nov. 1, 1849, $4,497,652. Stocks owned by the State, $1,270,500. The State owns, in addition to the debt above mentioned, $235,768 to the fund of education for common schools.—The sum annually applicable to common schools is about $150,000.

GOVERNOR OF MASSACHUSETTS.—The Hon. Geo. N. Briggs has been re-elected Governor of Massachusetts, and was so far qualified on Tuesday. In the House, Briggs, whig, received 197 votes; Phillips, free-soil, 63; and Boutwell, dem., 99. In the Senate, Briggs received 33, and Boutwell, 12 votes. All the remainder voting for the latter. The Hon. John Reed was chosen Lieut. Governor.

BY MAGNETIC TELEGRAPH.

[TRANSMITTED TO THE N. O. BEE.]

New York Cotton Market.

BALTIMORE, Jan. 15.

The New York Cotton market closed last night very firmly, at an advance under the Steamer's advices, of ¼c. @ ⅜. Sales were large. The quotation for Orleans Fair is 12¾ @ 13¾c. @ lb.

SECOND DESPATCH.

Further advance in Cotton at New York—Canada Arrived.

BALTIMORE, Monday Evening, Jan. 14.

Sales of Cotton at New York to-day, 3000 bales, ½c. to ⅝c. advance. Flour and Grain are also firmer since the steamer.

THIRD DESPATCH.

BALTIMORE, Tuesday Evening, Jan. 15 1850.

Cotton very active at New York to-day. Sales 4000 bales at ⅛ to ¼c advance. Fair Upland and New Orleans 13¼ to 13¾c. Ohio Flour $4 25. Corn 60 to 62c. Mess Pork $10 75; Prime $8 37½. Sugar firm. New Orleans Molasses 26½c. Rio Coffee 13¼c. Sterling 8 per cent premium. The steamer Canada is below.

FOURTH DESPATCH.

BALTIMORE, Wednesday Evening, Jan. 16.

A further advance in Cotton at New York to day. Sales, 5000 bales. Fair Upland and New Orleans 13¾c. Flour and Grain unchanged. Sales 1000 bbls. New Orleans Molasses 26½c. Sales 2000 bags Rio Coffee at 9¾c; 2000 bbls. Mess Pork at $10 50 to $10 75. The letters by the *Canada* are more favorable to Cotton.

Compliment to Mr. Fleming.

We take great pleasure in publishing the annexed correspondence, and trust that the intelligent and discriminating citizens will not suffer the occasion to pass without embracing the opportunity of listening to the 'admirable recitation of Mr. FLEMING:

NEW ORLEANS, Jan. 13, 1850.

MR. FLEMING—Dear Sir: We, the undersigned, being greatly pleased with the reading you gave on the 12th instant, of that very interesting drama of Shakspeare, "THE MERCHANT OF VENICE," in which, we think, you did full justice to that great Delineator of the Character of Man, of whom it has been well said that he "knew the human heart almost as well as if he had made it;" and believing that we could convey a truer knowledge of the writings of the Immortal Bard, or make a stronger impression on the mind, or is better calculated to increase a refined and literary taste in this community, than the one practiced by you of Public Readings, would respectfully request you to give a second reading of the Merchant of Venice, whenever your convenience will allow you, during your sojourn in the city.

We remain, with esteem, yours,

John W. Crockett,	N. R. Jennings,
Wm. L. Hodge,	J. Baldwin,
John Leeds,	E. Marcheron,
Thos. H. McCaleb,	S. F. Wilson,
Sam'l. J. Peters,	W. H Garland,
Peter Conrey, Jr.,	A. D. Crossman,
L. Mathews,	W. M. Goodrich,
W. B. Lindsay,	S. S. Prentiss,
R. Hunt,	W. S. Sout,
George W. Smith,	M. M. Cohen,
	Thos. A. Adams.

NEW ORLEANS, Jan. 17, 1850.

To Messrs. N. R. Jennings, J. Baldwin, E. Marchesson, John W. Crockett, Wm. L. Hodge, John Leeds, Thos. H. McCaleb, Sam'l. J. Peters, S. F. Wilson, Wm. H. Garland, Peter Conrey, Jr., A. D. Crossman, L. Mathews, W. B. Lindsay, R. Hunt, George W. Smith, M. M. Cohen, Thos. A. Adams, W. S. Sout, S. S. Prentiss and W. M. Goodrich.

Gentlemen—I have received your very complimentary letter, containing a request that I would repeat my reading of the "Merchant of Venice." The approval of your approval is most dear to me. It has afforded me infinite pleasure to reflect that my audiences have embraced some of the brightest minds of the city, whose approbation is the greatest reward.

I accept, with pleasure, your kindly expressed wish, and would respectfully suggest MONDAY EVENING, the 21st instant, at the Lyceum Hall, for the purpose, as circumstances seem to render that the most appropriate time.

With feelings of respect,

I remain, very truly, yours,

W. M. FLEMING.

☞ The nominations of Mr. Lawrence, Mr. Rives, Mr. Payton, Mr. Letcher, Mr. Barringer, and other important diplomatic appointments, have been under consideration in the Committee of Foreign Relations, to which they were referred, and have been reported back to the Senate with favorable recommendations.

A HUNGARIAN ODE BULL.—Lieutenant Remenyi, the young exile of Hungary, gave a private musical entertainment to a few friends, at the Astor House, New York, on Monday evening. His performance upon the violin, it is said, surpassed any thing heard in New York since the days of Sivori, Vieux Temps, or Ole Bull.

NEW HAMPSHIRE.—The State Convention of the Whigs of New Hampshire was held at Concord on Wednesday last. The Hon. LUCI CHAMBERLAIN was unanimously nominated as the Whig candidate for Governor.—The election takes place in March.

DEATH OF AN OFFICER OF THE NAVY.—Commander Gordon, of the United States brig Porpoise, died at Port Grand, island of St. Vincent, on the 11th of last October. He had been in command of the African squadron since the return of Commodore Cooper. He was, we believe, a Virginian.

COLUMBUS, Thursday, Jan 8.

OHIO LEGISLATURE.—Confusion still prevails in the Senate. Mr. Swift read a speech and closed with a resolution to remove Mr. Blake from the Speaker's Chair. The debate, which lasted all day, consisted of personalities. Charges of falsehood were made and retorted, and the vocabulary of billingsgate almost entirely exhausted. The House adjourned without transacting any business.

TORONTO, C. W., Jan. 8.

The assizes under the altered judicature system opened yesterday. Three murderers are to be arraigned for trial. Justice Draper denounced the penalties of treason against the annexation movements. There have been some further annexation disunists. The city elections were concluded to-day. Four annexationists were returned.

BALTIMORE, Jan. 9.—1 2 p. m.

Gov. Uhlazy, his wife and daughters, together with Miss Jagello, and the other Hungarian refugees, arrived at Philadelphia this afternoon, and in the evening attended a meeting of the Emigrant Society, where some patriotic resolutions were passed. Gov. Uhlazy and party intend to leave for Washington on Friday next.

George Hickman has been again acquitted.

CHESTERVILLE, S. C. Jan. 9.

SUICIDE.—On Wednesday last, the 2d inst., Mr. Joshua Lynn, residing in the eastern part of this District, committed suicide by hanging himself, in an out-house, some two hundred yards distant from his dwelling. The cause which incited the unfortunate man to the commission of this melancholy act, is not known. He was a man of family, having a wife and four young children, possessed a comfortable property, and was much esteemed in the circle of his acquaintance.—*Standard.*

SCANDINAVIAN NEWSPAPER.—Some years since, (we learn from the New York *Tribune*,) Mr. Christian Hansteen started in New York a newspaper called "*Skandinaven*," printed in the Danish and Swedish languages; but the enterprise did not succeed. Since that time emigration from those countries has given to that city a large Scandinavian population; the arrival of Miss Bremer, Professor Bergfalk and Dr. Siljestrom, and the probable coming of Jenny Lind, have awakened a strong interest in the literature and science of the north; and Mr. Hansen is about to resume his enterprise. He bears high recommendations as a scholar and teacher, from the Hon. George P. Marsh, a distinguished Scandinavian scholar, now United States Minister at Constantinople; and he will have the countenance, and probably the literary assistance of Miss Bremer and Professors Bergfalk and Siljestrom. It is to be hoped the enterprise may succeed.

A VIRGINIA PANTHER.—Mr. A. Rudolph, while hunting on Paddy's Mountain near Capron Spring, Va., a short time since, tracked an animal to its den, supposing it to be a bear, and on putting a load into him through an opening, discovered it to be a large male panther.

A JAIL BURNT—*Loss of Life.*—We learn from the Gettysburg Compiler, that the jail of Adams county, Pa., was entirely consumed by fire on Monday morning at 3 o'clock, and, what is worse, two human lives were lost by the catastrophe—Isaac Musselman and John Tozer, both inmates and confined for debt, having, each occupying a separate room. Every effort in the power of man was made use of to rescue them from a fate so terrible, but in vain.

MEMORIAL.

To the Honorable the Senate and House of Representatives of the State of Louisiana, in General Assembly, convened:

The memorial of the Council of the Second Municipality of the city of New Orleans, respectfully shows—

That by the 15th section of the act of the Legislature of 1836, dividing the city into three Municipalities, it is provided, that "no disposition shall ever be made of the batture in front of the faubourg St. Mary, in violation of the transaction or compromise in relation to said batture, entered into between the Mayor, Aldermen and inhabitants of the city of New Orleans, and Edward Livingston and others, before H. Lavergne, Notary Public, on the 20th of September, 1828; and that the Municipality of the upper section of the city of New Orleans, shall not in any manner obstruct or impede the inhabitants of any portion of the city of New Orleans, in the free use and enjoyment of any of their rights in said batture."

That since that period they have at a great expense faithfully maintained the public in the free use and enjoyment of said batture, according to the tenor of the contract and the obvious intention of the parties, notwithstanding various attempts by judicial proceedings to set aside and defeat the compromise with the original front proprietors, by which all the alluvial soil between the New Levee street and the river, together with the Levee itself and the streets prolonged to the river, were dedicated to public use and declared forever inalienable.

That in proportion as the batture has increased, and the river by natural causes receded from the New Levee, they have continued to fill up, reclaim and render fit for the uses to which it was destined, to-wit, the accommodation of commerce, that vast and still increasing accumulation of alluvial deposit. That at the date of the transaction between the actual possessors of the batture, in 1820, there existed at most a mud bank of seventy or eighty feet outside of the New Levee, and that only on the upper side covered by the river at high water, whereas in the present day it has extended to a width of 200 or 400 yards through the whole extent, all of which your memorialists are compelled to fill up, reclaim and maintain in a condition to be passed over with drays and carriages for the convenience of an increasing commerce, and to construct wooden wharves at the edge of the water for the convenience of landing and discharging.

Your memorialists have long felt, in common with the public, that no wide space between the inhabited and the front row of buildings is not only unnecessary but burdensome to commerce, by enhancing the expense of drayage to distant warehouses—and the exposure upon the immediate bank of the river, of every species of property to pilferage and consequent sacrifice.—While they have deplored this state of things, as a public inconvenience, and have been compelled to keep it up and in suitable repair at an enormous annual expense, an expense extremely onerous to the city treasury, they have been at the same time fully sensible of their want of authority to remedy the evil, in the only manner in which it can be effected, to wit—by a disposition of such part of the existing batture as is no longer required for public use or the convenience of commerce. Such a change, by a sale of a part of the batture the most distant from the river, might appear at first blush inconsistent with the terms of the compromise of 1820, but it is certainly not with its spirit and the manifest intentions of the contracting parties.—The primary object of that contract was to secure to the landing the free use of the bank of the river as a landing place. At the time that contract was entered into, little or nothing existed of the present alluvion. No part was then susceptible of separate ownership and enjoyment. The whole formed a part of the bed of the river, and of the port of New Orleans. The parties never contemplated so extensive an alluvial formation, as now exists outside of the new levee. It is manifestly absurd to suppose, that in relation to a contract exclusively applicable in relation to property *not yet in existence*, that it shall forever be withdrawn from commerce, and destined to public uses forever useless it may afterwards become for such purposes, in spite of public policy and in spite of the will of the Legislature.—Every part of the territory composing the State, is subject to the Legislative power and eminent dominion of the sovereign authority of the State. The Legislature alone has a right to say whether the whole or the valuable accretion of land is any longer required for public convenience, and whether a part of it may not be destined to private ownership, so as to form aggregate wealth to State and municipal taxation, and furnish more ample accommodation for storage and otherwise, as it ever leave the port less accommodating than it was in 1820, and less accommodating than it is now, which was in truth all the parties to the compromise ever contemplated.

It is repugnant to the principles of our Government that property should thus be forever tied up by private agreement and rendered forever useless, when no longer required to be used, according to its original destination, especially when those who gave it that destination have long since paid the original interest in its remaining in that condition.

The true legal character of the contract of the 20th of September, 1820, was fully considered in the Supreme Court of this State, in the case of Delabigarre vs. the Second Municipality, and their opinion to be found reported in the Third Annual Report, page 230. After stating that the donation or compromise included, to all that portion of the alluvion outside of the line of the new levee previously established, the new levee itself, and the soil upon which it is erected; and 56, the first necessary for the progressive extension of the Faubourg to the new levee, and 5th, so much further as necessary to give to Toulouilas street a breadth of sixty feet, through the Faubourg St Mary—the Court proceeds to say that "consideration was indispensable to the validity of the donation, which it would not have taken place, that all the lands it conveys shall remain *extra commerciam*; that no building shall ever be erected upon them, and that they shall not be applied to any other public use but those to which they are *naturally destined*." The contract of 1820 was a compromise made under the form of an onerous donation, and subject only to the rules applicable to contracts (Civil Code, 2653.) It is no more a real donation than an act would be by which one of the parties made an irrevocable donation *entre vifs* of an immovable to the other party, a valuable consideration of which had been previously received as the price. This compromise was one entire contract; the conditions of which had been prescribed by a resolution of the City Council annexed to it, and all the obligations it imposed on the Municipality were assumed for the consideration of the implied recognition of their rights to the portion retained. It contained stipulations not unlike those familiar dispositions of property, by which the naked property is given to one, and the usufruct to another.—No right of reversion was stipulated under any contingency, and so long as the compromise stands, the donors cannot resume their property.—After thus declaring that the batture act in question is in reality an irrevocable dedication to public use, construing the lands thus abandoned, for an adequate consideration a *public property*, the Court proceeds to say, saying that "the sovereign alone has the right to change the destination of public places."

In asking, as we do, from the General Assembly, which represents the sovereign authority of the State, authority to dispose of such part of the batture as has become unnecessary to carry out the true intention of the contracting parties, your memorialists are far from intending to disturb any part of the compromise. On the contrary, they propose to leave a much wider space vacant on the immediate bank of the river, for the convenience of commerce, than existed in 1820, when the New Levee was the landing, and for many years afterwards, and thus maintain in substance and spirit the agreement between the front proprietors and the City Council. They therefore appeal to the General Assembly to decide whether public convenience and the facilities of commerce any longer require the whole of the batture formed since 1820, to be left open and unappropriated, and a real incumbrance to commerce.

Your memorialists respectfully submit some suggestions as to the manner in which the proceeds of the sale which they pray be authorized, ought in their judgment to be disposed of. The expense of reclaiming and keeping up the batture for public use, between the years 1820 and 1835, when the city was divided into three Municipalities, fell upon the whole city, and was one of the causes of the accumulation of the general city debt. It seems, therefore, but just, that a part of the proceeds, say one-third, should be applied to the extinguishment of said debt. This would be a great relief to the whole city, and greatly alleviate the burden of taxation. From the year 1836 up to the present time, the Second Municipality has exclusively borne the burden, and the sum of upwards of one hundred thousand dollars have been drawn from its treasury for that purpose and to carry out the compromise. Justice, therefore, demands, that another third at least of the proceeds, if not the whole, should be applied to pay the separate debt of the Second Municipality, which has been greatly increased by the obligation imposed upon them by the Legislature, and the contract itself to repair and maintain the batture in a condition to answer the purpose to which it is naturally destined, and to which it was expressly devoted by the contract between the parties.

The owners of property fronting on New Levee street, whether the original proprietors or those who purchased from them, had a right to expect that the batture in front of their lots would forever remain open to the river. It was indeed one of the express stipulations of the contract, and such of them might reasonably claim damages for constructing other blocks of buildings between them and the bank of the river, the effect of which would be to throw their property so far back as materially to diminish its value. Those who purchased front lots might reasonably require that their buildings should not be masked by new streets and cut off from the river. In order therefore to obviate all objections on their part and to provide an ample indemnity for such deterioration of their property, your memorialists propose that the remaining third, after deducting therefrom all the expenses attending the sale of the property, be paid over to the actual owners of the property on New Levee street, in proportion to their front.

As controversies still exist in relation to the batture on the part of some of the original parties to the contract of 1820, or their heirs or assignees and others, and further complications may be expected to arise in consequence of the proposed sale of a part of said batture, which is looked upon as extremely valuable, and every means will probably be employed to, which protracted litigation may suggest, it is proper to make some provision for the contingency of any of them succeeding in their suits. In order, therefore, to quiet the title of the purchasers so that the property may sell for its just value, your memorialists propose that it be provided by law, that the three Municipalities, in case of a recovery within a limited period of time against the public in any such suit or suits, shall make good to the parties thus recovering a fair indemnity, to the full extent of the sums which they may receive out of the proceeds of said sale.

Your memorialists, in conclusion, believe that the disposition which they propose of such part of the batture as is no longer required for the convenience of commerce and the proposed disposition of the proceeds, would be perfectly fair, equitable and just; that it would tend to diminish the expense of drayage, provide more ample accommodations for the public engaged in commerce, while it would at the same time relieve the city from a heavy debt as well as a great expense in litigation, and the people from a portion of the burden of taxation, under which they are now laboring, and add several millions to the mass of property, subjected to State and Municipal taxation, now wholly exempt from it, and in its present condition is a useless and a burdensome incumbrance.

And as in duty bound, etc.

COL. WEBB'S DEPARTURE EXPLAINED.—The New York *Courier and Enquirer*, in regard to an assertion Mr. Cass made on the floor of the Senate, in his speech on the Austria Mission, that Col. Webb had flown "from the judgment of the Senate," has the following in reply:

"We deem it, therefore, due not only to Col. Webb, but also to the Senate, to state, that the impression, however natural it may be, is entirely erroneous. Col. Webb, down to Wednesday the 27th of November, had intended to sail for Europe on or about the 20th of December, supposing that his nomination would have been confirmed, if confirmed at all, before that time; and his departure on Saturday, the 1st December, was caused by circumstances entirely unexpected—in the sudden and severe reprimand to himself, and which he was compelled to regard as imperative upon him. He felt and expressed very great reluctance thus to leave at that time, knowing the misconception to which he would thereby become liable. But the considerations referred to left him, in his judgment, no choice, and he therefore yielded to the necessity imposed upon him—trusting to the knowledge which Senators possessed of his feelings and character, and to the confidence in both which many of them had often expressed, for a defence against the suspicions of disrespect in which he became exposed.

"What is there to consider strange or it is impossible, with due regard to the feelings of others, and the proprieties of social life, for us here to state? They were, however, entirely domestic and personal, and answer to Senators would prejudice highly honorable to Col. Webb himself. We take it for granted that the Senate will not assume the truth of the presumption to which the matter naturally gives rise, after the explicit and intelligent self-denial given them by the New York Senator, without giving due opportunities for the submission of proper evidence."

The Parkman Murder Case.

More interesting facts of Dr. Parkman and Prof. Webster—Doubts as to the discovered Remains—Grounds of Defence.

Thus far Prof. Webster has borne his confinement and solitude with more singular firmness, to all appearance, implied as this is a dreadful crime, very little effect has been made visible upon his body or mind. His family, counsel, and friends have visited him daily, and these visits have in some instances been prolonged to hours. On New Year's Day his wife and daughter spent most of the forenoon in his cell, devoting the time to reading and conversation. Mrs. Parkman, the unhappy widow of the deceased, has also visited Prof. Webster in Cambridge twice, mutually offering to each other consolation, under the severe afflictions which Providence has cast upon them.

We have also heard it stated, from the highest and best authority, that some of the friends of Dr. Parkman waver in their belief as to the remains found in Dr. Webster's closet being those of the murdered man. The peculiar location of other circumstances strong on their nature, that the unfortunate man, while shouting under an aberration of mind, wandered away and came to his death in some manner, to them unknown. The belief is entertained by these events in the life of Dr. P., it being known that while in the fits of mental aberration overpowered him, he had been absent for days, no one knew where, and that on one occasion some of his friends had extricated him from perilous scrapes. We have been informed that the result of the inquest as to the identity of the relics was as a level upon a party much the same as those which have from time to time been published; and other circumstances accumulated from many years' business transactions between Dr Parkman and Prof. Webster, helped to throw a mystery over the fatal affair hardly known. But we are told that the great point in the defence of Prof. W. will be that he has been made a victim of conspiracy; that the pieces of body found in the vault, are those of some person, under the hope of obtaining the reward, and that these relics have been proved to be, and in fact are not the fragments of Dr. Parkman's body.

The remains which have been found are the vertebræ and thorax cavity, the pelvis cavity, the right and left thighs, disconnected from the pelvis, and the left leg, disconnected from the thigh and knee joint. They were very much charred and cut, and, we hear, presented to the jury of inquest no peculiar marks by which they might be identified. The ground that it will be taken as to these remains, we hear, is, that they are not the human body injected and prepared for dissection in accordance with the established rules of every medical college. The only remaining relic is the set of teeth which have been by some been identified by Dr Keep, as exactly corresponding with his mold impression of Dr. Parkman's jaw, and by which they were alone identified. This point, we learn, will be severely contested in the defence; the teeth having been found in the fire, and so mutilated as to render it impossible to identify them from an impression taken from a living jaw.

On the arrest of Prof. Webster on the charge of murder, Mrs. Parkman despatched a letter to her son, who has been for some time in Europe, informing him that his father had been "missing" for more than a week, and imploring him to return home without delay. He is expected by the next steamer.—*Boston Mail.*

SPEACHS AND DEATH.—Strauss was a man of remarkable genius, not only developed the powers of the German dance, in an unprecedented degree, but influenced the whole of modern music. Composers of no mean note, although not of the first class, were known to visit Vienna to get themselves new airs from Strauss' new waltzes. His decease reminds us of a capital story which appeared in some German paper shortly after the cholera of '32. We heard it from a celebrated Transatlantic musician, and wish that we could give it in the spirit of his side-spitting recital. Here it is as we remember it: When the cholera was at its height, Death knocked one morning at the parlor of Strauss' chamber, having an old woman by his side, whom he had picked up next door. 'Come Strauss,' said the grim sheriff that collects nature's debts, 'you must go along with me.' 'With you?' exclaimed the terrified musician. 'No, I can't; I won't. I'm only thirty years old. Some one a little longer.' 'No, Strauss, you must come; don't keep me waiting; I have an immensity to do these stirring times.' 'Oh! I can't go; I am making thirty thousand thalers a year. You can't be so hard-hearted as to take away from Vienna a man who only thirty years old, with thirty thousand thalers a year!' 'None of this nonsense. Hard-hearted! Don't you see through my ribs that I have no heart at all? Come along, Strauss, come along!' 'But consider, Death, what the Emperor will think of you, and how the whole court will vote you a bore, if they get no new waltzes next year!' 'Pshaw, for your Emperor! I'll carry him off if he says much. I should like to see them put Death out of fashion.' 'Well, then, since I must go, let me play one more waltz before I leave my dear instrument;' added the poor tremblier. 'So you may, but see that it is a good one,' answered Death, cocking his ear like a connoisseur. Strauss played the waltz, Death marking the measure complacently; and saying, when it was through, 'I must encourage air, 'Pretty well, Strauss; you may play another.' Strauss began in a more spirited strain. Death kept the time with hand and foot; the old woman kept time also, until, unable to resist the more than magical impulse, he threw his arm about her, and round and round spun Death and the old woman. Faster and faster played Strauss; faster and faster whirled Death and the old woman. Strauss playing for the little remnant of his life, showed no signs of weariness, but Death was getting exhausted and giddy. 'Stop, Strauss! stop!' he cried. Strauss played on. 'Stop! I say, Strauss!' Strauss only put on a crescendo. 'Strauss! Strauss! I can't stop myself, if you don't stop!' Stop, I say!' 'Will you give me clear, if I stop?' asked Strauss. 'I can't, I say,' says Death, stopping just his ears. 'Then you shall waltz on,' answers Strauss, exulting in his power to create a soul under the ribs of Death. At last Death, beside himself, says, still whirling like a dervish, 'I'll—make—a—bargain—with—you-ou-ou-ou.' 'What is it?' replies Strauss, playing yet more furiously. 'You—shall—live—for——years longer—if—you will—pay me—instead—of your life—five times—if fifty thousand—silver pieces—each—ye-ar-ea-r!' 'Done!' cries Strauss. So ever since, fifty thousand people each year have killed themselves dancing Strauss' waltzes!—*Knickerbocker.*

THE EXCLUSIVE BREADSTUFF MANUFACTORY of Messrs. Clawson & Modge, in Cincinnati has been established about nine years, and now does a business averaging $1,500,000 per annum. One hundred and thirty hands are regularly employed, who, with machinery driven by steam, turn out 125 bushels per day, or about 37,500 each year, ranging in price from $1 75 to $20. The business extends over the South and West, but New Orleans is the great-

A CARICATURE.—"Potomac," of the Baltimore *Patriot, sloop:*

I hear that there is a new caricature on foot, in which will be grouped Mr. Wm. J. Bowen, in the act of imparting to D. Wilmot and P. King on the one hand, and to the Chivalry on the other.

The venerable senior of the Union appears, after having held a free and full conversation with Mr. Bowen, standing close by the gentleman from Indiana, very intently observing his apt pupil as the latter, after having pledged himself in *writing* to Wilmot and Company, replied to the interrogatories of Mr. Bayly and Mr. McMullen. The venerable Mentor, as he eyes his pupil, exclaims *sotto voce*.

"Mr. Brown holds his arms!"

"Mr. Brown points to the record!"

"Mr. Brown shakes his head!"

"Mr. Brown carries the Shrievalty!"

"Mr. Brown exclaims, 'I'm done!'"

In the background the faces of the members are seen to respond to the sensation which the occasion produced in all parts of the Hall.

TWENTY PILOTS DROWNED.—An English paper contains a melancholy account of the loss of twenty pilots attached to the Shields station, who were drowned in a humane attempt to rescue the crew of a wrecked vessel. After having reached the wreck their life-boat capsized, and twenty out of the twenty-four who had so generously manned her sank one by one to a watery grave in the presence of those whom they had gone to rescue.

THE FARMER'S YEAR.—A German newspaper has recently published a prophecy by a Benedictine monk, who died in 1847, the purport of which is that the present year, 1850, will be one of unusual prosperity. The different seats of christendom will in that year accord. The Sultan will be poisoned. (About Medji had best take care) and his empire will become christian. Russia will suffer much from a warlike nation of the east. A German Prince will found a new empire. Grain, fruit, lentils and other vegetables will be so plentiful that the barns will be unable to contain them.—The disease of the sweet potato will everywhere cease, and old men will not remember such a year of fruitfulness. The wine of this year will surpass that of the year of the comet.

Foreign paper.

Mr. James has recently published a novel called "One of a Thousand," upon which Punch exclaims, 'Only think, nine hundred and ninety-nine are to follow!'

Mdlle. Rachel has arranged for a series of performances in French plays at the St. James Theatre, London. We hear nothing more of her reported intention of visiting the United States.

Lamartine, it is stated, is about to publish a new political work on the "Past, Present, and Future of the Republic."

Miss Bremer, who is still in Boston, has a new novel in the hands of Mary Howitt.

Joe Cowell took his benefit, and last farewell of the stage at Portland, last week, having been connected with the theatrical profession for thirty-eight years."

☞ We are requested to call the attention of Dry Goods purchasers to the sale that takes place THIS DAY, at Sykes, Hyde & Co's auctionrooms, 51 Magazine st. Sale will commence at 10½ o'clock. See advertisement under auction head.

City Intelligence.

ADRIEN, the famous necromancer and Magician, continues to perform nightly to large audiences. His tricks of legerdemain are of the most astounding nature.

FIRST DISTRICT COURT—*Judge McHenry.*—Judgment was rendered yesterday on a charge of libel, in favor of Mr. Wm. Walsh against the sum of 25c. Mr. Walsh filed a petition in the case, on the 10th inst. The case brought in a verdict of guilty against Mr. Walsh, and the above judgment was rendered. David Jordan was tried on a charge of larceny, and acquitted.—Joseph Bennett was tried on a charge of having opened an officer in the execution of his duty, and acquitted.

HARBORING A RUNAWAY SLAVE.—A slave named Alick was arrested yesterday in the First Municipality on the charge of having harbored a runaway slave. He was apprehended at the request of James Finny.

STEALING LARD.—Thomas Osborn was arrested yesterday in the Second Municipality, on the charge of stealing a keg of lard from the steamship Palmetto.

PASSING COUNTERFEIT MONEY.—A man named John Smith was arrested yesterday in the Second Municipality, on the charge of having passed spurious bank dollars. The case has not yet been investigated.

BREACH OF TRUST.—An affidavit was made before the Justice Recorder yesterday, by Jacques Lizardi, charging Jacques Lizardi, Jr., with a breach of trust, committed somewhere between Bayou Sara and this city.

ASSAULT WITH INTENT TO KILL.—Daniel Doyle and Matthew O'Connor were arrested yesterday in the Third Municipality, charged with having assaulted Joseph Bourgeois, on the night of the 16th inst., with intent to kill. Mooney is the author of the whole affair, and was at the same in Murphy's street.

—DIED—

Yesterday morning, at half past 7 o'clock, at 64 years of age, Mrs. MARIA TRAHAN, wife of Barney Gray.

☞ The friends and acquaintances of the family are invited to attend her funeral, from No. 29 Girod street, This Morning, at half past 9 o'clock, from Barracks street, between Rampart and St. Claude streets.

Spring Goods.

RECEIVED per ships Manchester, Radius, and Victoria from Havre—

16 boxes Organdies, Dolfus, Mieg & Co;
do Printed Muslins;
do black and colored plain Barege;
do black and white Bareges;
do printed Barege;
do Lace Capes & Berthes;
do white and black Lace Veils;
do black and colored Crape;
do white and black net Gloves;
do Embroidered Muslin Robes, 1 & 1½;
do Taffetas Ribbon, 1 & 1½;
do Mourning Fans, and others;
do Embroidered Muslin Capes;
do Linen Cambrics Handk'fs;
do Plaid Muslin, 4 4 and 8 4;
do White and black Lace Points;
do Dress Flounces; 2 do Jacquard do;
do plain assorted quality;
2 pieces French Madras Handk'fs, 4 do pure & white;
do white and black; 4 do cambric, 4 do white and colored embroidered corners;
do India Silks; 1 do Crenoline Skirts;
do Embroidered Muslin Curtains;
do Black Cloth and Satin Wool Satin;
do Black double Merinos;
do Gentlemen's Silk Hats;
do Umbrellas—22 24, 26 & 28 inches;
do Satin Scarfs, Tie and Cravats;
do Cotton Listadoes; 1 do Suspenders;
do Black Silk Cravats.

For sale by
FREDK. BONIS,
118 98 Conti st. opposite Lafitania Bank

Champagne Wine.

300 Bastets American Eagle, Our Flag, from Muller Bunant, from Rheims, for sale by
FRED BONIS, 98 Conti st.

Real India Cashmere Shawls.

LADIES are respectfully invited to call and examine some beautiful specimens of India SHAWLS, purchased at the late sales in New York.
THOS. BRADY, 92 Chartres st.

CEMENT—1600 bbls Newark and Rosendale landing; 3000 bbls do in store, for sale by
HAYMAN & HOLDEN,
98 Magazine st. and 11 Red Stores.

Also—1600 bbls Nel