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The Daily Bee.

NEW ORLEANS, WEDNESDAY MORNING, FEBRUARY 27, 1856.

OFFICE, 83 CHARTRES ST.

VOL. XVII—NEW SERIES. VOL. XXIX—WHOLE NO 8079.

THE DAILY BEE.

WEDNESDAY MORNING, FEB. 27.

THE NORTHERN MAIL failed yesterday from beyond Baltimore.

FILLMORE AND DONELSON.

It appears that the American National Convention at Philadelphia has nominated MILLARD FILLMORE for President, and ANDREW J. DONELSON for Vice-President. In making nominations at so early a period—nearly nine months before the election, the Convention seems to many to have committed an error of policy. For more than three months the Democrats and Black Republicans will enjoy abundant opportunities of assailing the American candidates, without the possibility of the Americans carrying the war into the camp of their enemies. But, as the nominations are an accomplished fact, it is bootless now to investigate the expediency of the act. FILLMORE and DONELSON are before the people as the regularly recognized standard-bearers of a large and powerful party during the coming contest.

It is difficult to predict the fate of these nominations, as we are unable yet to divine whether the Convention which selected them embraced a complete representation of both North and South, and what amount of harmony prevailed amongst the members.—These matters we shall learn in due season. Meanwhile we may safely examine into the personal merits and claims of the candidates. Of the nominee for the highest office panegyric is almost superfluous. MILLARD FILLMORE has been President of the United States, and in that capacity fulfilled the exalted and arduous duties of the station with a stern integrity, an underrating nationality, a comprehensive patriotism, a sustained ability, which rendered his Administration memorable for its dignity and success, honored at home, respected and esteemed abroad. The management of our domestic affairs by Mr. FILLMORE was such as to ensure harmony, strengthen the Union, elevate the standard of official qualification, and command the approbation of the conservative masses throughout the land. During his term of office our foreign relations were conducted with signal prudence and sagacity, the profound peace of the country remained unbroken, and we were exempt from the entanglements and embarrassments with which we are now menaced. Mr. FILLMORE's personal character is without a blemish. Few public men have ever passed through the fiery ordeal of a responsable station more honorably and worthily, and fewer still have ever relinquished authority amidst a more general outburst of public approval. MILLARD FILLMORE emphatically fulfills the Jeffersonian test of official capacity. He is honest, he is truthful, he is capable.

ANDREW JACKSON DONELSON is the adopted son of Old Hickory, and, until the organization of the American party, was a Democrat of the strictest faith. He is a gentleman of acknowledged merit and intellect. He has been on several occasions in public life, and has always enjoyed an enviable reputation as a sound thinker and eloquent debater. He bore a prominent part in the severe political struggle in Tennessee last year, and displayed marked distinction by his power as an orator, his vigorous rhetoric, his keenness as a political controversialist, and the iron force of his logic. Mr. DONELSON is a Southerner by birth and education, and his record stands no less fair than that of the eminent Northerner whose name is associated with him.

We should imagine that such men as FILLMORE and DONELSON would command the confidence of the South, and of moderate men in every section. Independently of the principles they are presumed to represent as the nominees of the American party, there must be hosts of citizens to whom, in the present critical position of our domestic as well as foreign relations, such a change will prove acceptable as the guarantees of a just, able, honest and vigorous Administration. How the nominations will be received at the North remains to be seen.

THE WASHINGTON MONUMENT.—It will be seen by reference to our advertising columns that a meeting of the permanent commissioners, appointed at the late meeting of the Continental Guards, for the erection of an Equestrian Statue of Washington on Lafayette Square, will be held this evening at the Mayor's office, City Hall. Full and punctual attendance is desired.

The attention of the reader is directed to the Address and Exposition of the American party in another column.

The Whigs of New Hampshire who held a State Convention on Wednesday last, and nominated Isaac Hodgdon as their candidate for Governor, passed resolutions expressing opposition to the policy of the present national Administration, and the extension of slavery; regretting the repeal of the Missouri Compromise, and condemning, also, religious and political oppression. They also appointed a full delegation to the Whig National Convention.

TEXAS.

By the steamship *Perseverance* we have received Texas papers to the 21st inst. The Galveston News of that date mentions the death of Miss Ada Bronough, a step-daughter of Dr. Stone, dentist, who died the evening previous of a dose of strychnine. The cause of the commission of the fatal act is not stated.

The Brazos river has risen and is in navigable order.

N. W. Purford, Jr., has been elected Judge of the Sixteenth District by a large majority.

The American party in Galveston have nominated James E. Haviland for Mayor of that city. Mr John Henry Brown, of the *Civilian*, is the Democratic candidate.

THE CANADA'S MAILS.

FURTHER FOREIGN NEWS.

BOSTON, Feb. 19.—Owing to the ice in the harbor, the steamer Canada did not reach her dock till 5 o'clock this afternoon, too late for hermails to be forwarded thus she will leave for Halifax in the morning. The papers contain some additional items of interest.

Russia, it is said, made it a condition previous to the acceptance of the proposition that no indemnification be demanded of her; that no concession of territory be exacted except that required for fortifications, which being conceded she agrees not to fortify the Oriland Isles.

It was expected that Austria would propose to the Germanic Diet to adhere to the peace preliminaries, in order that Germany may be admitted to the conference.

Among other rumors are the following: Russia selected Paris for the conferences to slight Austria, and that the Austrian Cabinet is offended therewith. That Russia intends at the last moment to demand, in the name of the general interests of Europe, in accordance with article five, that England be forbidden to fortify Heligoland and restrict her to peace purposes only.

Holland and neutral powers, it is said, demand a voice in the conference.

Ironclad floating batteries, similar to those of the Allies, are now being constructed for the defense of Cronstadt.

A forced loan of 4,000,000 silver roubles has been imposed on Finland for its defence. France and England do not slacken in their preparations to continue the war.

A new plan for the re-organization of the Principalities, alleged to have been presented to the Porte by Lord Stratford, is published.

The London journals express various opinions on the Queen's speech. The opinion on Change was unfavorable, and a slight decline in the funds was produced.

The speech opens with an eulogium upon the taking of Sebastopol; refers to the preparations making for the vigorous prosecution of the war; the acceptance of Austria's offers of mediation and Russia's agreement to certain conditions, which, it is hoped, will be the foundation of a treaty of peace. During the negotiations the government will not relax warlike preparations. The speech next alludes to the conclusion of a treaty with Sweden and Norway, containing defensive engagements applicable to those dominions, and tending to preserve the balance of power in that section. The conclusion of a treaty of amity and commerce with Chili is also mentioned. The remainder is devoted to domestic affairs.

The Protectionists count on a dissolution of Parliament during the present session.

A Democratic meeting had been held in London to protest against the proposed peace. It was chiefly composed by the sympathizers with Kossuth, Mazzini, &c.

The War Department of Sweden has drawn a million francs for the immediate defense of the kingdom.

THE FIRE AT ST. MATTHEWSVILLE.—The St. Matthewsville papers contain some further particulars of the disastrous fire by which that town was visited on Saturday night week. It broke out in the stables of Mr. Renaud, on Madison street, and spread very rapidly. The *Commonwealth* says:

During the progress of the fire a terrific explosion occurred at the store of Fortress & Co. The building was at that time almost filled with persons endeavoring to save a portion of the goods, and the joists, walls and roof of the building were scattered in every direction. Many were wounded, some have to mourn the premature death of Mr. Robert Richard, quite a young man, universally beloved; Charles, a son of Mr. Jules, the son of Mrs. James Simon, and Mr. Augustin Mourey, all young and valuable citizens. Also Mr. Smith of Lafayette Company, C. Dartez Grant, jr., a negro man belonging to Dr. Landry, a negro man of Dr. Prevost, a negro man of Mr. M. Laurent, and a negro of Mr. C. Duff. A large number of persons were wounded, some dangerously, though not mortally, and others slightly.

The loss by this disagreeable occurrence is at $200,000.

By Telegraph.

Transmitted to the New Orleans Bee.

[By the Southern Line.]

ADDITIONAL BY THE ARIA.

COMMERCIAL INTELLIGENCE.

COTTON.—Our circulars vary. Waterhouse's says prices favor buyers, and that quotations are lower by equal to last week's, particularly Ordinary to Middling. The market closed quietly.

Brown, Shipley & Co., quote the market as quiet, but steady.

McHenry's circular quotes the market as drooping since the Atlantic's departure.—Cafy quotes Orleans as having declined ¼d.; Uplands and Mobiles steady. Herman Cox quotes the market as quiet—buyers having slight advantage. Quotations nominal and unchanged, except for Orleans.

FROM KANSAS.

St. Louis, Feb. 25.—We have advices from Kansas to the 4th, stating that the Kickapoo Rangers threatened to commence hostilities. The Free State men are preparing for the issue. Two mounted couriers left Lawrence for Easton, where a conflict was expected.

THE PHILADELPHIA CONVENTION—SECOND DIVISION OF SECTIONAL DELEGATES—MILLARD FILLMORE NOMINATED.

PHILADELPHIA, Feb. 25.—Just before the balloting commenced, the delegates from Connecticut, Massachusetts, Rhode Island, Ohio: and parts of the Illinois, Iowa, and Pennsylvania delegation withdrew.

The Convention then proceeded with the balloting, which soon resulted in the nomination of Millard Fillmore as a candidate for the Presidency, and A. J. Donnelson for the Vice-Presidency.

From Washington.

WASHINGTON, Feb. 25.—The Senate adopted a resolution calling on the President for all correspondence on the enlistment question, Jones spoke on Kansas affairs.

The American Convention.

PHILADELPHIA, Feb. 26.—Fillmore was nominated on the second ballot, the vote standing as follows:

Fillmore, 175; Law, 24; Rayner, 14; McLean, 13. The nomination was made unanimous, and the Convention adjourned.

NEW YORK, Feb. 26.—Our Cotton market is easier, but not quotably lower.

[By the Southern Line.]

LOUISIANA LEGISLATURE.

BATON ROUGE.—Feb. 26.—*Senate.*—An act emancipating Harriet P. Woods, of New Orleans, was passed.

Notice was given of a bill to close the mouth of Bayou Plaquemine.

A joint resolution was passed, empowering the President of the Senate and the Speaker of the House to issue warrants compelling attendance of absent members.

An act reorganizing the Public Schools came up, and the fourth section was amended by making the rate of interest on the proceeds of the sale of the School lands 8 per cent. instead of 6. The bill was then laid upon the table subject to call.

A joint resolution was passed, removing the Surveyor-General's office from Donaldsonville to Baton Rouge.

An act to amend article 214 of the code of practice, passed.

House.—An act to regulate and limit taxation in the city of New Orleans, passed.

Nothing else of importance done.

The American National Council.

The following letter, which we find in the Washington *American Organ*, and which is evidently from the pen of Mr. ELLIS, the editor, furnishes, no doubt, an impartial review of the proceedings of the National Council which assembled at Philadelphia prior to the meeting of the National Nominating Convention, and gives a correct idea of the difficulties and embarrassments which must have beset that body:

PHILADELPHIA, Feb. 19, 1856.

To the Editors of the American Organ:—

The National Council did not organize till this morning. Advantage was generally improved informally yesterday and adjourned till this morning. About one hundred and thirty members were present to-day, besides the Pennsylvania contesting members.

In the morning session the Louisiana delegation was admitted, Mr. Burke having been some opposition at first, though no contestants for their places. Some explanations of their creed and sentiments were made by Hon. Mr. Eustis and another delegate from Louisiana, when, upon a vote, they were admitted by a majority of nearly two to one. It was understood that they, and those whom they represent, expressly deny all temporal or civil allegiance to the Romish hierarchy. There is much heart-burning manifested now here before on the questions growing out of the eighth section of the platform.

This afternoon the Pennsylvania contested election was decided, and the Lady delegates (as they are usually called) were admitted by a majority of about forty votes. They represent the regular State Council of Pennsylvania, and their opponents represent the Hunsucker Councils, which grew out of a secession of members from the regular Council, the State Council, held at Reading. These last maintained that the original Council had forfeited their charter; but, this did not appear, and we suppose, if it had been made apparent that the original Council had forfeited its charter, the contestants did not represent a chartered State Council. The question was decided against the contestants, as above stated.

To-morrow, it is probable, as the National Council is now fully organized, some progress will be made in the business for which the Council was convened, and which is understood to be, so far as the effects go, unite the American party on some basis satisfactory, if possible, both to the North and the South. It is stated and believed that the Southern members held a caucus or preliminary meeting last night, with a view to present an ultimatum from the South, and stand by and against its alteration. If this report be true, and if the Southern members have determined not to make any concessions for the sake of harmony and peace, we shall present a sad spectacle in the next contest. I incline to the opinion that the Northern delegates would modify their demands on the report, and agitation questions if they were met by a conciliatory spirit.

From all I see and hear, the North would now be content to cease agitation if Kansas could be made a free State. I refer to the *American* portion of the North. It is my belief that nothing short of a rapidly gaining ground, that the people of the Territories, (being "*citizens of the United States*," native-born or naturalized, and, of course, equal in all respects with the States,) ought to be allowed, when they have the requisite population, to frame their laws and constitutions according to their wishes, and to come in as bona fide or permanent citizens of the Territories. The present differences between the North and South would be probably at an end if Kansas should be allowed to elect members to a convention and to frame a constitution, under the operation of a law, which should exclude foreigners not naturalized, and all others not *bona fide* citizens from exercising suffrage in her Territory.

Few of the friends of the Nominating Convention are yet on the ground, except those who are also members of the National Council, and there is but little agitation on the subject of the ticket. It is talked of for President and Vice-President. Two or three days will throw more light on the question. At this time it would be premature to give an opinion of the probable action of the Convention.

Telegraphic Items.

IMPORTANT REGARDING THE TEXAS SEVEN MILLION LOAN BILL.—Washington, Feb. 20, 1856. —Messrs. Chubb Brothers, in their circulars of to-day, state that the Texas bill contains a proviso, which will not, probably, prevent the distribution of the seven millions seven hundred and thirty thousand dollars appropriated by Congress. The proviso by Texas is as follows:—The State of Texas hereby withdraws and abandons all claims and demands against the United States, growing out of Indian depredations, or otherwise, which originated on or before the twenty-eight of February; eighteen hundred and fifty-five, provided that this abandonment shall not apply to the claims of individuals for losses of property by the enemy.

They quote warrants as follows:—One hundred sixties, one dollar six cents; eighties, one dollar seven; one hundred twenties, one dollar per acre.

WASHINGTON, Feb. 19.—The State Department has sent into the Senate a mass of documents bearing on the Central American question, as far back as 1850, among them a plan proposed by General Marcoleta to Lord Clarendon two years ago, that Nicaragua and Great Britain, and the United States unite in a treaty settlement of the Mosquito Indian question. Mr. Marcy, in a letter to Marcoleta, denies that Great Britain had any sovereign right over any part of Central America, and that to unite with her in a treaty as proposed, would be a distinct acknowledgment that she has, and such an arrangement would interfere with the claims set up by Costa Rica.

PHILADELPHIA, February 19.—The "National Council of the American Order" assembled here yesterday in Temperance Hall. Its sessions are held in secret. Delegates from all sections of the Union are present. No business of importance has yet been transacted. An effort will be made to dispense with secrecy, both at the meetings of the Council and of the Convention to assemble on the 22d. The Louisiana delegation were admitted to seats in the Convention to-day by a vote of 68 to 56. There was a warm debate in admitting the delegates from Pennsylvania. It terminated in admitting Mr. Kelly and others who ignored the slavery section of the platform. The vote stood 56 to 54, causing much feeling among the Southern delegates. It is understood that the principal feature of the discussions yesterday was the proposition to repeal the twelfth (slavery) section of the platform adopted last June, so as to harmonize the party in the North. Strong anticipations are entertained that the proposition will be successful.

BOSTON, Feb. 19.—A despatch from Cape Cod reports the recent storm and drifting sand as of unexampled severity. Off Wellfleet, there are two schooners and one steamer ironbound and deserted; off Chatham there are three deserted vessels; on the beach, other points there are three vessels in a similar predicament.

SPRINGFIELD, MASS., Feb. 19.—The recent snow-storm, in blocking up the railroads, has caused the utmost confusion in the trains. An immense snow-bank on Long Meadow plain, about four miles in length, and from nine to twelve feet in depth, stopped the train on Monday night, and the passengers, after having spent the night in the cars, were obliged to walk to the village, where they were provided with lodgings. The train was finally started, when they have the requisite population, to frame their laws and constitutions according to their wishes, and to come in as bona fide or permanent citizens of the Territories. The present differences between the North and South would be probably at an end if Kansas should be allowed to elect members to a convention and to frame a constitution, under the operation of a law, which should exclude foreigners not naturalized, and all others not *bona fide* citizens from exercising suffrage in her Territory.

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CONGRESS.

The Senate, on the 19th inst., after the usual business of the morning hour, took up the unfinished business of Monday, and Mr. Wilson concluded his remarks in reference to the conduct of affairs in Kansas Territory. Senator spoke more than an hour in continuation and expansion of the views expressed by him on the preceding day. He attributed the disorders and bloodshed which have so sadly disturbed that territory to the unlawful invasions of citizens from Missouri, who interfered with elections and controlled the polls. He insisted that the emigrants from the free States violated no law or rule of morality and justice; and that if citizens from Southern States should migrate to Kansas with their slaves they would meet with no resistance from Northern men. On motion of Mr. Jones of Tennessee, the subject was postponed until Monday, and made the special order for one o'clock on that day. The Senate then held an Executive session.

In the House of REPRESENTATIVES a discussion of some length occurred upon a resolution of the Committee of Elections asking authority to send for persons and papers in reference to the contested election from the Territory of Kansas. Though only preliminary, the debate elicited an exhibition of much astuteness in argument from some of the strongest minds on both sides. It opened an unusual degree of attention. A motion to recommit the resolution, with instruction to report the grounds of the request, failed; by a tie vote. The subject occupied the whole sitting.

CITY INTELLIGENCE.

MONUMENT TO HENRY CLAY.—A large number of citizens came forward last night, at the call of the Clay Monumental Association, and filled the U. S. Court room, over the Post Office.

The meeting was called to order by Chas. M. Waterman, and Robert J. Ward, on taking the chair as President, explained the object of the call.

Several resolutions were offered, the last of which provides for the appointment of a committee of thirteen, whose duty it will be to inquire into and select the most proper site for the erection of the monument, and also that the corner stone shall be laid on the 14th April next, the anniversary of the birth of Henry Clay.

Several speakers being called upon by the meeting, Judge Alexander Walker took the floor, and in a neat speech eulogized the illustrious statesman; he showed that in the hearts of Louisianians, on a par with Thomas Jefferson, who succeeded in bringing this Territory into the Union, and with Andrew Jackson, who repelled the invading foe from her soil, Henry Clay should be cherished, who secured to Louisiana the navigation of the Mississippi, to the exclusion of British pretensions.

Judge Walker was followed by James Robb, the Chairman of the Executive Committee on the monument. We have no room for the very felicitous remarks by which Mr. Robb electrified the meeting. He said that already more than two years had elapsed since the greatest of our countrymen had left us, the same as a national legacy; that associations had been formed, committees appointed, resolutions passed, and a host of speeches uttered, but still nothing in rather marble, stone or brass had yet been done to commemorate the illustrious dead; he should there fore call for action, immediate action; and he concluded, in earnest of his call on citizens of Louisiana not of all other States of the Union, by subscribing in his own name for one thousand dollars.

It was then resolved that collectors be appointed for every street of the city, empowered to solicit and receive subscriptions to any amount, and that they set about their work as early as this very day.

The following gentlemen were selected for the second District:

Richard Milliken,	S. Taylor,
J. M. Cabaniss,	James Neal,
Jules Cazaud,	Armin Levassor,
John Henderson,	H. Fairfield,
G. B. Duncan,	S. Howell,
M. M. Cohen,	Emile Wiltz,
J. Rosebush,	John Hastings,
F. Burrow,	Henry Sheppard.

The meeting adjourned.

THE COUNCIL.

BOARD OF ALDERMEN.—The regular weekly meeting of this body was held last evening. There were nine members present.

A resolution from the lower Board for the payment of sundry bills, amounting in the aggregate to $1,261-60, was concurred in. Of this amount $1,200, were bills of the old Fire Department.

A resolution of the lower Board for repairing sundry plank and shell roads, gave rise to considerable discussion, but was finally referred to the Committee on streets and Landings.

The resolution from the lower Board, allowing the Firemen's Charitable Association to use sundry engine houses belonging to the city, led to a protracted discussion. It was finally referred to the Committee on the fire Department.

A resolution levying a tax of five per cent. per annum on the capital stock of all banks doing business under the free banking law, was concurred in.

A resolution to build a fence along the Claiborne Canal or ditch, was concurred in.

Mr. W. F. Converse sent in a letter tendering his resignation of the office of Alderman. Laid on the table.

Mr. Pride offered a resolution to build a fence around Colosseum Place and plant trees in the same. Adopted.

Mr. Farrell offered a resolution to the effect that the experts appointed to examine the books of the Treasurer, Comptroller and D. C. Tabatti, Esq., be allowed to take possession of the same. Adopted.

A resolution ordering the Treasurer hereafter to draw checks payable to the order of the Comptroller, and that the checks shall be countersigned by the Comptroller, and that the Comptroller shall make a weekly report, was adopted.

A resolution for the sale of the contract for repairing all the shell roads of the city, was adopted.

BOARD OF ASSISTANT ALDERMEN.—There was a meeting of this body last evening. The unfinished business of the last meeting was proceeded to. The report of the Committee on Workhouse and Prisons was adopted, together with a resolution accompanying for the payment of sundry bills, amounting to $245.

The Committee on Improvements and Buildings reported a resolution, requesting the Mayor, if he deem it proper, to cause the necessary improvements to the court-houses attached to the court-houses and jail of the city. Adopted.

The weekly report of the Treasurer showed a balance on hand of $142,962-56.

The Comptroller reported his failure to adjudicate the Canal-street ferry contract. The matter was referred to the Finance Committee.

The Surveyor reported that he had taken possession of the dredging machine of the second section, and also reported that it was in a very dilapidated condition. Referred to the Committee on streets and Landings.

The resolution of the upper Board for the appointment of experts to examine the books of D. C. Tabatti, Esq., was adopted. The report of the Board, to which Messrs. Fabre, Wiltz, Stith, Eager and Chambers engaged.

A petition from the Continental Guards, asking permission to erect an equestrian Statue to Gen. Washington in Lafayette Square, was referred to a Committee consisting of Messrs. Stith, Bartlette, Barbarin, Hodge and Chambers.

A resolution for paying W. A. Beecher $200 for services for two months as secretary of one of the committees, was adopted.

The Finance Committee reported a resolution for building Tax Collectors and the Treasurer to receive the taxes and issue receipts for the same.

The special Committee appointed to confer with the Carrollton Railroad Company upon the matter of removing their track from Jackson Place, presented an ordinance, drawn up with the approval of the Company, which provides for the removal of the track from the Orleans, Jackson and Carrollton Railroad, together with the Bridge, Carrollton Railroad, Jackson Place, and the Company's ordinary and parlor being placed in such a manner as to allow the cars to pass in the rear of the Hotel over further notice of E. R. West, reversed, but the action of the Board affirmed.

Ward a. Jonas, appellees, vs Ezekiel Graves, appellant. Appeal from the 10th District Court of Carroll. Cause remanded for a new trial. Spofford, J.

Blanchard Keller and Thomas Duncan, appellants, vs Parish and Thompson, appellees. Appeal from the 10th District Court of Carroll. Judgment affirmed. Spofford, J.

Antonio and Francois Rouzy, free persons of color, appellees, vs Antoine Rouzy, f. w. c., appellant. Appeal from the 5th District Court of New Orleans. Judgment thereofore rendered in this case dismissed. Lea, J.

J. C. and G. W. Humphries, appellants, vs Henry Tick, appellee. Appeal from the 10th District Court of Baldwin. Judgment reversed; the plaintiff to recover of defendant the sum of $508 83, with costs in both courts.

Martha Webb, appellant, vs Wm M Dobson, appellee. Appeal from the 10th District Court of Carroll. Judgment affirmed. Lea, J.

Marital Dodillon et als, appellants, vs Robert R Barrow, appellee. Appeal from the 5th District Court of Assumption. Judgment affirmed. Spofford, J. Chief Justice Merrick dissenting.

Nicholas Bauer, appellant, vs J. Crandall and H Prellon & Co, appellees. Appeal from the 10th District Court of Baldwin. Judgment affirmed. Merrick, C. J.

Succession of James H Coleman, deceased—W H Dunston, administrator and tutor, appellee—Auguste Gaffney, appellant. Appeal from the 1st District Court of New Orleans. Judgment reversed and the case taken by law and evidence, plaintiff discharged, the appellee to pay the costs of both courts. Voorhies, Lea, J. and Spofford, J. dissenting.

A Moulton et als appellees, vs Brent Watson, appellant. Appeal from the 10th District Court of Baldwin. Judgment affirmed. Merrick, C. J.

John C. Bailey et al., appellees, vs John L. Dutel et als., appellee. Appeal from the 5th District Court of Lafourche. Judgment reversed and the sum of $12,794 68 be allowed as a credit to the estate of Albert Robinson, deceased, and that the Rapides deed out for sale and amount be made perpetual. Voorhies, J.

Gooy Hood, appellant, vs John H Martin, appellee. Appeal from the 10th District Court of Carroll. Judgment affirmed. Merrick, C. J.

FIRST DISTRICT COURT.—In the case of Placide Canonge vs. William Tiler, contesting the election of the latter to the office of Fifth Justice of the Peace, the jury yesterday brought in an unanimous verdict for the defendant, the American candidate. J. L. Bruce, Esq., appeared for the plaintiff, and E. Wooldridge, Esq., for the defendant.

This Court then adjourned until Thursday, for which day the case of Alpuente vs. Bunn, contesting for the Clerkship of the Third District Court, is set.

AMUSEMENTS.—At the Gaiety to-night the new Extravaganza of the "Double Prince," is nightly, the last week the Metropolitan Ballet, and the Washington Tableaux will be given.

At the St. Charles "King O'Neil," "Irish Genius" and the "Green College" will be performed—Mr. Collins appearing in the first two pieces.

At the Pelican Theatre Jamet's wonderfully trained Dogs, Monkeys and Goats will perform. This is their last week.

At Armory Hall Hannington's Diornamic Panorama of the Russian War, containing the main incidents of the war, including the sailing of the British fleet to the taking of the Malakoff, will be exhibited.

THE MASQUERADE BALL AT THE ST. LOUIS HOTEL.—There was an immense throng at the St. Louis Hotel on Monday night, given by the Gallipoli to the proprietor, Mr. Gamble, which may well be pronounced one of the most brilliant affairs of the gay season. The display of costumes was very surprising and many of the characters assumed by the masquerade were very well sustained. All the public rooms on the lower floor of the Hotel were thrown open for the occasion, the spacious dining hall on Royal street being used as a ball room, and the large and elegant ladies' parlor being the drawing room, and the gentlemen's ordinary and parlor being used for a bar, which is spread every evening, while the parlor is in a most conspicuous style. The arrangements did credit to the gentlemanly proprietor, and we have said before, the attendance was very large, and could not have fallen below one thousand persons. Amongst the masks were representatives of every State in the Union, but a great portion of the company being composed of our own city and vicinity, we have only room to mention a few of the most rich and fashion. The masquerade was one of the most successful ever given in the city, and, we hope, will be generously rewarded by all who were present.

ADDRESS AND EXPOSITION OF THE PRINCIPLES OF THE AMERICAN PARTY.

OF NEW ORLEANS & STATE OF LOUISIANA

TO THE CITIZENS OF NEW ORLEANS AND STATE OF LOUISIANA.

Proceedings of the American Party, held in Odd Fellows' Hall, Monday, Feb. 25, 1856.

The principles and objects of the American party in Louisiana were proclaimed to the people of the State by an American State Convention held in New Orleans, very honorable and special citizens of Louisiana.

To uphold the Union—to maintain the Constitution in its integrity, with equal justice and good faith to every portion of the country—to inculcate and enforce respect for the laws, and a due obedience to the Constitution with their mandates—to protect every citizen in the full enjoyment of all his rights, civil, political and religious—to effect such a reform in the naturalization laws as will exclude from the rights of citizenship the uneducated and ignorant hosts of immigrants daily arriving on our shores from the despotic countries of the Old World, and to will preserve our national integrity as the American people—the people of the United States—to purify our system of government, and to elevate the American character by giving a just and natural preference for office, from equal power conferred by the Constitution, to laws of America—to adopt an American policy with respect to our Ambassadors, other public Ministers and Consuls, and to bring home to present the national abroad but Americans. These constitute the main principles and objects of the American party.

The American party view the removal of the unnaturalized foreigner, the pauper, the demoralized, the ignorant, the dangerous, the stipendiary of the Old World, and the substitution of Messrs. Hyams, St. Paul and Withers in their places, as a violation of the Constitution and an act of the Sovereign Power of the Union, in principled overthrow of the principle of popular representation.

The American gentlemen was effected by the illegal admission of depositions taken by the contestants ex-parte before Judge Reynolds, without notice to the sitting Judges Kennedy and Cotton had been applied to by the contestants to take testimony in their case under the act of 1851 relative to elections. These Judges declined saying that that law had been expressly repealed by the act of 1853 relative to elections, and that the testimony could not be taken. Judge Augustin had made a similar decision upon an application to him, and refused to give the official seal to any proceedings substantially forbidden by the repealing law. Judge Reynolds was more pliant—he took the testimony. It was taken ex-parte—the sitting Judges not being participating in it, but protesting against it.

The testimony consists of depositions prepared in advance, signed by the Clerk, and printed. The facile witnesses had nothing to do but to put their names to the printed formula, and swear to it. So the anti-American standard of proof. In the absence of the usual safeguards for the truth of testimony, two dozen persons might, by the mere signature of their names, make the world subscribed all the depositions, without much danger of detection. But any number of witnesses, in the place of the sitting Judges, at the instance of the party contestants. Under similar circumstances, an army of witnesses can always be had to swear to anything, and to effect by fraud or management, as it is called, what cannot be carried by law.

This testimony, thus taken under a regular form of law, was transmitted by mail to the committee of the Senate to whom the case of the election was referred, and was received by the Senate, and, it is to be presumed, the partial report and refused to allow the sitting members the right to send for persons and papers, to rebut the testimony of the contestants.

The repealed act of 1814, which was illegally admitted to give life to the printed depositions, provided that the sitting members should be confirmed in their seats, or that the election should be sent back to the people, unless the contestants should prove that the law of 1814. But the idea of sending the parties to the people, although suggested by the repealed law, was not entertained by the minds of the majority. Predetermined and reckless, they removed the sitting members and placed the contestants in their seats. The will of the people was expressed at the polls, was set aside for, not the will, but the paper-manufactured votes of a self-constituted tribunal of fifty men, not another fourth of whom could probably be now found in New Orleans.

The crime rent the popular will of New Orleans was perpetrated in the House of Representatives with still greater audacity and contempt for the Constitution and the law.

No evidence was taken in relation to the contested seats. The *ex-parte* testimony taken under a repealed law, in a case begun and prosecuted under a law, by an easy disregard to law and justice, applied to the cases before the House. The right to be heard, to offer evidence, and to defend their own claims and the rights of the people, was practically refused the sitting members. A resolution to proceed to the city was made a justification of the denial of all right and justice in the Legislature, and a tyrannical Democratic anti-American majority dispossed of members of the House representing The American Representatives, elected and returned to the House, were deprived of their seats and Democratic favorites substituted for them.

In keeping with the outrages on constitutional government, liberty, property, as above described, is the action of the Legislature in the removal of Sheriff Hufty.

The election of Mr. Hufty was contested by Mr. Bell. The jury of the country, to whom the contested case was submitted according to law, rendered a verdict in favor of Mr. Hufty. After an unsuccessful motion on the part of Mr. Bell for a new trial, a final judgment was rendered by the Court, declaring Mr. Hufty the Sheriff elect, and entitled to hold the office for the term of two years. He was duly commissioned, and entered upon the discharge of his duties. The Legislature has removed him.

The ground assumed for his removal relates to matters which were discussed and disposed of in the action of Bell vs. Hufty. There was no appeal in that case. Indeed, though the counsel of Hufty asserted the right of appeal, the counsel of Bell, confident of the favor of the Court, denied it; and in that confidence, well or ill-placed, obtained an order from the Court refusing to allow the evidence to be reduced to writing, as is usual in jury trials, and took no exceptions or had no reason to take any for an appeal. Bell and his counsel felt secure of victory. The case was fully argued. Hufty triumphed. The jury was well composed. No honorable man has dared to impeach its integrity.

The address of the Legislature refers to the conduct of the Commissioners of Election, and to the destruction of votes after the closing of the polls. These matters were fully considered by the jury with the parties to the suit before them, and after hearing evidence and argument.

Mr. Hufty was not been called before either House of the Legislature. He has had no opportunity of defending his right to the office and of vindicating his good name. His right to office—a valuable right—has been taken away from him without a trial.

His removal, under these circumstances, is in the nature of an attainder. It is unjust and unprecedented, and is not warranted by any purpose for which the power of removal was vested in the Legislature by the Constitution.

The framers of the Constitution never intended that the Legislature should set aside practically the judgment of a court in a case properly submitted to it—and without summoning a public officer before them—without hearing evidence or argument in relation to his conduct, and without giving the party an opportunity of defending his good name. His power was intended for cases wherein a party would not be, or, at least, had not been, guilty of misconduct in office. In providing a law for the trial of a contested election, the Legislature transfers that matter to the jurisdiction of a court. The evidence submitted to the jury had not been placed before the Legislature. It was not taken down in compendious form, and the witnesses, under the Clerk of the Court, and the parties, by their counsel, were present when it was taken, and heard what was said, and saw what was done, and could see and hear, through the medium of the reporter's notes, what was said and done. The witnesses were not present when the Legislature acted upon the testimony. The Legislature had no power to call the witnesses before them, and, if it had, it would be a violation of the rights of the party to be heard, to offer evidence, and to defend their own claims and the rights of the people, was practically refused the sitting members. A resolution to proceed to the city was made a justification of the denial of all right and justice in the Legislature, and a tyrannical Democratic anti-American majority dispossed of members of the House representing The American Representatives, elected and returned to the House, were deprived of their seats and Democratic favorites substituted for them.

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