NEW-ORLEANS BEE.

BY GUILLET, MAGNE & CO.

STATE PRINTERS

A. N. LA. Corporation.

OFFICE—Camp street, corner of Commercial Alley, third door from the Exchange.

FOR THE PRESIDENT OF THE UNITED STATES,

HENRY CLAY

FOR MAYOR,

WM. FRERET.

NEW-ORLEANS:

THURSDAY MORNING, FEBY 16, 1843.

CLAY CLUB.

A Special Meeting will be held this Evening, at 7 o'clock. Punctual attendance is requested.

G. C. LAWRASON, } Secretaries
N. DEVALCOURT, }

feb 16—1TH

THE MAYORALTY.

If this ridiculous game that the locofocos intend to permit Mr. FRERET to walk over the course without opposition, they have awoke from their delusion too late. Our opponents never were in a higher state of discordance than now, since the discontent that has grown out of the nominations of Gov. HOUSTON, which they in a continue to smother before next Monday. Their candidate, Mr. GUIROT, is a formidable opponent at any time—one whom it behooves us to meet with our utmost strength.

If this whig party are in a decided majority in this city, cannot admit of doubt—at least no whig doubts it. Nor is the time for marking our strength available; this is the moment to put it forth with effect. Were we to elect Mr. FRERET by a handsome majority, it would be equal to fusion of the slanders that have been promulgated touching the manner in which our entire ticket was carried last summer. Should we through supineness, or from the indulgence of a fatal confidence, allow him to be defeated, it would give color to those aspersions. It would be hoisted abroad as "confirmation strong as proofs of holy writ" of the calumnies that disappointed ambition have determined against us, and let loose the shrieks of detraction upon the members of the Legislature who occupy seats as representatives in the city.

We have selected a candidate whose character is above reproach, and who is acknowledged to have made the best municipal Mayor this city has had for many years. With such a candidate, the whole vote of the party ought to be polled; there will be no excuse for any one's abstaining from exercising his right of suffrage; and none can control a defeat. It would be more tolerable in a minority, than inactive to permit the contest to be fought into the hold when the cause requires prompt and decided action. For better to be beaten from stock—even than through cowardice. A party in the minority leaves credit for a bold stand if it be overwhelmed by numbers; but one that is discomfited by reason of the apathy of its members, will only meet the chastisement and the taunt of its friends and foes.

The recall be a meeting of the CLAY CLUB this evening, to concert preliminary steps to make the election of Wm. FRERET a success—"to take a hand as a screw of iron." Every good whig should attend, who can do so. The locofocos are holding meetings almost every evening—their committees and associations are busily engaged in preparations, and we have heard of some of them counting their victory in advance. Let us be wise in time, and in our preparations with organizations and concert it to meet the polls with our whole power.—Let the call be made to ready success certain; and duties be made to make us ready and in readiness for the duties that we believe them.

The whig party ought to be aroused by a sense of the dangers that environ it, and the indignities that are heaped upon it. Scarcely a mail arrives from the East but brings accounts of our friends sacrificed in their canvass, by the President of the United States, and the Executive of the State in discarding the scaffold with the blood of our friends. We are proscribed both by the General and State Governments. The weak and contemptible head of the General Government has come in for a share of Mr. CLAY, that the destruction of every thing that great statesmanship can not satisfy. His moral character, which can not endure a noble or magnanimous thought—it is not only for the abode of petty envy and malignant persecution.

From our State Executive we may expect nothing—What there is left us but our own spirit and our own resources. All manliness was for ourselves to power, and all for ourselves to defend. Let us then be up and doing, with a resolute purpose and united action. We need not let a glance of presuming our destinies escape, as we must keep watch continually until the hour of final struggle, and be prepared for the day when the enemy will be called upon to cast its vote, in which the people of the whole Union will take part.

This is the first occasion that presents itself for a sunny and vigorous contest. The stake is worth a hard battle. Whigs are you ready?

According to the Rev. of yesterday, Morgan has received a very queer petition. In the nature of which a number of ladies intended for public exhibition, and there but a single copy for sale. At all events, we speak not of the *Tropic* and *Picayune*.

The sale of the property of THOMAS BANKS, Esq., by the United States Marshal, commenced yesterday. The building known as the "Banks' Arcade," was disposed of in lots—and bought altogether the sum of $138,650. The sale will be continued to-day.

We are indebted to Messrs. NORMAN, STRAT & Co., Cincinnati, for a copy of the "Whig Almanac and United States Register," for 1843, a highly valuable work, and invaluable to political editors, for its statistics.

Also the "Proceedings of the Court of Enquiry on the Somers Mutiny," in a pamphlet form.

Also, the "Rainbow or the Fellows' Monthly Magazine," a new and tasteful periodical, devoted to the propagation of knowledge, morality and truth. All these books are issued from the office of the *New-York Tribune*.

ROBBERY.—The house of Dr. HARRIS, in Royal street, was broken into last night, and robbed of all the silver, watches and plate that the thieves could lay their hands upon.

ANOTHER.—The store of CHAIX & DUMAS was also broken open last night, and robbed of a large quantity of ready made clothing, and all the money that was in the counting house.

EARTHQUAKE.—Several shocks of earthquake are reported to have been felt night before last.

The city was thrown into great confusion, on the part of yesterday, that Mr. LAWRENCE, President of the Consolidated Bank, had made way with himself. Early in the morning he crossed the river, and visited the lonely burying place, in the rear of Algiers, where he stabbed himself with a sword cane, or poniard.

He was brought over to the city and expired about 1 o'clock. Mr. LAWRENCE has ever maintained a reputation for probity and honor, that even in these days of suspicion and distrust, rumor has forbade to suppose.

He was a man of the most sensitive temperament—and it is thought that he felt a sacrifice to the prompting of a nice sense of honor, wrought upon by the calumnies that have fallen the institution over which he presided.

EARTHQUAKE.—Two distinct shocks of an earthquake were felt yesterday, in this city, a few minutes before 10 o'clock. They were slight, and we did not ourselves feel the vibration, but we have been many persons, and in different sections of the city, say that they felt the shocks perceptibly, and observed the movement of curtains, and pictures, hanging against the walls of the houses.—*Charleston Courier, 9th inst.*

LOUISIANA LEGISLATURE

OFFICIAL REPORT

OF THE

PROCEEDINGS OF THE SENATE OF LOUISIANA

WEDNESDAY, 15th February 1843.

The Secretary presented to the House of Representatives the following bills:

Act creating the Parish of Franklin—concurred in with amendments;

Resolution appointing a Joint Committee to visit and report upon the condition of the property belonging to the State, in the City of New Orleans.

Mr. HUNT called up the bill relative to public advertisements. This bill provides that all judicial advertisements and notices shall be published in one of the papers published in English and French in the city of New Orleans, and that for the faithful performance of which contract, bond and security shall be required in the amount of one thousand dollars, and for which purpose propositions shall be received by the Treasurer and Secretary of State, by whom the contract shall be given, provided the party applicant possess the necessary qualifications. The bill also fixes the rates of charges for one hundred words or less, and makes the printer responsible on his bond for omitting to insert advertisements forty-eight hours after receipt, and for all errors and mistakes he may make, whether in regard to the insertions or to the subject matter.

Mr. HUNT supported the bill; it was a local measure, and declared that it was loudly called for by his constituents; and that it was in the experience of every practising attorney that the present laws were susceptible of enormous charges.

Mr. BOSSIER opposed the bill on the ground that it was unnecessary, and would not, the federal, feel the impost for which it was designed. The bad consequences to interfere with this measure, inasmuch as the senator from New Orleans (Mr. HUNT) had declared that to be exclusively local; but it seemed to him that the general law as it stands, was sufficient. The public officer who had the charge of printing, would take care that it was done at the most reasonable rates, and if any publisher of the laws should attempt to charge more than reasonable, he was entitled to, the public would not but to perceive it, and he would lose their encouragement, as well as expose himself to removal on the meeting of the Legislature. Another objection of the bill was that it compelled one to subscribe to a particular paper, which would be the recipient of all public favors, and this feature was an objectionable one. The bill was an unjust one, and every man would have the privilege of making his choice, at least as far as regards those of the papers in which those advertisements were made. Could not the Legislature allow to repair breaches occasioned by the Mississippi. There were ten largely accounts were carried over by the committee. Counsel and repairs and heavy expenditures are required annually. Let members look at these things and do justice to the people. Let the revenue of the State be applied to the necessary expenditures, and if the means are then insufficient, let the Legislature pass the necessary laws for increased taxation, and be prepared manfully to meet the responsibility.

Mr. BOSSIER sustained the views of the Senator from Orleans, (Mr. HUNT,) and advocated the passage of the bill. He believed it was an excellent one, and secured to the proprietors a valuable privilege, and was entitled to the support of every member of the House. The former bill, on the same subject, passed by the committee of the whole, and was lost by a small majority in the House. But the city papers had many local resources. He was desirous, on our part, to relieve, to some extent, the pressure of the times, by the reduction of the enormous and increasing public expenses, by limiting prices, and of relieving the people, as far as we at present possessed the power. He believed the bill was strongly in the supporters of the measure, and that it was strong enough to support the present measure, that he could not hesitate in giving it his support.

[At the close of the discussions on the motion of Mr. DOWNS, the Senate was then temporarily [illegible]

The doors being opened, the debate was continued on the proposition offered by Mr. DOWNS to amend the bill so as to open the proposals for public advertisements for judicial printing, to all the city papers. Which is published in one or both languages.

Mr. DOWNS sustained his amendment, which he said was recommended by a sense of justice, and which was not declared by any party motive—inasmuch as of the two papers, to which the contract would be limited by the bill, one was of wing and the other of democratic politics—and he could not advocate the passage of a bill, whose peculiar purpose and indirect action. We need not let a glance of presuming our destinies escape, as we must keep watch continually until the hour of final struggle, and be prepared for the day when the enemy will be called upon to cast its vote, in which the people of the whole Union will take part.

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[Continued from Yesterday]

OFFICIAL REPORT

OF THE

HOUSE OF REPRESENTATIVES.

Tuesday, Feb. 14, 1843.

Mr. MOREAU observed that he had been a promoter of the tax and was in some measure its author, because he saw an increasing necessity, and did not prefer it unconstitutional. The tax did not bear on the planters but the consumers, four fifths of whom are foreigners. The whole State did not contribute more than $20,000, and when we contrasted the benefits of the tax with this contribution, it must be admitted that the State had no right to complain. It is the planters who profit by the tax; and he would ask members how we are to remedy our misfortunes, if the means are not provided by taxation. He had been formerly in business, and knew that there was no tapping, no shaved—shops were compelled to pay sundries, and the country people in the rural of the Levee. The price of cottage was announced and fell directly on the planter. Now the streets are paved, and consequently wharves exist for the landing of produce. Did the planter wish to escape the payment of sundries, without contributing towards the expense of their maintenance. If the Legislature proceed in depriving the city of the means of meeting her encumbrances, they would injure the State, because the latter would have to pay debts which the city owned.

He would leave the constitutional question to other hands, observing simply that when the contents of the package was not taxed, but only the box or case, the tax could not be construed into a duty or imposts—for a duty or tax was in force on all the States in the Union, and to go no farther, its auxiliary city of Mobile. Our wharves were the property of the city and of none other. They had been erected at immense expense and were continually liable to be swept away by the action of the river. Let the tax be repealed, and all the improvements would cease. The wharves would fall to decay, cargoes be damaged, and produce again be landed in the mud.

Mr. RATLIFF said that the report of the Committee had placed the matter in its proper position. For his part, he had not said a word about the peculiarities being disposed to tax their own citizens. Had it done so, he would have gone with it cheerfully. It was in this equal light all the people of the State had to pay for the property of the citizens of New Orleans had enhanced in value, and should properly be liable for the liquidation of the debts of the city. But was it just that the people should be liable for the debts of the city, that exhibited the steamer Missouri this morning—she made a weekly trip to New Orleans, and he had learned to his astonishment that the paid $50 a week, for occupying a few feet of the landing. The Hottinguer paid $30 a week, and in summer $50. It appeared that the city had grass up, splendid mansions and palaces had been built, debts had been contracted, and this was an easy means to order to pay them did not wish to trouble or tax the citizens, but must forceably put their hands in the pockets of the planter, who was already ground down by the direct and indirect taxation, and he must pay our debts." This was the logic and justice of gentlemen on the floor. He wanted the country members to time that the public tax is made of, extra $50 per week for a single steamboat was monstrous, and must be.

As the question of constitutionality had not yet been touched, he would refrain from arguing it for the present. He felt certain that in the end gentlemen would have to face the question and throw it on the ground of expediency. Applying it to that point, he would ask, and asked each for a lot to pay his debts, would he not be federated and ground? And why should corporations—as, such as corporations—be permitted to do what would be regarded as gross injustice if done by an individual? How were to sanction the principle of paying the debts of the city, she would remain always in debt. Mr. RATLIFF concluded by earnestly entreating the Legislature to put the tax by calling on the county members not to liquidate the debts of the city. Let the city, said he, tax her own constituents to pay her debts. We of the country had no voice in contracting the said debts.

Mr. WADSWORTH said there was no question as to the interest of the merchant to get as much as possible out of the country. Without the planting interest, cities never could be built. Who ever heard of a city in the deserts of Arabia except one that was raised by mutual and despotic power, and that fell when the power by which it was raised fell. Who ever heard of New Orleans the country must of necessity bring its produce, and the planter is bound to pay for the facilities of transportation, loading &c. furnished him. The city must be preserved at the head of the river for the planter. The city had built wharves for the owner and let out to the people. We could not, for we had no produce. If the farmer refused to pay, the city would be ruined. If in that city was not supported, by the farmers who lived on the rivers, and by the farmers back others. There was no competition in sending produce to New Orleans. But the city must of necessity levy a tax on the farming interest. She had no other means of support. The bill for the benefit of the city.

Mr. HUNT made a very elaborate speech on the constitutionality of the tax. He said that the gentleman from St. Mary had denied the constitutionality of the wharfage—he had denied that the State could regulate the wharfage—he had contended that the General Government alone possessed the power. He had further argued that even if the power existed, no local authority had delegated it to the municipalities, and that supposing it had been that delegated, public policy and State interest required its repeal. On all these questions he joined issue with the gentleman.

He examined Mr. Brashear's argument founded on the section in the constitution prohibiting the States from levying duties on imports or exports, and cited a number of the most accredited authorities, as well Englishmen, as American, explaining the nature of imports and duty or tax, and showing the distinction between a tax, which was an exaction from the citizen for the support of the Government, in return for which he received the protection of life, liberty and property, and a toll or rental in relation collected of persons or goods for the enjoyment of some special advantage, as in the case of a turnpike, wharf, bridge &c. On this subject, Mr. HUNT quoted a vast number of legal authorities, among those Blackstone, Judge Story, the Supreme Court of Louisiana, Martin's Report, all of which clearly demonstrated the distinction between a tax for local or retribution for benefits conferred.

Mr. HUNT enforced his argument by citing the long and continued practice of other States, of Rhode Island, in relation to the subject of his remarks. In this State the wharfage is exacted by individuals who own the wharves. Of Massachusetts, of Maryland, and New York, where the right is exercised by the corporation.—He read the opinion of Chief Justice Marshall on the subject, and appealed to the members, whether the question must not be considered as settled by practice, and by the almost unanimous decision of the tribunals.

With respect to the other branch of the argument of the gentleman from St. Mary, viz: that Congress has alone the power to regulate commerce. Mr. HUNT remarked that one of the clauses in the constitution authorized Congress to lay taxes on imports and exports, which it afterwards qualified by the word "indirectly." In a subsequent section, the power to regulate commerce was given. The one was no connection between these two grants of power. Duties on imports were looked to as a portion of the taxing, and not of the commercial power of Congress. This opinion was sustained by Judge Marshall. The wharfage duty was not affected by the power given to Congress to regulate commerce. The constitution had been framed for general purposes, and for the collection of revenue. Previous to this, the commerce of the States was in utter confusion; different laws prevailed in different States, and trade was at its lowest ebb. To remedy the great and oppressive evils was the principal cause that led to the formation of the constitution. Hence the broad and general clause giving Congress the power to regulate commerce.

Mr. HUNT referred to cases in which the doctrine that Congress had the power to levy a wharfage tax had been repudiated by Daniel Webster and the Supreme Court. He had also cited the case of the United States against the City of Orleans in the matter of the bittour suit, in which the Attorney General, Reign, F. Hughes, not both being very cruisin of his claim, had set up the claim to the Levee, and the Supreme Court had decided that the Levee belonged to the city and not to the United States. Mr. HUNT referred in further illustration of his argument, to the bill and book which came, and he could not understand their hosts during their argument, explained nearly a single dollar, and left with large amounts in the hands of the city.

Every Atlantic city in the Union did what we did, and though it was fit and proper in every other case, it was thought also highly unjust in New Orleans alone; and yet if any city was entitled to these charges, it was surely ours, which had labored under greater disadvantages and gone to larger expense in constructing a quadruple port than any other.

But the very worst evil he considered was to be presented. We were in the midst of a great and extensive defence. The State was on the point of bankruptcy, and it encouraged with little Legislature to sanction the creation of [illegible] more, or to add to the debt of the State. The interests of the city and State were inseparably connected. When upon the city was a deadly blow aimed at the State. It had been held for the debts of the city were responsible. Could the credit of the city be touched, without affecting that of the other? True it was, that the city had been extravagant, but that the money had been expended for the improvement of the State. It was the business of the Legislature to relieve the municipalities to redeem these names. To repeal it would be to involve them in inextricable ruin. He could not withdraw his opposition to the measure. He could not consent to repeal a portion of the bank's revenue, and not of a party, or a section; and to deprive it to New Orleans and Louisiana.

Mr. RADCLIFF said, that it was impossible for him to travel over all the questions raised by the gentleman from New Orleans. He would only, however, say a word or two, and while replying to a remarks, he would not be misunderstood by his friends, should he differ from the gentleman from Orleans had argued the question rather as a lawyer than a member of the House. He had had the pleasure of hearing the gentleman on many occasions, and a remarkable tax debate. Mr. RADCLIFF then proceeded to some length in the argument, and said that the State of Louisiana, in all whom those present should [illegible] greeting.

Whereas, by a Shepherd having purchase, dated at the Clerk's office of the District Court of the 6th District for the city of New Orleans, on the 13th day of February, A. D. 1843, and recorded in the Parish of Orleans, on the 13th day of February, A. D. 1843, for a mountain [illegible] and [illegible] of land, situated