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NEW ORLEANS:
THURSDAY MORNING, NOV. 1, 1866

The New Orleans Sun.

OFFICE 73 CHARTRES STREET. NEW ORLEANS, THURSDAY MORNING, NOVEMBER 1, 1866. Vol. XXVII—No. [illegible]—Whole—13,962.

MR. JUDY COBBS is our Agent for all the river parishes between New Orleans and Baton Rouge.

Owing to the time honored feast of All Saints Day, no business will be transacted to-day at the Custom-house, except the entering and clearing of vessels which will take place from 9 A. M. to 12 M.

COAL.—Mr. J. M. Peterson advertises that he will deliver to families, in any part of the city, free of cartage, the best quality of clear screened Pittsburg coal at $1 per barrel, and other qualities at reduced rates also. Orders can be left at the office, 164 Gravier street, at the coal yard 20 Dauphin street, and at the coal depot, foot of Hospital street. Coal also delivered in boat loads, barges, etc., at any part of the coast.

BENEVOLENT ASSOCIATION OF THE SONS OF LOUISIANA.—We acknowledge the receipt of tickets of invitation to the 10th Anniversary of this Association on the 6th inst. The procession will form in the morning, at the Hall corner of Greatmen and Elysian Fields streets, and proceed to the corner of Desire and Craps streets, where a beautiful flag will be presented to the society, through Miss L. V. Sauvlet and J. E. Valké, Esq., in behalf of the ladies of the Third District. It will then be received by J. J. Castellanos Esq., on the part of the members and dedicated by Rev E. J. Foltier, at the new church of St. Vincent de Paul. A collation will follow and a dance will be given at night at the Hall.

LEGISLATIVE RELIEF TO DEBTORS.

The extent to which State legislation may relieve debtors without modifying or interrupting judicial remedies to the detriment of creditors, has long been a most question among lawyers which in this State has heretofore baffled all sought at potential solution. Yet occasions have more than once occurred in our history when, as generally agreed on all hands, the interests alike of the debtor class and of the creditor class have called for a prudent and equitable modification of the ordinary processes in the judicial collection of debts. Where these interests are also felt and felt the need of the same relief from instant and overwhelming pressure which is desired by their debtors, the common interest is too evident to require special mention or argument. It will be admitted by all that when a portion are ruinously pressed, the calamity is self-generating and must result at last in an epidemic of pecuniary and consequential disaster. The situation here indicated corresponds in a large measure with a condition of affairs now existing in this State, and, indeed, throughout the South. It is true, however, that this picture does not apply to a great part of our rural population. For many reasons which are obvious to every intelligent observer, and which, having often been discussed, it is needless to repeat, the sons of Louisiana planters and farmers have bills payable falling due or past due, accumulating upon their sturdiest assets, almost as thick as autumnal leaves, while they are about to reap the harvest of labor as a deciduous tree of leaves after the frosts of a Siberian winter have done their worst. Nevertheless it would be well, not for them only, but for the interests of their creditors, and for the property of the State, if the law could, without material injustice in any relation, so temper the general pressure upon them that they will not be precipitated into general ruin. In that event, their property, forced to sale simultaneously by bolts as it were, would be sacrificed at insignificant prices, their creditors would lose in proportion to the sacrifice, agriculture, which they mainly represent, would fall into worse confusion than now, and commerce would experience in a still greater, perhaps in a disastrous degree, the discouraging and paralyzing effects of uncertain and diminishing crops. Voluntary forbearance has done much to supply the absence of legislative relief. But there are many painful exceptions where there has been no such forbearance, and where perhaps it was made impossible by circumstances which only the law could have controlled.

Besides, in a period of reunion and panic, men lose the moral power of acting with deliberation and in concert; they are unable promptly to consult what is best for their individual interests or for the common good. Each rushes on and strikes about blindly and desperately, though he may be going in a road to ruin, and though every blow may recoil upon himself. Hence it would generally be judicious, if it were practicable, to provide by timely legislation against the mischievous consequences incident in such cases. The great difficulty in this respect has been to mitigate the process of collecting a debt as regards the debtor without debarring the creditor of his remedy or impairing the obligation of the contract. All legislation suspending execution of judgment has been open to the fatal objection. The Supreme Court of Mississippi has set aside an act of the Legislature for the relief of debtors, on that ground. The same Legislature, however, at its request issued session, passed an act looking to the same object, but framed with great caution and ingenuity with a view to the avoidance of obstacles opposed by both State and Federal Constitutions. The purport of this act is to change, in certain particulars, the method of executing judgment for debt. It provides that attachments shall issue successively for four annual instalments—unless the debtor otherwise consents—preserving in full force in the mean time the "lien" of the judgment, and giving the creditor ample license to protect himself against the fraudulent acts of the debtor.

This extends the period of judicial collection perhaps somewhat longer than the present average time. But it does not suspend final process or interrupt gradual collection of the debt. And it is hoped by the friends of the measure that it will affect in so inappreciable a degree the Constitutional rights of the creditor as to remedy or obligation, that both State and Federal Courts will deem that there is no substantial reason for nullifying it.

We take the appended passages from an able speech in advocacy of the measure before the Mississippi House of Representatives by Mr. Stovall, of Wilkinson County. His remarks have an interest for the people of Louisiana, since the attention to which they refer in Mississippi has the counterpart here.

The planter does not propose to close the Courts, nor to deprive any person for an injury done him in person, reputation or property of a remedy. The proposition is, that the ground upon which the Right Court held the act of the last session, for the relief of debtors, unconstitutional was that, that act did virtually, for two years, operate as a suspension of the remedies for the collection of debts for that length of time. It is true that the Circuit Courts could not prohibited from holding their biennial terms. Yet they were forbidden to transact business, or entertain ordinary suits for the recovery of debts.

What follows from this point the opposers of the present measure thereon themselves behind that article of the Federal Constitution which declares that no State shall pass any law impairing the obligation of contracts. What is the obligation of a contract? and what is impairing the obligation? The last question is unresolved by a collection of the first "the obligation thus imposed and the rights acquired by virtue of the contract cannot be impaired by a law of a State and a law which diminishes these obligations, or abrogates these rights, impairs them." The obligation of the debtor is to pay the money contracted; the right of the creditor is to receive the money. It is conceded that the debtor can tender, and thereby release or discharge the other from obligation, or which would interrupt the right of the creditor to receive, would be unconstitutional. The bill does neither of these. It only changes the relative rights and obligations of contracting parties just were they were before.

* * * * * * *

It involves the question, how far the legislature has control over its own courts, the modes of procedure, and remedies therein.

All concur in the opinion that legislative power over the subject of judicial process, and remedy is paramount and supreme unless restrained by Constitutions—State or Federal. The only clause of the Constitution of the United States that is relied upon as limiting legislative discretion to pass this bill, [illegible] will be found in the Constitution, [illegible] on the power of the State over the modes of procedure in their Courts. The State provides the tribunals and assigns to them their jurisdiction, and prescribes how suits are to be brought, and by what process, means and kind, their remedies may be made available. All concur, too, in the opinion that the State is bound to supply a court and a remedy. But go to the character of the remedy—so it be efficient to enforce the contract—that is reserved to legislative wisdom.

If this be not so, then the sovereign power of the State, whether expressed by a Constitutional Convention or by the Legislature—is fettered back to the remedy by suit existing at the time of making their contracts—or, as it has been frequently expressed, the existing law of suit which is tacitly incorporated into contracts and becomes part of them, then there will be no power of the State or the Legislature will be [illegible] on the subject.

It will be impossible to make safe and proper changes in the remedy consequent upon the experience of the country, reason may suggest. In such a supposition, that contracts were made with reference to existing laws, that such laws (though not contract) are by implication embodied in the contracts, and to alter those laws, would, in effect, alter the terms of the contract.

This, we, would be to put it in the power of every man—whether, causes or alien, whether legislature body—the law-making power—shall refrain from reforming remedies by suit and process, because he made his contract with an eye to the existing law on the subject. We may do so as to future contracts, but not as to past—is the doctrine that is invoked.

It never was in the contemplation of the framers of the Federal Constitution that by holding inviolable the obligations of contracts, the legislature of the States was to be called in question, unless that legislation made the contract nugatory, and of little or no value. It was not anticipated that it would or could be a matter of inquiry or criticism in the Courts, whether the State could shorten or lengthen the time of process of execution. The true rule of interpretation is, that while parties may and do look to existing remedies for broken contracts, they also look, when they enter into them, to the further fact, that the States have reserved to themselves the power at will and pleasure to alter and modify remedies, that what modification shall or may be made is determinable alone by legislative discretion and wisdom; and that they have no right to complain or invoke the restriction of the Federal Constitution, so long as the obligation is not impaired—or, in other words, so long as the remedy is adequate and complete to enforce it.

As I have remarked before, this measure will be of no benefit to those who are broke and have no means of payment. All that can be done for them is to shorten the statute of limitations on judgment, so that in a reasonably short time all remedy by execution or otherwise will be cut off, and their future acquisitions may not be swept from them, as fast as acquired. If something of this sort is not done, I fear that this, much the largest class of debtors will flee the State and run away from their debts, so that they will quickly sit down in despair, all non-producing drones.

But sir, if we pass this bill, we say to those debtors who have lands, or other means left, go to work, economize and you shall have time. Raise crops, apply the annual yield to your creditors. We give confidence in the future, we raise drooping and desponding spirits, we revive flagging energies.—And what is more sir, we enable creditors to realize more on their claims than they ever can or would on a more peremptory system of payment. We act too in the interest of honesty and morality by removing the temptation to hide and cover up property under "fraudulent devices."

Pass the bill, and new and fresh vigor will be infused into our people, labor will be rewarded, industry will be busy in all her departments, and agriculture may again soon assume something of its wonted magnitude and prosperity.

THE COTTON QUESTION.—This is the title of a handsome, illustrated octave volume of about 250 pages, published at the office of the *Metropolitan Record*, in New York. The author is Dr. Wm. J. Barbee, of De Soto county, Miss., who has certainly treated the subject with great research, and, as far as we have had time to examine his work, with considerable ability. The book is professedly "a condensed treatise on cotton in all its aspects, agricultural, commercial and political." We are much obliged to the publishers for the copy sent us, and shall preserve it for further examination.

THE LAW OF LIBEL IN NEW YORK.—Plaintiff, who is a merchant doing business in New York, and a resident of the Eastern District of Brooklyn, is called upon to give his name in prominent citizen, brings an action against the defendant to recover damages for injury done his character and fame, by the publication of what purported to be a sworn proceeding before a Justice's Court, based upon a charge made by a servant girl in his employ, of indecent exposure of person. The counsel for the defendant argued that a non-suit be granted him on the ground that according to the evidence of the justice, there had been no libel committed under the statute of 1854, which enacted that it shall be libellous for an editor, reporter or publisher to publish a fair and true report of any judicial, legislative or official proceeding, or any statement of any speech, argument or debate, or any comments thereon, except upon absolute proof that the said comments were prompted by malice. Counsel for defendant argued that the statute did not refer to *ex parte* statements before the Courts. The Court granted the nonsuit. Last week, in the case of Sickles' libel suit brought against the *Herald*, a similar ruling was made by the Court, Judge Gilbert then presiding, and upon the very same grounds.

WESTERN VIRGINIA ELECTION.—*Wheeling, W. Va.*, Oct. 25, 1866.—Returns thus far received show gains on the vote for the constitutional amendment last May, which was carried by upward of 7000. Hubbard is undoubtedly re-elected to Congress by a large majority. The county is in doubt. Pendleton returns show Boreman is certainly elected Governor.

THE TRIAL OF JEFFERSON DAVIS.—We are favored with so great a variety of judicial and other opinions respecting the trial of Jefferson Davis, that it is exceedingly difficult to believe that it is seriously intended to try him at all. We have the report to day from Fortress Monroe that another term of the Circuit Court will be allowed to pass without any attempt to get a judicial verdict in the case. The technical difficulties which are sold to stand in the way, are incomprehensible by laymen of high intelligence. And we doubt if they are much better comprehended by men of professional repute. The point of most concern is, that delay makes the situation no better. No one pretends to say that the alleged legal impediments in the way of a trial will disappear by waiting for twelve months, or twenty four months. All that the judicial and other authorities can do is to continue for in the impossibility of going on with the trial now. The people are beginning to view this sort of thing as simply so much trifling. If there is no court to try Davis, on what pretence is he kept a prisoner?—*New York Times.*

Conspiracy Against the Life of Louis Napoleon.

(Berlin Correspondence of the London Times, Oct. 8.)

We all remember those days of anxiety in the beginning of July, when the Emperor Napoleon, having been appealed to by a defeated Kaiser, resolved to take the course he should pursue. We all felt it a great relief when, determining for neutrality, he promoted the renewal proposal of Austria. Instead of plunging Europe into prolonged war, as he was requested. His motives have since been candidly explained by himself, and their wisdom and sincerity already appreciated upon earth. I do not apprehend it will prejudice His Majesty in the opinion of the world when I say that, in addition to the public and political reasons which actuated him on that memorable occasion, he was influenced by a piece of private and highly interesting intelligence communicated to him shortly after the 14th of July the Grand Duke of Saxe Weimar was in a position to advise Napoleon III. of the existence of Italian conspiracy, consisting of a number of young men who had sworn to take his life were the recovery of Venice prevented by his interference. The immediate and diligently set on foot by the secret police of France confirmed the statement volunteered by the Weimar potentate. My informant supposes, but it is not certain, that the letter derived his knowledge from persons of high trust at the court.

A Lynchburg paper reports the matrimonial market very dull. Sweet sixteens have been most active, going at "previous figures," but there is no buoyancy to prices or demand. Misses of "ages" are weak, with a slow demand, widows on the decline, unmarried aunts dull; old maids very flat.

An American and an English sailor were lately before a London magistrate for profanity—the American for cursing her Majesty, and the Englishman for using blasphemous language. The American was fined $5 for cursing a monarch to whom he owed no allegiance, while the Britisher was fined $4 for swearing his creator.

Two proud and sensitive Parisian journalists, representatives of the *Opinion Nationale* and the *Liberté*, lately made arrangements for a duel, the cause being a statement in the *Opinion* that the "writings of the *Liberté* amounted to nothing more than pot-house conversations." As this was construed to be a libel at the whole staff of the *Liberté*, they cast lots for the championship, and the parties in due time met, swords in hand. But instead of a duel the affair resulted in a mill, or a "knock down, and a general disperment.

A Philadelphia Bohemian is responsible for the following particulars of a very decided "sell:" A well known merchant in Chestnut street had a large mastiff—an habitue of the store for years, and noted for his gentleness by day and vigilance by night. But age came on apace and the poor but faithful dog was relieved by death of his infirmities. There being no place for interment on the premises, and no one willing to act as sexton, a novel experiment was adopted. The remains were carefully packed in a three box inlaid with straw and brick and with the address "A. T. Stewart & Co., N. Y." was left upon the sidewalk at night, the watchman being let into the secret. About one o'clock next morning a horse with muffled feet, attached to a furniture cart, slowly approached, when two men sprang quickly from their seats, seized the box and drove rapidly away to the quarters of the dog. The captors on opening their plunder is reserved for the illustrated papers. No arrests have been made.

The *National Intelligencer* publishes the names of a hundred distinguished Federal Generals who support President Johnson's reconstruction policy, and also publishes the names of the generals who oppose the President, about twenty in number, headed by Generals Butler, Banks, Schurz, Sigel and Schenck.

PRUSSIA AND SAXONY.—The long negotiations between Prussia and Saxony have, as every body expected, ended in the acceptance by Saxony of the Prussian demands. The Atlantic Telegraph informs us that the fortress of Koenigstein has been ceded to Prussia. This disposes effectually and forever of the destiny of Saxony. She is in time of war entirely at the mercy of Prussia, and the annexation of her territory will be only a question of a few years.

THE FENIAN TRIALS AND EXCITEMENT—*Buffalo*, Oct. 25.—The *Courier*, of this city, has a special special dispatch from Toronto, which says that Col. Lynch, the Fenian prisoner, is to be hung on the 12th of December; that great excitement prevails over the sentence, but the people seem to concur in it, and will oppose any attempt at rescue.

Rev. Mr. Lesueur is to be tried to-morrow.

John Bright delivered a telling oration a "monster" demonstration last week. He advocates universal suffrage and as ultimate end of the people of England and America. He assert at a "descent from the Conqueror" may be regarded as a first warning to the hereditary aristocracy as a class, and a preliminary to an attack on the law of primogeniture.

A young lady of New Orleans, Miss Hanck, has created a sensation in New York, as prima donna in Italian opera. She made her *debut* at the Brooklyn Opera House as Amina, in "La Sonnambula," and is said to be very pretty and graceful.

VOTE OF OHIO.—The majority of Smith (Republican) for Secretary of State is 63,000, out of a total vote of 600,000.

BY TELEGRAPH.

[To the New Orleans Sun.]

The Baltimore Commissioners.

The Canadian Press on the Fenian Trials.

News by the Cable.

Proposed Extension of the Line to Boston.

The Tolls to be Reduced.

Attempt to Shoot the Austrian Emperor.

Liverpool Cotton Market Steady.

Cotton Heavy—Gold 146 5-8 in New York.

Miscellaneous Intelligence.

Washington, Oct. 31.—The funeral service of Miss Pauline Seward was performed this evening. The President and members of the Cabinet attended. The remains were sent to Auburn in a special car.

Washington, Oct. 31.—The Government has decided not to sell any of the iron-clads to any parties whomsever.

The funeral of the daughter of Secretary Seward took place this afternoon. It was attended by the President, all the members of the Cabinet, foreign Ministers, Gen. Grant, Lieut. Gen. Sherman and other distinguished personages.

New York, Oct. 31—Evening.—Gold closed at 146¾; Treasuries 106¼; 5-20's 114¼. Cotton closed heavy with sales of 1700 bales Middling at 38½ to 40½c. Flour firmer; sales 5500 bls Southern at $12 86 to $17. Wheat 8 cts higher. Oats 1c lower. Pork firmer; sales 6750 bls Mess at $24 50 to $26. Lard lower at 13¾c to 15¾c. Rice steady; sales 500 tces Rangoon at $9 to $9 50. Coffee and Molasses firm. Spirits of Turpentine 83 to 83c. Rosin $8 75 to $12.

New York, Oct. 31.—A large and enthusiastic Democratic mass meeting was held at the Cooper Institute last night, to ratify the nomination of Hoffman for Governor. The utmost enthusiasm prevailed. The Radicals had a large meeting at the Fifth Ward Hotel, to ratify the nomination of Mr. Greely for Congress.

Philadelphia, Oct. 31.—Arrived, steamers Whitwind, from Charleston, and Pioneer, from Washington.

Baltimore, Oct. 31.—The trial of the Commissioners is still progressing. All parties are very anxious to get through with the trial. The Governor remarked that if necessary he would sit up until midnight to accomodate the Counsel. The counsel for the Commissioners desire to argue the case.

Montreal, Oct. 31.—At a public dinner party last night, General Sir John Michel, the commander in chief, made a speech recommending the fortification of Montreal, Kingston and points West, also that the volunteer government be extended over the entire of British America. The Canadian papers are discussing Seward's letter and the tone of the American Press on the Fenian tricks. They say their threats will do the prisoners more harm than good.

Louisville, Oct. 31.—Mr. Beatie is convalescent and considered out of danger.

Cincinnati, Oct. 31.—Flour very firm and in good demand at $10 50 to $11 25 for Superfine; trade brands $12 50 to $14 50; Fancy $15 to $15 50. Wheat firm at $2 43 to $2 65. Oats 53c. Corn excited at 95c; sales at 90c; for sold at 60c. There is a firmer feeling in Provisions; the stock of old pork is small, and Bulk Sides are exhausted. Shoulders held at 13½c loose—no sales. Bacon sides 18½c for Clear; 18½c for Ribbed. Shoulders 16½c. Lard 16c but advanced 9c at the close. Pork sold at $32, new sold at $28. Hogs in light supply at $6 75. Gold 145¾.

St. Louis, Oct. 31.—Flour and Wheat very firm and unchanged. Corn active and higher at $1 08 to $1 13 for Mixed and Yellow; $1 15 to $1 17 for White Oats; advanced to 53 to 56c. Pork $32. Contracts are made for January delivery at $25. Bacon unchanged. Lard 16c for prime three. Whisky unchanged.

Pittsburg, Oct. 31.—The river is 12 feet 6 inches by the mark, and rising. Weather cloudy and cold.

London, Monday, Oct. 29.—The latest advices from Candia say that fighting between the Christians and the Turkish army continues.

In consequence of the bad condition of the telegraph lines in Newfoundland it is proposed by the Anglo-American Telegraph Company to cable from Placentia Bay to Halifax and Boston. The tolls upon the dispatches on the cable will be reduced one half on November first.

London, Tuesday, Oct. 30.—The *Times* again urges the reference of the claims of the United States for the property destroyed by the Alabama to a joint commission, and thinks it would be an act of policy, if not of justice.

London, Oct. 29.—The money market is unchanged. Consols are stated at 89¼ and United States 5-20's at 68¾.

London, Oct. 30.—Consols 89¼, U. S. 5-20's 68¾.

Liverpool, Oct. 29.—Cotton is steady. The sales were 10,000 bales. Middling Uplands are quoted at 15d. Breadstuffs are firm. Lard is unchanged.

Liverpool, Oct. 30.—Cotton is quiet but steady. The sales to-day amounted to 1000 bales. Middling Uplands closed at 15d.

Liverpool, Oct. 30.—Pork is declining. Breadstuffs are firm.

Prague, Saturday, Oct. 27.—An attempt was made to shoot the Emperor Francis Joseph, on leaving the theatre this evening. The culprit aimed his pistol at the Kaiser, but before the ball was fired he was seized by an Englishman and placed under arrest.

Berlin, Tuesday, Oct. 30.—The King has directed the celebration of a solemn fete, on the 11th of November, for the restoration of peace.

Southampton, Monday, Oct. 29.—Arrived, Teutonia, from New York on the 6th.

Southampton, Oct. 30.—The steamship Antwerpen, from New York on the 20th, has arrived.

Manchester, Oct. 30.—The market for goods and yarns is flat.

Queenstown, Monday, Oct. 29.—Arrived, steamer City of Cork, from New York.

Queenstown, Tuesday, Oct. 30.—The steamships City of Dublin and City of Boston, from New York, have arrived.

Glasgow, Oct. 30.—The steamship Hibernian, from New York on the 20th, has arrived.

Vicksburg, Oct. 31.—Passed down, Louisville at 1 Indiana at 2, Columbiana at 4 A. M., and Ruth at 5 P. M.; and up, Continental at 8 P. M.

Southport Pass, Oct. 31.—Steamship Reindeer, from Indianola and Lavaca, passed up at 1 P. M. Brig Hope and Schr Beaver went up in tow at 11 A. M. Weather calm and cool. Tide rising fast.

[Associated Press Dispatches—last evening.]

Gen. Sherman's Mission—Gold from California—Fire at Aspinwall—An Episcopal Church Burned by Fenians—From Southwest Pass—New York Markets.

New York, Oct 31.—The Washington correspondent of the *Times* says Gen. Sherman has accepted a military and diplomatic mission to Mexico. Judge Campbell and Col. Campbell, our new Minister to Mexico.

Gold 146½. Sterling nominal, at 109½ for sixty day and 110½ for sight.

Cotton very dull and unchanged. Flour firm at $12 80 to $17. Wheat 3 to 5c. better. Corn at 2 to 3c lower. Pork firm at $35. Lard quiet at 14 to 16c.

The steamer Arizona, from Aspinwall, arrived this morning. She brings $1,250,000 in treasure.

The French war steamer Talisman has arrived at Panama, from Mexico, with a large number of sick and wounded, who were placed in the foreign hospital, and the vessel sailed again for Mexico.

There was a serious conflagration at Aspinwall on the 19th. The United States Hotel was destroyed. Residence has decided to remain neutral in the war between Spain, Peru and Chili.

Toronto, Oct. 31.—The Episcopal church at Brantford, Canada West, was robbed by the Fenians on hearing of the sentence of Lynch and Mulvihill.

Southport Pass, Oct. 31.—Ship ship J. H. Kyteson, Gardner, master, fourteen days from New York, with a general cargo, to Lovell & Bailey, went in tow at 6 P. M. yesterday.

The steamship St. Mary went to sea at 6:30 A. M. Steamship Eagle went to sea at 11 A. M.

Arrived this morning, brig Hope, five days from Havana, with 262 hhds. and 40 tierces of molasses to Puig Bros.

Brig Brentmar, Posmer, master, sixteen days from Manatlan, bound to Falmouth, with a cargo of mahogany, put in here this morning in distress, having lost her rudder.

Weather clear and cool; wind north, light. Tide low.

PRINCE JOHN.—The story is told of John Van Buren that, when introduced to the young Queen of England, before she had designated her "dear, good cousin, Prince Albert," as her husband, he, instead of kissing her hand, gave her a kiss, warm kiss on the lips, a liberty which, despite its entrapmentness, does not seem to have marred the harmony of their subsequent acquaintance. Whether it was that Queen Victoria changed her mind, or that Prince John did not think the proposition eligible, certainly America lost the precious opportunity of supplying sovereignty for the British throne.

At Lyons, a process has been adopted for photographing upon silk, linen, and other articles. Small pennons have their portraits upon their linen fastened of having is marked with their name or initials. In the silk shops various articles are exhibited photographed with mottoes and device. The prints are not at all injured by washing. The process is easily and rapidly effected.

AMUSEMENTS.

VARIETIES THEATRE.—We have rarely seen a more gratified audience than that which witnessed the representation of "As You Like It" last night. The performance went off smoothly. The *mise en scène* was in no ways inferior to that to which the public have already learnt to expect from the hands of the gains-taking "Varieties" stage manager, and the main characters were, on the whole, faithfully rendered.

Mr. Carden's *Jaques* was of notable merit. *Jaques* belongs, by the way, to that class of characters in which we have already had occasion to notice that Mr. Carden finds himself most at home. The Philosopher of the Forest of Arden is nothing more than a creature of conceits. He has no motive power but his spleen; no faith but an overshadowing one in his own excellencies, and he would as soon think of abandoning his crotchets as of falling into the ways of other men, or of playing "Sir Politicus" to any mortal like himself. The actor who personates *Jaques* correctly should not be easy; he need only be fanciful. Mr. Carden's conception of the character was critically good. His handling of it was excellent.

Mrs. Chanfrau's *Rosalind* was couched in her liveliest vein. Both in appearance (being above the common tall) and demeanour, she gave zest to the mocking, and yet tender mistress of the happy lady who could so ill counterfeit the strength of manhood. The passages between her and *Orlando* were delivered with cheering point. Miss Prentice's *Celia* was a pleasant companion to *Rosalind*. Mrs. Leigh-ton as *Audrey*, gave a deserved prominence to a character which is among the best of the humbler creatures of Shakspeare. Her lover—that anomaly of self, and sparkling under a shower a cap and bells—was fairly united with Fake. *Touchstone's* taster put him with the lower classes—rub his amours with *Audrey*. His curious reading and native wit undoubtedly class him with the higher—rub his spicy encounters with *Jaques*. Mr. Jutho's burlesque was not far fetched, and assorted well with the oddities of the part. We recollect few things more comic than his classification of the degrees of the lie in the last act. Full justice was rendered by Messrs. Hardy and Blondin to the comparatively insignificant characters of the *Banished Duke* and *Duke Frederick*; and Mr. Pearson made a creditable debut. Mr. Davenport's *Orlando* we regard on the whole as unequal. He was decidedly good as the verse struck lower, making the very trees bubble of his delivery. But we did not think him sufficiently collected or simple in the opening scenes with *Oliver*, or when measuring his strength with *Charles, the Wrestler* in the second act.

Tonight will be presented the beautiful play of the "Lady of Lyons," which will be followed by the farce of the "Loan of a Lover." Mr. Carden and Mrs. Chanfrau take, of course, the principal points in the play. Add to this, the fantastic play of Big Bill on the stage, which has proved a real tit bit to the lovers of music; and it is evident that the bill could not well be either more varied or more enterlaining.

ST. CHARLES THEATRE.—"Bocambolo" was repeated last night to a large house, and passed off as well as its previous representation. We have already given our opinion of the play, and of the manner in which Mr Eddy and Mrs Irving have embodied the parts of *Bocambolo* and *Baccarat*. As the rest, Mr Collins is especially striking as *Andrew*. We are pleased, by the way, to express an appreciation of the carefulness with which Mr Collins always applies himself to his personations. Mrs. Pierce is a capable *Mad Pippart*. The other character are undeserving of special mention. We regret that we cannot commend Mr. Winter's *Armand*. The fact is, Mr. Winter appears to us to suffer under a radically bad stage delivery. He does not seem to adjustand thus the stage voice in affect, not only higher, in *key*, than the ordinary voice, but precisely similar in *tone*. Mr. Winter is evidently a conscientious actor; and it is, therefore, in a spirit of kindness that we urge him against this want of naturalness. Unless he strives to correct it, his efforts at success can only end in failure. The public can never be brought to like a delivery that was not only not natural, but is, in itself, fearfully significant of the mysteries of dead vaults and charnel-houses.

ACADEMY OF MUSIC.—The performances, last night, were a palpable lift. The duet by Miles Emelina and Alice Zawiszewski—the exemplification of the clever art of Ethiopian delineation by the Christmasses of that land so rich in poetry and humors—the *Pas Dansante* that called out the talent of the Terschbereans—the exquisite Mazurka by Mlle Christine—the Caledonian *Pas de Deux* by the Clinton—the "Impending Crisis," a grave political theme told in his best style, and with his most solemn look, by Stephen Bel, and the "Honeymoon" by Mr. Wallace, to crown them all—all elicited hearty and repeated applause. Bob Hart's premise effort, by the way, was specially admired. The fact is, Bob could not have spoken more to the point had he been in Congress.

ARRIVAL OF THE HANLON BROTHERS AND TROUPE.—These celebrated gymnasts arrived here last night by the Jackson Railroad. Owing to the detention of their apparatus, they will not be able to appear at the "Academy" until next week, when they are announced. The Hanlon party embrace the three Brothers Thomas, Edward and Frederick Hanlon, and the Delgrits and Caron families, each noted for their agility and skill. The well known agile and versatile pantomimists and athlete, Manager Bidwell announces their first appearance for Saturday evening. The arrival of these noted artists will, doubtless, create a flutter of excitement among all the lovers of those sports, which attract by their elegance, while they wear up the nerves.

Mr. Bidwell is determined that his patrons shall not suffer from this disappointment, and announces a bill of the most attractive kind, which will introduce several new artists, recently arrived from New York on the Morning star. We would advise our readers to test their merits for themselves.

ASTHMA is one of the most distressing complaints which afflicts man. Rarely fatal but agonizing in the extreme. We ask a simple question. Why suffer when relief is within reach? *MOFFAT'S PECTORAL BALM* has relieved every case and cured thousands.

The Movement for the Removal of the Police Commissioners.

The Committee appointed by the Democratic Conservative Convention of Baltimore, to present the memorial to Gov. Swann, asking him to remove from office the Police Commissioners of Baltimore, on alleged charges of malfeasance in office, waited on the Governor at Annapolis, on Thursday. Geo W Herring, Esq. spoke for the Committee, remarking the charges which have been preferred against the Commissioners, and presenting the memorial signed by ten thousand persons asking their removal and containing a large number of affidavits of official misconduct on their part, and on the part of their agents or employes.

In reply, Governor Swann said:

Gentlemen of the Committee—I regret most exceedingly the cause which has brought you here to day. It must be understood that I am the Governor of the State of Maryland and not a party. In the discharge of my duty I will know the interest of no party, but the interest of the whole State. Coming, as you do, from a city which has large a portion of the people of the State, with affidavit of your complaint, I am bound to receive you with respect. I will not refer to the past nor the present. I am here to examine the testimony laid before me, and am bound to dispose of that testimony with impartiality. The Constitution of the State must be respected, and the laws of the State must be respected without fear, favor or affection. I will give prompt consideration to the subject and I know that the rights of every citizen, from the highest to the lowest, shall be respected.

As stated by telegraph, Gov Swann, on Thursday night, sent a dispatch citing the Commissioners, Samuel Hindes and Nicholas L. Wood, to appear before him on Monday next.

A Radical Convention in Baltimore, on the same evening, called to nominate delegates to the Assembly, unanimously adopted resolutions calling upon the Commissioners to maintain their position and not to surrender the loyal interest of the State to the hands of traitors who may fear of disturbance or conflict. The following were among the resolutions adopted

That in the judgment of this Convention the attempt of the Governor, at the suggestion of rebels, to control the coming election by the removal of our Police Commissioners without a trial by jury—the birthright of every citizen—is an usurpation of authority never before attempted in Maryland, and will be resisted by force by every loyal man in the city

That if the Police Commissioners have been guilty of official misconduct, the Courts are open, and the fact may be judicially determined; but the loyal men of Baltimore will not submit to any rash attempt to set justice aside for the sake of accomplishing a partisan purpose.

That we recommend the wards to organize, that the people of this city may not again be surprised by the traitors who perpetrated the outrages of the 19th of April, 1861.

A General has a right to be a candidate in anybody's district. *Vide* General Butler.

CITY INTELLIGENCE.

ALL SAINTS DAY.—This is the day on which the holy sacrifice of mass is offered to God in all our churches, and on which the Church most solemn *dereliction* of affectionate remembrance to the dead cause our cemeteries to be visited by thousands, especially of those who have deposited the remains of departed friends in their last resting place on earth, and seek to perpetuate their memories by the bestowal of *immortelles* and other tokens of regard upon their graves. Beautiful and touching indeed will be the ceremonies as kneeling within the hallowed precincts of the church, or embracing the cold by urns of the dead, tears of affection are shed, and devoted prayers expressed for the repose of the spirits of the departed.

Charge Dismissed.—The case of W. H. King, late partner with C. Isard, and charged by him with embezzlement to the amount of $5000 $1000, was investigated last night before Recorder Baker and dismissed, on the ground that the Redditgate case was dismissed by Judge Abell, viz: that the parties being partners no embezzlement was shown.

A Tot Case.—A case in the Third District Court was begun by the Assistant City Attorney yesterday, involving the law of the last session of the Legislature in regard to the property during the time the same may have been taken possession of by the Government for military purposes. Mr. Bernsacker argued that the act of last session in question was unconstitutional, and the case will doubtless be taken before the Supreme Court to test the matter.

Fire.—Sergeant Lephere reports that at about 2½ P. M. a fire broke out in the rag store, No. 24 and 25 Carondelet Walk, kept by D. Mingo. The fire was caused by some rags catching fire, or, as it supposed, hatched out on fire by its accompany. Damage trifling.

Burglary.—The coffee-house, corner Jackson and Water streets, Fourth District, was entered Sunday night and 2000 stolen therefrom by a gang of Robert Harrison Washington, who was arrested by Lieut. Sheehan and the property recovered.

Cutting.—Leon Tomatic, colored, was arrested yesterday, charged with cutting and shooting at Francis Silvera, colored, with intent to kill. He is keeper of the "Young America" coffeehouse, corner of Hazin and Bienville streets.

First District Court—Judge Abell.—District Attorney Lazenberg, yesterday, filed informations as follows: E. R. Hartley, embezzlement; John Delacey and Patrick Keenan, feloniously entering a vessel; Wm. Hy. Jones and Wm. Fernandez, burglary; Perry Gibbs, robbery and others of less importance. Also, against the following colored persons: J. Ronsaw, stabbing to murder; Sarah Wright and Lizzie Whitehead, assault to kill; Bird Johnson, assault to murder and a few others for minor offences.

The cases of James Gallaghan, charged with stabbing to murder and John Conroy, Pat Garvey and Finley Patten, respectively charged with assault and battery were dismissed by *nol pros*.

Edward Cade, through Counsel C. M. Bradford, Esq., took a rule on N. Newton Sherburne to deliver to him the papers in his case relating to certain title deeds to property in Texas. Sherburne was Cade's attorney in a criminal prosecution, and was to have procured bail for Cade who was imprisoned on some charge, but was subsequently discharged by *nol pros* through the assistance of another lawyer. Sherburne refused to give up the papers, it is alleged, unless he is paid a fee of $100, which Cade objects to paying. The rule was made returnable next Saturday.

Recorder Abell's Court—Pat Lawler for knocking down Josephine Goodwin on the steamer Emma, in the New Basin, was fined $20.

Antoine Dorone for assault and battery with a "barrel" on John, on the 9th of September, at 123 Hurlson street, was sent before the First District Court for trial.

Gabriel Williams, a colored chicken thief, and Mary Willis, a colored associate, were sent to the Workhouse for ninety days.

Charles E. Clark and Obediah Smith, of the First United States Infantry, charged with robbing Adora Ritter of two watches in an hat store, 26 Hospital street, were turned over to the military authorities.

Recorder Gaston's Court—Cora Williams, for violent assault and battery in kicking Stella Hart, was yesterday fined $30 with the alternative of 30 days in the Parish Prison.

P. Lucas, charged with unlawfully taking possession of $3000 worth of jewelry at the vacant succession of A. Luzenberg was discharged, the property appearing to have been in his possession before the death of Luzenburg.

Mary Tillman and Lizzie Richards, charged with robbing James C. Wilson of $100 in gold, in a house in Bacon street, was sent for trial before the First District Court.

James J. Forney was also sent before the same court, for a violent assault on A. Levisson.