The New-Orleans Bee.

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The New-Orleans Daily Bee.

Official Journal of the State, General Council, First Municipality and Board of Liquidators.

Saturday Morning, July 13, 1850.

NOTICE

On Account of Note Paper, the Last-SEMI-WEEKLY BEE is now ready for delivery.

ELECTION.

The Commissioners and Clerks for the election for ... to be held on Monday next, 15th instant, are requested by the General Council in its sitting of yesterday, unanimously requested to call at the office of the Mayor and qualify themselves by being sworn in. Their names are to be found in the advertisement published in this day's paper.

THE DEATH OF GENERAL TAYLOR.

ACTION OF THE GENERAL COUNCIL.

At a meeting of this body held yesterday, after the reception of a message from the Mayor announcing the melancholy intelligence of the sudden demise of the Chief Magistrate of the country, Alderman Bentrose and made the following appropriate remarks on the virtues and services of the distinguished deceased. It was unnecessary, said Mr. B., to expatiate on the virtues and pressed services of the one we are called upon to lament. The undying lustre shed upon the escutcheon of his country by his noble and daring acts in Mexico is still fresh in the hearts of his countrymen. His friendship at Palo Alto, Resaca de la Palma, Monterey, and Buena Vista, are still vibrating in distant lands. The name of Zachary Taylor will cease to be honored when time shall be no longer. Louisiana mourns the loss of her adopted son, twenty nine sister States sympathize with her on the occasion of the sad bereavement.

On motion, Mr. Bentrose moved for the appointment of a committee of three, to consist of the Mayor, the police, in adopting a suitable and appropriate expression of the sense of the council, on the mournful occasion.

The motion was carried, and the Chair appointed the Councils, Messrs. Bentrose, Waddington and Vandegrift.

FIRST DISTRICT COURT.

After opening of Court yesterday morning, Mr. M. M. Reynolds, the District Attorney rose and informed the Court that the public mourned the death of the Chief Magistrate of the country, and as it seemed ordained by the course of a positive chance for Mr. Reynolds such a meeting tribute to the virtues and services of General Taylor as a man and a citizen of the nation, he moved that a third funeral both, and while he regretted the decease, had sued under great circumstances in the country. As a mark of respect to the memory of the deceased he moved that the Court do now adjourn.

Judge Lorue, respected in all and loved for their virtues and talents. And he regretted the event as much as any one, but he thought equally entitled to the meeting ... country services which the deceased had rendered to the country, and wound up with a strong tribute to the virtues and great character of the departed Patriot and Hero. In testimony of the deep veneration for his memory, Judge Lorue ordered that the Court should stand adjourned for the day as well.

SECOND DISTRICT COURT.

At the opening of the Court yesterday morning the Hon. Judge Lea, announced that the death of General Zachary Taylor, in the following manner and in such manner

The announcement of the death of the President of the United States, which were of a nature most painful to public, have been made the painful duty by the confirmation of official notices received.

In official notice of respect which this Court owes to the memory of the deceased, it is unnecessary, we believe, to give but a feeble expression of profound sorrow which pervades every mind. Whatever differences of opinion may have existed concerning the policy of the President's opinions as a citizen, or in connection with the sterling qualities of the honest firmness of his patriotism, and the great ability by his ... of the unparalleled honor which ... the nation—the hardy valor with which he won his laurels could only be equaled by the unpretending modesty with which he wore ... Jackson to Polk respect which is due to the head of her ... and as one of the most ... General, the memory of the President is to be cherished in the minds of our citizens, with many personal regrets and tender ... sentiments. It will be for the people for ... duty to take such steps as may give a suitable expression to sentiments of public grief and ... to nothing.

It is ordered, therefore, that as a mark of respect to the memory of President Taylor, this Court do now adjourn until Monday morning ... o'clock, at 10 o'clock.

RECORDER GENOIS.

His Honor opened Court yesterday morning for a few moments, to dispose of pressing business, and then adjourned over to Monday, as a mark of respect for the memory of President Taylor.

STATE OF LOUISIANA—HEAD QUARTERS.

New Orleans, July 12, 1850.

ORDER No. 1

The Commander-in-Chief, with the deepest regret, announces to the Militia of the State of Louisiana the death of General Zachary Taylor, late President of the United States.

The exalted station from which he has been so suddenly removed, was the gift of the People of the United States, the reward of a long life of arduous and patriotic devotion to the service of his country. The same people ... gratitude since the soldier, the patriot, and the Chief Magistrate.

Sympathizing with the grief of his fellow-citizens in this occasion and penetrated with the most respect for the memory of the deceased, the Commander-in-Chief directs:

That the officers of the militia wear the usual badge of military mourning—crape on the left arm, and on the hilt of the sword; and that the colors and standards of all companies be shrouded in black for sixty days; and that, on the day after the receipt of this (unless a different time shall have been designated by the citizens or local authorities), guns shall be fired every half hour, from sunrise until sunset, by such ... as are in possession of artillery.

The Major Generals commanding the different divisions of militia are charged with the execution of this order.

JOSEPH WALKER,
Commander-in-Chief.

WM MONAGHAN, Aid-de-camp.

TOKENS OF MOURNING.

A large number of the vessels in port had their colors flying at half mast yesterday, and several public buildings displayed also the National Flag in mourning. To day, in compliance with the proclamation of the Mayor, all the public buildings and shipping in port will display their flags at half-mast. Minute guns will likewise be fired from the different squares of the city.

THE REMAINS OF THE ILLUSTRIOUS DECEASED.

We trust that our State authorities will adopt immediate measures for claiming the remains of Louisiana's favorite son. The sod of his adopted State will press more lightly on the departed Hero, and it is fitting, moreover, that the last ... interment of the illustrious warrior should be committed to the guardianship of the people ... whom he loved so well and so faithfully.

FIRST MUNICIPALITY COUNCIL.

At a special meeting of this body held last evening, the following expressive resolutions were introduced by Mr. Bonneval, and unanimously adopted. They breathe the true spirit of sympathy suitable to the mournful occasion:

WHEREAS it hath pleased the all-wise Ruler of the Universe to remove from this transitory sphere ZACHARY TAYLOR, late President of the United States, and

WHEREAS the Council of Municipality No. One, in common with the citizens of New Orleans, ... deeply afflicted by the irreparable loss that they have sustained in the sudden removal of their Beloved Chief Magistrate, and

WHEREAS it is both fitting and proper that we should give expression to the heartfelt sorrow for the calamity that has befallen us, and should also tender our sincere testimony to the private virtues of the deceased, and to the eminent public services both in the field and in the council.

Be it therefore Resolved, That a Committee of five be appointed by the chair to co-operate with a similar committee from the 2d, 3d Municipalities, and the General Council, in the adoption of suitable ... monuments expressive of the sentiments of the community on the great national bereavement.

Be it also, That this Committee be instructed to urge the necessity of convening a public meeting of the citizens of New Orleans, by the best mode of proclamation for a great public demonstration worthy of the melancholy occasion.

Resolved, That as a testimony of our respect to the public and private character, of the late ZACHARY TAYLOR, and of our grief for his loss, we recommend to the Citizens of the Municipality, to wear crape on the left arm for the period of thirty days.

Resolved, That as a further testimonial of respect to the memory of the late President, this Council Chamber be in mourning for the next ninety days.

Resolved, That from a sincere desire of showing every mark of respect due to the memory of the deceased, and deploring his sudden demise in the meridian of a national glory, we ... decorum of testifying these ... to be ...

Be it Resolved, That the Council Chamber be ... draped in black for six months, and that members and ... wear crape on their left arm for ... days.

Resolved, That the Mayor request the Churches to toll their bells on Saturday the 13th inst.

Resolved, That the Mayor address Mrs. Taylor on behalf of the Municipality, expressive of their sincere condolence and sympathy on the late afflicting ... which has deprived her of a husband, and the Nation of one of its most esteemed and illustrious citizens.

Resolved, That a Committee of three be appointed to consult in connection with Committees from the General Council, and the First and Third Municipalities, and on the part of the citizens ... on the most suitable manner of paying further respect to the memory of the distinguished dead.

Resolved, That the Mayor be requested to transmit a copy of the foregoing preamble and resolutions to Mr. Taylor.

The Chair appointed on said Committee, Messrs. Kershaw, Lawrason and Yancy.

THIRD MUNICIPALITY COUNCIL.

This body met last evening, Recorder Seguin in the chair—seven members present.

A message from the Mayor was read, announcing that the Councils had been convoked in consequence of the melancholy bereavement which the nation now mourns, in the death of General Zachary Taylor, late President of the United States.

The following preamble and resolution were then offered:

WHEREAS, intelligence has reached us of the death of his Excellency Zachary Taylor, President of the United States; and whereas, this Council deeply sympathizes in the bereavement; therefore

Be it Therefore Resolved, That a Committee of three members of this Council be appointed to meet other Committees from the different Municipalities, to make such arrangements as may be deemed proper to pay a suitable tribute to the illustrious dead.

Resolved further, That as a mark of respect to the memory of the deceased, this Council Chamber be draped in mourning for the space of thirty days; and that the Recorder and officers be respectfully requested to wear the usual badge of mourning during that period.

The Council then adjourned.

TEXAS & EGYPT.—The Savannah Republican says that Gibbs, the pirate, who was executed in New York about twenty years ago, declared that a large treasure was concealed in Cumberland Island, on the extreme southern line of Georgia, and described the place. Many ... have been made for it, but in vain. A few days ago, however, three strangers landed on the island, and remained a few hours. But since their departure a deeply marked path has been discovered from the beach to the sand-hill, and then a hole about eight feet deep and thirty in circumference at the top. They had cut through palmetto roots in excavating. The negroes represent that they had not worked by day, and that a good road runs parallel throughout the wood to the path they had made, but they had avoided the road. The men went off in an open boat to the schooner Belknap, bound for Charleston. The collector has sent the cutter after her, with orders to inspect her cargo and ascertain what thus ... singular movements mean.

It is supposed that they went off with a large amount of treasure; it may be, however, it was only a "flam in their ear."

NEW WORKS.—We are indebted to the publishers, Messrs. Harper & Brothers, through the politeness of Mr. J. B. Steel, for the following new publications:

Harper's New Monthly Magazine.—This is the first number of one of the most useful and interesting periodicals ever presented to the public. It possesses three essential qualifications: excellent print, exceeding cheapness, and extreme taste in the selection of articles from the leading American and English Magazines. This publication ought to attain an immense circulation.

Lazy Day Pamphlets, by Thomas Carlyle. No. 5. The Stump Oration. These pamphlets are collections of the gifted genius of Carlyle, peculiar and abundant share of that queer originality, for which the author is so much celebrated.

Pictorial Field-Book of the Revolution, No. 2. This work is got up with much taste, and the subject of which it treats:—the struggles of our forefathers in the attainment of American independence—renders it desirable that the book should be in the hands of every family.

Reynard Hastings.—An historical novel by Elliot Warburton. We have not had time to glance at the book, but the author is well known as a writer of merit, having already introduced to public notice several successful romances.

The Decline and Fall of the Roman Empire, by Gibbon, vol. 1.—We have no need to speak of this classical work. Suffice it to say, that it is got up in exquisite style, and will be completed in six volumes. A rage edition of Gibbon was very much to be desired.

The Pillars of Hercules, or Travels in Spain and Morocco, by David Urquhart, member of Parliament. This is altogether a new work, on the merits of which we cannot pronounce before a thorough perusal.

LATE FROM BUENOS AYRES.—Letters received at Boston, from Buenos Ayres, dated April 19th, state that Rosas would not treat with the French Minister, for the purpose of adjusting the difficulties between the two nations. The reason for the refusal was said to be the fact that the Minister was hooted up by so large a naval and military force.

BY MAGNETIC TELEGRAPH.

We copy the following despatches from yesterday Evening's Picayune:

BALTIMORE, July 7, 1850.

Professor Webster's Confession.

The confession of Professor Webster is not credited by the Council of Massachusetts, and further arguments were called for. Mrs. Webster and her daughters appeared before the Council on Friday (5th.) The scene which ensued is described as most heart rending. The Council adjourned till Monday.

The Galphin Affair.

The House is discussing the Galphin claim. A resolution has been introduced calling on Mr. Crawford to refund

SECOND DESPATCH

BALTIMORE, Tuesday, July 9.

On Monday, 8th, the House passed the majority report of the Galphin Claim Committee, by a vote of 109 to 59.

The Wheeling Bridge Case.

It is reported that Chancellor Walworth has decided the Wheeling bridge to be a nuisance

[Telegraphed to the Merchants' Exchange.]

BALTIMORE, Wednesday, July 10.

The fire at Philadelphia last night extended over four squares, included between Race, Callowhill Wharf and Second streets. Several lives were lost by the explosion of saltpetre and the falling of walls. About twenty or thirty houses were burned to day. The fire spread from house to house with great rapidity. Among the sufferers are Ridgeway & Budd, flour merchants; Wright & Nephews, salt merchants and flour factors. The loss is roughly calculated at a million and a half of dollars.

MOBILE, July 10, 1850.

Eastern mail arrived to day, bringing New York dates to the 1st, 2d and 3d.

☞ The mail fail yesterday.

COLUMBUS (GA.) COTTON FACTORIES.—There are three large cotton factories at this point. The Cowetta Falls Manufacturing Company 2200 spindles, makes 1800 yards heavy osnaburgs per day, and employs 118 boys and girls. Carter's Factory, calculated for 200 looms and 10,000 spindles, and employs over 300 hands; the Howard Manufacturing Company, 103 looms, 5,000 spindles, manufactures per day 15,000 yards osnaburgs, sheetings and shirtings, and consumes annually 1200 bales cotton. In addition to these, the enterprising citizens of Columbus have several of the finest flouring mills in the south, besides one or two Planing and Variety mills, the Rock Island Paper Mill, and two large Iron Foundries. Columbus is fast becoming the Lowell of the South. We are glad to perceive these positive evidences of their entire soundness on the Southern question.

☞ We are obliged, for want of space, to abridge the usual amount of matter in our columns, and to leave out several articles prepared for this day's paper. The length of the proceedings of the Council, which we publish to day, precludes us from giving more variety to our extracts.

MISSISSIPPI.—ELECTION OF SECRETARY OF STATE.—The returns are now all in, and the vote stands: For Gen. Joseph Bell, democrat, 6,018; F. W. Quarkenlouse, whig, 4,916; Col John A. Wilcox, democrat, 2,160; Capt Wm. J. Daniel, democrat, 1,022; scattering, 252. Majority of Gen. Bell over his Whig competitor, 91, over all others, 1,406.

DEPARTS AND MOVEMENTS OF THE ARMY.—The Secretary of War has given official notice, that agreeably to the provisions of an act to increase the rank and file of the army and to encourage enlistments, approved June 17th, 1850, the compliment of light artillery will be increased to sixty four privates each. He also directs that the several companies of the army serving at the military posts in Texas, New Mexico, California, and Oregon, as well as those stationed at Forts Snelling and Gaines, on the Upper Mississippi, at Forts Kearny and Laramie, on the route to Oregon, and at posts to be established on the Des Moines, Cannidian and Upper Arkansas rivers, will each be increased to seventy four privates. Portions of the infantry companies in Texas and New Mexico, and at the Cannidian and Arkansas posts, where there may be no regularly mounted force, will be properly equipped and mounted as cavalry.

MILITARY EXCURSION.—The Third Company of the battalion of artillery, under the command of Capt E. L. Reiser, will leave on Sunday next in the steamboat *Oliver*, on an excursion for ball practice with musketoons. The excellent band of music of the *Yagere*, under the direction of Hapf, will accompany the battalion.

☞ The steamboat *Lenora* leaves to-day on the arrival of the P. o'clock cars for Covington, taking over such members of the I. O. O. F. as may wish to attend the St Tammany Lodge. The steamboat *Iona Lind* will leave also to-day, on the arrival of the 1 o'clock, p. m. cars, and again on a pleasure excursion on the arrival of the 8 o'clock cars to morrow, Sunday morning; returning for 7 o'clock cars in the evening.

MEXICAN BOUNDARY COMMISSION.—John R. Bartlett, Commissioner to run the boundary line between the United States and Mexico, has organized his corps of engineers, surveyors, &c. The point of departure has been changed from the Pacific to the Atlantic side, and the commission will resume the survey on the 1st of November next, at the point left off last March, with the same officers and assistants as heretofore employed, with the exception of Mr. Kwasizsky.

The Court do not find that the proofs are satisfactory and ordered that her brother in law be recognized as tutor and be ...

Judge Lorue, in entering up his decision, made some very lecturing and appropriate remarks, in which he stated that the Court was not only vested with the care of the legal rights of infants, but it was its duty to regard their morals also, and to prevent in the case that the girl had abandoned her family, and taken up with a low man of color, and it was eminently a case which called for the interposition of the law. He should therefore expect the minor to be left entirely open to the influences of the Court. He trusted she would see the error of her ways, and save herself from the ruin and misery in which she was involved, if suffered to move in the ... she was then moving.

Mr. Walker suggested that the Court should take lead and strike the first blow for liberty. Gov. Quitman, and every other noble-hearted Mississippian, would sympathize in leading, bleed and die with those engaged in a struggle for their rights. We also join the part. Gov Quitman did so in 1836, when the cry of help came from Texas, then struggling for freedom from a state of vassalage kindred to that which Spain everywhere imposes upon her ... possessions and colonies.—He then went at the head of brave Mississippians, to crush the tyranny of Mexico.

Should a similar cry come from Cuba—the war-shrink of duce determined to throw off one of the most galling yokes ever imposed upon them having heaven's broad seal of freedom on their foreheads, no doubt the chivalry of Mississippi would respond to the call. Then the voice of Quitman would doubtless be heard away ... the combat, as it was above the roar and tumult of the cannon upon the Heights de Belen, in the storming of Mexico. In such circumstances, it would be as glorious for Quitman to lead as it was for Lafayette in 1776. Until then, however, traitors and Grand Jurors must content themselves with indicting Gov. Quitman with the offence of having in his heart an unquenchable love of freedom.

THE CUBA AFFAIR.—We use the following extract from a telegraphic despatch to the Philadelphia North American:

"The U. S. war steamer Vixen sailed from this port to-day for Havana, with Com. Morris, as a special agent of the Government to make the demand for the American prisoners captured by the Spanish officers off Cardenas and Contoy. It is not intended that Com. Morris shall supersede Com. Parker in the command of the Home Squadron, but he is detailed for this special duty.

"The demand now about to be made will, it is presumed, accelerate the decision of the court referred to, or, in any event, induce some decided action on the part of Mr. Calderon. It, however, the application for the surrender of the prisoners should be positively refused, the subject will be presented to Congress. Whatever may be the result of the present expedition, it will at least have a tendency to put the vexed question into a tangible shape. Com. Morris, should he even fail in obtaining the prisoners, will secure a positive answer to his demand for them, as the effect either that they will be released, or that they will not. He is both discreet and firm, and upon his report, whatever it may be, our Government will be prepared to act finally and resolutely. It is not feared, notwithstanding the awkward complications which this affair has assumed, that any serious disturbances will grow out of it, and it is certain that those who imagine the Count Alcoy should have lost his senses."

CONGRESS.

The following are the reports of the proceedings on the 1st and 3d inst.:

SITTING OF TUESDAY, July 9, 1850

The Council met this day, on a convocation of the Mayor.

The members present were the Hon. J. Genois, Recorder and President, Aldermen Bentrose, Bertus, Fabre, Jamesonville, Landis, Lee, Leftwich, McAlpin, Ramos, and Seth—11.

Absent—Aldermen Dupre, Hepp and Mercer—3

Aldermen Blanque and Gaudet were absent on leave—2.

On motion, the reading of the journal was dispensed with, and the President authorized to sign the same.

Mr. Fabre moved for a dispensation of the rules, to take up that part of the report of the Improvement Committee which was not acted upon at the last sitting. Said motion being carried, the Council adopted the report refusing the petition of Dr. Hodge, Esq., to erect wooden houses, instead of brick buildings, on the south margin of Poydras street, the following resolution:

Resolved, That the Surveyor be and he is hereby authorized to leave the iron bars now in the depot lengthened or shortened, in order that they may be used in the bridges of Minnie, Villere, Robertson and Claiborne street.

The following message from the Mayor was read

MAYORALTY OF NEW ORLEANS, 9th July, 1850.

To the Honorable President and members of the Council of Municipality No. One:

GENTLEMEN—In pursuance of the provisions of the Act of 1850, entitled "An act to provide for the payment of the debt of the Old Corporation, and the capital which is over a million of dollars, must remain untouched. The First Municipality had a suit to have that amount refunded, and the Supreme Court decided that the interest of the capital was only to be applied to the payment of the city debt, and that the Commissioners of the Sinking Fund were bound to invest the capital in the manner the Court do not see any reason why the Council should not accept Judge Garland, who said, "that perhaps the State may have a right to exercise a veto upon the amount. There is no doubt in my opinion, that the First Municipality is the political body which withdrew the entire amount of said capital, after the final settlement of the debt of the old city, and the 7th section makes it the duty of the Board of Liquidators to pay over to the Municipalities the vested right out of the First Municipality. Upon the ground the Act of 1850 appears to me repugnant to the Constitution of the United States, and contrary to the constitution of the State of Louisiana.

I would refer you to many other dispositions of the Act of 1850, which are both repugnant to our federal compact and to our State constitution, but I forbear to say, that the whole law is unconstitutional.

I do not deny that so far as political corporations are concerned, the Legislature has the power to make a change of Administrators, but the duty imposed upon the Board of Liquidators by the Act is not in the granted by our constitution to obligations resulting from contracts, otherwise the law creating those boards would be a mere nullity.

Now there are three reasons in my opinion to test the constitutionality of the whole Act of 1850.

1st. The law imposes a tax upon the sale of the assets, in violating the unconstitutionality of the law.

I do not suppose this needs, however, in case the Municipality should be the party cast, they would be exposed to pay twenty five per cent damages, and ten per cent interest.

2d. The second reason is to refuse to pay to the Board of Liquidators the share they demand from the Municipality for her part in the payment of the debt of the old Corporation.

On that refusal the Liquidators will sue the Municipality, and we, in our defence will plead the unconstitutionality of the Act of 1850.

3d. The third reason, if it could be attained would be the shortest—to refuse to appoint Commissioners of the Act of 1850 had not been adopted. Commissioners of the Sinking Fund for executing the acts of 1836, 1837, and those Commissioners, in my opinion, would be justified against the Board of Liquidators by any of their ... and would be under no obligations to ... any power or authority. Merely every act ... would constitute ... until the country is governed, ... declared unconstitutional in all its ...

I remain, gentlemen respectfully,

Your obedient servant,
ROBERT PREAUX
Attorney of Municipality No. One.

With leave, Mr. Preaux offered the following resolution, which was referred to the Committee of Finance:

Resolved, That the Committee of three be appointed by the Chair to confer with similar committees from the Second and Third Municipalities, for the purpose of ascertaining the views of the Boards of Liquidators of the Old Banking Fund are not composed of the Boards of Directors of the New Banking Fund, and whether it would be advantageous to the several Municipalities to have the fund the whole law, affecting the expense of our Attorney, unnecessarily ...

Mr. Fabre moved that the Mayor be requested to form a Board of Appraisers to value the assets of the Commercial and Third Municipalities.

The Chair referred the motion to the Committee of Finance, Messrs. Fabre, Bertus and Mercer.

With leave, Mr. Bertus presented a letter from Messrs. Fisher & Bro., remonstrating against the ... which was referred to the Committee of Finance.

Mr. Bertus presented the following resolution:

Resolved, That the Mayor be requested to cause to be published in the newspapers of this city, the ... of the Finance Committee, relative to the ... of the Old Banking Fund, which was made the special order of the day for this sitting.

Mr. Laughlin, chairman of the Finance Committee, submitted the following reports and resolutions, which, on motion, were severally and repeatedly adopted, the rules being dispensed with:

The Finance Committee to whom was referred the petition of Wm. Campbell, Esq., in relation to the ... of the Old Banking Fund, have considered the ... and ... favorable report thereon, and ... the Governor, ... of opinion that the ... should ... be granted. They, therefore, offer the following resolution:

Resolved, That the Treasurer pay on the warrant of the Mayor, to Wm. Campbell, the sum of $311 ... of the Old Banking Fund, this day drawn ... payable due him for surveying as State Commissioner.

They have also examined the claim of George Hepp, Esq., Deputy Assessor, and are of opinion that he is entitled to be refunded the amount of ... paid by him over and above the tax fixed ... by the General Council on such ... duties. They therefore, offer the following resolution

Resolved, That the Treasurer pay on the warrant of the Mayor, to John L. Lewis, Sheriff of the Parish of Orleans, for having conveyed to the Lunatic Asylum, at Jackson, a lunatic, including all ... fees, the sum of ... $30 50

Also, in favor of the same, for maintenance of prisoners, from 1st April to 30th June, 1850, the sum of ... $287 25

There are a few more claims referred to the Committee, which cannot be acted upon at present, inasmuch as it has been impossible to obtain such information as would enable the Committee to do so.

In justice to himself (the Chairman) he must say further, that during his absence on leave to Mississippi, (2) the Board of Liquidators applied to the Council for the amount of $100,000 to pay the municipality No. One, which application had been referred to the Finance Committee. On Saturday the 29th of June last, the Chairman being at the Comptroller's office, received from said officer several ... for his consideration; amongst which was the aforesaid application of said Board, not knowing then that the Council had already acted on the same, but that a Judiciary decision had been obtained on the subject, the Chairman made the allegations contained in the report of the last sitting. Which report was submitted to his two colleagues who signed the same. Had the Chairman been informed at that time of the facts above recited, the suggestions would have been averted from the report. In conclusion, and for the satisfaction of the Council, the Committee respectfully beg leave to submit herewith the opinion of the Municipal Attorney, recommending the appointment of Commissioners of the old Sinking Fund agreeably to the Act of 1836, and they also beg leave to offer the following resolution:

Resolved, That so much as relates to the Sinking Funds in the report of the Finance Committee under date of the 3d July, instant, be, and the same is annulled.

All of which is respectfully submitted.
(Signed) WM. LAUGLIN, Chairman.
L. F. MAXENT.

Mr. Maxent takes his seat.

On motion to adopt the report relative to the suggestions made by the Chairman of the Committee, in his report of the last sitting, the yeas and nays being called for, it appeared that Mr. McAlpin, voted in the negative, and that Messrs. Chark, Dupre, Fabre, Landis, Lynd, Laughlin, Maxent, Ramos and Seth—10, voted in the affirmative.

NEW ORLEANS, 5th July, 1850.

To the Hon. Wm. Laughlin, Chairman of the Finance Committee of Municipality No. One:

SIR—Several petitions have been presented to deliver sundry lots of ground ... from use

So far as the Sinking Funds of the Municipality are concerned, the question has been already decided by judgment of a competent Court; the proceedings of the Act of 1847 must be obeyed, those funds are under the special control of the Mayor, Recorder, Treasurer, Comptroller and the Finance Committee, and the Municipality have not deviated themselves of it.

The only questions to be examined are, to wit: 1st. Must Municipality No. One pay to the Board of Liquidators her share in the amount necessary to pay the debts of the Old Corporation?

2d. Has Municipality No. One the right to take steps for the purpose of preventing the Board of Liquidators to sell for a sacrifice any of the old Banking Fund?

Such, I believe, are the two questions upon which my opinion was demanded by you and I may say by some other gentlemen, members of the Council.

The solution of these questions depends on the constitutionality of the Act of 1850. If the Act is constitutional, they must be answered affirmatively, and if it is unconstitutional, they must be answered negatively.

My honest conviction is that the whole Act of 1850 is unconstitutional, but I cannot, as I gave you only the opinion of a man; there are positive ... matters, which appear very clear to lawyers, when on the subject land are the most considered by a Court of Justice. Who is right and who is wrong, the lawyers or Courts of Justice—God only knows.

By the Act of division, 1836, Section 15th, the Legislature has pointed out the means for the payment of the debt of the Old Corporation. In reading that section it is easy to perceive that the present assets of the Old Banking Fund are not composed ... of the Old Banking Fund are not composed ... of the Old Banking Fund are not composed ...