NEW-ORLEANS BEE.

BY BULLITT, MAGNE & CO.

At No. 81 Chartres street.

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"Truth is omnipotent and Public Justice omnipotent."

FOR PRESIDENT OF THE UNITED STATES,

HENRY CLAY

(Subject to the decision of the Amer...

NEW-ORLEANS
FRIDAY MORNING
THE

The results of ... have been ... Of the ... were for a ... settled upon this state ... 13,396 is an absolute ma... of the State, as the Consti... such persons as do not vote at all ... as having voted against a Convention ... be last adverted to this subject, a number ... additional returns have been received, swelling the affirmative vote from 11,260 to 13,396. We then thought that 11,360 was a majority of the legal votes, in as much as the largest vote ever before polled in Louisiana, (at the Presidential canvass of 1840,) was only 18,912, of which General Harrison received 11,296.

The vote in July last for a Convention, is an absolute majority of 26,791. Or admitting that the legal vote of the State, in July, was 7,879 more than that at the presidential election in 1840, yet the Convention bill has been carried as required by the Constitution. Few parishes have received any material acquisition of population since 1840, and the city vote none. A doubt, therefore, that the people have decided in favor of a Convention, must be based upon the supposition that at no election ever held in the State, have more than two-thirds of the votes been polled.

In the absence of data, that would lead to a certain solution of the question, the Legislature would, in our opinion, be right in assuming the vote of 1840, as a basis upon which to determine the issue. If this course be adopted, the Convention bill has been carried by over two to one.

The constitution, upon such a result of the popular vote, leaves the Legislature no option, but commands that "the General assembly direct that a similar poll shall be opened and taken from the next year." The members of the Legislature have only a discretionary power, in the first instance. They may refuse in the beginning to have the question of a convention submitted to the people, but when once the issue is made there is no appeal from the decision of the ballot box. The *Sovereign Power* of the Republic has been called to act and its will is omnipotent over the matter.

To avoid all confusion, next year, the proper steps should be taken to have the number of legal voters certified from each parish, so that if the majority of voters shall again decide in favor of calling a convention, the result may be seen in an instant; and provision made for carrying the popular will into effect. The vote in favor of the Convention, last July, is so large as to leave no question of the manner in which it was decided. The next time the case may be different, and the will of the people might be defeated by the want of data upon which to ascertain what their determination is.

The *Courier* in commenting upon a statement made by Mr. Ratliffe, that public printing cost the State last year 30,000, says:

"The members of the Legislature, we trust, will bear in mind that we have not received one half of the 30,000; but that 24,000 of the money was noted to Mr. Bullitt, for doing the printing and publishing during the first four weeks of the very long session of last year."

Now it would have been just as easy, for the *Courier* to state the facts as they really were, as to give this garbled account of them. The truth is, the Legislature, last session, met on the 13th day of December, and the ballot for state printer did not take place until the 8th of February. We consequently did the printing a day over double the time alleged by the *Courier*.

The Legislature adjourned on the 26th of March—not quite eight weeks after our neighbor was elected.

The salary of the printer we believe, is $4,000—or about our bill.—Now the difference between the *Courier* and us is this. Each received nearly the same amount from the State in payment for about the same work—whilst the *Courier* reaped *all* the contingent advantages from legal advertisements &c.—which at last constitute the profit of the State printer.

COMMERCIAL.—With reference to our remarks in yesterday's commercial article, in which allusion was made to several sales of cotton, that took place on Monday morning, before the European news which arrived early in the day had been generally circulated, and which were contested on account of an alleged undue advantage taken of the holders by the brokers who negotiated the sales, we now state that the only one which had not been settled at the time that article was penned, has since been arranged, by arbitration, in favor of the buyer.

The difficulties that have arisen from these transactions, suggest the adoption of a reform in cotton sales, which we doubt not would prove advantageous to the merchant as well as to his correspondents. We think that the custom of employing the same broker both as purchaser and seller of a lot of cotton is objectionable, because it gives an undue advantage to that party to whose interest the disposition of the agent may bear—generally speaking, to the purchaser. The buyer first instructs his broker to take up certain lots of cotton.—The beginning of the transaction is between the buyer and his broker, who of course enters the market to do the best for his employer. Now, although the merchant pays this same broker a commission for effecting sales, yet this does not put the parties upon an equality, for the buyer pays him a commission also, and the broker knows that as long as he can get orders from *purchasers*, he need give himself little trouble about *sellers*.

Where both parties pay a commission for a sale made, the broker ought to be the confidential agent of each. But the case is otherwise; for sales were made on Monday last, and commissions paid to brokers who not only were the intermediate from the persons who paid the commission, but in one instance that has come to our knowledge, intercepted *his employer* on his way to the counting house, and rushed him before he could know his drift—that too, after having called at the counting house of the person, and was there told by his partners, that sales would not be made before the arrival of the gentleman who was thus subsequently caught. We have used the term "his employer" in the above sentence, because this same merchant had to pay the *broker* a commission for entrapping him—and was therefore as much his agent as that of the buyer.

If a case could occur in which a sale should be contested, it was this one. We hold that in commercial transactions, unless a gross *departure* has been made from established custom, engagements should be binding. Whether this was such a *departure* as to justify a refusal to comply with the terms of sale, we are not prepared to say; but it is certainly a transaction that goes to show the necessity of reform in the mode of selling cotton.

We would suggest that the business of buying and selling should be entrusted to different sets of brokers as the surest mode of securing to each party the best exertions of the agents engaged by them. This would prevent the recurrence of any equivocal dealings, and ensure to the planter, the fullest returns for his crop, that the state of trade will justify.

DAGUERRE'S MAGICAL PICTURES. 4

We have never seen anything within the range of art so exquisitely beautiful and effective, as these wonderful paintings. By some secret and extraordinary process, M. Daguerre, the inventor, contrives to produce two distinct and altogether different pictures on the same canvas. The changes in the representation both of animate and inanimate nature are complete, and accomplished with startling power and effect. The sole agent in these phenomena is light, the decomposition, modification, reflection and refraction of which have been employed for the purpose of producing illusions of such magical beauty and apparent truthfulness, that the spectator involuntarily fancies himself an actual eye-witness of events which appear to be passing before him. The transitions from daylight to darkness, thence to moonlight, thence to the glare of torches, and yet again to the gloom of midnight, mimic nature with inconceivable fidelity. We cannot in the limits of a brief notice point out in detail the merits of these extraordinary paintings, but we counsel those of our citizens who have thus far failed to witness them, not to let the opportunity pass away without attending this exhibition.

DANCING.—See Monsieur Barbier's card in another column. We have spoken of the merits of this *artiste* before. He is without a rival in his profession.

BANKRUPT LAW.—Our Washington correspondent entertains hopes that the Bankrupt Law will be remodeled and amended, in some of its features, suffered to remain upon the Statute book.

CONGRESSIONAL CORRESPONDENCE.

Yesterday was a ... in the Senate ... against the ... in from ... the day; but, at ... and made the order ... postponement from Thursday ... refund the $1,000 fine to Gen. ... up, and Mr. Crittenden renewed ... refer it to the committee on the judiciary ... prevailed by a vote of 23 yeas to 19 nays. ... Senate then proceeded to the consideration of executive business and soon after adjourned.

In the House of Representatives but little of importance was done till Mr. Everett's bill to repeal the bankrupt law came up for further discussion. The subject was debated during the greater part of the sitting without being brought to any decision. Several executive communications were read and referred, and the House then adjourned.

Judging from appearances as to the disposition of both houses, I would not be surprised if the bankrupt law, ostensibly improved and restricted, would be continued on the statute book. If so adjusted, it will not be in the power of any party in power hereafter to make political capital out of an attempt to repeal it.

JAMAICA.

By several arrivals from Kingston, we have received files of papers, to the 20th ult. inclusive. They contain little intelligence of importance.

The excitement, in relation to the abominable mysteries of *Myalism*, still continued, and the Jamaica press was loud in calling upon the government to suppress them by force.

Parliament was in session.

ILLINOIS UNITED STATES SENATOR.—The St. Louis New Era has the following:

"Sidney Breese, Esq., originally a Crawford man, then an Adams man, anon a whig, and then degenerating into an ultra locofoco—a man of ability, but of no more political stability than is to be found in the veriest demagogue of the day, has been elected to the Senate of the United States to succeed Judge Young. With all his political sins upon him, the State of Illinois will still be much better represented than it is now by the conjoint labors of Messrs. Young and McRoberts. The vote stood:

S. Breese,	108
Archibald Williams, (whig,)	49
Scattering,	3

No election of United States Senator, from Indiana, had taken place at the last dates, from Indianapolis.

[REPORTED FOR THE BEE.]

LOUISIANA LEGISLATURE.

HOUSE OF REPRESENTATIVES.

THURSDAY, January 5th, 1843.

The roll being called, 40 members answered to their names.

Messrs. Newport and Broussard—locofoco—who had voted yesterday to sustain the Chair on the question of permitting the members whose seats were contested to vote on question connected, with the contest, begged to be allowed to reverse their votes. Leave was granted, and the journal was corrected accordingly.

On motion of Mr. Philips, Benon G. Thibodeaux, Esq., was sworn in and took his seat.

The Speaker announced the following Standing Committees:

Elections—Messrs. Boudousquie, Bayliss, A. B. Thibodeaux.

Claims—Messrs. Ratliff, O'Brian, Coffee, Convillion, Gay, et.

Finances—Messrs. Winchester, Leloux, Brewer, Perkins, Philips.

Judiciary—Messrs. Ogden, Winchester, Hunt, Benjamin, Bayliss, Culbertson, B. G. Thibodeaux.

Contingent Expenses—Messrs. Hire, Duff, Aubert, Allen.

Militia—Haugenet, Philips, Perkins, Robertson, Delassus.

Propositions and Grievances—Messrs. Wadsworth, Regan, Bauchelle, Guillotte, McBride.

Internal Improvements—Messrs. Brashear, Voorhies, Edwards, Prescott, Bienvenue, King, Chitz.

Public Education—Messrs. Claiborne, Orr, Phelps, Howell, Brou.

Revised and Unfinished Business—Messrs. Taylor, Health, Bussard, Duff.

Enrollment—Messrs. Voorhies, Thibodaux, Foley, Borden, Delassus.

Engrossed Bills—Messrs. Manufactures and Commerce—Messrs. Mouton, Farmer, Stille, McNeil, Morgan.

Penitentiary—Newport, Clark, Bickham, Nicnols, Walker.

PETITIONS, MEMORIALS AND RESOLUTIONS.

Evan McVoy, of Ouachita, presented a memorial for the Adjutant General to place at the disposal of the State Engineers, muskets, &c. to arm the guard employed over the state convicts, Read and referred.

On motion of Mr. Philips, the House took up the resolution relative to the celebration of the 8th of January. The Speaker announced Messrs. Ring, Ogden, Duff, Delassus and Convillion

Mr. Edwards presented a petition from M. G. Penn, of St. Tammany, which was referred to a special committee.

Mr. Taylor moved that the petition of sundry citizens of New Orleans contesting the election of the members of that parish be referred to a special committee. The motion was accordingly read an exceedingly long petition setting forth that the members elect were illegally chosen by the votes of persons who not qualified to vote.

Mr. Blanchard moved a reconsideration of the motion to lay the petition on the table. A long debate on points of order followed. The motion was moved to take up the petition, and rolled for the yeas and nays. The vote stood—yeas, 34; nays, 20. So the motion prevailed.

Mr. Ratliff then moved to refer the bill to a special committee, and supported his proposition in a lengthy speech of some length. The motion prevailed, without dissent, and the number of the committee was fixed at five, and the chair was empowered to appoint the members. On motion of Mr. Ratliff the petition was ordered to be printed.

Mr. Ratliff presented a resolution to appoint a print committee to correspond with the various printers of the city, and ascertain the cheapest propositions for the state printing.

Mr. Winchester objected, and the motion to read the resolution was put and lost on a tie vote.

A number of notices of bills were offered.

Mr. ..., according to previous notice, introduced a bill to take the sense of the people in regard to calling a Convention to amend the Constitution.

Mr. Hunt according to previous notice, introduced a bill to incorporate the Mutual Marine and Fire Insurance Company; at the same time presenting a petition very numerously signed in its favor.

Mr. Hunt also presented the petition of sundry citizens of New-Orleans, praying the repeal of the bill to liquidate the Banks, and to restore specie payments. The petition was referred to report their proceedings previous to the resumption of specie payments.—Laid on the table, and ordered to be printed.

Mr. Ratliff gave notice of a bill to reduce the rates of conventional interest, and to define penalties.

Mr. Hunt introduced a series of resolutions referring different portions of the Governor's message to appropriate committees.

The Speaker announced the following members as comprising the committee on the contested election:—Messrs. Boudousquie, Ratliff, Bayliss, Philips and Winchester.

Mr. Philips offered a resolution instructing the joint committee for the celebration of the 8th January, and make arrangements for placing the veterans of '14 and '15 at the head of the military.

Mr. Voorhies offered a resolution requiring the State Parish Treasurers to make a regular report to the Auditor of Public Accounts, which was read and referred.

The resolution for going into the election of United States Senator on Monday next came up, and occasioned a very elaborate and exciting discussion, in which Messrs. Ogden, Winchester, Duff, Hire, Voorhies and others participated. Our limits forbid even a sketch of the debate. Suffice it to say, that the locofocos were exceedingly anxious to get another day for the election, in order that they might have been taught, are in training to be ornaments to society.

The Directors desire the scrutiny of the public into all their acts of administration of the public charity. They would be gratified and encouraged by frequent visits to the Asylum of the citizens, and by their examination of the treatment extended to the children, and of the diet of which they are subjected.

The Directors have themselves ... employed by them ... ty and ... Signed, ... Attest, ... 1843.

[COMMUNICATED.]

To the Editors of the New Orleans Bee.

GENTLEMEN:—The statement in your paper of yesterday, respecting the treatment of two children named Merrison, lately inmates of the Orphan Asylum, has very properly attracted the immediate attention of the Board of Directors of that institution, and I hold a special meeting yesterday afternoon, for the purpose of inquiring into the circumstances of the case, and of making such proper reply to the statement, and such communication to the public, as may seemed due to the directors themselves, and to the public.

It is frankly admitted that the Superintendent and Matron of the Institution, are guilty of a great error in not the proper correction was applied by the directors, the day they were made acquainted with the delinquency, and before one month had elapsed, the children were gone.

It is known to the public that the direction of this Institution since its founds ion, has been committed to gentlemen standing in the first rank and lady rank, who have presided their giving minute daily personal attention to the internal management of the Asylum, and that these details have been necessarily confided to the superintendants and Matrons, in whose fidelity the highest confidence has been placed. If this confidence has unfortunately abused, the directors cannot deem themselves in fault, in as much as all the personal attention they can give, has in a great, as shown by the records of the Institution, by some one more of them, almost daily, since the foundation of the establishment in the year 1816.

A competent, attentive, intelligent physician, an officer of salary, has always been in employ, and when necessary in daily attendance, and his reports, usually in commendation of the police of the Asylum, have been read monthly to the directors, who give prompt attention to all his recommendations.

The case of the mother, who complains that her own sons had been the subjects of similar neglect to that suffered by the Merrison children, the directors believe to be entirely gratuitous and unfounded.

The journals of the Institution show that her children were first placed in the Asylum on the 16th June, 1841, at her own request, when she was represented to be in the last degree of penury, that she frequently visited them, until the month of June, 1842, when she took them from the Asylum, without permission of the Superintendent, or of any of the directors; that they were again admitted on the 11th July, 1842, on her own written and earnest solicitation, accompanied by the written request of the Mayor of the city, and finally, that on the 28th of September last, she applied to one of the directors, and obtained his permission to withdraw her children, stating that her circumstances then permitted her to maintain them. They were promptly delivered to her, and she expressed much satisfaction and gratitude for the kindness extended to her and her children. Two months have since elapsed, and no complaint or murmur has ever been made, to the knowledge, at least, of any one of the directors, which were the residence of Ann Corbett, and of her sons, Thomas and James. That may be her own present condition the directors cannot say.

In making this statement, the Directors beg to be understood as entertaining no feelings of unkindness to Mr. Merrison for having called your attention to the condition of the children. He is a gentleman of the highest standing and Matron; but the Directors do feel that he has done injustice to them, when they gave immediate attention to the complaint and corrected an acknowledged abuse, by providing through the streets of the city, children whose situations had to be perpetually left unchanged for several days in succession, that public sympathy might be directed against an institution whose benefits have been extended to more than six hundred children, many of whom are now in respectable and responsible situations in this city and State; and who by perseverance in the principles which they have been taught, are in training to be ornaments to society.

The Directors desire the scrutiny of the public into all their acts of administration of the public charity. They would be gratified and encouraged by frequent visits to the Asylum of the citizens, and by their examination of the treatment extended to the children, and of the diet of which they are subjected.

The Directors have themselves ... employed by them ... ty and ... Signed, ... Attest, ... 1843.

MARINE INTELLIGENCE.

PORT OF NEW-ORLEANS.

CLEARED

Ship Alice Bridge, Liverpool,	Moss & Giffuss
Ship Columbus, Hall, Liverpool,	J. H. Ashbridge
Ship Hibernia, Pinkham, Liverpool,	A. & J. P. Whitney & co
Ship Cincinnatus, Hatch, Liverpool,	Hubbard & Bryce
Ship Ontario, Liverpool,	Hubbard & Bryce
Brig Nassau, Simpson, Boston,	Beckwith & Bro
Brig Nassau, Simpson, Boston,	Beckwith & Bro
Brig Nassau, Simpson, Boston,	J. Robert
Brig Nassau, Simpson, Boston,	Harper & Bro
Brig Nassau, Simpson, Boston,	J. Hammond & co
Schr Little Ann, Havana,	Kennedy & Wilson

ARRIVED.

Towboat Submariner, Wilson, from the Passes—towed to sea for Liverpool—Ship Columbus—Brig Nassau—Ship Ontario—Ship Cincinnatus—Ship Hibernia—Ship Alice Bridge—Ship Empress—Reports ship Panthea and barque Lucas Thornton, aground on the Bar Southeast.

Ship Rhone, Hallowell, from the English Turn—Brought up—ship Winnemoke.

Ship Winnemoke, Lowell, 3 days from Apalachicola, to master.

Ship Milo Thompson, 27 days from Portsmouth, N. H. to master.

Bar, per Empress Church, 24 hours from Bristol, R. I. to Bailey & Brown.

Brig Agnes, Gray, 4 days from Kingston, Ja. in ballast, to A. J. Robinson & co.

Schr Cadet, Reed, 10 days from Kingston, Ja. in ballast, to master.

Schr Isabella, Tilton, 6 days from Mobile, in ballast, to Bailey & Brown.

Schr Helen Shirley 3 days from Pensacola, to master.

Steamer Cormit, Anabuty, from Cincinnati.

Steamer Victress, McKean, from Cincinnati.

Steamer Ambassador Stratton, from Louisville.

Steamer Orion, Brooks, from Tuscaloosa.

Steamer Agnes, Wood, from St. Louis.

Steamer Clipper, Boyd, from Bayou Sara.

Steamer Lida, Clark, from Bayou Sara.

Steamer Gem, Harrison, Batchelor, Im Donaldsonville

MEMORANDA

Steamer James Woods was run into on the 4th inst., by steamer Memphis 3 miles below Bayou Plaquemine, and sunk in two minutes, over the boiler deck. Furniture nearly saved. Her cargo consisting of cotton, tobacco, pork and lard, supposed to be injured. Her engine is free and will be raised and was drawn off—no other loss but insurance $6,000.

A flatboat loaded with flour and whiskey, sunk at the foot of Island No 1 part of the cargo saved by a steamer.

Twenty lives are said to have been lost in the steamer Mandelstam, two miles above the mouth of the Ohio, while endeavoring to lighten the steamer off the Bar.

The Victress left Cincinnati on the 23th December, reports 4 feet water in the Ohio and rising.

Steamer Agnes left St Louis on the 30th Dec. Passed steamer Clipper lying at St. Genevieve.

COASTWISE PORTS.

Baltimore, Dec 26 Unarel, barque Mary, Myrick, New Orleans.

N York, Dec 24—Orpheus, ship Union, Russell, d.

Newport Dec 23 Arrived Brig Florian Palmer, from N Orleans for N York.

PASSENGERS

Per steamer Gen'l Harrison—Scourbin, Winter, A G Fowler, W Kinney.

Per steamer Lida—K J Armstrong and lady, Miss Frierson, Mrs McKenzie, Mrs Sims, Mrs Blanchard, Mrs Mills, Miss M Marchand, Dr Perkins and lady, Miss M Bruenigh, Miss Reagan and daughter, Mrs Leonard, Col J B Lyons, J Wickes, esq, T D Phillips, A Dunbar, A B Duplessis, W H Vaughan, W Squires, A Willis, J Sinclair, G L Ives, R P Branch, T J Adams, W Birch, A Hill, A Cranford, A Elliot, R S Finn, W Young, J A Hem, Dr J Lewis, Terrell, Lauve and servant, O Lagan, Iida J Wharton, Jas Lagan, A Lotteldt, Jas Mouton, J T Payne, T Gough, J L M Dunning, B F Whitter.

Per steamer Agnes—Moore, Hilliard, Appelton, J Martin

Per steamer Ocean—Lecaine

Ship RAPPAHANNOCK, capt Drummond, from Liverpool—This ship will clear to-morrow—Consignees are requested to make their export manifest at the Custom house, this day. A. & J. P. WHITNEY. 6

Per PEDRO NOLASCO DE LIMA, Portuguese—Consignees are requested to call at my office to receive their consignation. A. BAUDOUIN, 3 Royal street.

Per Another the captain or consignees of the Brig Lucy ANARKSHIRE will be accountable for any debts contracted by the crew. WM PRIEN.

Ex DOCTOR FIDDERE TRIO of recently arrived from Havana—offers his services to the public. He has taken his residence in Toulouse street No 78 between Royal and Bourbon streets.

NEW ORLEANS, 5th January, 1843.

AVANCES—Liberal advances will be made on cotton sugar tobacco and Louisiana cotton, Ship Message P Harmon, Nephews & Co and Howlands Aspinwall, New York, and to my friends in Havre and Philadelphia. A. BAUDOUIN, 53 Royal st.

AVANCES—Liberal advances on cotton and Sugar, Mollaxes and other produce—Consignees to our friends Messrs Howland and Aspinwall New York. T. & N. TOBY & BOGERT, 70 Camp st.

Notice to consignees—Merchants, Planters, and others interested are respectfully invited to examine our stock of fresh dry Goods, suitable for their purchase. PEET & MORTON, 17 Chartres st.

AVANCE ON MARSEILLES—payable at Paris for sale by BOUTIN, GALLY & co. 59 Toulouse st.

EXCHANGE on Paris for sale by AUGTE. MOLIER, 56 St Louis st.

EXCHANGE ON LONDON for sale by BOUTIN, GALLY & co 59 Toulouse st.

EXCHANGE ON PHILADELPHIA—for sale by A. & J. P. WHITNEY, 73 Camp st.

RAISINS—300 boxes in store and for sale by PRATS & HERNANDEZ, 27 Toulouse st.

PERCUSSION CAPS—100 boxes for sale by J. L. DONNAMETTE, 49 Conti st.

DUKE BROME—for sale by J. L. DONNAMETTE, 49 Conti st.

GARDEN SEEDS—For sale by J. L. DONNAMETTE, 49 Conti st.

HUMAN ARTIFICIAL EYES—for sale by J. L. DONNAMETTE, 49 Conti st.

EXCHANGE on Paris, for sale by CHAS. DUFOUR, 11 Conti st.

CANDLES—We are selling in store and for sale by HARROD, DARLING & co 49 Common st.

FLOUR—600 bbls superfine, in store and for sale by R. W. T. HERAN & co.

SALT—1000 sacks Turks Island salt in store and for sale by GEO. HARRISON, 67 Tchoupitoulas st.

Sympathies and future support of all intelligent persons capable of appreciating the benevolent and managing an Asylum, composed of the most precious materials from all quarters of the globe, from the offspring of vice, as well as of misfortune, and many necessarily and as pitiness in a Steam Saw Mill, at Patriot Indians, to be declared bankrupts.

Notice is hereby given that John I. Reed and Evert Thompson, individually and as partners