G. F. WEBBER, Proprietor.
No. 58 CHARTRES STREET.

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DAILY PAPER, (one year in advance) $12 00
COUNTRY PAPER, (one year in advance) 5 00
In all cases the subscriber must give notice in writing before he intends to discontinue.

The New-Orleans Bee.

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One Dollar for every TEN lines for each insertion on the first insertion; and Half a Dollar for each subsequent one. An Advertisement inserted for less than one dollar in each insertion.
Advertisements not specified will be charged one dollar for every TEN lines for each insertion.
☞ The privilege of Annual Advertisers is limited to a specified number of lines; and any excess above the line of their business, must be paid for at the regular rate every other day.

OFFICIAL PAPER OF THE STATE. NEW-ORLEANS, THURSDAY MORNING, MAY 1, 1851.

No. 1475 Vol. X.—NEW SERIES. Vol. XXIX—Whole No. 6321.

The New-Orleans Daily Bee.

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

Thursday Morning, May 1, 1851.

NOTICE.

IN order to facilitate the transaction of my business, I have this day conferred power of attorney to Mr. SYLVANUS WEBBER, Cashier, under date of the 28th February last. Mr. Duvanger is empowered to pay all debts, collect all dues and receipt all bills or accounts, either for myself or the office of the Bee. G. F. WEBBER.
New-Orleans, May 1st, 1851.

Notice to Assessors.

The Assessors of the different Representative Districts of New-Orleans and of other Parishes of the State, are notified that the Assessment Rolls for the present year, are ready to be delivered, on their receipt at the office of the Bee.

THE NORTHERN MAIL arrived through yesterday with the latest dates.

NEW ORLEANS JACKSON AND NORTHERN RAILROAD.

In our columns to-day will be found the report of the Committee of Ways and Means, appointed by the Railroad Convention. We invite public attention to this important document. It sets forth very plainly the lamentable obstacles to enterprises of public improvement erected by the framers of the Constitution on the one hand, and the Legislature on the other. One might imagine from the impediments thrown in the way of all projects of the kind, that our wise law-givers had predetermined, that Louisiana should forever remain a laggard and a loiterer in the pathway that leads to wealth, prosperity and power. Fortunately no barriers reared by the Legislature, can withstand the resolute determination of the people. Our citizens from one extremity of the State to the other, have embarked in the great work of rescuing Louisiana from impending decay or destruction. This consummation is to be effected almost exclusively by Railroads. To obtain the requisite authority and power fully to carry out the plan before the people, it is absolutely essential that the existing Corporation law of the State be materially modified. The people have willed it; and the Legislature, as the embodiment of popular sentiment, must obey.

We refer our readers to the plan submitted by the Committee for the government of the Company hereafter to be organized. It embraces many excellent features, and seems wisely framed with a view to early and efficient action. At all events the public have now both projects before them, and may decide for themselves. There is no doubt much to recommend either; nor do we, for our part, perceive any interest incompatible between the two. With the spirit which animates our citizens at this time, there is little apprehension that either will be allowed to succumb. We hope the Commissioners of subscription will ply our merchants and capitalists vigorously, and leave no means unemployed to accomplish the mission entrusted to them.

NEW ORLEANS, MADISONVILLE AND JACKSON RAILROAD.

The Committee appointed for the purpose are proceeding finely with the collection of subscriptions to this important enterprise. The very best spirit animates the friends of the road, and, as before stated, the amount required for the formation of a provisional company, will doubtless be obtained before the end of next week. The feature rendering necessary only a preliminary contribution of two and one-half per cent, meets with universal approval, inasmuch as it affords a guarantee that this comparatively small sum will be amply sufficient to cover the immediate expenses of opening the road. The corresponding committee are determined to manage everything in the most economical manner, and beyond the trifling sums absolutely required for printing, no expenditure will be sanctioned. This is right. The money is looked upon essentially as a trust fund, to be disbursed only according to the wishes of the stockholders, who will proceed shortly to the appointment of a provisional Board of Directors. Whilst, therefore, the enterprise will not languish for the want of immediate means, the contributions of subscribers are required for a final organization of the company after the meeting of the next General Assembly.

VISIT OF THE VETERANS TO GEN. SCOTT.—At 1 o'clock yesterday the veterans of 1814 paid their respects to Major General Winfield Scott. The interview took place in the parlor drawing room of the St. Louis Hotel.—Colonel Palfrey being the spokesman on behalf of the venerable and patriotic band. After a few appropriate remarks from the Colonel, each of the veterans was introduced separately to General Scott, who received them with great affability. The occasion was a most interesting one.

TEXAS.—By an arrival from Galveston we have received our files of Texas papers to the 26th April. They contain little of interest. The steamer *Yacht* arrived at Galveston on the 25th, bringing dates from Brownsville to the 21st.

Captain G. K. Lewis made his escape from prison in Matamoros, where he was confined for assisting one of his employees, who was amenable to the laws of Mexico, to escape.—Lewis jumped off the roof of the house where he was confined, after dark one night, and mounted a horse that happened to be close by, and crossed the river in safety. He states that he would have remained and stood his trial, but rumors were circulated that he was to be removed to Victoria.

We apprehend Captain L. prefers this bank of the river under any circumstances. He is a lucky fellow, as his draft of the white bean at Mier, his last jump, and a thousand unrecorded circumstances testify.

A private letter from Brownsville says:—"Rather a startling report has reached us, to the effect that at Roma they played the duce two or three days ago. Some persons at Roma got displeased with certain revenue restrictions on the other side, in regard to crossing over hides, and mounting a swivel gun on the bank of the river, fired at the Mexican guard on the other side, wounding several. Orders were then despatched to Camargo, by the Mexicans, for a reinforcement of 150 men. This is all we know as yet."

DESERVED COMPLIMENT.—General Leslie Combs has received the unanimous voice of the Whig party for Congress, in the Ashland district of Kentucky, without a district convention. The *Commonwealth* says that no other candidate is thought of, and a convention is declined, although the General himself suggested the calling of one.

ARCHBISHOP ECCLESTON.—This venerable divine died on the night of the 22d. He continued sensible up to the last moment, and met the dread messenger of death with a calmness and resignation that cheered the hearts of the mourners who were gathered around him. To each and all he had a word of consolation and encouragement, his countenance occasionally wreathed in that benignant smile of the heart, so indicative of the kind and amiable feeling that seemed always to predominate in his intercourse with his fellow-man.

The Baltimore *Sun* says: On the receipt of the intelligence of the death of the Archbishop in Baltimore last evening, the Cathedral bell commenced tolling, and was soon followed by the bells of the various Catholic churches, and some of the fire company bells, which was continued until a late hour at night, producing a most solemn effect, thus announcing the death throughout the city.

AERIAL NOBILITY.—The Duke of Brunswick, after a previous failure to ascend with Mr. Green, in his balloon, arising from some mishap, has made another and more successful attempt, in company with the same aeronaut.—They ascended at Hastings, and after a fine passage across the straights of Dover, occupying five hours, alighted about eight miles from Boulogne, in France.

☞ A highly important and extensive sale of property belonging to the estate of the late Thomas Hazan, Esq., takes place THIS DAY, at Banks' Arcade. From the value and variety of the property great inducements are offered to our citizens for investments. For particulars see advertisement of J. A. Beard & May.

EXTENSIVE SALE OF LINENS AND OTHER GOODS.—F. H. Pettipain will sell THIS DAY, at 10 o'clock, at his auction room, No. 9 Canal street, about 200 packages and lots of Linens and other seasonable goods, which deserve the particular attention of buyers. For particulars and terms, we refer to advertisement.

By Magnetic Telegraph.

[TO THE N. O. BEE.]

By the Western (O'Reiley's) Line.

Arrival of the Niagara.

New York, April 30th.

Liverpool, 19th—Cotton advanced very heavily. Market decline; sales of the week 32,000 bales—Manchester market is quiet, with improved tendency. Corn, very dull and nearly 1s. 3d. Beef and Pork, quiet. Lard, firm. Rosins, inactive. American Stocks unchanged. Consols, 97¼. Ohio Flour, 20s 6d. Political news unimportant.

FREE PUBLIC LECTURE.

A public lecture will be divered *this evening*, Thursday, May 1st, 1851, at 8 o'clock, in the Hall of the Commercial Exchange, on St. Charles street, corner of Perdido, upon the subject of *Dental Hygiene*. The object of the lecture is, to call public attention in this city to the important *di covery*, which has been made, of the *certain means* whereby every person of every age, sex and condition may, by *their own agency* whithout the *aid* or *skill of others*, preserve their *teeth*, through the longest life, without deterioration or decay, and thereby prevent most of the physical "ills to which flesh is heir" and secure to themselves permanent health and bodily comfort—and prolong human life, in accordance with the Creator's benificent design, to *Patriarchal* age. The Lecture will be pronounced by J. G. Seer, of this city, who during his recent travelling tour from which he has just returned, has given, with universal approbation and commendation in the principal cities of the North and South, a series of lectures on this important subject.

The ladies and gentlemen of New Orleans are respectfully invited to attend, and avail themselves individually of the benefits of one of the most valuable discoveries which science has ever achieved.

☞ The Albany "Register" states facts which place in a very grave point of view the late violent rupture, by a minority of the Senate, of the session of the Legislature of New York.

There were, it seems, on the table of the Senate, when it was broken up by the resignation of one third of its members, one hundred and forty-nine Assembly bills ready for a third reading, thirty-eight referred to the committee of the whole, fifty-eight not reported upon, and thirty-one through the Assembly but not announced in the Senate, making two hundred and seventy-six bills which had passed the Assembly, besides thirty Senate bills ordered to a third reading. To these should be added the Senate bills which were by the dissolution of the session defeated in the House of Assembly.

INGRATITUDE OF REPUBLICS.—The *Southern Press* humorously observes that the oratorical labors of the members of the Virginia Convention seem to be not prized by their grateful constituencies for whom they are consuming so much of their valuable time and wind. One editor states that he is requested not to send the supplement containing the report of proceedings, because the writer does not consider it worth the postage. A postmaster writes word that they have no use for it in his neighborhood, as "game is scarce, and 'wadding' not needed." And to cap the climax, the Southside *Democrat* thus records, as a wonderful fact, the following fact:

A gentleman in Southampton has read *every* word of the supplement yet published! He must have the patience of Job, and the intellectual digestion of a German professor. The convention is bound, in sheer gratitude, to vote him a pension for life.

CURIOUS ACCIDENT.—A baker in Portland, Me., met lately with a singular accident.—He was engaged in kneading a batch of bread, when he suddenly fell down upon the floor. He lived long enough seriously supposing that one of the workmen had stuck him, and attempted to rise but found that one of his legs was unmanageable, and upon examination, it was ascertained that by, thighbone was broken. Several of the workmen say that they distinctly heard a *snap*.

A CURIOSITY.—While Governor Brown was in Key West, says the Tallahassee Floridian *Sentinel*, he was presented by the Hon. A. Patterson with a miniature fort of General Washington, found ten years ago, in the neighborhood of Mr. Patterson's presents, imbedded in the limestone which forms the island. The bust is of marble, and is evidently the work of a master. The expression is said to be indentical with that of the famous statue of Washington at Richmond, allowed to be the best likeness in existence. The little bust is in a state of perfect preservation; all the delicate chiseling in the plaits of a ruffled shirt remaining as sharp and well defined as ever, and the marble without discoloration. The shoulders instead of the word "Washington"—a spelling which seems to indicate an Italian origin. In the same spot two English guineas were found, the dates and inscription of which we did not learn. All were probably deposits by some freebooter of the olden time.

TERRIBLE AFFAIR.—The Corydon (Ind.) Argus, of the 11th, gives us the details of a terrible affair that occurred in Harrison county, on Thursday fortnight. On that day, a man named John Hannagan, moved into a house near Elizabeth, in Posey township, and invited one of his neighbors to a spree or house warming. He was seen about 8 o'clock, in liquor, and it is supposed that a portion of the family—consisting of John Hannagan, his wife and six children, Mrs. O'Donnell, Patrick Slave, one adult person, name unknown, and the child of John O'Donnell, deceased—went asleep in the upper apartment of the house. While asleep, the house, by some means caught fire, and the roof falling in, every one of the inmates, twelve in number, met with a horrible death. The Argus says:

"The spectacle presented to the persons who first reached the scene of the disaster was horrible and distressing in the extreme. No sound was heard save the hissing of the fire and crash of fallen timbers, every member of the family having already expired; but through the burning chinks of the house, the bystanders could discern the still unconsumed bodies of the occupants. There lay the mother with the body of her dead infant still clasped to her bosom, to which the little sufferer had clung in the last agonies of this dreadful death, the bright flames shooting even from the eye-sockets of the unfortunate mother. A sad, sad house-warming it proved to be, indeed. The charred remains of eleven persons have been found amid the ruins, while it is known that one child is lost, whose remains have not been discovered."

VIRGINIA CONVENTION.—We have already referred to the extreme difficulty of apportioning representation, experienced by the Virginia Convention, in consequence of the jealousies and dissentions existing between the Eastern and Western sections of the State. Mr. Botts, however, has proposed a plan of compromise, which appears likely to prevail. His proposition reads as follows:

1. The Legislature shall be formed of two distinct branches, which together shall be called the General Assembly of Virginia.

2. One of these shall be called the House of Delegates, and shall consist of one hundred and fifty members; seventy-five of which shall be chosen for and by the several counties, cities and towns lying East of the Blue Ridge of mountains, and the other seventy-five from those counties, cities and towns lying West of the Blue Ridge.

3. The other shall be called the Senate, and shall consist of —— members, one half of which number shall be chosen for and by those counties, cities and towns lying East of the Blue Ridge, and the other half for and by those counties, cities and towns lying West of the Blue Ridge; for which purpose each division of the State lying East and West of the Blue Ridge shall be laid off into —— districts, and each district shall be entitled to one representative.

4. There shall be a uniform system of ad valorem taxation upon every description and species of property in the commonwealth, real, personal and mixed, except such as may be specially exempted by a voice of two-thirds of each branch of the Legislature.

5. It shall not be lawful for the Legislature to create a public debt, without at the same time, or during the same session, providing for the payment of the same, by increasing the rate of per centage of taxation in such manner and to such extent as may be sufficient to meet the payment of the debt when it becomes due. No bill appropriating a sum of money exceeding —— dollars shall become a law, except by a vote of a majority of the whole number elected of both branches of the Legislature.

☞ The New York *Journal of Commerce* says: The invitation to the Hon. DANIEL WEBSTER to come and address our citizens in the largest and most splendid Hall which the city affords, has already received several thousand signatures. There is no limit to the number that might be obtained. It is signed without distinction of party.

[From the Southern (N. O.) Patriot of April 18.]

[Correspondence of the Express.]

RIO DE JANEIRO, Feb. 14, 1851.

A RENCOUNTER WITH A WHALE.—The following statement of the exploits of a whale and his attack upon a vessel, is abstracted from the protest of Capt. Joseph Dias, of the whale ship "Rebecca," of Tisbury, made before the U. S. Consul at Rio de Janeiro in January, 1851. It is said to be the second instance known of a direct attack on a vessel by a whale. The other was the ship "Essex" in the Pacific, which was entirely lost. Capt. Dias says that on the 12th of December, 1850, in latitude about 33 degrees 47 South, and longitude 48 degrees 35 West, at 5 p. m., saw a shoal of sperm whales off the lee bow, lowered two boats—the larboard boat struck and had been fast 15 to 20 minutes, and after the line was hauled in to the boats, which like the whale had sounded out, in the attempt to lance the whale, she turned upon the boat and literally crushed it to atoms with her jaws, and all belonging to it, except the crew, who swam to the other boats—the whale all the time staying round the fragments. The starboard boat then came down, but pulled back to the ship in company with the waist boat and two crews. After they came on board, and boats hoisted up, the vessel was squared in and ran for the whale (which still continued about the place where she stove the boat) fully prepared with lances, &c., ready to make a dart. In about 15 minutes were the ship's head towards the whale, having everything ready to attack her, vessel on the larboard tack and whale coming to leeward of the ship. When about two boats lengths off, the whale rounded towards the vessel's bow and struck it with such force as to start one or two planks, and break one or two timbers on the larboard side of the bow at the water line, causing the vessel to leak at once at the rate of 250 strokes per hour.

Under the circumstances, the Captain bore up for Rio, when proper repairs were made. He sailed again on his cruise about the 10th of January. Whether he will meet his old foe, is doubtful, but if he does, he will give him battle. R.

A VENERABLE EAGLE.—An eagle, worn out by age, and supposed to be ninety years old, was lately killed by a shepherd in the woods of Boulac, France. It had on one of its legs a copper ring, on which were inscribed hieroglyphics which could not be decyphered. We do not know how its age was arrived at; and, considering the hieroglyphics and their mysterious character, we may deem the philosophers, who settled this question, quite modest in not carrying its nativity back to the time of the Pharaohs.

LOVE'S LAST REQUEST.—"Farewell, Farewell," I cried. "When I return thou'lt be my bride—till then be faithful, sweet adieu—in absence I'll think of thee." In such strains a week or so, one of our representatives returned from Columbia and concurred with us in opinion. I then began to express my views publicly. Those with whom I conversed eagerly responded to me, and now, as a majority of the district are opposed to secession." This is true in regard to public opinion, in every district in the State. A man is told, see it published in the newspapers and never hear it doubted, that the whole State is for secession, and he believes it to be his duty to go with his State. In this way a false public opinion is manufactured, and the most timid and time serving evince the most boldness and experience in following. The brave and virtuous, and patriotic are unease through what they suppose to be necessity.—They regret it. They think they stand alone. In their opinion, it would be madness to throw themselves into the breach; when, in fact and in truth, if they would express their opinions, they could soon discover that they were in a minority, and could save their state and their country from defeat, disaster and disgrace.

MR. WEBSTER IN BOSTON.—On the 22d of April, Mr. WEBSTER being called upon by the citizens to address them in front of the Revere House, complied with their request. The Philadelphia *Evening Bulletin* gives the following telegraphic report of Mr. WEBSTER's remarks. We presume, however, that it embraces only as much of the speech as could be transmitted in time for the publication of the paper:

Fellow-citizens of Boston,—You rather take me by surprise this morning, but it is a very agreeable surprise, I am as much pleased to see your cheerful and satisfied faces as I am to see again the face of that luminary which shines out from the Heaven above, and if, gentlemen, you are half so glad to see me as I am to meet you, there is at the moment a great quantity of happiness and good feeling in Bowdoin Square. (Applause.

Gentlemen, A long and violent convulsion of elements has passed away, and the heaven and the sea smile upon us. There is often an analogy between occurrences in the natural and political world, and sometimes you see storms pass away, bringing after them sunshine, joy and gladness. May it be so now.

I greet you as citizens of Boston, I welcome you—I offer you my heart and hand, with the deepest gratitude for what you and your fathers have done for me from the days of my early manhood. When I came from the North to throw myself among you to partake of your fortunes, for good or evil to the end of my life.

I am not vain enough to suppose, fellow citizens, that I have done any essential service to my country in my day and generation, I have so done, however, little or however much it may be, I owe it mainly to the constant, warm unwavering friendship and support of this people of Boston.

I am bound the way of all earth. I shall ere long lie down by our fathers and my fathers to my last home; but while I live and breathe, and while I have the power of the language or thought, while my heart beats or my tongue moves, I shall feel and I shall speak of Boston as the cherished object of my public, political, and I fear may be of my private life.

Gentlemen, you do not expect to hear from me to-day any discourse. I come to see you and you come to see me. It is not an occasion for the discussion of any political topic. You do not expect me to detain you from your affairs while I rehearse any opinions of my own, or state the ground of those opinions. But let me congratulate you and let me ask you to congratulate me, that the events of the last year or two have placed us under better auspices.

We see clearer, we breathe freer, we feel a new assurance that our political institutions—the rich blessing and inheritance which we derived from our fathers—will endure—be perpetual—be immortal, if any institutions on earth can be immortal.

Yes, fellow-citizens, the youngest of your children will grow up to manhood in the proud feeling that they are born to an inheritance of unparalleled liberty, in the United States of America, and in their ancient and beloved—I say beloved, and to be always venerated under all circumstances—beloved and venerated Commonwealth of Massachusetts.

My fellow-citizens, we need not be too much self satisfied; but after all, who is there among you, at this moment, that would change his political and social condition for that which falls the inhabitants or the residents of any other country under the wide scope of the canopy which is over us?

Where would you go with the satisfaction that you would have under the institutions of your country? Where could you enjoy political power which is so universally diffused in popular principles? Here every citizen feels he is a man. If he is one of the governed he is also one of the governors, and he has a voice in every transaction of public concern.

Let others say what they will—let others commend what they please—let them either like a more royal, a more despotic, or a more democratic form of government. For myself, and I believe I may speak for you—we are satisfied with our constitution as a people of the United States, and citizens of Massachusetts, living under a free, popular and glorious representative government.

"HOW WE PAY FOR TEA.—The imports into the United States from China, in 1844, amounted to $6,686,171, while our exports to that country were only $1,320,170—balance against us $5,366,001. In 1849 our imports were $11,904,754; exports $1,490,945—balance against us $10,443,811. In five years our imports increased fully sixty per cent, and our exports did not increase over twelve per cent. It appears that during the same period, that is in 1844, the exports from Great Britain to China amounted to $35,926,132, while the imports were only $17,625,450—leaving a balance of trade against China of $18,003,772. The principal articles of export from Great Britain to create this large balance against China consisted of raw cotton from British India, and the fabrics from her home factories, both of which, and of a better quality can be more cheaply supplied from this country.

☞ An attorney in Dublin having died exceedingly poor, a shilling subscription was set on foot to pay the expenses of his funeral. Most of the attorneys and barristers having subscribed one of them applied to Toler, afterward Lord Chief Justice Norbury, expressing his hope that he would also subscribe his shilling. "Only a shilling," said Toler, "only a shilling to bury an attorney! Here is a guinea; go and bury one-and-twenty of them!"

☞ I have never seen old maids decidedly opposed to matrimony. I have never seen a pretty girl that did not know it. I have never known a lawyer refuse a fee on account of his client's poverty. I have never seen a woman that was tongue-tied. I have never seen a rich man prefer marrying poor girls. I have never seen but one lady use a bed-wrench and pin to tighten her corset. I have never seen a woman die with the lock-jaw. I have never seen a person who subscribed to a newspaper and cheat the printer, but whose death was a bad one.

☞ Punch gives the following table of ministerial progression:—"Forty members make one fellow; one fell house makes one defeat; one defeat makes large minority; twenty minorities make one Whig ministry; one Whig ministry makes one regret the death of Sir Robert Peel."

THE NEW ORLEANS, JACKSON AND NORTHERN RAIL-ROAD COMPANY.

To the Citizens of Louisiana:

The late New Orleans and Jackson Railroad Convention appointed a Permanent Committee of thirty persons: fifteen citizens of the State of Louisiana, and five citizens each for Mississippi, Alabama, and Tennessee. The committee was instructed to mature and lay before the public the plan of a great trunk Railroad, leading from New Orleans, via Jackson, Mississippi, and thence northward and eastward, uniting with the vast system of railroads, either projected, or being constructed in the Southern and Western States.

The first section of the Committee was directed to devise ways and means for constructing that portion of the proposed railroad between New Orleans and the boundary line of Louisiana and Mississippi; and, after mature deliberation, they beg leave to lay before you the accompanying papers, embracing a plan of organization. For the honor and prosperity of Louisiana and the city of New Orleans, we most earnestly and respectfully solicit a generous support.

By order of the Committee,

JAMES ROBB, Chairman.
JOHN CALHOUN, Secretary.

New Orleans, April 26, 1851.

The Committee appointed to draw up an agreement for the Charter and Organization of a New Orleans and Jackson Railroad Company, have the honor to report:

That, after the most earnest efforts, they have been utterly unable to devise any means for forming an organization under the present legislation of the State, that will afford the slightest prospect of success in obtaining subscriptions, and they now lay before you the difficulties which embarrass any undertaking of this nature, and, instead, render any scheme of internal improvement utterly hopeless, until some modification of the corporation law of the State shall have been made.

The Constitution of Louisiana provides, that "Corporations shall not be created in this State by *special* laws, except for political or municipal purposes; but the Legislature shall provide, by *general* laws, for the organization of all other corporations, except corporations with banking or discounting privilege, the creation of which is prohibited."

In compliance with the obligation thus imposed, the Legislature enacted, in 1845, a law "to provide for the organization of corporations in this State."

The whole spirit of this law reveals the state of public feeling at the time of its passage. It is composed of twenty-six sections, filled with the most minute provisions relative to formalities to be observed, and restrictions to be imposed on the corporators formed under its enactment—so far as regards such companies as are intended to forward works similar to that which we propose to undertake, the title of the law would form a better index to its provisions, if the act had been decided to be intended "to prohibit the organization of corporations in the State."

We proceed to refer specially to some of the sections attendant on the preliminary organization.

The third section requires the agreement of the parties who propose to form a comp ny to specify "the place where, and the place at which the books or books of subscription to such stock shall be opened, and the period during which the same shall remain open, and the source of the *subscribers* and who shall open such book or books, and *superintend the subscription* thereon to said stock." This provision, clearly precludes the obtaining of subscriptions by lists to be carried round to the inhabitants of the parishes where the line of road is to pass and probably any other mode of soliciting than by entry on the special books kept by Commissioners, and at the special place where the books are to be kept. It is true that a close might be read of *reading* the provision, by saying that block is were of stock not intended for persons to subscribe in the manner of others on the books kept by the Commissioners, but, it is clear, that, in many cases subscriptions would be refused on such terms that would be equivalent to a total bar.

The same section requires "that the Act of Incorporation be published as soon as passed and signed, twice a week for thirty days together with the place where the books are to be opened, and the amount of stock, or number of shares held and owned by each, *before* said corporation shall commence business, and the affidavit of publication that the persons, not less than 5 in number who may desire to constitute themselves into a corporation, shall cause to be passed before a justice of the peace in the parish where the corporation is to be located, an Act of Incorporation, which shall contain the names and residences of the subscribers, the third section, and shall be in *other respects* in conformity to the provisions of sections 3 and 4. Proof of this certified copy of the action of the Justice of the Peace, with a certificate that it has been made in the manner and form of the act, shall be filed in the District Attorney's office, and the Recorder of Mortgages, shall be bound to make a record of the same in his written connection, shall be entitled to receive from the Secretary of State, a certificate of such application to the judge shall be published, and that any citizen of the state, or any person interested, may make opposition, which shall be heard and determined by the judge.

It is perfectly obvious that even without opposition, a man may say, or any one may say, that he will wait before getting through with these adversements and formalities, because, after obtaining the Charter, we are prohibited from opening the books under it, until thirty days' advertisement shall have been made of the list of subscribers, and some means taken to ascertain the number of shares taken. How opposition be made, I pray, and on what ground the State is responsible to any, with certainty that we could act in the three regions mentioned in the law.

The section also prohibits the expropriation of property by railroad companies, without the express authority of the Legislature, or previously obtained from the owners of such property, nothing can be taken or appropriated from any individual, without the sanction of the Legislature.

So that if a single proprietor on the line refuse a passage although offered the full value of it in land, or a municipal corporation refuse, merely into its limits, the road be compelled to go round.

The seventh section requires twenty per cent to be paid by each subscriber, on the amount of his subscription to stock at the time of subscribing. This at once rules off all kind of subscription from the country, where as well as in towns, farmers and planters receive the proceeds of their crops in the gathering the crops, it would reduce the subscription in towns to less than one-fourth than what would otherwise be taken. The subscription of half of one and a half or two millions, on immediate cash payment of three to four hundred thousand dollars, which would be expended in the short months, and not more than one-fourth of that sum would be required for preliminary expenses in surveying, locating advertising, &c., &c., and all of which must be done before beginning work on the road.

The twenty-third section gives to the municipal authorities of the parishes, cities or towns, where such corporations exist, the right to subscribe to the rates of tolls or fees. And the twenty-fifth section declares that the agreement for the corporation, when signed and executed, shall be considered as a contract with the State, but that the Legislature shall have, *at all times, the power to alter and amend the same*, and apply the amendment to pre-existing corporations.

That any individual in the State would invest his capital, under such conditions, is contrary to law, expected; that an adequate subscription for our purpose can be obtained, is utterly impossible.

Your committee, therefore, abandoning any attempt to adopt our project to the existing state of the law, and confident that the spirit now awakened amongst our people will lead to a complete revision of the Legislature, respectfully recommend as follows

1. That an Act of Incorporation be formed in accordance with the best precedents in our sister States, and with the previous legislation of our own.

2. That little be circulated for subscription to such a charter, with an agreement that the subscriptions are only to be binding when the sanction of the Legislature shall have been obtained; but that in the meantime, the subscribers agree to advance five per cent. on all sums, to be expended in the preliminary preliminary expenses of survey, location &c.

3. That a memorial be presented to the Legislature, praying for the repeal of the Corporation Law on an entirely different basis from that now in force, and providing for the facile combination of the rational and labor of the citizens of the State, who are willing to embark in enterprises of public improvement or utility.

Your committee would remark that this mode of preparing for the construction of railroads is not novel. Indeed, in England, railroad charters are never granted until preliminary surveys, made by civil engineers have furnished the necessary data for the action of the Legislature, and the stock is almost invariably subscribed in advance, and attains frequently a large premium in the market. It is consequently a large premium in the market. It is consequently a large premium in the market. It is cons