The New-Orleans Bee.

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OFFICIAL PAPER OF THE STATE ..... NEW-ORLEANS, WEDNESDAY MORNING, OCTOBER 30, 1850.

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TERMS OF THE BEE.

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The New-Orleans Daily Bee.

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

Wednesday Morning, Oct. 30, 1850.

THE NORTHERN MAIL came through yesterday, with the following dates.

A RIGHTEOUS JUDGE.

We have seen nothing of late more entitled to universal praise than the bold and vigorous stand taken by Judge GRIER, of Philadelphia, in enforcement of the Fugitive Slave Law. A negro named HENRY GARNETT, a fugitive, was arrested on the 17th inst., as the slave of Thomas P. JONES, of Cecil County, Maryland, and was brought the next day before Judge GRIER, of the United States District Court, attended by his counsel. An application was made for a postponement of the case, to allow the slave to procure additional counsel. Upon a consideration of all the facts presented, Judge GRIER agreed to defer his decision until the next day. In the course of the investigation, he made the following learned and emphatic remarks, which we commend to every the sweet all humanity, and to the last extremity:

Judge GRIER said: That this was, to be sure, a summary proceeding, yet he desired to give the prisoner an opportunity to be properly defended; and if he proceeded in a summary manner, it would be owing to the evidence the colored people on such now proceeding. He said he had read and heard the papers concerning being fresh, at which rescues were frequently advertised, and urging the colored people to run the risk of a rescue, the laws and street down the offenders to the law. In such advice should be taken, the first officer killed would be the legal to the extermination of the black race. As a lawyer, he thought, would be set at defiance as they had been but a short time since. He was as much a friend to the unfortunate negro as any man, but he looked upon white men who would give advice or aid of armed resistance to the laws, as the colored people's worst enemies. He wished to say, and he spoke officially, that he was convinced that thousands of black would assemble, yet were to resist the laws. He would compel him to appeal to the Navy Yard, if the civil be not any force, and as he was Judge of peace, and judge of both, said the Judge, I will maintain the law, through I have to call every man who happened to be around me to assist in the execution. He should down the law as I find it at all hazards.

The next day the Judge stated that the slave was charged with having absconded from his master, to whom he was held to labor for a term of years, as the free of charge, according to the laws of Maryland. Six weeks, he testimony of THOMAS P. JONES, the former owner. In the attempt to prove the identity of the Maryland Statutes, under which the claim was made, a technical error had occurred, which the Judge remarked, was a fatal objection to the claim. The Judge remarked that he regretted exceedingly to have a matter of such importance turned on a technicality, but where had the law so ordained, he would not be the man to disregard it. He would most sincerely wish that the case had been properly presented, and that the evidence had been in proper form. Affidavits should have been taken to show that there was such a statute as the one Henry said that he was the property of Mr. JONES. The counsel having for the claimant had intimated that the prisoner was entitled to his discharge.

We subjoin a concluding judgment this affair and comment on it as an instance such occasions as this rebuke the spirit of lawlessness in filling into a. He said that he would, for the carrying out of the requirements of the law, call the Executive of the United States or a thousand troops, if necessary, and if armed resistance should be offered he would execute the law even if he should be compelled to walk through the blood of every colored person in the city.

To illustrate the studied misrepresentations of the press to deter the Fugitive Slave law, and question its efficiency, we have only to remark, that the *Southern Press*, while recording the opinions of Judge GRIER, steers at the great, and intimates that the negro was liberated only to prevent a row among the colored population, and in the same breath, that precisely the same decision in a case of the Fugitive Slave law, because in another case which occurred at Detroit, in which the owner of the negro had proved his property, he ordered to give his reclaimed slave freedom on the payment of $500, out of which were to be deducted the expenses of the law suit. Thus, whatever be the result of the proceedings held in our country to the law, the abolitionists are right. Should the slave be captured, restored to his master, and taken back to the South, it is but another legal execution of a slave; nothing. Should the claim be disallowed, the negro immediately invokes the aid of the black and inoperative; and if he be caught, with a new hue and cry, he is sent back to his master, and the Judge, I will maintain the law, through I have to call every man who happened to be around me to assist in the execution. He should down the law as I find it at all hazards.

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☞ Several manufacturing establishments in Mary and have recently been compelled to suspend or curtail their operations. The largest of the factories at the Union Works, Elliott's Mills, has ceased running. The others run only half time. By this arrangement more than two hundred men have been discharged. Very recently nearly one hundred were dismissed from the Patapsco Factory, which is running but half the machinery three-quarters of the time. The Savage Factory is running slow speed three quarters time, at something like 25 per cent. reduction of wages. The Sykesville and Grange Factories, at Ellicott's Mills, are similarly situated. Thus, in one district, about six hundred persons have been thrown out of employ within a few weeks—all for want of a proper tariff.

THE FUGITIVE BILL.—Judge Story, in his Commentaries on the Constitution, gives an extension of the meaning of the provision for the reclamation of fugitives from service and of the old law of Congress, which is in all respects applicable to the new. He says:

"This clause (the one providing for the recapture of fugitive slaves) was introduced in the constitution solely for the benefit of the slaveholding States, to enable them to reclaim their fugitive slaves who should have escaped into other States where slavery was not tolerated. The want of such a provision under the confederation was felt as a grievous inconvenience by the slaveholding States, since many States no and whatever would be allowed to the owners; and sometimes, indeed, they were with open resistance. It is obvious that these provisions for the arrest and removal of fugitives of both classes contemplate summary ministerial proceedings, and not the ordinary course of judicial investigations, to ascertain whether the complaint be well founded, or the claim of ownership be established beyond all legal controversy. In cases of suspected crimes, the ends of ministerial of the party is to be made out at his trial, and not upon the preliminary inquiry whether he shall be delivered up. All that would seem in such cases to be necessary is, that there should be *prima facie* evidence before the executive authority to satisfy its judgment that there is probable cause to believe the party guilty, such as would, in an ordinary warrant, would justify his commitment for trial.

"And in the cases of fugitive slaves there would seem to be the same necessity of requiring only *prima facie* proofs of ownership, without entering into any formal assertion of its rights by a suit at the common law. Congress appear to have acted upon this opinion, and accordingly, in the statute upon this subject, (that of 1793) have authorized summary proceedings before a magistrate, upon which he may grant a warrant for removal."

Telegraphic Items.

PHILADELPHIA, Monday, Oct. 21.

JENNY LIND—Jenny Lind left Jones' Hotel at 9 o'clock this morning, and proceeded in a carriage to Browning's Ferry, where the steamboat Trenton stopped to receive her. A special car on the Railroad has been provided for herself and suite. Her Concert on Saturday was attended by 1,900 persons.

ERIE, Monday, Oct. 21.

SINKING OF A SCHOONER ON LAKE ERIE.—The schooner Almeda, Smith, off Erie Harbor, by coming in collision with the propeller Troy, by her bows being raised, and was towed to Erie yesterday by the steamer Rochester.

LOUISVILLE, Ky., Oct. 20, 1850.

STEAMBOAT NEWS.—MURDERER TO BE EXPORTED.—The steamer Federal Arch struck a snag on Friday morning, and immediately sank. Her cargo, consisting of hemp for Covington, was totally lost.

Kent, who was convicted of murder, has been sentenced to be hung on the 20th of December.

ST. LOUIS, Oct. 20, 1850.

COUNTERFEITERS ARRESTED AT ST. LOUIS.—A gang of counterfeiters was arrested last night, having been caught in the act of printing $10 bills. From $8,000 to $10,000 counterfeit money was seized.

HALIFAX, Oct. 19, 1850.

IMPORTANT NOVA SCOTIA ENTERPRISE.—Earl Grey has modified the Nova Scotian government, that the British government will grant assistance towards building the Halifax and Portland railway. Earl Grey approves of the enterprise, and expresses the belief that Halifax will ultimately become the chief port for trans-atlantic communication.

Appointments by the President.

Thomas Butler King, Collector of the Customs, San Francisco, California.

Samuel Barney, Collector of the Customs, Monterey, California.

A. Randall, Surveyor of the Customs, Santa Barbara, California.

MORE AERONAUTICS.—Undismayed by the melancholy catastrophe that befel Lieutenant Gale, the aeronauts in Paris continue to invent new modes of distracting spectators. Instead of Monsieur Poitevin ascending on horseback, it is Madame Poitevin that performs that dangerous feat. There was an ascent on Friday from the Hippodrome, when that lady, dressed as *Amazone*, mounted her white mare, her husband accompanying the car. After having passed over Paris, and sailed amongst the clouds for a couple of hours, the adventurous couple descended safe and sound at some distance to the north of the capital.

ARRIVAL OF THE ANTIQUITIES FROM NINEVEH.—The brigantine Apprentice has arrived in London, from Bussorah, on the river Euphrates, having on board a great quantity of Assyrian and other antiquities and marbles, consigned to the trustees of the British Museum. Among them are the great bull from Nineveh with a man's head and dragon's wings, weighing ten tons, and a lion sculptured in the same manner, weighing nine tons. There are also several colossal heads, one of which is 9 feet 6 inches in length, and several other curious relics of the mariners and usages of the Eastern countries regarding the ceremonies observed in burying their dead.

☞ The following lines were written and published by Mr. G. P. R. JAMES, during the war between England and China. We print them now simply to show that Mr. JAMES is quite as prompt to censure the misdeeds of his own country, as of this:

Pill'oving England like a quack
Would force the men of tea,
To swallow opium they don't lack,
All for a filthy fee.

Sharp practice this, good Master Bull,
As you may some day learn,
Fate's foundation is not so full,
But you may have your turn.

With bullets, and with sharpened steel,
You make poor Tartars run;
But if some day, the same you feel
You'll find it no such fun.

Further by the Asia.

The Charleston *Courier* furnishes one or two additional items of intelligence by the *Asia*:

A tremendous storm had visited the coast of England which caused much damage to the shipping. Smith O'Brien complains of bad treatment.

It is positively stated that a decision favorable to Denmark regarding the Holstein question, had been agreed upon by England, France and Austria. The Duchies will be required to suspend hostilities.

Spain intends to modify her tariff. Gen Roncali was to depart from Cadiz on the 5th inst., for Cuba.

An opening of an Assembly of States was to take place at the Hague on the 17th inst.

NAVAL.—The U. S. sloop-of war *St. Marys*, Commander Magruder, bound to the Pacific, left Hampton Roads on the morning of the 21st inst. The following is a list of her officers:

Commander—George Magruder.
Lieutenants—Wm. S. Young; James S. Biddle; Robert H. Wyman; John J. Walbach.
Lt. Marines—G. R. Graham.
Passed Assistant Surgeon—John S. Abernethy.
Assistant Surgeon—Richard H. Tunstall.
Master—Thomas G. Corbin.
Passed Midshipmen—Jonathan Young; D. A. Forrest; T. A. Forrest.
Midshipmen—Wm. H. Ward; Robert M. Caldwell; Augustus Lodge; Benjamin Loyall.
Boatswain—George Williams.
Carpenter—James Meade.
Commander's Clerk—John Curry, Jr.
Purser's Steward—A. W. Hancock.
Gunner— ——Hutchingson.
Sail Maker—W. B. Fugett.

FIRE.—The Mobile *Register* announces the destruction by fire of the residence of Col. James S. Dean, at Spring Hill. The flames were discovered in the roof of the house, while the family were at dinner, and are supposed to have been communicated from the kitchen chimney. So rapidly did they progress, that the whole building was soon on fire, and notwithstanding the most vigorous efforts, only a small part of the furniture, stores and clothing of the family were saved. The extent of the loss we have not learned, but supposed it must be heavy. The house, we understand, was insured for about $5,000.

DEATH OF JUDGE GANTT.—The venerable Judge GANTT, of South Carolina, died at his residence in Greenville, on the 18th inst., in the 86th year of his age. The *Mercury* says of him:

He was raised to the Bench in the year 1815, and held that honorable position until 1842, when he resigned. He was one of the most upright of men, and passed the high his long and distinguished public career without personal enemies. He spent the day in fruitless inquiries, and returned on board at night. At an early hour next day the same object proceeded as at first, with like success, and again on Sunday. The boats were anchored close to the shore, in the little bay of Portandic, with flags flying, and now and then giving a startling presence of tobacco, &c., to the only persons who appeared, to wit, the fishermen first seen. Save these, if there were any dwellers on the coast, none came near them.

Twice, now, addressed to the chief, Moctar, whose Arabic name I copied from his autograph, furnished by Mr. Lloyd, and sent it to apple, and charged the fishermen with the care of it, which was left on the site of Portandic. It was to the effect that a ship of war had been sent according to his request; that the captain would land at Little Bassam, Lloyd, which he Moctar, could obtain when the chiefs were produced; that Senegal was close by—to take them there; and the certificate that they were British lands in Senegal would be sufficient. If he chose to be in captivity, they can interpret the letter to the chief. But I doubt the truth of our whole story; or, if true, whether they will be given up. Senegal is only sixty or seventy miles south of Portandic, and these people are in constant communication with the Fire chiefs on the spot. There, old have been transported through this district for many time, if in captivity; that is, that the design actually existed.

I regret that our efforts failed to procure any information, or throw any light on the subject. I am, sir, very respectfully, your obedient servant,

Commander U. S. ship John Adams.

To the Hon. the Secretary of the Navy.

LAKE SUPERIOR TO LIVERPOOL DIRECT.—The Chicago Journal says the brig Minesota has been chartered to take a cargo of copper to Liverpool—a special permit to pass down the St. Lawrence having been obtained.

LAKE ONTARIO CRUISE IN AN OPEN BOAT DURING A STORM.—The heaviest gale of the season swept over Lake Ontario last week. Captain Harrington, the owner of an A. schooner, left his craft at anchor, and went ashore in a small boat for stores. He had with him his boy and one man. In attempting to return to the schooner they were carried past it by the violence of the storm; and here Capt. Harrington, his boy, and man found themselves cast off the Canada shore, some twenty-five miles east of Toronto, in an open boat, driver by the gale into the lake. The Captain was eleven days and resolved to make the best of it. He ordered his man and boy to lay down in the bottom of the boat, and he took an oar and steered the first barque before the gale. For eleven hours he nobly braved the howling winds and dashing waves, sitting erect in his stern, while his boy and man were ballast. After eleven hours of anxiety and frightful danger thus passed, the Captain discovered the American shore, and effected a landing sixteen miles east of Niagara river, having drifted across the lake in the wildest part—a boat voyage worthy of record.

FEARFUL FALL.—The New Haven Palladium records a fearful accident which happened on Saturday last. The son of Mr. John Ritter, aged fourteen years, and a son of Mr. N. C. Hall, of about the same age, made a visit to the summit of East Rock, and while there approached the brow of the mountain for the purpose of taking a view of the surrounding landscape. Young Ritter advanced so near the edge of the precipice that his feet slipped, or the stones gave way, and he was precipitated over the terrible edge, and fell some one hundred and fifty feet, striking the jutting rocks as he descended, and landing upon the bed of loose and broken stones at the base. He young play fellow, almost paralyzed by his feelings, threw himself upon the ground in such a position as to wrest the transit of his unfortunate comrade from the height above to the appalling lanning below.—Soon, however, recovering in some measure his self-possession, he gave the alarm and hastened to his relief. The head and face of the injured lad were severely cut, and also his hands, caused as is supposed by his clutching the jagged rocks in his descent; but, so far as the surgeons were able to ascertain, no bones were broken, and it is believed that his skull is not seriously injured. Strong hopes are therefore entertained that he will recover.

INSANITY OF ONE OF THE HUTCHINSON FAMILY.—We learn that one of the Hutchinson family (we believe Judson) was taken eastward on Friday in a state of raving insanity. They were giving concerts at Cleaveland, when this melancholy affliction befel them, and were, of course, obliged to suspend them. Thousands who have listened to their singing, will sympathize with them.—*Rochester Democrat, Oct. 21.*

BREACH OF PROMISE OF MARRIAGE.—At the Mayor's Court, Lamerick, on Tuesday, the following scene took place between an intended bride and bridegroom:

Margaret Lufins, a young and buxom widow, was summoned by a responsible looking widower, named James Lynch, for 7s. 6d., expenses incurred by him in procuring a marriage license, with the intent of being married to the defendant.

Court.—Why did you not marry this man according to agreement.

Defendant.—Arrah, thin, an sure your worship, how the divil could I, when bad luck to the pinny he had at the time for marriage money; and sure I never consented only half and half, and was afterwards put off intirely by three big lumps of daughters he has, who threatened, Lord preserve us, to eat the throat out of me, if I married their father. [Much merriment.]

Court.—Well now you must pay half the expense at a sixpence a week, and, in the meantime, you may settle the matter. [Laughter.]

The defendant, turning to the complainant, exclaimed: "Whisiever chance you had at all before, divil a bit you have now, at any rate."

EXTRAORDINARY.—Near the pulpit of Dunstable church there is a monument to the memory of a matron who bore nineteen children at five births—thrice three and twice five!

ASSAULT AND TRESPASS.—John Hitsburger was brought up yesterday before Recorder Genois, on the charge of having, in the first instance, entered the furniture store of Xavier Sleath, in Main street, where he committed, as the affidavit declares, a nuisance. On being ordered out for his impudence, he retired, but came back shortly and assaulted the proprietor of the store with brickbats, besides destroying about $25 worth of furniture. In this demonstration, he was assisted by three companions who have not been apprehended as yet. The Recorder, after listening to the evidence of witnesses, committed Hitsburger for trial before the First District Court.

City Intelligence.

COUNCIL OF MUNICIPALITY NO. TWO.—This body met last evening pursuant to adjournment, Recorder Caldwell in the chair, and fourteen members present. The minutes were read and approved. Mr. Yancy desired a suspension of the rules, which being granted, he proceeded to make some remarks on the numerous bequests of the late John McDonough. Efforts would doubtless be made to overthrow the benevolent intentions of the testator, and Mr. Y., therefore, introduced resolutions appointing a committee to act with similar committees from the First and Third Municipalities and Lafayette, whose duty it shall be to secure by all possible means the good intentions of the donor. These resolutions were adopted. A message from the Mayor was received, advising the disposal of the contract for building two engine houses for James Gulick Fire Company No. 17, and Jackson Fire Company No. 18. The remainder of the message alludes in forcible terms to a disturbance which took place at a recent fire between some of the Company, and we give it verbatim as follows:

"It is with feelings of deep mortification that I am constrained to approach a subject, which I would fain pass over in silence. Your Honorable body is doubtless aware of the fact that at a recent fire, a disturbance took place between some Fire Companies, and which I grieve to add resulted in serious injury to some of the members. An occurrence of the kind is deeply to be regretted by every good citizen. It has been the boast of New Orleans that her Fire department rivals in efficiency that of any other city in the Union; it has been her for greater pride to rival in the equally essential attributes of correct behavior, orderly deportment and good feeling amongst the corps stands confessedly unrivalled and unapproachable. That reputation, both as member of the time honored department and as Chief Magistrate of the city, I shall use my best efforts to preserve, and I look to your Honorable body as well as to your sister corporations to aid me in this endeavor.

"I can conceive of no state of affairs more disreputable to the city than disorderly fistic encounters between the members of the Fire department. They must in the end, we fear, tend to neutralizing the efficiency of its valuable labors, and even, viewed in the point of view, the phenomenon positively dangerous to the community. I have before me in the instance of some northern cities to lively an example of the direct disastrous proceedings connected with the differences alluded to, not to render it incumbent on me to exercise all my authority in behalf of the same laudable conduct and orderly quietude that have always so pre-eminently distinguished the Fire department of New Orleans.

"Your honorable body may consider that I have spoken in harsh terms of this deplorable duty. Permit me to add that my feelings have been keenly affected by the occurrence, and that it is impossible for me to treat so grave a matter lightly. I have gone into the matter at some length, and shall refrain from making any suggestions in connection with this particular case, but I would fain submit to my numerous fellow citizens who compose the Fire Department and to traffic lightly with the great reputation they have acquired. Let them bear in mind that, by manifesting such character, they preserve a level, above all price, reflect very signal honor on themselves, and on the whole community."

The whole of the message was referred to the Fire Committee.

The Treasurer's weekly statement exhibited the following:

Balance on hand last week,	$22 9 06
Received since,	4 77 — 41
Disbursed this week,	$1,358 47
	4,409 41
Balance on hand this day	$4,779 06

PETITIONS.—From Trad Fire Company No. 19, praying that a piece of ground be granted for a house, on corner an engine house. Referred to the Fire Committee.

Of Patrick Coleman, complaining of exorbitant assessment. Referred to the Finance Committee.

Of Fire Company No. 1, complaining of the action of the Liberty Hose Company, at a recent fire, which by the Foreman was pronounced and praying for an inquiry into the circumstances. Referred to the Fire Committee.

Of Metropolitan Fire Company No. Two, complaining that a motion and resolution had been made upon them by Company No. 14 on Pitts day evening last, in consequence of which the Foreman and Assistant Foreman, were suspended. Referred to a Special Committee of Three, viz: Messrs Hale, Stewart and Montague. A recommendation of the vote on the reference of the Mayor's message was then laid, and it was referred to the same Special Committee.

Of Jos Sheehan, tendering his resignation as night watchman. Accepted.

Of Mr. Lanauze, complaining of police officer Connell, then for having cruelly beaten and maltreated a slave belonging to him. Referred to the Police Committee.

Of several citizens, praying for the erection of a draw bridge across the New Canal at the intersection of Magnolia street. Referred to the Committee on Piers and Landings.

Mr Lanauze, on behalf of the Finance Committee, presented a report of the proceedings of Mr. Hargous as a member of the committee for letting the Marrans Government—and half bills and to the Finance Committee and Mr. Hargous.

IX.—No dividends are to be due and to be kept one third of the same prime is paid. No dividends shall be paid in Lottery Tickets, or in any other first meeting of directors. If any dividends be declared, whether from the sales of land or from any other source, power in the disposition of the works undertaken by the company, the same shall be applied to the works, be converted into complete railroads in the public roads from and land with means drawn by locomotive, with cars, omnibus, cabriolets, or who have no right to the same, shall be the property of the Marrans Government, but shall be entitled to the same share of the profits of the company, as if they had paid in the same dividends, or shall be entitled to the same share on