COMMERCIAL.

LATEST DATES.

New-York	april 2	Boston	mar 31
Charleston	" 7	Baltimore	april 2
Philadelphia	" 3	Washington	" 8
Paris	feb 21	Liverpool	feb. 25
Havre	" 20	London	" 24

NEW ORLEANS MARKET.

SALES OF COTTON ON SATURDAY.

275	do Louisiana	17½
60	do do	18
22	do do	17½
19	do do	18½
376		

SAVANNAH MARKET—APRIL 7.

COTTON—Arrived since 31st ult, 10420 bales Upland, and 581 bales Sea Island; and cleared in the same time 7582 b ls Upland, and 682 bales Sea Island; leaving a stock on hand inclusive of all on ship board not cleared on the 7th inst, of 31736 bales Upland, and 2639 bales Sea Island. There has been a moderate demand for Uplands since our last report, without any change in prices for good to prime, for which full rates have been obtained. A favorite crop of 29 bales sold at 21 cents, and another of 50 at 20. 1-2

AUGUSTA MARKET—APRIL 7.

COTTON—Since Friday last there has been a fair demand for this article here, and the sales were made at full prices. The receipts continue light, and all arriving sells freely at our quotations, 15 a 10 1-8 fair demand.

MARINE NEWS.

PORT OF NEW ORLEANS.

CLEARED.

Ship George, Choate, Havre — Whott & co
Ship Dublin packet, Butler, Portsmouth. — Quartier & Albert
Ship Augusta Trott, Liverpool, — H Lanfear
Brig Hercules, Peterson, Bahia, — A Guerry
Brig Architect, Gray, Richmond, — L H Gale
Brig Malaga, Sawyer, Boston, — R Groning & co
Brig Sarah, Tarwell, Havana, — do do
Brig Planet, Renny, Norfolk, — T W Stevens
Schr Hurriet, Chandler, Sisal, — J W Zacharie
Schr Gardiner, Nuckols, N York — J A Barelli
Schr Candid, Robins, Baltimore, — L & J P Whitney
Schr Washington, Leeds, St Marks — Stilwell & [illegible]
Schr Essex, Cousins, Laguna, — master
Schr Aurora, Wasinga, Mobile, — master

ARRIVED.

Ship Mount Zion, Swanton, New York, 10 days, to master.

Key West, granite, to master.
Steamer Alert, Walker, Mobile.
Steamer Vandalia, Freeland, Wheeling.
Steamer Hail Columbia, Parkinson, Louisville.
Steamer Chickasaw, Colls, Bayou Sara
Steamer Arkansaw, Halderman, Little Rock.
Steamer Tuscarora, Smith, Louisville.
Steamer Comanche, Brown, Big Black.
Steamer Lancaster, Evans, Williams' Landing.
Steamer Pennsylvania, Blyot, Pittsburgh.
Steamer Daniel O'Connell, Robertson, Ouatchita.
Steamer despatch. Streck, La Fourche.
Steamer Tennessee, Savage, Nashville.
Steamer Heroine, Boggs, Louisville.
Steamer Revenue, Lott, La Fourche.

IMPORTS.

Ouatchita—per s b Daniel O'Connell—85 bales cotton, 1 indze. O' Dahig & Chatequier; 82 do and 2 do skins, A Ledoux; 66 bales cotton, Burke, Watt & co; 77 do, B Planché & co; 41 do, Lambeth & Thompson; 1 bale skins, Robeson, Wood & co; 3 packs skins, 14 hides, Q Matier; 2 boxes sundries, Turner & Woodruff.

Williams Landing—per s b Lancaster—75 bales cotton, N & J Dick & co; 33 do, Yergus, Chaffin & co; 4 do do, Brandner, McK & Wright; 5 do, Burke, Watt & co; 25 do, Wilcox, Anderson & co; 23 do, Leigh, Maddux & co; 23 do, Tiernan & Cuddy; 25 Buckner, Stanton & co; 53, M White & co; 5 do, Caruthers & Harris; 25, T Barrett & co.

Pittsburgh—per s b Pennsylvania—64 cannon, to Capt J Clark, U S A; 427 bbls flour, 12 do, whiskey, 252 boxes glass, Dumarin & co, 1 steam engine, 2 boilers, Buchanan & Hagan; 1 set machinery, O'Dubig & co; 1 box, F Fry & co; 52 bbls whiskey, G Dorsey; 3 bales cotton, Buchanan & Hagan; 2 pieces casting, Byrne, Herman & co.

Wheeling—per s b Vandalia—500 bbls flour, 7 do pickles, Damarest & co; 950 do flour, 200 do whiskey, Jacks & Armelung; 300 do pork, 15 do hams, 5 do indz, 259 do flour, J Thayer & co; 52 do whiskey, G Dorsey; 25 casks, 8 boxes bacon, Kirkman, Rossler & co; 30 bbls eggs, order; 18 coils rope, 50 pcs baging, to Buchanan & Hagan.

Louisville—per s b Hail Columbia—32 hhds tobacco, A H Wallace; 200 bbls flour, 196 do pork, 250 apples, 6 hhds Jowles, Buchanan & Hagan; 20 casks bacon, Forsyth, Goodwin & co; 12 bbls eggs, 18 do onions, Turner & Woodruff; 29 casks hemp, J Valering; 160 bbls flour, Buchanan & Hagan; 213 bbls 177 sacks oats, and up, 1 s, order; 590 do apples, order; 40 hhds tobacco, Leigh, Maddux & co; 4 do R Buckner; 17 do lowes, Hall, Walker & Walton; 212 kegs lard, 21 bbls pork, 47 do pigs, G Dorsey; 8 bales cotton, Byrne, Herman & co; 10 do Martin Pleasants & co; 4 Tiernan, Cuddy & co; 33 N & J Dick & co; 23 Lambeth & Thompson; 6 Goodwin & Forsyth; 24 Buckner, Stanton & co; 13 Leigh, Maddux & co.

Bayou Sara—per s b Chickasaw—32 bale cotton, J S W Hayes; 42 Lee & Hardy; 34 Byrne, Herman & co; 61 M White & co; 31 J B Plauché & co; 12 A Ledoux; 16 Martin Pleasants & co; 5 T Smith; 39 Brandner, McK & Wright; 55 Burke, Watt & co; 31 Bullitt, Ship & co; 11 T Barrett & co; 9 Forstall & High; 8 Ingersoll & co; 8 bales moss, J Laurens; sundries to order.

Little Rock—per s b Arkansaw—40 bales cotton, Byrne, Herman & co; 24 J A Graham; 30 N & J Dick & co; 3 Garnier & Taney; 93 Lee & Hardy; 25 packs peltries, 6 tons and 6 boxes bees wax, Tourné & Beckwith; 4 packs skins, Davies & co; 60 bales cotton, 100 sacks pentoen, 50 hhds molasses, Bunch & co.

Louisville—per s b Tuscarora—32 bbls whiskey, G Dorsey; 22 hhds bacon, Layet & Amelung; 164 bbls whiskey, 70 do onions, 46 hhds bacon, Orain & Mignon; 52 bbls eggs, order; 38 do flour, 9 do maze, 32 bxs tobacco, 1 guns, 8 kegs lard, order; sundry machinery, steam boat Superior; 503 kegs lard, Bogart & Hawthorn; 95 bbls apples, Craig & Pomroy; 40 bbls whiskey, J Valrin & co; 43 do apples, 100 do indze, B Ankey; 250 do pork, 122 hhds bacon, Stetson & Avery; 338 kegs lard, G Dorsey; 70 bbls beef and sundries to order 581 sacks corn, G A Gordon; 32 half bbls beef, order.

Big Black—per s b Comanche—265 bales cotton, Brandner, McK & Wright, 171 Forsyth, G & Ford; 64 Burke, Watt & co; 16 Byrne, Herman & co; 9 do Lee & Hardy; 8 do Bogart & Hoopa; 10 do Lambeth & Thompson; 77 Tiernan, Cuddy & co; 74 N & J Dick & co, 69 T Barrett & co; 60 Martin Pleasants & co; 38 Bullit, Shipp & co; 31 Buchanan & Hagan; 6 to order; sundries to order.

Nashville—per s b Tennessee—895 bales cotton, 1? hhd is tobacco, N & J Dick & co; 219 bales cotton, 233 hhds tobacco, Brandner, McK & Wright; 98 bales cotton, Leigh, Maddux & co; 11 do and 1 box merchandize, Robeson, Wood & co; 7 packs mdze, Yerger, Chaffin & co; 17 bbls beef, order, 1000 lbs hams to order.

La Fourche—8 hhds and 3 bbls sugar, Lambeth & Thompson; 5 bales moss, and 12 skins, S Locke & co; 25 bales moss, 10 hhds sugar, order; 8 bbls moss, F Jourdan; 12 do M Knoblick; 40 hhd 3 sugar, Galway & Bourlouque; 44 bbls molasses, J Maters; 30 do molasses, C Tolmadno; 3 do order.

EXPORTS.

Portsmouth, ship Dublin Packet, 285 bales cotton.

Havre—ship George, 1204 bales cotton, 1540 pipe staves.

Liverpool—ship Augusta, 1542 bales cotton.

Boston—brig Malaga, 92 bales cotton, 58 hhds tobacco, 6 do bacon, 187 bbls pork, 1294 kegs lard, 2 5 sacks corn

St Salvadore—brig Hercules, 60 bbls beef, 480 hams, 100 boxes candles, 76 bbls rosin, 257 boxes soap, 127 bbls flour, 20 do pork, 400 molasses casks, 2000 hoops.

Havana—brig Sarah, 2161 kegs lard, 400 bags corn.

Boston—brig Planet, 128 hhds, 9 tcs and 9 bbls molasses, 60 bbls pork, 500 sacks corn,

Richmond—brig Architect, 32 hhds tobacco.

Baltimore—schr Candid, 300 bbls sugar, 59 do pork, 100 do molasses, 5 cases indre

New York—schr Gardiner, 93 bbls and 9 tcs molasses, and sundry hides and kegs.

Mobile—schr Aurora, 573 sacks corn, 98 bbls meal 6 hhds hams, 60 do lemons.

Louisville—per s b Heroine—200 bbls Bier & Stever, 1 box sundries, Sloo & Byrne; 156 kegs, 41 bbls, 1 cask lard; 25 bales tobacco, Tiernan, Cuddy & co; 4 hhds tobacco, A H Wellce & co; 39 bbls castor oil, Hefford & Lougefry; 101 casks 6 boxes bacon, 27 kegs lard, 13 bbls pork, W Lea; 17 bbls whiskey, 12 sacks oats, D Burk, 36 bbls whiskey, Geo Rogge; 15 bbls apples, 11 do eggs, 29 do chickens and sundries to owner; 637 sheep and 8 horses, 30 tons hay to order.

La Fourche—72 hhds sugar, Buchanan & Hagan; 80 Lawrence & Lagendre; 60 boxes wine, H Poloc; 72 bales moss, F Jourdan; 1 bbl mdze, Martin Pleasants.

Saint Charles Theatre.

Last night but two of the engagement of Mrs GIBBS.

THIS EVENING, APRIL 18, 1836.
Will be performed the opera of
ROB ROY MAC GREGOR.
Principal characters by Mrs Gibbs, Miss Cushman, Miss Debar, Mr Battin, Mr Latham, Mr Decamp, and Mr Williams.
To conclude with tee farce of
MARRIED YESTEDAY
Tomorrow evening, by desire, the opera of
CINDERELLA.
On Wednesday the grand Italian opera of
ZELMIRA.
☞ The Box sheet for Zelmira will be opened on Tuesday morning at 11 o'clock.

American Theatre.

CAMP STREET.

THIS EVENING, APRIL 18, 1836.
Will be presented the grand opera of
LA SOMNAMBULA!
Principal characters by Mr Reynoldson, Mr Hodges and Miss Russell.
To conclude with the farce of
MY FELLOW CLERK.
Tomorrow Mr Fielding's BENEFIT.

Citizens' Bank of Louisiana,
New Orleans, 16th April, 1836.
DEBTS on the East at 60 days sight, will be purchased at this bank, at 2 per ct. discount.
a 16 J B PERAULT, cashier.

100 BBLS New England Rum, landing and for sale by F H PETITPAIN,
a 16 Corner Chartres & Toulouse sts

FOR HAVANA—The fast sailing schr Phenix, Spicer master, will have immediate despatch for the Havana. For freight or passage, apply to the captain on board, opposite Julia st, or to [a 18] R GRONING & Co.

FOR NEW YORK—The fast sailing A 1 brig Commerce, J Tybritts master, wants the bulk of 200 bales cotton to complete her cargo, and will have immediate dispatch. Six cabin passengers can be comfortably accommodated. Apply to the captain on board, first tier below the beef Parkers, or to [a 18] R GRONING & Co.

THE BEE.

Official State and City Paper,
PRINTED BY J. BAYON.

NEW-ORLEANS:
MONDAY MORNING, APRIL 18, 1836.

FOR PRESIDENT
M. VAN BUREN.
FOR VICE PRESIDENT
RICHARD M. JOHNSON.

The engine of the waterworks was to have been tried yesterday for the first time, previous to the works going into operation, which may be expected during the course of the present week. Immediately afterwards the water will be conveyed as far as the pipes have been laid; and it is to be hoped that all respectable householders will directly order hydrants to be constructed on their premises. The water can be raised to the second story of every house from 15 to 20 feet above the level of the streets. This is an accommodation not to be foregone nor neglected.

By the plugs throughout the streets, the whole city may at any time be thoroughly cleansed in a few hours and were this done two or three times a week, there can be no doubt of its materially promoting and ensuring the health of the city.

We have learned that a plan of a new custom house has been drafted, and forwarded to the treasury department at Washington to be communicated to congress. The estimated cost is $350,000; and it is believed that an appropriation to that amount will be made during the present session.

We have heard some singular remarks on the smallness of the fountain erected in the Principal square, by those who supposed it was intended for a monument rather than a *jet d'eau*. Th y should have known that the water can be propelled upwards only to a certain height; and that the lower the altitude of the fountain, the greater will be the *jet d'eau*—which was the primary desideratum. Make the altitude greater, and you lessen the cost of the water visible; but if you wish a monument with the fountain, then place an obelisk at each angle: and you may gratify both pride and plea

The new canal for the use of the upper municipality, or rather the New Orleans canal is an object of interest and importance to our city; and as we are solicitous to promote all objects of internal improvement, we have felt and displayed a regard for its management and completion.

During the month of October last, we visited the canal, and noticed it; but then reluctantly we were compelled to censure rather than permitted to compliment: for the whole concern was one of mismanagement, confusion and extravagance. Engines had been raised at an enormous expence to dig seven feet to raise nearly seven inches of sand distributed sparsely in a meagre stratum. Bridges had been constructed to scorn utility, and immediately were thrown down as worse than useless. Embankments were made which gave way directly; and then required heavy outlays for repairs. The very line of the canal had been improperly and unnecessarily crookened; and as for the canal and harbor, it would have been preferable that they had not been attempted. We candidly commented on that condition, being aware of the importance of the canal, and anxious that those abuses should be corrected. That was the head and front of our offending.

On Saturday last, we paid another visit to that canal in company with its new engineer, Mr Albert Stein; and were not less surprized at the numerous abuses which he has had to correct, than delighted with the excellent system which he has adopted throughout.—He could not alter the form of the basin or the lineation of the canal; but he has attempted all the improvements in his power. Formerly the piles were supposed to require defence by planks, while they supported the embankments; the reverse is the correct principle, and has been adopted by Stein—the piles must support the planks, and these support the embankments. Hitherto shells which cost the company nearly 2 dollars a barrel, were cast as refuse to embed the piles: now stuff is taken from the adjacent land—which effects a very great improvement in making an eligible road, at the same time that it saves the company one dollar and a half in every two dollars at least. Previously the shells were not only so ridiculously wasted as refuse, but they were abandoned from the boats, to be washed away by the sea: now they are preserved and immediately laid along the turnpike road, to which alone they are very properly applied—so that in a few weeks that road will be completed from the basin to the harbor.

The basin is one of the worst constructed and most contracted of its kind; and one would suppose that the company intended to prevent the entrance of vessels and boats, rather than construct a convenient quay. Scarcely six of any craft can conveniently be moored; yet that basin should be the chief or sole harbor of the treble its dimensions, to accommodate the many ships and boats which we hope to find there hereafter, if proper measures be adopted.

Yet if we were displeased with the construction and size of the basin, doubly so were we with those of the harbor at the lake—as they had been left in February last. The company or their agents seem to have accumulated timber, lumber and shells at an enormous expence, merely to cast them on the shores of the lake, that they m ght decay, rot or be washed away. Perhaps an amount of goods to the value of $100,000 had been thus sacrificed, by culpable ignorance or neglect Nor was uncontreled expence permitted alone in the useless accumulation of materials; but it rioted in the prospect of subjecting the company to a daily expence of 100 dollars, for employing a mud machine, to keep clean the harbor in consequence of its malapros construction.

These abuses are now happily in the course of being rectified; and what can be done is ably attempted.—Often has the Canal bank had to pay $30 or 40,000 a month for works that were better left undone, while now under proper management they have not to pay 10,000 for works which will be permanent, and prevent future cost: so that by the employment of the present engineer, the Canal company will save what they now lay out in useful works, and what they squandered previously in idle experiments—no trifling accomplishment, when that amount is about $400,000 a year—Their expences for the canal have already amounted to about 11 or 1200,000 dollars—of which 700,000 might have been saved.

The company thought we were solicitous to injure their canal, when we formerly adverted to this imposition on their credulity or negligence. This was unkind and unfair: for there is not one individual in this community more really anxious to promote all our local institutions and all objects of internal improvement than the acting editor of the Bee: he is devoid of prejudice as to person or place; and acts without fear or favor. He endeavours by assiduity and energy to acquire information; and to communicate it fairly to the public.

The harbor extends about 1920 feet into the lake on a quay annecessarily crookened. It was formerly exposed to the northwest winds, and the incursions of the sand: new it is secured by a breakwater, which being opened only at one place, will secure always a regular depth of water without requiring excavations by the machine: for the evils which others would have remedied, are completely prevented by the superior skill of Stein; and as he very properly views a harbor at the lake to be but an entrance for vessels, he knows that on the canal must be alone at the basin near Julia street where the company should erect all their warehouses and hotels, not at the harbor. It is their interest, their duty to have their canal used,—not merely their harbor: and what want they with hotels and houses at the lake, except to rival in a custom which has almost produced bankruptcy to those who have ignorantly controlled it, or blindly followed? The other two harbors at the lake are worse than a dead loss to their owners: for having been badly constructed, their maintenance and repairs absorb all profits otherwise made. Are the hotels better?

The shell road along the canal will be finished this season. The trembling bridge across the canal, should be replaced as soon as convenient: for it is a miserable looking affair.

If the canal company be true to their own interests, they will extend its width about 20 feet more on the eastern bank, before the towpath be made. The cost of doing so, at 30 cents the cubic yard—which is however much more than it would actually cost, in consequence of the many machines belonging to the company, which are now useless—would not be more than 75,000 dollars; yet it would produce that revenue annually to the company, by allowing a free passage for ships and steamboats to the basin or quay, while it would sametime prevent the destruction of the embankments by the steamboats. Were this work commenced late in October next or early in November, it could be finished by February; and the company may easily obtain the emission of state bonds to the amount necessary for its completion: so that the extension would be a decided advantage without any loss to them, even if their bank paid the outlay.

It might also be an advantage as well as accommodation if the company got construted small steamboats for their canal, to tow the larger crafts to the basin, and for passengers; and we might suggest the propriety of planting a couple rows of young trees along the eastern side of the turnpike road from the basin to the harbor—for when the old trees are cut down, the hot sun would give the canal a decided appearance, which they would equally affect shelter from the northwest winds, and induce summer travel on their canal and road.

For the purposes of plain simplication, the virtues of an enemy are made to appear as crimes: thus has it been, since politics formed a part of any government in any age. And at the present period, we cannot expect to be exempted from this malady of human nature

MARTIN VAN BUREN has been actused of cunning, because he exercised an unexampled degree of forbearance during the late contest with the United States bank. Yet that forbearance was highly creditable to him. He did not thrust himself forward, as a presumptuous vice president might have done; but finding the chief magistrate determined and able as well as correct in his views, he but gave his sanction. Was this cunning? Nay was it not rather moderation seldom equalled in the tide of times? But

Spirits are not finely touch'd,
But to fine issues.

It would not have been prudent for him to interfere, therefore he kept aloof.

And as he did in that instante, so has he acted in others. Without interfering in the duties of another, he may sanction or support their exercise; and when it is necessary for him to act *in propria persona*, when has he been found wanting? when offending any by the manner of his conduct?

The cunning that has been usually attributed to Mr Van Buren is prudence of no ordinary attainment: it is that which enables him to ascertain what to shun so as not to offend. If all in public life had such a degree of prudence, what blessings might not result to society: yet that virtue has never disappeared from the public or private conduct of Mr VAN BUREN. If prudence constitutes him a magician, then he but deals in the magic of mental attainments and moderation in conduct.

But he has not only that prudence which teaches what to avoid, but that wisdom which dictates what to adopt and follow: and in this respect, he is greatly superior to any candidate for the presidency, now before the public. In either and both he is greatly superior to White or Harrison; and in prudence at least he is certainly superior to Webster: but Webster can scarcely be now considered a candidate of more than Massachusetts.

Looking therefore on the personal merits arone of these candidates, even were we not of the democratic party we would prefer Van Buren to all the o hers.—His conciliation and urbanity of manners are unsurpassed; his intimate knowledge of the ways and means of the federal government, and of the reserved rights of the states, are superior; and his ability and determination to act according to that knowledge and to act sametime with prudence and candor in private and public life, give him claims to the suffrages of the people which few unite in their person.

CITY COUNCIL.

SITTING OF SATURDAY, 16, 1836.

Present the Recorder and all the Members except Mr Caldwell.

The following letter from the Mayor was read:

MAYOR'S OFFICE, APRIL 16th, 1836.

To the President and Members of the City Council.

GENTLEMEN.—Perusing the paper sent to my office, and containing the resolutions passed at your sittings of the 9th instant, I observed that some of them were indeed signed by the recorder, but others were not signed at all, among the latter, I found one concerning the opening of Moreau st, which wou'd have drawn from me some observations: but I have to wait till it be signed by the President of the council.

After having carefully examined the merits of resolutions passed in said sitting, concerning the new mode of payment proposed to the purchasers of lots of ground sold in 1834 by order of the District Court of the U. S., and sundry obligations imposed on said purchasers, I think it is my duty to return the same to you. These resolutions, were they approved and put in force, would be an acknowledgment, silent, it is true, but not less valid, of the Legislature to interfere in the business of the corporation, in deciding by an addictional section to an act of the 8th March last, that the posed of in such and such a manner.—It does not belong to me to decide on the constitutionality of said enactment, but, being the guardian of our fellow citizen's interests.

It is my duty to call your attention on the rights of the corporation, which might be lost.

By constituting the inhabitants of New Orleans in a body politic, the law has given in full to that corporation, the privilege to sell and purchase: How then could they now assume the right to dispose of property by the authority of the corporation? That they compel us to fulfill our obligations, it is nothing but justice, but that they should compel us to place such funds for the cancelling of such debts seems to me overstepping all the rights the Legislature itself may have.

Therefore your resolutions of the 9th inst, being founded, on that law, seem to me defective and contrary to the true interests of the city. They would furnish the corporation a plan transaction and postpone the receipt in the city treasury of a large sum of money, which in these present circumstances would be very beneficial to the community. The duties I am burdened with, and the deep conviction that you will not wrong your fellow citizens, induce me to stop here, but I repeat it, you cannot too closely investigate this question.

I cannot help submitting again to your further consideration another series of resolutions under the same date concerning sundry Engine Companies; for besides value of a certain lot of ground which may amount to at least as large a sum) you concede, by said resolutions, to the Hose Company, a lot of ground, the property of which is now in question, and is in the matter of a law suit now pending before the Supreme Court of the United States which should we lose, it would cost us a larger sum of money to pay for said ground, than it would cost us to purchase another ground suitable for the same purpose in another part of the city.

Another resolution of the same sitting authorizes me to advance to Mr Bayon, one fourth of the sum for which he had agreed to do annually all the printing of the city; but considering your resolution of the 26th December last, by virtue of which I have been authorized to contract with another person, as I had already the honor to tell you, I cannot consider Mr Bayon as the city printer, and on that account I am compelled to return your resolution of the 9th inst.

Respectfully gentlemen,
Your obedient servant,
D. PRIEUR, Mayor.

There was no action on the first part.

On the 2nd part Mr Allard moved to persist.

Mr Allard said that if the reasons advanced and the Mayor are tenable, then the 2nd section of division of the city, is rendered nullity, for either it is, or is not a law. If a law all its provisions must be respectively obeyed, if it is not a law (and it cannot be if any part of it be destroyed) the acts of the municipal executive govern those of the legislature—but as I do not think such can be the case and as I believe legislative enactments to be the law by which we are to be guided, I shall oppose the veto of the Mayor persist in the Resolution.

Mr Pichot observed that however imminent is the peril that he places himself in giving this opinion in the Council he is obliged to forego and make a few observations—indisposition however prevents him from entering in a long detail. It is truly strange that the acts of the council appear to the mayor to be so injudicious as to call forth his repeated veto, it is still the more strange however that his veto should be placed on this resolution; true it is that he has ever opposed since the law creating the division of the city every improvement ordered by the the council—yet if he had taken the trouble to consult the opinion of the supreme court of the United States he would have withheld his veto on this point—that decision is not express in favor of the corporation but rather in favor of the state. The reason given is that the subject is too complicated, this I deny to be correct, the property is to be sold at 1, 2, 3, and 5 and bonds to be taken at 20 years, the purchaser to pay 25the down and on the balance an interest semi annually 6½, now where is any ambiguity or complicated in this? it is useless however to say more, for after long and continued debates on this point the council arrived at the conclusion that this measure is one of expediency.

The question to persist was put and carried.

The yeas and nays were called for

Messrs Schmidt, High, Gaiennie, Labatut, Pichot, and Allard voted for, and Messrs Baldwin and Berry, against.

On Art. 3rd. Mr Gainnie moved to persist. Though I may be accused of systematic opposition, I must in this particular instance oppose as strongly as I can this [illegible] which passed the council on this subject does not concede the property but merely a power gives to build an engine house—of all things particularly in a city so large and growing so fast as is our protection against fire is the most necessary and none who have witnessed the exertions of our firemen when called to duty can doubt of their usefulness and efficiency—it is obvious without entering into further debate that the measure is required and ought to be carried into effect.

Mr Allard said that he had examined with care the mayor's argument (if argument it can be called) and can discover nothing which could induce him to his present opposition, true it is that we have given to the different fire companies the right to build on certain lots and that we have assisted them by appropriating money sufficient to enable them to build these houses, but the right to these houses and to these lots is only conditional, for if they are not used for the purpose for which they are designated they revert to the corporation—while on the other hand if they are we have all the gain and they what—gain also? No! their gain is labor fatigue and very often loss of life—ours is the protection of our property and the lives of ourselves and families.

The question to persist was put and carried.

On Art. 4th. Mr Pichot moved to persist.

The resolution referred to was framed by himself and if the mayor had regarded as well as he ought to have done the proviso therein contained he would have found that he was only authorized to employ any other printer—*provided it could be done without violating the contract existing with Bayon.* The mayor tho' skilful should when there is an attorney expressly appointed to give him council have consulted him who would have told him that there are very many articles in the code which will prove the positive validity of this contract, beside it must be recollected that our sitting before last a resolution passed the council ordaining that the apportionment of the different aldermen to the different wards be published in every paper except the official paper the *Bee* by this we positively recognized Mr. Bayon the proprietor of the *Bee* to be the official Editor.

The question to persist was put and unanimosly carried.

A petition was read from Mr Bourgeroi petitioning to hold his office in a room formerly occupied by Judge Preval.

The petition was granted by a Resolution granting him the privilege of keeping his office in the room now occupied by the Captain of the the city guard.

A petition was read from Fire Company No 8 praying the Council to grant them the means for the purchase of an engine and the place for locating the same.

Mr Gaiennie presented a resolution, That the Mayor be authorized to cause to be paid to F Sumon and others the sum of $9000 for the purpose of facilitating them in the purchase of an engine and for the construction of an engine-house—and that they have the right to build said house on a triangular lot bounded by Francois, Victory and Esplanade st, the said buildings to belong with its appurtenances to the Corporation.

It was offered as an amendment, That the Mayor be authorized to purchase from J O'Rourke a lot having 32 ft front on Joseph st, and 70 on Tchoupitoulas for the company No 5, and that the sum of $5000 be paid to the committee of said Fire Company for the purpose of building an engine house

Said lot and house to revert to the corporation when it ceases to be used for the purposes for which it is designated.

Mr Allard as an amendment and that all these constructions be made under the inspection of the city Surveyor and according to his plans all of which were adopted.

A petition was read from Mechanics Fire Company No 6 asking for an appropriation of $3000.

Mr Pichot called for the reading of the resolution which had before appropriated a certain sum to this company.

The resolution was read

Mr Berry offered a resolution that $6000 be appropriated to the use of Fire Company No 6, for the same purposes and under the same conditions as the appropriations are made for the other Fire Companies.

Mr Pichot objected to this, notwithstanding he has always been one among the first to vote for appropriations to the different Fire Companies he thinks that this would be overstepping the the bounds—with what has already been granted he thinks in all conscience that $4,600 is quite enough and in fact it is unavoidable to act premature. It is better on the whole to defer the subject till next sitting.

Mr Baldwin presented a substitute granting said company $2,500.

Mr Labatut as an amendment that $30,000 shall be appropriated for the purchase &c. of 3 eng nes—say two for the square of the city and one for the 8th ward —and that Messrs Buisson Pechot, High and Thomas shall be appointed as commissioners, this amendment together with the whole was adopted.

Mr Allard presented a resolution that the commissioners of the market shall receive the difference between their present salary and $100 per month from the time that the Commissiaries of the Police have received $100 per month—and that the sum of $200 be paid as a gratuity to Mr Courten for the extra services he has rendered to the council.

Mr Baldwin moved to strike out the latter part—act of Congress, and without any arguments before the above mentioned Court.

Mr Gaiennie as an amendment moved that the thanks of this council be tendered to D Augustin, Esq. for the able and faithful manner in which he has discharged his duty as secretary to the council, and as a further token of their approbation, the mayor be authorized to cause to be made two silver pitchers with an inscription in French and English. "From the city council of New Orleans to D Augustin their secretary April 1836."

Mr Baldwin as an additional section offered a resolution that the mayor be invited to inform the council at its next sitting, what action had been had on different resolutions lately passed by the council and by them deemed important, and further all information which he may deem important to be made known to the council previous to its adjournment—as a second amendment that the same gentleman offered a resolution, That the Treasurer be requested to state at the next sitting the amount of the assests in the Treasurer, as also the liabilities to which the mayor, aldermen and inhabitants of New Orleans are subject—all which was adopted.

Mr Pichot introduced a report from the Judiciary Committee to which was refered the claim of the R R Keere 5000 acres of land accompanied with a resolution—That as soon as Mr Bry shall make known to the mayor whether any location has been made by Mr Keere and what the nature of it is, the mayor is authorized to grant a little to Mr Keene—adopted.

Mr Gaiennie introduced a resolution, that the mayor is authorized under the inspection of the citizens or to cause to be opened the Washington market and that stands until further order be granted gratis to those who carry provisions there for sale.

Mr Berry moved as an amendment that the report and resolutions relative to the Carrollton Bank market be taken up, which was done and the several resolu ions together with that to which this is an amendment were adopted.

Mr Baldwin introduced a resolution authorizing the Mayor Recorder and Treasurer to sign all the bonds for the contracts of Messrs Phelps and Minturn and that said bonds be deposited with the Mayor—adopted.

Mr Schmidt presented a resolution that $1000 be granted to the New Orleans Lyceum.

Mr Pichot as an amendment that $500 be granted to the Commercial Library of New Orleans—adopted.

Mr Labatut as an amendment that $500 be granted to the Medical Society which amendment was however withdrawn at the suggestion of Mr Thomas.

Mr Gainnie presented a resolution that $2000 be paid to A. Blanch, E. Canon and others, trustees of the Catholic Orphan Society for its benefit and that the mayor be authorized to pay every May for the same purpose and to the trustees of the said society for the subscription of the council.

Mr Thomas moved to reduce the sum to $1000.

Mr Pichot thought as $1000 had been granted to the Lyceum—the present appropriation ought to be made for the benefit of poor orphans.

The question was put and carried.

Yeas and nays called for.

All voted in favor except Messrs High and Thomas —the latter gentleman saying when called for his vote —"No. thirty six thousand times No."—

The Council then adjourned till Saturday next 5 o'clock.

COMMUNICATED.

I am unavoidably called on to appear before the public in vindication of the conduct of the city council. I do it, too, without that reluctance which a man should feel in intruding upon the public matters of a personal and private nature, because the public are in a manner interested in knowing the truth of this matter, and that the means of showing the nature and good faith of the transaction alluded to, and so palpable and strong that a simple statement of the facts will be sufficient to do away with the gross misrepresentation and falsehood with which th s matter appears through the deliberations of the council, and show to the public in the language of its members, upon whom should rest the brand of infamy

It is known to the public that the corporation of this city have recently succeeded in obtaining a large and valuable amount of property by a decree of the supreme court of the United States. During the pendency of the suit, by consent the property was sold by commissioners appointed by court, (See document A.) and the monies were brought into court by the commissioners and deposited in the Commercial and City banks to the order of the United States district court, east district of Louisiana, and not to the commissioner or corporation, as stated in the city council, to await its future order.—(Doc. B.) On the eighth of the present month, the mandate of the supreme court of the United States, decreeing the proceeds in favor of the city, was produced to the judge by J. R. Grymes esq acting as the attorney and agent of the city council, and an order was made that the notes and monies should be taken out of the bank and paid over to the corporation, or their authorised agent. (Doc C.) Mr Grymes, as agent for the city, called upon me for payment, and exhibited a copy of a resolution of the city council in 1832, from which it would appear that he was the authorised agent of the corporation; but as this document was not certified by the mayor or the secretary of the council to be a correct copy, and not knowing whether it might not have been repealed in whole or in part, I declined paying, until a copy certified on that day should be brought. It was brought, and was obtained, as I was informed, by a written order from Mr Schmidt, one of the aldermen, to Mr Augustin, secretary of the council—a copy of which is annexed, marked D.

I informed Mr Grymes that I was ready to pay over the proceeds to him—he declined receiving all, stating to me that the corporation were to pay him six per cent on the proceeds. He would give me a receipt for that amount—the balance the mayor would receive.—I informed him in the presence of Mr Collins, my deputy, that I had nothing to do with any contract between him and the corporation—that I knew nothing in regard to the compensation due him by the corporation—that I knew nothing in regard to the compensation due him by the corporation—that I recognized him only as attorney or agent, and would pay him the proceeds—that if he received less than the whole, it must be distinctly stated to be on account. The receipt annexed speaks for itself.—See doc. E.

From the foregoing statement it will be perceived, that the question, so far as it relates to myself, is a plain and simple one. Has the money been paid to the authorised agent of the corporation?

I have acted on my responsibility, and have no cause to regret it. I have the opinion of a member of the bar in whom I place implicit confidence, that the act in question was legally correct.

The documents annexed are matters of record in the U. S. court, and conformable to the original, which are open to the inspection of the public.

They cannot be falsified by even the assurance and arrogance of an alderman, and unless the city council have found out some expunging powers vested in them over the records of this court, they will remain forever in vindication of the truth.

It will appear that the city council, on their deliberations as published in the Bee, have committed the following errors of fact—

1st. In declaring that this money was deposited to the credit of Dennis Prieur and T. W. Lea, commissioners, when in fact it was deposited to the credit of the United States court, as are all funds deposited in courts, subject only to its order. Had it been otherwise, it is manifest that the judge would have had no authority to order it to be withdrawn, or the clerk to draw it out. This fact will appear from the records of the court and those of the banks.

2d. In stating that this order was rendered without any motion being made by any one representing the corporation, since it was rendered on the application of their attorney and special agent—as the judge who rendered it can testify, if he be a gentleman who applied for it, can attest.

3d. That Mr. Pichot, although he confesses he is profoundly ignorant of the practice of the U. S. court, to which fact as clerk of said court I can unhesitingly bear witness, ought at least to have been sufficiently acquainted with the practice of state courts, to know that when monies are deposited, subject to the order of a court, and an order as rendered to the clerk to withdraw it, the latter is bound to obey that order.

Having made these three facts, I feel myself authorized to pronounce the proceedings of the city council of the 15th inst, with regard to myself, unjustifiable; and that the charges and statements of Messrs. Pichot and High to be a dastardly lie and an infamous calumny—dastardly, as they have not dared to breathe with disrespect the name of the man who alone is responsible—their agent; infamous, because they have said that which they knew to be as false as the heart that dared to utter it.

DUNCAN N. HENNEN.

DOCUMENT A.

December, 11, 1833.

"It is further ordered that Dennis Prieur, Esq. be appointed a commissioner on the part of said corporation, and that Franklin W Lea, Esq be appointed a commissioner on the part of the United States, upon their entering into bond and security to be approved of by the Court in the sum of $50,000, with the condition that they will faithfully execute the trust to them confided, and they will deposit in court, subject to its further order, immediately after the receipt thereof, all such moneys and notes as they receive from the sale of said property.

(Signed) SAMUEL H. HARPER.
Judge, U. S.

DOCUMENT B.

ORDER OF THE COURT.

Wednesday, 17th Feb. 1836.

"On considering the report of the commissioners appointed in this case to superintend the sale of property therein mentioned," &c. "It is further ordered: "The attorney of the United States, concurring in the opinion of the court, and not opposed by the council for the city corporation, that the clerk of this court for the purpose of safe keeping and collection, shall forthwith deposit to the credit of the court, and subject to its future order, all the notes received by the said commissioners (except those authorized to be withheld by them) in the City Bank and Commercial of New Orleans."

DOCUMENT C.

The United States vs. the Mayor, Aldermen, and inhabitants of New Orleans. No. 2179.

Upon the exhibition of the mandate of the Supreme Court of the United States, and filed in this case, by John Culbertson, Recorder of the city of New Orleans, in pursuance of the agreement of the parties aforesaid, in the Commercial and City Banks of New Orleans, shall be paid to the defendants in this case, or to their authorized agent, so much money as may have been received by the said banks respectively; and also to deliver to the said defendants or their agent, the notes now in deposite; and it is further ordered,