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TERMS OF THE BEE

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Semi-Weekly Edition.
TERMS—PER YEAR.....$5
NEW ORLEANS:
WEDNESDAY MORNING, APRIL 20, 1870.

Amusements This Evening.

ST. CHARLES THEATRE.—The La Rue's Minstrels.
ACADEMY OF MUSIC.—Kathleen Mavourneen.
NONPAREIL CIRCUS.—Corner Canal and Villere.

A THIRD PARTY MOVEMENT IN MOREHOUSE.

A Convention of the people of Morehouse parish, in this State, was held in the town of Bastrop on the 9th inst. Its proceedings are reported in the *Ouachita Register*, published at that place. They consist of an expression of sentiment in the form of an address touching the present political situation of affairs, and a set of resolutions embodying certain suggestions to the Conservative Convention called by the late Press Convention, held here last month, to meet in New Orleans April 25th. This document was drawn up by a committee appointed by the Convention. There are certain passages in the address or preamble to the correctness or propriety of which we cannot subscribe. It was entirely unnecessary and inappropriate to cast any reflections upon those who resorted to the doctrine of secession as a remedy for the evils with which the country was threatened when that movement was originated. Nor can we acknowledge the justice of the reflections which the Conservatives of Morehouse cast upon the leaders of the Democratic party, who at all events, have been true to the Constitution of the country as established by the fathers and construed by the ablest statesmen and jurists who have illustrated our history. The events of the last ten years abundantly justify the attempt which was made to preserve the Constitution by those who held to the right of secession. The failure of that attempt may prove that as a practical measure it was a political blunder, but it no more proves the fallacy of the doctrine than the loss of a law-suit proves the error of him who is overthrown in the contest. And we would suggest to the authors of this document, put forth by persons calling themselves Conservatives of Morehouse, that they have adopted a very mistaken and ill-judged course to bring about a union of all anti-Radical citizens when they begin by administering a censure upon a very large proportion of the whole people of Louisiana—a censure which, it just, equally applies to a majority of the white people of all the Southern States.

We are also unalterably opposed to the formation of any third party in this State distinct from that party which is now known as the Democratic or Conservative party. The formation of such a third party is plainly recommended in these resolutions of the Morehouse Conservatives. That policy would be suicidal, and we cannot believe that a majority of the citizens of Morehouse, who have hitherto acted with the Democratic party, or any respectable member of them, have given their assent to such a recommendation. It does not appear from the address and resolutions who were members of the Convention held at Bastrop, and what right they had to speak for the people of Morehouse. There is but one name attached to the publication—that of the Chairman, W. P. Buford, who may, for aught we know, speak for but a small fraction of his fellow-citizens. Possibly not much harm will come of this ill-advised utterance of our Morehouse friends for we have little idea that any convention deserving of the name will be held in New Orleans on April 25th, and if so, the address and resolutions to which we have reference will be productive of no injury. We think few of the parishes have elected delegates to the convention. We subjoin an article, which we find in the Mansfield *Reporter*, just come to hand, which expresses our views so forcibly that we can not add anything to it. We judge the Conservatives of De Soto parish do not concur with the Conservatives of Morehouse:

THE PEOPLE'S CONVENTION.—Our readers are aware that the Press Convention called for a convention of the people to assemble in New Orleans on the 25th of this month, to take into consideration the best method of reforming the abuses in our present Executive and Legislative government. As no response has been made to the call in this parish, it is reasonable to suppose that we will not be represented in that convention.

This is to be regretted, for it certainly seems that every parish should be represented. Questions of grave import will come before that body; questions that should be settled then and there, but which can not be settled unless the entire State is represented.

Among the important business that will come before the convention will be the adoption of a policy to be pursued by the anti-Radicals in the November election. The question of the reorganization of the Democracy, on live issues, or the formation of a new party in opposition to Radicalism, should be decided by the convention, if every parish be represented; but if only a portion of the State send delegates the action of the convention will not, and should not, be endorsed by the people at large.

If the leaders of the Democratic party intend to reorganize their forces, and make a stand in hand struggle with Radicalism, calling to their aid all who are opposed to the corrupt party in power the idea of forming a third party is redundant, and should not receive the encouragement of anti-Radicals. But if the Democracy remain apathetic, and dis-appoint the wishes of the Conservatives of the State by negligence or otherwise then a new, not a third party, will and should be formed. The formation of such a party, will be from necessity, not from choice.

For our part, we wish to see but two political parties in the State—Radical and anti-Radical. There is no necessity for another. We are with the anti-Radicals to the bitter end, let it be known as Democratic, Conservative, or third party. There is nothing in a name. We should be governed by principle and not by prejudice. This is no time for bickerings and strife. We cannot afford to be divided. We must act in harmony and concert, if we would win the race. All the Conservative forces must be moulded into one solid body against our common enemy. In union and strength is our only hope. Our chief object must be to drive from our State the carpet-bag scoundrels who have foisted themselves into office over us, we should not stop to consider the name or record of any party that has for its purpose our desire, but unite with it and bend our energies to redeem our State from the foul grasp of the dishonest men that now hold despotic sway over us.

THE TRADUCER OF THE TEXANS.—The Congressman from Texas who lately slandered the people of Texas in the Senate at Washington, is not Andrew J. Hamilton, who was Military Governor of that State, but one Morgan C. Hamilton.

He is the first Senator who has ever, to our knowledge, slandered the constituents he claims to represent; and we think the adage is peculiarly appropriate in this Texas C. Hamiltonian which represents that to be a dirty bird which fouls its own nest.

Morgan C. Hamilton claims to be a native of Texas. For the honor of that gallant State, we are inclined to doubt that he was born upon her soil.

THE JACKSON RAILROAD ELECTION.—We are requested to call the attention of the Stockholders of the Jackson Railroad to the notice of President Beauregard, in our advertising columns, touching the protest which has been drawn up against the proceedings of H. S. McComb, by which the regular annual charter election of Directors was prevented. It has already been numerously signed by Stockholders of the Company.

Mr. A. Simon of the Cosmopolitan News Depot, Exchange Alley, near Bienville street, has all the late Weekly pictorial papers and Magazine. His assortment is very large. The leading newspapers of New York, Boston, Philadelphia, Chicago, Cincinnati, Louisville, St. Louis, and other cities can be found there regularly. We are indebted to Mr. Simon for several of these publications.

NOW THROUGH A GLASS DARKLY.—But open to the light. PHALON'S VITALIA, or SALVATION FOR THE HAIR, shines through the uncoloured bottles that contain it. The shades of color it communicates to gray hair are nature's own, and it is devoid of any sediment. Sold by all druggists and fancy goods dealers.

An ice house in Lee, Mass., is said to contain a quantity of ice packed in it seventeen years ago.

The New Orleans Bee.

OFFICE 73 CHARTRES STREET. NEW ORLEANS, WEDNESDAY MORNING, APRIL 20, 1870. 43d YEAR—Vol. XLIII.—Whole—15,038

CITY INTELLIGENCE.

H. S. McComb vs. New Orleans, Jackson and Great Northern Railroad Co.—City of New Orleans and others, intervenors.—This case was resumed yesterday in the Eighth District Court, Judge Dibble presiding and holding court in the room of the Supreme Court.

The case of the State on the relation of H. S. McComb vs. the Railroad Company was first called.

Gen. Freeman filed petitions of intervention in behalf of Lingham and others, similar to those filed by him in the city case, and Major New, of counsel for McComb, filed exceptions accordingly.

The leading counsel in the case, Judge Campbell, being imperatively detained in the U. S. Court, Mr. Simonds asked a temporary continuance.

Mr. Bermudez objected to the State case being called, because this would be out of order, the city case having precedence. He also contended that he was entitled to a continuance on the same grounds of courtesy which had been extended to the counsel for the relator in continuing the case last Saturday. He would withdraw from the case, not only out of courtesy to Judge Campbell, but as a means by which with the co-operation of his assistant counsel, he could force the continuance of the case on legal grounds, as it could not then go on without the attendance of Judge Campbell being required by the court, whenever his presence could be obtained.

Gen. Freeman also argued for a continuance.

Major New argued that there was no legal ground for a continuance. They had been, he contended, an offset of courtesies so far as that question was concerned, since they had been granted continuances on each side, with the difference that the relator was the suffering party in asking for his rights. The State case, he contended, was fairly on trial.

Judge Dibble ruled to go on with the State case, and Mr. Bermudez concluded to file exceptions to the ruling instead of withdrawing from the case.

Among the witnesses present, impatiently awaiting the result of this discussion, was Governor Warmouth.

Mr. Simonds filed an application in behalf of Lingham, asking, as a British subject, for a transfer of the case to the U. S. Court, alleging that he believes he will not obtain justice in the State Courts.

Judge Dibble said he would not grant this application, except so far as the mere intervention of Lingham was concerned.

Mr. Simonds took a bill of exceptions to show cause this morning why the transfer of the whole cause should not be granted.

Mr. Bermudez renewed an application for a trial by jury, and filed exceptions to the previous ruling of the court denying same.

The examination of witnesses being resumed, Gov. Warmouth was sworn, and testified substantially as follows:

I am the Governor of Louisiana; I sold the stock of the State in the Jackson Railroad to H. S. McComb; he was the highest bidder; four dollars per share; sold him, I believe, 25,380 shares; Mr. McComb gave me a check on the Crescent City Bank for the amount referred to; I have not presented the check, for the reason that the Railroad Company have not transferred the stock to me; the check in my bank box and will remain there until Mr. McComb has been to the office of the Jackson Railroad Company, applied to Gen. Beauregard to transfer the stock to McComb, which he declined. I told him I had sold the stock to McComb, and was ready to sign the necessary transfer. Gen. B. replied that, as the representative of the bondholders and stockholders, he could not consent to the transfer. No certificates of stock were ever issued to the State. I acted under the law of April 1, 1870. McComb was with me, Gen. B. declined positively to make the transfer on the books. A bond for $300,000 was also given to me by McComb; it was satisfactory. I have the bonds and the State bills. I neglected to indorse on the bond the date of approval. How. W. here made the approval in writing in court.

Mr. Bermudez then objected to these proceedings, and set up a complete denial that the bond required by law had been furnished.

Judge Dibble asked who were the securities on the bond. Mr. Bermudez answered Thomas S. Walton, F. J. Pratt and C. A. Weed.

The bond was then offered in evidence subject to the requirement that the signatures should be proved.

Cross-examination—I published a notice of my intention to sell the State stock of the road in the official journal in this city, the Chicago paper, and was also telegraphed to New York by the Associated Press. I do not know that any other publication was made in New York. I did not have it published in any other paper; subsidized or not. I think the publication was continued daily till sale. The notice posted on the back of the bond is the one I ordered to be published. [Mr. Bermudez objected to any evidence.]

The sale of the stock was by sealed proposals. There were three sealed proposals received. I received them personally on the day named for the sale, April 8th, about 12 o'clock. The gentlemen who made the bids brought them. I opened them. I saw them before here. F. J. Pratt bid $2 05 per share; H. S. Kimball bid $3 per share; H. S. McComb bid $4 per share. The bids were received by me and the award was made by me verbally to Mr. McComb, the highest bidder immediately on opening them, about one quarter past twelve. All the bidders were present. As soon as McComb came I went to the Jackson Railroad to transfer the stock. It was about an hour and a half after the award that the transfer was furnished. The award was made in my parlor. McComb left to get his bond after the reward was made to my parlor.

When he returned his first act was to hand me the bond in the same condition it is now, signed as it is. He gave me check for money same time. I read the bond when he tendered it to me. Saw the amount was right and securities complied with.

I noticed the blanks in the bond that the names of the securities not filled in; don't think I noticed any other blanks.

I have known Mr. McComb but a short time. Don't know Mr. Walton. Have known Mr. Pratt five or six years.

The court objecting to the latitude the examination was taking, Mr. Bermudez contended he had been allowed that relator had purchased the stock and given bond, and he was simply showing that McComb had not purchased the stock because the bond, one of the conditions on which the transfer could have legally been made, had not been complied with. Besides he was preparing to disprove the signatures to the bond.

Mr. Randolph argued that the bond itself was the evidence in these matters.

Examination resumed—I know Mr. Weed about six years. Have seen him sign his name. I never saw Mr. Pratt sign his. The words written across the writing on the first page of the bond were written by me after I had been sworn here as a witness.

It had been approved before, but not in writing till to-day. I do not know where Mr. Pratt or Mr. Walton resides.

The court here ruled that under the allegations and responses which Major New now contended, were insufficient as to the bond could not be entered into. To this Mr. Bermudez said he would file exceptions.

Examination resumed.—Besides the bidders themselves Messrs. Aristide Mitten-berger, Pratt and myself, Secretary, were present when the bids were opened. It was not after 2 o'clock the bids were received. I showed Gen. B. the act of the Legislature. My Secretary filled the bond and the bids. The check of McComb is in my bank box.

Gov. Warmouth was here excused temporarily to go to bank for the check.

The amount bid by Pratt is in figures in pencil.

H. S. McComb sworn—I am relator, purchaser of the stock of the State, gave a check on the Crescent City Bank for $141,441. The bond here shown me was signed by me.

The witness corroborated the testimony of Gov. Warmouth as to the interview with Gen. Beauregard.

Cross-Examination—I paid for the stock by giving check on bank. I don't know whether the check has been paid. I had unlimited authority to draw on the bank. My letters of credit were tendered Mr. Mumford here on the 20 April, who accepted them on the spot. I had no special deposit of my own in bank. The bond was signed by F. J. Pratt, C. A. Weed.

The securities are Thomas Walton, auction by public outcry on the 8th April Governor's office. I laid my bid on the table; struck off to me. The Governor was present. The bids were opened; I do not know that the Governor shuffled them, B. my paper but the law. This [writing on the back of the same excepted] is in the condition it was shown. The writing was put on in the office of the Railroad Company. I saw the Governor writing it down to certain point about 8 o'clock in the morning when Gen. B. came in. The Governor asked the transfer of the stock and Gen. B. refused. The Governor had a talk with the Attorney General subsequently about the case.

E. H. Sommers, sworn—Am President of the Crescent City Bank. McComb produced letters of credit on the bank. McComb's check would be honored to-day by the bank to the amount for which it was drawn. I never saw the check here presented before to-day. I have seen his signature. I never saw Mr. Pratt sign his. The words written across the writing on the first page of the bond were written by me after I had been sworn here as a witness.

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