MEMPHIS APPEAL.

MEMPHIS.

SATURDAY : : : : : APRIL 7, 1866.

NATIONAL REVENUES.

According to an exhibit made in an editorial article of the New York *Times* of the 3d inst., the revenues of the Government are of a most satisfactory character. From custom duties at the port of New York alone, for the month of March, the income accrued was $11,123,954, against $5,471,036 in March, 1865, being an increase of over 100 per cent. In the nine months ending March 31, 1866, the revenues derived from customs at that port reached the sum of $104,330,975, exceeding the revenue from the same source for the corresponding nine months of the preceding year ($39,256,052) by the sum of $65,182,923. These custom duties are collected in gold.

Meantime the other ports have yielded for the same period—July 1, 1865, to March 31, 1866—an aggregate of $92,905,948—making a grand total of custom revenues in gold, for the past nine months, of $134,225,921, and for the fiscal year ending 30th June, 1866, at least one hundred and seventy-nine millions of specie, valued at over two hundred and twenty-eight millions of dollars in currency.

For the same period it appears the income derived from direct and indirect taxation in the form of internal revenue, amounted to about two hundred and forty-four millions in currency, at which rate the income for the twelve months ending 30th of June, 1866, will reach beyond three hundred and twenty-five millions of dollars, which, added to the customs at their estimated currency value, gives a Federal revenue of about five hundred and fifty-four millions of dollars exclusive of all other sources—being quite two hundred millions of dollars more than adequate for the discharge of all obligations of the Treasury coming due within the fiscal year.

TRIAL OF CIVILIANS BY MILITARY COMMISSIONS DECIDED BY SUPREME COURT TO BE UNLAWFUL.

We have to chronicle, to-day, a most important decision of the Supreme Court of the United States—a significant sign of the times and of the return of men's minds to the old views of our institutions. The cases came up from Indiana; the action of the Court we find reported as follows:

In the United States Supreme Court, to-day, the Indiana conspiracy cases came up for decision. The Chief Justice said in case No. 350, *ex parte* in the matter of L. P. Mulligan, petitioner: "The following order is directed by a majority of the Court to be entered in this case, and the like order will be entered in No. 385 *ex parte* in the matter of William A. Bowles, and in No. 378 *ex parte* in the matter of Stephen Horsey.

This case came on to be heard on the transcript of the record from the Circuit Court for the United States for the district of Indiana, and on the points and questions on which the said judges of the Circuit Court were opposed in opinion, and which were certified to this Court for opinion, agreeably to the act of Congress in such cases made and provided, and was argued by counsel, on consideration whereof the Court is of opinion:

"1. That on the facts stated in said petition and exhibits the writ of *habeas corpus* ought to be issued according to the prayer of said petition.

"2. That on the facts stated in said petition and exhibits the said L. P. Milligan ought to be discharged from custody as in said petition is prayed, and according to the act of Congress passed March 3, 1863, entitled an act relating to *habeas corpus*, and regulating judiciary proceedings in certain cases.

"3. That on the facts stated in said petition and exhibits the military commission mentioned therein had no jurisdiction, legally, to try and sentence said Lambden P. Milligan in the manner and form as in said petition and exhibits are stated, and it is thereupon now here ordered and adjudged by this Court, and that it be certified to said Circuit Court, I am instructed to say that the opinion of the Court in these cases will be read at the next term, when such of the dissenting judges as see fit to do so will state the grounds of their dissent. The reason why the opinion of the Court is not delivered now is that the cases were reached so late in the term that the Court had not time to prepare an opinion."

An immense crowd was in the court room, and the delivery of the opinion was received with the deepest interest.

In this connexion we commend to the attention of our readers, including officers of the army, a case which will be found reported in Vol. XIII, HOWARD'S Report of Supreme Court decisions, page 115: DAVID D. MITCHELL, plaintiff, in error vs. MANUEL N. HARMONY, in which it is declared distinctly that the Civil Courts of the land have the power to investigate the legality of the acts of military officers—and that "it can never be *"maintained that a military officer can "justify himself for doing an unlawful "act by producing the order of his supe-"rior.*"

We take occasion also to add: that it has been decided in the British Courts—(see MCARTHUR'S work on Court-martial, page 229, volume 1), that members of military tribunals are liable to punishment by "Civil Courts for any wanton abuse of power or illegal proceedings." In many instances, indeed, the Civil Courts of England have brought under review the judgment and acts of military tribunals. One instance can we remember, that of Lieut. FRY, of the British Navy, who instituted a civil suit against SIR CHALONER OGLE, President of the Court-martial, that had by its sentence, caused to be inflicted on him what he at up as—and the Civil Court decided to be—an unlawful punishment. He recovered one thousand pounds damages. The judge at the same time informed him, he could bring an action against each member of the Court wheresoever he might meet them. Subsequently, at his suit, Admiral MAYNE and Capt. RETOS, who had been members of the Court in question, were arrested just upon adjournment of another court martial of which they were then members. To this arrest the court martial took exception as a breach of privilege, and complained to the Admiralty who espoused their complaint—so too did the King. The Lord Chief Justice, nevertheless, directed the arrest of the officers complaining, and was about to sit in judgment upon them for that act, as an infringement of the supremacy of the civil over military law, when every member of the Court asked pardon of the judge, in writing, for what they had done, as "unjust and unwarrantable." Granting their prayer, Lord Chief Justice WILES directed a public record to be made of the occurrence, as a "memorial to the present and future age, *that whosoever set themselves up in opposition to "the law, or think themselves above the "law, in the end will find themselves mis-"taken.*"

As a signal illustration of the accountability of military men for their acts, we may cite the case of the Governor of Goree, a British dependency in Africa, who had approved the sentence of a Court-martial in the infliction of which the prisoner died. On the return of that functionary to England, twenty years afterwards, he was arraigned before a civil court, tried, convicted and executed for murder—the court deciding that the military trial had been unlawful and the punishment approved and executed under his orders, unduly harsh.

Of course, if members of military courts can be held responsible for unlawful judgments, so may they for exercising unlawful jurisdiction, and a number of interesting cases will doubtless follow soon in the train of this decision of the Supreme Court, the points of which we have just given.

"UNDER WHICH KING, BEZONIAN?"

The country is undergoing one of those transition periods in which old parties are dissolved, and their *debris* are moulded into new combinations. Just now, the central, cohesive forces are divided between a President, whose every idea, sentiment and feeling is in conformity with the CONSTITUTION and the maintenance of the Union established under it, and a Radical Faction in Congress, whose fundamental impulse is innovation, and whose aims are change and centralization of power. There is, there can be no middle ground between these two parties. The first, or the Party of the Constitution, led by the President, is clearly defined in its scope by the following, telegraphed to a gentleman in Connecticut during the late political canvass in that State:

In reference to the elections, in Connecticut or elsewhere, I am for the candidate who is for the general policy and specific measures promulgated in my annual message; veto message; speech of the 22d February; and the veto message sent in to-day! (vete of the Civil Rights bill.) There can be no mistake in this. I presume it is known, or can be ascertained, what candidates favor or oppose my policy, as promulgated to the country.

ANDREW JOHNSON.

There is the text-book of the great and patriotic Party of the People. The text-book of the opposing Faction may be found in the speeches of THAD. STEVENS, CHARLES SUMNER, and others, who would elevate the negro not only to an equality with the white man, but make him a peculiarly favored subject of legislation—who would perpetuate the Freedmen's Bureau, and nationalize Martial Law throughout the Southern States—who would as a logical and necessary sequence of their system of measures, transform this free, Republican government into an Oligarchy or a Despotism. In such a contest there can be no neutrals. Those who are not Conservatives, sustaining the President, are Destructives, adding to pull down the temple of American Liberty.

☞ The cotton harvest in Algeria is magnificent.

If this is so, as represented in a Northern journal, it must be despite the ordinances of nature, which would seem to be peculiarly hostile to cotton culture in Algeria. In the first place, a great deal of rain falls throughout the spring—washing the soil until late in the season—meanwhile the weather is chilly. To secure the necessary time for the growth of the cotton the seed have to be planted while the soil is deeply saturated and cold; the consequence is that a large portion rot and never germinate. A prolonged drought follows the wet season. There are no summer rains, while a burning sun parches vegetation so that such cotton plants as actually have struggled into life are dwarfed for the lack of seasonable moisture, when, as in most cases, irrigation is impracticable, and finally, just as the bolls ripen and open torrents of rains deluge the face of the earth and destroy the greater part of the cotton that has survived other adverse agencies. With the knowledge of these climatic facts, we feel warranted in doubting whether "the cotton harvest in Algeria *is magnificent!*"

LATE NEWS.

The bricklayers, ship carpenters and painters of New York are on a "strike."

A number of revolutionists are forming societies in New York to agitate the question of Canadian independence.

Negro troops from Texas have introduced the small-pox into Fortress Monroe.

The metropolitan police in New York, have issued an order for the arrest of all street sweepers and beggars.

The Common Council of Chicago has under consideration the prohibition of intramural interments.

The New York Fenians are clamoring against Roberts and O'Mahony, who refuse to have their books inspected.

Gen. Hindman is said to be occupying a pleasant home near the Alemada, in Mexico.

The new levee at West Baton Rouge is reported perfectly safe. It will be able to resist at least four feet further rise of the river.

The Collector of Customs at New Orleans has seized 70,000 cigars on the ground that they were being smuggled into the United States.

Smallpox has broken out among the Indians at Fort Sully, and they are reported to be in such a starving condition as to eat their young ponies.

The New York distillers, who have been under arrest for fraudulent returns, were released from custody Wednesday, on the ground that the law was not clear in the case.

Several negro soldiers had a dance in the military hospital building in Louisville on Tuesday, which ended in the murder of a negress by one of the black guards.

The number of deaths in the city of Chicago for the year ending the 31st ult., was 3762—a decrease of twenty-two compared with the exhibit of the previous year.

The receipts of internal revenue on Wednesday were $2,117,213 51. The receipts last week $4,467,970 61, and the total receipts from the beginning of the fiscal year are $245,830,231 77.

Gov. Wells, of Louisiana, in compliance with the request of Gov. Cox, of Ohio, has withdrawn the requisition for the rendition of Dunham, charged with grand larceny.

The Hon. E. A. Rollins, Commissioner of Internal Revenue, has decided that all persons who are required to take out licenses under the internal revenue laws must give new bonds before receiving licenses for the ensuing year.

A poor old man named Heinrich Boehler and his daughter, a child of thirteen summers, were in such destitute circumstances in Chicago as to sleep in a dreary stable, which unfortunately took fire on Tuesday night, consuming the miserable father and his child to ashes.

The democrats of Rhode Island have nominated for Governor, Lyman Pierce, of Providence; for Lieutenant-Governor, Gideon H. Burfee, of Tiverton; for Secretary of State, Wm. J. Miller, of Bristol; for Attorney General, Joseph S. Pitman, of Providence; for General Treasurer, James Atkinson, of Newport.

Twenty-nine negro paupers were buried in Louisville, Ky., last month. The *Journal* says the record is black in more senses than one. It marks the gleam of philanthropy so-called. It is lustrous with misery. It is the echo of the freedman's shout.

Professor J. D. B. DeBow was before the Reconstruction Committee on Tuesday, and gave his testimony on the status of the South. His account is said to have been substantially that the Southern people are in fair condition for reconstruction.

By reference to the Congressional proceedings it will be seen that the Senate bill granting lands in alternate sections to aid in the construction and extension of the Iron Mountain railroad from Pilot Knob to Helena, has been read a second time and referred to the Committee on Public Lands.

Secretary McCulloch is desirous that the loan bill shall pass without any additional amendments. Several senators are known to be opposed to the bill, and certain amendments to it are being proposed by members of the Finance Committee.

A Washington telegram says that Senator Wade intends to offer an amendment to the Paris Exposition bill, providing that no money be paid out to carry it into effect until Napoleon withdraws the French troops from Mexico. This will probably give rise to a debate which will open the whole Franco-American question.

The New Catholic Cathedral in New York, when completed, will be 350 feet long by 225 feet wide, and the towers will be 175 feet high. Inside the building, the nave will be 150 feet wide, and the ceiling 100 feet above the floor. The architecture is to be of the pure Gothic order, and the estimated cost is $2,000,000. It will occupy an entire square of ground, bounded by Fifth and Madison avenues, Forty-ninth and Fiftieth streets.

The Pennsylvania Legislature has empowered the city government of Philadelphia to open a new aqueduct, whenever the present supply from the Schuylkill is insufficient for the necessities of the community. Says the *Inquirer*: It is proposed, by means of a dam, to make an artificial lake between Swenksville and Ziegleresville, twenty-six miles from the city. The expense is estimated at ten millions of dollars.

We learn from Louisiana that a movement is now on foot to build the railroad from New Iberia to Orange, on the Sabine, a distance of 115 miles. The railroad from Orange to Houston, Texas, is now in running order, a distance of 110 miles. A company from Pennsylvania propose to construct the road, and to receive as a recompensation, the use of the same for fifteen years, allowing the company to own all the lands donated by the Government.

The Episcopal convention will assemble in New Orleans on the 11th of next month, to elect a successor to the late Bishop Polk.

A disease something like cholera is proving very fatal to hogs in New Albany, Ind. On Tuesday morning no less than one hundred hogs were found dead in a radius of five squares, so says the New Albany *Ledger*.

Miss Harriet Pinckney, second daughter of Gen. Charles Cotesworth Pinckney, died in Charleston, S. C., on Tuesday week. The deceased was over ninety years of age.

Judge Wyeth states that there are one thousand one hundred and eighty persons in very destitute circumstances in Marshall county, Alabama. The Judge has raised liberal contributions in Huntsville for the poor people of his county, and we understand it is his intention to visit Nashville and Memphis on a charitable mission.

Our Mississippi friends will be interested in learning that Judge Shattuck, formerly of that State, has removed from California to Presidio, in the neighborhood of Masatlan. The Mexican *Times*, of the 24th ult., says he is in most excellent health, and doing well.

The Shelbyville *Union* says: "An eagle was killed a short time since by Miss Mary A. Hampton, a few miles from Fayetteville. The eagle measured nine feet from tip to tip, and has been seen to carry off in his claws whole sheep. Its mate, we understand, has been seen several times, and is still in the neighborhood."

A telegram from an authentic source in Richmond says that movements are on foot there for an application for a writ of *habeas corpus* to get ex-President Davis out of prison. The proclamation of the President and the decision of the Supreme Court relative to the trial of civilians by military commissions are given as the reasons for the step.

The Secretary of the Treasury has issued a circular to custom officers, in which he states that as a large amount of spirituous liquor is imported into the United States purporting to be medicine, but in reality being but slightly tinctured with essence, they must exercise unusual vigilance in the detection and prevention of such frauds on the revenue in every instance where merchandise is entered, and that there must be thorough inspection to satisfy themselves that the liquors thus tinctured are intended for medical use.

Late news confirm the accounts that Gen. Orazon had proclaimed himself President of the Mexican Republic, in virtue of the Constitution of 1857. At the town of Cullacon the assassins of the Belgian envoy were being vigorously pursued by the French police under the direction of Mr. Maurice. The Imperialists, under the command of Gen. Mendez, had sustained a severe reverse upon the plains of Urohua, where it is stated two hundred prisoners were shot in retaliation for the execution of Liberals under the recent decree of Maximilian.

Speaking of the crop prospects in St. Mary's parish, a Louisiana paper says: "From all parts of our parish we hear quite favorable accounts in regard to the planting interests. Hands do not work as they formerly did, but there are not many killers, and much more land will be cultivated than was expected three months ago. New fences are being built, ground is being plowed, cotton and corn planted, and the prospects gradually brightening. Our planters can make nothing more than a living this year, but they may lay the foundation for success in future years."

The regular spring lettings of the Post-office Department embrace about 2700 routes, as follows: In Kentucky 203, Tennessee 257, Indiana 306, Illinois 415, Michigan 258, Wisconsin 256, Minnesota 300, Dacotah 10, Iowa 247, Kansas 71, Nebraska 25, Missouri 318. The entire work of the letting is to be performed in twenty-four working days, and the decisions made known on Saturday, the 24th inst. Already orders have been issued for the recognition and payment of mail transportation amounting to many thousands of dollars in various parts of the country.

At a recent sale of fast trotting horses, near Philadelphia, Pa., a pair of trotters, graceful as gazelles, realized the sum of $4850. Another pair brought the even sum of $3000. A single horse was now put up. A more beautiful animal could not be desired. It was finally sold for the sum of $4750. Another animal was run up to $4800, but the reserve bid was $6000, and he was not sold. A roan mare of illustrious pedigree and private achievements, brought $7250. A gray saddle horse brought $3450, and the remainder sold at sums ranging from $1000 to $7300.

There are now eleven vacant cardinal's hats, and it is reported that six of them will be placed on the heads of the following prelates at the June Consistory: Monsignori Matteucci, ex-Governor of Rome; Hohenlohe, the Pope's almoner; Chigi, Papal Nuncio at Paris, where he will be succeeded by Monsignore Franchi; Manning, Archbishop of Westminister; some unnamed Bishop of the United States, and a Mexican prelate.

The grand jury of New Orleans report 120 youths in the Boy's House of Refuge. In this excellent industrial institution a tin shop has recently been opened. In the tailor shop the boys are instructed by an experienced tailor, who makes the clothing necessary for the inmates. In the shoe shop the monthly receipts average $375. The bakery has, in the last twelve months, supplied the workhouse, the insane asylum, the house for the aged and infirm, the girls' house of refuge, and the children's home, amounting in value to about $8260. The bread consumed in the institution, during the same time, was about 60,000 pounds, valued at $4200. The receipts for bread in the twelve months, from February, 1865, to February, 1866, were $14,485 99.

The Department of State has received official information from the United States Consul at Brest and Cherebourg, dated March 9. The Consul at the latter port states that from the 10th to the end of February, there occurred 58 deaths from cholera. These make from the beginning of the epidemic up to date, 114 days, a total of 252 deaths from cholera in a population of 40,000. The disease seems now to have disappeared, as no deaths have recently occurred, and the Sanitary Board now issues clean bills of health. The Consul at Brest reports that the epidemic has at length retired, no case of cholera having made its appearance since the 1st of March. The Minister at Paris has ordered clean bills of health to be issued.

The House Military Committee have authorized the report of a bill to reduce and establish the pay of officers, and to regulate the pay of soldiers of the regular army of the United States. It provides that from and after the 30th day of September next, instead of pay, allowances and emoluments of every kind except as provided, the following shall be the yearly compensation of all officers of the army of the United States, of the several grades respectively: Lieutenant General, $12,000; Major General, when commanding a military division embracing two or more departments, or of a separate army actually in the field and engaged in military operations, $7,500; commanding a military department or division in the field, $7,000; When on other duty, $6,500; Brigadier General commanding a military department, army, or division in the field, $5,000; commanding brigade, or other duty, $4,500; Colonel commanding a brigade or military division post, $3,500; commanding or other duty, $3,000; Lieutenant Colonel, $3,000; Major, $2,500; Captain, $2,000; first Lieutenant, 1,500; second Lieutenant, $1200. Officers on furlough or leave of absence for a period of more than thirty days, his pay shall be reduced thirty per cent, below ordinary duty pay for such time as in excess of over thirty days, except in cases when such absence from duty is occasioned by sickness or from wounds received while in line of duty. Surgeons and Chaplains, and military storekeepers, and other officers or persons having by law assimilated or declared rank, shall be paid according to the above rates of ranks which they hold by law.

Sweet potatoes are now selling in the Lynchburg, Va., market at $1 a peck.

The President has proclaimed a treaty with the Dakota's and Sioux Indians.

The wife and children of ex-Gov. Isham G. Harris are *en route* for their new home in Cordova, Mexico.

A meeting of the stockholders of the Mobile and Ohio railroad will take place on the 17th inst., at Mobile.

The Boston *Post* says: "We are much obliged to Mr. Sumner for sending us copies of Senator Nye's speech; we get twelve cents a pound for them."

A couple were married a few days ago in Davidson county by a 'squire "on a clean lawn" in the mellow light of the moon.

In his speech before the Democratic State Convention of Indiana, Hon. D. W. Voorhees remarked in regard to his expulsion from Congress, that it permitted him to choose his own company.

Mrs. Davis, escorted by Col. Burton N. Harrison, of Mississippi, former private secretary of President Davis, arrived in Louisville on Tuesday, and departed the following day on the mailboat Gen. Lytle toward Canada.

The negroes of Raleigh have resolved, in a meeting, not to import a Yankee doctor, but to patronize the Raleigh physicians as long as they make no distinction on account of color.

A man named O'Rourke, connected with the Selma and Meridian railroad, was killed at Uniontown, Ala., a few days since, by G. B. Drake. A reward of $500 has been offered for Drake, who escaped.

An order has been issued by the War Department honorably mustering out of the service eleven additional paymasters, ten of whom are to be discharged on the 30th, and one on the 15th inst.

¶ Mrs. Generals Sherman and Grant and other ladies have issued an address to the humane people of the United States in favor of founding a national soldiers, and sailors' orphan home in the District of Columbia.

John Van Buren, who has just returned to New York from a visit to Charleston, says if there are any rebels left in that city he could not see or hear of them. Everybody there was in favor of the President and his policy.

Colchester, the spiritualist, so-called, was arrested in Louisville on Monday, for failing to take out a license as a juggler, and for not having a license to give public shows and exhibitions. It will be recollected that he was recently convicted at Buffalo of the same offense.

Harvey Brown, Esq., has been elected representative from Madison, John F. Sinclair from Dyer and Lauderdale, and D. A. Nunn from Haywood. A. A. Steele was re-elected from Marshall without opposition. In his civil district he got every vote cast. T. H. Bledsoe has been re-elected from Marshall, Lincoln and Giles.

The *World's* Washington special says the question of protecting the rights of American fishermen is already becoming a very serious one. The Government has dispatched two vessels to the fishing grounds and will probably soon send another. Sir Frederick Bruce has had two or three interviews lately with Mr. Seward on the subject.

Mr. M. D. Potter, of the Cincinnati *Commercial*, one of the most successful editors in the west, previous to his death, which occurred on Wednesday morning, had long been out of health, and had just returned from a voyage to Cuba, which he had hoped might benefit him. The expectation was not realized, and he arrived home a few days ago in a very feeble condition. Mr. Potter was forty-six years of age.

The Nashville *Banner* of Thursday says that developments of the extensive frauds committed on the Government in that city implicate parties who have heretofore held high social positions. The investigation of Bruner revealed facts which led Gen. Johnson to order the arrest of some fifteen or twenty persons in Louisville, among whom is Mr. Henderson, one of the proprietors of the Louisville *Journal*.

The Petersburg (Va.) *Express* contains the following: "We have intelligence direct from Toronto, Canada, where Gen. Breckinridge is now residing. He says that his health is good, but that care is making its mark upon the handsome and intellectual face with which nature blessed him. Four years ago his hair was black as jet; now it is hoary. He is weary of exile, and anxious to return to his home and friends. In the hope of accomplishing this end, Ex-Gov. Price, of New Jersey, a warm personal friend and colleague of the general in the Congress of the United States, previous to the late war, has proceeded, or will shortly do so, to Washington, and have an interview with the President. We trust that the President will accede to the request. His relations with Mr. Breckinridge, prior to the late political estrangement, were quite friendly, if not positively cordial. Besides, there is no charge against Gen. Breckinridge as we are aware of. All political prisoners, save two, have been released from confinement. Mallory, Stephens, Seddon, Hunter, Judge Campbell, all except the President and Judge Clay. Why keep Gen. Breckinridge in exile? We can see no reason for so doing, and, doubtless, the President will consent that he may return to his home, his family and friends."

Negro Mortality and Foreign Immigration.

We learn from the St. Louis *Republican* that Senator Doolittle delivered an able speech at a recent Johnson meeting in New Haven, in which he gave his estimate of what the late war had cost of negro life. He stated that Gov. Aiken, of South Carolina, expressed to him at Washington, a few days before, the conviction that at least one million had perished in the war. The senator said that the estimate of the Hon. Randall Hunt, of New Orleans, and of Capt. Haines, of the Union army of Louisiana, who had always lived at the South. Their opinion was that perhaps 50,000 had died in battle, or of their wounds; while small pox and other terrible diseases that follow the march of armies have prevailed among them to an awful extent from the Rappahannock to the Rio Grande, sweeping away hundreds of thousands. Mr. Doolittle said he had no doubt that when we came to take the census of 1870, two-fifths of the whole colored population will have perished."

These are appalling facts, and the question naturally arises, how this immense loss of labor is to be supplied? The Baltimore *Sun* says:

The report of foreign emigration to this country during the past year shows the number of persons landed at New York for Southern destinations to be much larger than had been anticipated, and the inducements now held out, will, it is hoped, tend greatly to increase the throng of emigrants seeking homes in this quarter during the present year. The attractions are great, not only in Maryland, but further south, notwithstanding the yet unsettled condition of the Southern section, in view of the great desire for reliable labor, and the productive lands there to be filled in the growing of most remunerative crops.

The total number of Europeans who arrived at New York last year was 200,031, of whom 10,829 were destined Southward, as follows: Missouri, 5016; Maryland, 1888; District of Columbia, 1229; Kentucky, 1089; Virginia, 500; Tennessee, 303; Louisiana, 296; Delaware, 189; South Carolina, 97; Mississippi, 82; Texas, 41; North Carolina, 37; Alabama, 27; Georgia, 22; Florida, 5; and Arkansas, 4. The largest number of emigrants to a single Northern states is set down to New York, at 90,433 during the year, though it is not likely that all these permanently settled there. In the same period 22,276 settled in Pennsylvania; 17,174 in Illinois; and about 10,000 in Ohio. On these figures the *Sun* remarks:

While in comparison, the number already gone South is really small, it must be remembered that before the war the foreign emigration to that section was little or nothing. But with the change that have been wrought by our late strife and the new aspect given to things, and the radical transformation in the Southern system of labor, the future affords an encouraging prospect for a very considerable turn of the tide of emigration toward ourselves and all the South. The genial climate and a certainty of gain for industry, and the disposition to divide up the lands on terms favorable to their acquisition by persons of limited means, offer unsurpassed inducements to the emigrant, whether American or foreign.

At 5 o'clock the House adjourned.

CONGRESSIONAL PROCEEDINGS.

WASHINGTON, April 4.—*Senate.*—Mr. Wilson introduced a joint resolution, directing the Secretary of War to take steps for preserving the graves of Union soldiers from destruction, which was passed.

A bill transferring the Smithsonian library to the Congressional library, passed.

A bill establishing collection districts of Port Huron, Michigan, and extending the district of Puget Sound, with an amendment making a collection district of Montana and Idaho, and changing the name of Penobscot district, Me., to that of district of Gastine, was passed.

A message was received from the President covering a letter from the Secretary of the Treasury to the Governor of Alabama in relation to the payment, by that State, of the direct tax. Referred to the Ways and Means Committee.

Mr. Pomeroy introduced a joint resolution appointing a Board of Managers for the National Military Academy, which was referred to the Military Committee.

Mr. Clark reported from the Committee on the Judiciary, with an amendment, the House bill to amend the act of March 3, 1863, relating to the writ of *habeas corpus* and remitting judicial proceedings, which is as follows:

"*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That any search, seizure, arrest or imprisonment made, or wrongs done or committed, during the said rebellion, by any officer or persons under and by virtue of any order, writ or special order issued by the President or Secretary of War, or by any military official of the United States, holding the command of the department, or place within which such seizures, search, arrest and imprisonment are made or committed, or any acts so omitted to be done, either by the person or officer to whom the order is addressed, or by any other person acting or assisting him there, will be held and are hereby declared to come within the purview of the act to which this is an amendment, and within the purview of the 4th, 5th and 6th sections of said act for all the purposes of defense, transfer, appeal or limitation provided therein."

The amendment reported to a proviso to this section is as follows: "But no such order shall be a defense to any suit or action for any act done or omitted to be done after the passage of this act. *And be it further enacted*, That when the said order is in writing it shall be sufficient to produce in evidence the original, with proof of its authenticity, or a copy of the same certified or sent by telegraph, the production of the telegram purporting to emanate from such military officer shall be evidence of its authenticity, or if the original of such order or telegram cannot be found, secondary evidence shall be admissable as in all other cases. *And be it further enacted*, That the right of removal from the State Court into the Circuit Court, provided in the fifth section of the act to which this is amendatory, may be exercised as well after the appearance of the defendant and the filing of his plea or other defense in said court, or at any term of said court subsequent to the term when the appearance is entered, in the manner and in the manner provided by the same; but nothing herein contained shall be held to abridge the right of such removal after judgment in the State Court, nor shall it be necessary in the State Court to offer or give security for the filing of copies in the Circuit Court of the United States; but, on filing the petition, verified as provided in said 5th section, the further proceedings in the State Court shall be filed, and not be resumed until a certificate, under seal of the Circuit Court of the United States, stating that petitioner has failed to file copies in said Circuit Court at the next term, is produced."

Mr. Stewart moved that the Special Committee of Fifteen be discharged from the further consideration of the plan of reconstruction recently submitted by him, and that his resolutions be made the special order for to-morrow.

The expiration of the morning hour cut off discussion on Mr. Stewart's motion.

The veto message was taken up at 1 o'clock, and Mr. Trumbull took the floor in defense of the Civil Rights bill.

House.—The House proceeded, as the first business in order in the morning hour to the call of committees for reports, beginning with the Committee on Naval Affairs. Under this call Mr. Darling, from the Committee, reported a bill to allow to Cornelius B. Gold, late Acting Assistant Quartermaster of the U. S. N., credit on his account for clothing stolen while under his charge at Mobile, in 1865. After some discussion the bill was amended and passed.

Mr. Phelps, from same committee, reported the bill for the relief of Hiram Paulding, Rear Admiral of the U. S. N., which was read at length. Pending the bill as reported to-day omitted the words tedniically making an appropriation, and simply directed the proper officer to audit and settle his accounts, which, by the uniform decisions of the House, does not bring the bill within the rule requiring bills making appropriations to be first considered by the Committee of the Whole.

Mr. Griswold, from the same committee, reported back the Senate bill releasing J. R. Rittenhouse, of the fleet of the Pacific squadron, from liability for $14,700 of the public money stolen from him in Panama, in October, 1865. Passed—yeas 68, nays 40.

The morning hour having expired, the House resumed the consideration of the contested election case of Dodge against Stokes, from the fifth Congressional district of New York. Mr. Marshall, of Illinois, resumed and completed his argument in support of Mr. Brooks' right to the seat.

At the conclusion of Mr. Marshall's remarks, no other member seeking the floor, the speaker announced that the question was on the resolution offered by the minority of the committee, declaring Mr. Dodge not entitled to a seat in the House.

Many members being at this time absent from their seats, on motion of Mr. Morrill there was a call of the House, which brought in the members who were in the Senate Chamber and in the committee rooms, and 124 answered to their names.

Mr. Garfield moved to amend the substitute offered by the minority, by inserting the following, in lieu thereof: Be it Resolved, That the case of Mr. Brooks be recommitted to the Committee on Elections, with instructions to report especially the facts as to the custom, under the laws of New York, of appointing inspectors of the registry of electors not from persons residing in the election districts. Also the facts respecting claim by Mr. Brooks of the vote given him in the 16th district of the 13th ward, with power to send for persons and papers.

Mr. Spaulding gave notice that he would offer a substitute for the resolutions reported by the Committee on Elections, declaring that neither the sitting member nor the contestant were duly elected, and that the seat for the 8th district of New York is vacant.

Mr. Schenck remarked that the same object would be reached by voting upon the resolution that Mr. Brooks was not duly elected, and by voting no on the resolution that Mr. Dodge was.

Mr. Goodyear spoke in support of his amendment, and, after carefully reading both resolutions, he was unwilling to vote only that way. He wanted more light thrown on the subject. He called attention to the fact that the Committee entirely ignored one election precinct in which it was asserted by the sitting member that fraudulent votes had been cast for the contestant, and they did not make any examination into it, nor any remark upon it. It seemed that the election was in the hands of a party favoring the election of the contestant, and yet it was proposed to unseat the sitting member on an allegation that the majority party was defeated. That was certainly remarkable.

Mr. Farnsworth spoke in favor of Brooks' right to have a seat. He said there was no question about the fact that the Eighth Congressional District of New York was a Democratic district, he feared hopelessly so. There was no proof in this case to bring home to Mr. Brooks any charge of corruption. It was not shown he paid any money to carry out the election, or had any knowledge of, or participation in, any fraud. His skirts were clear of any imputation of fraud or other corruption. But, on the other hand, it was proved that the contestant did use money, and did pay to Barr, the Tammany Hall candidate, $2000 to run against Brooks.

This point having been called in question, Mr. Farnsworth read from the testimony of Dodge, Legrand, Cannon and Elliott, going to show this sum was paid for that purpose, and that the bargain with Barr was made on a Sunday.

Mr. Shellagarger obtained the floor, and the Brooks case went over till to-morrow.

On motion of Mr. Hogan, the Senate bill granting lands in alternate sections to aid in construction of an extension of the Iron Mountain railroad from Pilot Knob, in the State of Missouri, to Helena, Arkansas, was taken from table, read twice, and referred to the Committee on Public Lands.

Mr. Donnelly presented petitions of the State of Minnesota, in favor of an increase of the national banking capital in said State; also in favor of the action by Congress for the better regulation of insurance companies in the United States.

Mr. O'Neil presented a memorial from the President of the Savings Fund Society at Philadelphia, asking that those institutions having no capital stock, and whose business is confined to deposits and loaning the same for the benefit of depositors only, may be relieved from the tax on deposits and the tax on interest paid on deposits. This was referred to the Committee on Ways and Means.

On motion of Mr. Morrill, the bill to facilitate the settlement of the accounts of the Governor of New Jersey, and to secure certain moneys to the people of the United States, or to persons to whom they are due and who are entitled to receive the same, was taken from the Speaker's table and read twice and referred to the Committee on Ways and Means.

At 5 o'clock the House adjourned.

APPREHENDED TROUBLE ON THE FISHING GROUNDS.

A British War Vessel to be Stationed on the Coast.

From the London Times, March 17.]

This present St. Patrick's Day will also be remarkable for another event, which might itself breed a quarrel no less troublesome than a Fenian outbreak in Ireland or a Fenian invasion of Canada. To-day the reciprocity treaty between the United States and British America comes to an end. For the sake of both countries, which it so much benefited during the six years which intervened between its adoption and the outbreak of the American war, we regret that the United States Government have thought fit to abrogate it. But every nation is the best judge of its own affairs, and if the government of Washington is of opinion that the changed financial condition of the States require that their commercial relations should be revised, we have no right to complain. It is fair, however, to remind the Americans that the termination of the treaty is their work, not ours, and that if any differences arise we have done our best to prevent them. Now, one of the rights which the Americans possess under the treaty is that of fishing in British waters. The coast of British North America is one of the finest fishing grounds in the world, and it will be in the memory of most of our readers how long and bitter were the dissentions between the adventurous New Englanders, who were continually trespassing, and the jealous Nova Scotians and Newfoundlanders, who were as constantly driving them off. The reciprocity treaty put an end to these disputes by giving the American fishermen the right to come into our waters in return for a much less valuable concession on their part, and for twelve years they have followed their calling in peace. But now their rights come to an end. There people, who have been accustomed for so many years to a certain fishing ground, and who, probably, have come to look upon it as their own, may not now consent to retire, or come into collision with the Canadian authorities. We believe a vessel of war will be placed on the coast, for the purpose of seeing that the rights which revert to the British provinces are not infringed, and also to prevent collisions between the fishermen of the provinces and of the United States. The American fishermen will be duly warned, and after a fixed time the exclusion of their boats will be enforced. We trust they will understand that the restriction is caused by the act of their own Government, and that if they suffer, their grievances can only be removed at Washington. Whenever the States think fit to conclude another treaty, American fishermen will recover their former rights. It is a difficult matter to regulate, and may lead to many a quarrel; but in this, as well as to all that relates to Fenianism, there is reason to believe that we may count on the friendliness and courtesy of President Johnson's Government. If it were not so we should look upon the consequences of the change as likely to be troublesome, if not dangerous.

What was Once Said.

On the 12th of December, 1859, Mr. Lyman Trumbull, then, as now, a senator of the United States, said:

"In my judgment, there is a distinction between the white and black races, made by Omnipotence itself. I do not believe these two races can live happily and pleasantly together."

Not five months later, Andrew Johnson, a senator from Tennessee, said:

"The senator from Illinois concedes the whole ground, and all this clamor and claptrap about liberty and man being created equal, falls to the ground."

Mr. TRUMBULL, it will be recollected, framed both the Freedmen's Bureau Bill and the "so-called" Civil Rights Bill, which seek to override the "*distinction between the white and the black races, made*"—as he once admitted—"*by Omnipotence itself.*"

ANTIQUARIAN DISCOVERIES IN NEW YORK.—The New York Board of Health have set on foot researches which bring to light some very curious relics of the past. The *Commercial Advertiser* says: Twenty-three festive Ethiopians, in pursuit of knowledge, have this day plied the hoe in Pine street. An ancient pavement was discovered in the *debris*, above which were fresh remains of the fruits and small animals of the period. The deposits primary, eruptive and metamorphic have been carefully elaborated into tumuli, which attract the attention of bewildered spectators, who suppose that a new geological survey is in progress.

A CONGRESSIONAL TRICK.—A gentleman of Washington has brought an action for $10,000 damages against General Terry, commanding at Richmond, for injuries committed upon him and his family while temporarily sojourning in Virginia last summer, three months after the war was over. Even Secretary Stanton disapproved the officer's act; but we learn from the *Intelligencer* that the counsel of the General has adopted the extraordinary expedient of procuring from Congress a new statute, framed by himself, to fit the case, *ex post facto*, and thus stop the suit!

NEW ADVERTISEMENTS.

A New Candidate for Public Favor.

W. L. COOK,

51 Madison Street.

Wishes to inform the citizens of Memphis that he has just opened a splendid stock of CLOCKS, which he will sell at prices ranging from $2 50 to $40, thus defying competition. Also a fine assortment of Jewelry and Silverplated Ware, at

Almost New York Wholesale Prices.

Having engaged the services of a first-class Watchmaker, he will take the most complicated styles of watches and clocks, accurately clean, repair, accurately adjust and warrant them. All styles of jewelry carefully and neatly repaired, at the lowest rates of any first-class establishment. Call and see, thereby saving 50 per c