NEW ORLEANS DAILY BEE.

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TERMS OF THE BEE.
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Weekly Edition.
TERMS—PER YEAR.....$5.

NEW ORLEANS:
SATURDAY MORNING, MARCH 9, 1872.

Amusements This Evening.

OPERA HOUSE—"Les Huguenots."
VARIETIES THEATRE—At noon, "Marble Heart." At night, "Richard III."
ST. CHARLES THEATRE—At noon and at night, "King of Commons."
ACADEMY OF MUSIC—At noon, "La Belle Helene." At night, "Le Perichole."

THE MANIFESTO OF THE REFORM PARTY.

The address of W. M. Randolph, charged with the formation of a committee for the Reform party, does not invite criticism nor recommend itself by any special merit. It is a statement of the attitude and aims of the Reform party, but presents no argument to convince the people that the Democratic party is unwilling or unable to redeem its oft repeated pledges that no effort will be spared to rescue the State and city from official corruption. As to principle or political theories are involved but the plain simple issue is honest administration of our city and State affairs, upon what ground would the Reform party stand? What appeals could it make to the people, if the Democratic party should nominate honest, capable and respected men for State offices? Men whose hands are unstained by any interest in the corrupt legislation of the past few years and whom the people would enthusiastically support as standard bearers? In such a contingency would the leaders of the Reform party assume the responsibility of creating dissension among our people? and would they expose themselves to the suspicion of attempting to reform the Democratic party out of existence to subserve personal ends or to advance the interests of Gov. Warmoth now supposed to be our common enemy? For be it from our purpose to arraign the motives of the *present* leaders of this Reform movement. We commend their efforts in awakening from political somnolency the wealthy classes of our people. We applaud this new-born zeal to discharge the common duties of citizenship. That the influence of wealth and respectability should at last be felt in the direction and control of public affairs, we accept as a good omen. But we caution prudence and, above all, moderation. The creation and management of a new party are attended with great difficulties and dangers, particularly when this new party proposes to march on lines parallel with a powerful party already in the field, and when the process of absorption is attempted. Unfounded criticism, self-asserted superiority, an untried popularity, must not be considered as outweighing the earnestness, the power, the prestige of the Democratic party. True to the traditions of their party, Democrats say that they will abide by the decision of their Convention. When that decision will be proclaimed, it will be time enough to arraign the course and policy of the party. What has been done up to this time is to call a convention to whom will be remitted the party in its integrity, with its efficiency and its machinery. At that time political sagacity will easily appreciate the temper of the people, the difficulties of the situation and the true status of the Reform party. If Governor Warmoth has secret friends and supporters in the Reform party, they will have thrown off their disguise. If the leadership of the Reform party, through mismanagement and want of political skill is to lapse into the outstretched hands of his sycophantic henchmen, those who are abusing him with their lips but whose brains are working for his personal advancement, the fact will be known. We warn those respectable gentlemen that this is a serious danger. The Democratic party will not incur the slightest risk in that direction. It has proclaimed its determination to overthrow this infamous man; it knows his mode of warfare, it has watched the cunning of his secret supporters and it renders a service to the Reform party whose alliance it neither courts nor rejects by giving them this timely warning. This danger becomes the more apparent since the Governor has had himself "interviewed," for what purpose the public do not clearly understand. Let the Reform party prepare itself to reject as an insult any overture made by the Governor for he will make none to the Democratic party or the Grant party. Let those who guide the Reform party hold the reins with a firm grasp. Let them beware that from the country their Convention is not flooded by delegates representing the "pap" influence of His Excellency. Let them distrust newspapers whose abuse of the Democratic party is by no means intended to promote the interests and success of the Reform party, and when the time for political action comes, and the Reform party shall have unexpectedly assumed the proportions of strength to entitle it to negotiate, it will have the moral power of being unpolluted by unfit political association.

COL. HOLT'S LECTURE.—A large and select assemblage of ladies and gentlemen of our city, attended the lecture of Col. Holt last night at Lyceum Hall. His theme was "The Condition of Southern Society as It Was and as It Is." Col. Holt treated the subject in a masterly manner. A philosopher and a humorist, he depicted the manners and the habits of our people with the hand of an artist. His lecture was entirely worthy of the genius of the author of "Abraham Page" and "Ben Eccles," works which establish the reputation of Col. Holt as a novelist and portrayer of the manners of the people of the South in our time, and a writer of high rank.

We observe the arrival in our city of General G. W. Custis Lee, President of Washington-Lee University, Lexington, Virginia, who visits New Orleans at this time chiefly for the purpose of qualifying himself as Executor of the will of the late Robert H. Bayly, who left in his will the sum of Twenty Thousand Dollars to Washington-Lee University.

General Lee is the eldest son of the late General Robert E. Lee. During the late war he acted as Aid on the Staff of President Jefferson Davis.

BARREL-LOADING GUNS.—In another column will be found an advertisement of Mr. F. Charleville, dealer in guns, fishing tackle and other articles used by sportsmen, at No. 56 St. Charles street. Superior fowling pieces made by the finest manufacturers in the world, kept at this establishment.

BILLIARD EXHIBITION.—We direct the attention of billiard players and other friends of the game to the announcement in another column of this issue, that Messrs. John and Henry Miller have removed from Gravier street to the corner of St. Charles and Common streets.

ADVERTISEMENTS.

ACADEMY OF MUSIC.—The *Academy* was packed last night at Mlle. Aimee's benefit, when she appeared as "Lucia di Lamermoor." There needed no enhancement in the desire to see her performances, no matter how often they are repeated. At matinée to-day she gives "La Belle Helene," and at night "Le Perichole."

VARIETIES THEATRE.—Mr. Barrett, who had a good house last night to witness his Hamlet, when the audience paid the performance the best compliment by fixing it their whole attention, plays Lucius at the matinée in "Marble Heart," and at night in "Richard the Third," the letter of which, we believe, he renders for the first time before a New Orleans audience.

ST. CHARLES THEATRE.—"The King of the Commons," which Mr. Wallack played for his benefit last night and which was much applauded, will be repeated at matinée to-day and again at night.

TWENTY-FIVE CENTS.—This amount will buy a bottle of Mrs. Winslow's Syrup, the great soothing remedy for all diseases incident to infancy and childhood.

The New Orleans Bee.

OFFICE 73 CHARTRES STREET. NEW ORLEANS, SATURDAY M[illegible] YEAR—No. XLV.—Whole—13,614

CITY INTELLIGENCE.

The Tom Norden Case in the Supreme Court.—The Prisoner Discharged.—Upon the opening of the Supreme Court, yesterday, Justice Taliaferro read the following opinion in this case. Chief Justice Ludeling and Justice Howe concurring, and Mr. Van Norden, who appeared in charge of the Civil Sheriff, Mr. Sauvinet, was discharged. The Justice having stated the facts which have been repeatedly stated in the newspapers, argues thus:

1. Is this court or any of the judges comprising it vested with power to issue the writ of habeas corpus prayed for in this case, and to maintain jurisdiction of the matter presented by the petition of the relator?

2. Has the Governor of the State the power to grant a pardon to a party sentenced to imprisonment by a court for contempt of its authority? Article 73 of the code of practice provides, that the Supreme Court and each of the Judges thereof, shall have power to issue writs of habeas corpus at the instance of persons in actual custody, in cases when they may have appellate jurisdiction, and

Article 77 of the Constitution gives to the Supreme Court the power of issuing a writ of habeas corpus at the instance of persons in custody in cases where the court has appellate jurisdiction.

We regard the order under which the relator is held as a part of the proceedings in the case of Lewis vs. Van Norden. It is an order consequent upon the proceedings in that case, for it grew out of it. It is not easy to disconnect them from each other, for the order is not isolated from the main action, but forms a part of it. If there were even a doubt concerning this matter, the case, as involving the personal liberty of the party, would make it the duty of the court to assume jurisdiction. The court has certainly appellate jurisdiction, for in his petition the relator avers that if the order be carried into effect, it will damage him to an extent of over $500.

2. Has the Governor the prerogative of issuing a pardon in case of contempt of court?

There is no article in the Constitution which satisfies us in believing that he is *not invested* with the power. There is nothing in the Constitution which makes an exception to the limit of this pardoning power. From 4th vol. Attorney General's reports, fol. 458; 5th vol., fol. 579, same authorities, and Blatchford's reports, vol. 7, fol. 24, we are clearly satisfied that the President is clothed with unexceptional power to pardon, and its analogy to the power held by the Executive of a State is very strong.

There being no exception to preclude its use, we recognize the full pardoning power of the Governor.

That the offense of a contempt of court should be punished, no one can question, but that the offense cannot be pardoned, is an opinion which does not rest on a sound basis.

It is an offense against the State, and not merely against the Judge for the court in which it is committed. The offense belongs to the State, acting through a branch of its government.

The pardoning power, we admit, should be used with the utmost discrimination and delicacy, yet it is none the less absolute. As in many instances, the punishment inflicted for a contempt of court might be at times unjust, it is meet that there should be provided a check to control what might be the decree of a tyrannical Judge.

In 1844 Walter Hickey was fined and imprisoned in one of the courts of Mississippi for a contempt of one of the tribunals of that State. He was pardoned by Governor A. G. Brown, but was immediately rearrested, and the case upon being taken to the High Court of Appeals resulted in the release of the prisoner.

The opinion of the court, delivered through Justice Sharkey, was unanimous, and held that the action in admitting, vested in the Governor, became a contempt of court was a public wrong, and not one committed against the Judge as an individual.

In decreeing the release of the relator, Justice Taliaferro remarked: "We do not propose to pass upon the act of granting the pardon in this, nor to pronounce it discreet or otherwise: but as the relator claims his release under that pardon, he must be discharged from custody."

B. T. Walshe vs. The Canal and Claiborne Street Railroad Co.—Seventh District Court—Judge Colleau.—Plaintiff was a vendor of the right of way for the road of the defendant and, in consideration thereof, was to receive one hundred shares of the stock of the company, which shares were to be of the nominal dollars each. When seventy-five dollars per share had been paid by the subscribers the directors declared the stock fully paid, and certificates were issued to plaintiff the same as were issued to subscribers, that is, certificates nominally for $100, but really only for $75. Plaintiff said the company for the balance of his per share, that is, $300 on one hundred shares. At the instance of the directors the matter was compromised yesterday, was tried by a jury, who, after being out a few minutes, rendered a verdict for plaintiff for the amount claimed, with interest and costs. Hornor & Benedict, for plaintiff; H. D. Ogden, for defendant.

Coroner's Inquest—Death Supposed to have been Caused by a Street Rail-Road Car Running Over the Person.—An inquest was begun by Coroner Creagh, yesterday, at the Charity Hospital, over the body of Charles Joseph Boehl, a German, aged two years of age, who was brought to the Hospital, wounded, on Wednesday night, very late, and who died of the wounds yesterday morning.

He was found lying on the track of the Orleans Railroad Company, between St. Philip and Dumaine streets, and was in a state of insensibility, from intoxication, it was said. He was suffering from several terrible contusions, but up to the moment of his death he was unable to account for the wounds. Four ribs on the right side, the right thigh, and his jaw were broken, and the left collar bone was dislocated. He was a vendor of Havana lottery tickets, and as he had seventy-dollars in currency on his person, and a number of lottery tickets, it is not reasonable to suppose that he had been attacked for the purpose of robbing him. It is supposed that he was run over by a car, and the Coroner has therefore continued the investigation until Monday, in the hope of eliciting that will throw light upon the subject.

First District Court, Friday, March 8th—John Davis, colored, for larceny, was sentenced to one day in the Parish Prison. Harry Johnson was convicted of assault and battery. George White, accused of larceny, failed to appear, and his bond was declared forfeited. Jack Green was found guilty of assaulting George Jackson with a dangerous weapon, but, being recommended to mercy by the jury, he was sentenced to only one day in the Parish Prison. Peter Connolly and James Harris, each pleaded guilty of a separate larceny. Thomas Kersey pleaded guilty of carrying a concealed weapon, and was sentenced to pay a fine of $25.

Steam Fleets and Future Wars.

Vernon Harcourt contributes to the London *Times* an extended comparison between the England of 1869 and the England of 1872, and treats of one interesting point as follows:

I shall be told, perhaps, that steam has altered the conditions since 1805. Why, I thought if any one thing was more proved by experience than another it was that steam is all on the side of the superior naval force. In old days the same wind which blew off the blockading squadron blew out the blockaded fleet. It was thus possible for a squadron to escape unobserved. But the experience of the American civil war shows the infinitely superior power of a steam blockade. A ship here and there may get out or in, but the escape of a fleet, still less of a flotilla, without an action would be impossible. If Napoleon had existed, would Napoleon have ever got to Egypt? Conceive what would happen if we were at war with French and Russian. Every hole and corner of the North Sea would be blockaded under the cover of a superior fleet, which would protect the cruisers who beat swift fleetings of every movement of the enemy. How are the 36 ships and the covering fleet which would be required to carry even 50,000 men to get away by stealth!

I hear it said the British fleet is to be decoyed away; but why is it to be decoyed? Surely we should know where the North Sea flotilla is collected and where the North Sea fleet lies. The place of the British fleet must be in front of the enemy while he is at sea, and in harbor, and in the midst of him when he is at sea. You might just as well talk of the French "decoying way" the British army and then conquering Germany; or have proposed in 1862 to keep 100,000 men in Boston lest Jefferson Davis should have landed a similar force in Massachusetts. You say invasions have happened and may happen again. Yes, sir, invasions have happened; but there are invasions which have happened; No such thing as the invasion of England has ever happened. All the invasions which have happened have been either land invasions or invasions where the fleet of the invaded power could not keep the sea.

No such thing has ever occurred as the invasion of a country which possessed a fleet, also, I will not say to the sender, but even to show fight. Philip II. tried it with the Armada, and we know what came of it. After preparing a second armada for two years it appears was ready to sail to attempt it. The differences between England and the invasion are essential and material. You may assemble an army and march it over a frontier in a fortnight, and take people unprepared; but no expenditure of power in the world could not provide the means for the embarkation of 50,000 men under cover of the navy, but England; and further, if it could, could possibly do it under years of preparation.

Intelligence concerning the movements of the Commercial Society show that a very good general activity prevails among the members of the Society, and that preparations are in progress for the coming season. The Commercial Society, in its efforts, seeks to establish a line of steamships, to ply in Pensacola, and in connection with other lines of steamships, to ply between Pensacola and Mobile, and Mobile and New Orleans, and thence to Galveston, Texas, and Vera Cruz, Mexico. The Society has also in view the establishment of a line of steamships to ply between Pensacola and Havana, Cuba, and Vera Cruz, Mexico, and Havana, Cuba, and Mobile, Pensacola