The New Orleans Bee.

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TERMS OF THE BEE.

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NEW ORLEANS:
SUNDAY MORNING, MAY 28, 1871.

INVALIDITY OF PROPOSED ELECTION ON SCHOOL TAX.

The *Bulletin* of yesterday makes a good point against the proposed election by the voters of this city upon the question of a special tax for the purpose of raising the sum of three hundred and fifty thousand dollars which that very modest person Mr. Conway, the Superintendent of Public Education, says he needs for the support of the public schools of New Orleans for the current year. The Board of School Directors inspired doubtless by Conway, have requested the Mayor and Administrators to hold such an election under authority of section 7 of the revenue act of 1871, which reads thus:

"No city or other municipal corporation shall levy a tax for any purpose which shall exceed two per centum on the assessed cash value of all the property therein listed for taxation; nor shall the Police Jury of any parish levy a tax for parish purposes, except to pay indebtedness incurred prior to the passage of this act, during any year, which shall exceed one hundred per centum of the State tax for that year, unless such excess, whether levied by village, city or parochial authorities, shall first be sanctioned by a vote of a majority of the voters of said village, city or parish, at an election held for that purpose."

Our cotemporary is of the opinion that the provision of the above section authorizing a vote of the people to be taken in the event of additional taxation being necessary, relates only to a municipal and not to a State purpose—and that the purpose of the tax demanded by the School Board is not municipal but for the support of the State system of education administered by State officers. The municipal authorities of New Orleans having been, by State laws, divested of all control over the public schools of the city, the *Bulletin* contends that the city should be relieved of the cost of supporting a State institution. This view of the question seems to have been taken by the Supreme Court in their decision of last Monday in the case of the School Board versus The Mayor and Administrators of New Orleans.

In addition to the objection urged by the *Bulletin* with regard to the meaning of section 7 of the Revenue law quoted above, it may be contended with much reason that there is a constitutional prohibition against the assessment of any tax for school purposes, other than that established by the organic law of the State. The lower court before which this suit was tried in the first instance, expressed its opinion to the effect that by the Constitution, but one mode of taxation was authorized for the support of the public schools, viz: by poll tax. See article 118, which reads thus:

"The General Assembly shall levy a poll tax on all male inhabitants of this State, over 21 years old, for school and charitable purposes, which tax shall never exceed one dollar and fifty cents per annum."

The language of the court passing upon the point was as follows:

"The Constitution of 1868 provides for but one mode of taxation for the support of the public schools; that is the poll tax. It is evident that the Legislature has not the power to set aside that mode of taxation, and employ other means, unless it can disregard the expression of sovereign will (article 118) which reads that the *Legislature shall provide for the support of the public schools by taxation or otherwise*, and omits the words *or property*; therefore clearly and evidently referring to the taxation defined and made obligatory upon the Legislature by article 118.

"Wherefore the court concludes that section 7 of the Education act of 1871, (No. 8) levying a tax on all property in the city of New Orleans for the support of the public schools, is unconstitutional, void and of no effect, as employing a different mode of taxation from the one ordered and made obligatory by the Constitution of 1868; that the only taxation that could be imposed by the Legislature for the support of the public schools is the poll tax, and that not to exceed $1 50 per head; that there is no law making it the duty of the city of New Orleans to collect said poll tax, but that, on the contrary, it is made the duty of the State Tax Collectors."

The City Council are therefore sustained by judicial authority in refusing to hold the election demanded by the School Board. Taxation must be equal and uniform throughout the State, and the municipal authorities of New Orleans can without power to assess or collect any tax for State purposes, equal or unequal. They have nothing to do with it, because it is outside of their province to intermeddle with matters under the control of State officers. Let Mr. Conway raise the money to support his system by applying to the Legislature, if he pleases to do so, but the City Councilare under no obligation whatever to aid him in extracting money from the property-holders of New Orleans, for the furtherance of his schemes, especially when the management of the schools has been taken away from them.

WHITE SULPHUR SPRINGS OF VIRGINIA.—By a correspondence between Mr. Ernest Wiltz, agent for Messrs. Peytan & Co., proprietors of the White Sulphur Springs, and Gen. Beauregard, published in this issue, it will be seen that an invitation has been extended to the General to pass the summer months at this delightful summer resort, where annually gathers the most refined society from all parts of the Southern States. Gen. Beauregard accepts the invitation.

We are pleased to notice the continued success of the "Progressive Literary Association." At the regular meeting of the society, held at their hall, No. 17 Royal street, on the 26th instant, the following officers were elected: President, David Danziger; Vice-President, P. A. Orr; Secretary, Lionel Adams; Treasurer, B. C. Shields. We heartily commend this association to our young readers desirous of improving themselves in parliamentary law and belles-lettres. Communications may be addressed to D. Danziger, Lock Box 185.

JAS. H. HALL'S PLOWS AT TEXAS STATE FAIR.—It will be seen by the following telegraphic dispatch received by Messrs. Keep & Hogan, 28 Tchoupitoulas street, that James H. Hall & Co.'s celebrated Kentucky plows have been pronounced superior to all similar articles exhibited at the Texas State Fair:

HOUSTON, TEXAS, May 25, 1871.
Messrs. Keep & Hogan, 28 Tchoupitoulas street.
First premium awarded you for Jas. H. Hall & Co.'s, Mayaville, Kentucky, plows at Texas State Fair, over all competitors. Thousands in attendance from all portions of the State. Fair continues five days longer.
J. C. STAFFORD.

THE ICE-KING REFRIGERATOR is admirably designed for preserving in a sound condition, meats and other comestibles, which rapidly spoil when exposed to the atmosphere in warm weather.—It is to be seen at No. 6 Carondelet street. We may mention that Mr. J. A. Warner, agent for the popular Knickerbocker Life Insurance Company, is the agent for the sale of this refrigerator, which, we assure our lady readers, is "a very handy thing to have in the house" during the summer solstice.

Gen. R. E. Lee, writing under date of January 13, 1867, says: "Its simple mechanism, and the experience my daughters have had in operating it, makes the Wilcox & Gibbs sewing machine a great favorite in my family. For sale by M. Hedrick, 113 and 115 Canal street, New Orleans.

AMUSEMENTS.

ACADEMY OF MUSIC.—The Hooley Minstrels are established favorites with playgoers and draw full houses every night to the Academy. As the bills truly say, the performances are "an inexhaustible repertoire of merriment." The entertainment to-night winds up with "Lucretia Borgia," and the closing performance to-morrow night will be another burlesque, "Sonnambula."

YOUNG BACHELOR'S SOCIAL CLUB.—This association will give at the Oakland Ridge Park, on Saturday evening next, a summer night's festival and promenade concert." The officers have favored us with complimentary tickets.

ST. MARY'S COLLEGE COMMENCEMENT.—The first commencement and annual examination of St. Mary's College takes place at the National Theatre during the week after next. Our thanks are due for an invitation which we have received.

We direct the attention of our readers to the advertisement of Mr. G. B. Genin, whose clothing store at No. 14 Camp street, under the City Hotel, is one of the most fashionable in the city. Mr. Genin's prices are reasonable and his goods of the best, both in point of style and make.

The attention of our readers is directed to the advertisement, in another column, of the house of Dochez, No. 87 Royal street, where will be found a large assortment of ribbons, laces, handkerchiefs, buttons, ladies' bonnets, and all millinery articles usually kept in such establishments.

The Amunonia car will continue to run during this week, and will be daily at Clay Statue on Canal street, at 9½ A. M. and 5½ P. M. Books for subscription to the capital stock of the company are open at the office of G. L. Laughland, No. 122 Common street. 44

The Legal-Tender Decision.

The London *Times*, of May 4, contains the following severe criticism on the late decision of the Supreme Court on the Legal-tender act:

The news transmitted to us by our Philadelphia correspondent that the new members added to the Supreme Court have forced the court to reverse its own decision on the legal-tender act, announces one of the most deplorable events that have occurred for many years in American history. The court no longer defends the principles of the Constitution against the violence of party and the injustice of power. Men were much shocked, and not without excuse, when the Supreme Court under the Presidency of Chief Justice Taney denied to Dred Scott the status of freedom; but the decision in that case, though questionable, was not without some show of reason in its favor, and it was unanimously pronounced according to due course of law. The decision of the present court is violent, as well as unjust. It has been pronounced by a court packed for the purpose. It reversed a judgment arrived at after deliberate argument by the same court before new members were added for the purpose of swamping its decision. We must add, as being able to survey the question from a position of impartiality, that it is directly in conflict with the first principles and precedents of American law.

The legality of the legal-tender act did not come before the Supreme Court until the summer of 1869, and it was then argued at such length, and with such patient examination of every plea bearing upon it, that judgment was not pronounced before the spring of last year. When it was given, it was found that the majority of the court decided, by four to three, that the act of Congress was invalid, so far as it presumed to make the notes its legal-tender for the satisfaction of debts existing before the act was passed. It condemned the act to this extent both as ex post facto and as abrogating the obligations of contracts, and ordered debtors who had incurred debts before the act to satisfy their creditors in the same medium in which their debts were incurred—that is to say, in gold and silver. The decision was given by a bare majority, but it was hailed as a noble instance of the triumph of law and justice that among the majority was found Chief Justice Chase, who had been Secretary of the Treasury when the act was passed, but who had been converted by sheer force of reason to disallow the validity of the measure he had suggested. All our congratulations were however premature.

The decision of the Supreme Court thus reported is an immense misfortune to the American Union. When the legal-tender act was passed, in the heat of the war, immediate advantage was taken of its provisions by all the States except Massachusetts and Rhode Island. The Legislature of New York hastened to pay off in paper the creditors of the State, although many wealthy merchants of the city offered to lend the State, without interest, the balance in green paper and gold, in order that faith might be kept with the public creditor. When, however, the Supreme Court last year declared the act unconstitutional in its retrospective bearing, the Legislature of New York adopted a resolution affirming that the State debt, principal and interest, ought to be paid in specie, and authorizing the purchase of gold for the purpose. The Legislature of Maine adopted a similar resolution, and the judgment of the court was at thus soon to elevate the morality of the nation. All this past may be reversed, and the latter end will probably be worse than the first. National honor and justice have received a terrible blow. The course of law has been perverted. The guarantees of individual rights are weakened. Much has been said of the "patriotic anguish" of French statesmen who saw Prussia made strong by its victory of Sadowa; but the phrase fails to describe a miserable jealousy at the development of a neighbor, may be rightly employed to represent the sadness and sorrow that must fill the minds of patriotic Americans when they see their highest tribunal—the court which had won the admiration of the world—brought down so low as to pervert judgment and throw a gloss of legality over private and public dishonesty.

The British Press and the Treaty.

From the Pall Mall Gazette.

Now that the new basis of settlement is to form part of the international system—certainly as regards the United States and this country, probably as regards the whole civilized world—we need not hesitate to say that Great Britain has, on the whole, more to gain than to lose by it; and a heavy cloud which overhung the fortunes both of the English and the American people is probably on the point of being dispersed.

From the London Times.

We must heartily trust that the treaty will not only be approved by the Senate, but will prove a final solution of all the difficulties between the two countries.

From the London Morning Standard.

For our own part, there is but one word we desire to say to our Transatlantic cousins on this occasion, as it may help to close an old sore. Nobbing they never more than that sympathy with the South of which we at least are not yet ashamed. Yet, justice considered, that sympathy implied no want of the feelings of brothers and kinsmen. Had the enemy of the Union been France or Germany, we should have felt passionately for the Union. Had the invaders of the South been Prussians or Austrians, we should have been at war with them in three months. It was our kindred blood which caused us to feel so deeply interested in the struggle.

(From the London Telegraph.)

Suppose that all the Anglo-Saxon race should at any time hold one idea, and that the idea should be "Peace on earth, good will toward men"—conceive it possible that symptoms of jealousy and cross-purposes being quelled, their fleets, and treasuries, and countless legions of valiant hearts, joined flags upon the side of liberty and righteous government, declaring those alone enemies who threatened, or who waged needless and hateful war. It is a dream to-day, but it serves to measure the possible marvel of to-morrow; for we are as Briton and American should thus form a common policy, the world could no more thwart their purposes than it could resist the power of gravitation. On the other hand, what folly so foolish—what misery so miserable—as to cause, and then for mere pride to perpetuate, ill-blood between the chief Anglian branches? Yet there has been ill-blood for years, and once and again it might have made war between us. When the intelligent mind reflects upon such a terrible as "War between America and England," the phrase seems to represent utter chaos, the end of progress, the fulfilment of all sinister and shameful failures ever predicted.

Cluseret and Dombrowski.

Cluseret and Dombrowski, the late Minister of War and Commander-in-Chief of the Commune, are both professional soldiers, the London *Spectator* informs us. "The former, it seems, is a Breton of good family, and was an officer of engineers till a misalliance forced him to emigrate. He engaged in the American civil war and rose to the rank of general, by which, informers as one of the Fenian leaders, he landed the Irish army at Lough Gamhelte, and is now a bankrupt in Paris. His plan for the reorganization of the French army, published in a speech at Lyons, was decidedly able and thoroughgoing. His difficulty, he tells the Communes, is to make officers; discipline will make men.

Dombrowski is a Pole, who was for a time in the Russian service, organized the Polish insurrection of 1863, and has served by the side of Garibaldi. He, too, is a strategist, and he has clearly the power of inflaming confidence in those under his command. A correspondent of the same paper quotes one of Dombrowski's soldiers, who said that "the first in so exposed a position that it seemed as if he could not be killed." The soldiers trusting in him, "that the commander-in-chief did not select this spot through brogganism, but simply in order to be where he could expose that he belonged to the rank and file of the soldier. I must add that, as far as I can see and know, Dombrowski, has supported his position as the Nahlmacher Guards all the fighting in them, for the days were not accompanied to a good example."

A shrine in Mentilly during the week of the 20th of April within view of a palace occupied behind them have been whitewashed and every stone in them has been removed. Things: "I saw to-day a man give some beef broth to girls of a neighboring school. He handed a cup of it to each of them. They had been living in a cellar for a fortnight. Their only food had been bread and beans. They drank the soup mechanically, although it was the first thing they had tasted that day. The Sisters of Charity with them were worn out."

BY TELEGRAPH.

To the New Orleans Bee.

FOREIGN NEWS.

Operations of the Versailles Troops.

No Official News of the Fate of the Hostages Held by the Insurgents.

The Archbishop and Others Supposed to be Shot.

Terrible Destruction of Property in Paris.

Over 50,000 Dead Bodies in Houses and Cellars.

The Women Furious During the Fighting.

Executions are Constant.

HOME NEWS.

Adjournment of the U. S. Senate.

A Coal Mine Burning in Pennsylvania.

Miscellaneous Matters.

FOREIGN INTELLIGENCE.

Versailles, May 27.—M. Picard to-day informed that Assembly that Gen. Clinchant occupies the whole left bank of the Seine; that Generals Vinoy and Douai, after capturing the Place de la Bastille, occupied the Faubourg St. Antoine as far as Harrieu du Drone. That General Clinchant and Admiral Pothuau have advanced to the foot of Les Buttes Chaumont, and that they will to-morrow, with the Marine troops, occupy this last refuge of the insurrection in Montmartre.

Picard also stated. So news had reached the Government concerning the fate of the hostages held by the insurgents.

Versailles, May 27.—Favre dispatches representatives abroad that the acts of the insurgents are criminal, not political, and asks their extradition should any enter the neighboring countries.

London, May 27.—A dispatch from Sedan says the Germans who have been seeking for the Archbishop of Paris and other hostages report they cannot find them. It is supposed they are shot.

It is calculated that over 50,000 dead bodies are in the houses and cellars of Paris, many of whom are women and children.

It is said the women were perfectly furious during the fights. Executions are constant.

The destruction of property is terrible. It is estimated that one-fourth of Paris is destroyed.

London, May 27.—A dispatch to the *Daily News* says Don Carlos is at Bayonne and that great agitation prevails in Andalusia and Catalonia.

London, May 27.—A dispatch from Versailles Friday night, says, Gen. Vinoy occupies the whole left bank of the Seine, which was defended by 10,000 insurgents. The fighting was severe and the casualties heavy.

The Versaillais have carried Pont de la Gare, which crosses the Seine at Bercy. A portion of Les Buttes Chaumont was also carried by the Versailles troops.

Gen. Leflo has informed the Assembly that the insurgents still hold Charonne, a strong place, but Gen. Douai, Gen. Clapelle, La Villette, Menilmontant, and Belleville.

The General also informed the Assembly that the insurrection would be at an end on Saturday.

The insurgents will probably be surrounded to-night in Belleville and Menilmontant, and the remainder of the city will be occupied by the Versaillists.

The Theatres Lyrique, Chatelet and Porte St. Martin have been burned.

A cannon and twenty-two flags were captured at Belleville.

There is a rumor that Delescluze and Pyatt have been shot.

The insurgents imprisoned in the dock have attempted a rising, and several were shot before order was restored.

The insurgents have been dislodged from Charonne and are surrounded in Belleville and Menilmontant.

A dispatch from Pantin, at noon to-day, says: The fighting on the east and north is less violent.

A Versailles battery in the rue de Flandre La Villette bombards the insurgent works in Les Buttes Chaumont.

The insurgents fire recklessly upon the city.

The Prussians imprison all escaping insurgents.

London, May 27.—The bark Minnie, from London for Boston, foundered in consequence of a collision with the Ethelbert T. Oliver, from New York, April 29th, for London.

Lisbon, May 26.—An insurrection is reported at Varinas, Venezuela. In an engagement the rebel General Herrera was victorious.

Brussels, May 27.—Victor Hugo has written a letter to the *Independance Belge*, which, while it disapproves of the insurrection, protests against the statement that the Belgian Government would attitude all the insurgents found upon its territory.

The *Independance Belge*, in its comments, does not agree with the sentiments of Hugo.

Liverpool, May 27.—Arrived—Princeton, D. N. Chapman, L. L. Morgan, Chasco, Cochrane, Helen L. Palmerton, Moses, Moses, North American and Neptune.

FROM WASHINGTON.

Washington, May 27.—The Senate discharged its prisoners, and without further action adjourned *sine die*.

The Young Men's Christian Convention adjourned.

Washington, May 27.—The barometer has risen rapidly on the California coast and continues to fall from the Rocky Mountain stations. There has been a very decided diminution of pressure from Lake Erie to Virginia and thence to the Mississippi and Gulf, with increasing temperature and cloudy weather. Light showers have been reported from a number of points in this region. Partially cloudy and clear weather with a decided fall in the pressure has been experienced from Lake Michigan to Maine and Connecticut. The winds at present are fresh southerly east on the Gulf and Atlantic coasts and in the Mississippi Valley.

Washington, May 27.—Minister Washburne telegraphs to Secretary Fish, that the insurgents said hold a small portion of Paris, and that the Archbishop's fate is uncertain.

Washington, May 27.—The Senate adjourned without ratifying the treaty for an extension of the Reciprocity Commission.

PROHIBITIONS.

It is probable that threatening and cloudy weather will very generally prevail from the lakes to the Atlantic and Gulf with occasional rains. A more settled state appears to be developing west of the Mississippi.

MISCELLANEOUS DISPATCHES.

New York, May 27.—The *Sun* says, editorially: "A letter has reached us from Mr. Cluseret, dated at Lyons and bearing the signature of a colonel from the Commune, through Geneva, Orleans to Bordeaux, Tours, Lyons, Geneva, Paris. Cluseret, Dombrowski, Pyatt, Delescluze, Ferre, Rigault, Gambetta, Jules Favre, Thiers, Bismarck, Napoleon, Victoria, Victor Emanuel, Garibaldi, Mazzini, Victor Hugo, Louis Blanc, Louis Blanc, Louis Blanc