The New-Orleans Bee.

No. 1492. Vol. X.—NEW SERIES. Vol. XXIX—Whole No. 6471.

OFFICIAL PAPER OF THE STATE ..... NEW-ORLEANS, THURSDAY MORNING, FEBRUARY 27, 1851

G. F. WEISSE, Proprietor. NO. 83 CHARTRES STREET.

TERMS OF THE BEE.

DAILY PAPER, (one year in advance) $12 00
COUNTRY PAPER, (semi weekly, (one year in advance,) 5 00

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The New-Orleans Daily Bee.

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

Thursday Morning, Feb. 27, 1851.

☞ The Northern Mail failed yesterday from beyond Montgomery.

THE BOSTON OUTRAGE.

The Northern papers are filled with comments upon the recent rescue in Boston, of a fugitive slave. Nearly every journal speaks of it in strong outrage in fitting terms of indignation and censure. Even the Boston *Atlas* qualifies it as a "high handed act;" while the other presses of that city are bold and uncompromising in their denunciation of the parties to the deed, and in calling for the speedy and condign punishment. As all the information calculated to throw light on the affair must prove interesting, we make no apology for publishing the annexed affidavit of Mr. PATRICK RILEY, Deputy United States Marshal at Boston, which appears in the *Atlas* of the 17th.

COMMONWEALTH OF MASSACHUSETTS.

SUFFOLK COUNTY.

I, Patrick Riley, of Boston, in the said county, Constable at Law, having been duly sworn, depose and say, that I am, and have been, for fourteen years past, the principal deputy of the United States Marshal for the District of Massachusetts.

That on Saturday morning, February 15th, 1851, at 10 minutes before 8 o'clock, A. M., I was called upon at my residence by Frederick Wainright, one of the United States Deputy Marshals, who informed me that there was a negro man, an alleged fugitive, to be arrested at eight o'clock, who was supposed to be at Ford's Cornhill Coffee House, near the Court House; and desired to know where the negro could be put in case he should be arrested before I reached the office. That I told him to place him in the United States Court Room—and that I would come to the office immediately. That I came down almost immediately to the office, where I arrived shortly after 8 o'clock and there found Mr. Warren, who informed me that the negro was unknown to Mr. Sawin, Deputy Marshal, to whom the warrant was handed on the night previous; as I have been informed, though no notice of it had been given to any officer of the Marshal's office—and that the negro was unknown to any one of the Marshal's Deputies or assistants,—that Mr. Warren informed me that Mr. Sawin had gone to find the man, who, by previous arrangement was to point out the negro, and who had not shown himself as agreed; that I remained in the court house giving directions and making preparations to secure the negro when arrested, and awaiting the return of Mr. Sawin—that I saw him enter ten o'clock, and he informed me that he had seen the parties in interest, and that it had been arranged not to attempt the arrest until 11 o'clock—that I told him that it should not be delayed one moment, and directed him to notify the man who was to point him out to come instantly,—that he left for that purpose, and in ten minutes before 11 returned, and said that the parties were about Tait's Coffee House, and that the man engaged were also in readiness in that neighborhood; that I went immediately with Mr Warren, Mr. John H. Rand, and other deputies to the said Coffee House, and there found an our men, nine in number, stationed in and about the place—that there were several negroes in and about the house, and I inquired for the man who was to point out the alleged fugitive, and was informed that he had not arrived,—that Mr. Warren and myself went immediately into the dining hall at the Coffee House, and to avoid suspicion, ordered some coffee, and were waited upon by a negro, who subsequently proved to be the alleged fugitive,—that, not hearing anything from our assistants, we took our coffee, came to go out and learn why we had not heard from them,—that the negro went before us to the hall room, with the money to pay for the coffee, and in the passage between the bar-room and hall, Mr. Sawin and Mr. Byrne came up, and each took a charge by an arm, and walked him out of the back passage way through a building between the Coffee House and the square beside the Court House to the Court Room, as by me directed.

That I immediately, while he was entering the Court House, went to the office of the City Marshal, in the City Hall, in the same square with the Court House, and there saw Mr. Francis Tukey, the City Marshal, told him what had been done, and stated that as there would probably be a great crowd, his presence with the police would be needed to preserve order, and keep the peace in and about the Court House, which is owned by the city, and in which is the Chamber of the Common Council. Suffolk county are held—that Mr. Tukey stated that it would be attended to—that I had been I should say by the Mayor instantly and proceeded up stairs to the Mayor's office, where I found Hon. John P. Bigelow, Mayor of the city, and to him the same communication and request for him which I had made to Mr. Tukey, to wit, to go to the Navy Yard for a marine force, about two miles distant, and ask Commodore Dowses whether, should a delay or adjournment take place, the Navy Yard might be used as a place of detention, the United States not being permitted by the law of the State to use the jail, and having none of their own. That the examination proceeded, and after the reading of certain documents, presented by the claimant's counsel, and some disagreement, Commissioner decided to grant the demand. Tuesday following, one 11 o'clock, A. M. That the counsel for the prisoner asked of the Commissioner if they might not remain and hear the conclusion with the prisoner, and examine with him the papers presented, to which the Commissioner assented, that the court room was cleared to be cleared, and was cleared of all save some fifteen officers, being all the reliable men whom we had been able to collect, the counsel, and some newspaper reporters; that Mr. Warren, at this time, which was about half past 12, returned from the Navy Yard, and informed me that he had seen Commodore Dowses, who said he could not grant my request—that I dispatched what officers I could spare, to ask such of their friends to remain as would assist, and to procure all the assistance I could possible, intending to use the Court House as a place of detention; that Mr. George T. Curtis, Esq., also left; that crowds of men and others began to gather about the Court House and in the passage ways leading to the Court House—that I went to one of the messengers who had charge of the building, and desired him to have all the court house doors closed as soon as possible which were not necessary for use.

That, at or before one o'clock, Mr. Ebenezer Noyes, the messenger of the United States Court, was dispatched to the City Marshal, which he informed that the United States Marshal wanted every man he could send to keep the peace in and about the Court House, to which the City Marshal replied that he had no men in, but would send them out as they came in. That at about two o'clock, all the available force of the City Marshal, and a guard had left, except Mr. Charles G. Davis and a reporter, who I learned was Elezur Wright, one of the editors of the Commonwealth newspaper; that as the door was opened for them to leave, which opened outwardly, the negroes without, who had filled the passage way on the outside, took hold of the edges of the door as it opened, and then a struggle ensued between the holders of the door within and those without. That Mr. Warren, the deputy, immediately ran to the City Marshal's office, but not finding him in went to the Mayor's office, and was informed that the Mayor was gone to dinner. That he then stated to those in his office that there was a mob in and about the Court House, and called upon them to send men to help to disperse it. That he then returned to the City Marshal's office, found him in his private room, informed him of the trouble in the Court House, and asked him to send all the men he could furnish, and whether he (Mr. Warren) could aid him in getting his men, to which he said he could. Mr. Warren could not assist him in the matter.

That, meanwhile, the struggle at the door continued for some minutes, and the crowd of negroes finally succeeded in forcing the door wide open, rushed in in a great number, overpowered all the officers, surrounded the negro, and he was forced by them through the door, down the stairs, and out of the side door of the Court House, and thence through the streets to the section where most of the negroes of the city reside,—that officers were despatched in pursuit, but have not succeeded in finding his present abode.

That from the time of the first notice to the Mayor and City Marshal, immediately after the arrest, as heretofore stated, to the giving of this deposition, neither the Mayor nor the City Marshal has appeared, nor has a single officer under their direction appeared, or aided in attempting to disperse the mob, or in keeping the peace; and that, in my opinion, it was the predetermined purpose of both not to do their duty in keeping the peace in and about their Court House; for the City Marshal, when requested by Henry S. Hallett, Esq., to disperse a similar mob, which had collected about the office of his father, a United States Commissioner, during the excitement in the 'Crafts' case, said that he had orders not to meddle in the matter, as I am informed by the said Hallett,—and that the City Marshal gave a similar answer to Watson Freeman, Esq., who asked him, at about the same time, why he did not disperse the mob, as I am informed by the said Freeman.

That Charles Devens, Jr. Esq., the United States Marshal for this district, was at the time of the arrest, returning from Washington, where he had gone on imperative official business—that it is proper to state here that neither the Marshal nor his deputy is authorized by law to employ a permanent force sufficient to resist a mob; and that he has no authority to call to his aid the troops of the State, or of the United States. P. RILEY,

U. S. Dep. Marshal, Massachusetts Dist.

Commonwealth of Massachusetts, Suffolk County, February 17, 1851. Then personally appeared the above-named Patrick Riley, and duly swore that the foregoing deposition by him subscribed is true, as to facts stated to be within his personal knowledge—and that he believes that the statements therein given are made to him by others are true.

HORATIO WOODMAN,
Justice of the Peace.

The foregoing statement, while entirely relieving the Marshal, Mr. Devens, from the suspicion of having temporized with the rabble, since it proves that he was at Washington on the day of the outrage, involves the conduct of the city authorities of Boston in the darkest infamy. Mr. RILEY shows clearly enough that he apprehended violence, for he applied to Mr. TUKEY, the City Marshal, and to Mr. BIGELOW, the Mayor, for the assistance of the police. The first promised to attend to the request; and the latter contented himself with an expression of regret at the arrest of the slave. Mr. TUKEY violated his pledge, neither appearing himself nor sending any police officers to aid Mr. RILEY in enforcing the law. Mayor BIGELOW, who seems to be nothing but a tool of the Free-Soilers, evidently intended from the first to withhold all assistance, and to suffer Mr. RILEY to be overpowered, and if needs were, to be killed in the faithful performance of his duty, as a sworn officer of the United States. We do not think that a more disgraceful occurrence has stained the annals of the pious and goodly city of Boston, since the burning of the Catholic Convent.

The telegraph has announced the arrest of ESTHER WRIGHT, the able but fanatic editor of the *Commonwealth*. If the Federal officers entertain a proper conception of their duties, they should institute suit against the Mayor and City Marshal, for conniving at a violation of the laws of the United States. These delinquent functionaries ought to be made to smart for their rascality.

We are very glad to learn that a disposition is manifested on the part of a number of Southern merchants to have no further dealings with Boston, until she can clear her skirts of the pollution which attaches to them, and learns to respect and obey the law of the land. This is the most sanatory remedy that can be employed in the case. Touch the pocket nerve of the fanatics, and the whole system will vibrate to the shock. Teach Boston that the South, which has helped to build her up, will not contribute a dollar more towards her prosperity, until she makes atonement for insult and injury, and stops stealing our property. The lesson will be a profitable one. In less than one year the pecuniary depletion which that sainted city will undergo, will bring it back to its senses, and cool its fevered brain. There is nothing in the pharmacopeia of the South that can by any possibility prove more efficacious than such a prescription. We hope it will be administered by every Southern city in the Union.

ACKNOWLEDGMENT.—His Honor, the Mayor, has requested us to acknowledge the receipt from Mr. LeGrand Smith, of $100 50, which, in addition to $165 75 previously received from the same source, makes a total of $275 25—being the proceeds of admission to the auction sale of tickets for Jenny Lind's concert.—Agreeably to the request of Mr. LeGrand Smith, this amount will be applied to charitable purposes; and we cannot help remarking that the idea of thus ministering to the wants of the poor and the destitute, was a most happy one.

MISS LIND'S NINTH CONCERT takes place tomorrow (Friday) evening, on which occasion she will sing the admired scena and aria from La Sonnambula; an original duett with Signor Belletti, or original Tyrolean melodies, *Non Paventar*, from the Magic Flute, the ballad "By the sad Sea Waves," and the Mountaineer's Song. The programme likewise presents a variety of vocal and instrumental entertainments.

PLACIDE'S VARIETIES.—To-night at the Varieties there is a great attraction in the shape of the successful play of the "Tuneful Nine," and the interesting drama of "North and South, or New York and New Orleans." The strength of the company is displayed in both these pieces.

THE MINT AT PHILADELPHIA.—From the 20th January to the 14th February, the coinage of the Philadelphia Mint amounts to $4,619,243. The present capabilities of the Mint extend to the coinage of from six to seven millions monthly, including a due proportion of quarter eagles and gold dollars.

IMPORTANT ARREST.—On Thursday week Col. Joseph Ottinger, and Mr. Spencer, special agents of the Post Office Department, arrested, at Wilmington, Delaware, the chief clerk of the Post Office in that city, Mr. Samuel Flinn, on the charge of robbing the United States Mail. The accused was taken before Judge Hall, of the United States District Court, and held to bail in the sum of $3,000 to answer at the next term of the Court for the offence. Numerous letters on the line between Baltimore and Philadelphia have been missing, and containing large amounts of money. The Delaware Republican says that a decoy package was placed in the office at Newark, New Jersey, containing $20, and Mr. Ottinger came on the same train, and saw the bag carried to the Wilmington office from the railroad by Mr. Price, the messenger, but the package never came to hand at Philadelphia. In regard to Mr. Flinn's committal, the Republican adds:

"The bail was immediately given, and had it been ten times the amount asked, his friends would have promptly responded, they having the fullest confidence in his innocence. They believe that it is possible that the package never came to this post office, or that it may have been lost in some other way which now seems unaccountable.

EXTRAORDINARY PASSAGE.—The steamer Baltic, Captain Comstock, reached the Mersey on Sunday morning, Jan. 19. She cleared from her wharf at New York on the 8th ult., about a quarter past 12 at noon, and arrived off the Northwest Lightship on Sunday morning, at half-past 4 o'clock, and after a detention off the bar, from the state of the tide, steamed past the Rock Lighthouse precisely at 9 45 A. M., completing the run from port to port, deducting the difference of time and detention off the harbor, in exactly 10 days, 12 hours and 53 minutes. This is one of the most extraordinary passages on record, and, we think without parallel in mid winter. The Baltic was to leave Liverpool again on the 7th inst.

THE TEHUANTEPEC TREATY.—The Washington correspondent of the Charleston *Courier* writes under date of the 17th, as follows:

A special messenger of the U. S. Government arrived here last evening, from Mexico, I learn, removes all difficulties that have existed, in regard to the Tehuantepec route, and the work will be immediately prosecuted under the auspices of enterprising capitalists of the United States. The full assent and guaranty of the Mexican Government was alone wanting for the prosecution and completion of the contemplated communication across the Isthmus of Tehuantepec—which is by far the best and the most practicable of all the routes that have been attempted. The route will be made practicable within a year or two from this time. It will give an impulse to commerce between the Atlantic and Pacific shores, and indeed between Europe and the East Indies.

☞ The severe indisposition of our Reporter will account for, and excuse the paucity of City intelligence in to-day's paper.

THE TELEGRAPH.

We take pleasure in publishing the annexed communication addressed to Mr. ALEXANDER, President of the New Orleans and Washington Line, by a number of respectable gentlemen, forming a Committee of the New Orleans Telegraph Association. The abuses signalized in that letter are familiar to most of those who have been in the habit of employing the Telegraph as a prompt and reliable medium of intelligence. Many other instances of dereliction of duty, gross negligence, or organized chicanery might be cited, in addition to those adduced by the Committee. We trust that the subject will receive the earnest and careful consideration of the President of the Line; since it is more than probable that the continuation of the abuses referred to will ultimately destroy public confidence in the Telegraph, and induce those who now use it, to withdraw from all connection with a Line, of which the influence is wholly impaired by mismanagement, corruption, or both:

To Mr. Eben Alexander, President of the New Orleans and Washington Telegraphic Line.

SIR—The undersigned, acting as a committee on the part of the New Orleans Telegraphic Association would respectfully call your attention to the manifold abuses, and irregularities, constantly occurring on the Line over which you have the management. We are not so unreasonable, Sir, as to suspect that the Line can at all times be kept in working order, or that you would be able in every instance, to detect and punish the negligence or frauds of your numerous subordinates; but we certainly have the right to assume that, with proper energy, there would be fewer causes of just complaint. As the Line is now organized it is an intolerable nuisance, and but one sentiment pervades the public mind in regard to it, which is, that either the grossest negligence, or something worse prevails at some point or points upon the Line. Numerous instances could be cited to prove the correctness of the views here taken, and which have been forced upon us by experience. We will however, cite but two instances at present, in order to satisfy you, that we have just cause for addressing you in the manner we do.

On the 4th of January last, we received early in the forenoon, a despatch from our regular New York correspondent dated December 31st, giving the New York markets; about half past one o'clock on the same day another dated December 30th, and referring to the arrival of the steamer Baltic and the effect of her news upon the New York market, on the same evening about half past 4 o'clock, and after the Baltic's news had been printed, and spread all over the city, we received a third despatch dated New York 31st December, at 4 o'clock P. M., giving us the Baltic's accounts. Presuming that there must be something wrong about this, we at once telegraphed to our reporter in regard to it, and a prompt answer was given, stating that the despatch in question was positively put in the New York Telegraphic office before 12 o'clock on the 30th ult., and despatched at precisely twelve minutes past one o'clock on that day. Here you see there was a falsification of date and time of day. On another occasion when the wires was down between this place and Mobile, and our messenger's despatches (very important ones too) were sent by mail to the Telegraphic office Mobile, instructions accompanied them from Mobile not to deliver them to us until sundry despatches which had been delayed by a failure of the mail between Montgomery and Mobile (the wires being down) had arrived. Fortunately for us these instructions were not obeyed by the superintendent here, otherwise we should not have received our despatches as soon as we did by from twenty-four to forty-eight hours.

Trusting that these brief remarks will soon meet your eye, and that they will have the effect of causing a more rigid supervision over the line.

We remain,

Respectfully &c.
JOSEPH W. CARROLL,
J. G. LEGRAND,
H. G. SCHMIDT,
CHAS. STIRNS,
GEO. O. SWEET,
R. HALLEN,
SAM'L VOGEL,
Committee of New Orleans Telegraphic Association.

TEXAS.

By the arrival of the steamship *Galveston*, Captain Pease, we have received our files of Texas papers to the 22d inst.

☞ We learn from the San Antonio *Ledger* that two engagements had recently taken place between the Indians of the frontier and the United States troops. In the neighborhood of Laredo, the savages made their appearance, and after committing various depradations, were encountered by Lieutenant Walker, of Ford's Rangers.—Two were killed, and two mortally wounded. Lieutenant W. retook 75 mules and horses, and a young Mexican captive, who had been with them two days. On the next day, Lieutenant Burleson had a fight with 15 more of the Indians, killing three of them, and suffering a loss of one man killed and six wounded, himself included.

A gang of negroes were lately discovered in Washington county, who were just preparing to remove in a body to Mexico. They had secreted a large number of arms, horses and provisions in the woods, and would have set out on their journey in a few days, but the plot was discovered in season to defeat all their plans.

We copy the following items from the Houston papers of the 21st.

ICE.—The weather on Saturday night was the coldest that we have experienced since December. Ice formed in open vessels nearly an inch thick, and small pools of water were frozen over. Potatoes and other hardy vegetables however were but little injured.

Notwithstanding the late heavy rains, teams are daily arriving from the country with cotton.

The steamer Farmer ran aground on the shoals near Copper's bar, on the night of Thursday last. The fog was so dense that the Pilot was unable to distinguish the channel, and she ran aground some distance out of her ordinary course. She will probable be afloat again in a few days.

We learn from Capt. Fuller that the Brazos is again rising, and there is every proof yet that it will continue several feet above low water mark during the spring months.

WILD WOMAN CAUGHT.—We have been informed by Mr. Lawrence that the famous Wild Woman of the Navidad has been caught. A party of hunters who were out hunting deer, accidently came upon the camp of this singular creature and captured her. She is an African negress, who fled to those wilds when the settlements were deserted just after Fannin's defeat, and she has been the terror of the surrounding country for a period of about fifteen years. Her food during that period has consisted of acorns, nuts and other wild fruits, with such other food as she could occasionally steal from the neighboring settlements. She cannot speak any English, but converses freely with the Africans on the neighboring plantations. Thus is solved the mystery that has hitherto given a romantic interest to the story of the Wild Woman of the Navidad.

It is said that as soon as the spring opens, Gen. Brooke is determined to begin a campaign—directly into the Indian country, and will punish the savages on their own hunting grounds.

The Victoria Advocate of the 6th instant states that Judge Townsend Dickinson was drowned about three weeks ago in a fresh water lake, 60 miles west of Corpus Christi. Judge Dickinson was travelling from Brownsville to Corpus Christi in company with Mr. Armstrort, and in crossing the lake in the night they missed the road and got into deep water. Armstrong managed to get ashore, but both the horses attached to the buggy in which they were riding were drowned. Judge Dickinson resided in Harrison county, and formerly filled the station of Judge of the Supreme Court of Arkansas.

The Galveston *Journal* says:

The steamer Gen. Hamer, Capt. Webb, engaged in the trade between this port and the Brazos River, struck on the Brazos bar on Sunday last, and losing her rudder became unmanageable. The greater portion of her cargo was thrown overboard, and one of the river steamers went to her assistance on Monday and took off all her passengers. On Tuesday, the schr. Almedia went to the Hamer, and took off the balance of the cargo; and on Tuesday evening, she got off and went inside. We learn that the Hamer sustained some damage to her hull, which caused her to leak badly, but to what extent, we are unable to say. There was no insurance on the boat or a large amount of the cargo, and the damage will therefore fall heaviest on individuals. The cargo of the Hamer was larger and more valuable than any she had taken from this port during the season.

NEW JERSEY.—No election of United States Senator had been effected in the Legislature at the last accounts, Stockton, (D.) and Dayton, (W.) running neck and neck, and the "scattering" defeating a choice.

WATER IN THE HUMAN BODY.—A man weighing 140 lbs., if squeezed under a hydraulic press, 105 pounds of water would run out of him, and only 35 pounds of solid dry matter would remain. A beef steak pressed between blotting paper under a press, gives out four-fifths of its weights in water. Water, therefore, is the first necessary of life, and this accounts for the healthiness of those districts where good water is supplied to the inhabitants.

CONGRESS.

In the SENATE, on the 18th instant, Mr. Cooper presented a petition from members of the Legislature of Pennsylvania in favor of establishing a line of steamers to Africa; also, nine petitions for a modification of the tariff of 1846.

Jefferson Davis offered a resolution providing for a revision of the debates of Congress, which was laid on the table.

Mr. Walker offered a resolution declaring as the opinion of the Senate, that the expenses of the army should be reduced.

Mr. Clay's resolution of the day before, calling on the President for information respecting the negro mob in Boston, was taken up. Mr. Clay pronounced the mob a gross outrage and an infamous proceeding. After debate, the resolution was adopted.

The Senate then took up the Cheap Postage bill. The amendment making a uniform postage of two cents on all letters pre-paid, was rejected—yeas 7, nays 41.

After further amendments, the Senate adjourned.

In the HOUSE, the Committee on Military Affairs was discharged from the further consideration of so much of the report of the Board of Army and Navy Officers, assembled by the President, as relates to staff commissions and brevet ranks, which they recommended for adoption.

The House then resolved itself into Committee of the Whole, and took up the River and Harbor bill.

During the debate, an effort was made on one side to show that the bill was an infamous system of logrolling and unconstitutional, and, on the other side, that it was the reverse.

The substitute for the original bill nearly similar, was adopted.

TO THE PUBLIC.

It is with great reluctance that I have again to address myself to the public, through the medium of the press. Unbecoming and undignified as this controversy assuredly is, yet the community will bear me out in the assertion, that for it, I am by no means responsible. I have been in a most disconcerted and unjustifiable manner dragged into the arena, and having sprung to my feet to do battle, I can, now, neither falter nor fly. Either the one or the other would be totally adverse to every principle of my nature.

The distinguished Secretary has seen proper to seek the tribunal of the people. Before no tribunal have I ever been known to shrink or blench. Before this tribunal I appear clothed with the hardy panoply of honest intentions—I court its verdict.

A communication appearing in the columns of the *Louisiana Courier*, of the 24th inst., over the signature of the Honorable Charles Gayarre, and addressed to the undersigned, has attracted my attention. There much a confused admixture of facts and romance in that communication, that it is difficult to separate the one from the other.

He starts out with the assertion, that "on the 6th and 7th of February last, we proceeded together, as the Board of Currency, to the examination of the several Banks located in the city of New Orleans."

In this whole paragraph there is not one word of truth. Mr. Gayarre, as has been almost uniformly his courteous practice, proceeded without me, and without giving me notice, *alone* to the examination of the Banks, notwithstanding I had distinctly told him prior to his leaving Baton Rouge, that I would certainly be in the city on the morning of the 7th—Yet, on the 6th, he proceeded to examine some of the Banks, and on the morning of the 7th, I called at the office of the Board of Currency, and finding no one there, I walked to the Custom-house, when I was informed that Mr. Gayarre was with the clerk examining the Banks. I intercepted him at the Mechanics' and Traders' Bank, and from thence we proceeded to visit the Canal Bank together, that Bank being the only remaining one unexamined by him. This statement is susceptible of irrefragable proof, and I presume will not even be denied by Mr. Gayarre. I submit it to the community, yea, to Mr. Gayarre, whether this conduct was either courteous or decorous. Was it not sufficient to arouse all my indignation. It did rifle my feelings, but I was capable of suppressing them I did suppress them. Did not my conduct on this occasion evince a strong desire and determination to act with prudence and forbearance? This has been almost the uniform course of Mr. Gayarre since I became a member of the Board. He has assumed to an independent of me, in act he has assumed to act as "The Board of Currency." I have assumed no such powers. I have been guilty of no such disturbing and indecorous conduct.—The clerk, as well as the officers of the several Banks of the city, will do me the justice to affirm that I have never pretended to examine aught of their institutions. I did not question, however, the right of each member of the Board to examine them separately, if he chooses—but he can do this only as a *member*. What right has a member to spread his *proceedings* on the minutes of the Board, and designate them by "The Board of Currency this day proceeded," etc. Is he not then acting as the Board of Currency?

But to give full proof of my good nature, I went so far as to tell Mr Gayarre, that I would sign the minutes as though I had examined all the Banks with him, Mr. Gayarre stating that it was a mere matter of form and that the Banks were in a good condition. After we reached the Canal Bank, Mr. Gayarre directed my attention to his supposed state of facts, as connected with the Louisiana State Bank. I did not at first blush understand the state of the question, and we agreed to walk round to the Bank ask an explanation, which we accordingly did. The Cashier of the Bank referred us to the law of 1850, creating the Branch at Baton Rouge. Mr. Gayarre denounced that law as unconstitutional. I defended the law against that position, giving my reasons briefly. Mr. Gayarre stated that the law granted power to the Bank to make unlimited operations. I must confess, at the moment, I agreed with him and so expressed my self; and in fact, in writing my answer to his "Report," I had made some observations regarding the inexpediency of such a law. But upon a careful revision of the law, I found that it had expressly reserved in the proviso all the restrictions contained in the law of 1842, and embraced in sections one and two. I will interrupt the chain of the narrative for a moment, in order to make some observations upon the *restrictions* contained in the charter of the Bank, to which the Secretary of State has referred in his "Report," and the *restrictions* contained in the law of 1842, and particularly referred to in the Act of 1850. The Secretary of State has laid great stress upon the *restrictions* contained in the charter. He has overlooked to that gentleman that the sections containing these *restrictions* have been *repealed* by the law of 1842. He seems, from the whole tenor of his statement to be totally unaware of the fact. But upon a careful analysis of the law of 1842, first section and first paragraph, to a mind capable of the slightest comprehension, this fact will appear. I do not intend to extend an argument on a point of so little importance.

SEC. 1. *Be it enacted, etc.*, That the Charters, of all the Incorporated Banks in the city of New Orleans be, and the same are hereby, *severally and respectively revived*, and all the powers, rights, privileges, immunities, limitations, prohibitions and *restrictions* contained in *said charters* are hereby, renewed, extended, and made applicable in full force to each said Banks, respectively *subject to the limitations and provisions hereinafter contained, provided*," etc. It appears that the *restrictions* contained in the charter of the Banks, and all laws sumendatory thereof are "*subject to the restrictions and provisions*" of the law of 1842, and that the law of 1850, as before stated, has expressly *reserved* all the restrictions of said law contained in the first and second sections thereof. Now, had I time, and it would not swell this communication beyond proper limits, I could show thus the Secretary of State has comprehended other portions of the law of 1842 equally as well.

But to resume the chain of narrative. After the brief argument between Mr. Gayarre and myself in the room of the Cashier of the Louisiana State Bank, we separated. On Saturday morning, I learnt from Mr. Lonie Legendre, Clerk of the Board, that Mr. Gayarre was preparing some document. I imagined very properly that it related to the matter in controversy between us the day previous and was anxious to see it. I went therefore, on my leaving called at the office of the Board of Currency, and not finding it spread on the minutes, I proceeded to the Custom-house and asked Mr. Legendre if Mr. Gayarre had yet handed him the paper he was preparing. Mr. Legendre replied that he had not, but expressed a belief that it had been deposited in the box of the office of the Board, as Mr. Gayarre had expressed the intention of dropping it in there. Mr. Legendre and myself accordingly went round to the office, but there was nothing to be found. An hour afterwards, it appears, Mr. Gayarre went to the Custom-house, *proceeded* with the Clerk to the office, and there had spread upon the minutes, that mysterious caption that so significantly appeared in italics in his elected organ, and after having said caption thus spread upon the minutes, walked off with the *original* in his breeches' pocket, to the office of the *True Delta*. Now, how under the state of facts, could the Clerk give a copy on one prior to its publication? Mr. Gayarre states, "on Sunday, the 9th, I reduced my reasons to writing, and early on Monday, the 10th, repaired to the office of the Board of Currency, and told our Clerk that I had a communication to submit to you. He answered that you had not put up at any of the hotels, and that he did not know where to find you. *What was to be done, Sir?*" Why, sir, in accordance with that miserable precedent which you had set, you should have spread it on the minutes of the Board. This would have been a notification to me, at least. I would have had an opportunity of seeing it before I saw it in the newspapers.

But Mr. Legendre and I had separated only an hour before, and can any one believe that Mr. Legendre failed to inform him that I had called and was anxious to see the paper.

But an extraordinary discourteous and indecorous as this whole proceeding is, it is not more extraordinary than the *reasons* he assigns for the publication of this "report" in the speech he made to Mr. Legendre in the Customhouse. Read them—"You are now very busy at the Customhouse. The papers and the public have taken hold of this affair, without knowing very well on what it turns. There is a good deal of excitement; some talk of a run on the Bank. I think it will be best, in *justice to the Bank*, (God save the mark) and to *allay apprehensions*, to publish immediately my report, and to show the public that the *present solidity* of the *Bank* is not *questioned*, but that nothing but the right of the Bank to extend its operations under a certain act of 1850, is controverted. As soon as my *manuscript is published*, you will copy it on the *record*, and in order to save you the trouble of preparing another manuscript copy, you will furnish my colleague with a printed one. He will then have time to state his objections at leisure."

In the latter part of this harangue, it will be noticed, Mr. Gayarre admits the truth of my whole statement about the manner of this publication.

But Mr. Gayarre states that his *motives* for the publication of his "report" were "*to allay apprehensions*" and "to show the public that the *present solidity* of the Bank is not *questioned*."

The community will take in connection with this statement of Mr. Gayarre, the following facts: On the evening of the 8th inst., the *Louisiana Courrier* issued with an editorial on the French side calculated, in an eminent degree, to arouse "*apprehensions*" as to "the present solidity of the Bank."

After the reasons Mr. Garrayre has assigned for the publication of his "report," will not the community be astounded to learn that the article of the *Courrier was based upon information* furnished by Mr. Gayarre himself? The article itself, (to which the community is respectfully referred,) states that the information is official or semi-official. This article was intended as the great precursor of this *ex parte* document of Mr. Gayarre. There were then no "*apprehensions*" existing in the public mind with regard to "the present solidity of the Bank." But some excitement must be created, some "apprehensions" aroused, in order that the community should be on tip toe to receive the "report," to be published in the columns of the *True Delta*—thus "report" that was "to allay apprehensions" as to "the present solidity of the Bank."

I lay before the public the letter of the Hon. Peter Deverges, in reply to one addressed to him by me:

NEW ORLEANS, Feb, 25, 1851.

Hon. Geo. C. McWhorter:

SIR—In answer to your letter of this date, I shall state, that on Monday, the 10th instant, I met my friend Mr. E. Barthe, in Customhouse street, on his way to the office of the Louisiana Courier, on business—requesting me to accompany him, as he had to converse with me on business. There we met Mr. J. Bayon, with whom we spoke on different subjects, also in regard to an article which had appeared in the Louisiana Courier about the Louisiana State Bank, on the Saturday previous, the 8th. The facts set forth in said article not being in conformity with the last report, published by the Board of Currency on the 3rd instant, led me to inquire of Mr Bayon from what source he derived his information. He answered from the Hon Charles Gayarre, member of the Board of Currency.

Your friend and obedient servant,
P. DEVERGES.

So that we find that the Secretary of State is busily engaged in running here and there, obtaining public "apprehensions" in order that he might "allay" them. And how did the Hon. Mr. Gayarre undertake to "allay" them? By publishing an *ex parte* statement, that invoked or allaying public "apprehensions," was calculated to swell and keep alive the excitement. And the best proof of this is, the effect produced on the public mind, both in the city and country. Why arouse this public excitement at a time when Mr. Gayarre himself declares that "the present solidity of the Bank" is "*unquestioned*." If Mr. Gayarre *merely* desired to discharge an important and delicate public duty that devolved upon him, why, why did he not address interrogatories to the Attorney General, which he had a clear right to do, and submit them for my signature. I would not have failed to sign them. On a subsequent occasion, I urged interrogatories to that officer together with Mr Gayarre, although we differed as widely as we do now. This will appear by the minutes of the Board of Currency. Why did not such a course commend itself to the dignity of our stations and the importance of our duties? But what right has Mr. Gayarre to address the "Attorney General of the United States?" He claims the right under the 1st Section of the Act of 1842, which says in the following words, viz:

"That it shall be the duty of each member of the Board of Currency to report to the Board any infraction of the act that may come to his knowledge, and every director of a bank, who shall be guilty of any such infraction shall be held responsible to the Board, and shall be liable to a fine of $50, for each offence, to be sued for by the Attorney General, on the notification of such infraction or infractions by the Board of Currency."

Mr. Gayarre has evidently either read the law very carelessly, or he is incapable of comprehending the plainest provisions of the laws under which he is acting. Now so much for his law authorities! It authorizes "each member of the Board of Currency to *report to the board*," and not to the Attorney General, as Mr Gayarre has assumed. It makes it the duty of the Attorney General to the Board of Currency, the Attorney General by the Section 11th Section thereof, to sue for the fine imposed upon the directors in a named contingency. Yet Mr. Gayarre, with his *accustomed inattention*, whenever the institution is concerned, has wrung from the law the extraordinary power he has assumed. Mr Gayarre understands the laws to which he has referred, as much as well as he does this section, which is susceptible of the clearest demonstration.

After this illustrated publication of the Secretary of State, in the column of the *True Delta*, he became himself alarmed at the effect he had produced in the public mind, and it quickly have he flew to the office of the *Bee*, and procured them to state, among other matters, that "the grave offence to my official station, impugning the integrity of the managers of the Bank, he is perfectly aware that they are acting in conformity to an existing law; he is far from accusing them of the slightest disposition to violate the statutes of the State." And in another place, "the disclaims all desire to impugn the *official conduct* of the officers of the Louisiana State Bank." Surely, the Secretary of State is bewildered. He has suddenly found himself in a labyrinth, from whence, in endeavoring to extricate himself, he is plunging deeper and deeper into darkness and obscurity. But not content with the semi-official statement, he addresses from Baton Rouge a letter to the *Bee*, wherein he states that "it affords me great pleasure to return to you my grateful acknowledgement for the correct exposition you made of my minutes, and of the respective position of the State Bank and itself." Now I submit to the public, whether the *acts* and *professions* of Mr. Gayarre are at all consistent. His previous and subsequent conduct are totally in opposition.—In fact, it reminds me of a child, who, having applied a torch to a building, and discovering the mischief it has done, betrays alarm in every trembling fibre.

Mr. Gayarre states that I addressed him as a *friend*, and professed myself *satisfied* with the explanation he had given me about the *mysterious* caption of his "report." It is true that I did both, but I was at the time totally unacquainted with regard to the manner his "report" found its way to the press, and not aware that it was not spread upon the minutes at the Board. At the time, I of course supposed the contrary; I thought the *True Delta* had *copied* it from the minutes, as had been done on a former occasion. After learning these facts, the more I reflected upon the course my colleague pursued, the more indignant I became. It was unworthy of a public officer, and highly disrespectful to me. The appearance of this "report," as the Secretary calls it, without my signature did, as was so intended, cast reflections by indirection, upon my official conduct. But I am weary, and will bring this, to me, unpleasant article, to a close.

So far as the personalities and insinuations contained in Mr. Gayarre's letter to me of the 19th inst., are concerned, they pass by me as the idle wind. In my communication, I indulged in no personalities. They are neither agreeable to my disposition nor temper and certainly inconsistent with my uniform habit.—To make a grave and solemn charge, that "*conscious others than your sense of public duty impel your action*" rises, far in dignity, above personalities. But it appears that I am neither the first nor the only one who has made these charges. In his letter of February 13th, some days before my publication, Mr. Gayarre hurls the following language: "To those who accuse me of hostility to the Bank, and of *improper motives, etc.*" So that it appears that Mr. Gayarre has before been charged with hostility to the Bank, and with *improper motives*.

In conclusion, I will state to that gentleman that I have so much of the milk of human kindness in my veins, that I sympathise with him on account of the deep "humiliation," to use his own word, into which he has no doubt fallen. And in order to evince this disposition, I am not unwilling to tender him a piece of advice. Before you set *hereafter, deliberate* at least a space upon the *consequences*. Do not again close your eyes and leap into the dark—you may get hurt.

GEO. C. McWHORTER.

New Orleans, 26th Feb, 1851.

UNRESERVED SALE OF FINE REAL ESTATE—We are requested to call the attention of our readers to the sale of the following valuable Real Estate, which will take place This Day, at 12 o'clock, in the