

THE TRIBUNE.

NEW-YORK, THURSDAY MORNING, MAY 6.

For City Intelligence see first page.

Owing to the breaking of the press on which our paper was being printed yesterday morning, while our other press was dismantled and in process of repairing, we were unable to serve most of our subscribers till a very late hour. We trust the simple statement of our misfortune will preclude the necessity of an apology.

REMOVED.—The Secretary of the Treasury has recently removed Walter Downe, Esq., formerly Mayor of this City, from the office of Commissioner of the new Custom House. We understand the cause of this removal was the dictatorial and arbitrary conduct toward Mr. Frazee, the architect and superintendent of the building. It appears that Mr. Downe could not, or would not, confine himself to the legitimate and prescribed duties of his station, as the Commissioner for making contracts and disbursements, but had frequently and very improperly interfered with the distinct and professional duties of the architect, throwing obstacles in the way of the work, and often retarding its progress, to the manifest injury of the building. He had so far carried his abuse of power that, early in December last, finding the architect too independent a man to yield to every measure of his unauthorized interference and dictation, contrary to the wishes of the Advisory Commission, (the late Collector), he dismissed Mr. Frazee from further service; at the very time, too, when much important work and finishing required his skill and supervision.

Of the eminent talents, taste and practical knowledge of Mr. Frazee in his profession, this community is well informed. And as good evidence of Mr. Downe's inappropriateness and gross abuse of power, the late Secretary of the Treasury, after due investigation of the facts and circumstances of the case, re-instated Mr. Frazee, with full powers to carry out his own beautiful designs for the completion of the edifice, and for furnishing its various offices and apartments.

During the interval of Mr. Frazee's suspension, Mr. Downe pompously assumed the place and distinction of architect. He went on and erected fly-deers at the principal entrances, and put up furniture in the great Rotunda and Naval office, with materials so bad, and in a manner so uncouth, so disgraceful to the architecture, that every one who saw the work cried shame! But we were glad to see, on the reinstatement of the architect, this batch of ill-contrived appendages removed to the lumber-room of the building, where they may serve the better purpose of kindling the furnace-fires in the basement.

We learn that GEORGE F. TALLEMAN, Esq., is appointed to the commission vacated by the removal of Mr. Downe. Mr. Swan, the clerk employed by Mr. Downe, has also been superseded.

CAPITAL PUNISHMENT.—Mr. O'Sullivan, a talented and philanthropic Member of the Assembly from this City, has made a cogent and able Report in favor of abolishing the Punishment of Death. We hope its positions will be impartially and earnestly considered by the Legislature. If there were no other strong reasons for modifying the Punishment in question, the general repugnance which is felt to it by the humane and reflecting—the reluctance of jurors to convict offenders where Death is the penalty of their crimes, and the pernicious sympathy of the public for those who are called to suffer that penalty, should weigh heavily with our law-makers in favor of some change. The subject is hackneyed by discussion, and we will not enter at length upon it here; but we trust it will not be overlooked at Albany.

TO THE PUBLIC.

When, at the solicitation of many ardent Whigs, we commenced the publication of a morning penny paper, openly Whig in character and avowedly to counteract the subtle but deadly venom which The Sun is now and has for years been steadily infusing into the veins of the body politic, we did not overlook the difficulties of the enterprise. We knew it must for a time be heavily expensive without a corresponding return; we knew that during that time, if it bade fair to be a formidable competitor, the most desperate exertions would be made to destroy it. We knew something of the means by which the Transcript, the Dispatch, and other cheap morning papers had been crushed, and we resolved to battle them at whatever cost. That resolution remains unaltered, while our hopes of success in this arduous undertaking have strengthened into a confident assurance.

But we had not underrated the means or the malice of our enemies and those of the Whig cause, as intervening events have shown. In our first number, while bearing testimony to the ability, tact and industry of The Sun, we stated frankly that the unfairness and glibbed bitterness with which it had ever treated the Whig cause, and the immorality and indecency so profusely exhibited in its advertising columns, were deserving of severe reprehension. We showed that its Editorial columns, in spite of its false professions of neutrality, were habitually devoted to specious and deeply antipathetic every great measure proposed and advocated by the Whigs, which were often disingenuously and most unjustly presented, so as to render them odious and repulsive to those who saw no other paper. We showed that this course, systematically pursued by the paper having by far the largest circulation in New-York, was the cause of our temporary prostration in this City, and would work our permanent overthrow unless effectually counteracted.

Were not these propositions manifestly true? How were they met? By gross personal scurrility, aimed at the Editor of this paper. Though we have never to this day made a personal allusion to the Editor of any rival journal, we have been assailed in The Sun, The Herald, and at last in the Evening Tattler, with a malignity of personal abuse for which the history of our City press affords hardly a parallel. The article in The Tattler of last evening exceeds in labor and in recklessness, though not in gall, those which went before it. What have we done to deserve this treatment at the hands of the managers of that paper? Why have they thrust themselves recklessly into the quarrel? We have ever treated the Editor and ostensible publisher of that paper as friends. Why do they insist on proclaiming themselves our enemies? But be it thus. Wantonly, and without one word of provocation on our part, they have severed the associations of years; first, by officious intermeddling and base insinuations against us, and, when these were repelled, by open malice and slander. We cannot yet believe that the recognized Editor of The Tattler was the author of the vile concoction of yesterday; but he has chosen to father it, as not even an 'ex-gentleman' could have done in view of the relations which have subsisted between us. He will live to repent that he had not sacrificed his place rather than so tarnished his honor.

We wish we had room to copy The Tattler's article, but we are aware that readers have little patience with Editorial differences, and shall therefore barely take room to repeat some of the grossest of its slanders. The Tattler says:

"But, from the jump, The Tribune has been conducted with an unfairness, a disingenuousness, and a habit of perversion, if not falsehood, which is in the last degree disgraceful. In the first place, the attempts to discredit the Manufacturers' Bank, of which Mr. Beach is President, are unworthy of Horace Greeley, who knows, as well as he knows he is alive, that it is as safe and solvent as any 'free bank' in the State. And again, the frequent assertions that 'The Sun is falling off' in circulation are untrue, and he knows it." &c. &c.

Reader! judge between us and our slanders! Have we made frequent assertions, or any assertions, that The Sun is 'falling off' in circulation? Is there any pretext for this most unaccountable falsehood? A correspondent in yesterday's paper said that several of his neighbors had stopped The Sun and taken the Tribune; that is the only possible paragraph which gives color to this reckless accusation. We never spoke of The Sun's circulation as 'falling off' at all; we have always given credit to its own assertion that it prints over 30,000 copies. Why is this falsehood asserted? It certainly seems as though a 'falling off' in The Sun's circulation had somehow been ringing in the ears and was running in the mind of the writer of that most shameless assault upon us.

Then as to Mr. Beach's Bank: We have certainly alluded to it in repelling some of the assaults of his paper on a National Bank, and to expose the unfairness and inconsistency of its attacks on the Banking System generally. But every reader will bear us witness that we never attempted to "discredit" that Bank; on the contrary, our single effort has been to discredit the Loco-Foco essays which emanate from the same shop. We have not the least doubt that the Bank is solvent and making money very fast. We did think it shameful that three columns of The Sun should at one time be given up to an exulting recital of the sums by which a regular draft upon it for specie was nullified and conquered. We certainly thought this savored rather of Philadelphia or Owl Creek rather than of New-York Banking; but our only allusion to it was a sportive one in answering The Sun's attacks on a National institution. Was this wrong? It certainly was not malevolent; and the insinuation that we have represented that Bank as otherwise than "safe and solvent" cannot be justified.

We must not take up room to repeat over again The Tattler's talk about "Mr. Beach's ride with" and other matters of the sort. That business must stand where we placed it yesterday. On the trial of Beach & Co. it will plainly appear that our boys were not in The Sun's door nor near it, not even before it when so brutally assaulted by the President and Cashier. Let this matter rest till the law takes its course. But with regard to the general and serious charges preferred against us by The Tattler we have one plain fact to state. Two years ago, the ostensible publisher of The Tattler was publishing a cheap Whig paper, and we for a short time had partial charge of its Editorial columns. We then spoke of The Sun precisely as we now do, exposing the base hypocrisy of its pretensions to independence while in truth it was the veriest sort of Loco-Focoism, routing its jesuitical attacks on the Whig cause, and denouncing the horrible prostitution of its advertising columns to the blazoning of Mrs. Restall's and other leprous advertisements—Madam Restall's laboratory being then in full operation. In short, we were then guilty of just such "preparation," "falsehood," " tergiversation," &c., as has now sunk us to the rank of "ex-gentlemen" in the eyes of 162 Nassau; but we wrote the articles in that very office, and they were published in the New-York Whig. Need we say more!

APPOINTMENTS TO OFFICE.—The Sun of yesterday has a leading article deprecating the appointment of immoral and incompetent persons to office on account of their political services or claims. This is all right; we second the motion most heartily.—But did The Sun ever preach such a homily when Loco-Focoism was in power? Did it have a word to say for itself when Jesse Hoyt overhauled the Custom House, turned out all who were not efficient electors, and put in many of the roughest characters about town, purely on the ground of their supposed efficiency as electors? Did it give us a whimper when Purdy & Co. filled up our City offices on similar principles in 1839? Did it "hint a fault or hesitate dislike" when Tom Carr was appointed Consul to Tangier, or when Fernando Wood was nominated for and elected to Congress? No! not one syllable of dissent was heard from The Sun in these or a thousand similar instances. But now there is a chance to insinuate that the Whigs are making immoral and unsuitable appointments, and The Sun improves it to the utmost.

There must be no mistake about our sentiments on this point. All that The Sun says on the subject is right; and we hope the course it recommends will be rigidly followed by our Whig authorities. We object only that The Sun, when it tells the truth, is careful to tell it in the manner and at the time when it may create impressions or suspicions unfavorable to the Whigs.—We have great confidence that the Reforms in office of the present spring will conduce strongly to the moral as well as the political purification of the Government service.

The Journal of Commerce copies from the Albany Argus a most unfair argument against the Enlargement of the Erie Canal, based on the fact that the business of that Canal, during the years of great inflation like 1835, has not been exceeded during the years of general depression and disaster which have succeeded. It would be about as fair to draw the same argument from the undoubted fact that the Canal business of May, 1831, was greater than that of March 1841. Happily, another paragraph in the Journal affords, undesignedly, an antidote to the Argus poison. It is as follows:

Wheat.—There is good reason to believe that the export from Lake Erie of this great Western staple will not fall below ten millions of bushels during the present season.

After all the objections made to the appointment of Mr. M. M. NOAN as an Associate Justice of the Criminal Court of this City, it must be gratifying to his numerous friends to learn that his nomination has been confirmed by the Senate without a division.

RAY O. KELLOGG of Troy has been appointed Quartermaster General of the Militia service of this State, in place of Campbell P. White, removed; and SPENCER S. BENEDET of Albany Paymaster General, in place of Prosper M. Wetmore, removed.

Gov. Kent has issued his proclamation for the observance of the 14th inst. throughout the State of Maine as a day of fasting and prayer, in conformity with the recommendation of President Tyler.

The Sackett's Harbor Journal has passed into the hands of Mr. Joel Green, by whom it will be hereafter conducted.

Hydraulic Engine.—An experiment was yesterday made in Gold street with the Hydraulic Engine invented by Dr. Ransom, which proved quite satisfactory to those who witnessed it. In consequence of the shower but few persons were on the ground. We understand, however, that it will probably be exhibited again ere long under more favorable circumstances. The design of the Engine is to take advantage of the head of water enjoyed by the city, which, when the Croton Aqueduct is completed, will be nearly one hundred feet, to dispense with the manual labor now required to work our common Fire Engines. A light of water equivalent to a column of one hundred feet will of course raise a stream to the same height, though without any projectile force. By Dr. Ransom's Engine, at an expense of one-half the water, the other half may be thrown with considerable force one-half higher. The construction of the Engine is similar in its general features to that of a common high-pressure Steam Engine, the chief difference being that it is worked by water instead of steam.

New-York Legislature.

In the ASSEMBLY on Monday, at half-past 3 o'clock, P. M. the House went into Committee. Mr. Graham in the Chair, on the General Appropriation bill and the bill to provide for the construction of a Bridge across the Hudson River at Albany. On motion of Mr. Van Schovenhoeve, the House agreed to pass over the Appropriation bill. Mr. Strong then moved to strike out the enacting clause of the Bridge bill, which was announced by the Chairman of the Committee.—The debate was continued by Messrs. Strong and Wheaton until the time for adjournment.

On Tuesday, Mr. Holley reported a bill to authorize the City of New-York to issue \$3,500,000 of Water Stock. Mr. Hoffman alluded to the bill as calculated to adjust the difference between the Corporation and Water Commissioners of this City. Some amendments were introduced, and ordered, with the bill, to be referred and printed.

Mr. Kelsey reported in favor of the Senate bills relative to the Hamilton Marine Insurance Company and the Atlas Insurance Company.

Mr. Oliver reported the bill amending the act incorporating the Auburn and Rochester Railroad. A debate ensued, the point in question being the proper termination point of the road at Auburn. An amendment was adopted, prohibiting the line of the road to be run and the depot to be built within one hundred feet of the State Prison wall. The report amended so as to fix the termination and erect the car-house not farther North than Garden-street and not further West than State-street in Auburn, was ordered to a third reading.

Mr. Loomis reported a bill to incorporate the village of Mohawk. Mr. Puer reported complete the bill to reduce the capital stock of the Phoenix Bank to \$1,200,000, provided one of the Bank Commissioners certify that it is sound. After some debate, it was ordered to a third reading.

In the SENATE on Tuesday a petition was presented by Mr. Strong for a law to prevent steamboats from going at the rate of more than seven miles an hour between Albany and New Baltimore.

Mr. Lee reported upon the bill relative to the incorporation of religious societies belonging to the Associate Presbyterian Church. The Committee report, 1st, that the bill requires a two-thirds vote; 2d, that the 8th joint rule must be suspended or amended to admit of the passage of this bill; 3d, that it does not conflict with the Constitution. They report an amendment to the 8th joint rule, so that it shall apply only to unincorporated societies. A debate succeeded, conducted by Messrs. Strong, Root, Lee and Sibley; but before any question was taken, the hour of 12 arrived, and the Senate took a recess.

The COURT OF ERRORS was then organized—present Lieut. Governor, Chancellor Walworth, and twenty-five Senators. A communication was received from the President of the Board of Aldermen of this city, tendering the use of a room in the City Hall for the use of the Court. Accepted. The Court adjourned to meet here on the 5th of June.

Mr. Lee reported in favor of the bill authorizing the drawing of a greater number of grand and petit jurors in the city of New-York; ordered to a third reading.

Sundry reports on minor subjects were reported, and Mr. Sibley moved that the Senate go into the Committee of the Whole on the bill exempting personal property to a certain amount from sale on execution. It was agreed to, and the bill was taken up. Mr. Sibley proposed his amendment, and the Committee rose and reported progress. The bill to incorporate the Allan Works and to amend the act to authorize the business of Banking, were read a third time and passed. The Senate proceeded to Executive business, and then adjourned till 10 o'clock on Wednesday.

The following letter came plainly endorsed 'Editor's Mail,' and should have reached us at 1 o'clock yesterday morning, in season for our last. We believe the fault is in the Baltimore Post Office.—Ed.

Correspondence of The Tribune.

BALTIMORE, Tuesday morning, May 4, 1841.

This is the Anniversary of the memorable Convention, held in this City, which gave so strong an impetus to the great revolution which swept over the Country. How many and immense are the changes which have taken place in our short-year! It seems as if it was but yesterday that the streets of our City were crowded with that glorious mass of Freemen who rushed on to Victory under the banner of 'Tippecanoe and Tyler too.'

We have accounts from VIRGINIA this morning which assure us that all is well in the Old Dominion. The Richmond papers of yesterday morning contain the returns from all the Counties and Burroughs of the State—except Braxton and Lewis, Lee, Logan, Pendleton, Pocahontas, and Scott; and the result for the House of Delegates is the election of 68 Democratic Whigs, and 60 Loco-Focos. The Whigs now have a clear majority of two, and the chance of increasing it—a majority large enough for all useful purposes, and composed of men 'very well' Whigs. Virginia is Whig all over—Senate and House of Delegates!

The intelligence from KENTUCKY this morning is very meagre, consisting, for the most part, of returns of the first and second days' voting. From the Louisville District, however, there is something definite, but not enough to say whether Field, the regularly nominated Whig, is chosen or not.

In the XIII District, formerly represented by Col. Johnson, Mr. Southgate and his opponent are running 'neck and neck.' Gallatin County gives Southgate a majority of 25—a net gain of 101 since the last Congressional Election; but reports from other Counties are unfavorable. Thomas F. Marshall is chosen in the Lexington District, and John Pope in the Nelson District.

The Baltimore Patriot says: "The friends of Gov. Barbour—who has been detained in this city for several weeks by severe indisposition—will be glad to learn that he has so far recovered as to be able to leave here, on his return to Barboursville, Va."

Noah Shedd, of Greezfeld, N. H. a drunkard, who was missed early in the winter, has just been found dead. He was lost in a snow-storm, and thus perished.

There was a snow-storm throughout the Northern part of this State on Sunday night. The snow lay eighteen inches deep in Rensselaer County on Monday morning.

There were 1,555 newspapers in the United States in 1839; 207 in the Eastern, 500 in the Middle, 294 in the Southern, and 428 in the Western States.

May Weather.—On Monday the people of Boston were greeted with a snow-storm which would have done infinite credit to January in his best estate.

APPOINTMENT BY THE GOVERNOR AND SENATE, MAY 4.

New-York—Moderate M. Noah, Judge of the Court of General Sessions, vice Sanford resigned.

OFFICIAL—TREASURY NOTES.

Amount of Treasury Notes issued under the provisions of the acts of Congress of 1837, 1838, 1839, 1840, \$26,811,337 53

Redeemed of these issues, \$2,700,000 07

Leaving outstanding, \$24,111,337 46

Issued under the act of February, 1841: \$2,299,150 25

From March 4, 1841, to 31, 1841, 47,436 90

Since March 4, 1841, to 31, 1841, \$2,346,587 15

Redeemed of that issue, 47,436 90

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