NEW-ORLEANS BEE.

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"Truth is omnipotent and Public Justice certain."

FOR PRESIDENT OF THE UNITED STATES,

HENRY CLAY

Subject to the decision of the American People.

FOR VICE PRESIDENT,

WINFIELD SCOTT

FOR GOVERNOR,

HENRY JOHNSON,

FOR MAYOR,

WM. FRERET.

NEW-ORLEANS:
TUESDAY MORNING MARCH 16, 1842.

POLITICS

We yesterday presented the name of Henry Clay as a candidate for the Presidency, in conjunction with that of Gen. Winfield Scott for the Vice Presidency. As to the claims of Mr. Clay, it would be a most idle and unworthy trifling with the known wishes of the whig party, throughout the country, to express any doubt of their preference. And to place his name before the people subject to the decision of a National Convention, would be in a manner to suppose a subject as to the popular will, with whom one in this latitude feels, and which none elsewhere was asserted to exist. He is the choice of ninety-nine in every hundred of the whig party and ought to be nominated by acclamation and ratified by general consent.

The name of Gen. Scott is identified with the renown and glory of American arms. He is confessedly a gentleman of gallant bearing and strong understanding. A soldier of eminent abilities, a powerful writer, and distinguished as well for his virtues as a citizen, as for his courage as a military man. We are not prepared to say that the presentation of his name for the second office in the gift of the people will meet his approbation; but in these times it ought to be the desire, as it certainly is the duty of every citizen, to acquiesce in whatever may be that portion of his countrymen, who coincide with him in political opinion, may think his name would contribute to the success of great principles. Gen. Scott is deservedly popular with a large section of this Union, and we are persuaded that a ticket with the names of Clay and Scott upon it, could not fail to command a large majority of the suffrages of the United States.

THE MAYORALTY

If the whig party purpose making an effort to maintain their ascendancy in the State, it is high time to begin to organise for the approaching elections. The locofocos have already set on foot a system of tactics that have an "awful squinting" towards a vigorous, not to say dangerous struggle, and if these industry, energy and zeal are not met with corresponding activity on our part, we may calculate upon defeat.

The first in the train of popular elections which will demonstrate the strength and prospects of parties will be the vote for mayor in this city on the first Monday in April. There are two candidates now in the field, one a whig, the other a democrat. If it were desirable to separate the election from general politics, it is impossible to do so; and that party will reap the advantages, almost insuperable at the July elections, which shall succeed in electing its candidate. But we are of the opinion that in a whig city we ought to insist upon the election of a whig mayor as in a locofoco city the democrats never fail to elect a locofoco mayor. We would caution the whigs against apathy in this election. The result will be taken as an evidence of political power, and the effect of a defeat will fall with withering force upon our friends elsewhere. It is monstrous to suppose that a city, which in 1840, gave a whig majority of over *eleven hundred*, will in 1842 elect a locofoco mayor, yet there is great apprehension of such a result, from a fatal supineness with which the whig party alone seem to be afflicted.

Mr. Freret seems to have alienated some of the whigs from him in consequence of his not appointing members of the whig party to certain offices; if this objection have any weight in it, we would ask if the election of Mr. Preret will better our condition in that particular? For our own part, we have always held that the administration of every State or City should be conducted upon the principals of the majority therein, nevertheless, if some of the details of administration do not meet our decided approval, we see no reason for rushing into the arms of our adversaries, who are certain to conduct affairs, both in great and small matters, against us. To do so would be "jumping out of the frying pan into the fire," a pastime the whigs have indulged themselves in so often heretofore, that any reasonable partiality for the sport should by this time be satisfied.

Can any one doubt that the election of Mayor, will be regarded throughout the State as a test question, and can any one for a moment imagine that the election of Mr. Preret would be not attributed to a revolution of popular opinion in the City, that could not fail to dampen the ardor of our friends in the country. Think for a moment of the effect of an impression predicated of reasonable data, that in the space of two years a whig majority of *eleven hundred* has dwindled into nothing—that in fact it has been succeeded by a locofoco majority. Would not such a fact appal the stoutest and dismay the boldest?

What party has ever been formed in this country, that would threw away an election as important as that of Mayor of the City of New Orleans is to the whig cause? It would seem that the whigs deem it a luxury to be beaten, that they must fold their arms and lose every vantage ground in so formidable a contest as they have before them. But we cannot believe that the apathy that now pervades our ranks will continue. We feel persuaded that the whigs will arouse themselves and cause baldly to the work—that they will sacrifice all party disputes and trifling jealousies, and act with firmness, unanimity and decision. The success of the whig candidate for Mayor will render the triumph of the whig ticket in July certain. Whilst the defeat of Mr. Freret will not only endanger our legislative ticket but put the election of the whig candidate for Governor in imminent jeopardy.

THE FIRE.

A report prevailed yesterday that at the conflagration of the St. Charles, a fireman attached to engine No. 3, was killed by the fall of a part of the wall of the theatre. We have attempted to ascertain the truth of the statement, and believe it is incorrect. Several persons were severely injured at the fire, and one of the members of No. 3 was terribly bruised and mangled, but not killed.

Some persons have endeavored to cast censure on the management of the fire companies, and have declared that had they acted efficiently, the St. Charles theatre would have been saved. There is nothing in the world so easy as assertion, and there are always captious spirits enough among us, who are constantly fault-finding and grumbling. It so happens that the circle in which the St. Charles was constructed, offering no access to the theatre, and no open space for the working of the engines, effectually impeded and embarrassed the operations of the companies, while the difficulty of obtaining water at the commencement of the conflagration, was such, that the flames had made immense progress, before an abundant supply could be procured.

We understand that the amount of insurance on the building was only $60,000—all effected in New Orleans.

Mr. Caldwell loses nearly $70,000 by the destruction of the wardrobe, properties, scenery, &c. of the Theatre. With regard to the building, we learn it was mortgaged to the Gas Bank for $200,000, with a conditional clause of restoration, in the event of the mortgage being raised within three years.

J. S. Browne, a most deserving actor and gentleman, lost a splendid and complete wardrobe, valued at $5,000, which he had been collecting for 15 years—a loss which to him is irreparable.

The indomitable energies of James H. Caldwell, are yet unchained by this last fatal stroke of mankind fortune. It is, we hear, his intention to rebuild the St. Charles on a scale of equal magnificence to that which distinguished its now smouldering ruins. This, he believes, can be accomplished for little more than $50,000. In such an undertaking who will not say God speed him. In such an enterprise will our fellow citizens fail to proffer him substantial tokens of their kindly sympathy and cordial assistance?

P. S. We have since ascertained that Mr. Anthony Laybet, one of the members of Fire Company No. 3, died of his injuries.

F. H. HATCH vs THE CITY BANK.

This case which has excited a great deal of public attention, was decided yesterday by the Supreme Court of the State in favor of the City Bank. It will be recollected that Judge Watts granted a writ of mandamus on the bank, requiring that institution to exhibit the Stock Ledger—a book not necessary to a knowledge of the affairs of the Bank. The Supreme Court has decided that it was not a case authorising the resort to such an extraordinary remedy—according to the plaintiff's own showing.

The U.S. arrived at 10 o'clock last yesterday morning, but no papers were received beyond Mobile.

ERRATUM.—In the article on Mr. Freret in yesterday's *Bee*, by an error of the press we are made to say that between him and his opponent, there is a resemblance of a moment's hesitation. The sentence should read—"There is no room for a moment's hesitation."

☞ We are requested by the Editor of the *Morning Advertiser* to state, that in consequence of the confusion and derangement in his office occasioned by the fire on Sunday night, he will be unable to issue any paper until to-morrow. The office and printing establishment of the *Advertiser* are adjoining the St. Charles Theatre and Arcade.

☞ The Italian Company have concluded an engagement at the Orleans Theatre, and will commence their performances on Wednesday. We are glad our citizens are not to lose these accomplished artists.

Fatal Accident.—A sailor, who incautiously ventured yesterday in the interior of the still smoking Theatre, was killed by the falling of a brick upon his head.

☞ Our thanks are due to the clerk of the steamer *Swallow* for Vicksburg, Concordia and Natchez papers.

We are indebted to the clerk of the steamboat Queen of the West, for late Cincinnati and Louisville papers.

We acknowledge our indebtedness to the Clerk of the steamboat *Saint-Louis* for late papers from that city.

☞ We are indebted to the steamboat *Agnes* for late Red River and other papers.

[PRIVATE CORRESPONDENCE OF THE BEE.]

Washington, March 3, 1842.

In Senate sundry memorials were presented in favor of protective duties, which were referred to the Committee on Manufactures; after which reports from committees were received and appropriately disposed of. Resolutions being next in order that offered some time ago by Mr. Merrick, to add a new rule to the joint rules, in effect precluding amendments to the general appropriation bill, from being offered for additional appropriations not strictly within the intent and meaning of the bills themselves, came up for further discussion. Mr. Woodbridge opposed the resolution on several grounds—chiefly because it implied a doubt as to the discretion and patriotism of the Senate—next because it retrenched the privileges of small states entitled to an equality with large states in that portion of legislation allotted by the Constitution to the Senate—and, thirdly, because an evidence of one of two abuses was not sufficient ground for the abrogation of a privilege which he doubted the constitutionality of restricting in any manner whatever. Mr. Merrick replied, that the resolution was not calculated to abridge any privilege of the Senate all it would amount to was to confine the general appropriation bills to their legitimate objects, leaving other appropriations to be presented as separate measures, each dependant on its own intrinsic merits, and not upon the vote for the general appropriation bills.

The discussion was becoming warmer, when Mr. Leigh interposed and called for the orders of the day, which Mr. Bayard was then in finished business of yesterday Mr. Clay's retrenchment and reform resolutions.

Mr. Smith of Indiana being entitled to the floor addressed the Senate for upwards of three hours chiefly in vindication of the distribution act and a discriminating tariff for protection as well as for revenue. In the course of his remarks he stated that the distribution act while on its passage, was discussed on the opposition party only, and the defence of it solely had not consequently come safely before the public. He (as been prepared with an full defence—as with the close of the session but his remarks were confined to bringing the matter to the vote that he was dissuaded from entering upon reply; but he was glad of the present opportunity to vindicate the policy of that measure. In doing so his first step would be to meet the constitutionality of the act just at once. He relied upon the 3d section of the 4th Article of the constitution giving Congress *the power to dispose of and make all needful rules and regulations re pecting the territory and other property belonging to the United States*—From this he deduced the entire and unlimited control of Congress over the public domain—and the bounty land set by the constitution to that control and leaving the matter wholly at the discretion of Congress—On the other branch of the argument—that relating to protects to tariff—he argued that within five years the South would be driven to call upon the North for the protection of its staple production—Cotton—as England in that time would draw her entire supply from the East Indies, and the only market the South could have would be the home market.

It is but justice to Mr. Smith to say that whatever may be the true policy with regard to these subjects the speech he delivered to-day amply justify he considered one of the ablest efforts he has ever made in Congress. There can be no doubt that it will elicit a most protracted debate—for he did not hesitate to provoke elaborate replies from Mr. Calhoun, Mr. King and Mr. Wright, whenever they shall be prepared to take the floor.

Mr. Clay, in consideration of his resolutions to amend the constitution being the special order of the day for to-morrow, and his friend from Georgia who is indisposed, (Mr. Berrien,) having expressed a wish to speak next on the retrenchment and reform resolutions, carried the matter might be postponed to one day after to-morrow. Put Mr. Bayard moved to postpone to Tuesday week in order to let Mr. Berrien be present. This motion produced a conversational discussion which ended in the withdrawal of both—leaving the reform and retrenchment resolutions to come up in morning as the unfinished business first in order. Mr. Berrien being entitled to the floor.

The Senate then at 4 o'clock adjourned.

P. S.—I understand Mr. Clay's letter of resignation appeared in the Baltimore papers this morning I have not seen it but learn the Distrusant appointed it has withdrawn from the Senate.

In the House of Representatives, a resolution was adopted, giving the use of the Hall to the Congressional Temperance Society on Monday evening next. Other resolutions, calling for information on various subjects from the departments, were also adopted.

The consideration of the resolutions reported by the select committee on retrenchment was then taken up.

The resolution providing for the abolition of the office of draughtsman to the House, was first considered.

Mr. Floyd had moved to include the post master to the House.

After some debate of no interest, the amendment was rejected and the resolution adopted.

The next resolution reducing the number of messengers and pages of the House, was also adopted.

On motion of Mr. Fulmore, the House then resolved into a committee of the whole, and resumed the consideration of the Civil and Diplomatic appropriation bill.

The question pending was on an amendment offered by Mr. Davis of Kentucky, regulating the mode of printing the job work of the department and providing that hereafter the laws shall be published in such newspapers only as have the largest circulation.

At two o'clock, the committee rose for want of a quorum.

After some delay a quorum appeared, when the consideration of the appropriation bill was again resumed in committee, the question still being on the amendment of Mr. Davis.

[REPORTED FOR THE BEE.]

LOUISIANA LEGISLATURE.

HOUSE OF REPRESENTATIVES.

MONDAY, March 14th, 1842.

The appropriation bill for the Penitentiary passed the House on Saturday. The House took up the amendments to the bill giving additional power to the police jury of the town of Opelousas, and concurred therein.

The Senate bill for the relief of Felix Percy and Aracide Ducatel, notaries public, was considered, and was adopted in committee of the whole, and by the House.

The act to establish election precincts in the parishes of Madison and Concordia was considered and passed.

The bill more effectually to prevent losses to the planters by the failure of their commission merchants was read twice and referred to a select committee composed of Messrs. Winchester, Boudousquié, Hunt, Hendricks and Bedford.

The bill to authorize the removal of certain property, from this State belonging to the minor Maria Louisa Reynolds, was read once.

The act relative to lands divided into town lots, was taken up and read once.

The act to explain and amend the laws relative to vendor and vendee, was read twice and referred to the Judiciary Committee.

On motion of Mr. Rogers the House took up the act to amend the act entitled an act to prevent the carrying away of slaves, and laid the same indefinitely on the table.

On motion of Mr. Swayze, the House took up the bill to retrench the expenses of the State. The House had adopted the 6th section, when the bill was last considered.

Mr. Boyles offered an additional section empowering each academy or seminary of learning to draw for the currerent year the amount usually appropriated. This proposition elicited considerable discussion. Mr. Boudousquié attacked it vigorously. The section was laid indefinitely on the table.—Yeas: 17. Nays: 11.

The next section being under consideration Mr. Canon addressed the House at length on the object of the bill. He was followed by Mr. Ratliff, and the discussion became general and protracted. The remaining sections were then passed with amendments, and the consideration of the last section was cut short by a motion to adjourn, which adjourned.

IMPORTANT JUDICIAL DECISION.

The Intelligencer gives the result of the case of Edward Prigg vs. the state of Pennsylvania, just decided in the Supreme Court of the United States. No more important decision has been made for some time, and we regret that the decision is not given at length. The facts of the case are thus stated by the National Intelligencer.

Considering the decision not only important in itself, but fully bearing us out in recommending an appeal to the law by individuals whose cases particularly states have of late taken into their own hands, we proceed briefly to state the case above referred to as we understand it.

At the Court of Over and Terminer for York county, Pennsylvania, April term, 1839, Edward Prigg (with others) was indicted under a statute of Pennsylvania of the year 1826, for apprehending and carrying in the state of Maryland a negro woman, claimed as a slave, with the intention to hold or treat her as a slave, &c. The jury found a verdict of guilty in the first count, which charged the offence to have been committed by him in 1832, that the woman having before absconded been a slave for life under the laws of Maryland to a citizen of that state, that Prigg was duly and legally constituted the agent of said citizen to apprehend the absconding slave, and did apprehend and carry her back into Maryland to her owner—and prayed the direction of the court as to the law of the case. Upon this verdict, a *pro forma* judgment was given for the commonwealth against Prigg, and the case being carried up to the Supreme Court of the state of Pennsylvania, the judgment of the court below was there affirmed.

An appeal to the Supreme Court of the United States was taken by Jonathan Meredith and John Nelson, Esqrs., commissioners and counsellors of the state of Maryland.

The judgment of the Supreme Court of the United States is, that the act of the commonwealth of Pennsylvania upon which this case is founded *is repugnant to the constitution of the United States, and therefore void.*

Mistaken Fidelity.—Please announce in your paper, that I, A. J. GARDNER, do not consented to be a candidate for the office of Recorder of the second Municipality, and that he will be sustained by a large number of voters of both parties.

mh9

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mh9

Messrs Editors.—Please announce in your paper that a large number of voters of the fifth ward would support the Third Municipality for the following offices: that Mr GEORGE Y. FERGUSON has fulfilled all the duties entrusted to him with zeal, firmness and impartiality, have determine to support him at the ensuing election for Recorder, and would say to those that will support all persons interested may then appear and show cause, if any they have, why the prayer of said petition should not be granted.

By order of the Court,
N. B. JENNINGS, Clerk of the U. S. District Court

mh16 3t

Messrs Editors.—Please announce in your paper that a large number of voters of the fifth ward would support the Third Municipality for the following offices: that Mr GEORGE Y. FERGUSON has fulfilled all the duties entrusted to him with zeal, firmness and impartiality, have determine to support him at the ensuing election for Recorder, and would say to those that will support all persons interested may then appear and show cause, if any they have, why the prayer of said petition should not be granted.

By order of the Court,
N. B. JENNINGS, Clerk of the U. S. District Court

mh16 3t

GENTLEMEN—Please publish in your journal that at the request of his numerous friends, Mr. WILLIAM FRERET, has consented to become a candidate for re-election, for the office of Mayor of the city of New Orleans, at the ensuing election.

mh9

☞ We are authorized by his numerous friends to announce DENIS PREJEAN as a candidate for the office of Mayor of New Orleans, at the ensuing election, and to say that he will be supported by the three Mayne papers.

☞ We are authorized by Mr. Isaac F. Bullard, and Messrs Peyroux and St Charles—sisters, for the sale of a supply of pulverized [illegible] for the destruction of the destructive fever—[illegible] for Philippe.

THOS. BELL, Chairman No. 13
GEO. WAYNE Secretary No. 17.
L. H. ROSS, Foreman La. Hose Co.

mh16

A CARD.

[illegible] the undersigned [illegible] the [illegible] of the [illegible] of the [illegible] of