The New-Orleans Daily Bee.

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TERMS OF THE BEE.

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The New-Orleans Daily Bee.

Friday Morning, Feb. 1, 1850.

THE LEGISLATURE.

The election for State Treasurer and State Printer took place on Wednesday last, at 12 o'clock. The absence of five members, Messrs TATMAN, (W.) and LACOSTE, (L. F.) of the Senate, and Messrs. OLIVIER, CANONGE and HUDSPETH, (Whigs) of the House, rendered the result doubtful, and imparted to it the interest of uncertainty. The first election in order was that of State Treasurer. On the first ballot GEORGE MCWHORTER, (Whig) of Concordia, was chosen over ALEXANDER CUVILLIER, (Dem.) of New Orleans, by a vote of 63 to 61. For State Printer there were two ballots. On the first the vote stood, for G. F. WEISSE, of the Bee, 62; for Mr. HATCH, of the Baton Rouge *Advocate*, 62. On the second, Mr. WEISSE received 63 votes, and Mr. HATCH 61. Mr. WEISSE was therefore declared duly elected State Printer.

The Whigs, with a majority of seven on joint ballot, came near losing both Treasurer and Printer, by the culpable remissness of some of their members. Such apathy is inexcusable.

CONGRESS.

In the SENATE, on the 22d January, Mr. Dickinson reported a bill to establish a branch Mint at the city of New York.

Mr. Davis, of Mass., offered a resolution calling on the President for information touching the Cuba expedition, and the proceedings with the persons collected at Round Island last summer.

Mr. Webster submitted the following resolution, which lies over:

Resolved, That a provision ought to be made by law, that every male citizen of the United States, and every male person who had declared his intention of becoming a citizen, according to the provisions of the law, of twenty-one years or upwards, shall be entitled to enter upon and take any one quarter section of the public lands which may be open to entry at private sale, for the purposes of residence and cultivation; and that when such citizen shall have resided on the same land for three years and cultivated the same, or if, dying in the meantime, residence and cultivation shall be held and carried on by his widow or by his heirs or devisees, for the space of full three years from and after making entry of such land, such residence and cultivation for the said three years to be completed within four years from the time of such entry, then a patent to issue for the same to the person making such entry if living, or otherwise to his heirs or devisees as the case may require: Provided nevertheless, That such person so entering and taking the quarter section, as aforesaid, shall not have, nor shall his devisees or heirs have, any power to alienate such land, nor create any title thereto, in law or equity, by deed, transfer, lease, or any other conveyance, except by devise by will.

Mr. Foote's resolutions referring to the establishment of territorial Governments in California, New Mexico and Deseret, were then taken up, when Mr. CASS continued and concluded his speech in favor of non-intervention in the slavery question. After an able and elaborate argument against the constitutionality of the Wilmot Proviso, Gen. CASS terminated by saying that he had been instructed by the Legislature of Michigan; he recognized the right of the Legislature to instruct him, but he could not, under any circumstances, violate his conscience by voting for that which he deemed unconstitutional. When this question of the Proviso came before the Senate in a practical manner, he would conform to the instructions, and to his own sentiments, by resigning that trust he could no longer fulfil.

Mr. Foote's resolutions were laid on the table. The memorial of the people of Deseret, asking admission into the Union as a territory, was referred to the Committee on Territories. The same disposition was made of Mr. Foote's bill providing for a Territorial Government for California, New Mexico and Deseret, and for the creation of a new State, to be called the State of Jacinto.

In the HOUSE, the joint resolution from the Senate making additional provision for the collection of the Customs during the present year, was referred to the Committee of the Whole.—The same disposition was made of a bill by Mr. Burt, for the payment of Indian volunteers called into the service of the U. S.

The House resolved itself into Committee of the Whole, and took up the President's annual Message. Mr. Clingman, of N. C., and Mr. Howard, of Texas, addressed the committee on the slavery question. Mr. Clingman's speech was terse and vigorous, that of Mr. Howard flat and feeble.

The House adjourned without further action.

MISS DAVENPORT.—This distinguished young actress performs "Julia" in the Hunchback, this evening—one of her finest personations, in which her acting is at once original and effective. To-morrow night, Miss Davenport plays Virginia in Capt. Ralier's adaptation of Y-bars Tragedy, written for Rachel. It is her benefit night, and will be positively her last appearance.

MISS KIMBERLY read Shakspeare's "Midsummers Night Dream" last evening, with exceeding taste and marked felicity of elocution. This lady possesses talent of a high order, and experience alone is needed to make her recitations perfect.

SHIP ASHORE.—Captain Snow, of the ship *Trenton*, from Boston, arrived yesterday, reports that a wrecker off Bemine Islands, on the 20th ult., who stated that there was a British ship ashore on the Gingerbread ground, with a cargo of salt. Capt. Snow understood her name to be WM. & Catherine.

ANNUAL EXHIBITION OF THE SECOND MUNICIPALITY PUBLIC SCHOOLS.—Our crowded columns will not permit us to give an extended account of the recitations, dialogues, and vocal music at the exhibition of the Public Schools of the 2nd Municipality yesterday. The day was beautiful and the crowd that gathered at the Lyceum was very great. About one-half the pupils were present. The addresses, in English and French, were generally excellent, and the entire proceedings reflected the highest credit on the organization of the Schools, and demonstrated beyond doubt the marked proficiency of the pupils.

A Mistake.

In transcribing the Telegraphic despatch published yesterday, an error of some consequence occurred. Instead of reading "Mr. MAXWELL, the Collector of the Customs at New York, has been dismissed", the despatch should read "Mr. MAXWELL, the Collector of the Customs at New York, has dismissed one hundred and sixty officers."

DEATH OF WM. M. BEALE.—This gentleman, for many years an enterprising merchant of our city, known to the whole community and endeared to a large circle of friends, died yesterday morning of an attack of paralysis. Mr. BEALE had been tendered the office of Assistant Treasurer of the U. S., a short time before his death, and had declined it.

☞ The Sub-Treasurer of New York, Mr. Young, has made a formal demand on P. M. Wetmore, accused of being a defaulter to the Government for a large amount, for a settlement of his account.

SPECIAL ELECTION IN MASSACHUSETTS.—The Massachusetts Congressional election, in Pelley's District, has, as before, resulted in no choice being made, the overwhelmingly another candidate with John Quincy Adams (Whig) beat Pelley above fifty votes, but failed.

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BY MAGNETIC TELEGRAPH.

[By the Southern Line.]

[TRANSMITTED TO THE N. O. BEE]

New York Markets.

BALTIMORE, Jan. 29, 1850.

NEW YORK, Tuesday, P. M.—Cotton firmer. Sales 2500 bales. Fair Uplands at 13¾ to 13¾; Orleans 14c. Flour has declined 1-16c.; sales 4000 bbls.—Corn 60 to 61c.; sales 3000 sacks. Pork, Mess, $16 60. Land 6¼c. in bbls; 6¾c. in kegs. Orleans Molasses 27c. Sugar 5¼c. Coffee improving.—Sterling 8½, dull. Rio Coffee sold at 16c.; stock on hand 23,000 sacks.

SECOND DESPATCH.

New York Markets.

NEW YORK, Wednesday evening, Jan. 30.—Cotton slightly declined. Sales 1,500 bales; Fair Upland, 13¾; Orleans, 13¾. Flour declined 1-16c.; Ohio, $5 18. Wheat improving. Provisions unchanged. Sales of 2,000 kegs Land at seventeen (!) Molasses improving; Orleans, 28c. Sugar quiet. Common Tobacco advancing. Java Coffee, 15c.; Rio held at 14c. (The despatch dated the previous evening quotes Rio at 16c.) Stocks improving.

LEGISLATURE OF LOUISIANA.

[REPORTED FOR THE N. O. BEE.]

BATON ROUGE, Tuesday, Jan. 29, 1850.

The House met pursuant to adjournment. A quorum present.

The Speaker laid before the House the report of the Board of Managers on the affairs of the Citizens' Bank.

Several petions were introduced by different members, touching local parish matters.

Mr. Moise introduced resolutions instructing the Committee on Finance to inquire into the expediency of reducing the number of Assessors and Tax Collectors in the Parish of Orleans.

To reduce into one the several revenue acts of this State, for the purpose of facilitating the collection of the public money.

Mr. Connelly introduced a resolution, which was adopted, appointing the Minute Clerk, Assistant Clerk of the House.

Mr. Moise—Instructing the Secretary of State to deliver to the Law Department of the University any law books of which he may have duplicates.

Mr. Ragan—Resolutions to appropriate money for the purchase of a Stone for the Washington Monument.

A large number of notices of bills were introduced by members. Also, according to previous notice, bills were introduced—

By Mr Leroy—To appoint a Harbor-master for Lafayette.

By Mr. Connelly, (Terrebonne.)—To remove the seat of government from Baton Rouge.

Mr. Lanne introduced the following resolution, which was adopted:

Resolved, That the Special Committee on the subject of the resolution of the General Council of New Orleans, laid before the House, have authority to inquire into the present condition and past history of the Sinking Fund, established by the Legislature of the city of New Orleans, contracted to pay the debt before the division of the city, and that they have power to send for persons and papers and inquire into all matters connected therewith, and to examine witnesses.

The following resolutions from the Senate were passed:

Instructing our Senators, etc., to use their best endeavors to obtain a daily mail between Baton Rouge and New Orleans.

The Speaker appointed on the Committee, to whom was referred the petition from the Committee of the Sinking Fund—Messrs. Lanve, Parker, Stanton, Lumsden, St. Martin, Laville, Wilder, Ougate and Canonge; on the Bill introduced by Mr. Wilder, to elect the officers of the Municipality—Messrs. Wilder, Ougate, Bartlett, Caldwell, Stark, Leeds, Sever, Devergess and St. Martin.

On motion, the House adjourned till 10 to-morrow.

Correspondence from the Capital.

BATON ROUGE, Jan. 29, 1850.

Messrs. Editors—It is a remarkable fact, that whenever the services of the Whig members of the Legislature are required for any matters connected with rewarding our friends, when we have the means of doing it, something happens by which we are either deprived of our majority outright, or else it is divided down so small, that it is impossible to control it. You will recollect the Mess after Mess we had a majority, how the Locos, by some hocus pocus only known to double distilled wire workers, got the old man out of the way, and thus deprived us of being represented in the Senate by the accomplished KENNER, at the same time causing us to lose the Treasurship and State-Printing. Now I do not pretend to say that such was the intention of Mr. Lazarde, and one of the Representatives Hudspeth could be worked upon by any Locofoco influence, but I do know that the House has been in session for ten days, and as yet they have not made their appearance. If such Whigs as the Parish of St. Landry is composed of, will stand any such humbuggery I am much mistaken. The other representatives, King, Gardiner and Anderson, are here, and have been here since the first day of the session, always at their post. Why is it the others are not here? I cannot inform you. The incum lessen should be taught to such men, and I must inform their constituency if those gentlemen will not regret it. I am indjuced to make these remarks from my strong party feeling, as you well know, or matters on this kind. The Whigs are now holding a caucus, but I much fear, with our majority of seven reduced down to one or two, you will hear of the election on to-morrow of a Locofoco Treasurer and State Printer. It would be very pleasant to the feeling of men like yourselves, who have labored night and day for the success of our cause—not only with the pen, but the pocket—to run the risk of loosing the small favor of being made State Printers. I am no *cracker*, as you well know, but I fear the *Bee* will not have the honor of heading the columns, "*by authority*," but *nous verrons*. I wish I had something of interest to communicate to you—as yet, nothing has been done in either House. Some "bunkem" bills have been introduced by two members, but no operations made. Mr. Gayarre was renominated to-day for Secretary of State, and confirmed; I believe, also, John C. Larue as Attorney General—no promulgation though has yet been made of it. The inauguration went off quietly. The Ball was very well; the Ex-Governor and Governor elect were there, dancing like young *bucks*. Our city was well represented by the Hussars, in their gallant commander, Capt. J. B. Walton, who, by-the-bye, is, as usual, working for the interest of the party. He has done the State some service, and I, as well as many members of the Legislature, hope soon to see him receive his proper reward. Several of the company were also present; amongst them Doane and Lumsden. We have another well known Whig from the city present, "the subscriber," as he is called by his particular friends, but better known to some as Armstrong, of Camp street. Gen. Sparrow is here, also dealing out his Whig thunder; and many other notables too numerous to mention, by-the-bye, may as well mention, it looked more like a Whig Inauguration than anything else, for nearly all the strangers were of that stamp.

The amiable Speaker, Col. Farrar, gains new laurels every day, and wins the golden opinions of some of his strongest political opponents for the dignity and impartiality he exhibits in the Speaker's Chair. MORE ANON.

P. S.—Mr. Donelly, of Terrebonne, introduced a bill to-day to change the seat of government. This from a country too! What think you of it?

"Our correspondent's apprehensions were groundless, as the result has proved. [EDS.]

The Charleston *Courier* relates the following attempt at a swindling operation, which was made by an imposter who pretended to be a brother of our worthy Mayor:

A piece of villany was attempted to be played off on the Mayor of our city a few days since, which, however, did not meet with the success anticipated. A person called on the Mayor, on Monday last, who gave his name as Henry B. Crossman, and represented himself as the brother of A. D. Crossman, the present Mayor of New Orleans, at the same time presenting a letter of introduction from that gentleman to the Mayor of Philadelphia, and stating that he had been robbed, in Augusta, of his pocket book and contents; and that being desirous of reaching the latter city, whither he was bound, and having drafts on New York, which he supposed could not be negotiated, here, asked his Honor for the *loan* of a sufficient sum of money to enable him to proceed on his journey. There was something in the wording of this letter that excited the suspicions of Mr. Hutchinson, who informed the gentleman that he was very much engaged just at that moment, but that if he would return in a short time, the required amount would be at his service, he, however, never made his appearance. On the following day a telegraphic despatch was received in New Orleans, to Mr. Crossman, and an answer returned that he had no brother answering to the name given, and that no [illegible] impression had been given to any person.

It, was the Marge's wish to repay the acquaintance of Mr. Crossman, and offered were sent in every direction, to bend him up, but he unfortunately was not found. We hope, for the sake of preventing depredations on the public, of preventing depredations on the public, that the matter may be made public.

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PRESIDENTIAL MESSAGE IN RELATION TO CALIFORNIA.

On the 22d January, the Message of the President, in answer to certain resolutions of enquiry adopted by that body. We commend it to the attention of our readers, as a document of marked elegance; frank, honest, high-toned and patriotic. The non-intervention principle sustained by Gen TAYLOR, in reference to California and slavery, is the only safe and healthful one; through which this agitating controversy can be satisfactorily settled:

WASHINGTON, January, 21, 1850.

To the House of Representatives of the United States:

I transmit to the House of Representatives, in answer to a resolution of that body, passed on the 31st of December last, the accompanying reports of heads of Departments, which contain all the official information in the possession of the Executive asked for by the resolution.

On coming into office, I found the military commandant of the department of California exercising the functions of civil governor in that Territory, and left, as I was, to act under the treaty of Gua.dalupe Hidalgo, without the aid of any legislative provision establishing a government in that Territory, I thought it best not to disturb that arrangement, made under my predecessor, until Congress should take some action on that subject. I therefore did not interfere with the powers of the military commandant, who continued to exercise the functions of civil governor as before; but I made no such appointment, conferred no such authority, and have allowed no increased compensation to the commandant for his services.

With a view to the faithful execution of the treaty, so far as lay in the power of the Executive, and to enable Congress to act at the present session, with as full knowledge and as little difficulty as possible on all matters of interest in these Territories, I sent the Hon. Thomas Butler King as bearer of despatches to California, and certain officers to California and New Mexico, whose duties are particularly defined in the accompanying letters of instruction addressed to them severally by the proper departments.

I did not hesitate to express to the people of those territories my desire that each territory should, if prepared to comply with the requisitions of the Constitution of the United States, form a plan of a State Constitution, and submit the same to Congress, with a prayer for admission into the Union as a State, but I did not anticipate, suggest, or authorize, the establishment of any such government without the assent of Congress, nor did I authorize any Government agent or officer to interfere with or exercise any influence or control over the election of Delegates, or over any Convention, in making or modifying their domestic institutions, or any of the provisions of their proposed Constitution.—On the contrary, the instructions given by my orders were, that all measures of domestic policy adopted by the people of California, must originate solely with themselves; that the Executive of the United States was desirous to protect them in the formation of any government republican in its character, to be at the proper time submitted to Congress, yet it was to be distinctly understood that the plan of a government must at the same time be the result of their own deliberate choice, and originate with themselves, without the interference of the Executive.

I unhesitatingly to give any information as to laws passed by any supposed government of California, or of any census taken in either in the territories mentioned in the resolution, as I have no information on those subjects.

As already stated, I have not disturbed the arrangements which I found had existed under my predecessor.

I do not think early application by the people of these territories for admission as States, I was actuated principally by an earnest desire to afford to the wisdom and patriotism of Congress the opportunity of avoiding occasions of bitter and angry discussion among the people of the United States.

Under the Constitution, every State has the right of establishing, and from time to time, altering its municipal laws and domestic institutions, independently of every other State and of the General Government, subject only to the prohibitions and guarantees expressly set forth in the Constitution of the United States. The moment a State felt itself one of the States of the United States, were not designed or expected to become topics of national agitation. Still, as under the Constitution, Congress has power to make all needful rules and regulations respecting the territories of the United States, every new acquisition of territory has led to discussions on the question, whether the system of involuntary servitude which prevails in many of the States should or should not be prohibited in that territory. The periods of excitement from this cause, which have heretofore occurred, have been safely passed; but, during the interval, of whatever length which may elapse before the admission of the territories ceded by Mexico as States, it appears probable that similar excitement will prevail to an undue extent.

Under these circumstances I thought, and still think, that it was my duty to endeavor to put it in the power of Congress, by the admission of California and New Mexico as States, to remove all occasion for the unnecessary agitation of the subject mind.

It is understood that the people of the western part of California have formed a plan of a State Constitution and will soon submit the same to the judgment of Congress and apply for admission as a State. This course on their part, though in accordance with, was not adopted exclusively in consequence of any expression of my wishes, inasmuch as measures tending to it had had been promoted by the Executive, before my predecessor, and were already in active progress of execution before any communication from me reached California. If the proposed constitution shall, when submitted to Congress, be found to be in compliance with the requirements of the Constitution of the United States I earnestly recommend that it may receive the sanction of Congress.

The part of California not included in the proposed State of that name, is believed to be uninhabited, except in a settlement of our countrymen in the vicinity of Salt Lake.

A claim has been advanced by the State of Texas to a very large portion of the most populous district of the Territory commonly designated by the name of New Mexico. If the people of New Mexico had formed a plan of a State government for that Territory as ceded by the treaty of Guadalupe Hidalgo, and had been admitted by Congress as a State, our Constitution would have afforded the means of obtaining an adjustment of the question of boundary with Texas by a judicial decision. At present, however, no judicial tribunal has the power of deciding that question, and it remains for Congress to devise some mode for its adjustment. Meanwhile I submit to Congress the question, whether it would be expedient before such adjustment to establish a Territorial Government, which, by including the district so claimed, would practically decide the question adversely to the State of Texas, or by excluding it, would decide it in her favor. In my opinion such a course would not be expedient, especially as the people of this Territory still enjoy the benefits and protection of their municipal laws, originally derived from Mexico, and have a military force stationed there to protect them against the Indians. It is undoubtedly true that the property, lives, liberties, and religion of the people of New Mexico are less protected than they were before the treaty of cession.

Should Congress, when California shall present herself for incorporation into the Union, annex a condition to her admission as a State affecting her domestic institutions contrary to the wishes of her people, and even compel her temporarily to comply with it, yet the State could change her constitution at any time after admission, when to her it should seem expedient. Any attempt to deny to the people of the State the right of self-government in a matter which peculiarly affects themselves, will infallibly be regarded by them as an invasion of their rights; and, upon the principles laid down in our own Declaration of Independence, they will certainly be sustained by the great mass of the American people. To assert that they are a conquered people, and must as a State submit to the will of their conquerors, in this regard, will meet with no cordial response among American freemen. Great numbers of them are native citizens of the United States, and not inferior to the rest of our countrymen in intelligence and patriotism; and no language of menace to restrain them in the exercise of an undoubted right, substantially guaranteed to them by the treaty of cession itself, should be uttered by me, or encouraged and sustained by persons acting under my authority. It is to be expected that in the residue of the territory ceded to us by Mexico, the people residing there will, at the time of their incorporation into the Union as a State, settle all questions of domestic policy to suit themselves.

No material inconvenience will result from the want, for a short period, of a Government established by Congress over that part of the Territory which lies eastward of the new State of California; and the reasons for my opinion that New Mexico will at no very distant period ask for admission into the Union, are founded on unofficial information, which I suppose is common to all who have cared to make inquiries on that subject.

Seeing, then, that the question, which now excites such painful sensations in the country, will in the end certainly be settled by the silent effect of causes independent of the action of Congress, I again submit to your wisdom the policy recommended in my annual message, of awaiting the salutary operation of those causes, believing that we shall thus avoid the creation of geographical parties, and secure the harmony of feeling so necessary to the perpetuity of our political system. Connected as the Union is, with the remembrance of past happiness, the sense of present blessings, and the hope of future peace and prosperity, every dictate of wisdom, every feeling of duty, and every emotion of patriotism, tend to inspire fidelity and devotion to it, and admonish us cautiously to avoid any act or policy, controversy which can either endanger it or lessen its strength, the chief element of which is to be found in the regard and affection of the people for each other.

Accompanying the message are two letters from Mr. Hagerman and Mr. Dargan. The former [illegible]

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