The Daily Crescent.

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The Daily Crescent.

OFFICIAL JOURNAL
Of the Council of the Second Municipality.

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TERMS OF THE CRESCENT.
DAILY—Fifteen Cents per week, payable to the carriers, or Eight Dollars per year, payable in advance—half-yearly and quarterly at the same rate.
THE WEEKLY CRESCENT—Three dollars a year, payable in advance. Postmasters and others acting as agents, by sending five dollars, will be entitled to two copies.

DISTINGUISHED ARRIVAL.—The Hon. Henry Clay arrived yesterday, on the Ohio, from Havana. He was accompanied, as usual, by Dr. Mercer, of this city, and took up his quarters at the residence of the latter, in Canal street.

The Public Schools.

The speech of Mr. Marks, which we publish today, fully meets the statements of the Delta. If the citizens disapprove the manner in which the schools have been managed by the dominant party, we say by all means turn out their candidates. The cause of public education is of more importance than all the other questions put together.

We deny that the Directors have ever pursued the system of espionage and petty tyranny described by the Delta, and we defy it to produce a resignation caused by any such course. Its own favorite, it seems, had no such objections to make, and we are sure that a gentleman so highly gifted as the Delta describes, would not have asked to be continued in a situation which exposed him to such dishonorable treatment. One number of the Delta is filled with abuse of the Board for declining to select a particular teacher, and another number is filled with abuse of the Board for its conduct, which has led to the resignation of the best teachers. We think the fact that the gentleman, who has so long held office under them, was an applicant for longer service, is the most direct contradiction of the Delta's accusation.

As to religious intolerance, we have found it in our experience that those men are the most strenuous on the subject of religious liberty who have no religion at all in practice, and whose zeal for the rights of conscience depends on the personal capital they can make out of it.

We have observed that the most noisy advocates for Southern rights have been those who never owned a slave; and so in religion—those are the most ardent champions of religious liberty, whose lives and manners indicate the absence of all religious principle.

THE TREASURY CONSTRUCTION OF THE LATE AMENDMENT OF THE TARIFF OF '46.—This is a long series of instructions, addressed to the revenue officers, signed by W. L. Hodge, Acting Secretary of the Treasury. It orders goods to be appraised at their value, on the date of exportation, and not of their purchase. When the goods are the product of an inland country, the value of the goods at the time they left the country of their production. The charges are to be added to the value, except freight. If this part of the statute had not received a definite construction from the Department, it would be now included in the estimate of the cost. But the uniform practice of the Department had settled the point, and it will require a statute to change it.

HONORABLE ACQUITTAL.—J. W. Evans, a well-known merchant of this city, who has been charged with perjury, after a long examination, has been honorably acquitted, and in the words of the Recorder, "without a stain on his character." This was the result confidently expected by his numerous and old friends.

DAVID BRYAN.—We record with regret the demise of this gentleman, so long and favorably known upon the turf in connection with the renowned trotting mare *Lady Suffolk*.

Mr. B.'s career upon the Northern trotting turf won for him "golden opinions from all sorts of people;" his conduct upon all occasions, whether in victory or defeat, was characterized by mildness and generosity; his manners were simple and unaffected. In his death the trotting circle has lost a friend not easily supplied. We learn that he leaves, to mourn his loss, an amiable wife and children, residing in Suffolk county, Long Island, to whom, in the midst of their painful affliction, it will be a consolation to know, that throughout his long and distressing illness, he had no wants or desires that kind friends could relieve or money supply, that were not faithfully ministered by those who knew him long and truly prized his worth. Mr. Ellis, of the Metairie Track, and his lady, were assiduous in their endeavors to minister to his wants, and for which, a short time previous to his decease, he expressed himself truly grateful. He lived and died an honest man. Peace to his ashes.

SUNDAY SALUTES.—Yesterday, at noon, there was a salute of thirty-one guns fired at the Place d'Armes, and a similar salute at Lafayette Square, in honor of the arrival of Henry Clay. We think it would have been in better taste, if this well-deserved compliment had been postponed until to-day. Many of the friends of Mr. Clay are opposed to any such demonstrations on the Sabbath, which break in upon the religious exercises of the day. In the American part of the city especially, the feeling is growing stronger in favor of a better observance of the Sabbath.

Our advertising friends will excuse the non-appearance of a few of their favors. After the election, we will make amends for the unavoidable neglect.

STEAMSHIP OHIO.—Purser Fairchild, of this fine vessel, has our thanks for his courtesy in furnishing us, not only with the latest newspaper files from Havana, but with dates, incidents of trip and other memoranda.

STEAMER NORTH AMERICA.—This vessel arrived here on Saturday last, direct from Chagres. She had about 450 passengers and $500,000 in gold dust, belonging to the passengers. She left for New York yesterday morning.

FROM TAMPICO.—Capt. Trenis, of the schooner Oregon, has our thanks for late Tampico papers. The O. left Tampico on the 27th ult. The papers contain nothing of interest.

FROM HONDURAS.—By the arrival here of the schooner G. B. Mathew, Capt. Thos. Robinson, we have dates from Belize to the 15th ult. The only item of importance is that the people of Honduras were, on the 15th ult., to hold a public meeting for the purpose of framing a new constitution.

THE LAW SCHOOL.—The graduation of the young gentlemen takes place to-day at 12 o'clock in the Lyceum Hall. We hope there will be a full attendance of the members of the bar, to encourage by their presence the young gentlemen who are just entering on their professional career. An address will be delivered by the Hon. Theodore McCaleb, President of the University and Professor of Admiralty Law. This will be followed by the conferring the degree of Bachelor of Laws on the graduating class.

The exercises will close with a valedictory by Mr. B. S. Tappan, the orator of the "Marshall Institute." The fine U. S. band will lend its aid to make the celebration pass off with eclat, Seats will be reserved for the ladies.

The alumni of the Law School are particulary requested to meet in the United States District Court room, at 6 o'clock, P. M., for the purpose of electing an orator for the next annual commencement.

A very good reason for mail failures is given below by the Louisville Courier:

MORE OF SENATOR BORLAND'S FREIGHT IN THE MAIL!—This morning seven more large bags filled with books, &c., directed to this Honorable Senator, under his own frank, were sent south from our city post-office. This makes *twenty* bags in all, weighing upwards of a ton, that one Senator franks home to his own address.

THE FUGITIVE WOODSON.—The Pittsburgh Gazette says that the freedom of Woodson, the fugitive slave, who was taken down from there to Louisville a few days since, has been purchased for $600.

Municipal Elections.

Nothing is easier than to find fault. This is a luxury which the minority always enjoys as a partial compensation for its exclusion from power. Two of the papers in this Municipality, *owned and controlled below Canal street*, have surfeited themselves, and their readers, with denunciations of the dominant party in this Municipality. One of these papers is so senselessly abusive, that it has just the influence and respect which belong to a common scold; and we shall not waste time in any reply to its vulgarity. If it is to be believed, this city is a second Sodom—itself the only Lot. The city is grievously sick, and it the only panacea. But our lively, piquant, good-natured friend of the Delta, gives his cuts and thrusts with such exquisite grace, that it is a pleasure to read his tirades, and all are wrapt in admiration at the exuberance of an imagination which conceives, and the courage which sends forth, as truths, those daily columns of lively fictions.

The Delta says that the dominant party have plunged the Municipality in debt, and have nothing to show for it. In 1836, when the Municipality was formed, the city owed $3,000,000. This Municipality had received as the only benefit for this outlay, the paving of Camp street, as high as Poydras. It had no watchmen, no fire companies, no lights, no markets. It was regarded as a mere tax-payer for the city proper. So intolerable was the rule of the ancient population, that civil war was close at hand. A meeting was held in Banks Arcade to adopt measures for a separate city organization, when the idea of the present system was suggested, and carried out. The Second Municipality was compelled to take more than one half of a debt incurred for the benefit of what now constitutes the First Municipality. The paving for the year 1834 cost $264,030. In 1845 $308,409. All of this was expended below Canal street. The American Municipality had no wharves, and no levees; consequently it had no commerce. It was compelled, at once, to expend large sums for the construction of wharves, and the maintenance of the Batture. It has paved all of the principal streets; it has built the market-houses; it has erected a Hall which, for architectural beauty, convenience and safety, is unsurpassed in the United States. It manages to draw very tangible revenue from *nothing*. Thus, the Levee dues received during 1850, were only $148,484 29. The markets, which we suppose only exist in *nubibus*, paid the insignificant rent of $75,300.

The Municipality has a revenue of $300,000, derived from its investments in Wharves, Levees, Streets and Markets; while the interest on the debt created for this purpose, is $150,000. The Municipality has expended five million dollars for improvements. This amount was expended, and the debt now due incurred prior to January 1, 1844. At that date, a committee appointed to examine the affairs of the Municipality, submitted a report, from which we quote the closing passage:

"The Committee have been agreeably surprised at the result of their examination. They find not only that the Municipality is unembarrassed, but that its Financial Condition is essentially prosperous. This gratifying result may be accredited to the judicious measures of the Council, its strict adherence to rigid system of economy and to the faithful manner in which every officer connected with the fiscal affairs, has performed his duties."

Who do our readers suppose signed this report?

JAMES H. CALDWELL, Chairman.
WILHELMUS BOGART.

Up to this period we have the authority of the enemies of the Council to sustain them. Let us see whether, since that period, there has been any material change.

On January 1, 1844, the debt was $2,433,000; in 1850, it was $2,517,000; but the real estate and improvements added since that time are worth half a million. In 1844, the cost for paving had been $1,515,947; in 1850, the cost had been $2,691,213.

	1844.	1850.
Fire Companies	$98,147	$191,081
Public Schools	$67,402	$168,558
Charity	$95,796	$112,523

The paving of Tchoupitoulas street, with square stone, of itself cost $82,000.

The Municipality has lost about $60,000 in 1846 by the sale of its credits, and by the damages paid for non-execution of contracts. The Delta revives the cry of excessive taxation, but it carefully neglects to speak of the vast expenditures required for the Wharves, Levees, School-houses, Fire Companies, Markets, Hospital, and the old debt of the city, incurred for the benefit of others, and which we have had to assume. So anxious were our people to get rid of their task-masters of "down town," that they submitted to this shameful imposition of a debt, from which they had received no benefit, and now when they are compelled, by the Legislature, to pay principal as well as interest, the taxation is imputed to the conservative party.

Among the expenditures of the year 1850, we find $94,000 for *judgments* taken up—these are among the legacies of 1846.

Paid the Liquidators	$82,000
For paving	104,000
Workhouse	14,000
Police	78,000
Lighting	32,000
Wharves and streets	171,000
Schools	62,000
Fire Department	22,000
Draining rear of Municipality	14,000
Sinking Fund of Municipality	84,000
Municipal Hall	39,000
Slave Crevasse	22,000
Salaries	38,000
Interest	111,000

Here are the principal items of expenditure, given in round numbers. Can any of them be reduced? Will any party pledge itself to stop all works of public improvement—to break up the schools—to repudiate the debt—to disband the fire companies? It is very easy to deal in vague generalities; but our neighbor is very careful to avoid specific facts and figures. These last it fears worse than it does holy water. What item has been an injudicious expenditure? Let us know what it would lop off. While we are to reap all the advantages of the wharves, levees, paved streets, public schools, markets and fire companies, we ought not to submit to taxation!

These investments and consequent taxation were rendered necessary by the illiberal and sectional views which prevailed previous to the separation of the city. Instead of expending a fair share of the revenues, and of the amounts raised on credit, in the American Faubourg, all were appropriated for the benefit of "down town." Consequently, when we set up for ourselves, we were not only utterly destitute, but had a debt of a million and a half, from which we had derived no benefit, to care of. Is it then a matter of surprise that the Municipality should find itself in debt. Dare any one pretend to say that the wharves, levees, schools, &c., were not necessary!

We have a word or two to say about the Batture. This lies in the Second Municipality. It has been rapidly extending, thus adding to the expense of maintaining it. Within fifteen years it has cost one million of dollars. The terms for disposing of it, enacted by the Legislature, give to the Municipality one-third of the proceeds, which will not more than pay the sums expended in keeping it up, while the city and the former owners are to reap all the advantage. So unjust as is this apportionment, we hope it will shortly be effected. This will relieve the Municipality from a heavy debt, and diminish the necessity of taxation. But the Delta, feeling the crushing weight of the official approval of J. H. Caldwell, and Wilhelmus Bogart, attempts to sacrifice them. They did not understand the mysteries of book-keeping; they were imposed on, poor imbecile men. It took the reformers of 1846 to discover all the frauds and conspiracies concealed beneath the nicely balanced books. Was there ever any thing so absurd? Does it not show that the Editor of the Delta is utterly ignorant of book-keeping. That committee had access to all the books of the Municipality, in both the office of the Treasurer and Comptroller, which served as a check on each other. They found the amount of the debt just as it existed; the expenditures to have been made under the various ordinances, and they approved of the entire management of the Municipal affairs. The Delta has not presumed to point out where that Committee was deceived. By a sweeping charge, it accuses the Council of corruption, and the Committee of ignorance and stupidity. It puts the conservative party on trial for its conduct during fourteen years. Not content with this extent of time, it declines to make specifications; and even this vague charge, extending over fifteen years, is made just on the eve of an election, when it is too late to repel its calumnies. When the changes are rung on taxation, the reply is to be found in the public improvements, the schools and the revenues of the Municipality.

The Whig Mass Meeting in the First Ward.

Notwithstanding the extreme inclemency of the weather, the meeting in the First Ward on Saturday night was numerously attended by the warm, personal and positive friends of Judge Byrne and Isaac N. Marks, and the whigs generally of the Ward. The meeting was called to order by J. Neville, Esq., who nominated Mr. W. J. Ahern Chairman, and Mr. W. E. Strange Secretary. In answer to an enthusiastic call, Judge Byrne made his appearance on the stand. We regret exceedingly that we were unable to hear the opening of this gentleman's address, the more so as we have heard it spoken of in the very highest terms. Judge Byrne did not make use of the rhetorical figures with which some political speakers "we wot of" tickle the ears, nor did he use the sophistry now so fashionable among the party to which he is opposed, but feeling firm in a good cause he availed himself of no other prop than that of common sense, plain language, and above all, truth. He endorsed unhesitatingly the course pursued by Mr. Marks, and spoke in the very highest terms of that gentleman. On the School Question he was heart and soul with Mr. Marks, not because, as *had been alleged*, the opposition of that gentleman to the Catholics and the Twentieth Rule, but because he knew that Mr. Marks had always occupied a manly and consistent position on this question. Judge B. had but little to say about himself—he had never been an Alderman, and had therefore, as such, no acts to defend, no course to vindicate—he had indeed but little to say of the past, but one thing he would say, that if elected to the office for which he had been nominated, he was determined that he would do his best to prevent a repeat at his election, that he would labor assiduously to promote the welfare of the Ward and Municipality generally, and devote his time to the interests of the people. Judge B. had heard of objections being urged against him, because he had in his judicial capacity acted as he deemed impartially. To this he has but one reply to make—in his office he acted under an oath to do his duty, his conscience exonerated him from any impurity of motive, and while his conscience did not reproach him, he cared not who was displeased. In conclusion, he would state that he had no specific promises to make, he would simply promise to do his best for the good of his constituents, and for the welfare of the people. His speech was frequently interrupted by long and loud applause. At its conclusion, Mr. Marks was called for. As this gentleman is a much abused individual, as his views have been grossly misrepresented, and himself almost persecuted, we are determined to devote a longer space to his remarks than is our wont. We do this the more willingly as it enables us to embody his speech as unanswerable refutation of the Delta's slanders, and because it is a worthy exposition and defence of the whig cause in the Council, it exposes to view the reckless and ruinous course of that party who have been eternally prating to us, and dinning in our ears, the subjects of reform and retrenchment.

Mr. Marks stated that in obedience to the call of his fellow citizens, he appeared to give an account of his stewardship, to render up the trust which they had bestowed upon him, willingly been made against him, and to express boldly and unequivocally his opinions and sentiments on the important questions now the issues of the two great parties. He could say but little to change opinions, but his object was to endeavor to remove prejudices engendered by the wholesale denunciations and virulent abuse by the democratic party, and of which he seemed, he knew not why, to be the principal victim. This was the first whig meeting held in the Ward, in which he had an opportunity to defend himself, against not only those who in private defamed him, but against a portion of the public press. The first point to which he would allude, was the recent democratic meeting in the Ward. He was somewhat surprised to learn that this meeting had been addressed by P. S. Warfield, Esq., and more so to learn that this P. S. Warfield had made a most violent personal attack on him (Mr. Marks.) This gentleman, who had so unhesitatingly thrown himself in the arena of his former enemies, was but a few months since, *in profession*, an ardent, thorough whig. Instead of that retirement and modesty which might be expected in the true convert, we find him possessed of a dyspeptic and insatiable appetite for notoriety. Not satisfied with the disgrace attending a change under the circumstances, he, in three different Wards, exposes himself in his deformities, to be gazed at by the multitude. Mr. Marks did not wish to pursue Mr. Warfield's course, and indulge in personalities. He wished to speak, not of the private, but of Mr. Warfield's political life. He had not a parcel of a dyspeptic and insatiable appetite for notoriety. Not satisfied with the disgrace attending a change under the circumstances, he, in three different Wards, exposes himself in his deformities, to be gazed at by the multitude. Mr. Marks did not wish to pursue Mr. Warfield's course, and indulge in personalities. He wished to speak, not of the private, but of Mr. Warfield's political life. He had not a parcel of a will against his opponents; many of those that were honest were his personal friends; but he had a contempt for the renegade. He could not but suspect the man who for years has belonged to a party, and because not elected to a certain office, suddenly turns to those to whom he has been all his life opposed. What, he would ask, would any citizen think of another who would live, eat and drink, and gorge himself at the citizen's expense, and then turn to his enemies and on every corner abuse him? Yet, disgusting as this seems, it has been done, and that by P. S. Warfield. He had for years been living on the whigs, and now that he could no longer do so, he had abandoned them, and taken to abusing them. He knew not for what stood the initials P. S., of Warfield's name, but he would suggest that *Political Sneerer* Warfield would not, under the circumstances, be inappropriate. Mr. Warfield had at one time been elected by the Whig Council Assistant Attorney of the Municipality, which position he occupied several years. So tenacious was he of office, that when turned out by the democratic Council in 1846, he refused to give up the books to Mr. B. B. Lee, who was elected in his place. He was subsequently appointed Attorney for the whig General Council, and was again sent by the whigs to the Legislature; but Mr. Warfield began to demand what heretofore had been conceded as a favor, and on being defeated in his desire to become the Second District Attorney, he, in disgust at a party that did not always keep him in office, suddenly discovered that he had all along been wrong; that he had been a democrat, and did not know it. That in all the speeches he had made in favor of Clay, and of Tariffs and Banks, he had been radically wrong. The defeat opened his eyes, and gifted him with the wisdom of Solomon, and he saw, distinctly saw, that the democrats were right, the whigs all wrong. He had heard of the waters, in the pursuit of which De Soto lost his life, that restored youth and kept it in perpetual spring, but the almighty dollar seemed to possess virtues far surpassing this, as evidenced by its effects on the now singularly clear mind of P. S. Warfield. His assertions respecting him (Mr. Marks) would be found fully answered by the reports of the Council, to which he intended, during his remarks, to refer to and quote.

In regard to the School Question, its history was brief, and he intended, without evasion, to declare his course and views upon it. The Board of the School Directors gave permission to certain persons to hold a Fair in the Lyceum Hall. It had never been before used for that purpose—it was inconsistent with the object to which it had been devoted; besides the granting of this once would be a precedent, and it would be difficult subsequently to refuse. Already many applications were about being made to obtain the room for like purposes. The favor could not be granted to all, because of the lecturers; distinctions could not be made, and he thought it was better to establish a firm and unbending rule at once, and refuse all applications. If lectures were not delivered as anticipated, it was because of the fault of the democratic directors who were in their assumed office nearly all the winter. Mr. Pride, a democrat, offered the resolution in the Council *instructing* the School Directors to cancel their permission to use the Lyceum for a fair. Mr. VANCEY WAS HERE IN FAVOR OF THIS RESOLUTION, only he wished the word "instructed" changed to *requested*, so that whatever that gentleman or his friends may say, it is clear he himself was in favor of that resolution, now so denounced by his party. If the word "instructed" had been changed to "requested," there would have been but one dissenting voice. The Board refusing to do as requested by the Council, it, in preservation of its own dignity, turned them out, with a view to the election of a new Board. The portion of the old Board refusing to obey the ordinance of the Council removing them, the difficulties ensued about which so much has been said, the whigs were finally successful. It had been said they turned out the old Directors, because they were democrats. What did the whig Council do? With the whole power now in their hands, they created a new Board, composed of *nine democrats and seven whigs*, thus displaying a magnanimity seldom witnessed in political bodies. These new Directors wishing to satisfy all parties, passed a resolution, viewed as a compromise, permitting the opposers of the rule to send their children after the reading of the prayer. This was on a *Thursday*; on the *next Thursday* the Council met. Mr. Etter then offered a resolution, requesting the repeal of the Twentieth Rule, and *Mr. Vancey* a substitute to, which was lost, *simply sinkering*, in general terms, that the enforcing the observance of religious exercises was inexpedient and improper, but proposing no steps in the matter. *He* (Mr. M.) *then offered as a substitute to Mr. Etter's resolution, the following, which was adopted, with but one dissenting voice.* He read from the official reports of the proceedings:

"*Resolved*, That the Board of Directors of the Public Schools be, and are hereby, requested to repeal the Twentieth Rule; and for the early execution of that object, they are hereby requested to call a special meeting."

Thus, instead of being opposed, it was his resolution that abolished the Twentieth Rule. He did then as he has ever done, the issue being presented; he acted openly and boldly for what he considered the interests of his constituents; he did not skulk behind expedient resolutions.

As an evidence that it was not a religious zeal, but a political hobby of designing demagogues, that caused all this difficulty about the School Question, he would remark that the Twentieth Rule had been adopted in 1841, that in 1846, the democrats were in power, having a majority in the Council; that they elected a democratic Board of School Directors, and yet notwithstanding the *unparalleled hardship of this rule, not a democrat then thought of repealing it*, and would not now do so, had they not expected to make political capital out of it.

The democrats have talked largely of reform. For nine months during the past year, they were, by the treachery of a whig Alderman, in power. There was then a chance for reform. What was done? I will tell you.

Under the old system, the Municipality was divided into three districts, for the purposes of repairing streets, and the whole expense was but $18,000. This did not suit the democrats, who wished reform. The Municipality was by them divided into six districts, and the expense has been $37,000. For many years, the Comptroller has purchased the oil for the use of this Municipality. This, according to the views of the democratic Aldermen, has opened a door to corruption. The Comptroller used to go from place to place, and succeeded in getting it at $1 25 per gallon. Mr. Vancey had a resolution passed requiring the contract to be sold at auction. This was done, and the Municipality paid $1 50 per gallon, thus making the people pay another $1000 for reform. Again, the Recorder, under the old administration, appointed the watchmen. He (Mr. Marks) wanted this to continue, and made a motion to give this extreme power to Recorder Caldwell, but the Council must have a change, it made no difference whether for weal or wo, and in their indecent haste, they turned out the old watchmen in the middle of a month. They sued for the whole month, and recovered, and thus was another $1000 thrown away. You all know that the democrats, *for years*, have over and over again declared that there was something wrong in the whig administration; that there was something "rotten in Denmark." Well, the present Council, still believing this to be the case, offered an act to appoint an accountant to examine the books. He opposed it; but, failing in his opposition, he offered a resolution limiting his term to sixty days, which was passed. It must be remembered that this man was to receive $100 per month. At the end of the sixty days, Mr. Sowell recommended the increasing his salary to $200, to which Mr. Marks objected, and had it reduced to $150, and again was the term limited by his (Mr. Marks) vote to sixty days. This accountant, appointed by a democratic Council, examined very carefully the books for the years 1848 and 1849, and part of 1850, and all the vouchers therefor, and what was the wonderful result? Where the terrible *expose* of the fraud and corruption that for years had existed? Why let the man, the accountant, answer for himself. He says: "I have carefully examined all vouchers, calculations of interest and additions, and find every thing correct, and proper vouchers for all money paid. I think it proper to state, that the manner in which the books of the Comptroller and Treasurer are kept, is most correct, clear, and explicit, and *could not, in my opinion, be improved on.*"

Thus this matter ended, and with it several hundred dollars. The Council had come into existence in the year 1836. During the term, from that date to 1843, the Municipality had sprung, as by magic, from bogs and quagmires, into a large and flourishing portion of the city. Mr. Caldwell, our present Recorder, who is now leader of those who denounce the old administration, thus speaks in 1843:

"The Committee have been agreeably surprised at the result of their examination. They find that not only the Municipality is unembarrassed, but that its financial condition is eminently prosperous. *This gratifying result may be ascribed to the judicious measures of the Council, its strict adherence to a rigid system of economy, and to the faithful manner in which every officer, connected with the fiscal affairs of the Municipality, has performed his duties.* Signed, JAMES H. CALDWELL, Ch'm'n."

The subsequent cry, therefore, of corruption, was created solely for the purposes of personal aggrandizement, as the cry of religious persecution is now created for political purposes. Mr. Marks, in conclusion, said there were other subjects on which he would like to touch, but that he had already spoken too long. He would, however, refer his hearers to the course pursued by himself, and party, in the Council on the much talked of wharfage question; and would, also, draw their attention to the action of the democratic majority in giving a preference in the paying of salaries to the School Teachers, thereby unjustly and unlawfully depriving many others, equally as deserving, of their money when it came due. He was in favor of no preferences nor privileges;—he disliked all distinctions among those who did their duty to the Municipality. The watchman who labored all night, was as deserving of quick payment, as the teacher who labored for a few hours during the day; he could see no difference.

Mr. Marks concluded by exhorting the voters to do their duty—not for himself—there were higher and worthier objects to be considered; they were to work for principles sacred to the whig party—for ends in which the obscurest, and the poorest, were the most interested.

After a few remarks from Mr. Strange, the meeting adjourned.

The Tarpaulin Law.

Several of the morning papers of yesterday, have published the opinion of Judge Larue, in the case of John Clayton, a vagrant, put in prison for want of bail, to be responsible for his appearance before the District Court, to stand his trial as a vagrant. Clayton was brought before the court on a writ of *habeas corpus*, and the Judge decided his imprisonment was constitutional. There was no necessity for the Court to decide whether a trial by jury might be waived or not. That question was not involved in the pleadings. The man had been committed to jail on a charge of vagrancy, and was to be detained until he gave bail, or was discharged by the District Court. Was that committal legal? Whether the trial by jury was optional or compulsory, was a question which could not, at that moment, come up. Judge Larue, it is true, did express his opinion that a trial by jury could not be waived. This was a mere *obiter dictum*, a word beyond the case, on a point not raised and, even he does not consider himself committed by any such expression. The constitution of New York is, if any thing, still stronger than our own, and yet the Supreme Court of that State has held that a party charged with a crime might waive the trial by jury. At all events, Judge Larue has never held, in a case calling for his judicial decision, that the vagrant law is unconstitutional. It is a very easy matter to bring the question before the Supreme Court, by the institution of a suit against any Recorder, who commits a vagrant to the workhouse. We are not certain that the case of Eliza Fluehart, now before that tribunal, does not offer an opportunity of settling the question. In the meantime, the vagrants will live in clover in New Orleans. How grateful they must feel to the Recorder of the Second Municipality for the bold stand he has taken in their defence. They ought to get up a complimentary benefit for him. He carries his affection for them so far that the Lafayette Square is set apart for their *lounge*, where, without being disturbed, they can sleep off a drunken debauch, or enjoy a siesta after their "eleven o'clock." The name should be altered to "Loafers' Paradise." Next year we shall have them organized as the Caldwell Guard, and when he is Mayor, will not loaferism and masquerades flourish. It will be the "Beggars' Opera" on the city stage.

SMALL POX IN MOBILE.—The Register and Advertiser are in dispute about the extent which this plague has reached in the city of Mobile. Both acknowledge its existence there. The Advertiser has made special inquiry. The first case occurred about a month ago. There have been seven cases in all at the Pesthouse—six negroes, and one white person. Of these, two have died, and five still remain there. This was the extent of the disease, unless some cases had occurred in private practice, of which the Advertiser had no knowledge.

MUNICIPAL DECISION IN MOBILE.—An extensive dealer in rope and twine, from Kentucky, was brought up before the Mayor of Mobile, on Friday last, on the charge of "peddling without a license." The evidence was that he had his goods in a store, and made his sales by going amongst the merchants and delivering the goods by the package, after sales had been effected. The Mayor decided that this was not "peddling," but subjected the dealer to the payment, immediately, of a special tax of twenty dollars, the sum paid by a regular dealer.

RAILROAD MEETING IN JACKSON, MISS.—A very large and spirited meeting was held in Jackson, Miss., on the 29th ult., to express the deep interest felt by the citizens of Jackson, and vicinity, in the railroad meeting to be held here this month. Col. Tarpley and others addressed the meeting. The resolutions were excellent. One of them contemplates an adjourned meeting at Jackson. In the meantime, fifty delegates are named to attend the meeting here.

A NEW CHARLESTON VESSEL.—The bark Edisto has been launched at Medford, to run in the Commercial Line of packets between this port and Boston. She is the third packet that has been built for this line within eight months, all hailing from Charleston. The Edisto is about 360 tons burthen.

It pleased us sincerely to find the above in the editorial column of the Charleston Courier of the 1st instant.

MEMPHIS AND CHARLESTON RAILROAD.—The Commissioners of Madison county, Tennessee, have ordered an election in May next, for the people to vote on the subscription of $100,000 by that county to the work.

GOVERNOR OF MISSISSIPPI.—Hon. Isaac N. Davis and Gen. John D. Freeman are spoken of as prominent for nomination by the Union party, in the next election for Governor of Mississippi.

LATER FROM CALIFORNIA.

Arrival of the Steamship Ohio.

The United States mail steamship Ohio, Lieut. Schenck, commander, arrived yesterday morning at 11 o'clock, from New York, Charleston, Savannah, and Havana, with the California and Pacific mails. The steamer Georgia left Havana for New York on the 3d inst. The Falcon, from Chagres, arrived the same day. Among the passengers by the Ohio, is the Hon. Henry Clay, from Havana. The United States steam frigate Saranac, Capt. Tatnall, sailed from Havana for Pensacola on the 3d inst., at half-past eight o'clock, A. M. At eleven o'clock A. M., Mr. Clay was conveyed on board of the Ohio in the Captain-General's barge, when the Ohio immediately left, and passed the Moro at half-past eleven o'clock. At one o'clock, P. M., saw the smoke of a steamer about twenty-five miles ahead, which proved to be the frigate Saranac, which vessel left Havana three hours ahead of the Ohio. At five o'clock, P. M., the Ohio had gained on her so as to bring her hull in full view from the deck, and at half-past seven was direct abeam, and about one-eighth of a mile distant. The Saranac was illuminated with large battle lights, fore and aft, and during the passing of the Ohio, fired a salute of thirteen guns and four volleys of musketry, in honor of Henry Clay. The firing of rockets and the burning of blue lights, so illuminated the ships that the people could be distinctly recognized from the decks of each vessel. Three cheers were given by the passengers of the Ohio, which were answered by the crew of the Saranac. The stillness of the night, and the calmness of the water, lent enchantment to the scene, which was one of the most magnificent ever seen at sea. This may be considered one of the finest compliments that Mr. Clay has had paid to him during his travels, by sea or land.

There were four men-of-war vessels at Havana when the Ohio left. The frigate Louisa Fernandez, brigs Habanero and Variel, and the steamer Pizarro.

Havana is perfectly quiet—no amusements or excitement of any kind.

The new steamer El Dorado, from New York, arrived the day the Falcon left.

The Ohio brings one hundred and seventy-five cabin passengers, with about $480,000 in gold dust, and made the run from Moro Castle to the Balize in forty-six hours.

The Ohio brought the following passengers:

Hon Henry Clay and svt, Dr W N Mercer and svt, Miss Mercer and svt, Miss Cammack and svt, Mrs Robinson and children and Miss Robinson, George W Thatcher lady child and svt, Fost and svt, Capt Ingraham, U S N, Capt Tatnall, U S N, A H Bullock, J Columbe, D G Carnes, J de Cordova, Bonnette, G J Ketlin, L Hamer, D L Rucker, Dr Cheeves, Adolph Langtry, H Cassard, T J Bailey, A Miller, M J Hempstead, G W Clarke, Jas Montgomery, Sami Hutchinson, Steven Hutchinson, M J Callaghan, F Bower, E Harrington, M Mathews, F Kinney, W Crowell, Jas Aldridge, J Fawcettman, S Crippsil, J W Whitehead, J W Spring, W H Grant and lady, Jayne Tenlinn, Francisco de Castro lady and svt, Gassmer Lecompte, Domingo Tolas, J M Lanier, D D Cobb, A Richards, Mrs Cassedy and daughter, Mrs Hamilton child and svt, Mrs Kirkland child and svt, Rand and family, Dr Rand, A Nisbet, J A Nisbet, J A Wolfe, Forbes, David Ellis, G Embree, A Hill, Thos Brown, James Brooks and lady, Francis Allen, Jas Spenley, Jas Spenley, A W Morris, H Hopkins, Dr L Bullard, W R Wilson, W R Hill, Thos Bullard, Thos Miller, J W Walker, Robert Bell, Wm Dorsey, G Hancock, John Leach, R C Cason, C P Cason, G W Shute, John D Ely, J Cohen, Jas Williams, W A Ward, Wm Stubbs, J Cooper, H A Hutchinson, R McQueen, J Hood, N Martin, J S Martin, J West, J S Bringham, W Rickenbaugh, P Tuson, A Lesley, C Tompkins, Candlin son, R Allen, J S Elliott, J R Cunningham, C R Guillard, Chas Stein, W H Allen, P Gazzo, Thos Kacker, John Harkey, Capt J Williams, F Dunnitz, C H Case, Chas Wolfe, Chas Lowe, J W Lowes, J B Morley, Jas Nailor, F Rowley, F McVary, J Salisbury, F Bark, J C Bunell, Jas Woodman, Peter Bennett, F Wagnal, Wm Lewis, John B Dunbar, Jas Lathrop, Peter Murphy, J Chapman, R C Williams, Major Ogden U S A, Philip Scott, A B Gaines, J Kane, Wm Fisher, J Kane, Geo Crosser, J Lindsey, Mrs Newcomb and family, Lais Krauff.

ELECTION OF SENATOR.—No election of United States Senator had been made. The Alta California says:

"After one hundred and forty-two ballotings, the Joint Convention adjourned till the 1st of January next. So California will have but one Senator in Congress next session until the next Legislature shall have met and elected one."

From the Pacific News, March 3.

IMMENSE EXCITEMENT AT SACRAMENTO—*Lynch Law at Last.*—Freeman & Co. put us in possession of Sacramento papers of yesterday morning, before 10 o'clock last evening. Palmer & Co., and Gregory also, brought us papers of the same morning.

The only news of importance is the following account of the hanging of a man for shooting another in the street. From a full report of the proceedings in the Transcript, we condense the following facts:

Yesterday afternoon, about two o'clock, an awful scene took place in front of the Mansion House on the corner of Front and J streets, which has resulted in the death of two persons.

A fight occurred over a French monte table, between a man by the name of Fred. J. Roe, and a miner (name unknown.) The two men were parted several times, and finally by Mr. Chas. Humphrey Myers, from Columbia, Ohio, a quiet and most respectable citizen—Roe shooting Myers for his interference. The ball entered Myers' head, just in front of the left ear, and passed into the lower part of the brain. Myers was taken up K street, accompanied by a large crowd, to the blacksmith's shop of his former partner, Mr. Joseph Praeder. Here the wound was examined, and pronounced to be mortal.

Councilman McKenzie mounted a wagon and addressed the excited crowd, and was followed by one or two others, the tone of their remarks being in favor of summary punishment.

A meeting was immediately organized in front of the police station, and the multitude addressed by Mr. Evrard, Mr. Queen, Mr. Sweed, Mr. Scranton, and others, in favor of immediately hanging the prisoner.

Marshal Cunningham, Deputy Sheriff Harris, and other officers, as in duty bound, made an appeal to the crowd in favor of law and order, and protested against any interference of an excited multitude in the course of the law. They said they should resist all attempts to take the prisoner from their hands, at all hazards.

A jury, consisting of the persons whose names are given below attached to the verdict, was then selected by the meeting, who proceeded to the Orleans House, for the purpose of trying the prisoner. After an hour or two spent in listening to the testimony, the following verdict was rendered.

We, the Committee of Investigation appointed by our fellow-citizens, to investigate the circumstances of the unfortunate occurrence that took place this afternoon, do report that, after a full and impartial examination of all the evidence in the case, we find that, at about 2 o'clock, P. M., this day, Frederick J. Roe, and some other person whose name is unknown, were engaged in an altercation, which originated at a gambling table in the Mansion House, and that after said parties had proceeded into the street, and were there fighting, Charles H. Myers, who was passing in the street, interfered, with words, by requesting them to desist fighting or to show fair play. That immediately thereafter said F. J. Roe called out—"What the devil have you to say?" and then drew his pistol, and without any provocation, shot said Charles H. Myers through the head.

John F. Swanton,	John T. Bayley,
W. F. Freeyman,	Edward Cronin,
J. B. Starr,	D. O. Mills,
H. G. Langley,	F. H. Cornwall,
A. M. Winn,	George T. Wright,
Harrison Olmstead,	L. Hermance.

The report of the committee was received with loud cheers on the part of the people. The crowd again assembled in front of the police station house, corner of J and Second streets, where the prisoner was confined.

The taking of the prisoner from the station is described as follows by the Transcript:

"It was now about nine o'clock; the night was dark, the mutterings of the people deep, yet loud. Some of them rushed to an awning, pulled up the posts, and at once attacked the door of the station-house, with these battering-rams. Soon the door yielded, being demolished by repeated blows. Deputy Sheriff Harris stood in the door-way, and with his posse in the rear, held the crowd at bay for some