THE BEE.

PRINTED AND PUBLISHED BY J. BAYON, PROPRIETOR OF THE PAPER, AND FOR THE FIRST MONTH BY DELAY.

NEW ORLEANS:
SATURDAY MORNING, SEPT. 15, 1838.

☞ The *Foreign News* published in our extra of yesterday will be found in the first page of the paper.

CRIMINAL COURT—Parish of St. Bernard.
Trial of the Murderers of Barba.

JUDGE CARONDELET PRESIDING.

In the Bee of the 21st July, we published in detail the history of the atrocious plot by which a Spaniard, Gomez Barba by name, was sacrificed to the avarice and cupidity of five assassins. The crime was perpetrated on the 13th of July—four of the culprits were arrested in the city almost immediately after its commission—the fifth succeeded in effecting his escape, and has hitherto continued to elude the vigilance of justice.

It is scarcely necessary to recur to the circumstances which disinguished the horrible catastrophe to which we refer. Its details must yet be fresh in the memory of our readers. The trial of the miscreants who were concerned in this revolting deed took place on Thursday in the parish in which the crime was committed. Intense interest was felt in the proceedings; many of the inhabitants of our city were present. The court was crowded—all were anxious to discover if any possible circumstances would arise in the course of the investigation, which might palliate the guilt of the assassins. By the aid of an intelligent and faithful reporter we hope been enabled to transcribe the account of the trial and we lay it before our readers, convinced that every thing in relation to the affair will be perused with an intense commensurate with the importance of the case.

The court assembled on the 13th instant, at half past 10 o'clock, the Honorable Judge CARONDELET presiding. Mr. Hennessy, as the state attorney was present in person. Mr. CARRIERE was appointed by the Court as counsel for the accused. The *Cadadores* of the Bermard, duly armed and equipped, escorted the criminals from the prison to the Court House; and remained with them during the continuance of the trial.

The jury panel composed of the following individuals; viz, Sarmagh, Nines, Theophile Wax, Simon St. Germain, Fanfinos Sanchez, Ramon Serpa, M. Villabasa, Antoine Chabe, Sylvan Peyroux, Albert Bienvenu, Francisco Bautelle, Pedro Hernandez, Jean Pierre Rey, Mr. Sylvian Peyroux was appointed foreman by the court.

After the jury had been sworn, the clerk read aloud the charges, and demanded of the accused if they were ready to proceed with their defence. One of the accused (O'Neil) replied that one of his witnesses was not present.

The Judge—"We desire a positive answer; are you ready or not for your defence. This is what the court wishes to know."

O'Neil—"I have received certain information that all the inhabitants of the parish have already formed unfavorably opinions in relation to us."

The Judge—"No, no you are in error; justice is impartial to all. The jury now present have made oath before God, to judge you conscientiously and impartially. If the evidence should fail to exhibit your crimes in all its enormities, they will acquit you, but if facts can deem you they will punish you in behalf of society which they have represent. No other justice can be dealt before this tribunal."

Attorney General—"Let the accused say, where the weapon can be found, to whom they allude."

O'Neil—"He is now out of the state."

Attorney General—"We have then nothing more to do with him."

After some observations of Mr Mazureau, and the nature of the crime as he had learned it, the court proceeded to the examination of the witnesses.

The first witness was Mr Ramon Po.

He deposed as follows: "I was Mr Barba's clerk. On the 13th of last July, I saw five men arrive in a carriage. Barba descended and went into the cabaret—one remained in the carriage. The latter had a wooden leg—he called Thomas Walsh. They called for breakfast which was immediately prepared for them. They then asked for drink, and afterwards took a fifth glass to him who remained in the coach. I observed that they looked on all sides with great attention. They penetrated every corner and seemed to spy the movements of Mr Barba, who had just retired to his room, after telling me to attend to the shop, while he went to sleep. Suddenly I heard a pistol shot in the bed-room. Being frightened I tried to runaway, when the individual named James Tobin stopped me, and placing a pistol to my breast, drew the trigger without effect, for the cap snapped, but the pistol did not go off. I then succeeded in escaping and sought for Mr Ducros, who returned straightway with me to the spot. It was Welsh who was in the carriage. It was O'Neal whom I saw enter the room; it was Adams who fired at the negro woman, and Tobin who placed the pistol to my breast.

The Judge—"Had you ever seen the accused before the day on which the murder was perpetrated?"

Witness—"Yes they had come to the cabaret two days previously in a carriage; they had a negro for a coachman. They like wise asked for breakfast."

The Judge—"Did they do nothing then?"

Witness—"They did nothing, but I remarked that, they seemed to regard the locality with much attention."

The Judge—"What was Welsh doing when the murder occurred?"

Witness—He remained in the carriage, looking on all sides. I must inform the court that there was a negro on the gallery, whom they drove away, saying that he had no business there, and ordering him to regair immediately to his master's."

Attorney General—"Do you know this pistol?"

Witness—"Yes, the blade was found stained with blood, in the yard near the gallery, and the scabbard in the middle of the room."

Attorney General—And this watch."

Witness—"I know it to have belonged to Mr. Barba." The second witness Mr. Gabriel Villeré was called.

Attorney General—"Tell the court all you know relative to this affair."

Witness—"When I arrived on the spot, the murderers had already escaped. I saw the corpse of Mr. Barba, all his wounds appeared to have been inflicted with a sharp instrument."

Judge—"Do you remember the day?"

Witness—"It was the 13th July last."

Attorney General, showing the pistol which was in the court—"Is this the pistol you saw in Barba's house?"

Witness—"Yes, sir."

Attorney General—"Was the poignard stained with blood?"

Witness—"Yes, the blade was found in the yard, and the sheath in the room."

The third witness, Mr. Lardier, was called.

Mr. Lardier—"On arriving, I found that Barba had been killed, yet, I counted six deep wounds, one of which was three inches and a half wide. One wound was in his navel, two others was in the breast, a fourth in the left eye, and two others on the head.

Attorney General—"Do you think that Barba died at the wounds he received?"

Witness—"Yes, certainly."

Attorney General—"Do you know this ball?"

Witness—"Yes—It penetrated the bed and we found it under his mattress."

Mr. Bueno, fourth witness, was excused from giving his testimony, as he could only depose to the same effect as the evidence already given.

The fifth witness, Mr. Harper was called.

Attorney General—"Do you know the accused?"

Witness—"Yes. I did not see Barba's body, but I learned the crime from the mouths of the four criminals themselves. Tobin first spoke to me. He said one day to me, 'that Welsh told you nothing?' I answered that Welsh had made a declaration. 'Then,' replied he, 'I believe I have nothing better to do, than to double cheer incessantly every thing that has taken place between us.' He assured me that on his side, he had only gone to Barba with a view to rob, and that he had not sought to kill, but only to intimidate the clerk.

'Welsh,' added the witness, 'I know no more than he had gone to Barba's solely that he might rob him O'Neil made the same declaration. Adams said, he had been engaged by Welsh to assist them; that he had joined them to rob Barba, and that in firing at the negro woman, he only wanted to frighten her.

After the testimony had been heard, Mr. Mazureau addressed the court, and stated his conclusions. Mr Carriere then spoke in behalf of the accused. Against the alone, and unimportable testimony render it, it must be confessed that no ordinary courage and skill were required to offer any thing like a defence. Mr. Carriere and every thing that ingenuity and legal knowledge could devise. We here transcribe that portion of his speech in which the arguments summed up, and which exhibits the manner in which he conducted his defence.

Gentlemen of the Jury.

Whatever be the atrocity of the crime which compels these men to your verdict, unfortunately there exist crimes far more revolting and frightful. The parricide who plunges a poignard in the bosom of the author of his being, is far more guilty than the murderers of Barba; he, who forgetting every emotion of the heart, every sentiment of nature, tramples under his feet the frail and helpless body of his infant, whose protector he should be, is far more culpable than these men; he who meditates in silence and seclusion a conspiracy which involves the lives of thousands; who, stamping in one hand the torch of the incendiary and in the other the dagger, spreads terror and consternation around, must be considered as differing widely from these criminals, and nevertheless, you condemned the jury, for these crimes, no exception, no benefit, no difference in penalty is dispensed over the guilty, when the misdemeanors of parliament. These men, gentlemen, or rather there is but one and the same penalty for all these diverse shades of guilt—for him who kills a man, whether he may, death—for him who destroys his parent or his offspring, death—for him who robs, plunders and murders, death—nothing but death. Yet these crimes are not alike, but the law confounds whatever diversity may exist between them.

If there existed no other means of protecting society from these men but by consigning them to the grave, I would be the first to say go you to death. Let the guilty and let their heads be forfeited, for we cannot preserve in the bosom of society individuals who exhibit no murder and repose. No, let them undergo this chastisement, however severe it may be, since there is no remedy; but if there exist a punishment, the severity of which is proportioned to the crime, you will not hesitate in selecting it, and you will thus fulfil the functions with which you are charged, of punishing the guilty.

Gentlemen of the jury, you will appreciate the delicate position in which I am placed, and if the doctrine I profess be not entirely in unison with your opinions, you will respect it as the expression of my profound conviction—you will respect it, for you too must feel that punishment should be proportioned to crime. My task is nearly done. I did not deceive myself with a vain hope in undertaking the arduous and painful duty of counsel to these men. If I have found a point upon which a defence might be raised, it is because in reality it is the only point which can be fairly employed. If I had demanded boldly and imperatively the acquittal of these men—if I had falsely said to you, "Acquit them, for they are innocent"—if I had used expressions such as these, you would not have believed me, and I would have belied my own conviction. I have not attempted to snatch from the law the victims of its just wrath. I have told you, on the contrary, to punish the guilty, but let this chastisement not be the same as that inflicted upon criminals of a deeper dye. Punish them by condemning them to live, and grow old amid chains and slavery. Let them live, and let the thorns of remorse harrow such a wretch of their lives. They will then, perhaps, learn, that there are torture more horrible than death—they will then expiate by long-continued agony, the crime of which they are the authors."

When the counsel for the accused had closed the defence, the Attorney-General addressed the Court for the third time. He has rarely exhibited more eloquence than on this occasion. He assailed the defence of Mr. Carriere with all the power of argument of which he was capable, and overthrew it by a mass of cogent reason and eloquent argumentation. He repeated several times in loud and overpowering tones, that he "wished to crush the doctrines which had just been put forth." We will quote the commencement of his brilliant rejoinder, as well as our recollection will enable us to do, regretting at the same time our inability to give the forcible and admirable language of the orator, as it poured from his inspired lips.

"I do not rise," said he, "to refute the argument of the honorable young man who has consented to grant the prayer of the prisoner, and lend his aid to the accused who are borne down by the weight of the testimony you have heard. I was well aware that a man of honor could not explain away facts so irresistible. But I must respect the person of the counsel for the accused, I must let him extending that respect to the doctrines he has attempted to sustain. I did not intend to do so, but my indignation compels me to address the jury, and to unroot these doctrines, to nip them in their germ, and eradicate their very principle. They are subversive of every thing life is under, and those who seek the abolition of the penalty of death, likewise seek the abolition of slavery. Those pretended philanthropists who now cry "No more gibbets," are but the said echoes of the ambitious men who spread in every country this spirit of pseudo-philanthropy, and feebly sustain the dogmas of a Raynal. They look for changes in the form and substance of government, that they may have a pretext for displacing its officers, and subsequently in their place the partizans of novelty; they look for trouble and commotions, that they may be revenged on their enemies; for confiscations, that they may be enriched; for wars, that they may obtain command; for anarchy, that they may usurp power."

The attorney general combated the opinions of the opponents of the punishment of death. He repeated several times the emphatic words "*death for death.*" He who kills with the sword shall die by the sword. If any one shed the blood of man, his blood shall be shed by the hand of man. Every where this doctrine is upheld of "*blood for blood.*"

When Mr. Mazureau had concluded, the Judge addressed the jury. After charging them, he turned towards the counsel for the accused, and publicly manifested the esteem he entertained for his talents as a lawyer, and his zeal as a citizen. He then added—"This cause which offered no resistance to the counsel; which, on the contrary, was a stumbling block for the best established reputations, and from which the most experienced counsellors had withdrawn; this cause which could not be otherwise than a painful and difficult one for a young man, was undertaken by Mr. Carriere, at the request of the state with all the alacrity and energy of youth. He has sacrificed his own glory to the impulse of humanity. While I reprove his doctrines, I admire his sensibility which has perhaps taken an injurious tendency, but which has nevertheless preserved its character, and which yet merits the name of sensibility."

The jury then withdrew, and after ten minutes' absence, returned to the court, and pronounced a verdict of GUILTY.

Sentence is to be pronounced by the court this day

SUIT OF DUBRUEIL'S HEIRS.

The True American is mistaken in stating under the head "*Great Suit*," that the heirs of Dubreuil had brought an action in the district court against the first municipality for the recovery of certain lots situate between Esplanade, Levee, Ursuline and Rampart streets. The property for which suit is brought against the first municipality, is situated between Main, Levee and Esplanade streets and the marginal line of the river, and is estimated at $600,000. The property claimed from the third municipality is estimated at $400,000. It is situate within the limits of said municipality, and now belongs to the corporation. The whole amount claimed is about four millions, and if recovered it all, will be payable out of the sinking fund of the general council. The *second* municipality therefore, becomes a very important party to this suit, in common with the first and third. Although we are aware that the heirs of Dubreuil have filed their claim upon a grant made by the French government in 1745, yet we should be happy to communicate to our readers the reasons on which Mr. C. G. De Armas, the attorney of the claimants founds a suit, which seriously threatens to compromit the interest of the whole community. We trust that gentleman will find no objection to communicate the grounds of his suit to the public through the columns of this journal.

ELECTIONS.

The general elections in Vermont began on the 4th inst. Those of Maine commenced on the 10th. The elections in Arkansas, Georgia, South Carolina and Maryland, take place early in October; in Pennsylvania on the second Tuesday in that month; in Ohio about the same time, and in New York early in November. In nearly all these states the prospects of the democracy are most encouraging. In Vermont we shall probably gain a member to congress, and contest the gubernatorial election closely. In Maine, the democracy are up and doing—Mr Fairfield the republican candidate for governor, is acknowledged by the whigs to be the most popular individual in the state. Maine has always been devotedly attached to democratic principles, and though during the panic session, the whigs made some impression upon this gallant state, the old republicans, the veterans of the party, are rousing themselves in their strength, and are determined to efface the stain. We look therefore for a democratic victory in Maine.

In Arkansas the probability is, we shall hold our own—in Georgia the triumph of the administration is scarcely problematical. The Union party in that state are to a man supporters of the administration, while the State Rights men will in general sustain the government on the great financial questions of the day. As in North Carolina, where there is nominally a federal majority in the legislature, but in reality a preponderance of State Rights men, so in Georgia, whatever may be the political tales of individuals some tenths of them are in favor of the divorce of bank and state. In South Carolina, the administration will receive undivided support in its leading doctrine. The struggle in Maryland will be very animated, and judging from the tone of the different papers we should consider the result dubious. In Ohio, the democracy are making powerful efforts, and there are strong reasons for believing, that we shall come off winners. The federal papers speak doubtingly of the contest.

After all however, these elections are comparatively insignificant when we reflect upon the prodigious influence exerted by the two great states, Pennsylvania and New York, and on the immense acquisition of power that these states will be to the political party that succeeds in them. They may be considered as in some respects as deciders of the struggle. Democratic victories in New York and Pennsylvania would place the administration in a position of proud and unassailable security, whereas complete defeat would almost as certainly ensure the success of the federal candidates in the next presidential election. Both parties estimate these states at their due value. New York with 42 congressional delegates and Pennsylvania with 30, constitute of themselves nearly a third of the votes necessary to elect a president. Under these circumstances nothing will be spared by either side to secure a triumph in the coming elections. The whigs, it must be confessed have the advantage of us; they have funds in abundance, the control of the public press, a perfectly organized party, banded together by motives of interest and all the superiority derived from a position of attack. The democrats on the contrary, are poor, unsupported by the public journals, forced to rely solely on their unbought honesty and the intrinsic excellence of their cause, and occupying an attitude of defence, always more difficult and less calculated to inspire enthusiasm. Yet with all, with all the means and appliances which are freely brought to bear against them, we look confidently to the coming elections to rout triumphantly the strength of the democratic principle. In Pennsylvania, we have little question of some success, and in New York, though the struggle will be fierce and sustained with unequal equality, we anticipate a similar termination.

RIGHT OF SUFFRAGE.

A very important subject will claim the attention of the next legislature, and not less delicate than important in regard to the fittest manner of approaching it; the question to which we allude is the extension which the right of suffrage received at the late election under that clause of the constitution, which permits purchasers of public lands to vote without paying a tax to the state. The privilege thus conferred on it was exercised at the late election, was equal in its effects to the universal right of suffrage. It is needless here to enter into details or examples—both parties resented to the use of the right conferred by the constitution, and neither party has reason to complain of the manner in which it was exercised by its opponents. We are not inclined to impugn either the right or the mode of its exercise. It was sanctioned prior the last election of mayor in an elaborate opinion of the attorney general, which was printed and extensively circulated throughout the state. We are aware that this opinion of the attorney general is not law; and yet the opinion on any legal subject of any individual, holding that office, is entitled to respect. It was subsequently sanctioned by the decision of the judges who presided at the election in the parish of New Orleans, comprehending the district and parish judges and all the judges of the city court. The right of voting under the clause in question, was also recognized, so far as we have heard, in every country parish in which an attempt was made to exercise it. Its effect in this parish was to make the number of votes twice as great as it had been at any previous election. It is vain to expect that this privilege will not be claimed and exercised at every future election with less or greater pertinacity, according to the degree in which parties may be excited, and the importance of the points in dispute. As we before observed, it lets loose upon the people of this state all the effects, be they evil or be they good, of universal suffrage. This is the real state of the matter. It is useless to attempt to disguise it, and there is no way of averting those effects by legislative or judicial interference.

The question for the deliberation and decision of the general assembly is whether the consequences of this mode of conferring the right of suffrage may not be made to give way to another, which may be substituted in its place, which will be more congenial to the feelings of the people of Louisiana and at the same time be beneficial to the state. We mean by the substitute, the imposition of a POLL TAX payable into the treasury of the state, to be rateably levied and collected in such manner as the legislature in its wisdom may think most just and reasonable. If the payment of such tax be left optional with the citizen, it would still produce a very handsome amount—provided it be not too high, for if too high, recourse would again be had to the plea of obtaining a right to vote by the purchase of public lands, the expense of which may be diminished in proportion as the number of names is increased in any single application. If a tax of one dollar per head were levied on every white male inhabitant of the state, above the age of twenty one years, it would in the space of a few years produce fifty thousand dollars per annum. The rate of taxation in Louisiana is as low as that of any civilized country on the globe, and no man, be he native or alien, can enjoy the protection of our institutions for his person and property, can reasonably complain either of the mode or amount of this contribution to the public treasury. The payment of the tax would clothe every man, possessed of the other qualifications required by the constitution, with the right of voting, and it would provide a fund which might be consecrated to the purpose of education, and thus be instrumental in securing immeasurable benefits upon the rising generation and their children's children.

We have refrained from offering any opinion on the policy of enlarging the right of suffrage to the extent which such a law would produce. The good or evil effect of an universal suffrage is not the point in debate. It is brought upon us—it is fixed upon the people of Louisiana, and it cannot be shaken off by any possible means short of a convention to amend and alter the constitution—and if such convention were assembled, it is most probable that the privilege of voting would be latmily granted to every citizen of the United States, who should have resided in this state twelve months before the election. The question is whether the right of suffrage, as exercised at the late election by persons who had purchased a nominal quantity of public land, may not be turned to the advantage of the state. If men were permitted, to vote on paying a moderate poll tax, they would not think of resorting to the circuitous mode of obtaining the right, though that in most cases equally accessible and perhaps less expensive. By the one mode, the privilege of choosing our rulers is bestowed upon individuals who contribute no pecuniary aid to defray the expenses of the government—by the other mode the resources of the state treasury are considerably augmented, in a way too which will be perfectly agreeable to the payers of the tax and which may be collected without much trouble.

Many persons, we are aware, are opposed to the extension of the right of suffrage—but the expediency of extending that right is not, we repeat, the question now to be considered—the right is extended as far as any one can desire; it worked with as much effect at the late election, as if it had been expressly recognized in the constitution; and it is futile to think of supposing it at any future election.

We propose to the subject will be taken into consideration by the next legislature—and in the mean time we have ventured to show not those crude suggestions of our own in the hope of attracting the attention of the public to the subject.

The whig papers have been lately circulating a rumour, which originated with their cotemporaries in New York, that the secretary of the treasury had issued a circular, directing the collectors of the customs to charge a duty of 25 per cent on certain silk goods. It turned out, as we anticipated from the first, that no such circular has been issued, and that though the collector at New York did charge a duty on certain silk goods, he did so on the bought same under the head of *millinery*, yet no alteration has been made in the rate of duties on silk goods by orders of the treasury department.

It appears that the collector of New York has recently been stretching his authority to grant remissions of duty on imported articles, but all to oblige his whig enemies, and now he is reaping the harvest of his acts of misplaced indulgence. A whig merchant arrived at the Custom House and applied to the collector to state that he had brought with him two chooses for his own use, and the collector positively exempted them from duty. A similar favour was extended to Webb, the editor of the Courier and Enquirer, who is now shewing his gratitude by heaping mountains of obloquy upon the collector for exercising his duty, or what he thought his duty in exacting an impostor certain articles of silk, made up in the form of millinery.

JAMES H. KENNICOTT.

With feelings of inexpressible sorrow we perused the account of the death of this gentleman in a late Texas paper. Mr. Kennicott was a young man of respectability and talent, who had made for himself a home for many years, and who has practised law in our city with ability and success. As a gentleman, urbane and accomplished—as a scholar, "a sipe and good one"—a master of the ancient and many of the modern tongues; as a man, unaffected, simple and sincere—conspicuous for integrity, amiability and generosity, his premature death, when his career of usefulness had just begun, is felt by his friends as a more than usually painful dispensation. We have ventured the subject of this imperfect tribute. He possessed every quality calculated to attract and secure esteem. A warm imagination, a liberal and grateful heart, a cultivated intellect, refined taste and extensive knowledge of books were in him united to the most scrupulous honor, and the utmost singleness and unsuspecting simplicity of character. He was hence respected by all, and loved by many.

Mr. Kennicott died of congestive fever, contracted by travelling on horseback through different portions of Texas, and continued exposure to the vicissitudes of the weather. It will be a satisfaction to his friends both here and elsewhere to learn that he received every possible attention during his illness. Mr. K. had many friends and relatives in the state of New York. The New York papers will therefore empter and obligation by copying a notice of his death.

The Picayune quibbles in his attempts to escape from the difficulty in which his have or ignorance had involved him. The journalist says "he was aware that the Bee was treating Mr. Forrest as a man of letters." This is certainly surprising intelligence. The paragraph in the Picayune of Wednesday, displayed as plainly as language could show, that he imagined we alluded to Mr Forrest as an actor. He "begging in the shade of a Tree" did not solely obscure but entirely pervert the meaning of the phrase, all we can say is, that if the Picayune did mean any thing different from the obvious signification attached to his words, he must have acted on the principle of the French cardinal, that language was given to man to conceal his thoughts.

But the Picayune thinks it abated to consider Mr Forrest a literary man. Well, what of it? We think it quite absurd to consider Mr. Prentiss of Mississippi, a man of very eminent talent, or Mr. Prentiss of Louisville any thing but a happy, though most unscrupulous punster. We will venture to say that the Picayune does not concur with us in either of our positions. We differ in opinion every day respecting the merits of distinguished individuals. For the life of us, we cannot regard Mr. Clay as the equal of intellect of Mr. Calhoun. The Picayune no doubt thinks differently. The world is not unanimous respecting the sublime, wit and satirical power even of the editor of the Picayune, a most convincing evidence of the difficulty men experience in trying to please every body. Mr. Forrest has, in our opinion, substantiated his claims to be regarded as a man of fine mind and much literary taste by his able sermon, and we introduced his name as illustrative of the persecution suffered by literary men from federal rancor.

One more remark, and we leave Mr. Forrest to the tender mercies of the Picayune. We did not place Mr. F. by the side of Cooper and Paulding. On the contrary, we observed in the article referred to that "it was scarcely necessary to speak of him, as he was but a fixed and minor star, &c." but that even he had not been spared.

CHILE.—The arrival at New York of the ship Congress from Mazatlan, via Valparaiso, give Valparaiso dates to the 18th of June. The country is still in an unsettled state. The town was besieged and blockaded by the government forces.

"The United States schooner *Boxer* was at Mazatlan rendering essential service to the protection of American commerce. Another expedition was fitting out by the Chilian Government for the coast of Peru. It was expected to sail in July, with force sufficient for the reduction of Callao. The French vessels of war refused to respect the blockade of Callao.

IMPORTANT—A New York paper of the 6th ult has the following:

"The Collector has this morning announced, that he shall forthwith return all bonds and money taken under the interpretation of the Tariff, and that he is advised that the Controller will submit to the Attorney General of the United States, such alteration as he thinks should be made in the future practice, and his opinion as to the time to which the Controller will be authorized to put off the changes. We trust this is the last of this unhappy business.

MISSOURI.—Hannon and Miller's majority over Wilson and Allen for Congress will be more than 6000

☞ The Franklin Republican mentions, that on the night of the 5th, a violent rain and thunder storm occurred in that place. The sugar cane at Bayou Salé has suffered considerable

CONSUL OF SAXONY.

The President of the United States has recognized JOHANN FRIEDRICH CHRISTIAN ULLE as consul of his majesty the king of Saxony for the port of New Orleans, and declared him free to exercise and enjoy such functions, powers and privileges as are allowed to the consuls of the most favored nations in the United States.

☞ We take great pleasure in informing our friends and the public in general that Mr. G. Boyer's excellent academy, Royal street No. 306 re-opens on Monday next, when it is hoped all the pupils of Mr Boyer will gladly return to their studies. It is needless to say any thing in commendation of the gentleman's establishment. It has been well known for the last six years and deserves in every respect the public confidence.

Speer.—The ship Congress brought $150,000 in specie, to Howland and Aspinall.

COMMERCIAL.

"*Nemo cuique tribuito*"

The play of "Nick of the Woods" has been performed three evenings in succession in the city of Philadelphia, and announce the Mountain man, as being highly popular and successful. The author's name is not mentioned, but merely states by a *gentleman of New Orleans*. "He who sows should surely reap"—The play was written by our respected fellow citizen, Geo. W. Harby and, we really think, that so Mr Parsons in reaping the whole *benefit* of it, he should have had mercy of the name of the author who generously gave it to him. JUSTICE

From the Army and Navy Chronicle

Commander Pitchaly, of the Concord, and Tenbrick, of the Erie on the West Indian station, it is understood, have applied to be relieved from the present commands, on account of ill health. Commander R. F. Stockton has been ordered to the Concord—Commander J Renton spoken of for the Erie, and thirteen lieutenants are under orders for duty in the West Indies squadron. With the exception, the lieutenants will take passage in the ship Levant, now at New York.

Commodore Dallas having been three years in command of our naval forces on the West Indies, Gulf of Mexico, etc., will be relieved shortly, it is understood by Capt. Joe. J. Nicholson.

The latest rumour we have heard on the subject is that the Ohio is to be sent to the Mediterranean, under Commodore Hull, and that the frigate Constitution will sail for, under a captain, as she requires very little preparation.

LATEST DATES.

New York	sep. 7	Liverpool,
Boston	sep. 6	Havre,
Philadelphia	sep. 7	Liverpool,
Washington	sep. 7	Paris
Baltimore	sep. 8	Bordeaux
Charleston	sep. 8	Madrid
Vera Cruz	july 23	Cadiz
Tampico	aug. 1	Havana
Mexico	july 21	Honduras

COMMERCIAL

NEW ORLEANS PRICES CURRENT

Cotton—			
Louisiana, Mississippi & Texas	per lb	6	7
Good Fair	do	6 00	0 00
Fair	do	5 00	0 00
Middling	do	4 00	0 00
Ordinary	do	3 7	0 8
Tennessee—Good & Fair	do	0 10	0 11
Fair	do	0 9	0 00
Middling	do	0 8	0 00
Ordinary	do	0 6	0 7
Tobacco.—Fine-cut	per	0 2	0 3
Second	do	1	0 1½
Cross leaf	do	5	0 6
Cut	do	0 20	0 25
Sugar.—New Orleans	do	7	0 7½
Cuba—white	do	0 11	0 12
Brown	do	0 10	0 11
Molasses	per gal	0 30	0 35
Sugar.—Sugars	per lb	23	0 24
Double	do	15	0 16
Rope	per lb	8½	0 10
Coal. Western	per bbl	56	0 62½
Liverpool	per chal	0 00	0 00
Scotch	do	0 00	0 00
Candles.—Sperm, N Bedford	per lb	0 20	0 00
Sperm, Nantucket	do	0 26	0 00
" Tallow	lb	0 17½	0 00
Coffee —Cuba	per lb	0 10	0 12½
Rio	do	0 12	0 12½
St Domingo	do	0 11	0 12
Flour	per bbl	7 25	0 00
Fruit.—Raisins	per box	2 25	0 50
"	half box		
"	qr box		
Almonds, soft shell	per lb	0 13	0 15
"	hard do	do	0 7
Fish.—Cod	per box	2 00	0 00
Herring, per box	per	0 00	0 00
(Lake)	per bbl	0 00	0 00
(Pickled	do	0 00	0 00
Mackerel, No 1	per bbl	0 00	0 00
" No 2	do	0 00	0 00
" No 3	do	0 00	0 00
Grain—Corn in ear	per bbl	0 60	0 70
" shelled	per bushel	0 65	0 70
Oats—per bush		0 50	0 00
Beans	per bbl	2 00	0 00
Hay	per 100 lb	1 75	0 00
Hides—La. Mus	per lb	0 04	0 04
Mexican	do	0 08	0 9
Lead—Pig	per bbl	0 00	0 7½
Bar	per lb		0 00
Lime—Western	per bbl	1 50	0 00
Thomaston	do	2 00	2 25
Provisions			
Beef—Mess	per bbl	20 00	21 00
Prime	do	15 00	16 00
Pork—Clear	do	20 00	0 00
Mess	do	25 00	0 00
Prime	do	19 00	20 00
Hog round	do	0 00	0 00
Bacon—Hams	per lb	0 12	0 13
Canvassed	do	0 12	0 14
Sides	per lb	0 00	0 11
Shoulders	do	0 9	0 00
Hog round	do	0 9	0 00
Lard	per lb	0 11	0 00
Butter—Northern	per lb	0 20	0 00
Western	do	0 12½	0 15
Rice—Carolina	per 100 lb	5 00	6 75
Shot—assorted	per bag	2 00	0 00
Soap No. 1	per lb	0 7½	0 8
Salt—Liverpool	per sack	1 50	0 00
" ground	do	2 12½	2 25
Turks Island	per bush	0 00	0 00
Spirits—			
Brandy French, 4th proof	per gal	1 37½	1 62½
American, 1st proof		45	0 50
Rum New Orleans, 1st proof		0 00	0 00
Jamaica		1 50	0 00
Northern		0 50	0 45
Gin—Holland		0 35	0 35
American		45	0 37
Whiskey—Common		00	0 00
Rectified		45	0 46

SPECIE.

Dollars		4,5 or ct prem	
Doubloons	Spanish	$17,00 a 17,25	
	Mexican	16,00 a 16,25	
American Gold		6 a 8 per Ct prem	
Sovereigns		4,75 a 5	

BANK NOTES.

U S Bank	4,75 per ct. prem
Alabama	6 a 7 per ct dis
Mississippi River Banks	10 a 12 " "
Brandon and other banks	25 a 40 " "
Kentucky	1 a ½ prem
Ohio	1 a 2 "
Indiana	1 a ½ "
Illinois	1 a 1 "
Tennessee	5, 6 a 8 dis
Arkansas	12 a 15 do
Treasury Notes	4 a 5 per ct prem
Texas Treasury	45 a 50 discount.

FREIGHTS.

To Liverpool, cotton per lb	11
London—Tobacco per hhd	00a 00
Havre, Cotton per lb	1½
Cowes and a market, tobacco per hhd,	60a 00
Northern pts on U S, cotton, per bbl	32
Sugar—from the city	00 a 0 0
Tobacco per hhd	00

REMARKS.

We discover no change in business worthy of note, it remains quite as dull as heretofore; there is a little more stir on the levee occasioned by the discharging of a number of vessels which have arrived within the last eight or ten days from the north with goods, preparatory to the ensuing season, but sales continue extremely limited, confined principally to city consumption, and to fill small orders. All the rivers above remain at a very low stage of water, with the exception of the Mississippi, intermittent interfere almost entirely obstructed, western produce consequently comes in slow, and prices of most articles are declining, the stocks, are becoming reduced notwithstanding the small sales.

Money is about the same as last week say 12 per cent for the best mortgaged paper, if any difference it is more scarce; the banks continue very sparing in their discounts.

The weather continues cool and pleasant, it is said there has been some cases of fever during the week, but there is nothing to cause any alarm as regards the general health of the city, although it might be as well for those who have been absent not to be too hasty in returning, until they hear further on the subject.

Specie, U S. and bank and treasury notes are one per cent below what they were last week; we quote them all at 4 a 5 per cent prem, and in but little demand—American gold 6 a 8, our last quotations were 8 a 9—Mississippi bank bills have improved, we quote river banks 10 a 15, Brandon and other banks 25 a 40 per cent discount; Kentucky, Ohio and Indiana have all fallen 1 per cent, we quote them 1 a 2 per cent prem, and Indiana 1 to 1.

Exchange on London 11 a 12½, (some of the banks charge 12); checks on New York 4 a 5, drafts at 60 days 2 a 3 prem. There is very little of any description of exchange offering but, but sufficient for the demand.

On Thursday commercial advices were received from Liverpool to the 3d August, and from Havre to the 24th July. The Liverpool cotton market had improved about half per lb, and the sales of the preceding week, amounted to 32,000 bales. The Havre market was about the same as silent advice.

COTTON—Transactions in this article continue extremely limited—the sales amount to about 300 bales, a large proportion of which was new cotton—these small operations may be attributed to the small stock on hand, and very low purchasers in market.

The Exports are 726,468 bales against 592,597 to the same period last season, making an excess of 133,871 bales, over to the same period last season. There has been 677 bales received during the week, 461 of which is new, and 1726 cleared. The stock on hand and on shipboard not cleared, 5587 bales.

The Exports stand thus, viz

	BALES.
Excess to Great Britain,	127,597
Other Foreign ports,	1156
	128,753
Short to France,	3,068
North of Europe,	739
Cowes & a market,	1,172 5,979
Excess to Foreign ports,	122,772
Excess Coastwise	20,966
	143,838

TOBACCO. We hear of no sales this week—what is on sale is held at prices above our quotations, which purchasers are unwilling to submit to, but from the favorable accounts of other tobacco markets, both in Europe and this country, holders are firm at high rates and 6, 8 and 10 cents per lb is now asked.

The exports are 38,444 hhds against 32,555 to the same period last season, making an excess of 5889 hhds, which stand thus

	HHDS
Excess Coastwise,	4,164
Short to Foreign Ports,	1,225
	2,939

SUGAR—The stock has become very much reduced, and is now all in second hands, and is selling from store at from 7a7 cents—while asking 9l for a very fine article.

WHISKEY—There is no change in price, the demand is small; what sales are making are at 30a32 cts per gallon.

FLOUR—We find no change in prices since last week we quote $7 25 a 7 50 per bbl; we understand that fresh ground from the upper country is more in demand at present than now; the receipts about equal the demand which is quite limited.

CORN—There is no change in price, we quote 66 a 70 cts per bushel, with very small demand.

OATS—In consequence of a good supply having come in the price has fallen to 50 cts per bushel

PROVISIONS—There is no beef in market except northern, which is selling below our quotation, the quality not being as good as western; mess pork is selling at $25 a 26 per bbl, prime 19 a 20 the sales however are small; lard has advanced to 11 a 12½ cents per lb; bacon, hams 12 a 12½, sides 11, shoulders 9 a 10 cts.

WHISKEY—Prices have advanced to 45 a 46 cts per gallon for rectified, there is no common in market.

FREIGHTS—There is so little of any article now going forward that it is hard office to fill the few vessels now loading. There are now 17 ships and barks in, 1 of which is loading for Liverpool, 1 Gibraltar and Malta, 1 New York, 1 Boston, and 1 Philadelphia; the three last are taken for cotton. Several of the others are discharging.

EXPORTS OF COTTON.

Since October 1, 1837.

CLEARED FOR	This week	Previously	Total	Last season
Liverpool	1014	16,843	16,857	34,849
Greenock and Glasgow		16,213	16,213	17,215
Other British Ports		143	143	1221
Total to British Ports	1014	17,099