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FRIDAY MORNING, FEBRUARY 16, 1866.

NEW ORLEANS DAILY CRESCENT.

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GENERAL ASSEMBLY OF LOUISIANA.

THURSDAY, FEBRUARY 15, 1866.

Senate.

The Senate was not called to order till half-past 12 o'clock to-day. At that time the Hon. Victor Burthe took the Chair, stating that the Lieutenant Governor had been prevented from attending in time to preside, and had requested him to take the Chair.

On the roll being called, twenty-eight members responded.

Prayer was offered by the Rev. Dr. Hedges.

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

There were present during the proceedings the following Senators:

Messrs. Abney, Armstrong, Bell, Bruslé, Burthe, Campbell, Coco, Foute, Gibson, Gordon, Hough, Kavanagh, Kelso, Kenner, Lapeyre, Lott, Mohan, Munday, Nelson, Newton of Jackson, Newton of Morehouse, Peché, Purcell, Scruggs, Taylor and Wilcoxon.

Mr. Taylor called up the special order of the day, on the veto message of his Excellency the Governor, on the parochial election bill.

Mr. Egan would like to have the sergeant-at-arms sent for absent members.

Mr. Bruslé, from the Committee on Enrollments, presented, as correctly enrolled, the bill to continue the board of levee commissioners appointed by the Governor.

Mr. Kenner moved for a call of the house, which was agreed to.

Of the list above given, it was found that Messrs. Hough and Kavanagh had left the chamber.

There were absent with leave, Messrs. Anderson, Barrow, Brownlee, Cooley and Palfrey.

Absent without leave, Mr. Gordon, who immediately afterwards entered the chamber.

There were present, therefore, on the calling of the roll, 28 Senators. Mr. Gordon's arrival made the number 29.

At 1 o'clock the Lieut. Governor, having arrived, took the Chair.

Mr. Egan moved that the sergeant-at-arms be sent after absent members.

Mr. Lott moved that the order of the day, on an act to regulate the sale of property seized under an order of seizure and sale, or writ of *fieri facias*, be taken up.

This measure had been made the order of the day, but the Governor's veto message of the parochial election bill having been made the special order of the day for 1 o'clock, had the preference. It was understood, however, that Mr. Lott's bill should be taken up immediately after that.

On motion of Mr. Egan, the Governor's veto message, as published in the CRESCENT yesterday, was read.

Mr. Egan said he could not help characterising this message as in some respects a very extraordinary document. The Governor had not thought it necessary to give his views as to the constitutional objections which he darkly hinted he may have or might urge against the bill; but had left to surmise what they were. In this, he could not help feeling that the Governor had not dealt frankly with the legislature. He ought to have intimated what are the constitutional defects of the measure, if there were any. They might then have been avoided in future. The only objection the Governor had specified against the bill was that the lack of postal communication prevented sufficient notice being given to allow of the election taking place at the time appointed by the bill. In reference to this, he would ask on general grounds, how far the Governor was himself responsible for having increased the very difficulty which he had made the pretext of vetoing the bill. It was well known that the bill was placed in his hands on the 2d of February, and it was not till the day before yesterday, after the Senate had adjourned that he returned it with his veto. The Senate on that day sat till within a few minutes of the usual hour of adjournment, and it is well known what are the usual business hours of the Senate. That message consequently remained sealed till yesterday morning. It would seem that if his object had been to deal frankly with the legislature, and did not think it necessary to intimate what his constitutional objections to the bill are, but confined himself entirely to the shortness of the time given for notice of the election, he would have given as little excuse as possible for increasing the shortness of the time—would have returned the bill as promptly as possible. Instead of this he had detained the bill until it had become a very grave question whether it had not under the 60th article of the Constitution become a law by the provision that "if any bill shall not be returned by the Governor within ten days (Sundays excepted) after it shall have been presented to him, it shall be a law in like manner as if he had signed it, unless the General Assembly by adjournment prevent its return." But the Senate would hardly feel disposed to take these grounds, but proposed to consider the objections taken to the measure, to remove them if well taken, and if untenable to overrule them. The Constitution provides that the people shall have the privilege of choosing all elective officers. Now first let us consider the message with regard to constitutional objections. The mode of filling offices is provided for under several consecutive sections. Article 80 provides that "the clerks of the inferior courts shall be elected by the qualified voters of their several districts, and shall hold their offices during a term of four years." "*Shall be elected*" are the words. Have they been elected? Article 82 reads, "the jurisdiction of justices of the peace shall not exceed, in civil cases, the sum of one hundred dollars, exclusive of interest, subject to appeal in such cases as shall be provided for by law. They shall be elected by the qualified voters of their several districts, and shall hold their office during a term of two years. They shall have such criminal jurisdiction as shall be provided by law." "*Shall* be elected" again. Have they been elected? Article 83 provides, among other things, that "the district attorneys shall be elected by the qualified voters of their respective districts for a term of four years." Has this been done? Have these elections taken place as the Constitution provides? Again, article 149 of the Constitution provides that "all laws in force at the time of the adoption of the Constitution, and not inconsistent therewith, shall continue as if the same had not been adopted." Now, by section 37 of the general law upon elections, appearing on page 216 of the Revised Statutes of 1856, "the Governor is authorized and empowered to issue his proclamation ordering, in all cases not otherwise provided for, elections to be held in the different parishes of this State to fill any and all vacancies that may happen in any elective office." He quoted these provisions to show that if the Governor wished to give the people the right thus accorded to them, he not only would not have waited till the very last moment to object to it, but would not have waited for any legislation on the subject. The case being, in his opinion, "not otherwise provided for," he would have issued his proclamation at once. It would seem as if the Governor might have regarded these offices vacant, though there were only vacancies such as had been created by the result of the war. And if the Governor is such a stickler for constitutional provisions, he might find in article 84 what kind of vacancies he was empowered to fill under the Constitution. Referring to the offices of sheriff and coroner, that article says: "Should a vacancy occur in either of these offices subsequent to an election, it shall be filled by the Governor, and the person so appointed shall continue in office until his successor shall be elected and qualified." This does not authorize him to fill a vacancy *before* an election. He alluded to such points as these only because the Governor had alluded to constitutional objections. There are other provisions which look to the appointing power of the Governor. Articles 54 55 and 131 read respectively as follows: "He shall nominate, and, by and with the advice and consent of the Senate, appoint all officers whose offices are established by the Constitution, and whose appointments are not herein otherwise provided for; *Provided*, however, that the legislature shall have a right to prescribe the mode of appointment to all other offices established by law." "The Governor shall have power to fill vacancies that may happen during the recess of the Senate, by granting commissions, which shall expire at the end of the next session thereof, unless otherwise provided for in this Constitution; but no person who has been nominated for office and rejected by the Senate, shall be appointed to the same office during the recess of the Senate"—and "the legislature may determine the mode of filling vacancies in all offices for which provision is not made in this Constitution." Now, with the exception of the offices of sheriff and coroner, no such provisions are made by the Constitution. So that even if he were inclined to regard this point as in his favor, still he ought to have issued his proclamation for the election of the other officers. But the position assumed was that all the offices ought to be filled by election and that it was the bounden duty of the Governor to order it, especially when he had been called on, as he had, by the unanimous voice of the legislature. By article fifty-nine of the Constitution, it is required that "he shall take care that the laws are faithfully executed." He is either the Governor under that Constitution or he is not. If he is, it is his bounden duty to accord to the people the right it accords to them, of electing their own representatives as they had him. What is the whole spirit of the Constitution—even of the Constitution of 1864? Why, that as soon as it was practicable, elections should be held! Article one hundred and fifty-four says—"As soon as a general election can be held under this Constitution in every parish of this State the Governor shall, by proclamation, or in case of his failure to act, the legislature shall, by resolution, declare the fact," and so forth. "The terms of office of the State officers elected on the 22d day of February, 1864, shall expire on the installation of their successors, as herein provided for;" "and, if not sooner held, the election of their successors shall take place on the first Monday of November, 1867, in all parishes where the same can be held." The Governor, therefore, either has not the power to fill these offices, because the Constitution says they shall be elected by the qualified voters; or having the power originally, he has now the opportunity, and is bound to fill them by election, as provided by the legislature. The gentleman again referred to article fifty-five of the Constitution, and to the general spirit of that measure, to illustrate that the principle on which the government of the State is founded, as well as under all other Constitutions. It is that ours is a republican form of government. If so, where does the Governor's power come from to fill offices? By article one hundred and four it is provided that "no power of suspending the laws of this State shall be exercised unless by the legislature or its authority." Who gave the Governor the power to fill vacancies, or to fill the offices originally? Did he get it from the Constitution of 1864? He defied any Senator to point out to him an article giving that power! But the moment the government was organized under that Constitution, if he felt disposed to perform his duties under it, he was bound to act in accordance with its provisions. He has not done so. What is the difference between suspending the effect of laws, and suspending laws? Has he not virtually suspended this law? It was his duty to order this election the moment the government organized, without waiting for legislation. In accordance with the foundation of the State government, on a republican system, the chief principle is a distribution of power, and this is recognized by the Constitution of 1864, as well as by others. There are the legislative, the judiciary and the executive departments. And article 4 says: "No one of these departments, nor any person holding office in one of them, shall exercise power properly belonging to either of the others, except in the instances hereinafter expressly directed or permitted." Now, the pretense is that the object of the bill before the Senate could not be carried out for want of sufficient time. If the Governor had issued his proclamation "forthwith," as the bill provided, there would have been abundance of time. Any objection on the ground that the general election law requires a particular notice should be given, falls before the fact that this bill appoints a particular day for it. The gentleman continued his remarks at great length, but space and time forbid our doing more than give a very summary note of the rest of them. He said the Governor ought to have ordered the election in November last, and that his objection to do it now was based on a flimsy pretext. It was neither right, proper, decorous or just to act as he had against the Constitution, in defiance of the convictions of the legislature, and in opposition to the wishes of the people. There never had been an assembly with a more honest desire and purpose to act in accord with his Excellency than this; and differences have arisen—they cannot be charged to the legislature. There had been three vetoes within a very short time. The first of them had been used as the vehicle of most unprovoked contumely on the people and their representatives. If the Governor does not hold his position under the vote of the people, but under some other power, let him drop his mask and show himself in all his deformity! If time is what is wanted, he knew that could be provided for.

Mr. Poché followed in support of the motion to pass the bill, notwithstanding the Governor's veto. The gentleman spoke with much force and effect, and at considerable length. We regret, however, that we cannot attempt to give anything like a report of his speech. He fully endorsed the remarks of Mr. Egan. He said it was exceedingly sad to see the legislature compelled to discuss vetoes as they had. Vetoes seemed to be getting fashionable. The only remedy was to make it fashionable to overrule them.

On the question being put, the motion was carried by twenty-seven to two, the nays being Messrs. Bell and Purcell.

Mr. Mohan moved a reconsideration.

Mr. Foute moved to lay that motion on the table, which was carried without a division.

On motion of Mr. Egan the veto and bill, with a report of the action of the Senate, was sent to the House.

Mr. Bruslé introduced a bill for the relief of certain State Assessors. Read a first and second time and referred.

Mr. Ellis presented a memorial and a bill to exempt grounds belonging to the new synagogue from taxation. Referred to the Finance Committee.

Mr. Nelson presented a memorial and bill for the construction of a draw bridge over the Lafourche at Thibodaux, amending and re-enacting the bill approved March 19 1855. Referred to the Committee on Public Works, Lands and Levees.

Mr. Abney presented a bill to abolish the 141st section of the Constitution.

Mr. Mohan presented a bill to incorporate Pelican Hook and Ladder Company No. 4. Referred to the Judiciary Committee.

On motion of Mr. Egan, leave of absence was granted to Mr. Taylor.

The order of the day on the bill to regulate the sale of property seized under an order of seizure and sale or writ of *fieri facias*, was called up; but after some progress had been made in explaining it, it was discovered there was no quorum, and at the suggestion of friends of the measure, an adjournment was moved, leaving the bill to come up as unfinished business to-morrow.

The Senate adjourned to noon to-morrow, Friday, Feb. 16, 1866.

House of Representatives.

The House met at 12 M. Speaker Cage presiding.

Prayer by Rev. Dr. J. B. Walker.

Mr. Elam, from the Judiciary Committee, reported favorably on the following bills:

1. To grant to attorneys at law, to secure them their fees, privilege upon judgments obtained by them.

2. Relative to the commission of syndics, administrators, executors and curators.

3. For the discharge of Ursin Jacob, sheriff and tax collector in the parish of St. John the Baptist, in 1862, and for the canceling of his bonds.

4. To purchase a number of copies of a new edition of the statutes of the State.

5. To amend an act relative to district courts for the parish and city of New Orleans, approved March 29, 1865.

6. To amend article 1698 of the Code of Practice.

7. To authorize Mrs. Louise Bourgeois, wife of Thomas Taquino, to sell a portion of her dotal property.

And unfavorably on the following bills:

1. To incorporate the Benevolent Association of the Sons of Louisiana.

2. Relative to citations of appeal in certain cases.

3. Relative to State legislature of 1861.

4. To authorize D. Y. Grayson to dispose of his property in favor of his natural children, Wiley and Minerva, free persons of color.

5. To regulate forced sales of immovable property.

The committee reported back, without recommendation, two bills, which, by suggestion of the committee, were referred to the Finance Committee.

Mr. Elam, from the special committee, to whom was referred the bills for the relief of tax payers, submitted the subjoined report:

The special committee, to whom was referred House bill No. 115, an act for the relief of the tax payers of the State, and House bill No. 24, an act in relation to exemptions from State, parish and city taxes for the years 1862, 1863 and 1864, in certain cases, beg leave to report:

Your committee are of opinion that both bills ought to pass; the first one with this amendment: To strike out after the word "taxes," in the third line of the first section, the words "and all municipal taxes levied for payment of debts," the payment of which is prohibited by article 129 of the Constitution of 1864. The committee propose this amendment, because it is useless to suspend the collection of those taxes prohibited by the Constitution of 1864. No such taxes have been levied by law, nor has the Treasury department ordered their assessment and collection.

The committee favor the striking out the municipal taxes for two reasons:

First. They believe substantial relief is afforded to that class of municipal tax payers who are equitably entitled to it by the bill No. 24, introduced by Mr. Austin.

Second. They do not think it good policy for the legislature to suspend the collection of municipal taxes, levied by the city authorities for the support of their government, except in cases of great hardship.

The Constitution and laws of the State confer upon the municipal authorities of the city of New Orleans the power to levy and collect taxes, to contract debts, to sue and be sued. The municipal authorities, having the right to impose taxes, have the right to suspend or remit them, just as the legislature has the right to remit or suspend State taxes. All the reasons that render it proper to confer this taxing power upon local authorities are opposed to the policy of interfering with the exercise of this power by the legislature, and should not be resorted to, except when the local authorities are committing great abuses, under the grant of power conferred upon them by law. The commissions, costs and charges incurred by the municipal and State tax payers, in case of non-payment are excessive, and, in the opinion of your committee, ought to be remitted on payment of the original amount due for taxes. All of which is respectfully submitted,

J. B. ELAM, Chairman.

Mr. Walker, from the Finance Committee, to whom had been referred Mr. Scanlan's resolution appropriating $2500 to each of the Senators of the State to the Federal Congress, to pay their expenses in seeking for admission, and Mr. Tucker's resolution to appropriate the same amount to each of the Representatives of the State to the Lower House, reported a substitute for both resolutions, giving to each of those gentlemen, Senators and Representatives, one thousand dollars.

The substitute was passed and sent to the Senate.

Mr. Tete, from the Committee on Parochial Affairs, reported favorably on the following bills:

1. In relation to police jury wards, in the parish of Avoyelles.

2. To incorporate the town of Vienna, in Jackson parish.

Mr. Lewis' bill providing for the restoration of the records of the parish of Rapides, destroyed by the burning of the court house, at Alexandria, by the Federal forces in 1864, and for the ratification of the acts of the commissioner appointed by Governor Wells, to replace said records, which bill was reported favorably by substitute, by the Judiciary Committee, was taken up and passed.

On motion of Mr. Fagot, two Senate bills, the titles of which we did not hear distinctly, were taken up and referred.

Mr. Voorhies moved to recall from the Senate Mr. Scanlan's bill, passed by the House yesterday, and requiring bakers to stamp the weight on their loaves.

Mr. Voorhies said that, knowing the honesty and good intentions of Mr. Scanlan, and his desire to promote the public interest, he (Mr. V.) had voted for the bill in question. Since then he had been called upon by several of the first bakers in the city—citizens who were entirely willing and even desirous that the public should be secured against fraud or exorbitant prices—who had satisfied him that the bill was impracticable, because it would be impossible for them to stamp the thousands of loaves they sold every day with the accuracy required by the law, unless at great expense, which, of course, would increase the cost of the bread. He thought the desiderated end could be better achieved under the regulations which had been established by the corporation of New Orleans, and which provided for a weekly regulation of the price and weight of loaves, according to the price of flour.

Mr. Voorhies was going on to speak of the measure in detail, when he was called to order, and the point of order raised was sustained by the Chair, because the merits of the bill were not open to discussion upon the motion under consideration.

Mr. Jonas said the bill had been referred to the Judiciary Committee and reported favorably by them, but he should vote to recall it, because from what he had heard on the subject, he was satisfied the measure should have been examined by a committee whose inquiries on the subject would be more complete than those which were to be expected from the Judiciary Committee, who knew nothing of the matter.

Mr. Scanlan insisted that the bill was entirely practicable and sufficient to achieve the purpose for which it was designed, without embarrassment or additional expense to the bakers.

Mr. McCloskey moved to lay the motion to recall the bill on the table, and it was tabled, yeas 39; nays 28.

Mr. Montgomery introduced a bill for the relief of J. B. Lorton. Referred to the Committee on Claims.

Mr. Anderson of Madison, called up a Senate bill, the title of which we did not hear, and had it referred to the Judiciary Committee.

The Senate bill abolishing the office of Surveyor General and Receiver at Winnsboro, was taken up and concurred in. A resolution was also adopted for a committee to procure the transfer of the papers of the late Surveyor General, Mr. Louis Bringier, deceased, and a memorial from his son, asking compensation for certain services, was referred to that committee.

SUSPENSION OF TAXES.

The House then proceeded to the consideration of the bills reported this morning by the special committee on the subject of suspending the collection of certain taxes. After some explanatory remarks from Mr. Elam, chairman of the committee, the Senate bill was taken up and passed with the amendment suggested by the committee. As passed, it provides for a suspension of the collection of all State and parish taxes for the years 1860, 1861, 1862, 1863 and 1864, but says nothing in regard to municipal taxes.

Mr. Austin's bill to remit taxes, State, parish or municipal, for the years 1862, 1863 or 1864, upon properties which had been seized or used by the civil or military authorities of the United States during the period of three months in any of those years, without compensation to the owner, was taken up. The bill not only provided for the remission of unpaid taxes, but also that taxes upon such properties already paid should be refunded, and if not refunded, should be allowed in payment of other taxes. The bill having been amended, on suggestion of Mr. Eager, so that not only the amount of taxes, but the costs, penalties and interest, collected from parties who paid, should be reimbursed, in that form it was passed.

MISCELLANEOUS.

Mr. Harrison introduced a bill for protection from inundation of the lands between Bœuf river and Bayou Macon. Referred to Committee on Public Lands and Levees.

Mr. Richardson offered a resolution that the General Assembly declare itself adjourned, *sine die*, until it shall be determined whether Louisiana is a State in the United States, or not.

The Chair pronounced the resolution out of order.

Mr. Freret introduced a bill relating to the duties and compensation of State tax collectors. Referred to Finance Committee.

Mr. McConnell introduced a bill relative to the port wardens of the city of New Orleans. Referred to the Committee on Commerce and Manufactures.

Mr. Philips introduced a bill, the reading of the title of which was not audible to us.

THE PARISH ELECTIONS BILL—GOVERNOR'S VETO.

Mr. Arroyo, Assistant Secretary of the Senate, delivered a message announcing that the Senate had passed the bill providing for parochial elections, notwithstanding the Executive objections, by the constitutional majority of two-thirds.

A call of the House was ordered, and eighty-six members answered.

The veto message of the Governor having been read by the clerk,

Mr. Richardson moved to lay the message on the table. He did not think the usual parliamentory respect should be accorded to a communication from an Executive who would withhold from the people of New Orleans and of every parish in the State, the right to choose their own local officers, and who struck at the very foundation of republican government.

The motion was decided not to be in order.

The bill was then read.

Mr. Tucker addressed the House. This was a matter, he remarked in substance, of great interest to the people of the whole State; one which had greatly interested the minds of members, and he regretted on an occasion of such importance to observe so many seats vacant. On such an occasion as this, when the issue was directly made, between the Governor and the Assembly, whether the people of Louisiana should be allowed to exercise their right of self-government, Mr. T. would have liked to see every member of the House in his place to record his vote on one side or the other.

The issue was not made now for the first time. From the day this General Assembly was first convened in November last, in extra session, until the present moment, such issues as this were being forced upon the representatives of the people. Neither the history of this nor any other State showed a greater disposition or a stronger desire on the part of a people or their representatives, to be in harmonious accord with their Chief Magistrate. It had been matter of wonder to see a great people just out of a fierce and bloody struggle, a struggle involving the bitterest antagonisms, assembling as the people of Louisiana did last fall, in State convention, and forgetting their prejudices and antipathies in the desire for conciliation and harmony, nominating for the highest office in their gift a citizen who certainly would not have been their choice under other circumstances. No member of that convention would put his hand on his heart and say James Madison Wells was his first choice; nor could many of those who cast their votes for him at the polls say they would not have preferred some one else. But all personal feeling and political prejudice had been ignored for the public good. Such was the spirit that had animated the people, and to such an extent had the same spirit pervaded this legislative body, that the harmony which had characterized its proceedings, and the desire it had so frequently manifested of harmonious relations with the Executive, had been matter of general observation. But how had this generosity of the people and this conciliatory purpose of their representatives been met? Was it shown in a desire to restore to the people their civil rights? On the contrary, every impediment was arbitrarily placed in the path of the legislature which was seeking that end. There was no occasion for any difference between the Governor and the legislature, and the legislature had studiously endeavored to avoid any cause for difference.

The Legislature was now seeking to complete the reorganization of the State, but the Executive says it is not proper—it is not constitutional. What did he do himself last summer, when he had been temporarily appointed Governor? He issued his proclamation ordering an election throughout the State for Governor, other State officers and members of the legislature. Where was his constitutional or legal warrant for that? He had none. Yet this was the man who was quibbling with the representatives of a great people about laws and constitutions. It was perfectly proper for the people of the entire State to elect him Governor, but it was not right for a parish to elect its district attorney or clerk of court! He now sees constitutional objections no one else can see. He then could not see an overriding of the Constitution and laws, patent to every man. If the Governor was honest in affecting these constitutional scruples, why did he interpose to prevent the people from exercising the rights guaranteed to them by the Constitution of selecting their local officers? But the Constitution was not really troubling his Excellency. He wanted the appointment of all to himself. It was a lust of power—a power he was exercising in utter contempt of the Constitution he was invoking to shield his arbitrary acts. Lust of power was the key to these vetoes. There were no constitutional objections; there were no objections to justify him in setting aside the will of the people's representatives. There was not time enough, he said, between the time the election could be ordered and the holding of it. It required some credulity to take this objection as made in good faith. The dilatoriness of his Excellency justified skepticism on this point, for he had not kept the bill one, two or three days, but withheld it full ten days—to the last hour allowed him by the Constitution. His conduct warranted the assumption that his objections were subterfuges, to retain in his own hands the exercise of arbitrary power.

On motion of Mr. Kidd, the House was again called, and eighty-eight members answered.

The Speaker put the question: "Shall this bill pass, notwithstanding the Governor's objections," and directed the clerk to call the roll.

The vote was as follows:

Yeas—Messrs. Anderson J., Anderson S., Austin, Alverson, Addison, Bailey, Bensel, Blackman, Brown, Buie, Bruton, Collins, Convillon, Davenport, Deblanc, Deporter, DeLabarre, Decker, Ditto, Duralde, Eager, Elam, Eldridge, Eustis, Edwards, Fagot, Fenner, Freret, Fishburn, Fulda, Gaisser, Gottschalk, Hanlon, Halsey, Harrison, Head, Hatch, Hays, Henderson, Higgins, Holt, Hudspeth, Jonas, Kent, Kelly, Kidd, Kile, Labranche, Lagroue, Leeds, Lemarie, LeBlanc, Lewis, Lipscomb, Meredith, McEnery, McConnell, McDonald, McGee, McCloskey, Moreland, Montgomery, Murray, Nelligan, Nutt, Ormond, Peterson, Phillips Jas., Phillips Alf., Powell, Regenberg, Richardson, Richards, Rogers, Ryan, Sambola, Scanlan, Simonds, Snider, Smith, Scott, Tete, Theriot, Tucker, Voorhies, Whittington, Williamson and Weeks—88 yeas.

Nays—None.

The Speaker announced the vote, yeas eighty-eight, nays none. The majority of the House, he added, required by the Constitution in such cases, was seventy-nine. He therefore declared the bill passed, notwithstanding the Executive objections.

Mr. DeLabarre moved a reconsideration.

Mr. Elam moved to lay the motion on the table, and it was unanimously tabled.

The House then adjourned.

Local Intelligence.

APPOINTMENT BY THE GOVERNOR.—Tillinghart Vaughn was yesterday appointed by Governor Wells justice of the peace for the parish of Claiborne, vice N. J. Scott.

APPOINTMENT BY THE CITY TREASURER.—A. J. Reid was yesterday appointed inspector of licenses for the Second and Third Districts, by the City Treasurer, with the consent and approval of the Mayor.

INSPECTION OF STEAMBOAT BOILERS.—During the few years just passed, and during the troubles which our country has had to endure, the act of Congress providing for the lives of passengers on steamboats has been generally overlooked, and in many instances has been entirely neglected. We are glad to be able to state that Judge Kellogg, the collector of the port, is looking after this matter very earnestly, and is resolved to see that the law shall be duly enforced. He received a report yesterday from the Board of Inspectors, Messrs. W. C. Flanders and Charles E. Wetmore, that the steamboat Hetty Gilmore had been running from New Orleans up the Bayou Macon and Tensas, carrying freight and passengers, and without a certificate from the board. They request the owners of the boat to be dealt with according to law. The law adjudges a penalty of $500 for every trip made without a certificate.

AGAIN REPRIEVED.—Fortune Wright the colored soldier who was convicted by a court martial of the murder of Dr. Trezevant at Carrollton some months ago, has been again reprieved for one week, by order of the General commanding this department. We have already stated the reasons which induced the military authorities to postpone the execution heretofore. The same reasons still prevail. Wright is indeed fortunate so far, and possibly may continue so.

BUILDINGS IN DANGEROUS CONDITION.—The city surveyor reports to the mayor that the side wall of the Old Basin Bakery, on St. Peter street, between St. Claud and Treme, is in a dangerous condition. The property belongs to Mr. Narcisse Frechon.

The street comissioner reports that the rear wall of a building on Goodchildren street, between Marigny and Mandeville, occupied by Thos. Beck, is also in a bad condition, and endangers the lives of citizens.

Orders have been issued by the mayor to have both buildings put in proper order.

SMALL FIRE.—The chimney of a house on Chestnut street, between St. Mary and St. Andrew, caught fire yesterday, and the roof became ignited, but citizens succeeded in preventing serious damage. The place, it is said, belongs to Mr. McNorton, and is occupied by colored people.

RECEIPTS OF CUSTOMS AT NEW ORLEANS AND PHILADELPHIA.—The city of brotherly love, as Philadelphia was called in the ancient days of the republic, is a very large town, as we have some reason to know, and its inhabitants generally take a great deal of pride in the city in which they live, and the fourth estate men labor with great zeal and untiring perseverance to show that the Quaker City, so-called before the war, is, all things considered, the greatest place on the continent, and for more years than we remember have snubbed the pretensions of those cities known as the Empire and the Hub of the Universe—New York and Boston.

Philadelphia disdained rivalry with other ports, and of course, by doing so, showed bad taste and worse judgment. Now we don't want to set ourselves up against any other concern, being perfectly satisfied that we stand upon a good footing, and knowing that our destiny is to go ahead in the grandest sense of that expressive, but not classical expression. Our Northern contemporaries speak boastfully of the great customs' revenues which the Treasury has acquired during the month of January last, amongst them Philadelphia. The receipts at that port amounted to $508,613. It gives us great pleasure to have it in our power to request our friends up there to give us due credit figure-atively and otherwise, and to say that we can go it about one hundred and fifty thousand dollars better than that. Just before the close of January we stated that the customs' receipts would exceed $600,000. The figures, as we are informed by Judge Kellogg, Collector of the Port of New Orleans, reached $667,000. We ask in a modest manner to be allowed to take rank accordingly.

CRIMINAL COURT—*Judge Abell.*—Adeline Martin was tried yesterday for larceny and found guilty.

Edward Dewees, an ex-detective of the Freedmen's Bureau, charged by Lieut. Fitzpatrick, of the Fourth District police, with being accessory to some of the recent burglaries committed by a gang of negroes, the particulars of which we gave a few days ago, was brought into court yesterday, on a writ of habeas corpus. The prisoner's counsel urged that he ought to be discharged, as the accusations were vague and informal, or that the bail required by Recorder Kruebbe, $5000, be reduced to a more moderate amount. The Court, though satisfied of the informality of the charges, would not grant the request to release, but ordered that the bail be fixed at $1000, the bond to be taken by the Recorder.

We understand there is a probability that Recorder Kruebbe will refuse to act upon the order of Judge Abell, on the ground that the prisoner at present—the preliminary investigation not yet having taken place—is under his (Recorder Kruebbe's) sole jurisdiction.

Should Recorder Kruebbe refuse to recognize Judge Abell's right to interfere in the case, we believe the latter will then act directly on the question of bail, and order Dewees to be released upon giving the bond of $1000.

This will put the sheriff in a quandary, we imagine; for the prisoner has been committed to his charge by the recorder, and we presume he will hold the sheriff responsible for the custody of the accused, under the terms directed by him.

It will be a pretty little legal quarrel, if the Recorder stands upon his dignity. District Attorney Fuller and Messrs. J. Q. A. Fellows and Mills appeared on behalf of the prosecution, and Messrs. Train, Lombard and Lemley on behalf of the prisoner. The case obtains some importance from the fact that the series of robberies committed by the negroes were skillfully devised and executed with much success, and the detection and punishment of all who had a hand in them would be exceedingly desirable.

THE CARRIAGE AND CAB ORDINANCE.—We recently published the terms imposed by the ordinance of the present and temporary city authorities in regard to fares to be charged for riding in carriages and cabs. The owners of carriages and cabs object to the tariff as being much below the price to which they are reasonably entitled, on account of the great increase of the cost of the material with which they work. They are "casting about" now for means by which they can effect their object; that is, to increase the tariff to what they consider a fair standard of prices. The parties most interested have associated for the purpose of carrying out their design. "A fair wage for a fair day's work," is our motto, and will stand by those who go upon that ticket, to the last.

RECORDER KRUEBBE'S COURT.—Sarah Coleman, charged by Lieut. Bissel, of the 1st N. O. Vols., with the larceny of clothes and money, to the amount of $60, from Miss Harriet Levy, on Third street, pleaded guilty and was committed for trial to the Criminal Court.

Randall Harrison, colored, charged with stealing wood, and seriously wounding John Murphy in the head with a saw, also pleaded guilty, and will receive the penalty of his wrong-doings at the hands of Judge Abell.

The other cases before this Recorder were of an unimportant character.

PROVOST COURT—*Judge Benedict.*—The U. S. vs. Chas. Miller and E. Fitzgerald. 1st N. O. Vols. Drunk and disorderly. Ten days imprisonment in the police jail.

The U. S. vs. Daniel McCabe, 56th Ohio Regt. Drunk and disturbing the peace. Ten days in the police jail.

The U. S. vs. Wm. Hall, 81st U. S. C. I. Drunk, insulting an officer and threatening to shoot him. Three months in the police jail.

The U. S. vs. J. Badinger. Wrongful possession of Government property. Defendant discharged and property restored.

Southern Emigration.

[Correspondence Elmira (N. Y.) Daily Advertiser.]

I heartily concur in the opinion expressed by you in favor of the migration of capital and good men to the Southern States, and can assure you that both are much needed and will be cordially received. The basis of this opinion is axiomatic and need not be argued, but feeling a deep interest in the matter, and having recently spent several weeks in the Southwest, I wish to give your readers a few facts from my experience, that will make the way more clear to those who may follow me, than it was to me. I went out entirely "on my own hook," as the Kentuckian fought at New Orleans, and what I learned was learned at my own expense, and by my own eyes and ears, and therefore I feel at liberty to make such disposition of my property so acquired, as seems to myself best, and shall feel myself amply repaid for all expense and trouble if I can contribute in the least towards bringing about an emigration of our industry and surplus capital to the inviting and fertile fields now open to them in the fertile and sunny South.

There are many things that the South wants, and there are also many other things that she does not want; and, as is usually the case, these latter are those she is most likely to get. Many persons North labor under the very mistaken notion that is attributed to the Chinese in their views concerning outside barbarians, and innocently allow themselves to suppose that all intelligence, and cultivation, and business talent, and shrewdness, not to say sharpness and cuteness, are in exclusive possession of men of the North, and that they need no other capital to insure their fortune in the South than their natural impudence and the introduction of a few Yankee tricks. Such ignorance is entitled to its reward, and will receive it if acted upon.

What the South does not want, is ignorance, bigotry, conceit, self-assumption or intolerance in any form. Neither does it want politicians, lawyers, doctors, merchants—having those already in abundance. Non-producers of every variety are at a wonderful discount here. By negative we indicate an affirmative, and I need say no more to give you my idea of what the South does want. Let any farmer, carpenter, shoemaker, machinist, millwright, brick-maker, mason, wagon-maker or any good mechanical skill and experience, or capital in any productive form, secure himself a home in any of the Southern States under the present low prices, and I will guarantee him a hearty welcome. Let him be industrious and mind his own business, letting politics and tangle-foot whisky alone, and he needs no one to insure him an independent fortune. The intelligent and influential men of all sections appreciate their present need, and are ready to extend every inducement and assistance in their power to those whose coming promises relief. Let any such one go with the intention of permanently locating and investing his money or skill in developing the resources or supplying the wants of the portion of country he may select, and he will be received with that rare and hospitable courtesy for which the South is pre-eminent, and of which we have among us but a feeble frigid reflection.

A Reminiscence of Stonewall Jackson—His Wound at the Battle of Manassas.

In the February number of the Richmond Medical Journal we find an able paper on "gunshot wounds of joints," from the pen of Dr. Hunter McGuire, Professor of Surgery in the Virginia Medical College, and during the war chief surgeon on the staff of Gen. Stonewall Jackson. In the course of his remarks, speaking of gunshot wounds of the hands, the Doctor cites the case of the wound received by his renowned chief at the first battle of Manassas. The Doctor writes:

When he made the celebrated charge with his brigade, which turned the fortune of the day, he raised his left hand above his head to encourage the troops, and, while in this position, the middle finger of the hand was struck just below the articulation between the first and second phalanges. The ball struck the finger a little to one side, broke it, and carried off a small piece of the bone. He remained upon the field, wounded as he was, till the fight was over, and then wanted to take part in the pursuit, but was peremptorily ordered back to the hospital by the general commanding. On his way to the rear, the wound pained him so much that he stopped at the first hospital he came to, and the surgeon there proposed to cut the finger off; but while the doctor looked for his instruments, and for a moment turned his back, the general silently mounted his horse, rode off, and soon afterwards found me.

I was busily engaged with the wounded, but when I saw him coming, I left them, and asked him if he was seriously hurt. "No," he answered, "not half as badly as many here, and I will wait." And he forthwith sat down on the bank of a little stream near by, and positively declined any assistance until "his turn came!" We compromised, however, and he agreed to let me attend to him after I had finished the case I was dressing when he arrived. I determined to save the finger, if possible, and placed a splint along the palmar surface to support the fragments, retained it in position by a strip or two of adhesive plaster, covered the wound with lint, and told him to keep it wet with cold water. He carefully followed the advice. I think he had a fancy for this kind of hydropathic treatment, and I have frequently seen him occupied for several hours pouring cup after cup of water over his hand, with that patience and perseverance for which he was so remarkable. Passive motion was instituted about the twentieth day, and carefully continued. The motion of the joint improved for several months after the wound had healed, and in the end, the deformity was very trifling.

During the treatment, the hand was kept elevated and confined in a sling, and when the use of this was discontinued, and the hand was permitted to hang down, there was, of course, gravitation of blood towards it. Under the circumstances you would expect this. In consequence of it, however, the hand was sometimes swollen and painful, and, to remedy this, he often held it above his head for some moments. He did this so frequently that it became at length a habit, and was continued, especially when he was abstracted, after all necessity for it had ceased. I have seen it stated somewhere that whenever, during a battle, his hand was thus raised, he was engaged in prayer; but I think the explanation I have given is the correct one. I believe he was the truest and most consistent Christian I have ever known, but I don't believe he prayed much while he was fighting.

A Mrs. Allen is advertising in the *Memphis* papers to speak at the Spiritual Hall. Her advertisement appears in three papers. In one she is called a "trance-medium," in another a "trans-medium," in the third a "trans-mendicum."

Types make strange errors. The fourth paper will doubtless speak of her as a transient mendicant!

THE EMPRESS.—A letter from Paris says that the Empress has grown exceedingly stout—like Mrs. Kean. "Her majesty, it must be rollected, will be forty years old on the 5th of May—an age at which ladies frequently begin to exhibit *embonpoint*. I am afraid, too, that her majesty has taken to putting a little artificial color on her beautiful cheeks. She is beginning to show that Time, with his iron tooth, will not spare beautiful women, even though they be Empresses."

ODD NAMES.—Some things come by odd names. The most uncommon quality in man is called "common sense;" a paper half a mile long is a "brief;" and a melancholy ditty, devoid of sense and meaning, is a "glee."

It takes 300,000 fat cattle to supply London one year.

TELEGRAPHIC DISPATCHES.

ADDITIONAL FROM EUROPE.

LARGER REWARD OFFERED FOR HEAD CENTER STEPHENS.

SEIZURE OF FENIAN RIFLES.

Napoleon Expects Non-Intervention.

SPANISH SENATE BILL IN FAVOR OF THE POPE'S TEMPORAL POWER.

Bold Savings' Bank Robbery in Kansas.

FIRE IN NEW YORK.

The Winowski Outstrips the Algonquin.

PRESIDENT NOT YET SIGNED FREEDMEN'S BUREAU BILL.

Mr. Pollard and the Richmond Examiner.

SHIPPING DISASTERS ON THE PACIFIC.

THE PROCEEDINGS OF CONGRESS.

NOMINATIONS CONFIRMED.

MARKETS, RIVER NEWS, ETC.

[Associated Press Dispatches.]

NEW YORK, Feb. 15.—The following additional intelligence comes by the steamer Bremen:

LIVERPOOL, Jan. 31.—Cotton dull, with the quotations of last Friday barely maintained.

The Manchester market is quiet and steady. Flour very dull at a decline of 6d. Wheat quiet. Corn declined 6d. Pork steady. Bacon firm. Lard looking up at 69s. 7d. Sugar dull. Coffee steady.

The government has issued another proclamation offering two thousand three hundred pounds for Head Center Stephens. Additional seizures of rifles have been made at Dundalk.

FRANCE.—M. Drouyn de L'Huys, in conversation with Mr. Bigelow, said: "We expect from the Washington Cabinet the assurance that the American people will conform to the laws of non-intervention, which they invoke by maintaining strict neutrality with regard to Mexico.

SPAIN.—The ministry have assented to the introduction of a bill in the Senate in favor of the Pope's temporal power.

NEW YORK, Feb. 15.—The American Theater and several stores on Broadway were destroyed by fire to-day, involving a loss of $200,000.

The race between the Winowski and Algonquin was abandoned last night on account of the storm on the Sound. This morning both vessels started for New York, and in three hours the Winowski ran the Algonquin out of sight from the masthead.

The Post's Washington special says the President has not yet signed the Freedmen's Bureau bill. It is understood that the subject will be considered at the next cabinet meeting. Jno. Minor Botts has been before the Reconstruction Committee.

To-day Mr. Pollard had an interview with the President, endeavoring to get permission to publish the Richmond Examiner again.

The fate of the bankrupt bill in the House is doubtful.

WASHINGTON, Feb. 15.—The House was considering the bill reported yesterday from the Committee on Post Office and Post Routes relative to depositing stamps and stamped envelops for sale.

Among the Senate confirmations to-day, were the following marshalls: Wm. S. Dickson, for the District of Georgia; Alex. Magruder, for the District of Florida; John R. Goodloe, for the Eastern District of Louisiana.

SAN FRANCISCO, Feb. 15.—The Victoria Chronicle announces the total loss of the American bark Mustang, on the 21st ultimo. She left San Francisco on the 14th. The ship William Tell was reported lost some time since.

CHICAGO, Feb. 15.—Flour dull. Wheat $1 20. Oats dull at 22½c. Pork, $26. Lard, 16½c. Hogs declined 50c.

NEW YORK, Feb. 15.—The cotton market closed at 44½c. for middling. Flour declined 3c. Corn declined 2c. Coffee and sugar firm. Pork $28 87½. Sterling exchange 107. Gold 137¾. Government stocks buoyant. Money easy at 5 to 6 per cent.

LOUISVILLE, Feb. 15.—The weather is extremely cold throughout the North. The mercury here is three degrees below zero.

Leaf tobacco has slightly advanced. Flour dull at $7 for superfine, and $8 for extra. Pork $28 75. Bacon shoulders 14½c.; clear sides 19c. Lard 18c. Corn 65c. Oats 45c. Whisky $2 23.

KANSAS CITY, Feb. 15.—The Clay county savings association at Liberty was robbed by a party of twelve men. They obtained $72,000 and escaped, pursued by citizens.

CINCINNATI, Feb. 15.—Flour quiet and unchanged. Wheat dull, at 80c. Corn 52c. Oats 35c. Hogs dull and nominal. Pork $28 50. Bacon 14½@18½c. Lard 17½c. Groceries dull. Cotton dull at 42c.

[From Yesterday's Evening Papers.]

MEMPHIS, Feb. 15.—The billiard tournament opened here last night. The first game, for 500 points, was played by Melvin Foster, of Boston, and Fred. A. Meyers, of Memphis, in which Meyers beat his opponent 280 points. The next game, for 500 points, was between John Roberts, the champion of England, and Dudley Kavanaugh, of New York. Roberts was successful by 32 points.

NEW YORK, Feb. 15.—The steamship Bremen has arrived at this port, from Southampton, the 31st ult.

NEW YORK, Feb. 15.—A Washington special says the Committee on Loyal States had another session to-day to determine the basis of apportionment to which each State is entitled.

Missouri claims eight millions more than the committee are willing to allow.

The Ways and Means Committee have requested the Commissioner of Customs to propose a bill abolishing the offices of surveyor and naval officer.

NEW YORK, Feb. 15.—The Tribune's Washington special, says it is reported, and by many believed, that Gen. Bancroft is a candidate for the New York Custom House.

WASHINGTON, Feb. 15.—The Secretary of the Navy has instructed the commander of the Marine Corps, to allow ex-Confederate Admiral Semmes such exercise as he desires in the yard of the Marine Barracks.

Merchant—Terrible long time before that d—d boat will get here.

Friend—Not before daybreak I presume! But where are you going?

Merchant—To New York. Business calls me, or I'd stay at home.

Friend—Have you no fear of the steamboat blowing up? Rather dangerous.

Merchant—Y-e-s. It is dangerous; but I had my life insured; fifty cents pays for four days; blow and be d—d; my family will get $3000.

Friend—Better go, then. Good-bye.

[Natchez Courier.

Out of 300,000 marriages in England in 1863, only 182,498 were able to sign their names.