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DEBATES OF THE STATE CONVENTION OF LOUISIANA.

THURSDAY, July 15, 1852.

RIGHTS OF AN ACCUSED PARTY.

MR. KING, of St. Landry, having on the previous day voted with the majority on the adoption of article 107, moved for a reconsideration. The article is as follows:

"Article 107. Prosecutions shall be by indictment or information. The accused shall have a speedy public trial by an impartial jury of the vicinage; he shall not be compelled to give evidence against himself; he shall have the right of being heard by himself or counsel; he shall have the right, unless he shall have fled from justice, of meeting the witnesses face to face, and shall have compulsory process for obtaining witnesses in his favor."

MR. KING said: Mr. President—When the motion was made yesterday by the delegate from Jefferson (Mr. Cotton) to strike out the words "unless he shall have fled from justice," I voted with the majority to lay the motion upon the table. Since the adjournment, yesterday, the injustice of that clause has been presented to me in so strong a light by members of the Convention whose opinions are entitled to great weight, that I move a reconsideration of the vote that the Convention may have the benefit of further discussion of this important point for an accused party. If the delegate from Orleans (Mr. Hunt) will give the Convention his views on the retention of this clause in the article, I am confident that it will aid delegates in voting on it with a more thorough understanding of its importance and true effect. I confess that my own opinion expressed by my vote on yesterday has been shaken by the comments on the rights of an accused party to which I have since listened.

The reconsideration was granted.

MR. HUNT—I could have wished that some other member of the Convention had undertaken the task which the gentleman from St. Landry has assigned to me, as I do not feel well enough to engage in discussion this morning. But I will briefly state why I am in favor of striking out the words "unless he shall have fled from justice."

I observe that this provision in the Constitution of the State of Louisiana is found in no other State Constitution in this country. The old Constitution of this State—the Constitution of 1812—provided that the accused should have the right of meeting witnesses face to face, but the Constitution of 1845 abridged this right by the clause "unless he shall have fled from justice." Now, there has been much doubt as to the exercise of this curtailment of the rights of an accused party. It has been recently decided by Judge Larue, that a man may be tried without being present to meet his witnesses face to face. I do not think the decision of Judge Larue correct, but I think that the clause in the Constitution on which it is founded ought to be stricken out of that instrument. I think that the clause "unless he shall have fled from justice," conveys no other idea than that an accused party who may have fled temporarily, from any cause whatever, has forfeited all the essential guarantees of the law in his favor, and that, in such a case, there will no longer be a necessity of meeting witnesses face to face, but that it will be sufficient if the testimony be taken by commission. What would be the object of taking testimony by commission in cases of crime? To prevent persons who have been accused of crime, and have fled from justice, from coming back and setting the laws at defiance after the witnesses of their guilt may have died or removed, so that they cannot be found. That testimony, I submit, ought not to exclude the accused party from the right, at any time, to meet the witnesses face to face. The Convention will see that the proposition amounts simply to this—whether *ex parte* testimony may be taken as sufficient to convict a person of a principal crime. The question now is, whether we shall adopt this proposition as a portion of the criminal jurisprudence of the State of Louisiana. I am against the principle. I put it to gentlemen to say whether the testimony of witnesses *ex parte*, and without the light thrown upon all evidence by cross questioning, is such as an American jury will deem sufficient. An ingenious lawyer, unopposed and uncontrolled, can prove almost anything. We are accustomed to hear the boasts of the superior skill of some lawyers in drawing forth evidence by means of sharp questioning. We acknowledge the justice of these boasts—we know that by active and earnest cross questioning, a shrewd and cunning man can frequently reduce evidence to a shape precisely fitting the case which it is his interest to make out; that he can, to use the language of an old lawyer, beat a lie into the form of truth. The penalty is established against an accused party by this clause, "unless he shall have fled from justice," on the supposition that every one who shall have fled from justice must be guilty. It is true that this supposition is a correct one in many cases, but how often have we known innocent men to flee when crime has been committed? Let us suppose the case of an individual unexpectedly observing a wounded man laying on the wayside, and that, prompted by feelings of humanity, he instantly employs himself in binding up his wounds; that while engaged in this humane work, he sees the myrmidons of the law advancing upon him in their search for the wounded man, and that under the fear that he may be suspected of having participated in the infliction of the wounds, he suddenly determines to run away: is seen in the act of running and pursued, but not taken. Is there any proof of the guilt of the individual who has thus placed himself in the position of one who "shall have fled from justice"? No. Then I take it that flight is not proof, and that the rule that because an accused party may have fled, he must be supposed to be guilty, is an erroneous assumption.

But I would strike out this clause "unless he shall have fled from justice," on the broader ground that no man ought to be condemned on testimony taken when he is not present. To deny him the right to meet the witnesses face to face, is contrary to the rule and practice of both this country and England. If a person be guilty of an offence, and shall have fled, the chances are ninety-nine in a hundred that the witnesses may be found when he returns. In any event, it is much the safer rule to reserve to the accused party, in all cases, the right of meeting the witnesses face to face.

MR. CAMPBELL—In my remarks on this subject yesterday, I did not contend that the clause "unless he shall have fled from justice" ought to be retained in the Constitution. I advocated simply the policy of perpetuating the testimony in cases where the accused party had fled from justice, without denying his right, in case he should return, to meet his witnesses face to face. I think that such a denial is a departure from the well established rule which gives the party the right to be present to hear interrogatories and challenge them. I am glad that the views of the delegate from NewOrleans, Mr. Hunt, correspond with those which I entertain.

MR. COTTON—Yesterday, I supposed that the gentleman from Nachitoches was totally opposed to the abrogation of the clause "unless he shall have fled from justice" in article 107. I proposed to strike out the clause on two distinct grounds. One was that flight was no proof of guilt, and ought not to debar an accused party from meeting his witnesses face to face—in which I am glad to have been supported by the delegate from Orleans, Mr. Hunt. The other ground was that the decision of Judge Larue had not been contradicted, and that if a case of the same nature shall come before Judge Larue again, we may rely that the same decision will be pronounced. I do not say that that decision is correct. I think it incorrect. But the decision has been given, and will stand on the records of the country. Now, I understand that the great object of law-givers is to make clear laws such as may not permit doubt as to their exercise, but when we see a different view of a law taken by such a high authority as Judge Larue, and the fact brought to the notice of this Convention, it is the duty of the Convention either to abrogate the law, or to make it so distinct and so plain as not to admit of the slightest question. I coincide with the gentleman from Orleans in his able views against the citizens of this Commonwealth, placing the rights of an accused party in the hands of other parties.

MR. COLLENS—As the name of Judge Larue has been introduced in this discussion, I think it right to say to the Convention that that gentleman is in favor of striking from the Constitution the clause which has been referred to. His views on this question are different from those which gentlemen seem to believe he entertains. At present I shall merely state that, in the case where he rendered the decision which has been referred to, the accused party was present at the beginning of the trial—directed and arranged the appearance of his witnesses, and otherwise actively interested himself in the trial—but that, after the trial had proceeded some length, he fled, and Judge Larue ordered the trial to go on, and gave judgment against him.

MR. BULLARD—I can see no harm, in cases where crime has been committed and the accused party has fled, in examining witnesses and preserving testimony. I have known many instances of parties crossing the State line for a time, and afterwards escaping from punishment altogether, because no testimony had been preserved against them and there was a difficulty in finding it afterwards; whereas, had the testimony been taken when the crime was committed, that difficulty would not have existed, and punishment would have been dealt out to the offenders. In cases of higher crimes, I would be in favor of striking out the clause, "unless he shall have fled from justice," but relating to misdemeanors, I think that the article ought to be so amended as to retain testimony against accused parties who shall have fled. The perpetrator of a misdemeanor can be reached only through the Courts. The Court has no compulsory power out of the State, and thus a guilty party, by keeping on the other side of the State line for a time, frequently escapes detection and punishment. But persons accused of higher crimes can be reached beyond the jurisdiction of the Courts. I, therefore, move that the article 107 be referred to the Committee on General Provisions.

MR. HUNT—If the principle which I advocate be correct, it is applicable to all offences—to higher equally as to those of a lower grade. The gentleman from Natchitoches, (Mr. Bullard) believed that testimony might be retained against parties accused of misdemeanors, while in relation to higher crimes, the right of the accused to examine the witnesses face to face, ought to be unrestricted. The argument of the gentleman amounts, then, to this, that the right of the accused to cross-question witnesses shall be qualified. To that I am opposed. Therefore, I move to strike out the words in Article 107, "unless he shall have fled from justice."

MR. HUNT'S motion prevailed, and, on a farther motion, the article, as thus amended, was adopted.

THE APPORTIONMENT.

This subject having been declared the order of the day—

MR. GUION said: I am aware that, last week, the Apportionment of Representation was set down as the order of the day for this day, but I understood that it was not the intention of gentlemen, as expressed more recently, to bring on the discussion this day. There are various interests to harmonise in relation to the great subject of representation, and I am confident that the Convention is not prepared to go into the discussion satisfactorily this day. I am convinced that if the discussion shall be begun, a motion will soon be made to postpone it. The Committee will be ready to-morrow morning, and I move that the Apportionment be made the order of the day for to-morrow.

The Apportionment was made the order of the day for Wednesday, the 21st.

BAIL.

The Convention proceeded to take into consideration Article 108 of the Constitution, which read as follows:

"Article 108. All prisoners shall be bailable by sufficient sureties, unless for capital offences, where the proof is evident or presumption great; and the privilege of the writ of *habeas corpus* shall not be suspended unless when in case of rebellion or invasion, the public safety may require it."

MR. EUSTIS offered the following as a substitute to the above article:

"Article 108. All persons shall be bailable by sufficient sureties, unless for capital offences, where the proof is evident or presumption great, or unless after conviction by a petty jury for any offence or crime punishable with death or imprisonment at hard labor. The privilege of the writ of *habeas corpus* shall not be suspended, unless when in case of rebellion or invasion, the public safety may require it."

MR. HUNT—I shall vote for the substitute offered by my colleague. The jurisprudence of our State requires such an amendment. Under the common law, bail is left to the discretion of the court. The Judge may bail or not, according to his judgment and discretion in the circumstances of each case. But the Constitution of our State has made that a *right*, of which the prisoner is entitled to call for the lawful exercise, and now all prisoners are entitled to bail under our law, except for capital offences, where the proof is evident or presumption great. In England, the discretionary power has been carried very far, and the Court of King's Bench has undertaken to bail prisoners after conviction. In one case a party was bailed after conviction of murder, but the proof of innocence was clear. Our law, however, has taken away from the Judges all discretion in the matter of bail, and every prisoner has a right to bail after conviction except in cases of murder. The Supreme Court has decided that all cases are bailable after conviction, where sufficient sureties are offered, except for murder, and where an appeal has been dismissed. In all cases where a murder has been committed, the Supreme Court has found, that whether before or after conviction, the prisoner is entitled to bail. Now, in such high cases as those in which persons are convicted and sent to hard labor in the Penitentiary, the presumption of innocence may be reasonably supposed to be done away with. A man who has been convicted by a jury of his countrymen will hardly remain to answer, if admitted to bail. The presumption is that he will forfeit his bail, rather than enter on a new trial with the solemn verdict of one jury recorded against him. My colleague, in his amendment, has limited the cases in which bail may not be taken to those which are punishable with death or hard labor. He has left the door open for bail in all cases of assault and battery, and in cases where there has been a pardon by the Governor, not confirmed by the Senate. The amendment by my colleague (Mr Eustis) seems to be well guarded in all respects, and I therefore hope that the Convention will adopt it.

The substitute was adopted.

THE TITLE OF EACH LAW.

Article 118 being before the Convention, and read as follows:

"Article 118. Every law enacted by the Legislature shall embrace but one object, and that shall be expressed in the title."

MR. JENNINGS moved its rejection.

MR. DUFOUR—I trust that the Convention will not strike this article from the Constitution. It is evident that those who now move to strike out these provisions, forget the abuses that preceded them. Formerly, legislative papers were so very much confused that even a lawyer, accustomed to such business, found it difficult to distinguish their contents. It was usual to find in one document, one bill presented, another offered as an amendment, and so much confusion in the references to them, that it required labor to discover the measure of legislation that had been adopted. Then, we frequently had a variety of subjects embraced in one bill. I repeat, sir, I trust that the Convention will preserve this article in the Constitution. It prevents bad legislation more effectually than can be done by any other known means. It prevents unworthy compromises in the Legislature. It forces the Legislature to make legislation so plain that the people have no difficulty in understanding it. I hope that the Convention will not strike this healthy provision from the Constitution.

MR. NICHOLLS moved to lay the motion by Mr. Jennings, for rejection of the article, upon the table, which motion prevailed.

The article was adopted without amendment.

JUSTICES OF THE PEACE.

"Article 126. No person shall hold or exercise, at the same time, more than one civil office of emolument, except that of Justice of the Peace."

MR. STAES moved to strike out the following words: "except that of Justice of the Peace."

The motion was lost.

MR. CASTELLANOS moved to insert at the end of the article the following words: "without the corporate limits of the City of NewOrleans."

MR. CASTALLANOS—I think that the distinction which my amendment proposes is a just one, and called for by the great difference that exists between the position of a Justice of the Peace in NewOrleans and one holding the same office in any other part of the State. The chief cause why Justices of the Peace are excepted from the provisions of article 126 is, that throughout the State, the duties of a Justice of the Peace do not demand and the emoluments of that office do not recompense the full time of the incumbent. This cause of exception does not exist within the corporate limits of the City of NewOrleans. The office of Justice of the Peace in the City of NewOrleans is one which requires all the energy and industry which the incumbent can give to it. The business of the office is multifarious and extensive. Men of active minds and known capacity electioneer with much zeal to obtain it, and it requires great popularity to be elected to hold it. The emoluments are so large that I can see no reason why a Justice of the Peace within the corporate limits of the City of NewOrleans should be excepted from the general provision of article 126.

The amendment by Mr. Castellanos was laid upon the table.

The article was adopted without amendment.

TAXATION.

"Article 127. Taxation shall be equal and uniform throughout the State. After the year 1848, all property on which the taxes may be levied in this State, shall be taxed in proportion to its value, to be ascertained as directed by law. No one spiecies of property shall be taxed higher than another species of property of equal value, on which taxes shall be levied. The Legislature shall have power to levy an income tax, and to tax all persons pursuing any occupation, trade or profession."

MR. ST. PAUL offered the following substitute:

"Article 127. Taxation shall be uniorm throughout the State, and all property shall be taxed in proportion to its value, to be ascertained as directed by law, and no one species of property shall be taxed higher than another species of property of equal value, on which taxes shall be levied. Provided, however, that property holders whose whole estimated taxable fortune amounts to less than three thousand dollars, shall be entitled to a deduction of one-fourth; those whose whole taxable fortune amounts to less than two thousand dollars, shall be entitled to a deduction of one-third; and and those whose taxable fortune amounts to less than one thousand dollars, shall be entitled to a deduction of one-half the amount of taxes for which their property may be assessed. And all corporations authorized by law to lay and levy taxes on real estate and slaves, shall be bound to adopt the same rule in the collection thereof. The Legislature shall have power to levy an income tax, and to tax all persons pursuing any occupation, trade or profession."

MR. ST. PAUL—In presenting this substitute, I advocate the insertion in our Constitution of a clause which will be the first step taken in our country towards the physical melioration of the social position of a large class of our fellow-citizens, but I feel confident that the haste displayed by the high-pressure-steam-Constitution-making Assembly will not suffer them to pause and weigh deliberately the great importance of the principle which it involves. I foresee that, in discussing this proposition, I cannot expect even so much as a fair inquiry into the motives which have impelled me to bring before you, in a practical and practicable form, the realization of one of the noblest dreams of modern philanthropists. I know, sir, that even many of those whom I now address will not hesitate in stamping this substitute resolution as the offspring of the Socialist ideas which, it is alleged, are now convulsing the old and rotten States of Europe. But without accepting, unqualifiedly, the odium which they think ought to attach to every measure savoring of social reform, I will, at once, repel the aspersion, by placing the present resolution under the auspices of some of the greatest and noblest thinkers of this and the last century, and invoke as a shield against any farther misconception, the names of Smith, Ricardo and Say, the immortal leaders of the science of Political Economy.

It would seem from the manner in which the proceedings of this Convention are conducted, that each one of the members composing the majority has received from his constituents a special mandate, to the solitary effect of hurrying through the fundamental principles of our social compact, in order to reach and voluntarily tear and uproot the noxious barriers which the Constitution of 1845 had raised in the way of stock-jobbers and bank-scheme-concoctors, to the glory and still greater profit of certain leading capitalists. It is true that, here and there, as we have gone along, we have lopped off every political restriction which stood in the way of street politicians and party agitators, and that we have rendered the road to civil honors as smooth as could suit the ambitious designs of the great manufacturers of public opinion. But I hold it as a truth that the sources of the happiness of mankind do not all lie within the limited compass of the exercise of political franchises; and that if, on the one hand, man, as the noblest creature of God, has a right to preserve unimpaired the sacred deposit of independence and personal freedom, he, as a member of the great family of mankind, must also have a share in the enjoyment of those blessings of domestic happiness, which it is the object of organized society to secure for all. To attain this end, society must throw open to him the avenues to comfort and independence, and foster and encourage the innate thirst of man for the acquiring of property. Thus encouraged, this desire to possess will create a competition and lead to the parcelling out of that common property of all men—the soil of their native land, and thus make each happy possessor interested in the preservation of the political institutions of his country.

It is the boast of this great Republic that, in the majority of our States, a law has been passed, which, had it existed in Rome or in France, the names of Cataline and Robespierre would never have come down to us—a law, sir, which would have saved torrents of human blood, and forever prevented the starting of the wild schemes of the agrarians of every age and clime, and which, by securing to the many, a portion, however small, of the necessary comforts of home and family, would ever have preserved a permanent basis for society: I refer to the homestead exemption bill, which protects every head of family in the enjoyment of such movable and landed property as will, at any time, afford a shelter to his wife and children. How could we, for instance, expect the poverty-stricken operative of Manchester or Liverpool to desire the perpetuation of an order of society, which, at the same time that it proclaims him "a free son of Great Britain," coolly decimates his ranks by starvation, and leads through shame and misery, his daughter to prostitution, and his son to the felon's jail. The proposition which I now lay before this Convention, I consider as the necessary corollary of the Homestead Exemption bill passed by the last Legislature, and calculated to stimulate our working classes to the acquiring of real property, by lightening, as much as possible, the burdens imposed upon it. The idea of progressive taxation is, as I have already observed, the beloved child of the great school of political economists, and I will at once show what line of division there exists between them and the socialists.

The political economist carries the progression up only to what may be termed the "mean point" of domestic happiness; that is to say, up to that amount of property which may, on an average, be considered as placing a man above want. I have, for instance, found, after mature reflection, that any one head of family possessed of over $3000, or worth that amount of property, was, with the addition of his own personal industry, enabled to support a family of the ordinary number; and there I stopped my progression, as it would be odious to attempt to punish a man for being, by superior industry, talent or even chance, richer than his neighbor. And here, precisely at the point where the economist stops, commences the folly of the socialist who, regardless of equity and justice, continues his progression *ad infinitum*, thereby inflicting an actual penalty on what I called before, superior industry, talent or even chance.

But the real philanthropy of this mode of taxation lies in its being, in fact, equitably if not mathematically uniform and proportionate. To appreciate the beauty of mathematical proportion in taxation, it is proper to inquire how the former mode of taxation works. The tax, for instance, being fixed at one per cent., I suppose a man who, before the age of twenty-five, and at a salary of two dollars a day, has, by his economy and good conduct, accumulated a capital of $500, which he at once invests in the purchase of a small house and lot in one of the suburbs of NewOrleans. Being thus freed from the renting of a domicil, he gets married, and has two or more children.

It is evident that with his $2 a day, during about three hundred days of the year, and the home which he holds free of rent, this man can hardly manage to get along, and that his savings, if any, will barely be sufficient to meet the emergencies of want of labor and of disease, that may occur in his affairs. But here comes the "tax gatherer," who claims from him $5 in the name of the State, and God knows how many more in the name of the railroad-building corporation of NewOrleans. Now, please to tell me, Mr. President, how this man can deduct $5 or $20 from his hard earnings, without starving his family for five days or twenty days previously or following? I confess that I have not been able to discover it, and I do not wonder when I read in history of the dreadful convulsions and bloody rebellions of the unfortunate bondsmen, peasants and commoners who rose against the odious tyranny of the Kings and Lords who could, at pleasure, crush them under exorbitant taxation; and my mind does not rest until I reach that glorious period of the last century where the attempt to collect from the North American colonies a paltry tax in the shape of "stamp paper," breaks out in to the declaration of our national independence, and our forming into the grandest and freest of all the empires of the world.

But to resume my comparison, I will place in juxtaposition with the man whom I have described another man, possessed of $100,000 worth of property. This man is certainly surrounded with all the luxuries of life, and even dreams of new (and let it be said to the shame of human nature,) and perhaps illicit pleasures and enjoyments. The "tax gatherer" appears to this man also, and claims $1000 in the name of the sovereign power. What will this sum deduct from the necessary comforts of this rich man? Nothing. It may curtail some of his pleasures. It may keep him from applying that sum to wiping out the expenses of a frolic, or other transient folly; but neither will he nor his family suffer the pangs of hunger or thirst on that account.

Now, in the former of these two cases, it is the "necessaries" of the owner which have been taxed. In the second case, the tax affects only the "superfluities" of the man. I ask now—Is there any equitable proportion between the two? Yet, in the words of the article which I propose to amend, "Taxation" has been "equal and uniform."

I have nothing further to say on this subject, which, I confess has been paramount in my mind, and, although sure of the present result, I sit down convinced that in a country which, like ours, has been open to every theory having for its ultimate object the moral and physical improvement of mankind, there is not one seed of noble thought that will not, in course of time, break forth into a wide-spread tree in the Garden of Liberty.

MR. AVERY moved to lay Mr. St. Paul's substitute on the table.

The motion prevailed—the substitute was laid on the table.

MR. COTTON moved to strike out the words "occupation, trade or," from article 127.

MR. COTTON—I desire to bring to the special notice of this Convention the injurious effect which the present system of taxing trades has upon the poorer classes in the State. By this system a poor man, pursuing his trade for a bare living—we shall say a carpenter, bricklayer, or the like, in NewOrleans or Lafayette—has to pay to the State an annual tax of $7 for the privilege of carrying on his occupation. This tax is levied equally upon the man who may make $25,000 or $50,000 a year by his extensive business, and upon him who, in the same trade, with all his energies and industry, can do no more than work out a living for his family. This is in direct conflict with the first clause of article 127, which says, "Taxation shall be equal and uniform throughout the State."

It is a fundamental principle of good government to so adapt our system of taxation that it will operate with a judicious equality of weight on the rich and the poor. The moment you begin to tax the trades and similar occupations of the country, that moment you violate that fundamental principle and introduce unequal taxation. The inequality of the present system is unjust and obnoxious in every department of business on which the poor man may enter. Let us take the case of a man carrying on a mercantile business. He is forced to pay the same sum annually to the State, whether he has a small store, which a scanty capital has but meagerly supplied, and where his business must necessarily be limited and his profits insignificant, or whether he has an immense stock and plenty of customers, with a business yielding him not less than one hundred thousand dollars a year. Where is the equality, where is the justice in this?

So again in professions. You force the young man who has just completed a laborious and expensive education for his profession, with some difficulty perhaps, and who has commenced practice as a lawyer or the practice of the medical profession—you force this young man to pay to the State the same amount of license as a fortunate senior in his profession, who is enjoying a practice worth $25,000 or $30,000 a year. Where is the equality or equity in such taxation, which sets out in article 127 with professing to be equal and uniform?

In NewOrleans there are not less than from 300 to 400 lawyers, most of whom have just started, or little more than started, in the professional race. It is impossible for them to struggle, with even a modicum of success, against the older practitioners. Yet, there they are, embarked in their profession, and struggle they must, as honorably and best they may; but one thing is certain—whatever may be their success, be it none or little, as soon as they commence you demand of them $7 each for declaring their intention to pursue their profession. While this sum, small as it is, oppresses the beginner, there are some, and, I believe, members of this Convention, who realize from $25,000 to $30,000 a year by their profession, and do not feel it. Now, here we see an inequality which evidently has the tendency to restrain and embarrass talent and energy. In the same way it affects mechanics and men of all occupations, not able to do more than a small business, who must pursue their trade or occupation to support their families, and yet have their industry oppressed and their energies cramped by being compelled to pay the same tax to the State as the man who is amassing wealth by the immensity of his trade.

I say to this Convention at once, without fear of contradiction, if you impose such a tax as this on the hard-fisted yeomanry of the country it will induce those men to say, "although you have done well thus far you have placed this weight on our heads and we will accept of no such Constitution at your hands." They will be justified in saying this. I ask if it is right to fasten upon the young men of the country a tax of this nature? It is a distinct tax on men pursuing a trade, profession or occupation; and whenever you make a distinction in taxation, you attack men's liberties and sap the foundation of free institutions. By imposing this tax, this Convention will be taking away a right guaranteed to every citizen by the Constitution of the United States. The Convention can place taxation more properly and more justly elsewhere. Instead of taxing the poor man because he is working to support a family, it can tax real estate and other property to a sufficient extent to meet the exigencies of the times. It can impose a tax on capital. I am sorry that the last Legislature abrogated the tax on capital. There are men in NewOrleans coining money from the wants of the people every minute by means of their capital. Mr. James Robb, for instance, who boasts of having at his hands five millions of dollars of capital. Yet the Legislature exempts such men in their trade of shaving the people, whereas it tells the poor, honest, industrious man that he must pay a tax of $7 to the State before he can begin to earn bread for his family.

MR. CONRAD—I have been delighted with the eloquence of the delegate who has just taken his seat. His *pathos* has moved my feelings, while that which would seem to be the ground-work of his appeals has awakened in me a spirit of inquiry. The present Constitution has been in existence upwards of six years, and I ask for information if the Legislature has laid any tax on brick-layers or men in similar occupations? If the Legislature has not abused the privilege here given to it by the Constitution thus far, it is to be presumed that it will not do so. There is great propriety as well as justice, therefore, in retaining in the Constitution the words which the delegate desires to strike out.

MR. COTTON—I answer the gentleman by saying that *there is such a law.*

MR. CONRAD—Mr. President, I did not ask the question idly. I now state that I am informed by gentleman high in professional acquirement, that *there is no such law* as that on which the delegate has founded his remarks to this Convention. There is a law imposing a tax on those who have establishments and employ mechanics, but not on the mechanics.

MR. CONNELY here offered the following article as a substitute:

"Article 127. Taxation shall be equal and uniform throughout the State; no one species of property shall be taxed higher than another species of property of equal value. The Legislature shall fix the value of real estate and slaves for purposes of taxation, and shall provide by law for fixing the value of other taxable property. The Legislature shall have power to levy an income tax and to tax all persons pursuing any occupation, trade or profession."

MR. CONNELY—I offer this substitute for the article 127, mainly for the purpose of bringing the Convention to the consideration of fixed valuations for purposes of taxation. I have no doubt that every gentleman in this Convention desires to see taxation equal and uniform, but I contend that this is impossible under our present system of assessing and collecting taxes. According to the present system, the valuation of taxable property in this State is confided to some fifty different individuals, a large proportion of whom, even if honest, are incompetent to make a just estimate. Each one of this number of men affects to set a superior value on his own idea of what taxable property is worth, while it is the melancholy fact that few or none of them have a reliable judgment in the performance of their most important duty. The result is, that while the market value of slave property, for instance, does not vary one per cent. from uniformity for purposes of taxation, the variation in different parishes is from thirty to sixty per cent. Why, sir, in many instances, we find that even in the same parish the difference in the valuation of the same species of property is equally great. Under our system of elections, even where we succeed in getting competent men, they very frequently have friends to reward and enemies to punish. And they do it, too, sir. But let us adopt the substitute, or, at least, the principle of it; and let the Legislature fix the value of taxable property, and then we shall, in reality, make taxation equal and uniform, and, at the same time, put an end to the just complaints that have been made in different parts of the State against the present mode of assessment.

MR. COLLENS—Will the gentleman say *how* the Legislature can value lands and slaves?

MR. CONNELY—The gentleman on my right asks me how I would reduce to practice the system which my substitute would establish? Mr. President, it seems to me that nothing would be more easy. The value of slaves of the same class, as I said before, does not probably vary exceeding one per cent. in any part of the State. Let the Legislature divide them into different classes, according to age and sex, and fix a price on them. Lands can be classified, in like manner, into those of first, second, third and fourth quality, and a valuation fixed for each class or quality. It is easy to estimate, for instance, that good cotton lands are worth so many dollars per acre, and to say how many dollars per acre good sugar lands are worth; then, again, there is no difficulty in setting a price on uncultivated lands. The system proposed may be thought arbitrary, but surely it is preferable to leaving us at the mercy or prejudice of the Parish Assessor. It will, at least, be equal, and uniform, and just, so far as to be free from the influence of partiality, as we now experience in some cases, and of ignorance, as we are obliged to bear it in others. It would scarcely be believed that under our present system we have assessments of slaves at six hundred dollars each in one parish, and in the parish immediately adjoining, slaves of equal value in every respect are assessed at three hundred dollars. Yet this is so common as to make the assertion in the Constitution, that "taxation shall be equal and uniform throughout the State," both a by-word and a fallacy. There is a general wish among the people of this State to have another mode of valuation. It matters but little what that valuation may be, if you only make it uniform. This classification might be made either by Commissioners for the State at large, or by Assessors named for each parish, who should put each landed proprietor under oath. The system has been adopted by several States of this Union, and has uniformly worked well.

MR. COTTON moved to lay Mr. Connely's substitute upon the table. The motion prevailed.

The question then being on the adoption of the proposition offered by Mr. Cotton, and the motion having been made to lay the same on the table,

MR. COTTON demanded the yeas and nays, and his proposition was laid on the table by the following vote:

Yeas—Messrs. Anderson of St. Landry, Akenhead, Avery, Anderson of Carroll, Armant, Bradford, Bartlett, Benjamin, Bernard, Beard, Bienvenu, Brother, Boudousquie, Boyer, Bullard, Buisson, Byrne, Castellanos, Carter, Colleus, Connely, Conrad, Delony, Dorsey, Douglass, Dufour, Edwards of Orleans, Edwards of Washington, Eggleston, Eustis, Hatch, Hays, Harris, Hargis, Hough, Hodges, Hunt, Jennings, Jones, Key, King of St. Landry, Lepeyre, Leefe, Leeds, LeBlanc, Lobdell, Lyle, McIlhenny, Mathews of Orleans, Mathews of Point Coupee, Martin, Monge, Nichols, Olivier of St. Mary, Parham, Palfrey, Paxton, Patterson, Preaux, Pierce, Pierson, Phillips, Reeves, Richardson of Ouachita, Risk, Roselius, Roman, Ronquillo, Sandidge, Smart, Swazey, Shaw, Scarborough, Shelton, Sibley, Tatman, Tallaferro, Thompson, Todd, Waddill, Williams and Whittington—82

Nays—Messrs. Cotton, Dalferes, Dugue, Duffel, Gardere, Guion, Herron, Hernandez, Jourdan, McMillen, Moss, Olivier of St. Martin, Price, Pujo, Richardson of St. Mary, Roysden, Robinson, Staes, Smith of West Feliciana, Smith of Winn, Talbot and Van Wickle—22.

MR. COLLENS then moved to strike out in the above article, the words "after the year 1848."

Pending the consideration of this motion, Mr. Connely moved to refer the whole subject to the Committee on General Provisions, which was lost.

Mr. Collens' amendment was then adopted.

MR. COTTON moved to amend the article by inserting at the end thereof the following words: "on the ad valorem principle." The motion was lost.

MR. GUION moved to strike out in the article the words "an income tax."

MR. GUION—It is proposed to give to the Legislature the power to levy an income tax. I consider such a proposition as an extremely odious one. It is adverse to the encouragement of industry, and in opposition to every elevating principle in our nature. It is a tax on labor, not on capital. It is directed against the best energies of our citizens, its influence will be unpropitious, and its operation will be unjust. Let us take the case of one individual owning $150,000 without industrious habits, and of another, by the employment of great energy, talent and industry, earning that amount. It is clear that the man who is expending his energies, and setting a noble example to his fellow-men, is he who is made to feel most keenly this tax on labor. Such a principle should not be sanctioned, and I, therefore, hope that the words "an income tax" will be stricken out.

MR. JENNINGS would not say a word more than to remind the delegate from Lafource Interior, that the article simply said that the Legislature "shall have power" to levy, etc.

MR. DUFOUR—There is nothing in the argument of the gentlemen from Lafourche. If that argument were good, no person would try to become possessed of an estate—as the fruit of labor—because the estate would be taxed. Landed property would be specially objectionable, and no man would desire to be the possessor of a landed estate, because he would be taxed for it. I hope that the amendment will not prevail.

MR. GUION—I did not say that a man's estate ought not to be taxed, but I said that the means of taxation here proposed establishes an odious inquisition into the affairs of the citizen, which is repugnant alike to propriety and true republican feeling. How can you discover what a man's income really is, in such a way as to give the man of truth a fair chance, unless you send the tax gatherer around to examine our barn-yards, and make inquisitorial observations on every description of property from which we realize or expect to realize anything. This is a serious objection to retaining these words "an income tax" in the Constitution.

The amendment was rejected.

Mr. CONNELY moved to insert after the words "shall be levied," the following words: "But the Legislature shall fix the value of lands and slaves for the purposes of taxation."

MR. CONNELY said that he was anxious to have the vote of the Convention, on the subject of the substitute which he offered this day, put on record. The Convention had laid that substitute upon the table, but this amendment embraced the material point on which he had felt it his duty to make some remarks to the Convention.

MR. KING, of St. Landry, moved to lay the amendment on the table. And, on said motion, Mr. Connely called for the yeas and nays, which resulted as follows:

Yeas—Messrs. Anderson of St. Landry, Akenhead, Avery, Anderson of Carroll, Armant, Addison, Bradford, Bartlett, Benjamin, Beard, Bienvenu, Brother, Boyer, Bullard, Buisson, Byrne, Castellanos, Carter, Campbell, Collens, Cotton, Conrad, Delony, Declouet, Douglass, Dufour, Dugue, Edwards of Orleans, Edwards of Washington, Eggleston, Eustis, Gardere, Hatch, Hays, Harris, Hargis, Herron, Hernandex, Hough, Hodges, Hunt, Isacks, Jennings, Jones, Key, King of St. Landry, King of Jackson, Lapeyre, Leefe, Leeds, Lyle, McIlhenny, McMillen, Mathews of Orleans, Mathews of Point Coupee, Martin, Moss, Monge, Nichols, Parham, Paxton, Preaux, Price, Pierce, Pierson, Phillips, Pujo, Richardson of Ouachita, Risk, Roselius, Roman, Ronquillo, Sandidge, St. Paul, Staes, Swazey, Shaw, Shelton, Smith of West Feliciana, Tatman, Talbot, Taliaferro, Todd, Villere and Waddill—85.

Nays—Messrs. Besancon, Bernard, Connely, Dalferes, Dorsey, Duffel, Farmer, Guion, Jourdan, Lobdell, Olivier of St. Martin, Olivier of Mary, Palfrey, Richardson of St. Mary, Roysden, Robinson, Smart, Scarborough, Smith of Winn, Sibley, Stewart, Thompson, Van Wickle, Williams and Whittington—25.

Mr. Connely's amendment was therefore laid on the table.

MR. COTTON moved to amend by adding the words "and capital shall be taxed." The motion was lost, Messrs. Besancon and Cotton recording their votes in favor of it.

The article was then adopted as amended.

ADMINISTRATION OF NEW ORLEANS.

"Article 128. The citizens of the city of New Orleans shall have the right of appointing the several public officers necessary for the administration of the police of said city, pursuant to the mode of elections which shall be prescribed by the Legislature. Provided that the Mayor and Recorders shall be ineligible to a seat in the General Assembly, and the Mayor, Recorders and Aldermen shall be commissioned by the Governor as Justices of the Peace, and the Legislature may vest in them such criminal jurisdiction as may be necessary for the punishment of minor crimes and offences, and as the police and good order of said city may require."

MR. PREAUX offered the following amendment to be inserted after the words "prescribed by the Legislature." "And the Legislature shall be empowered to vest them with such legislative power as may be deemed necessary to enable them to carry into effect municipal purposes.

MR. HERRON moved to lay the amendment on the table, and on the vote being taken, there were forty-six yeas and forty-five nays. The President voting with the minority, declared the motion to lay on the table carried.

MR. COLLENS moved to amend by inserting at the end of the article the following words, "and in cases of misdemeanors, the trial by jury may be dispensed with."

MR. COLLENS—A large number of petty cases come before the courts of NewOrleans, and occupy much time, although the most of them are of the most trivial character. By article 107 of the Constitution, every man is entitled to a trial by jury. A number of those petty cases might be tried before a magistrate, and so far as the accused party is concerned, there can be no doubt that in most cases, he would rather be tried *without* than with a jury. In all such cases, a trial by jury may safely be dispensed with. I, therefore, hope that this amendment will be accepted.

MR. ISACKS said that the whole article was legislative in its character, and this Convention ought not to touch it farther than to reject it in toto. He now moved to reject the article.

MR. DUFOUR—The article 128 is not of a legislative character. It claims the attention of this Convention, because it treats of a right which was conferred on the City of NewOrleans many years ago. The gentleman should not confound what is in reality a positive right with a mere matter of legislation.

MR. ISACKS—I do not wish to interfere with a vested right, but I do not see why the City of NewOrleans, any more than any other city or town in the State, should be independent of the Legislature. A law of the Legislature ought to be sufficient to regulate every point of administration embraced in this article.

MR. MCILHENNY moved to lay the motion by Mr. Isacks on the table. Carried.

MR. RICHARDSON, of Ouachita—I trust that the word "misdemeanors" will be inserted in article 128. So far as the country is concerned, I know that misdemeanors embrace about one-third of all the business before a magistrate; and the city is entitled to the same prompt and economical administration. Our courts ought not to be encumbered with these petty cases. The word misdemeanor has a technical meaning, and I consider that it embraces all those cases, which really can be settled by the Recorders, without going before a jury.

MR. COTTON—I hope that the amendment will be accepted, leaving to the Legislature to decide how misdemeanors may be tried. Every man has a right to demand a trial by jury. This act of right and justice is denied to a great many poor persons in NewOrleans. It is no uncommon thing to see a person taken up in that city, and punished by being sent to the Work-house for six months, for being "a dangerous and suspicious character." Now let the Legislature say that the Recorders shall have power to try assaults and batteries and misdemeanors, and a small jury may be summoned to try the case promptly and at little expense. That procedure would be satisfactory to the accused in most cases, and besides, would be preserving to them their rights. But take away the right of trial by jury, and with equal justice you may do the same thing in our Criminal Courts.

MR. COLLENS—I assure the Convention that there is no novelty in my proposition. It has been adopted in Philadelphia; and in many States of the Union magistrates try petty cases without juries. There are many cases where the accused would rather be tried by a magistrate at once, without the delay necessary in empanneling a jury. But, under the Constitution as it now stands, the magistrate can not try him, and he is sent to jail to await his trial. After he has laid in jail for some time he is tried and then punished with twenty-four hours imprisonment; but he has previously been confined three months waiting for his trial. To show gentlemen, however, that I have no wish to abridge the right of trial by jury, I shall now add to my amendment the words, "with consent of the accused."

MR. HUNT—I am opposed to the proposed amendment. Gentlemen can not be aware, when they say that all misdemeanors may be tried without a jury, that misdemeanors comprise all offences not punishable with death or hard labor. The trial of a misdemeanor results sometimes in imprisonment and sometimes in a fine $1000, more or less. Is this Convention prepared to say that a man is to be convicted of a crime involving such punishment without a trial by jury? I have reflected much on the mode of trial most proper for petty offences, and am willing to favor any wise arrangement for their trial that may promote the ends of justice while it preserves entire the rights of the accused. But I am opposed to any amendment to this article. It says:

"The Mayor, Recorders and Aldermen shall be commissioned by the Governor as Justices of the Peace and the Legislature may vest in them such criminal jurisdiction as may be necessary for the punishment of minor crimes and offences and as the police and good order of said city may require."

This is a wise Constitutional provision but the legislation putting it in operation has been bad. I know that there has been a great deal of murmuring and complaint against the system, but the defect has been *not* in the Constitution but in the unwise legislation under it. The legislation under the Constitution of 1845-6 has been extraordinary—but it would also be extraordinary in this Convention now to extend to the Legislature the right to vest Magistrates with control of all misdemeanors without trial by jury.

Under the Constitution of 1812, a man of property could dispense with a jury and have his case tried before a presiding Judge. The evil was felt. To try to gain the favor of the Judge, the jury was often dispensed with and the party would submit himself to the mild mercy of the Judge. A change in this system was demanded and has been supplied. The Constitutional provision, now, is good, but the legislation carrying it into effect has been bad. I move the previous question.

The previous question was carried.

The President put the question on the adoption of the amendment offered by Mr. Collins.

The amendment was lost.

The article 128 was then adopted without amendment.

LIEUT. PORTER AND THE AUTHORITIES AT HAVANA.—The following is the letter of Lieut. Porter, of the U. S. steamship Crescent City, written in reply to a communication from the Cuban authorities prohibiting the landing of Mr. Smith, purser of that steamer:

HAVANA, Sept. [illegible], 1852.

GENTLEMEN—I have received a communication from you to-day, enclosing one from the Spanish Government, in which Mr. Wm. Smith, purser of this ship, is accused of writing infamous reports for the newspapers, and prohibiting Mr. Smith from going on shore, as if the said Mr. Smith had committed some criminal act.

The injustice and absurdity of this order will be apparent to you, when I assure you, upon the honor of an officer, that Mr. Smith has never written or composed any article for the newspapers, and it was due to the gentleman in question, first to inquire if he had written anything injurious to the Government.

Citizens of the United States are not afraid to express their opinions on foreign political matters, especially in their own territory, where freedom of speech is allowed to the meanest individual. The shortness of my stay here will not permit me go into a discussion of this matter. I merely wish to state to you that an indignity has been offered to the American flag, through the ship I command, as an officer of the United States Government, in placing on board police officers to take charge of Wm. Smith. I moreover inform you that I will not permit the police officers to stay on board under the circumstances. That I intend to sail at 4 o'clock, and if any attempts are made to prevent me, the Spanish authorities will have to answer to the United States for the result. Your obedient servant.

LIEUT. D. D. PORTER, U. S. Navy.

At 4 o'clock, accordingly, the vessel left the harbor without molestation—the prompt and decisive conduct of her commander apparently having shown the Captain General the impropriety of his conduct.

A FEMALE SWINDLER.—Some of the Philadelphia merchants have been victimized by a dashing pretty woman, who hailed from Baltimore, and affected to be in business there. The Ledger gives the particulars:

"She professed to be worth some thousand dollars. In purchasing goods she artfully stated that she wished them to be perfectly satisfied before delivering the goods as she desired to trouble no one who had not the most perfect confidence in her. In some cases the goods were delivered on her promise to give notes indorsed by a responsible person. For some of her purchases she gave notes signed by herself, payable at the Bank of Baltimore. On being asked if she had funds deposited there she answered no, but that she was intimate with the cashier, and all would be right when the notes were due. Some were shrewd enough not to be satisfied with this kind of security, and saved themselves by retaining the goods. A lady keeping a store on Second street, who had became acquainted with her at Cape May, and hearing that she was at the Girard House, invited her down to tea. Instead of coming to tea alone she came baggage and all, and took up quarters with her unsuspecting acquaintance. While there things occurred to make her entertainer suspect that all was not right, and the lady was invited to leave, and a police officer invited in to examine her baggage. The search led to the discovery of a considerable quantity of trimmings, hosiery, etc., and several fancy articles, were brought to light, that she had concealed in her dress. After giving up the plunder, she was allowed to depart, and having gone to NewYork, is probably now practicing her deceptive arts upon the unsuspecting there."

LOLA MONTES AND THE BOSTON GRAMMAR SCHOOL COMMITTEE.—At a meeting of the Grammar School Committee, held recently, on motion of Mr. Felt, his order, offered last June, relating to the visit of Lola Montes, was taken up. It read as follows:

Whereas, The trampling on the sacredness of Christian marriage is pernicious to the best interests of communities and nations, and whenever individuals are chargeable with such an offence, have forfeited all claims to public respect,

Resolved, That this Board declare it inconsistent with their duties to invite any such persons to the schools over which they have supervision, as a mark of such respect, and also inconsistent with the duty of all masters of those schools to extend an invitation of this kind to any individuals of such vicious reputation.

Dr. Beecher said the original invitation extended to Lola Montes to visit the schools was not given by a member of the Board, but by a private citizen.

A committee of three, consisting of Dr. Beecher, J. B. Felt, and J. T. Stevenson, were appointed to investigate the whole subject. [Boston Mail.

HORSE BURNT ON THE CARS—AN ESCAPE.—A singular and most novel accident occurred on the cars going east of Geneva, N. Y., a few days since. Mr. Robert Lay, who resides near Vienna, was taking a beautiful and favorite horse of his own to the State Fair of NewYork, and was in the car with the animal himself. The train was in motion and the doors closed from the outside, when he discovered fire in the forward part of the car, among the straw. He tried to extinguish it, but failing, he attempted to open the door. At last he succeeded, but the train being under full headway he dared not leap. He remained on it until badly burnt, when he jumped off, and narrowly escaped with his life, no bone being broken. Before the fire was discovered the car was nearly destroyed, and the noble horse suffocated or burnt to death. Mr. Lay has suffered much from his burns, but his life was most providentially preserved, under the most critical yet novel circumstances.

HORRIBLE MURDER.—A dispatch from Boston, dated the 18th, says:

"Mr. Taylor, a shoemaker of Natick, was murdered last night, and his wife mortally wounded. There was evidence of a desperate struggle between Mrs. Taylor and the murderer. A man named Duncan Matthewson, lately employed by Taylor, has been arrested here upon suspicion of the crime."

Matthewson was afterwards discharged, and a man named Casey arrested, who was recognized by Mrs. Taylor.

SECRET KISSING SOCIETIES.—The latest "Boston notion" is quite a funny one. The Boston Courier says there are several secret organizations in that city composed of young men and women, who meet at stated periods for "social" pastimes. The Courier calls them "Secret Kissing Societies," and thus describes one of them:

"The object of its members is to promote 'harmony,' familiarity, and to spend evenings in the ways of virtue. To this end various games are resorted to—such as 'blind man's buff,' 'spin the cover,' 'forfeits,' 'potter,' etc., and in these innocent pastimes the young ladies and gentlemen meet formally and indulge freely. The ancient game by which youth attempts to establish his or her position as a man of fashion, or a woman of beauty, is often resorted to. The aspirants for fame stand erect against a wall and exclaim—

Here I stand as stiff as a stake;
Come kiss me, do, for the Lord's sake."

The Courier dryly remarks, that such interesting associations, no doubt, tend to enlarge the area of virtue.

COOL.—A late number of the Knickerbocker contains the following capital instance of the above caption:

As the division of Gen. Scott's column was passing leisurely along in some portion of Mexico, during the late war, there came down, just at twilight, from a convent that crowned a neighboring height, a procession of cowled monks, the leader upholding in his hands a contribution box, on which stood a lighted lamp. As the column defiled by, many soldiers dropped small coins into the aperture provided for that purpose. One man, who seemed searching for some larger testimonial of his pious regard, fumbled in his pocket, and at length drew out what looked to be a roll of bank notes; opened it; took from it—a paper of chewing tobacco; filled a short rusty pipe, lighted it by the sacred lamp, and with "much obleeged to yeou, Squire," passed on.

A FAMILY POISONED.—The St. Louis Union of the 20th inst. says: We regret to say, that on yesterday afternoon, while the family of A. H. Mankins, Esq., who lives on Second street, were at dinner, all those who were at the table were suddenly attacked with illness, in such a manner as to induce the belief that they had been poisoned. Mr. Menkins, his lady, her sister, and four children were soon in dreadful agony. Upon investigation it was discovered that the servant who had prepared the soup had unintentionally used arsenic instead of salt. At a late hour last evening the family were in a very dangerous condition, and some of them were not expected to survive.

EMIGRATION FROM IRELAND.—The Coleraine (Ireland) Chronicle says:

"Last year the emigration from this country was 6000 souls per week; this year the number is nearly 7000, and the tide is still unbroken. There is no sign of cessation or diminution, but the crowd to every port press on, drawn by friends and hopes beyond the Atlantic, pressed forward by the want and misery behind."

Australia, so far, seems to have had but few attractions for the Irish emigrant. It is the English and Scotch who turn their eyes in that direction. The Irish know only America.

MURDER OF A WOMAN.—At Oneida, N. Y., on the evening of the 17th inst., Mrs. Mary Gregg, wife of Ephraim K. Gregg, was shot through the body, about 8½ o'clock, as she was washing dishes before her pantry window. The shot came from the outside, and was evidently fired within a few feet of the window. The unfortunate woman expired about three o'clock the next morning. At the time the gun was fired, Mrs. Susan M. Gregg, sister-in-law of the deceased, was standing beside her, assisting her in the work. No traces of the murderer have been found, and no cause can be assigned for the commission of the deed.

ONE HUNDRED AND THIRTY-TWO GERMAN VOTERS CHANGING.—The *Volks Blatt*, a democratic German paper, (says the Cincinnati Atlas,) publishes the manifesto of one hundred and thirty-two German democrats of the Eleventh Ward, who have formed an anti-Miami Club, and declare, over their own signatures, that, disgusted with the heartlessness and dishonesty of those who have heretofore been their party leaders, and satisfied that, so long as locofocoism exists in its present form, they have nothing to hope from it, they will, at the coming election, vote the whole whig ticket!

ALARMING STATE OF THINGS.—An Oregon correspondent of the NewYork Commercial Advertiser, in speaking of the famous Oregon Land Law, which gives a square mile of land to every actual settler married before a certain date—says that it set the whole country astir and everybody got married that could. The scarcity of marriageable females, however, was such that in some instances, girls of 14, 13, 12, and even 11 years of age, were married, in order to secure the land perquisites.

LIBERALITY.—The City Council of Cincinnati has appropriated $500 to the widow Strowder, whose husband was killed some time since, while in the service of the city.