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NEW ORLEANS:
THURSDAY MORNING, APRIL 9, 1868.

Political Advertisements.

Political advertisements, to be inserted, must be settled for in advance.

REASONS FOR VOTING FOR STATE OFFICERS AT THE COMING ELECTION.

We have received, on this important subject, a communication which collects the principal arguments in favor of voting for Democratic candidates at the approaching election. We add to it an observation, which, in our opinion, has a decisive force. That which has just happened to Alabama ought to enlighten us on the fate which will attend us if we content ourselves with rejecting the Constitution without electing our candidates. To us will be applied the law which has just been voted for our neighbors, and the government of the State and the city will be placed in the hands of elected Radicals. This is, perhaps, monstrous, and it would be incredible if the text of the bill was not there to prove to us of what Congress is capable. We reproduce it for those who have forgotten it.

Sec. 1. The Constitution framed by the Convention of Alabama, and submitted to the ratification of the people on the 4th of February, 1868, is declared to be the fundamental law of a provisional government, so far as the same is not in conflict with the Constitution and laws of the United States, and the officers elected at said election shall, on the 1st day of May, 1868, enter upon the discharge of their duties.

Sec. 2. The Governor may convene the Legislature chosen at said election which, when so convened, shall possess all the power conferred by said Constitution, which may not be in conflict with the Constitution and laws of the United States, and may submit said Constitution to the qualified electors of Alabama for ratification, with or without amendments proposed by said Legislature. If amendments be proposed, they shall be voted upon separately, and not in connection with the Constitution as it came from the Convention.

Sec. 3. That whenever the people, by a majority vote of the electors qualified under the act of Congress of March 23, 1867, to vote for delegates to form a Constitution, shall actually voting on said ratification, shall have ratified a Constitution submitted as aforesaid, and the Legislature of the proposed State organization shall have adopted the amendment to the Constitution of the United States, proposed by the thirty ninth Congress, and known as article 14, the Constitution of Alabama may be presented to Congress for its approval.

Sec. 4. The act of Congress of March 2d, and as a supplementary and a declaratory thereto, shall remain in full force, except as modified by this act, until Alabama shall be restored to representation in Congress.

Suppose a similar law be passed for Louisiana after an election in which the Conservatives have succeeded in rejecting the Constitution, and the Radicals their candidates: Congress may not go so far as to declare the Constitution ratified but they may declare that it shall be provisionally the fundamental law of the State, and they may authorize all these elected Radicals to enter on their functions, charging them to consult anew the people on the Constitution. But it may be that this second election on the ratification will not take place under the electoral conditions prescribed by the Reconstruction Laws, but under those prescribed by this Constitution itself, which deprives a great number of white electors of the right of voting, who will be erased from the lists. The revision of the lists and the registration will be conducted by the Radicals, who will then be masters of all the branches of power, and there will not be the least chance for the Conservatives to carry it. This argument seems to us unanswerable, and to be sufficient to convince of error all Conservatives who have sustained a view different from ours on the expediency, nay necessity, of having candidates. The importance of voting for a Governor is not less than that of voting for a Legislature and the other functionaries, for the Governor appoints the Judges of the Supreme Court and the officers of the militia, and we have the examples of Mr. Wells and Mr. Flanders to prove how much of evil an ill disposed Executive may cause the white population.

For that which concerns the other arguments we leave the writer of the communication above referred to to deal with them.

Mr. Editor—Permit me to indicate some argument for those who have determined to confine themselves simply to voting against the Constitution. I do not speak of those who intend to abstain from voting altogether, for this will be an act of folly and suicide, of which, I hope, our population will not be guilty. Not having the time to develop these reasons, I will briefly indicate them:

1st. If the Constitution be ratified, which is not improbable, as it is not our interest, since it will be necessary to live under this Constitution, to be governed by functionaries taken from among the Conservatives?

2d. If the Constitution is not ratified, it may be that Congress may ratify it for us. The case failing, is it not prudent to elect our candidates, since they will necessarily be installed as functionaries of the new government?

3d. If the Constitution be rejected by the people, and the Democratic ticket elected—which ought to be a logical consequence—is it not a means of preventing Congress from imposing on us this Constitution, since it will be forced to accept the officers thus elected by the Democrats?

4th. As there is no admission possible but the condition of ratifying the 14th Constitutional Amendment, in electing 19 Senators of the 36, which ought to compose the new Senate of Louisiana, is it not clear that we can prevent the ratification of the Constitution by Congress?

5th. The Legislature may, by an application, (art 81) dismiss the Judges who displease it. Then it is necessary to be assured of the Legislature.

6th The right to dismiss by means of impeachment belongs to the House of Representatives and the Senate. (Art. 95 to 96.) Then is it not desirable to have the majority in these two assemblies!

7th. It is the Governor who names the Judges of the Supreme Court, (art. 75) and all officers who are not elected. (Art. 60 to 61.) Is it not equally desirable then to have the Governor!

There are many other reasons but I have not the time to set them forth. COMMON SENSE.

THE SALE OF THE MARKETS.

The sale of the stalls in the Magazine Street Market was effected yesterday by C. E. Girardey & Co., City Auctioneers, realizing the handsome sum of $101,756.

This is the third market sold by those gentlemen, and the result obtained appears to justify the expectation of the friends of the measure as a practical scheme for the relief of the city currency. The success attending these sales is, doubtless, largely due to the experience and skill of the able and efficient auctioneers who have conducted them. The best result to be expected from the measure has, doubtless, been secured, and if the other markets yet to be sold realize as fair an average as the three already disposed of, the projectors of the plan will have cause to congratulate themselves on their good fortune. We publish below a statement of the sales so far made, adding thereto a computation of the interest which the amount realized should bear, and a comparison with the probable amount which would have been realized from annual sales based upon the rates obtained at the last annual sales of these markets, showing the sum of $25,400 in favor of the latter mode. The loss is supposed to be over-balanced by the ability of the city to apply the proceeds to the redemption of the city currency:

1 The French Beef market sold for	$ 369,000
2 Triangle " "	267,000
3 The Magazine " "	101,000
Up the footing of cash	$ 697,000
Add 10 per cent. for four years interest at 6 per cent per annum	279,000
	$1,354,000

These markets sold this year as follows:

1 French Beef Market	$ 48,000
2 Poydras "	32,000
3 Magazine "	28,000
	$128,000

For ten years at this rate, would realize $1,280,000.

The Triéne Market will be sold this day. The sale commences at 12 o'clock, M.

Mr. D. M. C. Hughes announces through our advertising columns that he is a candidate for the office of Recorder of the Second District, and will not withdraw under any circumstances.

ACADEMY OF MUSIC.—Something novel and said to be very good, productions of the genius of one of the Academy troupe, is to be produced on the boards of that favorite place of amusement Sunday night. The piece to be produced are entitled "Grand Duchess of Alabama," and "Black Fawn of America," and from all we learn will be of a *dashing* character.

The New Orleans Bee.

OFFICE 73 CHARTRES STREET. NEW ORLEANS, THURSDAY MORNING, APRIL 9, 1868. Vol. XLI.—Whole—14,411

CITY INTELLIGENCE.

Board of Aldermen—Special meeting last evening, Mr. Graham in the chair.

The resignation of Mr. Carriere as a member of the Board, offered on account of absolutely necessary absence during the summer, was accepted.

A resolution authorizing the Surveyor to repair the bulkheads below Esplanade street was adopted finally.

A resolution to advertise for proposals to repair the railing around Lafayette square, at a cost not to exceed $500, was tabled.

A resolution instructing the City Attorney to compel the Commissioners of the First Drainage District, to expend the drainage tax collected by them in cleaning the draining canals, was adopted finally.

The ordinance of the Lower Board prohibiting the paying out of city notes, except in payment of claims of $100 or less, and directing the Treasurer, where claims are greater, to issue warrants or certificates of indebtedness bearing eight per cent. interest per annum, was concurred in on first reading.

The Board adjourned till Tuesday.

Board of Assistant Aldermen.—A special meeting of this Board was held last evening, for the purpose of receiving and considering the report of the special committee appointed in relation to the inquiries of Gen. Buchanan in regard to the laws governing municipal elections.

The Board was called to order at 8 o'clock, President Hepp in the chair.

The report of the committee in favor of the elevator and grain warehouse was first taken up, the debate thereon having been interrupted the previous evening by the joint session.

An amendment, providing that the wharf built by the company should revert to the city after a lapse of 25 years, at a fair valuation, to be determined by disinterested arbitrators, was adopted.

Another amendment, striking out 25 years and inserting 15 years instead, was offered, pending which a motion to postpone further deliberation of the matter until the next regular meeting.

The Committee on Streets and Landings offered a resolution that the Mayor be authorized to enter into a contract, by notarial act, with Mayer and Henry Stein for the removal of dead animals, and stating the conditions of said contract, which was adopted finally.

A resolution providing for the macadamizing of City street, from Conti to Customhouse streets, with the stone now being broken at the Workhouse, was passed finally and sent up for concurrence.

The Committee on Streets and Landings reported favorably on an ordinance providing for the sale of the right of way to establish railroads on Locust, Freret, Jackson, Claiborne and other streets for passengers only. Adopted finally.

The ordinance prohibiting the farther paying out by the Treasurer of city notes, and providing for the issued of certificates of indebtedness, (heretofore published,) was called up on its second reading and was adopted and sent to the Upper Board for concurrence.

A petition received from J. H. Keller, asking that a contract entered into by him with the city by which the privilege was granted him of breaking a market building on certain square of ground situated in the Nos. Suburb, be cancelled, annulled and set aside in consequence of the establishment of free markets. Referred to Finance Committee.

A communication was received from the President of the Canal and Claiborne street Railroad Company, asking the privilege of withdrawing the petition of said company, to be allowed to temporarily terminate their road at Elysian Fields street on account of a notice given by the legal representatives of the Southeastern Railroad and Mexican Gulf Railroad companies. The reason for asking the withdrawal was the delay of the city in notifying the company of the granting of their petition, which compelled the company to allow the contractors to proceed according to the original contract. Petition granted.

Mr. Sullivan, of the special committee to whom was referred the communication of the Mayor, touching the inquiries of Gen. Buchanan in regard to municipal elections, submitted a majority report which, in its main points, coincides with the opinion given by Judge Whitaker.

Mr Joubert, of the committee, offered a minority report contending that the decision of the question rests with the Military Commander and not with the City Council.

After some debate both reports were received and laid over for further consideration.

A resolution to allow Blakes to employ additional hands to clean streets was rushed through and the Board adjourned.

Dented Scum—A suitor for the hand of some fair "Emma" who failed to make himself a writer to the mind of the young lady, who is said to be very beautiful, and disposed to reserve her affections for some more acceptable position, concluded to invoke the services of Recorder Gaslinel, and has, for some time, appeared frequently in court to get the Recorder to use his influence to induce the young lady to consent. So great has been his importunity in this respect, that the Recorder has threatened to send him to the Lunatic Asylum, and the love sick swain in consequence turned again in a last resort to the young lady herself, and indited the following earnest epistle, which speaks for itself:

"*Most Beloved*—This letter I write you that you love me—that you be my wife. Do I outrage you, my God, my divinity, my hope, my spirit, my life? Then I outrage the world I carry in my breast for eight months—I outrage myself. And now what I merit? The prison—the Work-House! Emma, make me die, give me poison from your hand; only give me permission to see you again, again—one time. Permit me to kiss your hand—your feet. After this I am ready. Good bye, Emma. Believe me that I love you, and will love you God's last moments of life. NICHOLAS TURKEPACHIN.

"My address is Bienville street, No. 266."

The Mandamus Case—Judge Emerson, yesterday, decided that Mayor Heath must sign the contract of J. J. O'Hara with the city—a test case for other suits of the kind—in order to perfect *pro forma* the action of the City Council approving of the contract. The decision leaves out of the question the rights of the parties under the contract.

Interesting Decision—The case of Judah P. Benjamin, for himself and deceased partner of the law firm of Benjamin & Micou, claiming $22,000 for legal services rendered Alexander Norton, in moving for him and recovering over $100,000, before the war, was decided yesterday by Judge Emerson. The fee in the case was conducted by order of Gen. Sheridan, on the ground of Mr. Benjamin's being a rebel.

Judge Emerson, shrewdly avoiding the questions as to the right of General Sheridan to issue the order, argues that Congress had the power to pass the act of Confiscation, and decides that Mr. B., being an impardoned rebel, could not appear even in a civil suit.

Cutting Affair—About 8 o'clock yesterday morning an Italian, whose name, as well as could be understood, is Francisco Volatti, stabbed with a sheath knife an unknown man in an alley on Gallo street. The latter fell in the gutter, and the unknown man, one of the same class, ran away, and was followed by the parties who witnessed the affair. In Bienville street he was knocked down by a citizen, Mr. P. H. Cotton, and was arrested by citizen F. Lurges. We could not find out what became of the wounded man, whose injuries are doubtless very dangerous.

Recorder Gaslinel's Court—The Court presented an attenuated and uninteresting docket yesterday morning, which may mean a reformation of the morals of the Second District, or merely a lull in the saturnalia of scoundrelism and boisterousness.

Timothy O'Sullivan was found cavorting about the Bazaar Market, at the unseemly hour of midnight considerably drunk, and had upon mischief. The O'Sullivan was required to pay $2 50 for his half night's lodging or go to the Parish Prison for two days.

John O'Connolly, Austin Allen, and Joseph Bennett were accorded the same privilege that was extended to O'Sullivan.

George Bailey (colored), for stealing meat in the beef market, was sent to the Workhouse for five days, where he will eat his beef gratis. The stolen meat fell a perquisite to Joe Lewis, the Coven porter, and was conspicuously hung up in close proximity to the Judge's seat. When the court adjourned Joe hastened, with beaming eyes and watering mouth, to secure his prize, visions of juicy roasts, dripping gravey, and brown crusted Murphy's, flitting wildly through his excited imagination in the meantime. Alas! for the uncertainty of human expectations, 'twas gone—the meat had fled—flown away. Some unconsecrated, and, as yet, unhung fiend, was now indulging in the same epicurean dreams, which, but a few moments before had sounded their sensuous tintinnabulations through the wide and dazed brain of poor Joe. Joe would undoubtedly have cursed, had he not observed in the seat left vacant by the Judge, a newspaper reporter, diligently searching the scriptures. The example overpowered Joe, and he turned sorrowfully away meditating upon the mutibility of human hopes.

Fire—About half-past three o'clock yesterday morning a fire broke out in the furniture store of Mr Hobney, at the corner of Common and Rampart street, resulting in the entire destruction of the entire building, which was owned by Mr Charles Keck, and was insured for $6000. The grocery store attached—a small frame building—occupied by Mr. Henry Morrison, the contents of which were insured in the extent of $1000, also went up. Mr. Hobney's loss is partially covered by insurance to the extent of $6000. A stable of Mr Spear was also burned. The fire was evidently set in some varmint in the cabinet maker's shop, but how, is not stated. Two women and some children of the family of Mr. H. narrowly escaped, by being saved over the flames from a gallery, before the firemen arrived. The fire was so rapid they could not escape in any other way. The loss is probably to the aggregate about $20,000.

First District Court.—Judge Howe.—A new trial was granted yesterday in the case of Wm. Purcelle, charged with an attempt at rape on a young girl, Mag. Ryan, a little cousin, 8 years old.

A car driver named Malone was acquitted of a charge of assault and battery on a negro in a car, it appearing that the negro had persisted in remaining in the car contrary to regulations, before the order of Gen. Sheridan was issued, changing those regulations.

A man named McDonald plead guilty of mule stealing.

The Board of Police Commissioners.—The Board met last night. Mayor Heath in the chair.

Lieut. Madden, of the Second District, was suspended ten days on a charge of false imprisonment preferred by officer P. Z Cummings.

Officer John A Tiner, No 194, found drunk on his beat, (third charge) was dismissed the force.

Officer Wm Ryan, No. 171, for sleeping on his beat, was suspended ten days.

Officer John Barth, No. 179, for sleeping on his beat, was suspended fifteen days.

The Board adjourned until 5 P. M. Thursday, April 9th, at which time the trial of the Chief of Police, on the charges preferred by the Mayor, will come up.

A Bagbar Dead.—A man named Alfred Sullivan who, on the 15th of January last, was shot at the corner of St Thomas and Edward streets by John McQuade, died yesterday morning at 2 o'clock, at the Charity Hospital. Sullivan had burglariously entered the grocery store of Mr. McQuade, and was in the act of helping himself to the articles it contained, when the shot was fired.

Registration—The registration in the Third Ward at the closing of the books last evening, amounted to 1005, about two thirds of whom are whites. Among those registered yesterday were about fifty negroes carted to the City Hall for the purpose from the Marine Hospital, from which many of them were taken from bed, all by order, it is said, of Dr. Gray, and through the agency of Mr. Warmoth, candidate for Governor. That is doing up the registry with a vim.

Up to the closing of the books in the Second Ward 617 whites and 113 colored were registered.

At it Again—Another attempt was made yesterday morning before light to rob the residence of Mr. Felix Walker, on St. Charles street. This time the thief was pursued by Mr. Vaught, son-in-law of Mr. Walker, so closely, that he dropped some silverware he had obtained as he was in the act of scaling the fence.

Larceny—On the night of the 5th instant, the residence of Mr. Elsworth, 71 Prytania street, was burglariously entered by two thieves, who stole a gold cross set with pearls, two bracelets, a gold watch chain, two gold shawl pins, and $50 in United States currency. The value of the articles is said to be $250.

ARRIVAL OF THE STAR OF THE UNION.—The steamship Star of the Union, Captain Cooksey, from Philadelphia via Havana, arrived yesterday afternoon. From Havana to this port experienced heavy gales, veering from SE to NW. She brings a full freight and the following named passengers:

From Havana—Mr J A Rock, A Gelpi, L Ryan, Mr Fitzgerald and others.....From Philadelphia—H Laws, Mrs Hugh and child, Mr Bowen, Mr Bowden, J W Benjamin, Mrs Norris and daughter, H C Wallis, M A Hall and others.

CORRY O'LANUS ON THE SITUATION.—In his Washington correspondence to the Brooklyn *Eagle*, this distinguished writer thus sums up the grounds for impeachment:

Andy Johnson is to be impeached on the following charges:

1. For being Andy Johnson.

2. For aggravating Congress by referring to an obsolete document known as the Constitution of the United States.

3. For insisting that the Union has not been dissolved.

4. For asserting that a white man is as good as a colored man.

5. For maintaining that the President has a right to exercise powers conferred upon the office by the aforesaid Constitution.

6. Because Alabama didn't swallow the black draught of the Radical Constitution.

7. For violating the law against cruelty to animals, in trying to kick a dirty dog out of the War Office.

[From the Mobile Register of the 7th.]

The following important dispatch was received last night from Hon. John Forsyth, editor of the *Register*:

WASHINGTON, April 6.

I believe Impeachment has broken down. The testimony for the prosecution is closed and nothing proved.

The Senate Judiciary Committee have not agreed to report the Alabama House bill. Opinions are variant. J. F.

Address of the State Central Executive Committee of the Democratic Party of Georgia.

ROOMS CENTRAL EXECUTIVE COMMITTEE,
Of the National Democratic Party of Ga.,
Macon, March 27, 1868.

To the People of Georgia:

The committee appointed in accordance with the resolutions of the convention, held in the city of Macon on the 5th and 6th of last December, with authority to call State Convention as often as in their judgment, it may be necessary, at the proper time, the policy which, in their judgment, may be best adapted to subserve and promote the public good, have deemed it inexpedient to call a State Convention upon the short notice which must necessarily be given to consider and determine what action shall be adopted in reference to the Constitution framed by the late Convention at Atlanta, and to nominate a candidate to be run by the Democratic party of Georgia in the election to be held on the 20th of next month.

Feeling the importance of diffusing early information among the people upon the subjects which will come before them, for consideration in the exercise of the authority vested in them, resolved to proceed to immediate action, and to indicate the policy which, in their judgment, is best adapted to develope the public good.

Two questions are presented to the people in the election which has been ordered for the 20th of April:

First. Shall the paper submitted by the Convention, as the fundamental law of Georgia, be ratified or rejected?

Second. Who shall administer the Government under the new Constitution, if adopted?

Under the rules and regulations which will govern the approaching election, and looking to the necessity of saving the State from the disgrace and degradation of a domination which will carry ruin in its train, the policy we have adopted to promote the public good will be to vote against the Constitution.

To enumerate the many objections, which may be legitimately urged against that instrument, would swell this address to an unreasonable length. There is one so prominent and overwhelming that we cannot be derelict in duty if we were to pass it by unnoticed.

We call your special attention to the 11th section of the 13th article, which is in the words: "Should this Constitution be ratified by the people, and Congress accept the same with any qualifications or conditions, the government herein provided for and the officers elected shall nevertheless exist, and continue in the exercise of their several functions, as the government of this State, so far as the same may be consistent with the action of the United States in the premises."

This section presents Georgia in the attitude of seeking admission into the Union upon any qualifications or conditions which the present Radical Congress, bitter and malignant as it is, may prescribe. If the white people of Georgia can stoop so low as to go before a Radical Congress in that attitude, then, indeed, they will have drained the cup of humiliation to the very dregs. Lost to every sense of honor, and recreant to the dearest interests of his State, will he be who can vote for a constitution with such a provision. When Georgia is so degraded, so forgetful of the honor of his native State, as to subject our good old Commonwealth to such humiliation! let the instrument containing the infamous proposition be rejected with scorn and indignation. We use strong language, but not stronger than the subject demands.

Second. Who shall administer the government under the new constitution, if adopted?

Looking to a contingency that may occur, the friends of order and good government in all the counties and Senatorial districts in the State are invited to bring out their wisest and best men, who are eligible to seats in the Legislature, and not to embarrass our labors until they shall have secured their election.

If the Constitution now to be voted on shall be adopted and become the fundamental law of the land, the first Legislature which will assemble after its adoption will have the most vital interests of the people in their hands, and will control the destinies of the State for years to come. How important, then, that legislation, in the commencement of the new government, take a right direction. How immensely important that it be controlled by virtue and intelligence—by "wisdom, justice and moderation, and not by ignorance, corruption and malignity.

If the friends of good government prevail and secure a majority in both branches of the Legislature, we may feel assured, at least, that our fellow citizens will not be disturbed in the enjoyment of their political rights. But if, on the other hand, the government should fall into the hands of men elected by an ignorant, irresponsible constituency, having no interests to be affected injuriously by such legislation, but having power to inflict injury upon others by an improper choice of legislators—without wisdom or discretion to direct them in the choice of rulers, or virtue to withstand the approaches of corruption—we may become subject to all the wrongs and oppression which a vicious, corrupt and malignant Legislature can inflict.

If any person shall affect to believe that such danger is not to be apprehended, let him look at the condition of the white race in Tennessee, and let the white people of Georgia be warned by her example, and save themselves, while they can, from a like fate.

If your judgment lead you to ratify the proposed Constitution, unite with us in the election of honest and pure men to make laws and administer the Government under it. The organization which we represent meets the people of Georgia of all parties and views and feelings in a spirit of conciliation and harmony.

Fellow citizens: The issue is before you. Will you be ruled by wisdom, virtue and intelligence, or by ignorance, stupidity, venality and corruption? Choose your fate.

If you select honest and intelligent men to legislate for you, and put an incorruptible patriot in your Executive chair, all will be well; but if your legislative halls shall be filled by men elected to represent an ignorant, debased, degraded constituency, and the Executive Department shall depend upon the same power to put him in office, what other result can be expected but that venality and corruption will fill your offices and scatter broadcast over the land? Your legislators being corrupt, corruption and malignity will exact your laws.

To arms! to arms! Rally to the rescue your utmost exertions, and at this time, and in this crisis, it is absolutely necessary that all who have not registered should do so at once, when an opportunity is presented.

Georgia now expects every man to do his duty.

R. G. CHARRIS
Chairman Central Executive Committee National Democratic Party of Georgia.

Near Fort Lyon, Missouri, horse thieves are quite numerous and fully able to cope with any force the authorities have yet sent to capture them. A band of 250 are said to have fortified themselves near that post, and intend to have a pitched battle with the soldiers. To own a horse appears to be regarded as the chief end of man in the West, and the same object is also the highest ambition of some men that we know of in this neighborhood.

It is pretty generally known now that one of the occupations of the late Prince Albert during the latter years of his life was the formation of a collection of engravings, photographs and other representations of the works of Raphael; both the genuine ones, and also those which have been ascribed to him. This work has been continued by the Queen, and will ultimately be bound in about fifty or sixty huge volumes. At the present time a catalogue of the whole collection is being rapidly carried through the press. It is understood that though this work is in the first instance intended for distribution in the way of presents among her personal friends, foreign sovereigns and others who have aided in carrying out the Prince's plan, a special edition will afterward be published for the use of amateurs and Raphael collectors.

The Columbus (Ohio) *Journal* says of a contemporary, "that it is a very well edited paper. It is edited by most of the best Republican editors in the State. We have the honor of furnishing an occasional article, which appears editorially a few days after publication in the *Journal*."

A Shot from the Rear.

The following letter and official opinion, given by Mr. Speed when Attorney General, in relation to the power of the President to make temporary appointments to offices, involving, as it does, the very points upon which the impeachment articles are based, will be read with interest by all classes of our people. Mr. Speed is an ultra Radical, and withdrew from Mr. Johnson's Cabinet because of the conservative course of the latter. His decisions upon the subject involved ought to have great force with the Radicals.

It will be seen that his latter, written nearly three years ago, covers the ground taken by the President in relation to the Tenure of Office bill, and sustains Mr. Johnson in the view which he has taken of his obligations and duties as Executive of the nation. This is a shot from the rear which must damage the impeachers plans very decidedly. Nothing could be clearer than that Mr. Speed could fully and completely justify the action of the President in relation to the removal of Stanton:

ATTORNEY GENERAL'S OFFICE,
April 25, 1865.

Hon. Hugh M'Culloch, Secretary of the Treasury:

I have duly considered the important and interesting questions suggested by the Commissioner of Internal Revenue, touching the recent legislation of Congress with reference to the office of Assistant Assessor of Internal Revenue, and which you have submitted to me for my opinion. The question may be thus stated:

1. Whether the provisions of the act of March 3, 1865, vesting the appointment of Assistant Assessors in the Assessors of the respective Assessment Districts is constitutional?

2 If it be unconstitutional, in whom is the power of appointing Assistant Assessors by law vested?

3 If the President is, by law, vested with that power, should he exercise it against the express provision of the act of Congress, before any judicial determination has been had of the two preceding questions?

1. The first section of the act of March 3, 1865, provides that, within each Assessment District, the Assessor, whenever there shall be a vacancy, shall appoint, with the approval of the said Commissioner, one or more Assistant Assessors, who shall be resident in such Assessment District

The question suggested by this enactment is whether it was constitutionally competent for Congress to confer on the Assessors the power of appointing their Assistants. The Constitution provides: sec. 2, art. 2, That the President shall nominate, and by and with the advice and consent of the Senate, shall Ambassadors, . . . and all other officers of the United States whose appointments are not herein provided for, and which shall be established by law. But the Congress may, by law, vest the appointment of such inferior officers as they think proper, in the President alone, in the courts of law, or in the heads of departments.

This is the constitutional provision which the act of 1865 may be supposed to infringe. Manifestly the statute is in violation of the constitutional provision. If the Assistant Assessors are, within the meaning of the controlling clause, officers

[The Attorney General proceeds to argue to show that according to the highest authorities the Assistant Assessors are officers of the United States.]

I am of opinion, therefore, that the provision of the act of 1865, to which I have referred, vesting the power of appointing Assistant Assessors in the respective Assessors, is clearly unconstitutional.

[The following paragraph puts the question as if it were the very case of Stanton and the Office Tenure Act; and the succeeding paragraph answers the question as the President had put it in his answer to the impeaching Senate. Look at it.]

The first and last question on which you have desired an expression of my opinion is, whether it is the duty of the President to exercise the power of appointment in the case of vacancies happening in offices within the provision of the act of 1865, distinctly declaring the will of Congress that he should not appoint them, and pointing out the especial mode in which the duties of the Legislature, and especially before any judicial determination has been had of the first two questions to which I have directed my attention.

If the President should be of opinion, on the foregoing reasoning, that he possesses the power, constitutionally, to make the appointments to the office of Assistant Assessor, I think that it is clearly his duty to exercise that power. The question of his constitutional right to do so is one entirely dependent upon the view that the President may take of the unconstitutionality of the existing legislation on the subject of that office.

If he fully concurs in the view I have taken of the question, there is no escape from the conclusion that he alone can lawfully fill the vacancies in the office of Assessor. That he has lawful power to do when the occasion requires an exercise of his authority. To do less on such an occasion would be *pro tanto* to abdicate the high office The Constitution is the supreme law—a law superior and paramount to any other. If any law be repugnant to the Constitution, it is void, in other words, it is no law. It is the recognized province and duty of the Judicial Department to say what the law is in particular cases that have come before it, and it is the obnoxious duty of authoritative exposition of the law by that department, it is equally the duty of the officer holding the executive power of the Government to determine for the purposes of his own conduct and action, as well as the operation of controlling laws as to the unconstitutionality of any one.

It will be observed, let me remark in conclusion, that the action of the President, in pointing to the office in question, will not preclude or affect judicial inquiry and decision on the points that have been presented. If two persons claiming the office of Assistant Assessor, in any assessment district, the office of Assistant Assessor, one by appointment of the President and the other by appointment of the Assessor, presented themselves, it would be peculiarly one for judicial determination—whether either, and which, of such persons was entitled to receive the office.

Very respectfully, your obd't serv't,
JAMES SPEED, Attorney General.

LADIES' TALK.—They have a readiness of resource which enables them to say the very thing that is most right, at the very moment when it is most wanted, to rectify the blunders of other people—of their stupid male relatives notably—to anticipate and prevent some threatening mischief, or to comfort and cheer, at a moment after its occurrence. It enables them to act the talk going at critical moments, and to keep it alive with bright and fresh and apt repartee always. It gives them the power of keeping people in good humor, or of restoring their equanimity when it is gone. This admirable faculty of ready resource and fancy which women are for the most part so well endowed, leads them, in certain cases, to all sorts of good and noble deeds, which, but for it, would be never done. It makes the capacity is lower, these same qualities have a different issue and are shown chiefly in the development of an extraordinary power of talking and with talk of a description not very exalted in quality, but quite unlimited in amount. This running-on faculty—as enjoyed by the Mrs. Gamps and Betsy Prigs—is a thing of note in a treatise such as this. Its possessors are a class apart, and are more numerous than might be supposed. They are easier to meet in crowds than in their lairs, but rather link together the different sections of their monologue with words of uncertain meaning, or repititions of something already spoken, apparently with the object of getting time in which to collect new ideas, or else of getting the listener off from taking advantage of a pause to cut in. This running on capacity is not without value in its way, and it is a pity that those who are unable to keep it in order, and to regulate it duly; while, as to those others, who possess, in combination with this gift, certain other gifts of intelligence and discretion, it may be said of any society which includes such persons within its limits, that it would be a happy thing for them if they should fall into the hands of men elected by an ignorant, irresponsible constituency, having no interests to be affected injuriously by such legislation, but having power to inflict injury upon others by an improper choice of legislators—without wisdom or discretion to direct them in the choice of rulers, or virtue to withstand the approaches of corruption—we may become subject to all the wrongs and oppression which a vicious, corrupt and malignant Legislature can inflict.

BY TELEGRAPH.

[To the New Orleans Bee.]

FROM WASHINGTON.

Motion to Rescind Impeachment Resolutions.

CONGRESSIONAL.

Washington, April 8.—SENATE.—Colored school property in the District has been exempted from taxation.

Wilson reported the House bill extending the Freedmen's Bureau.

A bill allowing persons who had formed and expressed opinions from newspaper reports to act as jurors, passed.

Sumner proposed a Constitutional amendment, declaring persons once elected President, or Vice President who have acted as President, ineligible to either office after the expiration of such term.

A large number of private bills were passed, when the Senate went into executive session. Adjourned.

HOUSE—Robinson offered a resolution rescinding Impeachment Resolutions and withdrawing the managers. The Speaker declared that the resolution required the unanimous consent of the House. Pending discussion the privileged question to print 40,000 copies of Butler's speech was moved. Robinson moved regular order, with a view of getting that out of the way, but the House adjourned, after a quarter of an hours session.

WASHINGTON ITEMS.

Washington, April 8.—Internal Revenue receipts to day $355,000.

Judge Curtis opens to morrow for the defence in the impeachment case. There is greater demand for tickets than since impeachment opened.

SOUTHERN CONVENTIONS.

Jackson, April 8.—In Convention the Franchise bill is under consideration. The day was occupied in debates.

Richmond, April 8.—CONVENTION—The resolution prohibiting the Legislature from establishing separate schools for the two races was defeated, by 67 to 21.

All the propositions for relief, including the homestead exemption, were discussed to day.

A speaker refused to give way to allow Sergeant Bond to be arrested on the floor, saying he did not wish to see the flag brought in under Copperhead auspices.

The convention this afternoon at half-past 4 o'clock. About 500 persons were at the bridge awaiting its arrival. He went off in a brisk trot to the Capitol, where a crowd appeared on the steps of the Capitol and waived the flag to a large crowd who had gathered in the Park. He trotted through a bridge having lamed him, he will not be able to participate in the fall of morning number of prominent citizens called on him this evening.

The Republican State Executive Committee had a meeting to-day, and resolved to call a convention on the first Wednesday in May to nominate candidates for State officers.

FOREIGN INTELLIGENCE.

London, April 8.—A letter was received here to day from Dr. Livingstone, via Zanzibar. He was in good health, and returns to England after a successful journey.

It is rumored that Lord Cranborne has been tendered the Canadian Governor-Generalship, and Earl Mayo the Indian Governor-Generalship.

Lord Fitzgerald is about retiring from the Irish Appeals Judgeship. The Irish hierarchy are preparing a petition to the Queen against any changes in the Irish Church.

Violence against persons and property is daily reported in Corfu.

MISCELLANEOUS INTELLIGENCE.

Ottawa, Can., April 8.—Whelon and Doyle were arrested on suspicion of having killed McGee. The determination is generally strike up Fenianism.

Massachusetts, Minn., April 8—This city yesterday elected a Republican Mayor by 240 majority.

Augusta, April 8.—It has been suggested that the meeting of the Southern Press Association to take place on the 20th instant, be postponed until the 4th of May, on account of the large gatherings at that place throughout the State on the 20th. The *Constitutionalist* and *Chronicle* unite in suggesting the postponement.

Wilmington, N. C., April 8—The schooner John Hancock, from Galveston for Philadelphia, is ashore five miles west of the Cape Fear. She is well upon the beach. If the weather should prove favorable, she will probably be saved in good condition.

Registration here, first day—whites 56; blacks 1. Excitement over registration is very great, but no disturbance has occurred. It is believed that the whites will register the blacks during the succeeding three days.

Wilmington, April 8.—There was an immense Conservative meeting at the Theatre this evening, including a very large number of ladies. Speeches were made by Colo R. H. Cowan and J. W. Atkinson, and Major J. A. Engelhart. The greatest enthusiasm prevailed.

FOREIGN MARKETS.

London, April 8—Evening—Bonds 73¾.

Frankfort, April 8—Bonds 75¼ to 75⅛.

Liverpool, April 8—Evening.—Cotton closed heavy with a further decline. Sales to day 12,000 bales. Middling uplands 12¼. Cord 30½ 9d. Lard 63s. Sugar firmer. Naval stores firm.

London, April 8—The Grand Jury have indicted all the prize users implicated in the Chelsea affair, except O'Neal. They will be tried next week.

DOMESTIC MARKETS.

New York, April 8—5-20's of 1862, with coupons, 111¾; of 1864, Tennessee 6s, now, 67¾. Gold in N. Y. at 12 M. 138 to 138¼.

New York, April 8.—Cotton a shade lower—rather more doing; sales 3000 bales; middlings 26c. Flour 5 to 10c lower. Southern brands of inferior quality are the most affected. Wheat unchanged. Mess Pork $26. Lard quiet. Rice dull—10¼ to 11¼c. Sugar active and firm. Other groceries steady. Turpentine 65c. Rosin $2 50 to $2 60. Petroleum unsettled.

New York, April 8.—Governments closed steady. 5-20's of 62, with coupons, 111¾; of 64, 108¾; of 65, 109¾; of 67, 109¾; 10 40's, 103¾. Gold 138 to 138¼. Money easier. Sterling well supplied on call at 7 per cent. Discounts nominally at 7 to 9. Stocks generally heavy, except Western shares. Sub Treasury balance, $101,000,000.

Mobile, April 8—Cotton—no sales. Receipts 1563 bales. Exports 530 bales

Charleston, April 8—Cotton dull, but too unsettled for quotations. Sales 315 bales Middling nominally 28c. Receipts 1113, exports coastwise 300 bales.

Savannah, April 8—Cotton nominally unchanged; holders firm. No sales. Receipts, 1630 bales. Exports, 3325 bales.

Louisville, April 8—Flour—no sales 231 bbls leaf, huge $5 25 to $6 90, medium leaf $15, fair $17, selections $22 25; Green county $27 50. Flour—superfine $8 50 to $9 50, fancy $12 to $16. Whe