The New Orleans Bee.

OFFICE 73 CHARTRES STREET. NEW ORLEANS, TUESDAY MORNING, AUGUST 18, 1868. Vol. XLI.—Whole—14,522.

THE NEW ORLEANS DAILY BEE.
DUPOUR & LIMET, PUBLISHERS.
No. 73 Chartres Street.

TERMS OF THE BEE
Terms of Subscription—Daily, per annum, in advance, $10; half-yearly, $6; quarterly, $4.
Price of the paper—Single copies, 10 cents.
The Semi-Weekly is published every Tuesday and Saturday. Subscription, $5 per annum, invariably in advance.
Rates of Advertising—Transient advertisements inside the reading matter of the paper, first insertion $1 50 per square, each subsequent insertion, 75 cents per square.
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NEW ORLEANS:
TUESDAY MORNING, AUGUST 18 1868

NATIONAL DEMOCRATIC TICKET.

For President,
HORATIO SEYMOUR,
OF NEW YORK.

For Vice President,
FRANK P. BLAIR,
OF MISSOURI.

Electors for the State at Large:
EX-GOV. R. C. WICKLIFFE, of West Feliciana.
ISAIAH GARRETT, of Ouachita.
ALTERNATES:
JAMES P. FRERET, of Jefferson.
JUDGE J. M. LEA, of Orleans.

District Electors:
First Congressional District ..... A. SAMBOLA.
Second " ..... M. B BRADY.
Third " ..... A. S. HERRON.
Fourth " ..... A. DeSOTO.
Fifth " ..... M. D. COLEMAN.
ALTERNATES:
First Congressional District ..... T. SHERBURNE.
Second " ..... GEO. W. RACE.
Third " ..... J. H. KENNARD.
Fourth " ..... F. N. CULLOM.
5th " ..... { W. F. SLACKMAN. J. H. SHIGHAM.

THE ELIGIBILITY BILL.

This bill was framed to meet the cases of officers of the State chosen at the late election, who have undertaken to exercise the duties of their offices without asking His Excellency Governor Warmoth for permission to do so.

We think the bill contrary to the provisions of the Constitution of the State, because it attempts to impose conditions upon holding office not laid down in the Constitution, and after the election has taken place. It further attempts to attach penalties to the performance of the duties of such officers *after* the offences declared by the bill have been committed. In that regard it is an *ex post facto* law and contrary to fundamental principles.

The officers struck at by this bill have been declared duly elected by the General lately commanding the Fifth Military District, under whose control the election was held and in virtue of the laws of Congress. If they were eligible according to the laws at the time they were so declared elected, their right to hold their offices was complete, and as the General announced the result of their election, and no other conditions can properly or lawfully be imposed now.

We do not suppose that the Legislature will listen to any objections to this and kindred measures. It is now in the hands of the Governor whose action upon it will no doubt shortly be announced. According to the engagements entered into with Radical leaders, including the Governor, by the Democratic State Executive Committee, this being one of the obnoxious measures referred to, it should in some stage of its progress be set aside. If the Governor shall approve it, we shall consider it a breach of faith on his part.

The following is a synopsis of the Bill:

The first section provides that all persons elected or appointed to any office shall be required by the Governor, before a commission is issued, to take the oath provided in the third section of the bill. The second section provides that all persons elected to any office, State, parish or municipal, who do not require a commission from the Governor shall, before taking their seats, take the oath prescribed in the third section.

The third section sets forth the following oath to be subscribed to by all office holders: "I, A. B., do solemnly swear (or affirm, as the case may be,) that I have not been convicted of treason, perjury, forgery, bribery, or other crime punishable in the penitentiary; that I did not hold office, civil or military, for one year or more, under the organization styled 'The Confederate States of America;' that I did not register myself as an enemy to the United States, that I did not act as a leader of guerrilla bands during the late rebellion; that in the advocacy of reason I did not write or publish newspaper articles, or preach sermons during the late rebellion, and that I did not vote for and sign the ordinance of secession in any State." Any person included in the above categories of voters, who has in due form taken the "reconstruction oath," shall be exempted from taking this oath; or any person who has "prior to the first day of January, eighteen hundred and sixty eight, favored the execution of the laws of the United States, popularly known as the reconstruction acts of Congress, and openly and actively assisted the legal men of the State in their efforts to restore Louisiana to her position in the Union," may hold office on making oath to that effect, unless he has "engaged in any insurrection or rebellion against the United States, or given aid and comfort to the enemies thereof, after having taken an oath as member of Congress, or as an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States." The section provides further that any person disfranchised by the fourteenth amendment to the Constitution of the United States, who has been relieved by act of Congress from such disability, may hold office on taking oath to that effect.

Section fourth ordains that any of the above oaths must be taken within thirty days after the election; if the oaths are not duly subscribed to before competent authority in that time they shall have no effect.

Section fifth provides an imprisonment at hard labor in the Penitentiary for not less than five years nor more than ten years, as the punishment for any false taking of the above oaths.

Section sixth enacts that the taking of the above oaths shall not invalidate the right of contesting on the ground of ineligibility of the election of the persons taking the oaths.

Section seventh provides that all persons now holding office shall, within thirty days, comply with every provision of the foregoing sections, on pain, in case of failure so to do, of having their offices declared vacated.

Section eighth provides that the official acts of those persons who fail to fill the oaths required in the time specified shall, after the expiration of that date, be null and void, and further ordains that his salary shall cease from that time, and that, if his election be successfully contested, he shall pay to the person declared elected all salaries, fees, etc., received since the commencement of his holding of the office, and pay the fees paid by the successful relator "shall not discharge the party paying them from paying them again to the proper officer."

Section nine enacts that the punishment for a failure of the person declared ineligible to deliver over at once to the party declared elected, all books, papers, archives, etc., pertaining to the office, or the attempt of any such ousted party to interfere with his successor in the discharge of his duties, shall be punished with a fine of not less than $1,000 nor more than $10,000, and with imprisonment in the common jail for not less than three months nor more than one year.

Section ten is the usual repealing clause.

Section eleven provides that the act shall go into effect from and after its passage.

COMMERCIAL AND FINANCIAL ANNUAL REVIEW.—The Annual Review of commercial and financial operations at this port will be issued on Tuesday, September 1st. Mr. P. J. Pauch, the experienced editor of the New Orleans Cotton and Produce Circular, is the compiler of the Review. His name is a guarantee for the correctness of the work which will embody in letter sheet form a compact statement of the year's business, presented with unusual clearness and simplicity of arrangement.

We commend the review of Mr. Pauch to our commercial friends. See advertisement.

THE LATEST NEWS.

[Special Dispatch to the Cincinnati Enquirer.]
WASHINGTON, August 13, 1868.

NEGRO REVENUE OFFICERS.

It is reported here that Jeff Williams and Charles Satherlain, both negroes, have been appointed Deputy Revenue Collectors of naval stores at Wilmington, North Carolina.

EVARTS' OPINION

The legal opinion of Mr. Evarts on Rollins' resignation is being severely criticised here. Mr. Evarts construes the resignation to mean nothing, only blank paper, while it is claimed that all documents should be construed to mean what the writer intended, if the writer was sane and his intention can be gathered from the words used. The suggestion is gravely made, that upon the testimony of Mr. Evarts the President would be justified in suspending Mr. Rollins for gross incompetency.

EXAMINERS IN THE PATENT OFFICE

The discovery of the leaver has not yet filled the three vacancies which exist in the class of the First Assistant Examiners in the Patent Office. The applicants number legion.

GENERAL LAND OFFICE

The Commissioner of the General Land Office has referred the McDermitan case to Secretary Browning for decision, giving no opinion of his own.

LOUISIANA STATE GOVERNMENT.

It has been erroneously stated that President Johnson intended, by the military orders to Buchanan, to recognize the constitutionality or legality of the *de facto* government of Louisiana. The President positively denies any such intention, and claims that nothing in the order justifies such a construction.

ROLLINS AGAIN.

A street rumor, to-day, revives the story that Rollins is willing to surrender the Internal Revenue Office if he be allowed the privilege of designating his successor. He may be gratified, as any change would be for the better.

COLLECTOR OF CUSTOMS AT PHILADELPHIA.

Strenuous efforts are being made to secure removal of the late Collector of the Port of Philadelphia.

INDIANA.

Hendricks writes that he has no doubt of Indiana giving a large majority for Seymour and Blair.

Passengers per steamship George Cromwell, Capt. Vaill, from New York:

Capt A M Hall, wife, child and servant, D Depew, W E Hogg, J Hammond, Rev. Hopper, Sy E Davis, 2 Jones.

MR. JEFFERSON DAVIS.

The movements of Mr. Davis engage the attention of the Northern press. Whatever he does they find fault with it. If he comes South they watch him with suspicious eyes: if he remains in Canada they are equally observant of his conduct, and how that he has gone to England they are not less curious concerning his motives in crossing the ocean.

The New York *Herald* is particularly spiteful and expresses the hope that he will remain in England and insinuates he has gone there to raise a loan.

The New York *Sun* comments upon the statement of the *Pictayune* that he had gone to England for the purpose of becoming a partner in an eminent commercial house, and remarks with very questionable taste that "if he has been induced to lend his name and influence to some English commercial house, which seeks the connection as a means of making money, it would hardly seem possible that he should retain that place in the esteem of the Southern people which he has enjoyed, especially for the last three years."

We do not know what the intentions of Mr. Davis are, but the Northern press need not trouble themselves lest Mr. Davis should do anything to forfeit the regard and affection in which he is held by the people of the South. We are at a loss to understand why Mr. Davis should not form a commercial connection if such connection be for his advantage.

Mr. Davis' place in the hearts of his countrymen of the Southern States is secure, and his anxiety to make himself independent of those who would so cheerfully reward his services and his sacrifices for them, will still further elevate him in their esteem and strengthen their attachment to his person, if that were possible. Mr. Davis' incapacity, as suggested by the *Sun*, of "treating the affection of his friends as so much capital to be invested in trade." And there is no reason why he should not engage in commercial business if it suits him, without making himself amenable to such a charge. We will guarantee him an immense constituency if he should establish himself as a merchant and factor either here or in England.

"WHAT WAS NEVER BEFORE SEEN."

The New York *Tribune*, in a late issue, descants under this heading in its usual vitriolic style, upon the conduct of the Southern people in resisting the attempts that have been made by the Radical party to reduce them to a level with the negro population.

It cites as one of the evidences of that resistance the refusal of the white people of Mobile to ride in the same street cars with negroes, and says "those cars, in the absence of a law to the contrary, are rightfully free to every sober, orderly and well behaved person (white or black) who is ready to pay the legal fare. It is the denial, not the assertion, of this right that causes riots; and we trust the Legislature of Alabama will take care that the probable rebels be henceforth precluded from wreaking their spite on the loyal blacks, by excluding them from those street cars, which should be open to all."

The absurdity of this recommendation ought to be apparent to the *Tribune*. In the report of the recent attempts of the negroes of Mobile to ride in the street cars, which it copies and makes the text for the remarks which we have quoted above, there is the following statement:

"A squad (of negroes) stopped a Government street car, opposite the Barton Academy, entered it and rode to the Front street terminus, *the lower whites on car getting out.*"

Should the Legislature of Alabama adopt the suggestion of the *Tribune* and exclude the Mobile rebels from the street cars, what sort of dividends will the railroad companies be able to declare to their stockholders? How long would they continue to run those cars if the white population were excluded?

If the *Tribune* were not so blinded by its love for the negro, it would not cumber its columns with such ridiculous ideas. The moment a negro is suffered to enter a place of public resort as the equal of a white man, at that moment such public resort might as well close its doors because the negroes able to support it are not numerous enough to render it independent of that white support which it would immediately lose. The idea of the *Tribune* and of many ignorant persons in the North is, that this "social equality" reform can be *forced* upon the whites of this section. They may as well learn it at once that this reform will be resisted effectually and in a perfectly legal manner, simply by the whites in a body refusing the association. How are you to prevent them doing that? By passing laws compelling them to submit? Such laws would be laughed at. The *Tribune* had better read or hear Artemus Ward's opinion of the Constitution of the State," and to insert "five thousand dollars per annum."

R. H. Carroll, (Dem.) of Orleans, moved to insert "except the Judges of the parish of Orleans whose salary shall be six thousand dollars per annum."

Mr. Faulkner's amendment was adopted The bill read a third time, finally passed and sent to the Senate for concurrence.

House bill No. 28, an act relative to the incorporation of the town of Alexandria, in the parish of Rapides, an amendment was proposed by the committee striking out the third section and inserting in its lieu and place section fourth, of Senate bill No. 59. Adopted.

The Speaker resumed his seat.

M Noble, (Dem.) of Orleans, moved to reconsider the vote by which the amendment was adopted. Carried.

M. Carr, of Orleans, moved to strike out "Aldermen" in the 5th and 7th line of section 4th, bill No. 59, and to insert in lieu thereof "Council." Also, to adopt the section thus amended as an entire third of the bill. Lost, no quorum voting—38 yeas to 12 nays.

The House then adjourned until 11 o'clock, this day, (Tuesday) 18th inst.

Dreadful Calamity.

DEATH OF THE VERY REV. R. J. SPALDING FROM ACCIDENTAL BURNING.

[From the Louisville Journal, August 8.]

Our whole community was surprised and deeply grieved to learn that the Very Rev. Benj. J. Spalding, Administrator of this Catholic Diocese, died at an early hour this morning. The manner of his death was most heart-rending. He retired at his accustomed hour to his sleeping apartment in the Bishop's house at the Cathedral; and, not getting up in time to accompany Father Bonchet, whose room is just underneath Dr. Spalding's, heard him out on the gallery, and going out found him in great pain. Lastly Father Bonchet up-stairs, when he found to his infinite horror and astonishment that Dr Spalding's bed was on fire, and that the Doctor had already burned up his clothes, and had rushed and plunged himself into the bath tub in an adjoining room, where he was suffering the intensest agony. When Father Bonchet sufficiently collected himself he threw the burning bed clothes out of the room, and helped Dr. Spalding to another apartment, placed a sheet around him, and called for an ambulance. Father Bonchet, Mr. Crowe and Force were called in and used every exertion in human power to relieve the sufferer; but his protracted and excessive pain until he expired at six o'clock last evening.

It was Dr Spalding's habit to keep the gas burning in his room all night. The bracket was a sliding one, moving up ward and downward, and from long use it had become loosened. It is supposed from the nearness of the burner to the Doctor's couch, that during the night, while he was asleep, the bracket descended and set the mosquito bar on fire. Evidently Dr. Spalding was awfully burned before he reached the bath tub, as his night clothes were entirely burned off, and the whole of one side of his person was in a perfect crisp. The physicians, we understand, are of the opinion that death resulted more from exposure to the bath than from the burning. The most terrible and untimely death of so estimable a man and so distinguished a prelate will shock the Catholic Church of the whole country.

Dr. Spalding was in his fifty seventh year. He was born in Marion county, in this state, and was the fourth son of the late Richard Spalding. He received his primary education at St Mary's College, and was afterwards sent to the Propaganda at Rome, where he graduated with marked distinction. In 1857 he returned to Kentucky and was employed for many years as a Professor in St. Joseph's College, at Bardstown, and as Pastor of the Catholic congregation there. He came to Louisville in 1845, and has resided here ever since, officiating as Pastor of the Cathedral of the Assumption, under his world-known brother, the Most Rev. Martin J. Spalding, Archbishop of Baltimore. He had also filled the office of Vicar General of the Diocese for many years. Since the decease of the Right Rev. Bishop Lavialle, in August, 1867, Dr. Spalding has acted as Administrator of the Diocese, in which position he had more closely endeared himself to the people of the Church. He was eminent both for his great piety and devotion to his faith and for his geniality and benevolence. In a few days we hope to be able to give a more complete and just biography of the deceased.

Four brothers and one sister survive the lamented deceased, Archbishop Spalding and three brothers and a sister living in Marion county. All of them, except the Archbishop, will be present at the funeral. A dispatch from Baltimore states that the Archbishop is at Sweet Sulpher Springs, Virginia, and cannot be communicated with in time for the funeral.

ARRIVAL OF THE SHERMAN.—The steamship Sherman, Capt. Henry, arrived yesterday from New York with a full freight and a number of passengers.

The Court costume, which etiquette likewise ly demands shall be worn at Royal receptions, will, in all probability, soon be modified. The London *Standard* says it suspects the present style will not be endured much longer. In a claret-colored coat, flowered waistcoat, black breeches and white stockings, it is difficult for a man to look like a gentleman at all, or like anything but a footman in an inferior suit of livery. The point to be considered is, if the present fashion be abandoned, what is to be the nature of the change? The *Standard* thinks there would be no difficulty in devising some respectable costume for Court occasions free from the objections to the present rig. As it is, large numbers of gentlemen never go into the presence of the sovereign because they have not the courage to appear in the midsquerade prescribed for them, which is condemned on every side as ugly, inconvenient, and full of ignoble associations.

CITY INTELLIGENCE.

Reportorial Repertory—There are now eight hundred Negroes in the police force, as drivers and supernumeraries, on the police force at present. Rascality seems to thrive accordingly.

The Gov. Allen, from Vicksburg, brought down sixteen bales of hay on her portion yesterday morning.

Under the new mail arrangement the mail train on the Jackson Railroad will leave for the North at 5:30 P. M. The Northern mail will reach the city by the same route at 1:30 P. M.

Fireman's Excursion—Eagle Fire Co. No 7 had a pleasure excursion to Mandeville on Saturday and Sunday. They had one of the most pleasant times, as they are sure to have wherever they go. We were much amused at the recital of the difficulties experienced by our old friend Tom Aitken. Tom, it seems, was with No 7, in joining in the festivities of the occasion. Having been fooled into the hearing of the case of the Second Recorders Court, of which he is Assistant Recorder, upon some specious pretense of Judge Gastinel's, who shuddafied, leaving a lengthy docket behind him. Mr. Aitken could not get off in time to accompany the Company on Saturday. He missed the Sunday boat also, being engaged in the laudable endeavor of letting the prisoners in a new drawing machine, (at nothing daunted, in company with Mr. D M C. Hughes, he set out in a small sail boat and made the trip safely, and was gladly met by