THE NEW ORLEANS DAILY BEE.
DUFOUR & LIMET, PUBLISHERS,
No. 73 Chartres Street.
TERMS OF THE BEE:
Terms of Subscription—Daily, per annum, in advance, $10; delivery, $8; quarterly, $4.
Price of the paper—Single copies, 10 cents.
The Semi-Weekly publishes every Tuesday and Saturday. Subscription $5 per annum, invariably in advance.
Rate of Advertising—Transient advertisements twelve lines or less per page, first insertion $1 50 per square, each subsequent insertion, 75 cents per square.
First, or Editorial Page Transient Advertisements, each insertion, $1 50 per square.
Advertisements inserted at intervals to be charged as for each insertion.
Yearly Advertisements, Monthly Advertisements, each 10 lines, $7 50 per month.
Regular advertisers who advertise largely, shall make such arrangements for discounts from the above named transient rates as may be agreed upon. In no case shall such discount exceed 25 per cent.
All Business Notices of Advertisements to be charged 50 cents per line, each insertion.
Payment Advertisements must be paid for in advance.
All advertisements not marked for any number of insertions, will be published six times.
All bills with regular advertisers shall be rendered monthly.
Semi-Weekly Edition.
TERMS PER YEAR.....$5
NEW ORLEANS:
SUNDAY MORNING, OCT. 31, 1869

TRY GEORGE ALCEE'S CIGARS.
IN.....Hampart Street.....180
Amusements This Evening.
ST. CHARLES THEATRE—The "Serious Man" and Mr. and Mrs. Rose Wilson.
AMERICAN OF MUSIC—Transient, The Rebellion, Rip Van Winkle Style. Monday evening, Grand Ball.
NATIONAL THEATRE—Fred Fisher and Mr. Tyrone Power.
VARIETIES THEATRE—Monday night—Formosa, or the Road to Ruin.

THE LEVEES ON THE MISSISSIPPI.

The subject of the levees on our great river is certainly one of transcendent importance, a force concerning which, too much cannot be said, while the levees remain in their present dilapidated condition. We cannot overlook these great dykes. The untiring waters, and their ceaseless action upon the banks, keep us always alive to the necessity of shutting them in. Under the system now and heretofore in practice, the continuity and repair of these embankments are never complete, never one for all and permanently finished. It is a perpetually recurring duty to re-establish them, for no sooner are they made, than are they again unmade. We, of New Orleans are as much interested in the protection of the levee on the river, as the people cultivating them. When they prosper, we prosper; when disasters overtake them from overflow or other wise, we necessarily suffer with them. The subject of these levees was one worthy of consideration on the part of the late Convention at Louisville, because the Mississippi river and everything connected with it, is more national than local. The Convention did consider it and the report made to it by the Committee to whom the subject was referred, will be found in our columns to-day, together with the resolutions adopted by the Convention. Everything that can be said calculated to awaken an interest in the comprehensive plan suggested by the committee is embodied in the report and resolutions. We can say only, go forward. If they do not convince, all argument would be useless. We cordially approve the plan unfolded by the committee in their report, as the best yet devised and as the only plan we consider adequate to an undertaking so vast and so costly. It is unnecessary to say that all systems of levees have hitherto failed lamentably to lead, and brought upon our plantations and merchandise associated with them immense losses. The reason for this failure is that the systems have not been uniform and the efforts of those who had the control of their operation have been isolated and partial, and they have been carried on, to speak more plainly, more in the interest and for the benefit of the contractors who hired them, than for the benefit of the State and its land owners. The levees hitherto have been constructed under State legislation and the supervision of State officers, and experience teaches us that works of this kind, and enterprises of every kind conducted by Government and Government officers have in them an inherent vicious taint. The great works of national improvement—the great achievements of the engineers of this country and of Europe—the railroads, the bridges, the canals, the steamships, have been the fruit of individual genius and enterprise, and the result of the associated capital of private persons. Government has rarely if ever succeeded in such undertakings. Witness on the one hand the repeated failures they have made in naval architecture and construction, both in England and America. Witness on the other the success of that gigantic achievement of science, the Suez canal, the great tunnel, and bridges, and railroads of Europe and America, which owe their existence to individual genius and private capital. Experience teaches us where large amounts of public money are to be handled we must expect poetry on the part of the late, we will be sure dead to frozen, and rich corporations, such as all events has been our experience in Louisiana. Even at the present moment, we are told that not a commonwealth possesses a few levees made by the State alone—not a million of dollars—which has been added to the debt of the State, the levees require to be rebuilt. Taxes must be collected to be provided for—principal and interest, invalid debt against the State, and nearly all the work had to be done over again. Probably levees requiring less than a million of dollars are now actually ready to keep out the spring floods. Certainly we see no announcement in the city papers, from the office of the State Board of Public Works, of any proposals for the rebuilding of all the levees now nearly all from Carrollton, which adjoins the State, Arkansas, down to the parish of Plaquemines, below New Orleans. The Board with charming frankness tell us they have no funds in hand to pay for the work, and can only promise appropriations of money by the Legislature. Just as of the debt of the State were not already large enough and as if the cost of a piece of India rubber could be used without limit, at the pleasure and for the profit of contractors and their allies, the money lenders. It has been a conceit of this constant binding and rebinding is never to come to an end? and to ask seriously of our law makers if this State can afford to set up every year these lever jobs and just as often as they are erected to see them knocked down, for the amusement and sage amusement of persons who profit by such operations, is ridiculous. Experience should be made by every newspaper and citizen in the State, to any further appropriations for this purpose by our Legislature. The finances of the State cannot bear these immense expenditures. Its bonds do not now sell for more than sixty cents on the dollar, if that. Our policy is retrenchment. Let us all then pur our shoulders to the wheel and advocate the system developed by the report we print elsewhere.

MR. CARLISLE'S REPLY TO THE ATTORNEY GENERAL IN THE YERGER CASE

The brief reply to the Attorney General of the United States made by Mr. J. M. Carlisle, a distinguished pleader before the Supreme Court at Washington, and associate counsel for Mr. Yerger in the habeas corpus case, has been spoken of by the bar as a model in style, and as perfectly unanswerable in the statement of the law. We rather think that Mr. Hilton, of Washington, must have felt as if he would like the floor of the court room to open and swallow him up, when he heard the answer to his able argument, because it was not only the answer of a cotemporary lawyer, but of a sensible man and a true patriot, and an argument not to be overthrown. We.

The Attorney General having argued that a repeal of the act of 1867, was also a repeal of the Statutes conferring jurisdiction of the subject habeas corpus on the courts, asked if there was any one who would question the proposition that there was not one in entirety of Congress.

In reply to this Mr. Carlisle said that there was two hundred members of Congress who voted against what Congress intended have intended to vote. It was certainly difficult to tell what Congress had done, the court had seized upon a cause, *sub judice*, and grounds on which decision not have been the intention. Rather a lawyer, it was easy to say what Congress really had intended by applying the ordinary rules of interpretation. Anything short of the full intent of Congress, the repeal of 1868, repealed only the act of 1867, which had given special jurisdiction in certain cases in addition to the general one before existing. The intended repeal of the judiciary act of 1789 was unaffected by the repealing act of 1868 and it was under the provisions of that act which that the proceeding were instituted, and the order for the writ of 1868, as contended in the Attorney General. He had heard no argument which had satisfactorily shown that this order was a nullity, or that it violated the judiciary act of 1789 and he would be ready to join in judgment, the court in holding upon a point that had not been litigated and its affirmed time and time again.

PHOTOGRAPHIC PICTURES.—It is rare in the secure business as in all departments of life that customers obtain much for their money and a more satisfactory exchange at first class establishments. Among these may justly be numbered that of Mr. S. Anderson, of 185 Canal street, between Dauphin and Burgundy, whose galleries of art are so attractive. No Ever or more perfect pictures, perhaps, nor so good are made in New Orleans. Call and see for yourselves. He invites the attention of our readers to his new advertisement in another column to the picture style of "Sun Pearls" said to be very beautiful and a triumph of the art.

SAILING OF THE STEAMER.—The steamship Jackson Cole Hewitt, hailed last evening for Philadelphia, via Havana, with a full freight and a full cabin passenger list.

Passengers—Rev. D. Pelg, Toledo, Madame Cleveland, Miss Mary Manley, C. H. Coupe, Mr. M. P. Davis, Wm. Walker.

AMUSEMENTS.

VARIETIES THEATRE.—Miss Rachel Johnson, one of the most celebrated artistes on the American stage, appears Monday evening for the first time in the celebrated play "Formosa," which is to be put upon the stage in a style commensurate with the high reputation of that lady and with the entire strength of the Varieties Company—one which, we must say, in justice to Manager Floyd, has been selected with a practiced eye to the wants of this community than which, we suspect, there are few more critical. The artists are natural, work well together, however cast, and as a consequence scarcely ever fail to give us an excellent performance. The music and scenery, too, are fine; and altogether, the Varieties is a superb place of amusement. As to the management it is unexceptionable.

Miss Johnson succeeds Mr. Bernham, whose engagement closed last night before a more than ordinary enthusiastic audience.

ACADEMY OF MUSIC.—Tonight will be the last of the presentation of that popular sensational production of Bouccicault's, entitled "Formosa." It is a stage curiosity well calculated to excite our wonder if not admiration, and Mr. Mayo certainly makes the most of it in the character of *Tom Burroughs of the Oxfords*.

To-morrow evening will be produced for the first time here, we believe, at the Academy the romantic drama translated from the French, entitled "Cadet la Perle," with new scenery, properties and effects.

ST. CHARLES THEATRE.—The Chapman Sisters and Mr Bishop closed their engagement at the St. Charles last night before a fair audience. They are succeeded by that elegant delineator of Irish character and vocalist, Mr John Collins, who will appear in his popular delineation of the character of *Mr Shane*, with songs, and perhaps in some minor character Mr Collins is a great favorite in New Orleans.

Crescent City Circus.—It must be remembered that the great Crescent City Circus commences a series of entertainments on the lot opposite Tivoli Circle, on Monday night, Nov. 1st. Mr. Noyes, the ever popular and energetic manager, awakens the amusement lovers that for the finest and most complete establishment in this country and as an additional attract it to the great double troupe of gymnasts, riders, acrobats, etc., and as one of the leading features in this great circus, has added the Tournament, or Field of the Cloth of Gold, a magnificent spectacle, exhibiting the sports of the olden times, the trial of strength, combats, hand to hand encounters, etc., and carrying the audience insensibly back to the days of tilt and tourney.

On Monday morning, November 1st, at about 11 o'clock, the elegant street processions, headed by the gorgeous band chariot, will pass through the following mentioned streets, affording our citizens an idea of the great resources of this matchless troupe. Every morning at 11 o'clock after Monday, a matinee will be given for the accommodation of ladies and children. Performance commencing at 12 M. for the matinee and at the usual hour for evening exhibitions.

The floating is the route of the grand procession: starting from Tivoli Circle, down Tivoli Walk to Rampart, down Rampart to Canal, along Canal to Bienville, up Bienville to Camp, up Camp to Gravier, up Gravier to St. Charles, up St. Charles to Julia, up Julia to Camp, up Camp to Calliope, up Calliope to Magazine, up Magazine to Washington, down Washington to St. Charles, down St. Charles to the canvas, Tivoli Circle.

We acknowledge receipt of invitations politely sent us by the Vigilant Fire Co. No. 1, to attend a grand fancy dress mask and Masonic ball, to be given by them on Saturday next, Nov 13th, at Meonnaiter's Pavilion.

We also acknowledge receipt of an invitation, politely forwarded by the American Hook and Ladder Co. No. 2, to attend a grand fancy dress ball, to be given for the benefit of their relief fund, at Odd Fellows' Hall, on Saturday evening, Nov 13th.

REPORT OF THE COMMITTEE ON LEVEES ADOPTED AT THE LOUISVILLE CONVENTION.

The Committee on Levees beg leave to respectfully report that no question is connected with the development of the material resources of the Mississippi Valley is secondary in importance to some mode by which the annual loads can be protected from the annual floods that render their cultivation precarious and invariably limit their productive capacity. The agricultural resources of the region watered by the waters of the Mississippi are almost inexterminated, but to devise a plan or some scheme by which these periodically recurring freshets can be successfully restrained must be devised. Before this work is undertaken, a thorough organization affording interstate protection. These levees were constructed that in the agency of the States, per state and counties in which they were located and were maintained and policed by the riparian proprietors. Crude and incomplete as this system was, it was, at least, afforded great relief, and contributed immensely to the development and protection of those States. Crevasses were of rare occurrence, and the planters behind the levees were enabled to go to the cultivation assurance that he would be protected to the fullest and immediate extent of any ordinary and extraordinary rise. Mr. Gould does not do in vague assertions. He gives dates and specific, giving, since dates and specific, giving, since dates and specific, giving, since