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The New Orleans Bee.

NEW ORLEANS, TUESDAY MORNING, FEBRUARY 13, 1855.

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THE DAILY BEE.

Tuesday Morning, February 13, 1855.

TO SUBSCRIBERS.

If any of our subscribers between Canal and Girod streets, and between Canal and St. Louis, should fail to receive their paper, they will please apply at our counting room for copies. The carrier who delivers the *Bee* on that route is still sick, and the person who takes his place, being inexperienced, may omit serving some of the residents.

THE NORTHERN MAIL.—We received yesterday the mails due on Sunday. Those due yesterday had failed beyond Richmond, Va.

THE CANAL BANK AND NEW CANAL.

The memorial of the Directors of the Canal and Banking Company, praying the surrender by the State of the New Canal and Shell Road, having been presented to the Legislature, we deem the occasion suitable for a statement of some of the reasons which would seem to militate in favor of the petition.

At the time when a charter was granted to the Canal and Banking Company, the banking policy of the State had taken a wide range, and the General Assembly had created moneytary institutions with a liberal and lavish hand. Some of them owed their existence purely to legislative generosity, while the charters of others were coupled with provisos by which the State received a bonus. The act creating the Canal and Banking Company was one of public policy and high necessity. The valuable and growing commerce between New Orleans and the Lake shores had been greatly clogged by the charter of the New Orleans Navigation Company, which, from its exorbitant charges, its insufficient provisions for the speedy transportation of vessels, its delays, injuries and impositions, constituted a serious monopoly and grievous burden upon the enterprise of our city. With a view of abating this evil, and affording expeditious and cheap communication between New Orleans and the country around the Lake shores, the Canal and Banking Company was created with a charter binding it to excavate and construct a Shell Road to the Lake, and limiting the rates of tonnage to one-half of the lowest amount charged by the Orleans Navigation Company. It strikes us that the Legislature might well have dispensed with any bonus, when conceding the privilege to execute a work of such undoubted value and convenience to the commerce of New Orleans—a work of which the completion would ensure safe and speedy transportation to the Lake, and relieve the trade from an onerous and unjust tax. Nevertheless the charter of the Company contained clauses requiring the surrender to the State of the Canal and Basin in thirty-five years from the passage of the act. The stock holders believing, upon the faith of the representations of skillful engineers, that the cost of the enterprise would be such as to reimburse them for the outlay, and afford them a fair interest at the time of the expiration of their charter, accepted the terms proposed, and the Company proceeded energetically to the execution of the contract.

We need not recapitulate the delays, difficulties and formidable obstacles encountered by the Company. These are already known to our readers. Suffice it, that instead of six months, FIVE AND A HALF YEARS were required to complete the Canal and Shell Road; that instead of an expenditure of less than $400,000, more than a million and a quarter was consumed in the undertaking; that the banking operations of the Company were for many years cramped and crippled by the necessity of applying its capital to the work; that the stock was long run-inously depressed, and the bank itself nearly involved to bankruptcy, and that now, when only twelve years of existence remain to the Company, it finds that the surplus of expenditures upon the Canal and road over the receipts is $1,037,000. Nay more, estimating from this time to the year 1866 the receipts at the rate per annum, the Company will fail to be reimbursed in its expenses, and will be a creditor of the public in the sum of $598,000. This is a bare statement of fact; but an examination of the subject in a commercial point of view, will illustrate it far more strongly. Thus:

The cost of the Canal in 1840 was ...	$1,300 000
Legal interest on the above to 1866 (26 years).....	2,704 000
Res. cost in 1866.....	4,004,000
To be deducted—	
Amount received for fees up to this date.....	227 000
Interest to 1866 (12 years).....	217 000
Amount to be received for 12 years, ...	480 000
to 1866, say	
Average interest on the same.....	230,400
	$1 155 820

Leaving an actual cost to the Company at the time the State can claim the Canal of $2,848,180

Now we ask in all candor and honesty if the State ever contemplated the exaction of so enormous a bonus for the concession of such long privileges? Was it ever taken upon mature reflection by any other company? Would the Canal and Banking Company have asked the right, if it could possibly have anticipated that the enterprise would have proved a source of disaster instead of profit? Has not the Company, despite the multiplied obstacles, and the pecuniary embarrassments of the times, faithfully fulfilled its contract, and given to the commerce of our city a splendid and costly public work, the completion of which has imparted a powerful impulse to trade, reduced the prices of building materials, and increased the value of the lands on the Lake coast. Would it be fair, equitable, in accordance with those maxims of truth and honor which should ever actuate legislative bodies, to strip the Company of its property and privileges, long before it has been reimbursed for its outlay, much less realized a dollar of profit? Questions like these should be viewed by the broad light of principle and justice. Here is a Company which has rendered an immense benefit to New Orleans, by prosecuting an important enterprise to its consummation, in the midst of commercial embarrassments and unforeseen difficulties. In achieving this great object, the Company has more than fulfilled the original estimate of the cost thereof, and finds that at the period when its powers will expire, and the road will revert to the State, it will have been a heavy loser by the operation. The public alone is the gainer, while those who have toiled for it reap no jot of benefit. Under such circumstances, the plain and evident duty of the State is to save the Company from actual loss, if not to reward it for the substantial boon bestowed upon our city. This can be effected, by simply acquiescing in its prayer, and allowing it to retain possession of the Canal and Road, instead of surrendering them to the State at the time specified.

We have barely presented a single argument in behalf of the Company, but its elucidation has occupied so much of our available space, that we must reserve farther exposition of the subject for another occasion.

NEW ORLEANS, JACKSON AND GREAT NORTHERN RAILROAD.—It will be seen by the advertisement that the hours of the departure of trains on this road have been changed. The cars leave the city at 9, A. M. instead of 8, A. M., and leave Osyka or the State Line at 9, A. M., instead of 8½, A. M.

STEAMBOAT EDWARD HOWARD ON FIRE.—We learn from the officers of the steamer *Edward Howard No. 2*, that the *Ed. Howard*, from the Cumberland river, got aground at President's Island, and after being lightened by the *Iroquois*, took fire in her hold on Wednesday last, 7th inst. To prevent the total destruction of the boat and cargo, they were compelled to fill her with water. The *Iroquois*, after discharging her upward freight, went again to the relief of the *Ed. Howard*, and took on board most of her cargo, which will be brought to this port. The *Howard* had sunk to her guards.

LISTADOS AND SEABOARDS DRY GOODS.—The attention of ladies is called to the sale of fresh and fashionable Dry Goods, to take place THIS DAY, 13th inst., at No. 5 Old Levee, between Bienville and Conti, corner Levee streets. Terms liberal at sale

ST. CHARLES THEATRE.—To-night, at the St. Charles, Mrs. Hayne (late Miss Julia Dean) appears for the first time since her marriage. She will personate the character of Pauline in Sheridan Knowles' new five act play, "Love," to Mr. Charles Pope's *Hugo*. The farce "My Precious Betsy" is also to be performed, in which, we are glad to see, the greenhorn and talented Mrs. Barnard, one of the most popular actresses of the Company, makes her first appearance since her recent severe indisposition. The excellent comedian, Mr. Bernard, is likewise to perform in this piece.

MR. J. STILL, the French pianist, arrived here yesterday, and is now stopping at the Orleans Hotel.

BAD ADVICE.—John Mitchell has had the bad taste to give the following advice to the military companies composed of foreigners, recently disbanded in Massachusetts. We can scarcely wonder at the extreme to which hostility to foreigners is carried, when some of their number has the temerity thus to speak:

"If or every native born man in the Sixth Army, let three be purchased forthwith; let independent companies be formed, native no preferred—and the dashed company—there are plenty of them here yet—and let every foreigner be drilled and trained, and have his arms always ready. If we you must be, but carry, having command of the country, having every possible advantage on your side, you must be wiped out by discharging you, means to do you mischief."

Be careful not to trouble in the smallest perticular to American prejudices. Yield not a single jot of your own; for you have no good a right to your own opinions as they. Do not by any possible means suffer Gardner's Bible (the Protestant Bible) to be thrust down your throats. Do not abandon your post, or become your own executioner, do distance or as soldiers, but after report done to the last and highest tribunal of law open to you; keep the peace; censure no "demonstrations;" discourage drunkenness, and stand to your arms."

ARRIVAL OF THE PROMETHEUS.

Later from California.

The steamship *Prometheus* reached this port yesterday, in five days from San Juan de Nicaragua. The *Prometheus* left New Orleans January 29. After experiencing a very heavy gale from the N. E., during which she lay to 10 hours, she arrived at San Juan on Feb. 4th. Feb. 1st, off Cape San Antonio, N. W. 18 miles, passed close to a Spanish brig-of-war in disguise of a merchant vessel, painted black with a plain white streak, sails carelessly set, mosh patched, showed no colors. The Prometheus left San Juan Feb. 6th, and arrived at the Bathse on the 11th, with passengers 18 days from San Francisco. The Northern Light left for New York at the same time with 900 passengers and $400,000 in treasure. Passengers by the Sierra Nevada crossed the Isthmus in 30 hours. They express themselves as highly pleased with the very comfortable and safe arrangements now in operation to facilitate transit of passengers over this part of the route.—The Company's new and elegant wagons, together with their large number of commodious Lake and River Steamers, have rendered the crossing of the Isthmus a trip of pleasure instead of privation and pine. The health of the country is good, and the river in the best navigable order. Greytown is slowly rising again. H. B. M. brig Doring and R. M. steamer Decrem, were the only ships in port when the Prometheus left. Col. Kinney's party had not yet arrived.

Affairs in the interior are nearly in *statu quo*, that is, the Government party under Chamoso, and the Estabelecidos in the Plaza of Grenada by about an equal number of the revolutionists, under Castillon. We are credibly informed that this latter will soon be reinforced with 500 men from Honduras, under the well known brave and chivalric Munoz, who, it will be remembered, some few years since so signally defeated, captured and executed that notorious robber chieftain Samoza, whose name so long spread terror throughout the State of Nicaragua, and at whose death the State ordered valuable medals with suitable inscriptions, to be publicly presented to Gen. Munoz and his officers. The secession of the gallant Munoz to the interests of the Castillon party, will be likely to give the death-blow to Chamoso's reign in Nicaragua. Our American Minister, Mr. Wheeler, and Consul Fabins, have just returned from a visit to the interior. They represent things as being in that confused State so much to be deplored, yet so often experienced in that otherwise desirable and truly beautiful country.

List of passengers per steamship *Prometheus*, Capt. Henry Churchill:

Jose M. Davis, Mrs Sinclair, Mrs Clarks and servant, D. C. Swain, Mrs J. Watson and 3 children, Miss Fillis, Capt. Wm. Webster McLean and steerage, Dr Duffy, lady, 4 children and 3 servants, A P Demay, Mrs Demay, Miss Demay, Miss A Lemay, Mrs Udell, J Pate, A Heffer, A Williams, A B Tally, W W Butterfield, S Sconer, J Morris, C Wilmet, S Dalbich, E Miles, Mrs Bowles, F Blanchard, F Lemay, J R Conway, W Dunbar, R Foster, Mr Sheys J D Baker, J Main, Mr Ruby, F Whitehead, Mr Cook and 4 children, S R Chandler, B Barbue, S Thompson.

By this arrival we have full files of Californian papers to the 24th, and Oregon papers to the 6th ult., for which we tender our thanks as well the usual acknowledgments to Mr. HART, the Purser of the *Prometheus*.

The Legislature of California had had two-two ballots for United States Senator, without being able to effect a choice. On the first ballot the vote stood Broderick, 12; Gwin, 27; Edwards, 36; McCorkle, 19; McDougall, 3; M. S. Latham, 4. Barnet, 1. Number of votes cast, 102.

Gwin is the caucus Democratic candidate, and Edwards, the Whig nominee.

We do not find as much interest in our files. There has been about the average number of murders, robberies and cases of Lynch Law.

Mr. Joseph Heslep, acting Treasurer of Sonora county, was brutally murdered on the 18th January, in his office. His head was crushed with a pole or hatchet, Mr. Birney, who slept in the office, was the first to report the murder. It was known he was in the habit of keeping a large sum, $13,000 within a few days past. The safe had been rifled of all the money but about $2000. The coin was scattered around the floor, the key of the safe left on the table by the murderers. One of the murderers was subsequently caught, his name is Griffith. Part of the money has been recovered. A deposition of Griffith from Sonora says:

Griffith, the man who murdered Mr. Heslep, the County Treasurer, was hung by Lynch law, yesterday morning, between 7 and 8 o'clock. He is a native of Liverpool, England, and was 30 years of age. He immigrated to California from Australia, and has left a wife in San Francisco. Before his execution he made a full confession of his having committed the murder.

Brown, the murderer, at Los Angeles, whose reprieve had created so much excitement, was hung by the Vigilance Committee of that town and burg.

The *Alta Californa* newspaper was sold at public auction on the 23d ult.

MELANCHOLY OCCURRENCE.—The *News* states that a young man named William Whitmore, who arrived from New Orleans a short time since on the *John L. Stephens*, while rowing over to Sausalito on Monday evening in a small boat, appeared to be suddenly seized in a small boat, appeared to be suddenly seized with a violent fit, throwing down his oars, and leaped overboard and was drowned. The occurrence was witnessed from a trading sloop near by, in which boat every possible immediate and most praiseworthy efforts to rescue the unfortunate man, but are they could reach the spot he had sank to rise no more. Mr. Whitmore was a native of Baton Rouge, La., of enterprising and industrious habits, and was married only about six months ago to a beautiful girl of seventeen, a Miss Bowles, of aged parent in this city without any support but their own efforts. The body of the deceased has not been removed.

The miners are doing well, where water can be obtained, but in many places the article is scarce, and the yield is consequently poor.

The Indians in the North of the State are in a most destitute and starving condition, particularly on Pitt River and McCloud. The efficient agent, Col. Wozencraft, has issued orders of Indian affairs to furnish them relief from the funds at his disposal.

The *Herald* urges the necessity of a treaty with Mexico for the extradition of criminals. Murderers and felons are constantly seeking refuge in California and constitute a very odious class of its population.

On the 13th ult., five Americans were killed by the Indians in Del Norte, near Humboldt Bay. An Indian war was generally feared.

John Tabor, the man who shot Joseph Manefield, of the "San Joaquin Republican," in June last, has been sentenced to be hung on Friday, the 16th day of March next, at 4 o'clock, P. M.

The corner stone of the new Custombouse in San Francisco was laid on the 20th ult., with appropriate ceremonies.

The annual report of the State Comptroller shows that the receipts for the fiscal year ending on the 30th June, 1854, were $1,092,647 35, and the expenditures, $1,204,787 96.

The astounding progress of this State is also shown by a table published in the Report of the Comptroller, showing the total receipts during the first, second, third, fourth and fifth fiscal years. From this table it appears that the total receipts for the fiscal year ending June 30th, 1850, were $1,156, 97. For the fiscal year ending June 30, 1851, $330,796 05; for the fiscal year ending June 30, 1852, $356,825 07; for the fiscal year ending June 30, 1853, $454,987 85; and for the fiscal year ending on 30th June, 1854, $1,092,647 35. Total amount of money realized by taxation during the five years existence of the State, $3,392,410 56. From these figures, it appears that the taxable property of the State has more than doubled during the last fiscal year; and that the taxes for the same period, has equalled in amount the sum total of the taxes collected since the admission of the State into the Union.

Oregon.

We have files of Oregon papers to the 10th January. A prohibitory liquor law has been introduced in the Legislature.

A man named Barris, living in Portland, murdered his wife and four children, after which he set fire to his house, consuming the bodies of his victims. He was soon after arrested. The prisoner is said to have been the cause of this awful deed.

A disastrous fire occurred in Portland on the night of the 18th December, which destroyed two large steam saw mills, a ship factory, planing mills, blacksmith shops, &c., the property of the Portland Milling Company. Loss, $35,000.

Business is improving throughout the Territory.

It is reported that the steamer *Southerner* has been wrecked near Cape Flattery, on the coast of Oregon. The passengers are reported to have been saved. The rumor of her loss is not fully credited.

[COMMUNICATED.]

The warlike feeling which now pervades Europe has reached the hills of the Arabasco.

Although a few days before the millions now for the soldiers necessary for such an undertaking, we have thought we could fight with our person al means, by whosever and by all, knight-like, the gauntlet thrown to the street.

The war we declare to the citizens of the American Union, carries along with it no reinforcements or conscription, but will be waged without the soldiers leaving their homes; every one will be enabled to share the victory; the invalids and even the women who are said to be superior in the North.

We challenge the citizens or residents of the United States, from Forts to Boston, and from Philadelphia to San Francisco, to a game of chess with the sons of Montezuma. The world knows on which side mercantile power and physical strength are for the time, and it would not be uninteresting perhaps to ascertain to which side combination and intelligence have been elected.

Those friendly wars will give to the New World a relative superiority on the old, whose quarrels, dissensions to humbly, have never brought about any good, but between hatred among nations and mankind divided as nations, are nevertheless the members of the same families.

We propose that the war be commenced five days after, so as to reserve an answer by a mere every fifteen days, having one month's time to meditate each move, and give the other adverse party time to meditate each move, and give the other adverse party time to meditate each move, and give the other adverse party