DAILY CRESCENT

THE NEW ORLEANS DAILY CRESCENT,

OFFICE NO. 93 ST. CHARLES STREET,

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THURSDAY MORNING, JULY 14, 1853

THE PRESIDENT AND THE FISHERIES.

The Washington Union heralds forth to the world, by authority we presume, that "the most sedulous efforts of the Administration have been from the first, as they now are, devoted not only to a proper and satisfactory adjustment of the whole controversy by treaty, without delay, but also to the full vindication, pending these negotiations, of the rights of our fishermen, as they have heretofore been exercised under existing treaty stipulations."

The "most sedulous efforts of the Administration" amount to but little, if the above announcement is to be credited. For months past grave complaints have been thundered in the ears of the Administration, of the difficulties encountered and the embarrassments under which our vessels labored last season on the fishing grounds, and now at this late day, after the majority of our vessels have left for the scene of their labors and former difficulties, we are informed by the President's organ (?) that a proper and satisfactory adjustment will be had without delay.

It is a fact notorious that the Administration has been very tardy, to say the least, in adjusting this question, of such vital importance to a large class of our citizens and the perpetuity of the friendly relations existing between this country and Great Britain. It is a fact notorious, vouched for by Boston editors, that large numbers of our fishing vessels, having exhausted their patience in waiting for the Administration to act, have sailed to the fishing grounds fully armed and equipped, and prepared to defend themselves against any infringement of their rights, thus jeopardizing the peace of the two nations through the tardiness of the Administration.

Two of our best steam vessels, says the Union, the Fulton and Princeton, manned and equipped, have been dispatched to the grounds. The former vessel, we are led to believe from our exchanges, may never reach her destination, being old, crazy and unseaworthy. The Princeton, after several years of idleness, and having been fully and thoroughly tested and found fit for nothing, forms her consort. These are the vessels that the Administration have sent upon an important mission, which, according to the Union, "is of vital importance to the maintenance of our present friendly relations with Great Britain." Verily the imbecility of the present Administration is daily becoming more manifest and "its most sedulous efforts" may in future go for naught.

THE FREE NEGRO EXCLUSION ACT OF SOUTH CAROLINA.—We regret to perceive from the tone of some of our South Carolina exchanges that the subject of a modification of the negro exclusion act of that State is seriously contemplated, and that, too, so early upon the heels of the course pursued by the British Government.

England, with an impudence characteristic of a genuine John Bull, is ever thrusting her nose into the affairs of other nations that in no wise concern her, and acting under this impulse, as is well known to our readers, saw fit to cross the waters and meddle in the State affairs of South Carolina, and actually questioned the legality of one of the police regulations of that State. Doubts being entertained and expressed of the constitutionality of the Negro Exclusion Act of South Carolina, the British Government instructed their Consul at Charleston to test its legality, and proceedings were accordingly instituted; but whilst pending, lo! and behold, here comes another order from the British Government to withdraw the suit, and the whole proceedings fall to the ground.

Some of our South Carolina cotemporaries are disposed to look upon this last act of the British Government as one of concession, and in a mistaken notion of gratitude seriously contemplates a modification of the act. The British Government is not in the habit of making concessions, unless it will subserve her own private ends. The threatened aspect of affairs in Europe, and the probability of her becoming involved, with a desire to preserve, for the present at least, friendly relations with her powerful rival on this side of the Atlantic, alone induced the recent step on her part. It is a cunning species of diplomacy, for which she has ever been famous.

It was evident to reflecting minds from the start, that the object sought to be attained by the British Government in instituting these proceedings in South Carolina was to embroil that State with the General Government, and embitter the Northern States against her so as to revive the question of slavery, that she might exult in the distracted condition of a country she has been forced to both fear and respect.

The interference of the British Government in the police regulations of South Carolina should have been promptly rebuked, as they were at the beginning, and now that she has seen fit to withdraw her proceedings, her presumption should not be lost sight of. The Negro Exclusion Act of South Carolina has nothing to do with the question of slavery, and if necessary to the question of peace and harmony within her limits, as it unquestionably is, let it remain in full force and effect. It is a question for the people of South Carolina to determine, without the interference of any foreign power. If, however, upon mature deliberation, the act can be modified without jeopardizing the harmony of the State, let the Legislature modify it to their own liking, but by no means should the course recently pursued in relation to the law by the British Government influence them in their Councils.

We have received the following communication, and at the request of the writer, publish it. In doing so we by no means abandon our position, but will take early occasion to express our mind more freely and at length upon the legal question involved. In the absence of the responsible conductor of the paper we defer comment for the present.

The writer of the communication is in error in saying that we "insist that the Board is competent to inquire into a man's *status*." Our articles on the subject will bear no such construction.

The Board of Assistant Aldermen and Mr George Pandely.

To the Editors of the "Crescent"—The discussion of the legal relations of individuals or corporate bodies should, as a general rule, be confined to the judicial tribunals vested with jurisdiction of them. As you have the right proper, however, in the exercise of your plenary power as members of the Press, to bring prominently before the public the question involved in the above caption, you will doubtless allow one of your readers to present a few suggestions touching the right of the Board of Assistant Aldermen to test and determine the *status* of one of its members, as proposed by a resolution now pending. The assertion or assumption of such a right on the part of a new judicial body involves so many serious consequences that it behooves every citizen to look carefully into the matter before he admits the principle.

You insist that the Board is competent to inquire into the man's *status*—in other words to *trace out his pedigree, involving the social and civil position of his whole family to the issue*—relying mainly on the 18th section of the city charter, which makes each Board the "judge of the election returns and qualifications of its own members," and gives it the power to "*censure members for disorderly conduct* and expel a member by a vote of two-thirds of all the members elected," etc.

Touching the constitutional extent of the functions and power thus vested in the Council, let us first examine the decision of the Supreme Court of this State in the case of the Mayor vs. Morgan, Sheriff, (7th Martin, N. S.)—the decision doubtless referred to by you as a reliable and conclusive precedent. To this end let us state, succinctly, the case before the Court and the points settled by its decision.

The City Council refused obedience to a *mandamus* of the First District Court, commanding them to *admit to a seat a person whom they had refused to receive*. On the constitutional question raised on the final hearing, the Supreme Court settled these points, namely:

1. That the Legislature may enable corporations to exercise subordinate legislation, within a particular district, over their members and *in regard to their rights and duties as corporators*, and to legislate on matters within the scope of their charter.

2. That, as the Council could not well proceed to business without ascertaining the rights of its members to their seats, the Legislature had power to render it, *judge of the validity of their elections*, and to prohibit courts of justice from interfering with its decisions. The court accordingly determined that the *mandamus* was wrongly issued.

It is seen that this decision is carefully recorded: the powers of the Council are limited to subordinate legislation over its members *in regard to their rights and duties as corporators*, and *on matters within the scope of its charter*; and mainly with the view of enabling it to organize and proceed to business, the Council is also made the *sole judge of the validity of the election of its members*.

Under this decision of the Supreme Court it is manifest that the authority of the Assistant Board over the seat of a member ceases, and is determined from the moment of his admission, that its jurisdiction, therefore, is restricted to the application of the penalties provided, and for the causes (disorderly conduct, etc.) specified in the City Charter, and that beyond this it has no judicial functions whatever. The justness of this conclusion becomes more apparent, when, as in the case of Mr. Pandely, an investigation and determination of the personal qualifications of a member by a majority of his compeers—sitting as a court and jury combined—but with none of the essential functions of a court, and deciding on the materiality and relevancy of testimony, may call in question and prejudice the imprescriptible rights of an entire family. Are *such rights* to be weighed in the balance with what you are pleased to term the "prescriptive rights of legislative bodies?"

You are in error, Messrs. Editors, in assuming that the right of a member to hold his seat in the Assistant Board cannot be tested under the fortieth section of the city charter. The thirty-ninth section will show you at once that in the opinion of the framers of that instrument itself, Aldermen and Assistant Aldermen *are* "officers of the city." But to shorten discussion on this term, your attention is called to the decision of the Supreme Court in the case of Reynolds *vs.* Baldwin, (1st Ann'l) wherein it is expressly ruled that "the remedy by writ of *quo warranto* is the proper remedy in case of the usurpation of a franchise; as where it is alleged that a party *claims*, without authority, *to exercise the rights, duties, and privileges of an Alderman*."

We conclude, then, from the foregoing remarks, that as a strict matter of law, Mr. Pandely is now rightfully possessed of a seat in the Board of Assistant Aldermen, and that the only just and effectual way of determining his right to hold that seat, is the remedy—the writ of *quo warranto* provided by the 40th section of the City Charter.

A few words as regards the young and intelligent member from the Third District, whose pretended disqualifications are now made the subject of comment. The writer of this has had some occasion to look into the early history of his family; and he may remark that, after a proper investigation by the Courts of Justice, it will be found (as known to thousands in this community) that Mr. Pandely is a branch of a family tree transplanted to the early history of this State from the classic soil of Greece to the shores of the Valley of the Mississippi. Connected as he is with many of our most highly esteemed citizens, whose rights and social position are more or less involved in the charge brought against him, he has doubtless deemed it not only his right, but his duty, to resist investigation by a Committee and Board, whose organization no one will deny is but illy suited to the determination of questions touching reputation of an entire family. It is to be sincerely hoped that the power of the Assistant Board will be clearly defined in the decision of the Injunction Suit now pending, and that some citizen, cognizant of the circumstances, will sue out the writ of *quo warranto* to bring the whole matter to a final issue before a competent tribunal.

"Ion," writing from Washington to the Baltimore Sun, under date of the 6th, says:

The efforts of the Administration to adjust the fishery question in a satisfactory manner, are worthy of all commendation and support. The neglect of this matter heretofore has undoubtedly brought it to a very dangerous crisis. The course of the Administration upon the subject was decided upon in Cabinet meeting, last week, and it is said to combine moderation with decision and firmness. It will necessary require some time to effect the diplomatic arrangements now in contemplation, and meanwhile it is of the utmost consequence that the American fishermen, whatever may be their luck, will keep their powder dry.

The naval protection afforded to them by the Government is quite as good as could be spared at present. The force will consist of the steam frigate Princeton, the war steamer Fulton, and the sloop-of-war Decatur. Commodore Shubrick is probably to have the command. The Princeton is not to remain at the fishing ground unless some emergency should require it. She will take in coal at Halifax, and proceed thence to join the East India squadron.

Mr. Walker and his suite proceed up the Mediterranean, and thence by the overland route to India, instead of going over in the Princeton.

Mr. Crampton, the British Minister, has gone eastward to meet Admiral Seymour, and endeavor to make such an arrangement with him as will prevent any premature interruption of the negotiation now pending, by any collision between the British naval force and the American fishing fleet.

The President and Gen. Cushing will leave the city for New York on Monday next, and will be present at the opening of the Crystal Palace. Lord Elgin, the Governor General of Canada, and Admiral Seymour, will be present on the same occasion.

Crowds of travelers from the South and West are now wending their way towards New York, being attracted by the Palace of Wonders.

WASHINGTON ITEMS.—Clark Mills has received a dispatch from a committee of the Jackson Association in New Orleans, inviting him to meet them to arrange for another Equestrian Statue of Jackson for the Crescent city.

The original estimate for the aqueduct for supplying Washington with water from the Great Falls of the Potomac has been increased from seven to nine feet in diameter, so as to afford, if necessary, one hundred millions of gallons of water daily.

The President and Directors of the Firemen's Insurance Company of Washington and Georgetown have unanimously voted a donation of one hundred dollars to the Washington National Monument Fund.

The Home correspondent of the Republic learns that large quantities of munitions of war are being transported to the North Eastern Boundary. The Administration probably acts on the rule that to be prepared for war is the best mode of preserving peace.

POSTAL TREATY AMENDMENT.—We learn from the Washington Star that the postal treaty between England and the United States, of December 15, 1848, has just been amended between W. L. Maberly, Esq., Commissioner on the part of the British Post office Department, and Horatio King, Esq., of Washington, on our behalf, by agreeing to supplemental clauses reducing the postage on newspapers (prepayment required) from the United States to St. Thomas and other Danish Islands, going by United States packets to Kingston, to eighteen cents under 2500 miles, and to twenty-eight cents over that distance.

TELEGRAPHED TO THE CRESCENT.

By the Southern Line.

FURTHER BY THE ATLANTIC

Liverpool Market.

NEW YORK, July 10.

The Atlantic reports the Liverpool Coffee market firmer, with a good demand, but without a quotable change in prices.

Rice was active at former prices.

London Money Market.

The Money market at London was heavy—Consols declined ¼ to ⅜ and closed at 98½.

General News.

THE TURKISH QUESTION.—The Eastern question was not yet decided when the Atlantic left. It was believed in England that peace would not be broken, but the rates of insurance still kept up at the advanced figures last reported.

It was stated that Louis Napoleon had addressed an official note to the Emperor of Russia, declaring that France was ready for peace or war, and asking the Czar to declare his intentions, but it was believed that the note was written at the request of the Russian Minister.

FRANCE—DAMAGE TO CROPS.—Tremendous rains had fallen in the South of France, producing immense damage to the crops. There was consequently a large advance in prices of flour and wheat.

EARTHQUAKE—CITY DESTROYED.—The city of Shiras, in Persia, has been destroyed by an earthquake, during which twelve thousand people lost their lives.

By the National Line.

PADUCAH, July 11

The steamer Empress left for New Orleans today.

NEWS BY TELEGRAPH.

FOUR DAYS LATER FROM EUROPE—ARRIVAL OF THE ATLANTIC—COTTON ACTIVE—PRICES STEADY—BREADSTUFFS ADVANCING—*New York*, July 10.—The Collins steamer Atlantic has arrived here bringing dates from Liverpool to the 29th ult., four days later than the accounts brought by the America. The following is a brief summary of her commercial accounts:

LIVERPOOL MARKETS.—*Liverpool*, June 29.—There has been an active demand in the Cotton market here since the departure of the America, and the sales of the four days embrace 31,000 bales. Of these, 5,000 bales have been taken for export, and 5,000 for speculation. Prices have generally been firm, but there is very little change in the quotations, which are as follows:

Fair Orleans 6¾d, Middling Orleans 6 1-16d, Fair Uplands 6¾d, Middling Uplands 6¼ to 6 3-16d.

Flour has been in good demand, and prices have advanced 6d. to 1s per bbl. Western Canal is quoted at 24s. 6d. and Ohio at 25s. per bbl. Corn has been in fair request, and white has advanced 6d. per qr. The market closes at 29s. 6d. for yellow and 30s. per qr. for white.

Lard has improved, and is now quoted at 60s. to 63s. per cwt. Bacon has been dull at previous rates. Pork is unchanged in demand and prices.

TRADE.—Trade in Manchester has been without change since the departure of the America.

FOR RED RIVER.—The fine steamer R. M. Jones, Capt. Ankrim, leaves for Red River this afternoon at five o'clock.

FROM CAPE TOWN—LATER FROM AUSTRALIA.—*Boston*, July 5.—The bark Springbok arrived here today from Cape Town, Cape of Good Hope, with dates to the 16th of May. The new constitution had been promulgated. It gives equal rights to all classes and colors. There is to be a Legislative Council and Assembly, composed of resident colonists, elected by the people, but all laws are to be subject to the sanction of the Queen. The country was generally quiet, with the exception of depredations committed by a few bodies of disarmed Kaffirs.

The bark Geelong, from Australia, with 50,000 ounces of gold, and the steamer Melbourne, with 100,000 ounces of gold, all for England, had put into the Cape.

The U. S. steamer Powhatan, of the Japan expedition, sailed from Table Bay on the 29th of April, for Mauritius.

The news from Melbourne is not so late as that received via Panama, but the prices from Adelaide are later. The Weekly Dispatch of March 19 says that three more great nuggets had been found in Canadian gulley—one weighing little short of 98 pounds, another 79 pounds, and a third 140 ounces. The heretofore famous Oven Diggings were at a discount, and many were leaving and but few arriving.

The New South Wales Legislature has passed an act for the regulation of gold fields, so stringent as to disgust the miners, and put a stop to many of the diggings altogether.

There is no change in the market quotations, except for lumber, which was rapidly increasing in price.

LIBERIA.—Our Baltimore exchanges have advices from the republic of Liberia, three weeks later than our previous dates, reaching to 6th of April. The Liberia Herald is chiefly occupied with the details of the expedition against the native chief Boombo, of which we had some account by our last advices. The expedition under command of President Roberts took possession of Boombo's town and carried him as a prisoner to Monrovia. He was there tried on the charge of high misdemeanor and convicted. The sentence was: restitution, restoration and reparations of goods stolen, people captured and damages committed, to pay a fine of 500,000, and be imprisoned two years. When the sentence was pronounced, the convict shed tears, regarding the ingredient of imprisonment in his sentence, to be almost intolerable.

President Roberts had issued a proclamation in regard to the departure of emigrants, with a view to prevent the smuggling away of laborers without their consent.

The American brig Zebra, Capt. Wm. Hart, arrived at Monrovia on the 28th ult., after a passage of forty-five days from Savannah, Ga., having on board 93 immigrants from this Republic.

CELEBRATION AT TERRYTOWN.—At Terrytown, N. Y., a celebration, in which a large number of persons participated, took place on the occasion of the laying of the corner stone of a monument intended to commemorate the site of the capture by Paulding, Williams, and Van Wert, of Major Andre.

The stone was lowered to its place by Colonel James A. Hamilton, of Westchester county, son of General Hamilton, the favorite aid of Washington. James Ten Broek, Esq., of the New York bar, afterwards delivered the oration of the day from a grand platform erected in an extensive orchard opposite. The original documents found in the boots of Andre were exhibited, the Secretary of State having forwarded them for that purpose. The surviving relatives of the glorious captors were present in carriages, as well as representatives of all the ancient families of Westchester. After the exercises concluded a select party were entertained at dinner in the Irving House by the Monument Association members.

DEATH OF RICHARD TAYLOR, A CHEROKEE CHIEF.—The Cherokee Advocate of June 29 comes to us in mourning for the death of Richard Taylor, Second Chief of the Cherokee Nation. The Advocate says:

He died on the 19th ult., after a long and painful illness. The Advocate states that Taylor was the grandson of Capt. Taylor, of the British army, and from his youth has been more or less engaged in public or official capacities, as United States interpreter, delegate in behalf of his Nation to the Federal Government on various occasions, a member of the National Committee, Executive Councillor, and twice since, elected Second Chief of the Nation. He was captain of a company of Cherokees under Gen. Jackson in the Creek war. At the time of his death was a member of the Presbyterian Church, of which he had been a worthy intelligent member for many years.

The Washington Republic says: "The President has formally accepted the invitation to attend the opening of the World's Fair at New York, and will certainly be present on that interesting occasion, unless prevented by some unforeseen event. He will leave this city on Monday next, and desires to make the trip as a private citizen, unheralded, and spared the annoyance of intermediate committees of reception on the route, etc. Whether so reasonable an aspiration can be realized is a matter of doubt. Secretaries Guthrie, Cushing and Davis intend to accompany Gen. Pierce. General Cushing has an engagement a few days later to deliver an address at the Harvard commencement."

The cotton factory of Bowen & Bros., at Boyceville, Ga., was consumed by fire a few days since. Loss $80,000.

Philadelphia Correspondence.

FOURTH OF JULY IN PHILADELPHIA—JEALOUSY OF NEW YORK—PHILADELPHIA BUILDINGS—ARRIVAL U. S. STEAMSHIP, ETC.

Correspondence of the Crescent.

PHILADELPHIA, July 6.

Seizing an opportunity of leisure your Baltimore correspondent "Observer," on Saturday last, transferred himself to this city of right angles and (antithetically) brotherly love, where he has since been spending the Fourth and investigating the natives—and from whence he now drops you a few paragraphs that may perhaps fit in some spare corner of the Crescent.

The Fourth of July has been celebrated here this year with an *eclat* that is designed to rival New York in its noisy observance of the anniversary. Orations, military parades, and fireworks lent their attraction to the occasion, and though thousands undoubtedly left the city to spend the day, yet their places were occupied by the visitors from abroad, and the streets were filled from early morn to mid-night with an enthusiastic, jostling and noisy, but perfectly orderly mob, whose evident enjoyment of the great holiday communicated itself to all, and gave to the celebration something of the grandeur that is inseparable from the spontaneous action of large bodies of people. In the morning the military paraded in force: a great many small companies formed the line, their great and rather grotesque variety of uniform giving something of a piebald appearance to the spectacle, but in spite of this the display was one worth seeing, and as the companies passed the old Independence Square, waving the stars and stripes and their bands pealing forth the notes of our beautiful national anthems, one would excuse his heart if it did manifest something of an involuntary desire to dance a sort of Yankee Doodle Polka. The reading of the Declaration of Independence from the steps of the Hall, (the very spot where it was originally proclaimed to the people,) was an appropriate feature of the celebration, but the political harangue of the pseudo-democrat which followed was totally out of place on a day which belongs to the whole country and not to party or faction. The forenoon celebration of the day closed in the evening with a magnificent exhibition of fire-works, paid for from the City Treasury. This was a truly splendid affair, many of the pieces being of mammoth size, and the designs which they illustrated in all the hues of living fire, such as fitly emblematized the patriotic origin of the day.

It is amusing to witness the rise and all pervading jealousy of New York influence and New York progress that is witnessed here. It meets you at every turn, and is manifested in every imaginable way. Philadelphia has set herself up as the special rival of New York greatness, and it is evident that she is determined to play out the *role* with an energy and determination that must be felt by her rival as strongly as she is now seated in commercial supremacy. The Crystal Palace and the Hippodrome are the last New York novelties that trouble the nerves of Philadelphia. The former they decry and discourage, the latter they have imitated. Welch has opened his big tent, and gives the principal features of Franconi's Hippodrome with a fidelity that has quite delighted his patrons. I paid one visit to the establishment, and was well amused by the effort to bring out the old attractions of the circus under a more polished exterior—for the hippodrome is this—no more and no less.

But aside from this jealousy, which manifests itself rather awkwardly and inopportunely, Philadelphia has really good grounds for the airs she puts on. She is undoubtedly growing rapidly in population, in extent, in commerce, and in all the manifest pursuits that make up the aggregate of a great city. But she not only grows beautifully fast, but she also grows fast beautifully. There is a taste and substantiality about her buildings, with which the mere showy and meticulous architecture of New York cannot compete. Jaynes' building, the new blocks on the site of the old Museum Building, the new buildings on the Girard property on Third and Chesnut streets, the North American Bank, the Quincy Granite Building, the Girard House, and other buildings, are far above similar structures in New York, in the taste as well as adaptability displayed in their architecture and arrangement. A striking feature in Philadelphia is the extent and magnificence of her retail stores. Many of these are two and three hundred feet in length, having fronts on two streets, and fitted up with a richness of ornament that renders them rather gorgeous saloons in appearance than places of business.

As a place of residence Philadelphia has always appeared to me to have peculiar attractions. There is a look of solid home comfort about its very houses that furnishes a striking contrast to most cities. In no large city that I am familiar with is there the same degree of attention paid to the provision of neat and comfortable dwellings for the mechanic and working classes. These mostly occupy the suburbs of the city, and though their unvarying uniformity is somewhat monotonous to the unaccustomed eye, yet one cannot fail to recognize in each of them the homestead of honest and contented industry, where the poor man gathers around him his household goods, and lives in peace and contentment beneath their shades.

The United States steam frigate San Jacinto arrived here yesterday from the Mediterranean. She comes in for repairs, and I learn her machinery, owing to its original imperfect construction, in such a state of dilapidation as will render necessary a stay here of some months and the expenditure of some $100,000 of U. S. treasure. What a disgrace it is that nearly all our national steamers are nothing but magnificent failures.

But I must close this rambling letter, the rather *decousu* style of which may make your readers question as to what sort of a Fourth of July I have been spending. OBSERVER.

FOURTH OF JULY ACCIDENTS.—At Newcastle, Del., during the firing of a salute on the 4th, Geo. Hastings, a lad, was struck by the wadding, which shattered his collar bone in several places. At Hingham, N. Y., Mr. Blossom, the editor of the Patriot published there, had both hands blown off, and his cheek bone torn out, by the premature discharge of a pistol he was loading. His wounds were mortal. Charles Lex, a member of the Fairmount Engine Company of Philadelphia, fell overboard and was drowned near Chester, while, on a firemen's excursion. In New York city, there were twenty or thirty accidents from fire-arms; Matthew Wallace, one of the victims, had an eye shot out; some lost a hand or an arm, and others had their "fingers burnt" rather severely. In Brooklyn, Francis Rey, an actor, while riding on the top of an omnibus, received the contents of a gun in his knee. In Philadelphia, Jas. Edwards, Michael Kelly, Conrad Brown, and several others, were injured by the discharge of fire-arms. A little daughter of Mrs. Eddy received a ball in her neck, while standing with her mother looking on at a riot in the street between two gangs of rowdies.

At Boston, a child of four years was burnt to death by its clothes taking fire from crackers. A boy of six years was run over by the cars near Neponsett, and instantly killed. Conductor Lowe, of the Eastern Railroad, was nearly beaten to death by some men who refused to pay their fare.

SMOKING ASHES AT NORFOLK.—We learn from the Norfolk News that on Monday night, the 4th inst., Wm. Scarls, a butcher, while returning from a steamboat, where he went to deliver some meat, met George J. Churchwood and another person engaged in a dispute, both vanited by liquor. On Scarls approach he was accosted by Churchwood. Angry words ensued, and a pistol was discharged at Scarls by Churchwood, three times, each fire taking effect. The latter then drew a knife, which, before he could use it, was wrested from his hand by Scarls, who stabbed his opponent four times, from the effects of which Churchwood died in about five minutes. Scarls was conveyed home, where he was lying in a most precarious situation, and it was thought could not recover.

ACCIDENT IN LOWELL.—On Saturday, the 2d inst., as one of the female weavers in the Elliott Mill, Lowell, was combing her hair in the weaving room, it accidentally caught around the shaft, drawing her up by her hair between the shaft and the ceiling, and pounding her head against the ceiling. The scalp was torn nearly off. Her thumbs, which were twined in her hair, were also torn off, from the great force with which she was drawn up. The force with which her head struck the ceiling was so great as to throw off the belt, thereby preventing her head from being ground to powder. She was released from her dreadful situation, and she really was replaced. After some days of unconsciousness she regained her senses, and bids fair to recover.

GREAT FIRE AT OSWEGO—200 BUILDINGS CONSUMED—300,000 BUSHELS OF GRAIN DESTROYED—LOSS NOT LESS THAN $1,500,000.—We find in the Baltimore Sun, of the 7th inst., the following particulars of a late destructive fire at Oswego, N. Y. The account says:

A very destructive fire occurred at this place yesterday. It extended over about 40 acres of ground. Every mill north of Bridge street is burned; also, Messrs. Ames & Hall's elevators. Nearly 200 stores and dwellings are in ruins. The portion of the town consumed is bounded on the west by the river, south by Bridge street, east by Sixth street, and north by the Fort grounds. The only property saved within these limits is Randall's elevator, the Second Methodist church, and half a dozen dwellings. The loss is not less than $1,500,000. Over 300,000 bushels of grain were consumed.

The insurance offices suffered heavily. The principal losers are Fitzhugh & Co., who lose $20,000 on their mill, which was only insured for $12,000. There was also a large stock of grain inside. S. Doolittle's mill and stock destroyed, valued at $45,000, partially insured; Ames & Brother's elevator, $20,000 lost on the building, and insured for only $12,000. There is also about $60,000 loss on the grain in store, owned abroad, and about $15,000 loss in provisions destroyed. Messrs. Howlett & Gardner lose $62,000, and are insured for $13,000.

Penfield & Co's mill and stock of grain and flour; loss estimated at $40,000; insured for $20,000. T. Wyman's flour mill; loss $40,000. Hall & Co's. elevators; loss on building $28,000; on grain $6,000. Fitzhugh & Co. had a large amount of merchandise in their store, the loss on which will not be less than $200,000, which falls on parties abroad.

Talcott's warehouse and foundry also burned; loss $30,000. The Oswego Journal establishment was partially saved. Added to the above is a long list of store-keepers and others, whose losses range from $1,000 to $10,000.

Many persons were injured by the falling ruins, but it is believed no lives have been lost. The buildings were nearly all of wood, and turned with great fury. The fire engines became hedged in by the flames, and had to be thrown into the river to save them.

DESTRUCTIVE FIRE AT CINCINNATI.—About half-past three o'clock yesterday morning, the foundry of Heuman & Ellmore, fronting on the Whitewater Canal, between Fifth and Sixth streets, was discovered to be on fire. Being a frame building, it was soon totally destroyed—loss $7,000; no insurance. From thence the flames spread to a large three story building, occupied as a machine shop by Robbins & Turner, and Guilford, Jones & Ogborn, owned by the heirs of the Holthaway estate. Their loss will be from $6,000 to $8,000; no insurance. [Nonpareil of July 2.

ANOTHER COTTON STORE HOUSE.—A fire broke out at 4 o'clock this morning, in the storage warehouse No. 29 Front street, in the upper loft. The building contained a large quantity of cotton and other merchandise, all of which was destroyed or damaged, and the building badly burnt inside. What was saved of the cotton was thrown from the windows after the fire was extinguished. It belonged to the following owners: J. W. Bradley, 360 bales; Graves & Co., 104 bales; Brigham & Carhart, 83 bales; Bechtel & Co., 44 bales. Besides, there were other small lots, sufficient to make an aggregate of about 700 bales.

The building also contained 50 hhds of sugar, owned by Adams & Cushman; 1000 lbs of wholebone, the property of James Mills; 50 bbls of linseed oil, and property belonging to Mr. Dietrow, who loses near $1000. Most, or all of the owners are insured. It is not known what proportion will be saved. The total loss is not far from $20,000. [N Y. Jour of Com.

In the Washington Criminal Court, on the 5th instant, the Hon. George Briggs, of New York, was fined fifty dollars and costs, for striking Postmaster General Hubbard last winter. Captain Wm. Easby, the ex-Commissioner of Public Buildings, and Charles W. C. Dunnington, Captain of the Police, were tried for an assault and battery upon the James Grace, whom they attempted to remove from the Capitol grounds. Capt. Easby was declared guilty, and Capt. Dunnington not guilty.

CONSTRUCTION OF THE FUGITIVE SLAVE LAW.—United States Commissioner Morton, of New York, in a case of Van Orden, an apprentice, whose resolution to his master in New Jersey was claimed under the act of Congress commonly known as "the fugitive slave law," has decided that the act does not apply to apprentices. The decision is important, as it has been the practice heretofore, we believe, to surrender apprentices who had fled here from service or labor due in another State.

The revolution in Venezuela has been put down, the government forces, after a few slight encounters, having dispersed nearly all the rebels, a few only remaining in the plains, and they were daily surrendering themselves. A letter, dated Caracas, June 5, says a number of prisoners have been captured, among whom are Gens. Santana, Maraimbo and Maturell. The excitement incident to the revolution is fast subsiding, and business resuming its wonted activity.

The Lynchburg Virginian states that one day last week, Shelton Farrer, of Buckingham county, displeased in some way one of his sons, who immediately seized a double barrel loaded gun and attempted to shoot him. A brother interfered and undertook to wrest the gun from him, when he was stabbed. Another brother made a renewed effort to stop the madman, which resulted in the same way: he was instantly killed.

The National Colored Convention was in session at Rochester, New York, on the 6th instant. About one hundred delegates from various States, among whom was Fred. Douglass, who read a long address to the people of the United States.

LOCAL MATTERS.

LUNCH.—On Tuesday afternoon the new towboat Dunbar Bodie, of 400 tons, just built at Algiers by Hughes Valentine, was launched in the presence of a large number of spectators. She is a fine craft, and does great credit to her builders.

FIRE.—Yesterday morning, about 10 o'clock, a fire broke out on Lafayette Road, between Tassel and Gaines streets, which burned some half buildings—damage unimportant.

APPOINTMENT OF DEPUTY CONSTABLE.—We understand that Coroner Wakinan has appointed B. F. Carpenter Deputy Coroner for the Fourth District, being for that part of the Parish of Jefferson lately annexed to the City of New Orleans.

DROWNING WOMAN.—John Egan, whom we have already noticed to have been missing in an affray on Sunday evening on the corner of Orange and St. John the Baptist streets, by police officer John Sullivan, has died of his wounds. Deceased and his clever were relations. Sullivan has been arrested and awaits examination on the charge of murder.

INQUESTS.—An inquest was held yesterday on the body of a white man, name unknown, aged about thirty five years, found dead in the river at the foot of Spain street. Third District. Verdict—Accidentally drowning. The deceased was about five feet eight inches in height, had dark hair, black whiskers, had on gray cassimere pantaloons, waterboots, of which coat, cotton shirt and white flannel under-shirt, and marked on the arm in India ink, with the figure of a cross, and on the left arm marked with the figures of a man a woman and an eagle.

A second inquest was held on the body of a man named Neuchia Caliach, about thirty two years of age, and a native of Lombardy, found dead on board the ship Rodiling in front of Jackson Square. Verdict—Died of intemperance.

A third inquest was held on the body of John Ensigard thirty three years, and a native of Ireland, found dead in a house on St. Joseph street, near Magazine street. Verdict—Came to his death by a penetrating wound in the stomach inflicted with a sharp-pointed instrument in the hands of one John Sullivan on the evening of the 9th instant, producing inflammation and death.

A fourth inquest was held on the body of a white woman, name unknown, aged about thirty years, found dead in the river at the foot of Conti street. Verdict—Came to her death by drowning. The deceased was about five feet in height, well built, had brown hair, wore a red cotton dress, calfskin shoes and no stockings; on the second finger of the right hand were two rings, one brass and the other gold—the latter had the initials A. J. B. on the inside. To her neck was an open lightning, also a recommendation from C. H. W. H. (the sort of the name was illegible) to Dr. Bensadon of the Touro Hospital, as a servant.

INVESTIGATION SUIT.—*The Police Board in a Suit*—Emile Beauregard, Keeper elect of the Parish Prison, filed a petition, with a writ of injunction in the Fourth District Court against the Police Board of the city of New Orleans, in which he alleges: "that in the month of April and he was duly elected Keeper of the Parish Prison, and received his commission on the 24 of May following; that he has taken the oath of office and furnished a good and solvent security, which was accepted by the Finance Committee and who believes would have been accepted by the Council had not a charge been made against him; alleges that he is indicted in the late Third Municipality in the sum of $[illegible] at as per statement of the Comptroller of the said Municipality. The plaintiff says that this charge was referred by the Board of Assistant Aldermen to the Board of Police, with the remark that by a resolution of the Common Council defaulters to either of the late Municipalities or the city of Lafayette were disqualified from holding office under the city government.

The plaintiff avers that the resolution above referred to was passed subsequently to his election, and the date of his commission, and consequently has no application to him. He also represents that the late Third Municipality instituted suit against him in the Third District Court of this city for the identical indebtedness in question, and involving the same question which has been referred to the Police Board. This suit is now pending, and in this petition petitioner expects to prove that he is not indebted to the late Municipality as alleged. The plaintiff alleges that the Police Board do, as he believes, intend to examine into the matter involved in the above suit, though the Third District Court is the tribunal selected by the late Third Municipality, and such is alone competent to try the matter. He fears that an investigation by the Police Board might prejudice his defence in the said suit.

The premises considered, he prays that a writ of injunction issue against the Mayor and the members of the Board of Police, restraining them from further action relative to the question of his indebtedness to the late Third Municipality, and that they be compelled to pay to plaintiff $500 damages. The writ of injunction issued.

It will be remembered that the plaintiff is the same Mr. Beauregard about whom the celebrated "Battle of Inkstands" was fought in the Board of Assistant Aldermen.

FIRST DISTRICT COURT—*Grand Jury Finding.*—The Grand Jury yesterday found a true bill of indictment against George M. Enright, for driving a horse and cart over a child of Dr. Benardon on the 30th of May last.

Also against Elijah N. Mallerson, for having in his possession counterfeit money, with intent to utter the same.

In the case of Patrick Meighan, for uttering a forged note with a forged endorsement, a true bill was found.

A true bill was also found against Wm. Hogreve, for breach of trust. Against John Dyke and Henry Miller for uttering counterfeit bank bills. Against Nathaniel Eilson for embezzlement, in appropriating the proceeds of a lot of furniture entrusted to him for sale by H. Garrison; and against —— Johnson, for forgery and for uttering a forged note.

HABEAS CORPUS CASES—*The Law of Vagrancy.*—Elizabeth Graves and Josephine Acker were yesterday brought before the First District Court, on a writ of habeas corpus, praying to be released from the Workhouse, where they had been confined by virtue of a commitment signed by Recorder Hames, on a charge of vagrancy. Defendants were arrested for being lewd and abandoned, and for keeping disorderly houses, and committed to prison as vagrants. They alleged in their petition that the Recorder of the Second District, without any authority of law, imposed upon them a fine of $20 each, and in default of payment committed them to the Workhouse. The Court, on a hearing, discharged the prisoners, giving as a reason that the fines imposed should have been confined to $3 and a judgment obtained, after which the defendants having found another to pay their fines, should have been committed as vagrants. (So the law of vagrancy is reduced to the compass of a nut-shell. It is the whole not able to raise $23 is a vagrant.)

DUEL.—Two colored individuals went out on Tuesday morning, about 4 o'clock, and took a shot at each other on the Bayou Bridge. One of them was considerably wounded. Lieut. Moody, of the Second District Police, made affidavit that he had been informed in the capacity of Lieutenant of Police, that a duel had taken place between two free colored men named Robert Sorrow and Armand Lorrow, in which the latter was wounded. He charged one Baptiste Blanc, Robert Dubreuil and Pierre Pelit, with having acted as seconds in the matter. The parties were arrested and held to answer under bonds of $[illegible] each.

CHARGE OF RAPE.—José Quintana, a Spanish character with darker complexion, was arrested on the charge of having ravished