New Orleans Daily Crescent.

OFFICIAL JOURNAL

OF

THE STATE OF LOUISIANA.

THURSDAY MORNING, FEBRUARY 8, 1866.

GENERAL ASSEMBLY OF LOUISIANA.

WEDNESDAY, FEBRUARY 7, 1866.

Senate.

The Senate met at noon to-day, pursuant to adjournment from yesterday. Lieutenant Governor Voorhies presided.

On the roll being called, twenty members responded.

Prayer was offered by the Rev. Father Jeremiah Moynihan.

The journal of yesterday's proceedings were read and approved.

On proceeding to business the following members were present:

Messrs. Abney, Anderson, Armstrong, Barrow, Bell, Brusle, Burthe, Campbell, Coco, Cooley, Duvignaud, Ellis, Egan, Fellowes, Foute, Gibson, Gordon, Hough, Kavanaugh, Kelso, Kenner, Lapeyre, Lott, Mohan, Munday, Newton of Jackson, Newton of Morehouse, Nelson, Palfrey, Poche, Purcell, Scruggs, Taylor and Welch—24.

A message was received from the House by Mr. Halsey, Assistant Clerk. It announced that the House had concurred in the Senate bill to authorize John Bellow and other members of the family of that name, to resume their original name of Howel. It asked the concurrence of the Senate in an act relative to persons arrested in the city of New Orleans and in the parish of Orleans; in a bill to organize the police of the city of New Orleans, and to create a police board therein; in an act for the relief of E. F. Morehead, of the parish of Ascension; in an act to authorize the issue of certificates of indebtedness and bonds for the funding of the same; and in an act to authorize the State Treasurer to return a certain amount of money from the general fund to the levee and draining fund, and to authorize the payment of the same for levee purposes.

Mr. Munday moved for a suspension of the rules to take up the bill to authorize the issue of certificates of indebtedness and bonds for the funding of the same, just received from the House.

The motion was agreed to, the bill taken up, and the first and second sections agreed to.

Mr. Egan moved to amend the third section by substituting thirty years, in place of forty years, as the period for which the bonds should be issued. He said Louisiana bonds had always stood among the very highest in the country, and we all hope to see the same thing again. For such bonds he was satisfied forty years was too long. It would be recollected that the bonds issued to meet the expenses of the war of 1812, and those issued for the purposes of the war with Mexico, for a shorter period, could not be bought up when it was wished with an overflowing treasury, and they were at a premium for ten years, until their full time expired. It might be similar with those bonds, and for this reason he would not have them issued for so long a period.

Mr. Kenner said the committee had paid great attention to this point; and their object being to render the bonds as desirable as possible in the market, they had come to the conclusion that as long bonds were prepared by capitalists, forty years was the best term that could be adopted. There was but little difference between thirty-year bonds and forty-year bonds, except that the loger term would be preferred.

Mr. Egan contended that if there was little difference between the bonds, the shorter period ought to be chosen for them in the interest of the State. United States bonds were usually issued for no longer term than thirty years.

Mr. Lapeyre remarked that if the motion of the Senator from Claiborne, (Mr. Egan,) were agreed to, the bill would need corresponding amendments throughout.

Mr. Kenner said the Senator from Claiborne, (Mr. Egan,) was mistaken as to the general term of United States bonds. They are now generally issued for forty years.

Mr. Munday hoped the bill would pass as it came from the House. No bill that had come before the legislature had received more care than this bill from the Finance Committee, to whose laborious and careful attention to business he paid a high compliment. The necessity for the measure was imperative. The tools used and the bread eaten by the men at work on our levees, are dependent on the prompt passage of a bill of this kind. In many places the workmen had almost mutinied because they could not get their pay. In other places they are even now leaving work. The contractors had exhausted all their own means and resources, and can get no others, at least until something is done by the legislature. The interest on these bonds is but six per cent. per annum, and they are receivable in payment for all taxes, licenses and dues. The objection to their term therefore, is of but little if any weight.

The question being put, Mr. Egan's motion was lost. The bill was then carried through its various stages and passed.

Mr. Munday, under suspension of the rules, called up the act to authorize the State Treasurer to return a certain amount of money from the general fund to the levee and draining fund, and to authorize the payment of the same for levee purposes. The bill was carried through its various stages, passed, and ordered to be sent with the bill just passed to the other House.

Mr. Mohan, under a suspension of the rules, called up the bill to organize the police of the city of New Orleans, and to create a police board therein. He said it was of great importance that this measure should be passed, in order to secure the signing of the city election bill by the Governor.

Mr. Foute asked if this bill had been printed. It conferred extensive and important powers on the Governor, and ought to be well considered by the Senate.

Mr. Mohan said it was a bill entirely in accordance with article 133 of the Constitution, which says: "The city of New Orleans shall maintain a police, which shall be uniformed with distinction of grade, to consist of permanent citizens of the State of Louisiana, to be selected by the Mayor of the city, and to hold office during good behavior, and removable only by a police commission composed of five citizens and the Mayor, who shall be president of the board, the commission to be appointed by the Governor of the State for the term of two years, at a salary of not less than one thousand dollars each per annum; a majority of whom shall remove for delinquencies. Members of the police, when removed, shall not again be eligible to any position on the police for a term of one year." The passage of a bill on this basis had been made the *sine qua non* by the Governor, for his signature to the city election bill. This was the reason he wished it passed as soon as possible. The bill had been got up by the Committee of the City Delegation on Amendments to the City Charter, who had had a consultation with the Governor on the subject, and to whom he stated that he would like to have a measure of this kind passed.

The bill was read a first time, and Mr. Mohan moved a suspension of the rules to proceed to the second reading of it.

Mr. Foute said the bill had been sprung upon him unexpectedly, and seemed very objectionable. It combines and centralizes a power in the Governor to which he has no right. It contemplated the giving to him a rule over the city of New Orleans to which he is no more entitled than he is to rule over Baton Rouge, Donaldsonville, Thibodeaux, or any of those towns and villages enumerated by the Senator from Ascension (Mr. Kenner) the other day. If we are to have city and parish elections—and God grant we may have a convention also—these things can be regulated. It is true we hear it whispered from time to time, that if we attempt to take action of this kind, we shall have a provisional military governor set over us. He did not believe it. But if it were so, he would say in the language which was once used in reference to Andrew Jackson, by an eminent citizen, "if we are to have a master, we should rather have one with a sword in his hand, than one with a pen behind his ear." This bill gives the Governor greater power over New Orleans than he has over any other city or town in the State; and why should this be? It had been said that the Governor had made the passing of this bill a condition of his signing the city election bill. He said if the Governor chose to veto the city election bill if this were not passed, let him do it! The Governor has the right to veto it, and if the legislature cannot or will not pass it over his head, why we can do without an election. He would not compromise his dignity as a Senator, or the dignity of the the Senate, by voting for this police bill under any such circumstances.

Mr. Duvignaud said this bill was no novelty. As the former of it, he would state that in 1851 one precisely similar was at his instance presented to the House of Representatives by Mr. Solomon. It was referred to a committee, by them unanimously adopted, reported to the House and there unanimously passed, was sent to the Senate and unanimously passed by that body, and was signed by the Governor; and the people of the State found it so good, that they included similar provisions in the Constitution of 1864—in which, if there was anything good, it was this very provision. As for the power given to the Governor by it, this amounted to nothing. He already has the power of appointing judges, recorder of mortgages, and other important officers; and this merely added to it that of appointing four commissioners to have the power for two years of dismissing delinquent policemen. These commissioners must be appointed by somebody, and it was essential that that power should be one having no immediate interest in which policemen could be used as they have been. Neither the Mayor, nor the City Council, nor the people, are as eligible in this view as the Governor. He hoped the bill would pass unanimously.

Mr. Mohan said it was no hobby of his to centralize or give undue power to the Governor, and that his object was to prevent the police from being used as a political power as heretofore. He was sorry his colleague (Mr. Foute) differed from him on this occasion; and was sure that if that gentleman had been present when the bill was discussed in committee, he would have voted for it.

The bill was then read a second time.

Mr. Egan regretted that it had been stated that the passing of the city election bill had been made conditional upon the passing of this bill, and although he intended to vote for the latter, he wished it to be understood that it was not on account of that attempt to influence the course of the legislature, and that against this he proclaimed his earnest protest. He would suggest that the bill should be amended so as to require the confirmation of the Senate to the appointment of commissioners by the Governor. He thought article 133 of the Constitution out of place, but as it was there, it must be obeyed. He moved a reconsideration of the bill.

Mr. Mohan explained that if he had conveyed the idea that the Governor had proposed the passage of this bill as a condition to his signing the city election bill, he had by a *lapsus linguæ* gone too far. The Governor had merely intimated that he would like a measure of this character passed, in accordance with the requirements of the Constitution.

Mr. Gordon said the amendment proposed by the Senator from Claiborne (Mr. Egan) had been taken into consideration by the committee, and was not adopted only because it was doubted if it were in accordance with the terms of the Constitution.

Mr. Egan thought the terms of the Constitution did not prevent the adoption of his amendment.

The motion to reconsider was then put and agreed to; and after some observations as to the stage of the bill, and the form of getting at Mr. Egan's amendment, this was put and carried, and the bill was carried through the remaining stages, passed and sent to the other House. In the course of the observations in reference to the amendment, Mr. Foute called attention to the use of the word "police" in the two clauses of article 133, in two different senses, unless they were directly contradictory of each other. The first clause says, "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." Here the word "police" obviously means "a judicial and executive system and an organized civil force for the government of a city," etc. In the second clause above, first quoted, it as clearly means "the body of civil officers organized, generally in cities, for the preservation of good order and the enforcement of the laws." Mr. Foute thought it just possible that it was doubtful whether this use of the same word in the two clauses might not be taken as rendering them contradictory.

Mr. Poche presented a resolution to pay the Hon. John Nelson $150 for per diem and mileage, as contestant of the seat in the Senate claimed by Mr. Jos. Nicolas. Referred to the Committee on Contingent Expenses.

Mr. Brusle presented a bill to grant for six years ferry privileges opposite the town of Plaquemine, in the parish of Iberville, to Constance Brown. Read a first and second time and referred to the Committee on Parochial Affairs.

Mr. Scruggs introduced an act to provide for the revising of the Civil Code of Louisiana. Read a first and second time and referred to the Committee on the Judiciary.

Mr. Kelso gave notice of his intention to introduce a bill to provide for the recovery or restoration of the records of the parish of Rapides, supposed to have been destroyed or removed during the occupation of the parish by the Federal army.

On motion of Mr. Kenner, the order of the day was called on the act to authorize the organization of corporations to carry on a factorage and commission business and agricultural operations.

Mr. Kelso thought it had been demonstrated beyond cavil that this bill was unconstitutional; and the only argument he had heard used in support of it was that it would invite capital hither. If it did so, it would be in such a shape that the capital would be a burden to us. It was admitted on all hands that the measure is but an experiment; and he was satisfied it was a dangerous one. A man who can control millions of dollars, if he chose to divert a portion of it to political purposes, can exert a powerful influence; and this influence might prove insignificant in comparison with that which corporations under this bill might acquire. He contended that all that was necessary to get capital here was to show that the labor could be procured to produce from a bale or a bale and a half, or two bales of cotton to the acre under improved methods of cultivation, and that it can be sold at fifty cents per pound. He had some experience of arbitrary rule, and he must say that if had to choose between them he would prefer military rule to arbitrary civil rule, and this again to arbitrary military rule. He considered the bill of exceedingly feeble power for good, and of very great power for evil.

Mr. Egan repeated the objections he urged on a former occasion against the bill. After conference with a number of leading factors, he had yet to find a solitary one who does not bitterly denounce this measure as dangerous and unjust; and he was satisfied the Senator from Ascension was mistaken in intimating that they had come over to his views in support of the bill. In addition to his previous objections to the constitutionality of the bill, he would add that it is further assailed by the including of four different objects within its scope.

Mr. Kenner warmly supported the assertion he had made, that factors, after conversing with him, had come over to the support of the bill, and referred to several instances. He asked if factors were opposed to it why they had not held a meeting and expressed themselves. There were some factors no doubt, who were opposed to this bill because it would take from them the power of keeping the planter in bondom to them. The gentleman also repeated his arguments already used in favor of the bill and in opposition to objections raised to it.

Mr. Fellowes said the reason the factors had not held a meeting was simply because they thought it might be construed into an effort to influence the action of the legislature. He had consulted with many factors on the question, and had yet to meet the first one who was in favor of the bill. Their general feeling was that there was no necessity to legislate on the subject.

Mr. Gordon read a number of advertisements from the London Times of a late date to show that there were, contrary to the position taken by the Senator from Orleans (Judge Duvignaud) on a former occasion, numbers of corporations established in England for mercantile purposes on the limited liability principle, under acts of 1862.

Mr. Scruggs at some length repeated the arguments he advanced on a former occasion in favor of the bill.

Mr. Mohan said that in addition to all that had been already urged against the bill, he felt that it must revolutionize our whole commercial system. As to the remark that merchants were threatening to foreclose mortgages on planters, he asked if anybody thought corporations would be more humane or considerate than merchants who had always hitherto held the most amicable relations with planters. The gentleman repeated his previously urged objections to the bill.

Mr. Egan replied to the observations of the Senator from Ascension (Mr. Kenner), that the factors to whom his remarks referred were of the very highest standing, and gentlemen who could not descend to such a course as the Senator had described. The gentleman referred to particular instances illustrative of the feeling of factors against the measure.

The question was then put on the third reading of the bill, and the ayes and noes were called.

Mr. Gibson said he had, under leave of the Senate, been absent during the previous discussions on this bill, to attend to important private matters, and had since had no time to examine it carefully enough to enable him to form a judgement as to its merits. He had such a very high opinion of the factors of New Orleans, whom he had known for forty years, and he felt such a sympathy with them in their present circumstances, that he would be doing great violence to his feelings if he should vote for a measure as to which there was a doubt whether it might inflict injury upon them. He had just got back from the country, where he had only renewed his sad knowledge of the destitute condition of the people, and been incited to the most earnest desires to do anything that would really contribute to their relief. If he felt satisfied this bill was not open to the objections he had just urged against it, it should have his most earnest support. He had taken steps to inform himself on the subject, but had not had time to do so. He had this morning, unaware that the bill was coming up to-day, referred the bill to a factor on whose judgment he had great confidence, for his opinion on it; but he had not time to get even that. In the state of uncertainty in which he found himself placed, he would therefore beg to be excused from voting.

The request was unanimously accorded.

The bill was then read a third time, and passed by the following vote:

Yeas—Messrs. Anderson, Armstrong, Barrow, Bell, Brusle, Campbell, Gordon, Hough, Kavanaugh, Kenner, Lapeyre, Lott, Munday, Palfrey, Poche, Scruggs, Taylor and Welch—18.

Nays—Messrs. Abney, Burthe, Cooley, Duvignaud, Egan, Fellowes, Foute, Kelso, Mohan, Newton of Jackson, Nelson and Purcell—12.

Mr. Abney, from the Committee on Parochial Affairs, presented a report on the bill to repeal the act requiring parties residing within five miles of Port Hudson to keep their stock within enclosures.

Mr. Scruggs moved to take up the bill to authorize the vending of lottery tickets.

Mr. Kenner explained that he was opposed to the principle involved in the bill; but that if the Senate were determined on trying it, and would so decide by some kind of test vote, he would do all he could to aid in effecting the object of the measure. He was not inclined, however, to assist in framing a measure which might ultimately be rejected, because of disagreement with the principle of the bill. In its present condition, he was satisfied the bill could effect nothing like what its friends designed. As a test vote on the feeling of the Senate with regard to the principle, he moved to strike out the enacting clause.

Mr. Scruggs spoke at considerable length in support of the bill, contending in the first place that by the revenue it would afford it would give relief to the State Treasury; that in the next place it would yield a support to the Charity Hospital, the grandest and noblest institution of the kind in the world, and thirdly that it would tax an evil, which experience had shown it impracticable to prohibit. The United States tax lottery tickets, why should not Louisiana derive a revenue from them? One gentleman had already told him that he was willing to take a license to sell them at $10,000 a year. The former resource of the Charity Hospital has been destroyed. He contended that experience shows the moral feeling of the world not to be in fact against dealing in lottery tickets. This tax would neither increase nor decrease it. The bill had come from a joint committee of both Houses, which it had passed with perfect unanimity.

The question was then put on Mr. Kenner's motion, which was lost by the following vote:

Yeas—Messrs. Abney, Egan, Fellowes, Kenner, Lott and Poche—6.

Nays—Messrs. Anderson, Armstrong, Bell, Brusle, Burthe, Cooley, Duvignaud, Ellis, Gibson, Gordon, Hough, Kavanaugh, Lapeyre, Mohan, Munday, Newton of Jackson, Nelson, Palfrey, Scruggs, Taylor and Welch—21.

A message was received from the House, through Mr. Halsey, assistant clerk, announcing that the House had concurred in the police bill.

Mr. Kenner objected to the lottery ticket bill, in the shape in which it was introduced, as not calculated to effect the ends designed; but subsequently withdrew his opposition, in deference to the opinions of the friends of the measure.

A message from the House was received through Mr. Maxwell, Chief Clerk, announcing that the House had concurred in the bill to provide for the lease of the new canal, with an amendment.

Mr. Ellis, who was absent at the time of the taking of the final vote upon the factorage, commission and agricultural corporation bill, was, on his motion, allowed to record his vote against it.

Mr. Bell moved to adjourn, which, on a division, was carried by 16 to 10.

The Senate then adjourned to noon to-morrow, Thursday, February 8th, 1866.

House of Representatives.

The House met at 12 M., Mr. Elam, Speaker pro tem., presiding.

Prayer by Rev. Dr. Hedges.

The Speaker pro tem. informed the House that he was too ill to preside during the day, and he called Mr. Head to the Chair.

A resolution offered by Mr. DeLabarre was adopted, that Mondays shall be set apart for bills of a local or personal character, and that no member shall have a right to call up more than one bill of that kind until each member shall have exercised the privilege in his turn.

Mr. McCloskey rose to a personal explanation. As a member of the Committee on Contingent Expenses, he wished to say a few words in reply to an article in the Picayune relating to the action of the House in regard to that and another city journal. He read the article and commented upon it. He was not the member—his colleague, Mr. Scanlan, was the gentleman, whose observations had provoked the strictures of the Picayune, but he, (Mr. C.,) fully concurred with Mr. S. in his remarks. The Star, the Crescent, the Bee and the True Delta had agreed to furnish papers to the members at six dollars a hundred. The Picayune and Times refused to supply the House for less than ten dollars a hundred. The committee saw no reason why those two papers should be allowed more than the others, and, unwilling to make a distinction, reported a resolution that those papers only which charged the lower rate should be taken. The House had assented to the view of the committee by adopting the resolution. He had been a reader of the Picayune for twenty-seven years, and had none but friendly feelings to that paper, nor was he unfriendly to the other journal excluded. While he might have been willing to pay from his own pocket any price demanded by either of those papers, he was not, as a public servant, at liberty to allow them more than others. As to the charitable feelings of the proprietors of the Picayune to the widows whose sons hawked the paper through the streets, and in consideration of whose needs the gentlemen of the Picayune informed the public they sold their paper for six dollars a hundred, there were, perhaps, members of the House whose charity was not so ostentatiously displayed, but who in their own way were quite as considerate of the wants of the widow and orphan.

Mr. Scanlan, though not directly referred to in the article just read by his colleague, was willing to assume all the responsibilities attaching to him in that connection. He had approved the recommendation of the Committee on Contingent Expenses, and in doing so felt he was discharging his public duty without injustice to any part of the press. As to the charity paraded by the Picayune he confessed he could not see it. By their showing they sold to the newsboys, for the benefitor the newsboys widowed mothers, papers at the rate of between eighteen and nineteen dollars a year, and those newsboys were to trudge the streets at all hours and in all weather, to make little profit on that rate, but these same charitable gentlemen of the Picayune delivered their paper to the wealthy merchant in his counting-room at sixteen dollars a year, two dollars less.

Mr. Regenberg, from the Committee on Public Education, reported unfavorably on the bill to relieve purchasers of 16th sections of the public lands, and on the bill to ratify the lease of Franklin College, Opelousas, to Rev. Benjamin T. White, and favorably on the bill to reorganize the Franklin College.

THE BILL TO LEASE THE NEW CANAL.

Mr. Walker, from the Finance Committee, reported back the Senate bill for the leasing of the New Canal, with amendments, and the House proceeded to the consideration of the bill and amendments.

The Canal, which is now the property of the New Orleans, Canal and Banking Company, by the conditions of the charter of that corporation, becomes the property of the State on the 5th of March next.

Subjoined is the bill as it came from the Senate, and was referred to the committee:

An act to authorize the Lease of the New Canal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened*, That the canal belonging to the Canal and Banking Company, and constructed under the charter of said company, incorporated March 5th, 1831, situated, lying and being in the parishes of Orleans and Jefferson, together with all the rights, property, privileges and uses, in any way belonging and appertaining thereto, or claimed by said company, under said act of incorporation, and which, by virtue of said act, reverts to the State on the 5th day of March, 1865, be, and the same is hereby ordered to be leased for a term of years, not to exceed fifteen, nor less than five years.

Sec. 2. *Be it further enacted, etc.*, That it shall be the duty of the Governor immediately after the passage of this act, to cause to be advertised in one or more newspapers in the city of New Orleans, for the period of twenty days, that the said canal, with all the rights and privileges appertaining thereto, or claimed and now enjoyed by the Canal and Banking Company under its charter, is offered for lease, as set forth in the first section of this act, and to call for sealed proposals for the lease of the same.

Sec. 3. *Be it further enacted, etc.*, That at the expiration of the time allowed for such advertisement, the Governor shall accept such proposal as he may deem the most advantageous to the State, and forthwith submit the same, with his approval, to the Senate, in executive session, for their approval; and, if approved by the Senate, such proposal shall be put in the form of a contract between the State, represented by the Governor, and the lessee; *Provided*, however, that all the proposals for the lease of said canal which have not been accepted, shall be open to the inspection of members of the Senate.

Sec. 4. *Be it further enacted, etc.*, That all proposals for the lease of said canal shall be accompanied by the names of the sureties; and the amount of the security required shall not be for an amount less than one year's rent, and the lessee shall be bound to keep the canal in good order, and to comply with all the obligations to the State and to the public required by the Canal and Banking Company by its charter for the working and preservation of said canal, under the penalty of a forfeiture of the lease for the violation of the same.

The reason for recommitting the bill was that the House did not regard the obligations of the lessee as sufficient, nor stated, so far as they went, with explicitness, and that the time for advertising was not enough to secure to the State the most advantageous offers.

To obviate these objections, the committee reported amendments requiring the lessee, in accordance with plans and specifications from the State Engineer, to place the canal and shell road in good condition, extending the time for advertisement, and, besides, directing the Governor to institute suit against the Canal and Banking Company for damages for failure to surrender the canal and road to the State in the good order required by the charter of that corporation.

Mr. DeLabarre proposed, in compliance with the wish of the Firemen's Charitable Association, that sixty feet in width of the ground appertaining to the canal, and next the Greenwood and Cypress Grove Cemeteries, should be retained from the lessee, for the use of the association, and, after some discussion, the amendment was agreed to. The amendments of the committee were also adopted.

Mr. Bailey moved a proviso that the lessee should continue to allow the drainage of the second drainage district to run into the canal.

Mr. Walker objected. This plan of drainage had been abandoned as injurious to public health, in consequence of the noisomeness of the city drainage gathered into the stagnant waters of the canal, and as obstructing navigation by the accumulation of deposits.

Mr. Bailey answered these objections at length. The drainage he proposed would not fall into the canal nearer to the city than about Carrollton Avenue, and when it arrived there would have left its deposits behind, and could not be noxious to public health. All the country as high as Kennerville was dependent upon the canal as an outlet for drainage, and that use of the canal could not be dispensed with, since the canal was the barrier which interrupted the original natural drainage.

Mr. Walker replied that the lessee would take the canal with all its present servitudes, but he, Mr. W., thought it inexpedient to make it the receptacle of additional drainage. The present culverts would be kept open, but the whole district should not find its drainage into the canal.

Mr. Murray lived in that part of the city affected by this drainage question, and knew from observation and experience that neither the public health nor the navigation of the canal suffered from the drainage. It was but just, it was the right of the people in that section that the canal, which impeded natural drainage should give an outlet for it. The bill was imperfect. It had been got up hastily, and, perhaps, for personal ends, but with Mr. Bailey's amendments, he would vote for it.

Mr. Bailey again spoke in favor of his amendment. What he proposed would not put the lessee to an additional expense of a thousand dollars a year.

Mr. Walker claimed that the canal was the property of the State, and should not be looked to as a means of drainage. It was not made for that purpose, but for commerce and navigation.

Mr. Tucker observed that the charter of the Canal and Banking Company required it to excavate a draining canal on the upper side of the shell road, but it had not complied with that condition. Its failure, however, did not take from the people interested their natural or legal right to the drainage dammed by the canal, and as the work fell to the State, so did the obligations of the original proprietor.

Mr. Wagaman, from a constituency interested in this matter, while admitting the strength of the arguments against making the canal a receptacle for drainage, had strong objections to a refusal for that drainage until another conduit was procured; for if free egress for the waters above the canal was not allowed, the condition of the people would be pitiable after heavy rains.

Mr. Bailey said a draining canal had been planned, but its execution was stopped by the war. That canal would be dug, but not in less than three or four years. Meantime the new canal was the only available outlet for drainage.

Mr. Walker proposed as a substitute for Mr. Bailey's amendment, that all the culverts now on the canal should be kept open.

Mr. McConnell offered an amendment to the substitute, requiring that the draining machines should be placed at such distance from the canal that the waters drained should have made their deposits before reaching the canal.

Mr. Scanlan held that as the State reaped the advantages of the canal, the obligations of the company also fell to the State. The right of drainage was a natural right, and could not be interrupted. The remarks of the gentleman from St. Mary (Mr. Tucker) were clear and forcible on this point. Mr. S. proposed, as an amendment, that the lessee should be required to perform the agreement of the Canal and Banking Company by opening a draining canal, and while that was being done, furnish drainage through the canal to be leased.

Mr. McConnell said this amendment would be inoperative, because the legislature of 1848 had released the company from its obligations to construct a draining canal.

Mr. Walker proposed as a compromise an amendment, the exact terms of which we did not seize as they were read, but which was understood as requiring the lessee to have culverts for the drainage of the second drainage district; and this substitute was adopted.

After some debate as to the expediency of requiring the lessee to make the repairs needed by the shell road to put it in good traveling order, the bill was ordered to be engrossed by a vote of 67 to 3, and was then passed finally, and returned to the Senate as amended.

MISCELLANEOUS BUSINESS.

Mr. Jonas called up the bill to provide a police board for the city of New Orleans, which bill had been returned from the Senate with a verbal amendment, and the amendment was concurred in.

Mr. Halsey introduced a bill relative to the revenue laws, which on his motion, together with a bill presented by Mr Sambola yesterday, on the same subject, was referred to the Judiciary Committee.

On motion of Mr. Solomon, the bill providing for mortuary reports to the Registrar of Voters in New Orleans, to prevent fraudulent voting, was made the order of the day for Friday next.

Mr. Lewis presented a bill relative to the records of the parish of Rapides. Referred to Judiciary Committee.

Mr. Tucker's bill fixing the terms of the district courts in the rural parishes was ordered to be printed.

Mr. Couvillon, in the absence of Mr. Gantt, chairman of the Committee on Parochial Affairs, reported unfavorably:

On Mr. Halsey's bill to establish a public road from Williamsport, Point Coupee parish, to the Atchafalaya, near Simmsport.

And unfavorably:

On Mr. Theriot's bill relative to parish and town taxes in the town of Houma.

On Mr. McEnery's bill providing for an election of a justice of the peace in the town of Monroe.

On Mr. Hudspeth's bill declaring Bayou Rouge, in the parish of St. Landry, a navigable stream.

On Mr. Hudspeth's bill relative to the organization of a board of police for the town of Opelousas.

And the House then adjourned.

Arrivals at the Principal Hotels.

ST. CHARLES HOTEL—J G Osgood, P T Hickman, J B Pawnes, La; W B McGovey, Dr C O'Leary, J W Keefe, G Douglas, Ala; Dr J W Allen, D W Reed, St Louis; R McGregor, Memphis; A W Terrell, Texas; E A Smith, Cin; G Thorpe, C L Riddell, D A Short, Louisville; J A Wilson, Jr; N Y; R L Smith, R L Smith, Chicago, Chicago; T D Gilbert, J Ball, Mich; P L Smith, Boston; L A Burgess, T Portous, L Baizel, J F Mason, Little Rock; L Moss, W A Newman, N Y; G Ewilkinson, city; Miss Flint, J E Leggett, St Louis; J N Wilkerson, Memphis; C T Dranguet, Natchitoches; Kavenaugh, A Lettan, Lex, Mo; O C Chapman, Ky; J McCann, Tex; B Field, Ark; W Brown, Miss; T Brown, N Brown, Philadelphia; H K Boyd, E B Briggs, city; W P Jackson, La; G N Robinson, Memphis; J Raymond, Nashville, Tenn; Capt C A Bailey, Lieut T McCormick, S Mann, T F Smith, Waco, Tex; Lieut W F Flint, Ft Jackson; Lieut B A Stevens, Lavaca, Tex; H Dow, Memphis; W S Jackson, Natchez; A McKear, R H Marsh, New Iberia; A L Burnell, Va; A Houghland, St Louis.

ST. LOUIS HOTEL—G H Stinson, wife and child, Ark; M Galdsele; J Lester, N Y; W J Reid, R Walker, J K Austin, R R Breeden, T Bogey, city; A Thorpe, Miss Flournoy, Ky; T Beattie, Lafourche; J Grant, Ills; M Woodsworth, La; Mr Drytus and wife; R Waters, Balt; W H Childress; C J Selden and lady, Tenn; J C Brewder and wife; Mrs H Woods, R C Dunn, Memphis.

CITY HOTEL—A B Horrell; H Newton, Cinn; L Hailley, Galveston; W S Macrae, city; G W Macrae, city; G E Zalley, Portland, Me; C W Walker, Pitts co, Mo; T J Ferguson, do do; A Hensler, St Louis; W Huntlebshofer, do; D Perry, Terrebonne; A J Delaperte, do; J Gatt, New Iberia; J Hirsh, Florida; L Glazier, R R Dunlap, N Y; D W H Turrell, city; T P Havrety, Louisville; R M Barrieiz, Cincinnati; W P Allen, Baton Rouge; W H Streets, Texas; Mrs Blakley, Ark; J Redding, Cincinnati; Mrs J E Whiting, Philadelphia; H A Howell, Ark; T T Courtnay, Greenville; J R Howard, Monroe, La; E E Hancock, city; C Robbins, jr, Springfield, Arkansas; H M Dunlap, Memphis; F S Bridges and wife, Cincinnati; S L Randolett; St Mary, La; J S Jackson, Mansfield, La; T W Terrell, do.

ST. JAMES HOTEL—H Hopkins, Mrs Dawson, Miss F Dawson, La; J M Hunter, W Cardle, Miss J Powell, Miss; Dr C O'Leary, Ky; P L Smith, W F Pinney, C E Dezney, city; J F Cooper, Va; J Drake, L D Platter, Mo; P P Doran, city, Miss F Lattner, Miss; E Mosby, Miss; S R Harrison, Woodville; S L Vining, J Fussy; S Hellman, St Louis; S F Vurburville, Paris; M M Phares, D D McKisick and wife, Memphis; A Montgomery, Yazoo City; L M Woodworth, Texas; L R Adams, La; J J Chancellor, Texas; J E Sigett, H Dansman, St Louis; M W Stewart, La; Mrs S D Smedes, B V Clarney, Miss; J J Hodges, R J Reading, W C Watts, St Louis; J V Bailey, Texas; R B Williams, La.

THE ADVANTAGE OF BEING YOUNG.—It seems that in Chicago youth is a sufficient apology for crime. Witness the following:

Chicago, Jan. 29.—A party of colored lads made a savage assault upon a white boy last evening, in front of the African Methodist Church, on Jackson street, one of them using a razor. The white boy escaped with three severe wounds, one of which laid open his back to the spine. Six of the negroes were arrested—the one who used the razor escaping—and were fined $3 each, the Justices being lenient with them on account of their age.

TELEGRAPHIC DISPATCHES.

EUROPEAN INTELLIGENCE.

Napoleon Offended With Maximilian.

New Hampshire Democratic Convention Supports President Johnson's Policy of Readmission.

Fenian Arms Seized and Restored.

CHILIAN CONSUL ARRESTED FOR NEUTRALITY VIOLATION.

SHIPMENT OF PISTOLS FOR VERA CRUZ SEIZED.

Connecticut Democratic Convention Supports President Johnson's Restoration Policy.

FIRE AT JOLIET, ILLINOIS

From California and Oregon.

MEXICAN INTELLIGENCE—JUAREZ'S TERM EXTENDED.

Idaho Indorses President Johnson's Reconstruction Policy—Territorial Grant for a Branch of the Pacific Railroad.

Canadian Reciprocity Arrangements not Effected—Torpedo Boat for Chili Seized.

Parties Arrested Disclaimed as of the Chilian Legation—Visit of a Colored Delegation to the President.

The President Against Forcing Negro Suffrage—Credentials of Congressional Delegation from Alabama Referred to Reconstruction Committee.

The Montana Delegation Indorses President Johnson's Course.

[Associated Press Dispatches.]

LONDON, Jan. 22.—The Paris correspondent of the London News says it has transpired in court circles that Napoleon is greatly displeased with Maximilian on many grounds, especially because of the bad reception given the French Counselor of State, sent to Mexico to take the finances in hand, and he is surmised that this is one reason for the withdrawal of the French troops from Mexico.

NEW YORK, Feb. 7.—Stephen Adams, the Chilian consul, was arrested on an indictment for a violation of the neutrality laws.

Dennis O'Sullivan was arrested driving a team containing six boxes of arms. He confessed that were for the Fenians. They were claimed by O'Mahoney, and the prisoner was discharged.

A shipment of pistols, etc., to Vera Cruz, for private use, has been prevented by the Washington authorities. It is presumed the trade in arms is to be free, unless it appears the arms are intended for belligerent use.

HARTFORD, CONN., Feb. 7.—The Democratic State Convention has adopted resolutions endorsing the restoration policy of President Johnson.

CHICAGO, Feb. 7.—A fire at Joliet, Ill., destroyed the Masonic block and adjoining buildings, including the Republican office.

SAN FRANCISCO, Feb. 7.—A Union Legislative Caucus voted in favor of repealing the specification contract law, by a large majority. Also, favoring the postponement of the Congressional election.

Portland, Oregon, advices say there is no communication with upper Columbia, owing to the ice blockade. There has been a flood in Willamette Valley, but it has receded, leaving the rivers in fine boating order.

Legal tenders are nominal at 71½.

The Mexican Consulate has received an official communication that President Juarez and his Minister of Foreign Relations were at El Paso on the 28th of December.

All the Generals of the Liberal forces gave in their adhesion and approval of the decree extending the presidential term of Juarez.

Some of the French troops started in the direction of El Paso, but returned after marching forty-two miles.

The Republican troops at El Paso are fully prepared to meet the French. General Mejia was installed as Minister of War on the 28th.

The report that Juarez had reached San Antonio, Texas, is unfounded.

WASHINGTON, Feb. 7.—*House.*—Morrill's bill declaring the meaning of several parts of the internal revenue act passed.

Mr. Brooks presented the credentials of the members elect from Alabama, which were referred, without debate, to the Reconstruction Committee.

Mr. Brooks presented a petition of a large number of women claiming the right to vote. Considerable merriment arose during a desultory debate concerning the proper committee to which it should be referred.

It was finally referred to the Reconstruction Committee.

CONCORD, N. H., Feb. 7.—The Convention passed resolutions pledging the President its support in the efforts he is making to secure to all the States immediate representation in Congress and their full rights under the Constitution as States of the Union.

WASHINGTON, Feb. 7.—A delegation from Montana territory had an interview with the President expressing their approval of the principles of his message, and his policy with regard to the condition of the country.

In the diplomatic bill reported to-day is an appropriation of $10,000 for the salaries of the Commissioners and Consul-Generals of Hayti, Liberia and Dominica.

CONCORD, N. H., Feb. 7.—The Democratic State Convention has adopted resolutions indorsing President Johnson in his endeavors to have the Southern States represented in Congress, and discountenances any amendment to the Constitution.

SALT LAKE CITY, Feb. 4.—The Legislature of Idaho unanimously indorsed Johnson's reconstruction policy, and has granted a territorial charter for a branch of the Pacific Railroad from Salt Lake to the Columbia through the valley of Snake river.

WASHINGTON, Feb. 4.—The Ways and Means Committee have entirely failed to come to an agreement with the Canadians relative to the reciprocity prohibitions.

NEW YORK, Feb. 7.—The Chilian Minister telegraphs U. S. District Attorney Dickinson that R. V. McKenna may not be considered as belonging to the Chilian legation. McKenna and Rodgers both gave bail for their appearance day by day. The corvette boats, two in number, are lying in North river.

WASHINGTON, Feb. 7.—A delegation consisting of colored people of various States had an interview with the President. G. T. Downing and Fred Douglass made speeches, after which a colored boy took place, in which the President said a national guarantee should be given for the abolition of slavery, but stated that evil would be the result by forcing the principle of suffrage upon the people of either this District or a State in opposition to the expressed will of a majority.

NEW YORK, Feb. 7.—Cotton favors buyers. Middling 45c. Whisky after $2 25. Wheat declined 2c., sales $1 95. Sugar—Cuba muscovado 13½c. Molasses dull. Porto Rico 60 to 70c. Bacon dull. Dressed hogs 13½c. Lard firm at 13½c. Money steady. Sterling exchange dull and drooping at 108. Gold closed at 139½. Government stocks without decided change. Stocks stronger.

GALVESTON, Feb. 7.—The steamer City of Port-au-Prince arrived at the bar on the 5th, ten days from New York.

Cotton middling is quoted at 51c. in gold. Freights on cotton to New York, 1c. by sail, and 1½c. by steam; to Liverpool, 10-16d.

There is a large quantity of emptied tonnage in port.

LOUISVILLE, Feb. 7.—Tobacco active and higher; sales 200 hhds. Logs $4 50@10, common leaf $6@$15