The New-Orleans Bee.

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The New-Orleans Daily Bee.

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

Published Every Morning, Dec. 13, 1850.

The Northern Mail failed yesterday.

NAVY DEPARTMENT.

We defer our analysis of the reports from the Navy Officers transmitted to Congress with the President's message, to a rapid summary of the report of Mr. Graham, Secretary of the Navy. It is a clear, elaborate, and abounds with useful suggestions.

The Secretary begins by an expose of the condition of the several squadrons during the year. These include the Home Squadron, the East, Mediterranean, Africaus, and Pacific stations. They have all been employed constantly in the protection of our commerce. The experience of Sir John Franklin, and the recent visit of Lieut. De Haven, had, it seems, rendered the 74th degree of north latitude as gallantly combating with the ice of that region, yet we have no sailors in our humane, but noble service. The names of the Coast Survey, likewise, are constantly encountered in Mr. Graham's report.

The Secretary recommends the construction of ten sloops of war, nine steamers of the first class, employed on the New York and Liverpool line, but not yet constructed, and four steamers of the first class between New Orleans and Chagres. A second steamer has been brought into use, but has proved to be no larger in capacity than the first contracted for. On the other hand, the Law passed at the last session, provides for five steamers.

The Secretary recommends that the Navy Yards in the country, with the exception of Norfolk and Boston, be sold. The Navy Yard at Washington is of great importance, as the depot of ordnance stores, fabrics of canvas, &c., that are manufactures cordage, &c. A Navy Yard is about to be established on the Pacific. The stores now on hand, for the construction and equipment of vessels, amount to $6,500,000.

The Secretary considered what naval force is necessary for a peace establishment, and concludes that our merchant service affords ample materials for recruiting in time of war. He recommends that the number of officers in employment be limited to 60 captains, 300 lieutenants, 300 corresponding midshipmen in the interior service, and that those who may be with the service should be suitably employed. Promotions should be made with regard to merit exclusively. Vice and incapacity should be weeded out of the service. The disparity between the salaries of officers and their grades can be remedied, by reducing the number of officers, and by reducing a number equalizing the pay, and fixing the grade, wherein, if no vacancy occurs, they may be withdrawn from employment in the service.

The Secretary recommends the reorganization of the office of Commodore, and that at least two officers of the rank of Admiral. If Congress thinks proper to confer the rank of Lieutenant-General, he proposed to accompany it by the rank of Admiral of the Navy. One or two Admirals might be employed in the Navy Department, when not employed afloat. Such distinguished officers, and others, when not employed afloat, could be invested with the command of the several forces on the western rivers, and likewise on the lakes, and thereby be relieved from a great many sensible objections to the present system of maintaining an efficient naval force in the Pacific, and the expense of establishing a dock in California, for repairing vessels. The policy of a graduated increase of the Navy is recommended.

Our navy is therefore, is regarded by the Secretary as sufficient for the present, with the exception of the following additions:

Steamers authorized to be built, but which have not been got ready for service, however, be ready for service in months.

Navy Yard at Annapolis is now in a state of forwardness, and when completed will afford great facilities to young officers on entering the service.

Mr. Walker, the Secretary of the Treasury, recommends the abolition of the present system of fees as a substitute for the whole system of offences against the revenue laws, and to expose offenders to the same penalties. The subject of the Secretary's annual advisement, and he has given much time to it, and carefully communicated to Congress.

The report of the operations of the Coast Survey, between New York and Chagres, and between San Francisco, and recommends the construction of a line from San Francisco to Mexico, or some point in Eastern California.

The operations at the National Observatory are conducted in a highly satisfactory manner, and add much to the stores of knowledge, which is of so much importance to navigation. The Secretary recommends an appropriation to Santiago de Chili, to make a new determination of the distance from that city to the Sun, is prosecuting successfully. An American Nautical Almanac is about to be published by Lieut. Davis. Lieut. Page is engaged in preparing a locomotive on a railroad, for the purpose of re-magnetism. Experiments have been constantly made at the Observatory. A report may soon be looked for. A discussion appointed to determine the difference between officers of the different branches of the naval service.

The estimates of the current fiscal year is $4,210,000 are required for the service of the year, the principal items of which are for improvement of the Navy. It is recommended that the appropriations be made specific, so that they may be applied to the exact objects enumerated.

No information has been received at the Department of State of the issuing of orders by the British Government for the release of all the political prisoners of the Conroy prisoners.

Lieut. J. B. Maxwell, a highly respectable officer of the Natchez bar, fell from a steamboat a few days ago, near the landing of Memphis, and was drowned. His body was recovered several days.

A LOT SALE OF FINE JEWELRY.—We are requested to call the public that the semi-weekly sale of fine Gold Jewelry and Watches, &c. &c. &c., which were to begin at 10 o'clock, a. m., by A. Vignie, Auctioneer, in No. 28 Chartres street, second door from Canal, has been postponed till next Tuesday the 17th inst., at the same hour and place. The stores being unexpectedly occupied will be positive.

ALMANACS.—We are indebted to J. B. Steel, No. 14 Camp street, for a batch of Almanacs for 1851, of various sorts and sizes. They are as follows: Affick's rural Almanac, and plantation and garden Calendar; Crockett's Almanac; Turner's Almanac; The Louisiana Almanac; and last and incomparably the best—The American Almanac and repository of useful knowledge, a compilation of ten thousand useful matters, alike useful to the merchant, planter and professional man.

☞ We are indebted to the officers of the steamer *De Vernon* for very late St. Louis papers.

MR. NEAPH'S BENEFIT.—To-night this gifted artist appears positively for the last time before a New Orleans audience. He has selected for his benefit the effective play of Mohammed, in which Mr. N. sustains the leading character, and the high favorite drama Don Cesar de Bazan, Mr. Neafie personating Don Cesar—a character in which he has won enthusiastic applause. We trust that independently of the rich attraction offered by his performance, the high merit of the beneficiary will secure him a substantial token of public favor. If the Theatre is not crowded from pit to dome, we shall think charitably of the public spirit of our citizens and their appreciation of native talent.

THE OHIO.—This splendid steamship leaves punctually at 8 o'clock to-morrow morning for New York, *via* Havana, where her passengers to California will be transferred to the *Georgia*. As the *Ohio* is certain to start precisely at the appointed hour, we counsel all who have taken passage to be on board of her, with their effects, before 8 o'clock, or they may chance to left behind.

MR. R. CLAUDE.—This eminent painter has recently arrived in our city, after a sojourn of many years in France, where he ripened his talents by the study of the finest works of the great masters of the art. Mr. CLAUDE is a native Louisianian, and returns to his home to pursue his profession. We commend him warmly to the patronage of the public. Mr. C. has placed two fine pictures in the St. Charles and St. Louis Exchange for the inspection of amateurs. His studio is situated No. 40 Camp street.

☞ We do not know whether South Carolina will be crazy enough to require her Senators and Representatives not to attend the session of Congress, but it is certain that two of the latter either do not anticipate such a mandate, or are not disposed to obey. We perceive that Messrs. Butt and Holmes were both in their seats on the first day of the session, and answered to their names.

SECESSION.—MR. POINSETT, in his letter to the people of South Carolina, says: "The first time we ever heard of the right of secession was during the proceedings of the Hartford Convention, and at that period no people received the doctrine with more indignation and contempt than ourselves." Thus, remarks the Mobile *Advertiser*, is not the only principle taken by the Nashville Convention—one was substantially the prototype of the other, and they will go down side by side to posterity.

STEAMER ACADIAN.—The Saladin, at St. Louis, reports that the steamer Cincinnati struck on the Grand Chain and was compelled to throw overboard 300 bbls. flour to keep from sinking. The C. was laden at Cincinnati and bound for New Orleans.

The steamer Griffin Yeatman was laying on the dam on French Island, and had sprung a plank. She had at one time four feet water in the hold, but the crew had nearly succeeded in pumping it out, and the rise in the river would float her off. The Arkansiosk a portion of her freight and passengers to Evansville.

TELEGRAPHING BY SOUND.—Experiments are making at Washington to test the ability to telegraph vessels approaching a lighthouse, or the coast, in a fog, by sound—so as to give them the name of the lighthouse—by using a steam whistle of great power. These whistles can be heard for twenty-five and thirty miles. The steamer Empress has one, insured by the maker to be heard thirty-five miles. They can undoubtedly be heard a long distance, but we think thirty-five miles may be stretching sound until it would be difficult to hear it.

☞ A fire broke out in St. Louis on the 4th, which destroyed a livery stable in Fourth street, between Olive and Locust, a large dry goods store and two undertaker's establishments. The loss is about $75,000—much of it was, however, insured.

☞ MR. F. C. Bakewell, says the N. Y. Courier and Enquirer, has invented a very ingenious description of telegraph, which bids fair to rival, if not to excel, the discoveries of Soemmering, Davy, Morse and Bain, and give increased facilities and cheapness to this marvellous method of communication. Not content with the the mere transmission of messages, Mr. Bakewell proposes by his telegraph to secure a *fac simile* of the handwriting in which it is conveyed. The machine may be so constructed as to diminish or magnify the characters of the original communication, and it can be applied to printed matter with even greater facility than to what is written. If brought into actual operation, this discovery will be available with the present wires and voltaic battery, so that should it be adopted in preference to the present system, no great additional expense will be incurred.

BISCUPHITE OF LIME.—The *Planters' Banner* says: Quite a number of our planters are experimenting with the bisulphite of lime in sugar making, but we can hear of none who, after fair trial, appear to be sure that it is doing much for the planter. Something may eventually be made out of the discovery, but up to the present time we are satisfied that no great advantages have been derived from it.

CANE DESTROYED.—We learn from the Rapides *Republican*, that the heavy and severe freeze a few nights ago, did immense injury to the cane in that parish. Even the windrowed was wholly frozen and destroyed.

The river at Alexandria was rising. Should it continue, the navigation with the upper country will be open in a few days.

☞ The sugar-house and purgery of Mr. W. W. Pugh, parish of Assumption, together with their contents—four hundred hogsheads of sugar—were totally consumed by fire on the evening of Wednesday last, the 4th inst. Estimated loss about $30,000. No insurance.

SOUTHERN INDUSTRY.—The efforts now making by the South to foster and promote her own industry have attracted a very considerable degree of attention at the North. Among others, the New York Tribune introduces one of its peculiar editorials, with these remarks:

We watch with much interest the attempts now making at the South to establish various branches of mechanical and manufacturing industry. We trust these efforts may be perfectly successful, and shall hail their triumph as another of the good fruits produced by "secession at agitation." Our doctrine is that every community ought to produce all the articles necessary for its use, except such as nature forbids in its soil and climate. It is a great loss of time and labor for the population of California to go to Europe to buy their shoes, to Connecticut for their carriages, to Sheffield for their knives and forks, or to Manchester or Fall River for their calicoes. It would be much better for all those articles to be made at home and paid for in the produce of the soil, to be consigned in the immediate region where it is raised, and so returned to the land again, thereby preventing its exhaustion. The greater the amount of the home trade, that is to say, of the exchanges performed in each community, compared with that of the foreign trade, or of exchanges with distant regions, the better for the community itself and for the country of which it forms a part. And this principle is as true with reference to Ohio or Louisiana, or any other country or town within them, as it is with reference to the nation as a whole.

THE GREAT LEGACY.—There seems to be some difficulty in determining who the fortunate individual is to whom Col. Daniels, the gentleman recently deceased in England, bequeathed the handsome sum of $2,000,000, for kindness to him when sick at the Tontine, in New Haven. Two claimants have already appeared—one Sir Huntingdon Young, and the other a Dr. Uhlhorn.

The Boston *Atlas*, in noticing Mr. Young's card, in which he claims to be the legatee, says that he occupied "the store below the Tontine, in New Haven, from the time it was completed in 1833, till 1841. Col. Daniels was in New Haven between the years 1833 and 1837, and was a frequent visitor at Mr. Young's. Dr. Uhlhorn was in New Orleans during Col. Daniels' visit, and probably never knew or saw him. Mr. Young took Dr. Uhlhorn into partnership in 1839, and the partnership was dissolved in 1840. Mr. Young, we understand, well remembers Col. Daniels, and, though in some doubt as to the probability of so large a bequest, has no as to his being the identical person referred to in the foregoing extract. Mr. Young was formerly a member of the Boston Board of Aldermen."

☞ A very curious medical discovery has been made in Paris—it is the method of curing instantaneously sciatica, by applying a small jet of fire upon the ear of the side affected. This treatment, known and employed for ages among the Scythians, in Persia and Portugal, is now only in actual use in some parts of Corsica.—Several experiments have lately been made by some of the most eminent physicians of Paris, and with astonishing success. Persons who have been for months affected with sciatica have been instantly cured by this light and innocent burning.

SWINDLING IN NEW YORK.—There is one kind of swindling extensively practised in this city, which challenges far more vigilant attention than it has yet received. Readers of the smaller papers must have often noticed advertisements headed "*500 girls wanted to work on shirts*" or other articles of clothing. These advertisements strike the eyes of the many poor families in our city who are in destitute circumstances and out of work, and they apply at the places indicated for the work thus offered. They are told that a deposit of *one dollar* is required as a guarantee of the safe return of the garment. This deposit is made, and the cloth is taken, to be made into shirts at a *sixpence* each. In due time they are returned, and the girls are told to come next day, after their work has been examined. They go next day for their pay, and are then told that their work was not well done—that the cloth was spoiled—that they cannot have their pay, and that the dollar which they deposited will be kept to pay for the cloth they have spoiled! Thus these men get the work for nothing, and make a dollar besides; and next day they advertise as before, "500 girls wanted"—and go through the same operation. And this swindling is systematically pursued, from week to week, throughout the year, by many establishments which transact an immense amount of business with the trading public.—*N. Y. Courier.*

City Intelligence.

A CREOLE SCULPTOR.—We paid a visit to Hall's gallery establishment of unrivalled notoriety, and examined with some attention a marble statue chiselled by a young Creole of our city, JAMES WARREN, a pupil of GARDELLIA. The specimen we saw, GLADIATOR, Jove's cup bearer, kneeling and presenting a flowing beaker of Nectar to the King of Gods and Men. The design is beautiful, and the execution reflects infinite credit upon the talent and merit of our townsman. The statue is offered at raffle, and is estimated to be worth $500. Every patron of art, and admirer of native talent should gladly take a chance in this exquisite specimen of sculpture. If Mr. WARREN will receive proper study on his models and labor assiduously at his profession, he will doubtless attain deserved excellence.

THE ORPHAN'S FAIR.—The Ladies Fair for the benefit of the Orphan Boys Asylum will be continued this morning. We are happy to perceive that the Ladies are waited upon every evening by a large number of visitors. The Fair will positively terminate to-morrow night.

PLEASURE VARIETIES.—The performances to-night, will commence with the Drama of "Grist to the Mill," after which there will be a pleasing divertissement, in which Mlle. Hilariot will appear. The new farce of "The Cabinet Question," and the inimitable farce of the "Alpine Maid" will conclude the amusements of the evening.

THE CAMPBELLS.—This excellent company of minstrels continue to perform nightly at the Commercial Exchange Hall. We would advise our readers to pay them a visit

FIRST DISTRICT COURT—*Judge Lavaud.*—A trifling case of petty larceny was tried in this Court yesterday, and the accused parties were acquitted.

His Honor refused to fix bail in the case of J. Barlow charged with shooting Bill Williams, and the life of the wounded man was out of danger.

Tom Finnegan was brought up on a writ of habeas corpus, having been committed to prison on a charge of larceny. He prayed to be released on the ground that no specific charge had been brought against him, and that furthermore he had never had an examination before Recorder Soniereau. His Honor rendered the following opinion

The applicant says to be discharged on several grounds.

1st. That the commitment is illegal and insufficient. The commitment referred to states that "Whereas Tom Finnegan stands charged before me of larceny, the said constable &c.; it does not state by whom he was charged whether or not he was charged upon oath, at what time the offence was committed, nor in what acts the offence consisted; it lacks therefore every requisite that a commitment upon can be held under it. If the commitment stood valid, it would be the duty of the Court to discharge the prisoner. But an infamous custom has grown up and has been transmitted to this Court, which I think contains in the entire matter to justify the detention of the prisoner, and I allude to the practice which this Court by article 925 of the code of Practice is authorized to order in such cases. The prisoner cannot be discharged on the grounds stated.

2d. It is urged that he ought to be set at liberty because no preliminary examination was had before the Recorder, by which he is now committed.

The law which governs the action of Recorders of New Orleans and Justices of the Peace generally, in matters of this kind, is to be found in section of an act entitled "an act relative to the Judges of the county courts and Justices of the Peace in the Territory of Orleans," approved by Jas. Brown, and so far as concerns the enquiry in is these words

It shall be the duty of the several justices of the peace, in and for the several counties of this territory, and they are hereby vested with full power to hear and examine all complaints of any breach of the peace, or other misdemeanor or offence, committed within the body for which no particular court has been appointed, and if any charge of breach of the peace, or any other misdemeanor shall be established by the oath of *one or more credidable witnesses*, then it shall be the duty of such justice of the peace, for any offence not punishable with death or exclusively cognizable by the Superior Court, to take the bond of the party charged, with such security as to the said justice may appear reasonable conditioned for the appearance of the party accused at the next county Court for the said county, and to transmit the said Bond, *together with the declarations of the said witnesses reduced to said charge* to the Clerk of said Court, to the end that such offender may be prosecuted according to law. The other portions of the section relate to the commitment in case bond is not given or can not be taken. Subsequent laws have given the power of justices to take bonds. But the act remains in force, makes it the duty of the justice, 1st. *To hear and examine* the charge. This cannot be done without calling the party before him and taking the declarations of the party and witnesses. There is no other mode of examination. Secondly, he is to reduce to writing that evidence which he considers *established by one or more credible witnesses*. The credibility of a witness depends upon what he knows the reputation of a truth telling man, and upon whether he tells the truth in relation to the facts in question. It is the duty of the justice to inquire into both of these things, and as a consequence, it is the right of the party accused to have them inquired into. For this purpose the accused may have witnesses summoned to impeach the credibility of those who appear against him, or to prove a state of facts different from those brought forward by the prosecution. This is a right of the accused and a duty of the justice which the law fixes, and which must be enforced. Thirdly, it is the duty of the Justice to *transmit the declarations of the witnesses reduced to the charge*, to the clerk of the Court having jurisdiction of the offence. This includes not only the witnesses for the prosecution, but the witnesses for the accused. This is intended to guide the prosecuting officers of the State in the discharge of their duties, and without the aid of which they would be afforded in them by no proper evidence with this law, it is utterly impossible to do so. Subsequent offences in such a manner as to put in force, and bring the guilty to punishment. On the contrary, the Courts are to be made, as they have been, witness chambers in which there is no real cause for complaint, while numbers who ought to be punished escape, because the Courts are deprived of the ununiform of the true state of the facts, or of the names and residences of the witnesses by which they are to be proved. It must be apparent that this law be not complied with, the whole system of examination before Justices becomes a useless and expensive farce.

In the present instance, it does not appear that any of the above specified requisitions of the law has been complied with. But as there is an original affidavit before the Court, charging the applicant with an offence, of which he may be guilty, it would be improper for him to be discharged, as the officer has failed to understand or to act according to the law. The ends of public justice can be best secured by the remanding of the prisoner to answer to the case. It is therefore, ordered, adjudged and decreed, that the prisoner be remanded to prison for further examination, and that the Recorder of Municipality No. Three of the city of New Orleans do proceed in such examination according to law.

DISMISSED.—A few days since a charge was made against J. McCluskey, for having carried off some 500 cords of wood in the rear of the Second Municipality. The case was examined yesterday before Recorder Caldwell, and dismissed for want of any proof.

DISCHARGED.—Ann Delany was examined yesterday before Recorder Caldwell, on the charge of having stolen a few days since $60 from Mr. Murphy. The evidence, however, in relation was insufficient, and the accused was accordingly discharged.

FINED.—Geo. Brown was fined $10 yesterday by Recorder Caldwell, for fighting and disturbing the peace.

COMMITTED.—John Smith was brought up yesterday before Recorder Caldwell, on charge with stealing two barrels of Flour from the Bakery of J. Lafaut, in First street. He was sent for trial before the First District Court. P. Wright, accused of being implicated in the matter was discharged.

FRAUD.—G Sherlock was brought up yesterday before Recorder Caldwell, on the charge of having some time since sold a draft of $50 to J. S. Welling, ton, with the intention of swindling him. The case will be examined on Saturday.

STEALING HAMS.—J. Gulli was charged yesterday before Recorder Caldwell, with having stolen some Hams from a grocery store in Hercules street. The examination was postponed.

LARCENY.—Silas Grumbel was arrested yesterday in the First Municipality, on the charge of having stolen some articles of millinery from Mrs. Josephine Lussan, in Royal street. The accused was remanded for examination.

A VAGRANT.—George Brown was arrested yesterday by Captain Youmans, charged with being a fugitive from justice from the State of Alabama, and moreover, with being a confirmed vagrant and a dangerous character. Recorder Genois committed him for trial before the First District Court.

ASSAULT.—The cook of the Four Seasons Restaurant, in Main street, was arrested yesterday, on the charge of having assaulted and stabbed in the thigh a man named D. Barrow. The accused gave bail to appear for examination before Recorder Genois.

A FUGITIVE FROM JUSTICE.—W. L. Collins made an affidavit yesterday before Recorder Genois, charging Jenny Gobet with being a fugitive from justice, and praying for his arrest; he having signed a bond of 500 dollars for her appearance. The warrant was accordingly issued.

Council of Municipality No. One.

Sitting of Monday, 9th December, 1850.

The Council met this day pursuant to adjournment. The members present were: Hon. J. Genois, Recorder and President; Aldermen Bonneval, Clark, Derbes, Dupre, Fabre, Fogel, Hagan, Lanata, Lyad, Laughlin and McAlpin—11.

Absent—Aldermen Bingue, Jumonville, Maginnis, Ramos and Sidell.

On motion of Mr. Fabre, the absence of Mr. Ramos was excused on account of sickness.

On motion of Mr. Lanata, the reading of the journal was dispensed with, and the President authorized to sign the same.

The following message from the Mayor was read:

MAYORALTY OF NEW ORLEANS,
9th December, 1850.

To the Hon. President and Members of the Council of Municipality No. One:

GENTLEMEN: On the 25th October last I addressed a communication to the High Constables of the three Municipalities, directing them to furnish me with the number of arrests made during the year ending the 30th June, 1850—the classification of offences—the sex—the amount of money found on their persons—the number of establishments with license to sell liquor—the number of fires—the various contraventions of ordinances—together with such other general information as might bear on the administration of the police of the city.

The result of these inquiries are now before me, and conceiving as I do, that there are few matters of more interest and importance connected with the proper government of our honorable body, than a prompt, effective and rigid administration of the Police Department, I respectfully submit it to you, with the protection of the lives and property of our fellow-citizens. I shall proceed to lay before you the information in question, as connected more especially, however, with the criminal records of Municipality No. One.

The total number of arrests made in the First Municipality during the year ending the 30th June, 1850 was 10,043, viz

Whites,	7,998
Coloured people and slaves,	2,163—10,043, of which
Males,	8,620
Females,	1,697—10,043

The classification of offences is embraced in the following table:

Vagrants,	4,376
Breaches of the peace and contraventions,	4,114
Larcenies and Robberies,	809
Assault and Battery,	644
Rioting,	63
Arson,	31
Murder,	12
Highway Robbery,	4
Forgery,	4
Rape,	1
Sodomy,	1
Total,	10,043

In addition to the above there have been reported 513 violations of ordinances. Captain Youmans informs me that the number of fires during the year was 61. The number of houses licensed to retail liquor in the First Municipality, is 343. And the amount of money found on persons at the time of their arrest and reported to them on liberation, was $97,533 93.

In commenting on the extraordinary number of vagrants that have been apprehended—amounting to nearly one half of the entire number of arrests—Captain Youmans has remarked, that a large portion are professional thieves, following no honest occupation, and who, if allowed to remain unmolested, would go forwards ultimately augmenting the ranks of the 4th and 5th grades of the criminal class, as catalogue of crime. It is, as a direct charge now brought against them beyond that of being dangerous and suspicious persons, and the only misfortune is, that many people are found to go bail for such mischievous characters, who are thus let loose again upon society to pursue their dangerous vocations.

The chain of offenders against which I have based the Breaches of the Peace and Contraventions, is upon society to pursue their dangerous vocations. the first in point of number, and for the most considerable number were committed under the effects of intoxication and are directly traceable to that evil.

Captain Youmans, to whom I have been frequently indebted for valuable information in regard to the administration of the Police has respectfully called my attention to the immense quantity of petty thieving practised by confirmed beggars, principally on the Levee. In this vice many of these are encouraged by their parents, and they are thus allowed to grow from the age of infancy to maturity and become fitting recipients for the tender and the penitentiary. Riveted to this is the daily increasing evil of street begging, which too frequently is merely the cloak for prostitution and theft. This state of things clearly demonstrates the necessity of having a house of correction established in this City, and time and again called the attention of the Municipal Councils, and which, in my opinion, would go far towards remedying the evils complained of. Indeed, I trust the day is not far distant when the three Municipalities, collectively, will agree on the propriety of the establishment of such an institution.

As a matter of interest and for future reference, I enclose a statement containing in detail the operations of the whole Police Department of the city for the last year.

Since the last meeting of your honorable body, the State of Louisiana, represented by Isaac Johnson, the Attorney General, has filed a petition in the First District Court, claiming, on behalf of the State, the possession of the Levee in front of the plantation of J. McDonogh, which, by his last will and testament is bequeathed to the Mayor, Aldermen and Inhabitants of New Orleans, subject to a usufruct. On the 2nd inst. the Attorney General filed a supplemental petition, setting forth that the executors of the late John McDonogh have no further legal right to administer the real estate and praying, therefore, that a writ of sequestration to issue on the same; and the writ was accordingly issued by the Judge. The application was granted, and temporarily, at least, the Sheriff has sequestered the property in question.

This step, which I consider entirely unwarrantable and ill-timed on the part of the State, renders it necessary at once for your honorable body, in connection with the other Municipalities, to adopt such measures as will effectually put a stop to the usurpation of the great benefits that will arise from carrying out the benevolent intentions of the deceased. This is most certainly a matter that must be attended to forthwith, if we do not wish to impair the nature of the legacy, and render the ultimate object a difficult of execution, and indeed, in the end, impossible. I hope it is no obstacle would have occurred in carrying out the magnificent intentions of the deceased, but unfortunately such is the case, and the Levee in front of the property is declared a public one, and so far as concerns the enquiry in is these words

It shall be the duty of the several justices of the peace, in and for the several counties of this territory, and they are hereby vested with full power to hear and examine all complaints of any breach of the peace, or other misdemeanor or offence, committed within the body for which no particular court has been appointed, and if any charge of breach of the peace, or any other misdemeanor shall be established by the oath of *one or more credidable witnesses*, then it shall be the duty of such justice of the peace, for any offence not punishable with death or exclusively cognizable by the Superior Court, to take the bond of the party charged, with such security as to the said justice may appear reasonable conditioned for the appearance of the party accused at the next county Court for the said county, and to transmit the said Bond, *together with the declarations of the said witnesses reduced to said charge* to the Clerk of said Court, to the end that such offender may be prosecuted according to law. The other portions of the section relate to the commitment in case bond is not given or can not be taken. Subsequent laws have given the power of justices to take bonds. But the act remains in force, makes it the duty of the justice, 1st. *To hear and examine* the charge. This cannot be done without calling the party before him and taking the declarations of the party and witnesses. There is no other mode of examination. Secondly, he is to reduce to writing that evidence which he considers *established by one or more credible witnesses*. The credibility of a witness depends upon what he knows the reputation of a truth telling man, and upon whether he tells the truth in relation to the facts in question. It is the duty of the justice to inquire into both of these things, and as a consequence, it is the right of the party accused to have them inquired into. For this purpose the accused may have witnesses summoned to impeach the credibility of those who appear against him, or to prove a state of facts different from those brought forward by the prosecution. This is a right of the accused and a duty of the justice which the law fixes, and which must be enforced. Thirdly, it is the duty of the Justice to *transmit the declarations of the witnesses reduced to the charge*, to the clerk of the Court having jurisdiction of the offence. This includes not only the witnesses for the prosecution, but the witnesses for the accused. This is intended to guide the prosecuting officers of the State in the discharge of their duties, and without the aid of which they would be afforded in them by no proper evidence with this law, it is utterly impossible to do so. Subsequent offences in such a manner as to put in force, and bring the guilty to punishment. On the contrary, the Courts are to be made, as they have been, witness chambers in which there is no real cause for complaint, while numbers who ought to be punished escape, because the Courts are deprived of the uniform of the true state of the facts, or of the names and residences of the witnesses by which they are to be proved. It must be apparent that this law be not complied with, the whole system of examination before Justices becomes a useless and expensive farce.

In the present instance, it does not appear that any of the above specified requisitions of the law has been complied with. But as there is an original affidavit before the Court, charging the applicant with an offence, of which he may be guilty, it would be improper for him to be discharged, as the officer has failed to understand or to act according to the law. The ends of public justice can be best secured by the remanding of the prisoner to answer to the case. It is therefore, ordered, adjudged and decreed, that the prisoner be remanded to prison for further examination, and that the Recorder of Municipality No. Three of the city of New Orleans do proceed in such examination according to law.

DISMISSED.—A few days since a charge was made against J. McCluskey, for having carried off some 500 cords of wood in the rear of the Second Municipality. The case was examined yesterday before Recorder Caldwell, and dismissed for want of any proof.

DISCHARGED.—Ann Delany was examined yesterday before Recorder Caldwell, on the charge of having stolen a few days since $60 from Mr. Murphy. The evidence, however, in relation was insufficient, and the accused was accordingly discharged.

FINED.—Geo. Brown was fined $10 yesterday by Recorder Caldwell, for fighting and disturbing the peace.

COMMITTED.—John Smith was brought up yesterday before Recorder Caldwell, on the charge of having stolen two barrels of Flour from the Bakery of J. Lafaut, in First street. He was sent for trial before the First District Court. P. Wright, accused of being implicated in the matter was discharged.

FRAUD.—G Sherlock was brought up yesterday before Recorder Caldwell, on the charge of having some time since sold a draft of $50 to J. S. Welling, ton, with the intention of swindling him. The case will be examined on Saturday.

STEALING HAMS.—J. Gulli was charged yesterday before Recorder Caldwell, with having stolen some Hams from a grocery store in Hercules street. The examination was postponed.

LARCENY.—Silas Grumbel was arrested yesterday in the First Municipality, on the charge of having stolen some articles of millinery from Mrs. Josephine Lussan, in Royal street. The accused was remanded for examination.

A VAGRANT.—George Brown was arrested yesterday by Captain Youmans, charged with being a fugitive from justice from the State of Alabama, and moreover, with being a confirmed vagrant and a dangerous character. Recorder Genois committed him for trial before the First District Court.

ASSAULT.—The cook of the Four Seasons Restaurant, in Main street, was arrested yesterday, on the charge of having assaulted and stabbed in the thigh a man named D. Barrow. The accused gave bail to appear for examination before Recorder Genois.

A FUGITIVE FROM JUSTICE.—W. L. Collins made an affidavit yesterday before Recorder Genois, charging Jenny Gobet with being a fugitive from justice, and praying for his arrest; he having signed a bond of 500 dollars for her appearance. The warrant was accordingly issued.

ARRESTS.	First Municipality. 7,980 whites, 2,163 color'd and slaves, 10,143 4,436 males, 1,607 females,
Breaches of peace & contraventions,	1,114
Vagrants,	4,356
Assault and battery,	644
Robbery,	809
Swindling,	31
Highway robbery,	4
Arson,	12
Perjury,	1
Burglary,	63
Rape,	1
Forgery,	4
Murder,	12
Violation of orders and offences not enumerated,	1
Grand total,	10,043
Amount of money found in possession of prisoners & returned after release,	$97,533 93
No. of houses licensed to retail liquor.	343

ARRESTS.	Second Municipality. 5,407 white, *colonieuse'd and slaves, 10,047 8,116 males, 1,931 females,
Drunkards,	1,039
Breaches of peace and contraventions,	1,569
Vagrants,	1,311
Assault and battery,	749
Assault with intent to kill,	77
Larceny,	608
Swindling,	66
Robbery,	10
Highway Robbery,	10
Horse stealing,	10
Arson,	28
Perjury,	15
Pick pockets,	31
Receiving stolen goods,	17
Burglary,	59
Rape,	3
Attempt at suicide,	5
Forgery,	5
Breach of trust,	5
Counterfeiting,	13
Harboring slaves,	18
Bigamy,	1
Adultery,	4
Smuggling,	1
Inciting slaves,	1
Manslaughter,	1
Rioting,	16
Illegal voting,	6
Mutiny,	1
Cruelty,	4
Bigamy,	1
Maiming,	1
Libel,	1
Trespass,	1
Insane,	17
Violation of orders and offences not enumerated, since cut's ♥	4,000
Grand total,	10,047
Amount of money found in possession of prisoners & returned after release,	$19,094
No. of houses licensed to retail liquor,	426

ARRESTS.	Third Municipality. 4,454 white, 1,361 color'd & slaves, 5,815 4,825 males, 990 females,
Breaches of Peace & contraventions,	1,626
Vagrants,	310
Assault and battery,	823
Larceny,	572
Swindling,	347
Arson,	5
Perjury,	5
Murder,	5
Violation of orders and offences not enumerated,	1,000
Grand total,	5,815
Amount of money found in possession of prisoners & returned after release,	$18,000 00
No. of Houses licensed to retail liquor.	220

Total number of arrests in the three Municipalities, 25,905.

Total amount of money found in possession of prisoners, and returned after release, in the three Municipalities, $64,280 93.

Total number of Houses licensed to sell liquor in the three Municipalities, 1,019.

On motion, said message was taken up, paragraph by paragraph. The first paragraph, relative to the sanitary measures, was referred to the Police Committee.

Resolved, That the Treasurer of this Municipality be authorized to pay to R. Montieth, two thousand one hundred and fifty-one dollars and fifty cents, amount of the above bill.

New Orleans, 9th December, 1850.

(Signed) J. J. FABRE, Chairman.

R. M. McALPIN.

On motion the roll was called and the following gentlemen answered to their names: Messrs. Bonneval, Clark, Derbes, Fabre, Lyad, Laughlin, McAlpin and Hagan.

There being no quorum, on motion, the Council adjourned until Tuesday, the 31st inst., at 6 o'clock, P. M.

JOSEPH REYNES, Secretary.

GENERAL COUNCIL.—The body held its regular meeting last evening. Mr. Bonneval in the chair, and 16 members present. A message from the Mayor was received advising that the Council would have to appoint a commissioner for the election to fill the vacancy occasioned by the death of Mr. Shepherd, late Alderman of the Sixth Municipality. His Honor likewise directs the attention of the Council to the necessity of passing resolutions for the proper observance of the 25th of January. A committee of three was appointed to carry out the latter recommendation, and the Mayor was appointed chairman. Mr. Walsh was nominated as Commissioner of election on the 23d instant. A committee of three was appointed to call on Mr. Chevalier and ascertain why he had not comprised the assessment rolls of the Fifth Representative District. Mr. J. H. Vasbinder sent in his resignation as a member of the General Council from the Third Municipality. Accepted.

The letter on Bayou Bridge in order of the day was then taken up. A motion to place it at the foot was lost. The Council then voted to fix it 616, which was carried.

Mr. Tompkins introduced a resolution to fix the wharfage on vessels arriving from sea at 25 c. and 20c. for ships above 400 tons. Laid on all moved to amend by inserting 30 and 15c. This is a substitute for the system of daily wharfage which was passed at the last session. The original motion of Mr. Tompkins was carried by a vote of seven yeas to two nays. Mr. Logenbuhl gave notice that he would move for a re-consideration of the question at the next meeting.

Mr. Jarvis presented a resolution requesting the Mayor to have the elections held on the 23d inst. especially, on the 6th January, to fill the vacancy occasioned by the resignation of Mr. Vandergrift.

The Council then adjourned.

COMMERCIAL.

The Markets.

TUESDAY EVENING, Dec. 12 1850.

COTTON.—The Cotton market still continues to be characterized by a great absence of activity. The sales to-day amounted to 2,000 bales.

FLOUR.—Sales were made to-day of about 3,000 bbls. Ohio at $4 25 @ $4 50, and Extra at $4 75 @ $5 00 per bbl.

GRAIN.—The market is unchanged. Yesterday's sales were reported, amounting to 7,000 bbls. Corn, and 2,000 bbls. Oats, for shipment. To-day, the transactions amount to 2,000 bbls. We notice some small sales of Corn at 65@ 66c per bushel.

PROVISIONS.—There is no change in Provisions, and the transactions to-day have been on a limited extent.

W