THE DAILY BEE, PUBLISHED BY
G. F. WEISSE & CO.
Editors and Proprietors,
G. F. WEISSE, N. HAMEY,
E. DUVERGES, N. DUFOUR.

DAILY PAPER, (one year in advance,) $12 00
COUNTRY PAPER, semi-weekly, (one year in advance,) 5 00
In all cases, subscribers must give one week's notice in writing, before they can be allowed to discontinue.

New Orleans Bee.

RATES OF ADVERTISING.

One Dollar for every TEN lines, in each insertion of less than one square, and RAISE that price for each subsequent one. No advertisement inserted for less than one dollar in each language.

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NEW ORLEANS, WEDNESDAY MORNING, JULY 19, 1854.

No. 2449 Vol. XI.—NEW SERIES
Vol. XXVII.—Whole No. 7207.

THE DAILY BEE.

Wednesday Morning, July 19, 1854.

☞ FOR STEAMBOAT DEPARTURES, SEE FRENCH SIDE

THE NORTHERN MAIL came through yesterday with the latest dates.

OUR JUDICIARY.

We have recently directed the attention of the people of Louisiana to the deficiencies of the Supreme Court, as contrasted with its former organization, and we have in our humble way, endeavored to indicate the remedies by which it can be restored to health, vigor and public confidence. We will now invoke their most serious and deliberate attention to the Judiciary at large, to the end that in all future elections they may avoid the evils of the past, and appoint a set of Judges, competent, energetic, and honest men who will reflect renown on our State, and lustre on its jurisprudence.

The election of all political functionaries of a people are on the basis of requiring them to support a certain political creed, and to embody those principles in laws, because, the people understand that they are more experienced in and that the principles of the party. There can be no reasonable objection to this, if the party is carried to an excess, by the best for the public interest that its views and programmes should be laid before the candidates for the political offices, who are bound to give their adherence to, and to render obligatory on the people by legislative enactments, thereby requiring the representatives to carry out the principles and views which they have sworn to uphold. But after the will of the people has been expressed and enacted into law, the right of selection on the people's part, and the duty of the representative cease in so far as further action, except to modify or repeal.

Judges are not political servants are required to administer the law, holding office during good behavior, and whose duties are the execution and enforcement of its provisions. The latter may electioneer and canvass for the acts of popularity, to secure votes, and may mingle freely with the people in order to ascertain their wishes, that he may truly represent them. He has constituents who are entitled to a conformity of views and sentiments, and he should in honor to represent them with fidelity and zeal.

With Judges it is entirely different. They are not representatives of a party, or elect among the people. They are the sworn ministers of the law and are bound by the obligation of their oaths to administer the law, as the representatives of the people have made it, with impartiality and according to the best light of their knowledge. They cannot consult their own interests or those of any man or party of men in their judgments. Their duties are circumscribed and fettered too, when they come in the pursuit of their legal rights, are entitled to a legal footing, and receive justice only with existing laws and precedents. We would pervert justice to favor the enemy, would be imprudent, and would stigmatize the Judge who would thus violate the essential differences between the executive and judicial power, and in the most glaring manner. Our State Governments have divided the executive and judicial power, and in the most emphatic terms have declared that they shall remain separate and distinct. The Judiciary is exclusively confined to the exercise of adjudication is confided to the Judiciary of the province of the Legislature. Our wise and patriotic predecessors, in the parliamentary pains, and improvements, confer the Judiciary from the British Parliament, and expressly framed the Judiciary that Judges and Judges were determined to be from being renewed in the pleasure of the people in the operation of the laws and powers, and the establishment of the most independent departments of government, however upset parties may be, and however upset Judges may be, or however anxious to allow party or personal influence their chosen places. Virtue, wisdom, independence, a sincere love of justice, and determination to execute the laws would be the elements of a Judge. The political candidate would be guilty of the most reprehensible corruption and captious partizanship, and quibbling—the people would be guilty of the most interested dereliction of duty, and take in the most important subject, into their own interests, and the majesty of justice, and of the State.

Judges, we feel bound to say, are as liable to err on all other topics, as other men, for we sincerely believe that the interests of the people of Louisiana depends upon the enjoyment of civil liberties, and the enforcement of the laws, and that the virtue of the Judges is the surest guarantee for a republic, and a free people, than a judiciary [illegible] integrity, and more [illegible] judiciary, there [illegible] anarchy and despotism—[illegible] majesty and probity, [illegible] State, and the almost anchor [illegible] to a free people.

THE MARTINEZ HOAX.—The author of this [illegible] is very easily. We have read enough [illegible] impressive that it consists of a series of [illegible] and false pictures of Southern life, a [illegible] of Uncle Tom, with all the most [illegible] of the talents which characterize [illegible] work. It is written for Northern [illegible] and will no doubt find devout [illegible] of the gray headed fanatics and [illegible] of that section.

THE CHOLERA AT ST. LOUIS.—During the week ending on the 15th inst. the deaths in St. Louis numbered 205, of which 116 were from cholera, and 22 from sunstroke.

☞ The House of Representatives, on the 13th instant, passed the river and Harbor Bill, containing appropriations to the amount of $2,000,000.

Atmospheric Telegraph.

We learn from the N.Y. *Journal of Commerce*, that the Special Committee of the United States Senate, to whom was referred the memorial of Ishiel S. Richardson, asking for an appropriation to test the feasibility of his proposed atmospheric telegraph, have recommended compliance with the request, and reported a bill authorizing the construction of a tube, under the supervision of the Postmaster General, on a direct line between Washington and Baltimore. This was the method pursued to ascertain whether the Magnetic Telegraph invented by Prof. Morse, could be availed of for the various exigencies of business and social intercourse by persons widely separated. It was apprehended that the force of the electric current would be spent, or that some unforeseen obstacle would prevent the transmission beyond a very limited distance, till actual experiment had resolved the doubt. And a similar success is hoped for by the Committee in the present case, to dissipate the fears of those who predict a less efficient operation through a long line of tube, than that which is exhibited in the model show at the Capitol, which they declare works admirably, and seems to have overcome all difficulties, and some which have long been supposed insuperable in the practical operation of the atmospheric telegraph. This model is described in the Report, as follows:

"It consists of a horizontal tube of one inch clear diameter, one half of which is straight, while the other half contains curves, designed to represent the sinuosities of the tube passing over uneven ground. One small air-pump, placed near its centre, and communicating with either end of it, exhausts it at pleasure from left to right, or from right to left. A piston, or plunger, three inches long, and fitting the tube loosely, but followed by several detached disks, or washers of leather, which accurately fit it, is inserted in one end of the tube, separated by a cut-off, and a few strokes of the pump produce in the tube a partial vacuum. The cut-off is then reversed, and plunger *set free on the side of the vacuum, relieved from the resistance of the air in the tube*, and propelled alone by the pressure of the atmosphere, passes through in a time wholly unappreciable by ordinary means."

Mr. Richardson refers to a still more practical test of the working and capacity of his telegraph, in a tube a mile long, of three inches clear diameter, and following the elevations and depressions of an ordinary ungraded field; and the certificates he produces show that the mile was traversed by the piston or plunger, to which was attached a weight of several pounds, in much less than a minute.

If the tube be completely exhausted, the atmospheric pressure, being about fourteen and three-quarter pounds on the square inch, the piston should pass through the exhausted tube at a speed equal to about six hundred and thirty-five miles per hour, modified by its weight and friction. But a perfect vacuum is not to be attained in practice. It is asserted, however, by the committee that any degree of exhaustion is easily attainable, as will secure a speed and power equivalent to the propulsion of fifty tons two hundred miles per hour. The mails which now consume twelve hours in passing between New York and Washington, may, in the opinion of the committee, be carried between those cities in two hours by the proposed atmospheric telegraph, and at a cost so diminished, that the Department might send six sets of mails where it now sends one, without increasing its expenses.

BY MAGNETIC TELEGRAPH.

ARRIVAL OF THE FRANKLIN.

NEW YORK, July 18.—The New York and Havre steamship Franklin, Luther way to this port, has on board specie. Her advices include later dates than previously received, but the intelligence is not upon the secret as prevents the receipt of the particulars. All is quiet, so far, is the following:

Austria and Russia.

The Emperor of Russia has refused to comply with the demands of Austria, and a collision between the forces of those powers in Moldavia, is considered imminent. Everything appears more warlike than before the departure of the Asia and Baltic. At London there was a panic in the funds, and consequent depression, closing at 93¾. The commercial news is unimportant.

Cholera in Brooklyn.

NEW YORK, July 18.—The deaths from cholera in Brooklyn yesterday were six.

Congressional.

WASHINGTON, July 18.—The House to-day has been engaged in the discussion of the Army Bill, and expects to pass it to-morrow. This was the pretended cause of the recess. No vote however, has yet been taken on it.

In the Senate, the Homestead bill, has remained under discussion, and is after the debate a short [illegible] between Mr. Clayton, of Delaware, and Mr. Badger, of North Carolina, in the course of which Mr. Clayton successfully [illegible] his opponent.

New York Markets.

NEW YORK, July 18.—[illegible] were active demand for Cotton yesterday. Sales [illegible] Flour [illegible] Sales at 8¾ @ 9¼ cts. Corn [illegible] Sales at 97c. Mobile Flour advanced 12½ @ 25c. per bbl., and good Ohio was quoted at $8 @ $8 12½. Corn was 2 cts. higher, with sales of [illegible] Western at 66 @ 70c. Provisions unchanged, with a moderate business at previous rates.

FURTHER BY THE FRANKLIN.

Liverpool Markets.

NEW YORK, July 18—11 30 P. M.—The Franklin reports a firm Cotton market at Liverpool on the 8th inst., with an active demand. Flour had advanced 1d @ 2d per bbl., with a fair [illegible].

General News—Eastern Affairs.

The treaty of the Emperor of Russia to the demands of Austria has been received, but it was unsatisfactory, and had not been accepted. Another [illegible] of the treaty between the Austrian [illegible].

The Asia does not advance Moldavia, as several days after the Commercial News as to the allies.

Trouble in Spain.

Advices from Madrid to the 10th inst., state that a [illegible] had occurred in the province, and that [illegible] the command of Gen. O'Donnell, [illegible] of the south with efficient troops.

The Franklin in Danger.

NEW YORK, July 18th, 12 M.—The steamer Franklin [illegible] very dangerous position off Montauk [illegible]. The vessel was [illegible] and [illegible] of the passengers have arrived in the city this morning.

Eastern Mail.

MOBILE, July 17.—The Eastern mail had arrived, bringing advices from New Orleans to the evening of the 12th and morning of the 13th inst.

The Franklin sailed by the steamer Asia came in this mail.

☞ The Union publishes a letter received by a member of Congress in relation to a project being on foot to fit out a Russian privateer, with a view of attacking the Guard House at Chagres, and carrying off the gold for British sometimes deposited there, and also capturing vessels from California and Australia with gold. The parties are two naturalized Irishmen, who have agents in London.

☞ Professor Anderson (the wizard) recently visited before a Glasgow audience, that some years since he lent to Louis Napoleon 2,500, which sum was repaid to him when in America, and that the Emperor had invited him to visit Paris. The Emperor took it, seriously, and instructed his Secretary to write to the London Times, denying that Anderson ever lent him anything! "The Emperor," says his Secretary, has "never known, never seen the Professor Anderson. His Majesty declares it solemnly, and desires that the declaration may receive the necessary publicity!"

THE RECIPROCITY TREATY.—The treaty which has been recently negotiated between Lord Elgin, in behalf of Great Britain, and Mr. Secretary Marcy, acting for the Government of the United States, [illegible] to the Fisheries in British North America, and to the commercial relations of the British American Colonies with the United States, was *unanimously* reported to the U. S Senate on Thursday, *without amendment*, by the Senate Committee on Foriegn Affairs.

DEATH OF MR. LYNDE.—We regret to perceive by the St. Louis papers, that this sterling actor, together with Mr. WALCH, both of whom were attached to the Varieties Company last winter, have fallen victims to the Cholera, at Galena.

TEXAS.—By the steamship *Louisiana*, from Galveston, we have received Texas papers to the 16th, two days later. They contain scarcely an item of news. Galveston and the interior have been visited by almost continual rains, and great injury to the crops is anticipated.

☞ The Bayou Sara folks have voted in favor of the proposition to retail spirituous liquors—45 to 15. They have no idea of attiring themselves.

☞ The people of Opelousas complain greatly of the large number of runaway slaves who infest that portion of the country.

LOVE AND SUICIDE.—A despatch from Boston of the 11th, says:

Mr. Marsh, of Pembroke, and Miss Sampson, of Stoughton, lashed themselves together, and jumped into Island pond at Abington yesterday and were drowned.

THE CHECK for seven millions of dollars was presented on the 11th, at the Sub-Treasury by the Mexican Minister, and promptly paid in gold. It was deposited as follows: $3,000,000 in the Bank of Commerce; $2,000,000 in the Bank of America; $1,500,000 in the Merchant's Bank; $300,000 in the Bank of New York, and $300,000 in the Phœnix Bank.

THE NORTHRUP KIDNAPPING CASE.—A despatch from Saratoga of the 11th says:

The examination of Alexander Merrill and Joseph Russell, on a charge of kidnapping Solomon Northrup, and selling him into slavery, is progressing to-day at Balston Spa. Northrup positively swears to their being the persons, and told how he was hired at Saratoga Springs in 1841, to go to the South with them to join a circus company; that he was treated at Washington by them with drugged liquor, &c.

The witnesses was in court who drank with Northrup and the kidnappers at Washington on the night before he was put in the slave pen. It is supposed that their witness will come forward and testify to having heard Merrill tell of selling Northrup. The accused were disobeyed from the description and incidents given in Northrup's book.

☞ The caloric ship *Ericsson*, having been thoroughly repaired, is to make another trip to New York bay in a few days. It is hoped that her own home will be kept clear this time.

By Telegraph!

[illegible] Southern Line.)

FURNISHED BY THE FRANKLIN.

INTERESTING FROM THE EAST.

MEXICAN INSURRECTION.

NEW YORK, July 18.—The following are the most important items received by the steamer Franklin—

SPAIN—THE QUEEN.—The reply of the Emperor of Austria to the Queen of Austria, states that he will grant those demands, and prosecute his rights to the last term in his army and the last resolve in his treasury.

DIFFICULTIES IN THE PRINCIPALITIES.—The Russian troops do not evacuate Moldavia.

The Austrian army on the frontiers, consisting of about 50,000 troops, has been ordered to drive the Russians beyond the Pruth.

BLACK SEA.—But little of interest has occurred in the Black Sea since the previous dates. The naval forces continues to remain Sebastopol.

THE BALTIC.—The latest accounts from the Baltic state that Admiral Napier was within 90 miles of Cronenstadt.

DEMAND FOR SOLDIERS.—The Czar has issued a ukase requiring every landed proprietor in Poland to furnish 94 soldiers per for the Russian army.

Spain—Progress of the Reconstruction.

The latest dates from Madrid announce that the insurrection was making headway and that the streets of Madrid were barricaded. The insurgents demanded that the Ministry should resign, and that the Queen should abdicate.

It was reported at Paris that the rebels had been defeated, but the report was not credited.

THE FLUVIUS CLAIM IN CONGRESS.

The lands formerly belonging to F. B. Fluviot, are now in the possession of a multitude of families, in virtue of a title recognized by every successive Governor of the State for 110 years. The lands in question are situated between Bayou des Allemands and Lafourche.

How has it happened that the intervention of Congress has become necessary for the protection of these families from the most audacious spoliation ever sought to be perpetrated? This would be inexplicable if we were ignorant of the means employed by fraudulent speculators on the public lands, or on lands assumed to be public, to bolster up and maintain their disreputable intrigues.

The criminal speculation to which we refer was fortunately unmasked and exposed in the report of Senator Benjamin presented at the early part of the present session of Congress. This lucid and convincing document exhibited so conclusively the indefensible vices of the present occupants, that the Senate confirmed their title by an UNANIMOUS VOTE.

This took place seven months ago, yet the bill which passed the Senate lingers still in the House, and is not disposed of. What is the reason of this delay? Is a question asked by the numerous families interested in the measure, and who are apprehensive that this persecution is owing to the result of some secret influence powerful enough to paralyze the action of their representatives in Congress.

Fellow-citizens of Lafourche! The parties who are seeking your ruin are little scrupulous as to the means they may use for the attainment of their criminal design, but you can answer them by the conviction that your legislators—Senator, too, that belongs to the Senate collectively. This is a direct violation of the principle which is large portion of the property which is largely confided to the government of the States which first formed the confederacy.—Not only are mighty orders such a result, we cannot shut our eyes to the correctness of the allegations of Senators Butler and Clay, that, if passed, this measure will cause the spread of the principles of Nat Turner throughout the entire South to an extent hitherto unknown. It is not only a blow against the rights of the States, but of the people as well.

☞ We learn from the Atlanta *Republican*, that early on Tuesday morning, at the Atlanta Hotel, Charles Kelsey was shot with a pistol, by Oscara Buffington, in the right breast. The wound is considered dangerous, though not necessarily fatal.

LOCAL ITEMS.

BOARD OF ASSISTANT ALDERMEN.

This Board met last evening, Mr. Pince in the chair, and a quorum present.

The minutes of the last meeting were read, and Mr. Wills moved that the ordinance be amended so as to make it appear that the letter from Mr. Wolf in relation to subscription for stock in the Mobile and Pontchartrain Railroad, was from the Ex-City Attorney, and not the City Attorney, Mr. Wolf's term of office having expired.

Mr. Ratcliff moved that the whole of the Ex-City Attorney's letter be stricken from the minutes. His motion was, however, withdrawn, and that made provisional by Mr. Wills, adopted.

COMMUNICATIONS.

From the Comptroller, informing the Board of an adjournment made by him on Monday last, (as noticed in yesterday's edition.) Referred to the Committee on Streets and Landing, e. and the assertion to the Finance Committee.

From the Surveyor, stating that as a Ferry landing had been established at the Spanish Railroad Company at the head of Esplanade street, it would be necessary to remove the nuisance wharf farther down, and requesting to be referred to the Committee on Streets and Landings.

From the clerk of the 4th District Court, asking a return of money paid out by him to the keeper of the Court room. Laid on the table, as the work has been done by the keeper of the Court House.

From the keepers of Coffee Houses, asking the repeal of the ordinance requiring Coffee Houses to be closed at 11 P. M. Referred to the Police Committee.

From the Warden of the Workhouse, asking that his salary be increased from $1,500 to $1,800. Referred to the Finance Committee.

From the same officer, complaining of insubordination among the inmates of the Workhouse, because they were not allowed to receive visits of the [illegible] of their criminal design, but you can answer them by the conviction that your legislators—Senator, too, that belongs to the Senate collectively. This is a direct violation of the principle which is largely confided to the government of the States which first formed the confederacy.—Not only are mighty orders such a result, we cannot shut our eyes to the correctness of the allegations of Senators Butler and Clay, that, if passed, this measure will cause the spread of the principles of Nat Turner throughout the entire South to an extent hitherto unknown. It is not only a blow against the rights of the States, but of the people as well.

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