The New Orleans Crescent.

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J. O. NIXON, Editor and Proprietor.

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TUESDAY MORNING, FEBRUARY 16, 1869.

AMUSEMENTS THIS EVENING.

NEW OPERA HOUSE.
Meyerbeer's grand opera in five acts, "The Huguenots."
Performance commences at 7 P. M.

VARIETIES THEATER.
Engagement of Mary Gladstane—"Elizabeth, Queen of England."
Performance commences at 7½ P. M.—Matinee at 12 M.

ST. CHARLES THEATER.
Engagement of Miss Fanny E. Price—"Foul Play."
Performance commences at 7½ P. M.

ACADEMY OF MUSIC.
Spectacular Ballet Pantomime, "Humpty Dumpty."
Performance commences at 7½ P. M.

CRESCENT CITY MUSEUM AND MENAGERIE.
Open from 8 A. M. to 10 P. M.

☞ ON INSIDE PAGES — Second Page: *Sunday's Associated Press Dispatches, City Topics, Editorial Paragraphs, Washington Correspondence, Radical Protest Against the Texas Constitution, The Last Mysterious Murder, Texas Convention, Murder Near Mobile, Release of the Editor of the Montgomery Mail.* Third Page: *Louisiana Legislature, Supreme Cour Decisions.* Sixth Page: *Official Proceedings Board of Aldermen.* Seventh Page: *Financial, Commercial, Real Estate, River and Shipping Reports.*

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In this morning's CRESCENT is another communication on the subject of the unjust and disreputable attacks which have been made on Democratic members of the Legislature by some of the newspapers of this city. The form of this communication indicates it to have been written by one of the gentlemen who, by the mere fact of their position as representatives of Democratic constituencies, have been made the object of vituperation and calumny. It is not surprising that this gentleman should be indignant at a kind of treatment so different from that which he and his Democratic colleagues have a right to expect at the hands of a press which is presumed to represent the public opinion of the great Democratic city of New Orleans. One of the journals which has been conspicuous in these attacks now declares that it meant nothing more than to denounce those who are justly liable to reprehension, and it deprecates the interpretation by which its remarks are made to apply to the Democratic members without exception. This is very proper, as far as it goes; but it can scarcely repair the injury inflicted by the sweeping declarations which the same paper had previously made in regard to the complicity of the Democratic members in various plundering "rings" and conspiracies. Those gentlemen have boldly and persistently resisted the various Radical schemes for subverting the liberty of the people of the State, and especially for destroying the rights of the people of New Orleans; in a political sense, they have been true to their constituents and faithful to the wishes of the public. That they, or some of them, happened to differ in opinion with some of the city newspapers in regard to particular measures, not at all political in their character, is no justification for accusations of corruption and venality. Now we utterly deny the justice of such accusations. They should not be made unless those who make them are prepared to make such specific allegations as will relieve those Democratic members who are not referred to, from the position of defendants arraigned before the bar of public opinion, and put to the necessity of proving themselves honest men.

The Bee is in error in saying that the CRESCENT accused the Property Holders' Association of treating with the Radicals in the Legislature for a division of the spoils of the city government. The CRESCENT has already stated that the Property Holders' Association is not responsible for the projected city charter; that that instrument was never submitted to the members; that, in fact, there is reason to believe that a majority of the members participate in the general opposition to the scheme; and that they are not responsible, in any sense, for the acts of the contrivers of the scheme. Nor did the CRESCENT charge even these gentlemen with direct collusion with the Radicals in regard to the Ray substitute. This paper merely referred to such collusion as a reasonable inference from the fact that the authors of the new charter had shown their willingness to enter into arrangements with the Radical majority, when they provided for the recognition and maintenance of the metropolitan police system. If they were ready to surrender one portion of the city government in exchange for another, they might just as well consent to divide the remainder if they found that they could get no more. We wish it to be distinctly understood, however, that this reasoning does not apply to the Property Holders' Association, but only to the contrivers of the projected charter.

The New York Tribune hails the passage of the copper swindling bill in Congress as a triumph of the principle of protection. It is also a triumph of the monopolists and plunderers who demand that the people shall be taxed in order that particular interests may grow wealthy. The Tribune declares that we must "produce more and import less," or be forever ruined, forgetful of the demonstrated truth that high taxation inevitably diminishes production, whilst free trade stimulates it. It is not worth while, however, to reason these fundamental truths with persons who are either engaged in this kind of plunder, or who are immersed in the superstitions of the sixteenth century.

The proposed constitutional amendment precludes the disfranchisement of any person on account of a "previous condition of slavery," but it allows of disfranchisement on account of a previous condition of "rebellion." In other words white men may be disfranchised, but negroes may not. And this is what Greeley calls universal suffrage and universal amnesty.

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WHAT TO DO ABOUT GRANT.

What to do about Grant is still the problem which is uppermost in the Radical mind. Its portents are more alarming, and its perplexity is more dense and baffling with each day that brings nearer the inauguration of the next President. It was an accident that either Tyler or Johnson acceded to the presidency and marred the plans of the politicians who nominated them. But it is not an accident that Grant, no more identified in his previous history with the party which nominated him than Johnson or Tyler was, is entering upon the same office. In fact, he was put at the head of the Republican ticket because he was not explicitly committed in word or act to the characteristic doctrines and practices of the Republican party. It was simply an act of party desperation. The alternative was Grant for President on his own terms or certain defeat with any other candidate.

The politicians who made him the Republican nominee required of him no distinct pledge, no bond, no hostage. So unconditional was their surrender to his popular availability that they placed in his hands, so to speak, a blank form of contract to be filled up after his election, and at his leisure, with such specific stipulations as might be agreeable with his judgment or convenience. Such being the circumstances of his nomination and election, it would seem almost a moral impossibility that he could afterwards deport himself as a Republican of the straightest school, so as to command the implicit confidence of Sumner and the sincere applause of Greeley, or to silence the sardonic criticisms of Phillips and escape unlashed of the whole Phillipine stripe of Radical monitors and mumbo jumbos. Yet it appears from the manifest chagrin excited in Republican quarters by his recent conduct and utterances, that something of this sort was expected of him. Nothing could be more illogical, but we will not say that it is unnatural. Those who are most ready to abandon themselves to some extraordinary and unpromising expedient with the recklessness of despair, are also the most likely to indulge, in respect to the final result of the expedient, in the intoxication of a groundless hope. This intoxication, however, has been broken by lucid intervals in which the condition of the Radical mind was that of distressing suspense and anxiety.

And such an interval, beyond doubt, was flashed upon it by the speech of Grant, the other day, to the committee who notified him of his election, and there is scarcely a chance that it can pick up a more hopeful view of the incoming President this side of inauguration day—perhaps not afterwards. Every word in this speech implied reprobation of the Republican majority in Congress, or distrust of the Republican paliticians in and out of Congress. He would not name his appointments to the cabinet in advance, lest the intrigues of these politicians, having some weeks to operate in, should defeat the confirmation of those appointments in the Senate and prevent him from obtaining a cabinet of his own choice. In the whole history of the government there never was so pronounced a suspicion entertained by a President elect towards the party which he was, presumptively, about to represent in the executive chair. In what degree he reproached the Republicans who have exercised absolute sway in Congress, and through violent stretches of legislative authority, absolute sway in all departments of the government, may be seen in the sesentences of the speech in which he declares that economy and retrenchment shall be the cardinal reforms set before his administration, and that he will insist upon having honest subordinates everywhere, and more especially in the revenue offices, no matter how often he may have to dismiss his own appointees. Of course he cannot be ignorant that the urgent occasion for economy and retrenchment to which he refers has been created by this Republican Congress. He must know that it is through their contrivance that the United States government has become the most extravagant and corrupt on the face of the earth. Knowing all this, he can scarcely conceive without an insane strain of the imaginative faculty—and he is, they say, one of the most unimaginative of men—that he will be heartily supported in carrying out his proposed reforms by the Republican majority in the next Congress, the most of whom are members of the present Congress. The leopard is about as likely to change his spots as such legislators to change their habits and proclivities. What, then, can be his calculation? If he is in downright earnest, expecting, as he must rationally expect an opposition, open or covert, on the part of the Republican majority to his policy of economy, and he can only look to the veto power backed by the Democratic minority as the means of sustaining this policy in any degree in Congress. But he can not compel by this means the repeal of obnoxious laws, and it is these quite as much as corrupt officials which do the present mischief. On the whole, along with an almost inevitable rupture with the Republican party—a rupture as utter and bitter, perhaps, if not as infelicitous, as that of Andrew Johnson with the same party—he is, judging from the speech above mentioned, about to address himself to a work dreadfully more complex and difficult than any which ever lay before an American President.

Meanwhile the Republican caucus at Washington which has so long, in the character of a supreme revolutionary committee, had full swing over all the affairs of the country, more and more don't know exactly what to do about Grant. Having made him, nominally the head of their party, as well as head of the government, they themselves flutter and flop about blindly like so many chickens whose heads have been wrung off.

The latest intelligence from Paraguay is to the effect that the allies have offered an armistice to Lopez, with a view to negotiating a peace. Lopez was at a place called Angostura with ten thousand men, only three miles distant from the scene of the last battle. From this it does not appear that Lopez has been reduced to the straits asserted in the accounts lately published by the allies. He is not a fugitive seeking concealment and escape, and his forces are not scattered over the country and incapable of making further resistance. Undoubtedly the allies have gained great advantages, but it is just as sure that they have very severe work before them yet. Hence their offer to negotiate—an offer which is not entirely consistent with the programme originally announced by them—never to make peace until the government of Lopez should be entirely subverted.

"BLOOD, IAGO, BLOOD!"—We should judge from the description which a classical contemporary gives of the hot blood raging between the members of the city government and the Real Estate Owners' Association, that the days of such tragedy as we read about in Shakspeare are revived and will soon flourish in crimson splendor. The Bee, since the CRESCENT has shown how preposterously stupid it would be for the present municipal administration, as rational beings, to support the charter proposed by Mr. Ray, now in seeming seriousness informs us that it did not mean to intimate that they, the mayor and council, simply as reasonable and common place creatures, instigated the introduction of this charter; but that it did mean to intimate, and does now squarely assert, that they have leagued with Mr. Ray and other Radicals, in the character of incarnations of revenge, pure and simple, upon the authors of the other project of a charter.

When we consider that under the latter document the present municipal functionaries would have some chance for life in another form, and that the former document dooms them to certain death, the disinterestedness which characterizes this display of vindictive passion on their part is truly marvellous. It is a dreadfully metaphysical and transcendentally imaginative conception. All minds can't climb to comprehend the true sublime. In this instance, ours shrinks in awe and despair from the very thought of such a feat. But we will warn the public nevertheless. Since tragedy is rampant in the city government, and our once gentle mayor is now an incarnate vendetta, without other motive than revenge *per se* upon somebody or anybody—bloody work may be looked for at any time. "Blood, Iago, blood!"

The Supreme Court of the United States has recently made an important decision. The Legislature of Oregon, in laws levying State taxes, provided that the taxes should be paid in coin. Certain taxpayers tendered greenbacks in payment, and pleaded that the legal tender act made payment in greenbacks a liquidation of "all debts, public and private, except duties on imports and interest on the public debt" of the United States. The courts of Oregon sustained the State law, and the case came up on appeal to the Supreme Court in Washington.

Its decision is to the effect that the act making greenbacks a "legal tender for all debts, public and private," does not make them legal tender for any payment that is not a debt. Taxes levied by a State are not included in the legal meaning of the word debt, as the obligation to pay taxes rests on an entirely different ground from the obligation to pay sums due by contract; and the laws under which the one class of obligations are created and enforced are wholly distinct from those which apply to the other class of obligations. The right of a State to collect taxes in coin is therefore sustained.

The New York Evening Post contends that the result of this decision is to destroy utterly the Pendleton doctrine of payment of the five-twenty bonds in greenbacks, because, says the Post, bonds are redeemable at the pleasure of the United States after five years, but payable only at the expiration of twenty years from their date. They become a debt only after twenty years; and since greenbacks are decided to be legal tenders only for that which is strictly a debt, and not for other obligations, they are not a legal tender from the United States for the payment of any obligation which is only redeemable and not yet payable, such as the five-twenty bonds.

But this is not by any means a legitimate deduction from the decision, inasmuch as the quality of legal tender relates not to the transactions of the government with its creditors, but to the community in general in the relations of its members with each other. The government itself discriminates by making that which is legal tender, in all private transactions, receivable by the government in payment of only certain classes of dues. The question between the bondholders and the government is to be decided upon its general merits, and not with reference to the technicalities of the legal tender act. But one very important consequence does flow, logically from this decision, and it is a consequence which bears directly on the solution of questions which have been much discussed in this community. The Supreme Court of the United States holds that taxes levied by a State are not a debt, and are not included in the legal meaning of the word debt, and this doctrine applies likewise to taxes levied by municipal corporations. Hence the notes of such corporations—for instance, New Orleans city notes—cannot be forced upon the city in payment of taxes, on the theory that a debt due *by* the city may be pleaded in compensation of a debt due *to* the city. Under the reasoning of the Supreme Court those persons who have thought of resisting the collection of city taxes in greenbacks would be pretty sure to lose their cause, to say nothing of their time and money.

The election of General Grant was to give us peace, and yet the first spectacle seen in Congress is a conflict over the electoral vote such as never before disgraced even that body; and the initiation of a new agitation of the eternal negro question in the shape of the fifteenth amendment to the Constitution.

Senator Wilson has introduced a bill in the U. S. Senate, allowing the receipts of certain ocean postages by way of subsidies for establishing an American line of steamers between New York and Europe. The Herald attacks the proposition as a job similar to the many now before Congress for the purpose of wringing money from the people to enrich private corporations and rings of monopolists. We think this view erroneous. If steamships carry letters why not permit them to get paid for the service? One good effect would be, to this extent at least, to sever the connection of the government with a branch of the carrying trade over which, under the name of the "postal system," it has usurped a despotic and pernicious authority. The defect in Senator Wilson's bill is that it does not go far enough. It ought to extend the principle to all steamship lines, and all vessels of any kind whatever. If it is good for New York it is good for Philadelphia, and Boston and New Orleans.

General Grant thanks the committee who informed him officially of his election, and says that they will not be sorry for choosing him. He means, of course, those who succeed in getting offices. Those who are kept out in the cold will not, probably, feel any warm emotions toward the new President.

"CORRUPT AFFILIATIONS WITH RADICALS."

LEGISLATIVE HALL OF THE STATE OF LOUISIANA, February 15, 1869.

Ed. Crescent. Dear Sir:—Our attention has, of late, been called to several articles that have appeared in some of the journals of the city, censuring the action of the Democratic members of the Legislature and preferring indiscriminate charges of venality and corruption against them. We have listened quietly to these charges with the vain hope that some of the newspapers of the city would separate the "true men from the thieves" and give to those men, who have been true to principle and stood aloof from the corrupting influences that have controlled the action of the Legislature and disgraced the annals of the State, the "meed of praise" their fidelity deserves. Feeling that a longer reticence on our part would be a tacit admission of our guilt, we have concluded to ask a small space in the columns of your valuable journal to vindicate our reputations from the assertions that have been brought against them, and place ourselves correctly before the people of the State.

That there are "rings" formed in both houses of the Legislature for the sole and express purpose of blackmailing the people and plundering the treasury of the State, is, perhaps, a lamentable and humiliating fact. That there are men of both parties engaged in this disgraceful proceeding—men who would "sell out their birthright for a mess of pottage"—may also be true; but that all of the members of the Legislature are engaged in this conspiracy against the interests of the people is an unwarranted assertion on the part of the papers of the city. We are loth to admit that the honest Democrats are the exception and not the rule, but we contend that if there is *one* true man he should have the credit his conduct deserves.

We simply ask for "fair play," and that every man shall stand by the record he has made. Let the press, whose duty it is to watch over the actions of public servants, ferret out the evil doers and bring them before the bar of public opinion, and when the verdict of "guilty" is rendered, let them be consigned into obscurity, where the mildew of approbium and dishonor can rest upon their names for forever. CLAIBORNE PARISH.

AMUSEMENTS.

VARIETIES.—The reviving popularity of genuine dramatic entertainments, rendered attractive not by outward adornments, but by the combined genius of the author and the talent of the performers, was unmistakably heralded last evening by the presence of the large audience which assembled to witness Mary Gladstane's appearance as *Elizabeth*, in Giacommetto's great historical play. It was an audience, moreover, of refined and educated tastes; an audience most of whom were evidently familiar with the history of the virgin queen, and of the days in which she lived; an audience which knew when applause was really deserved, and was not slow to bestow it either. Mr. Cogswell, as *King James I*, was a favorite throughout the performance, but not a whit more so than his acting, which at times rose almost to grandeur, merited. Either when pleading on his bended knees for the life of his mother, when hearing the fatal announcement that she has been beheaded by order of the queen, or when denouncing Elizabeth's duplicity and invoking vengeance upon her head, he was fully master of himself, and was interrupted frequently by plaudits which seemed to burst forth spontaneously. The cast was a strong one throughout, Mr. Sheridan playing *Essex*, Mr. Ryer *Lord Burleigh*, Vining Bowers *Sir Francis Bacon*, Mr. Floyd *Lord Howard* (High Admiral), Mr. Mitchell *Sir Francis Drake*, Miss Gray *Lady Sarah Howard*, Mrs. Preston *Lady Annie*, and Miss Freeman *Mary Landrum*. Mary Gladstane was at times powerful in her acting. Her feigned grief at the news of Mary's death, her haughty mien when *Mendoza* (Malloil) returns her the Order of the Garter and announces that Philip has declared war upon England, or, above all, her grand earnestness when she takes down from its resting place among the armorial mementoes and trophies the sword of her royal father, Henry the Eighth, (the saber of her pa) and swears to wield it bravely in the coming struggle, were all episodes which afforded a rare enjoyment even to those who had seen the great Ristori. It is no light undertaking to attempt Elizabeth, but Mary Gladstane is one of those few who have done so successfully. She appears in the same role this evening and to-morrow night. We may state in conclusion that the scenery and adjuncts are extremely befitting and elegant throughout.

THE OPERA.—"Barbe Bleue" and "Fortunio's Song" were performed again last evening at the Opera House. "Fortunio's Song" is new and pretty, but is no compensation for the monotony of repeated "Blue Beards" to Monday subscribers. We have also heard grumblers' ideas of the repetition of "The Huguenots," to-morrow, but cannot agree with them. "The Huguenots" is a masterpiece, and is never repeated too often.

Let us have less Offenbachisms, even if we are to have repetitions of operas that have been played already a dozen times this season. We believe that "Le Barbier," "Jerusalem," and other operas, well rehearsed, would draw.

ST. CHARLES.—We like Miss Price as *Helen Rolleston* in "Foul Play" far better than we liked her as *Eliza*, the unfortunate, in "After Dark." In the latter she was entirely given over a prey to melancholy, despair and all that sort of thing, and was not half as interesting as she is cast away on Godsend Island, endeavoring to cheer up herself and her companion, that wolf in sheep's clothing, *Rev. John Hazel*. Into her acting last night she infused a certain vivacity which rendered her performance more attractive than anything we have yet witnessed from her. Mr. Pope supported her as the *Rev. John* aforesaid, assuming the threefold (and Penfold) character with real versatility.

The pretty scenery, the whistle of the mocking birds, were all there, and were witnessed by quite a good sized audience. There will be "Foul Play" again this evening.

HUMPTY DUMPTY.—The Academy was quite fuller last evening than any one who came in late looking for a seat would have desired to find it. Old "Humpty Dumpty" came out in a reconstructed form—that is to say there were an abundance of new tricks and a skating carnival ballet introduced as novelties, and it is needless to say that the good natured rogue threw bricks with his usuual accuracy of aim, stole eggs with his wonted dexterity, and laughed with that same guileless grin which has made him a by-word among half the children in town. Go and see the same good "Humpty Dumpty" to-night.

DRAMATIC READINGS.—The literary public of New Orleans will be gratified by the announcement that to-morrow and Wednesday evening an opportunity will be offered them to listen to some dramatic selections to be read by Miss Belle Boyd and Miss Maude St. Leon at the National Theater. Both these young ladies are already known among us as possessed of tastes and a culture which can hardly fail to render interesting the entertainments which they announce, and we trust that a crowded audience may on either evening welcome them to the footlights of the National.

CRESCENT CITY MUSEUM.—Col. Ames and his indefatigable aid, Doc. Chambers, never weary of catering to the public demand for fresh novelties, announce this morning that they have engaged for appearance at their museum on St. Charles street, that remarkable phenomenon, Chistine Milly the two-headed woman who, until further notice will give daily levees. The human frog, Mr. Richards, may also be seen in his submarine performances at 7 and 9 P. M., and at noon on Saturdays and Mondays. The living skeleton, the bearded woman, the female dwarf, the menagerie and the rare collection of curiosities are to be seen as usual.

In Mobile, Thursday night, a negro named Wm. Sims, murdered another negro named Jack Burdell and threw the body of the latter from a flatboat into the water, a short distance above the city. The tragedy was the result of a quarrel about a woman. The murderer was arrested.

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