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NEW ORLEANS:
SATURDAY MORNING, SEPT. 19, 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 F. PERRET, of Jefferson.
JUDGE J. M. LEA, of Orleans.

District Electors:

First Congressional District	A. BAMBOLA.
Second " "	M. B. BRADY.
Third " "	A. S. HERSON.
Fourth " "	A. DESLANG.
Fifth " "	N. D. COLEMAN.
ALTERNATES:	
First Congressional District	T. P. SHERBURNE.
Second " "	GEO. W. RACE.
Third " "	J. M. REMBARD.
Fourth " "	E. N. CULLOM.
Fifth " "	W. R. BLACKMAN.
	J. M. BRIGHAM.

The Radical Prosecution of Lent Saturday.

ACTION OF THE AUTHORITIES.

The following telegraphic communications passed on Saturday last between General Buchanan, the Commander of this military Department, General Hatch, the Assistant Commissioner of the Freedmen's Bureau, and the War Department at Washington, upon which we have to make these comments:

The Secretary of War having telegraphed to General Buchanan that he had received a communication from General Hatch reporting that there was danger of an assault upon the Radical procession, and the latter officer having been severely censured by part of the press here for making so grievious an accusation against the people of this city, a gentleman undertook his defense and declared that no such accusation had been made by General Hatch. We now publish his dispatch to the Secretary of War, and it fully bears out the language of the letter to General Buchanan and the censure administered by ourselves and those of our cotemporaries who took the same view of it that we did.

Gen. Hatch's language bore but one construction. He stated to the Secretary of War there was to be a colored procession, and that an assault upon it was apprehended. Assault, by whom? Of course by the white people. Gen. Hatch knew it was to be a *negro procession*, and should have so described it. He seems to have wished the Secretary of War to believe it was to be a white procession, the colored men participating. It would have been more correct had he stated to the Secretary there was to be a colored procession in which a few white men were expected to participate.

By his action touching the excitement of last Saturday, he has contributed to the unfavorable disposition of the Democracy of this city. General Buchanan has earned a new claim to their regard, and to the confidence of his Government as upon judicious officer.

[TELEGRAM.]
FREEDMEN'S BUREAU:
New Orleans, La., Sept. 11, 1868.

There will be a large Radical procession here to-morrow night, in which many colored men will participate. Intense excitement over the proposed demonstration exists, which forces me to request that the General Commanding be instructed to dispose the troops at his command to prevent an assault, which may result in a widespread and general destruction of life and property.

(Signed) EDWARD HATCH,
Brevet Maj. Gen Asst. Com. Bureau Freed men and Abandoned Lands.

To Maj. Gen. John M. Schofield, Secretary of War, Washington, D. C.

[TELEGRAM.]
WAR DEPARTMENT, WASHINGTON, September 12, 1868.
Received at New Orleans, September 12, 1868.

To Brevet Major Gen. Edward Hatch, Assistant Commissioner Freedmen's Bureau:

Your dispatch of yesterday relative to apprehended trouble to-night has been received, and the instructions you suggest have been referred to the Commanding General of the Department.

(Signed) J. M. SCHOFIELD,
Secretary of War.

[TELEGRAM, IN CYPHER.]
Washington, D. C., Sept. 12, 1868.—Received 11 A. M., Sept. 12, 1868

Commanding General, Department of Louisiana, New Orleans, La.

Brevet Major General Hatch, Assistant Commissioner of the Freedmen's Bureau, reports that there is danger of an assault upon a torch light procession in New Orleans to-night. You will so dispose the troops under your command as to prevent such assault and preserve the peace. Please acknowledge the receipt of this dispatch.

By command of Gen. Grant,
J. C. KELTON,
Assistant Adjutant General.

[TELEGRAM, IN CYPHER.]
HEADQUARTERS, DEPARTMENT OF LOUISIANA, *New Orleans, La., Sept. 12, 1868.*

Sent 12:30, Sept. 12, 1868.

Brevet Maj. Gen. J. C. Kelton, Assistant Adjutant General, U. S. Army, Washington, D. C.

Dispatch received.

There is no danger, in my opinion, of any assault upon the procession to-night. The danger is that the negroes will commence riot, and that the public property may possibly be destroyed.

I have made arrangements to protect it, and shall use all my disposable troops for the purpose. Am I to interfere any further than this? The Governor has not asked for assistance.

ROST. C. BUCHANAN,
Brevet Maj. Gen. U. S. A., Commanding.

An application for troops from the Governor was received an hour after the above was sent.

[TELEGRAM.]
WASHINGTON, D. C., Sept. 12, 1868.
Received at New Orleans Sept 12, 1868.

Brevet Major Gen R. C. Buchanan, Commanding Department of Louisiana:

Your dispatch of this date received and approved.

J. C. KELTON,
Assistant Adjutant General.

[TELEGRAM.]
HEADQUARTERS DEPARTMENT OF LOUISIANA, New Orleans, La., Sept. 14, 1868.

The Adjutant General United States Army, Washington D. C.

As I expected, everything passed off quietly in the Republican procession on Saturday last.

ROST C. BUCHANAN,
Brevet Maj Gen U. S. A., Commanding.

The Registration Board.

We publish below a letter addressed by Geo. A. Fosdick, Esq., one of the members of the Board of Registration, to Mr. William Baker, the chairman of the Board, protesting against the decision of the majority of the Board—Baker and Ferguson—in refusing to appoint a single Democrat on any of the boards of Supervisors of Registration throughout the State.

When the members of the Board of Registration were appointed by Governor Warmoth, we took occasion to express the commendation of his Excellency in which one or more of our cotemporaries indulged, because he had generously consented to place Mr. Fosdick on the Board as a representative of the Democratic party. We also expressed a doubt as to whether Mr. Fosdick could possibly do the Democratic party any good, as a member of the Registration Board, constituted as it was—two Radicals to one Democrat.

Mr. Fosdick's protest abundantly justifies the suspicion entertained by us.

[COPY.]
NEW ORLEANS, Sept. 18, 1868.

HON. W. BAKER CHAIRMAN Board of Registration:

SIR: At a meeting of the Board of Registration held on yesterday, the 17th, the question of the appointment of Boards of Supervisors being under consideration, I asserted the position that as the representative of the Democratic party in the Board, I was entitled to the appointment of one Democrat on each of the Boards of Supervisors throughout the State, representing as they would a large majority not only of the white population but the property holders and tax payers, so that at least they might see that no injustice was done that portion of our people and a fair representation was accomplished as designed under the law. The majority of the Board having decided that they would not, under any circumstances whatever, permit a Democrat to be placed on any of the Boards of Supervisors, I protested against the action of yourself and Mr. Ferguson as unjust and illiberal as well as contrary to all precedent in the formation of such bodies, persisting as they would the right to decide on the highest privileges of an American citizen, that of election, and declined to participate in the selection of names to act on those Boards, unless the decision was reconsidered, immediately retiring from the session by permission of the Chair. In accepting the position I occupy on the Board, I understood that the same rule which influenced the action of Gov. Warmoth in my appointment would be carried out in good faith in the appointment of persons to act on the Board of Supervisors, and knew at least that to be the understanding of the gentlemen who consulted with his Excellency on the subject.

This is the substance of what took place yesterday, and I respectfully request this communication may be spread upon the minutes of the Board. Respectfully,

(Signed) GEO. A. FOSDICK.

The New Orleans Bee.

OFFICE 73 CHARTRES STREET. NEW ORLEANS, SATURDAY MORNING, SEPTEMBER 19, 1868. Vol. XLI.—Whole—14,550.

THE CONDITION OF WAR SUSPENDS PRESCRIPTION.

The point of law, whether the condition of war suspends the prescription of obligations, has been much discussed since the conflict of arms between the Northern and Southern States.

Our own Supreme Court have not, we believe, been called upon to decide the point; except in one case, and that case was decided according to commercial law, the subject being a promissory note. In that case it was decided that if the holder of such an obligation did not bring his suit within the time granted by law, and had suffered many months to elapse after the courts had opened and he could bring suit, he was precluded from exercising his action. We shall publish the decision.

The following decision of the Supreme Court at Washington was delivered last July. It seems to us to recognize to its fullest extent the doctrine that prescription is suspended during war, and that the time thus lost does not count against him whose right of action is suspended:

UNITED STATES SUPREME COURT—PETER BOGGER VS. J. S. & S. A. ABBOTT—IN ERROR TO THE CIRCUIT COURT FOR THE EASTERN DISTRICT OF ARKANSAS.

Mr. Justice Clifford delivered the opinion of the Court in substance, as follows:

The declaration was in assumpsit and the plaintiffs alleged that the defendant, on the 10th day of April, 1865, was indebted to them for divers goods, wares and merchandise, and also for money had and received in the sum of ten thousand dollars.

Defendant appeared and pleaded two pleas in answer to the declaration.

First—That he never promised as the plaintiffs have alleged.

Second—That the cause of action did not accrue at any time within three years next before the commencement of the suit.

Issue was joined by the plaintiffs on the first plea, and in answer to the second they filed several replications, one of which set forth that the defendant was, from the 5th day of May, 1861, an actual resident of the State of Arkansas, and that the plaintiffs were residents of New Hampshire, and were prevented from instituting their suit during the war by the closing of the courts of Arkansas. It was admitted that for such reason the time elapsed should not be taken as part of the three years' limitation pleaded by defendant. Demurrers were filed by the defendant to the replications, and the Court gave judgment for the plaintiffs in each case. Hence the question of the sufficiency of the replications, which set forth the period of error, &c., &c.

In former times the right to confiscate debts was admitted as an acknowledged doctrine of the law of nations and is referred to as it may still be said to exist, but it may well be considered as naked and impolitic right, condemned by the enlightened conscience and judgment of modern times. (1 Kent's Comm. 111th ed. 73)

The reason given for this is that executed contracts, such as the debt in this case, although existing before the war, are not annulled and extinguished, but the remedy is only suspended, which is a necessary conclusion, on account of the inability of an alien to sue, or to sustain in the language of the civilians, "in personam standi in judicio." (1 Kent's Comm. 11, ed. 76: Filat vs. Waters, 15 East 260.

Vattel says the sovereign may confiscate debts due from his subjects to the enemy, if the term of payment happens in time of war, or at least he may prohibit his subjects from paying while the war continues, but at present a regard to the advantages and safety of commerce induces a less rigorous rule. (Vattel v. 3 c 5, sec. 77.) Where a debt has not been confiscated the rule is understood that the right to sue revives on the restoration of peace; and Chitty says that with the return of peace we return to the creditor the right and the remedy. Unless we return the remedy with the right the presence of restoring the latter is a mockery, as the power to exercise it with effect is given by lapse of time during which both the right and the remedy were suspended, etc.

Individual debts, as a general remark, are no longer the subject of confiscation, and the rule seems to be understood that, if not seized or sequestrated during the war, the return of peace brings with it both "the right and the remedy." (Wolf vs. Oxholm, 6 M. & S. 92) Total inability on the part of an enemy creditor to sustain any contract in the tribunals of the other belligerent exists during the war, but the restoration of peace removes the disability and restores the use of the courts. Absolute suspension of the right and prohibition to exercise it exists during the war by the law of nations, (Jay) and if so then it is clear that peace cannot bring with it the remedy if the war is of much duration, unless it also be held that the operation of the statute of limitations is also suspended during the period the creditor is prohibited by the existence of the war and the law of nations, from suing for his claim. Neither law nor fraud can be imputed in such a case, and none of the reasons on which the statute is founded can possibly apply, as the disability to sue becomes absolute by the declaration of war and in a condition of war. (2 Wildman's Intern'l Law, 17) Ability to sue was the status of the creditor when the contract was made, but the effect of war is to suspend the right, not only without any fault on his part, but under circumstances which make it his duty to abstain from any such attempt. His remedy is suspended by the acts of the two Governments and by the law of nations not applicable at the date of the contract, but which comes into operation in consequence of an event over which he has no control. Old decisions made when the rule of perpetual peace prevailed and when between the subjects of the belligerents, are entitled to but little weight, even if it is safe to assume that they are correctly reported, of which we have not the slightest doubt. (Flindt vs. Webber, 1. Lev. 31, there is much doubt.

The rule of the present day is, that debts existing prior to the war, but which made no part of the reasons for undertaking it, remain entire and the remedies are revived with the restoration of peace. (1 Kent's Comm 111 Ed. 161. Grotius v. 3 c. 20, Sec. 16, 18) The suspension of the remedy during war is so absolute that Courts of Justice will not even grant a commission to take testimony in an enemy's country. (Barrick vs. Babb, 32 Eng. L. and Eq. 465; Wood vs. Alter, 2 Dall. 192.) But when the reason for the suspension ceases, the right to prosecute revives, and the fact that the right had been suspended constitutes no disability. (Wormley vs. Galloway, 17 Dall. 132; Wall vs. Robinson, 2, Nott and McCord, 498; Hopkins vs. Bell, 3 Cran. 454; Higginson vs. Air, 1 Dessa's Eq. 477.) When the Courts of Justice are open, and Judges and ministers of the same may by law protect men from wrong and violence and distribute justice to all, says Lord Coke, it is said to be time of peace, but when by invasion, insurrection, rebellion, or such like, the peaceable course of justice is disturbed and stopped, so as the courts of Justice can not, shut up, and *silent leges inter arma*, then it is said to be time of war, and having described the conditions both of peace and war, he adds emphatically, that if a man is disseized in time of peace, and the descent is cast in time of war, this shall not take away the entry of the disseizee, which is given authority by the plaintiff in this case (2 Co. List. 259, b. Brace lib. 4, fol. 240; 1 Hale P. C. 347) Text writers usually say, on the authority of the old case referred to, that the semi-sovereign of Congress, or their being no answer to the bar of the statute of limitations, but Plowden says that things happening by an invincible necessity, though they be against common law or an act of Parliament, shall not be prejudicial. That, therefore, to say that the courts were shut is a good excuse or voucher of record (Bro. Tit Failure of Record 1 Blanchard on Lim 163, 6 Bac Abr 395, 1 Plowden, 98) Exceptions not mentioned in the statutes have sometimes been admitted, and this court held that the time which elapsed while certain prior proceedings were suspended by appeals could be deducted, as it appeared that the injured party in the meantime had no right to demand his money or to sue for the recovery of the same; and in those circumstances it was decided that his right of action had not accrued so as to bar it, although not commenced within six years (Montgomery vs. Hernandez, 12, Wheat 129) But the exception set up in this case stands upon much more solid reasons, as the right to sue was suspended by the act of the Government, for which all citizens are responsible. Unless the rule be so, then the citizens of a State may pay their debts by entering into an insurrection or rebellion against the government of the Union, if they are able to close the Courts and to successfully resist the laws, until the bar of the statute became complete, which cannot for a moment be admitted. Peace restores the right and the remedy, and as that cannot be if the limitation continues to run during the period the creditor is rendered incapable to sue, it necessarily follows that the operation of the statute is also suspended during the same period. Reference is made to the remarks of the Judge who gave the opinion in the case of Alabama vs. Dalton, 3 How 592, and it is sufficient to say that if any force is attached to the same then before the Court involved no such question as is presented in this case, and those remarks are more than counterbalanced by those made by the Chief Justice in Malver vs Regan 2 Wheat 28, where he admits that the case would be within the exceptions to the statute if it appeared that the Courts of the country were closed so that no suits could be instituted.

Viewed in any light, we think the decision of the Circuit Court overruling the demurrer to the fifth and sixth replications was correct.

ST CHARLES THEATRE—A grand matinee performance will be given at this theatre to day, at 12 M

A choice programme has been prepared for the occasion.

THE SEYMOUR VIDETTES.—The Club is to be presented to night by the ladies of the Third District with a banner, the residence of Julius Fulda, Esq., and will a wreath at the residence of Messrs. Lawson and Southen.

E Cochran, Esq., is the President of this Club, and Louis P. Fulda, Secretary.

We acknowledge receipt of a courteous invitation to attend.

THE HENDRICKS GUARDS.—*Banner Presentation.*—This fine body of patriotic young men will turn out to-night in full uniform and march in procession through the principal streets of the Second District to the residence of J. P. Houx, Esq., when they are to be presented with a handsome banner. We tender our thanks to the members of that Club for their polite invitation to join them on this occasion, and beg leave to assure them "our shal" will be "among them taking notes, and faith he'll print 'em!"

COLORADO DEMOCRATIC.—The following telegraphic dispatch was received at the Executive Mansion last evening, says the *National Intelligencer* of the 12th inst.:

"*Denver, Colorado Territory*—The President: Colorado elects a Democrat.

"GEORGE W PERKINS, Chairman
"Democratic Central Committee."

CITY INTELLIGENCE.

Reportorial Repertory.—Three butchers of Poydras Market were fined $20 each, by Recorder Becker, yesterday, and bonded for good behavior for trying to injure the business of a rival.

A young man named Lyons, a member of the Seymour Cadets, was accidentally shot during the parade on Thursday night by the explosion of a rocket.

The sum of E F. Haupt, charged with beating and shooting his wife Eliza, with intent to kill at his house, corner of Magnolia and Erato streets, was continued till the 25th, to await the result of the injuries inflicted.

The school corner Robertson and Bienville streets was attacked by a gang of colored boys yesterday, driving the teachers into the school house. Lieut. Manning of the Second District Police, being informed of the occurrence, placed an officer in the vicinity of the school during the day. It has been ascertained that three colored boys, about six in number, were from the colored school corner of Customhouse and Robertson streets. They threw stones at the white boys of the school first named. These conflicts are inevitable. They illustrate the beneficiaries of the system under which we live, and are a foretaste of what will constantly occur should Radical doctrines and practices be tolerated in this community.

The Rousseau Guards of Milneburg.—In our notice of this Club in our issue of Thursday last, we stated that Mr. Hypolite Pouit was Marshal of the Club. It should have read Mr. Hypolite Poesigh.

Banner Presentation.—The Johnson Rangers, one of the most energetic Clubs in the city, was last night presented with a magnificent banner and wreathed by the ladies of the Third Ward. The presentation took place at the residence of Mr J. C Miller, on Johnson street. The Rangers were accompanied by several invited Clubs, and the display was a fine one.

The Johnson Rangers after receiving a banner from the ladies, Third Ward, ascended the residence of R. B. Herron, President; Wm. Heffron, Vice President; B. Meyers, Secretary; Jno. Keopler, Treasurer; J. G. Campbell, Grand Marshal; M. C. Miller, First Assistant; Jno. Keopler, Second Assistant.

The Minstrels.—The Academy and St. Charles are still running the negro Minstrels with full measure. Good performances are offered at both places, and they are well merited out. Remember the matinees to-day.

The Olympic—Mr. White comes to the city with high recommendation from the press of Memphis, for the purpose of re-opening the Olympic for the coming season with a full variety troupe. The house is being thoroughly repaired and refitted.

Police Items—Joe Ricken and John Lever were found fighting and disturbing the peace on Peters street, and were locked up.

G. A. Gentelle was arrested on Greatmen street, charged by Madame Bertrand with larceny. There was $113 45 on his person.

Wanted The Much Park for a Shilling—When the present non-sailed Lagoon is conveyed, the proprietor who owns the drinking saloon on Dryades street, adjoining the Mechanics' Institute, every day spreads a lunch at the usual lunch hour. He, however soon found out that this would not do. The scallawags carpet-baggers and negroes composing the Legislature would, we learn, soon have eaten him out of house and house had he continued. They were something like the Shanghai rooster presented Desdichis by a friend—their crows could not be filled. He spreads no more lunch, as the members were too much for his commissary department. Some of these fellows would pass up their plates from the table three times before leaving. Certainly, so much table can supply the Pinchback and Warmoth crowd.

Naturalization.—The courts have their hands full just now in naturalizing the aliens Democrats wishing to naturalize can obtain orders from the Democratic Parish Committee, which will enable them to do so without expense.

The New Board of Police Commissioners.—The Governor has appointed W. R. Fish, J. R. Rennie, and B. Burbank, Thos. Isabelle and William Cooper, as the Board of Police Commissioners under the new Metropolitan bill.

Fire.—A fire broke out Thursday night, about half past 12 o'clock in an unoccupied one story frame house on Palmyra street, between Dorgenois and Galvez streets. The origin of the fire is unknown, though evidently the work of an incendiary. The property belongs to Patrick Healey and was insured for $600.

The Lafayette Street Homicide—Coroner Rochon held an inquest on the body of Michael Carey, who was killed on Lafayette street, near Prytania, on Thursday night. The verdict of the jury was that he came to his death by a gun shot wound, the ball entering the middle of the forehead and penetrating the brain, inflicted by some unknown person, and following is the evidence given before the Coroner's Jury:

Frank Carter sworn—Says on Thursday evening, about half-past 8 o'clock, the deceased, myself and two others were going up to Michael's grocery, which is on the corner of Lafayette and Bolivar streets. As we were going to the grocery we met two colored men on Lafayette street, between Bertrand and Prieur. Mr Carey, the deceased, turned one of the negroes on the head with a bottle that he had in his hand; after which everything passed off quietly. We then arrived at the grocery and took a drink. While drinking in the grocery John Lynch, one of our party, took up the cover of a barrel and attempted to throw it at some boys near the door; the cover striking and throwing the head of the barrel outside it struck a lamp which was hung from the ceiling. It fell down and broke, spreading the oil on the floor. The watchman was standing outside the grocery at the time the lamp was broken. Lynch then left our party. Mr. Carey, the deceased, myself and Jacob Simmons left the grocery and went out Lafayette street towards the woods; we went about a square and a half from the grocery when we were fired on. I only heard one shot fired. As soon as I saw the flash and heard the shot I turned round and ran to Poydras street. Between Bertrand and Lafayette I felt the blood running down my cheek, and putting my hand up I found that I had been shot in the ear. I then went to the corner of Bolivar and Poydras to speak to a watchman I was standing there, when Mr. Weeder came up and told me that Michael Carey, the deceased, had died. Lynch and myself the deceased were in the same spot that we were in when fired upon, also, about the same spot where the negro was struck with the bottle. Lynch and the deceased were both of friends.

The testimony of Jacob Simmons, another of the party, and one of the wounded, corroborated the above, and also, by separate statement, made positively, that the shot was fired from the steps of the house, in the middle of the square and in front of them, near the corner of Prieur.

LOUISIANA LEGISLATURES.

SEVENTY-FIRST DAY—SEPTEMBER 18, 1868.

SENATE.—The Senate was called to order at 12 o'clock.

Mr. Key, from the Committee on Internal Improvements, reported favorable majority report upon House bill No 190, authorizing the construction of a shellroad in the parish of Jefferson.

By Mr. Blackman—A resolution to declare vacant the seat of John Randall, elected from the 16th Senatorial district to fill the vacancy occurring by the resignation of Senator Harris to the United States Senate.

Mr. Blackman explained that he was not guided by any personal or partisan feeling, but he object was simply to preserve the force of the organic law of the State. The Constitution provides for a registration before any election shall take place, therefore the election by which Senator Randall claimed his seat was illegal, since the registration bill passed by the Legislature had not yet gone into operation. Not a single man of the State, although fully qualified in every respect to enjoy the privilege of franchise, could say that he was a voter of the State according to the positive wording of the Constitution.

Mr. Campbell said that as there was great difference of opinion among the members on the question he would move to refer the resolution to the Judiciary Committee.

Mr. Whitney moved that the Committee also inquire into the case of Senator Foote and Ogden, who were said not to be registered voters.

Mr. Campbell, on a point of order, said that Mr. Whitney's amendment was made after the motion to refer, and therefore could not be entertained.

Mr. Campbell's point was decided well taken and the motion to refer was adopted.

Mr. Day gave notice of a joint resolution relative to certain duties of the Secretary of the State.

BILLS ON FIRST READING.

Senate bill No. 152, relative to legalizing marriages, read twice and referred to the Judiciary Committee.

House bill No. 202, to enable the Governor for the more effectual preservation of peace and order in the State, to appoint a Constable and Deputy Constable for each parish, was read twice and made the special order of the day on Tuesday next, and ordered to be printed.

House bill No. 176—An act fixing the salaries of the Board of Police Commissioners, read twice and referred to the Finance Committee.

SPECIAL ORDER OF THE DAY.

House bill No 11, an act to protect all persons in their civil and public rights, reported by the Judiciary Committee, equally divided in favor and against the bill.

The bill was taken up section by section. The first section was read.

Mr. Campbell moved its adoption.

Mr. Blackman called for the yeas and nays, resulting as follows: Yeas 15, nays 7.

Section two was read and adopted by yeas 15, nays 7.

The third and fourth sections were read and adopted by the same vote.

Mr. Foute asked to record his vote, which was permitted, on motion of Mr. Lynch. Mr. Foute voted nay.

The fifth section was read and adopted by yeas 15, nays 7.

On motion of Mr. Campbell, the bill was adopted as a whole.

The yeas and nays were called for by Mr. Branghn. Yeas 15, nays 7.

Mr. Campbell asked for a suspension of the rules to put the bill on its third reading. No objections were offered.

The bill finally passed by the following vote:

Yeas—Campbell, Darrell, François, Kelso, Lewis, Lynch, Menotte, Packard, Pinchback, Pollard, Ray, Randall, Whitney, Wilcox and Williams—15.

Nays—Boone, Blackman, Branghn, Day, Egan, Foute and Jewell—7.

Mr. Campbell called up Senate bill No. 101, an act to incorporate the Lean and Pledge Association.

Mr. Lewis moved to postpone until Monday.

Mr. Campbell spoke against the delay.

Mr Lewis said that men who had money enough to lean on pledges must have enough to support themselves until Monday.

The bill was postponed.

House bill No. 81, removing the seat of justice of Carroll parish from Floyd to Eloan, was taken up.

Mr. Lynch offered an amendment changing the whole bill, excepting the enacting clause.

On motion of Mr. Bacon, the amendment was adopted, and on motion of Mr. Lynch, the title was changed to conform with the amendment.

The bill now provides that the seats of the citizens of the parish of Carroll shall be taken whether the change shall be made.

The bill finally passed.

Under a suspension of the rules, Mr. Ray called up House bill providing for an office and books for the Attorney General.

The bill was read, considered engrossed and finally passed.

Senate bill No. 34, to incorporate the New Orleans and Ship Island Canal Company was taken up at the sixth section where it was left the day previous. The remaining sections were read and adopted.

Adams criticised the Reconstruction measures of Congress as the vital question, saying:

"I will not argue the unconstitutionality of Reconstruction. The almost unanimous disfranchisement of the Republicans to allow it to undergo the scrutiny of the Supreme Court would seem to confirm the reported statement of the lamented Stevens, that only two damned fools in the party believed the Reconstruction acts Constitutional. Even if constitutional, I should deem them unwise. The union they impose is, to my eyes, no more like the true union of hands and hearts than a galvanized corpse resembles a healthy man."

The letter closes: "I think neither the interest nor the destiny of this people will allow permanent domination of the African race in any State; but the Republican party is irrevocably pledged to this idea. They have staked their existence upon its triumph. To this idea they have sacrificed their constitutional obligations, and for it they must make fresh offerings in future.

"The blacks must have lands, arms and a standing army to maintain them in their position. They are clamoring for them now and the Unit ed States must furnish them. The path upon which Congress has entered permits no halt. Retreat is ruin. We must begin anew, taking the Constitution for our guide, and natural laws for our limitations."

Philadelphia, Sept. 18.—A heavy frost occurred throughout New England last night.

San Francisco, Sept. 18.—The steamer Idaho with a cargo of sugar from the Sandwich Islands has been seized. The sugar was adulterated with powdered charcoal and passed the Customhouse as low grade.

The Oregon Legislature assembled yesterday. Democratic majority in the Senate 4, in the House 14. Notice was given of a bill repealing the resolution adopting the Fourteenth Amendment.

Cleveland, Ohio, Sept. 18.—The bark Clough went ashore twelve miles east of here, and fell to pieces. Two persons are offered at both places, and they are well merited out. Remember the matinees to-day.

The Olympic—Mr. White comes to the city with high recommendation from the press of Memphis, for the purpose of re-opening the Olympic for the coming season with a full variety troupe. The house is being thoroughly repaired and refitted.

Police Items—Joe Ricken and John Lever were found fighting and disturbing the peace on Peters street, and were locked up.

G. A. Gentelle was arrested on Greatmen street, charged by Madame Bertrand with larceny. There was $113 45 on his person.

Wanted The Much Park for a Shilling—When the present non-sailed Lagoon is conveyed, the proprietor who owns the drinking saloon on Dryades street, adjoining the Mechanics' Institute, every day spreads a lunch at the usual lunch hour. He, however soon found out that this would not do. The scallawags carpet-baggers and negroes composing the Legislature would, we learn, soon have eaten him out of house and house had he continued. They were something like the Shanghai rooster presented Desdichis by a friend—their crows could not be filled. He spreads no more lunch, as the members were too much for his commissary department. Some of these fellows would pass up their plates from the table three times before leaving. Certainly, so much table can supply the Pinchback and Warmoth crowd.

Naturalization.—The courts have their hands full just now in naturalizing the aliens Democrats wishing to naturalize can obtain orders from the Democratic Parish Committee, which will enable them to do so without expense.

The New Board of Police Commissioners.—The Governor has appointed W. R. Fish, J. R. Rennie, and B. Burbank, Thos. Isabelle and William Cooper, as the Board of Police Commissioners under the new Metropolitan bill.

Fire.—A fire broke out Thursday night, about half past 12 o'clock in an unoccupied one story frame house on Palmyra street, between Dorgenois and Galvez streets. The origin of the fire is unknown, though evidently the work of an incendiary. The property belongs to Patrick Healey and was insured for $600.

The Lafayette Street Homicide—Coroner Rochon held an inquest on the body of Michael Carey, who was killed on Lafayette street, near Prytania, on Thursday night. The verdict of the jury was that he came to his death by a gun shot wound, the ball entering the middle of the forehead and penetrating the brain, inflicted by some unknown person, and following is the evidence given before the Coroner's Jury:

Frank Carter sworn—Says on Thursday evening, about half-past 8 o'clock, the deceased, myself and two others were going up to Michael's grocery, which is on the corner of Lafayette and Bolivar streets. As we were going to the grocery we met two colored men on Lafayette street, between Bertrand and Prieur. Mr Carey, the deceased, turned one of the negroes on the head with a bottle that he had in his hand; after which everything passed off quietly. We then arrived at the grocery and took a drink. While drinking in the grocery John Lynch, one of our party, took up the cover of a barrel and attempted to throw it at some boys near the door; the cover striking and throwing the head of the barrel outside it struck a lamp which was hung from the ceiling. It fell down and broke, spreading the oil on the floor. The watchman was standing outside the grocery at the time the lamp was broken. Lynch then left our party. Mr. Carey, the deceased, myself and Jacob Simmons left the grocery and went out Lafayette street towards the woods; we went about a square and a half from the grocery when we were fired on. I only heard one shot fired. As soon as I saw the flash and heard the shot I turned round and ran to Poydras street. Between Bertrand and Lafayette I felt the blood running down my cheek, and putting my hand up I found that I had been shot in the ear. I then went to the corner of Bolivar and Poydras to speak to a watchman I was standing there, when Mr. Weeder came up and told me that Michael Carey, the deceased, had died. Lynch and myself the deceased were in the same spot that we were in when fired upon, also, about the same spot where the negro was struck with the bottle. Lynch and the deceased were both of friends.

The testimony of Jacob Simmons, another of the party, and one of the wounded, corroborated the above, and also, by separate statement, made positively, that the shot was fired from the steps of the house, in the middle of the square and in front of them, near the corner of Prieur.

BY TELEGRAPH.

[To the New Orleans Bee.]

FROM WASHINGTON.

Distilleries to Use the "Tice" Meters.

Letter of John Quincy Adams.

Ineligible Georgia Negroes Going to Washington.

Oregon Proposes to Withdraw her Fourteenth Amendment.

Miscellaneous Matters.

WASHINGTON ITEMS.

Washington, Sept. 18.—Republican members who have canvassed the subject express certainty of a quorum on Monday.

The Internal revenue market stands between the All England 11 and 12 of New York was was by the English.

Washington, Sept 18.—Clarence Fundall, for fifteen years attached to the coast survey, is dead.

Attorney General Evarts has returned.

Schenck this afternoon has no doubt of a quorum on Monday.

A full Cabinet meeting to-day, with the exception of Browning.

The following appointments have been made: Storekeeper, Edward J. Morgan, First District Alabama, and John H. Jessup Third District Virginia. Gauger, James Gibson Second District Alabama, and L. B. Grigsby Deputy Collector at New York, having charge of the transmission of merchandise between the Atlantic and Pacific States.

The "Tice" meters are ready, price range from $2000 to $1050. Distillers must procure and use them, otherwise collectors will seize the distilleries and enforce the penalties. Distillers of apples, peaches and grapes need not use the meters.

MISCELLANEOUS INTELLIGENCE.

Montgomery, Sept. 18—The time of the Senate this morning was wasted in the discussion of political topics. The House adjourned after a few minutes session, and the Republicans went into caucus with closed doors.

Atlanta, Sept. 18.—The House passed the Simms Relief bill by 61 to 72.

A resolution was adopted repealing the former action of the House staying the collection of debts, and declaring that collections can be made when the present relief bill receives the Governor's signature.

The Senate adopted an amendment to the tax bill, taxing foreign insurance companies one per cent. on premiums or other receipts. State companies are taxed on the capital stock.

A document is circulating for signatures irrespective of parties, requesting Hon. Alex. H. Stephens to deliver an address on the present condition of the country. It is signed by several members of both Houses, and it is reported that Governor Bullock signed the request, in the belief that it will do much toward restoring peace and quiet to the country.

A committee of the negroes declared ineligible, has left for Washington to present their case to Congress.

Boston, Sept. 18.—John Quincy Adams accepts the Democratic nomination for Governor. His letter of acceptance says:

"I think that two matters of national interest are involved in this election, one of which is important and the other vital. The former, which I take to be the financial question, was not touched by the New York Convention in a manner which satisfies my judgment.

"By providing for payment of the bonds known as five-twenties by the surplus revenue alone, then ignoring what seems to me a valuable part of Mr. Pendleton's plan, viz, a withdrawal of the issues of the National banks, the Democratic party appeared to commit itself to an indefinite extension of the intolerable nuisance of an irredeemable paper currency.

"I do not think a Democrat is to regard any such prospect with patience. I believe in hard money, and therein hold myself to be a true Jacksonian Democrat."

Adams criticises the Reconstruction measures of Congress as the vital question, saying:

"I will not argue the unconstitutionality of Reconstruction. The almost unanimous disfranchisement of the Republicans to allow it to undergo the scrutiny of the Supreme Court would seem to confirm the reported statement of the lamented Stevens, that only two damned fools in the party believed the Reconstruction acts Constitutional. Even if constitutional, I should deem them unwise. The union they impose is, to my eyes, no more like the true union of hands and hearts than a galvanized corpse resembles a healthy man."

The letter closes: "I think neither the interest nor the destiny of this people will allow permanent domination of the African race in any State; but the Republican party is irrevocably pledged to this idea. They have staked their existence upon its triumph. To this idea they have sacrificed their constitutional obligations, and for it they must make fresh offerings in future.

"The blacks must have lands, arms and a standing army to maintain them in their position. They are clamoring for them now and the United States must furnish them. The path upon which Congress has entered permits no halt. Retreat is ruin. We must begin anew, taking the Constitution for our guide, and natural laws for our limitations."

Philadelphia, Sept. 18.—A heavy frost occurred throughout New England last night.

San Francisco, Sept. 18.—The steamer Idaho with a cargo of sugar from the Sandwich Islands has been seized. The sugar was adulterated with powdered charcoal and passed the Customhouse as low grade.

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MARINE NEWS.

CLEARED YESTERDAY.

Steamship Morgan, Talbot, for Galveston.

ARRIVED YESTERDAY.

Steamer Louisiana, Hopkins, from Mobile.
Bark Hilton, Crabtree, 32 days from New York, to consignees.
Bark Lincoln, Trott, 10 days from New York, to Geo A Coolidge & co—Ballast.
Brig Frederick Adolphus, (Prussian) Kaverbohm from Rio de Janeiro, to Geo Wurdell—Fruit.
Sch Andromeda, Hallock, 6 days from Sagua La Grande, to master—34 district.
Sch C Co. Fanita, from Pensacola, to master—New Basin.
Sch Thoma, Taylor, from Pensacola, to master—New Basin.

—STEAMBOATS—

Gen J A Quitman, Leathers, from Vicksburg.
Fleetwo, Acosta, from Donaldsonville.
Victoria, Dowty, from Alexandria.
Hunter Jonstrom from Lower Coast.
Sweet Kate