THE NEW ORLEANS DAILY BEE,
DUPOUY & LIMET, PUBLISHERS.
Office, No. 73 Chartres street.
TERMS OF THE BEE.
Terms of Subscription—Daily, per annum, in advance, $16; half-yearly, $8; quarterly, $4.
Price of the Paper—Single copies, 10 cents.
The Semi-Weekly is published every Tuesday and Saturday. Subscription, $5 per annum, invariably in advance.
Rates of Advertising—Transient advertisements have for the run of the paper, first insertion $1 50 per square; each subsequent insertion, 75 cents per square.
First, or Editorial Page Transient Advertisements, each insertion, $1 50 per square.
Advertisements inserted at intervals, to be charged as new each insertion.
First or Editorial Page, Monthly Advertisements, each square, $30 00, per month.
Regular advertisers, who advertise largely, shall be allowed such discount from the above named transient rates as may be agreed upon. In no case shall such discount exceed 33 per cent.
All business Notices of Advertisements to be charged 20 cents net per line, each insertion.
All Transient Advertisements must be paid for in advance.
All Advertisements not marked for any number of insertions will be published six times.
All bills with regular advertisers shall be rendered monthly.
NEW ORLEANS:
FRIDAY MORNING, DEC. 6, 1867.

The New Orleans Bee.

OFFICE 73 CHARTRES STREET. NEW ORLEANS, FRIDAY MORNING, DECEMBER 6, 1867. Vol. XXVII—New Series. Vol. XVII—Whole—14,306

THE PRESIDENT'S MESSAGE.

We published in our telegraphic columns of Wednesday an abstract of the message of the President to the Fortieth Congress now in session, sufficiently full to enable our readers to form a tolerably correct estimate of the character of the document.

The President takes no step backward. Emboldened by the revolution in public sentiment as manifested by the late elections in the North and West, he reiterates the constitutional doctrines he has so often had occasion in the hearing of the people to announce and to elucidate. He defends his action towards the restoration of the insurrectionary States, and throws upon Congress the entire blame of the defeat of the measures he adopted for that purpose. He asserts the fact that there is now no union where one State is as free as another to regulate its internal affairs according to its own will. He argues that the Union and the Constitution are one and inseparable, and that if one be destroyed, both will perish together. The Constitution of the United States is one entire law—a totality. When it is infringed in the slightest degree its binding force no longer exists, and all parties to the compact resume the exercise of those powers which they possessed prior to its establishment. The President demonstrates conclusively that the Constitution operates over the lately "rebellious" States, the citizens of which have the same right to seek shelter under its aegis, those of the Northern States. He shows that his predecessor, he himself, and the heads of the Departments, have adopted and acted upon the principle that the Southern States are still members of the Union, which has not been dissolved because it is indissoluble. He shows that Congress recognized the membership in the Union of all the Southern States by submitting to them the constitutional amendments and accepting their votes on the ratification of the same; and that the Judges of the Supreme Court have included those States in their districts. The President argues, that if they are component parts of the Union, the Constitution is the supreme law for them as for all the other States, and holds they are bound to obey it. Being convinced his views are correct, he recommends the repeal of the acts placing the Southern States under military control. He demonstrates the incompatibility of those acts with the rights of the people, whose sentiments he expresses when he says they will endure endless military oppression rather than degrade themselves by subjection to the negro race. The President deprecates in earnest terms extending the privilege of suffrage to the race, and shows the propriety of previous precaution for its exercise. He depicts the terrors inevitable from negro governments, and says a strong standing army will be required, costing over two hundred millions of dollars per annum, to maintain their supremacy after they shall have been established, and that without such military protection they are wholly incapable of holding in subjection the white people of the South. The President discusses the effect on the public credit and trade by a persistence in the Congressional scheme, and shows that both will be ruined. He declares that equal and exact justice requires that all of the creditors of the Government should be paid in currency of equal value, and not in gold for one and paper for another. He is a hard money man, believing it is unreasonable to expect a return to sound currency so long as the Government, by issuing irredeemable notes, fills the channels of circulation with depreciated paper. The President makes reference to many other subjects, an analysis of which we shall defer making, until we shall have read the entire message. One of the most important assertions in the document is that it asserts the right of the Executive to refuse to execute certain laws, although they had passed through all the forms of legislation and been placed on the Statute Book. No man is obliged to obey or carry out a law clearly and palpably in violation of the Constitution. The President, under that instrument, has a sworn duty to perform. While he must take care that the laws be executed, he is also required to preserve, protect and defend the Constitution, which is as much and more a law to be executed than any enactment of Congress. Even an individual citizen holding no public office may refuse to obey an unconstitutional law, taking upon himself the responsibility of so doing, and for a much greater reason the President may do so, under a similar responsibility to the people of the country who placed him in the Executive chair to check all inroads from whatever quarter that might be openly or insidiously made upon that citadel of our rights.

This is the true constitutional doctrine. Any other would lead us into anarchy and confusion, and say the foundations of the Government in thus standing up so nobly and so firmly for the integrity of the fundamental law of the land against the fierce attacks of an unprincipled and wicked faction, Mr. Johnson deserves and will receive the lasting gratitude of every lover of his country, who values its fair fame above any temporary partizan advantage, and the admiration of every lover of constitutional government throughout the civilized world.

THE FRENCH OPERA.—"La Dame Blanche" was performed at this house last night, the leading roles being taken by Mademoiselle Audibert, Mr. Damiani, Mr. Dupin, Mr. Tholer, and Madame Gravier. Miss Lambele was to have appeared in the part of Anna, but indisposition rendering her unable to do the character or herself justice, Miss Audibert kindly took her place, and it was only an hour before the performance commenced that she was notified of the necessity for a substitution. With such short notice it was impossible to prepare herself for the service, which accounts for the use she made of the book, but notwithstanding this difficulty Miss Audibert went through the role with success, and attested her superior musical talents by the effort. Mr. Damiani was in excellent voice, sweet and sympathetic, and the scenic display was made in fine taste and very attractive. The performance went off delightfully and to general satisfaction.

On Saturday night the "Trovatore," with Miss Audibert as *Azucena*.

We acknowledge receipt of cards of invitation through the politeness of Messrs. José Barba and Serafin de Arredondo, to a grand fancy dress and regalia ball, to be given by "Solon" Conclave No 8, Order S. W. M., on Saturday evening, December 7th, at the German Company's Hall, corner Bienville street and Exchange Alley, for the purpose of erecting a tomb.

Presidential Movements.

The *Constitutional Union*, published at Washington, in its issue of the 15th ult., nominates Gen. Sherman, and John P. Stockton, of New Jersey, for President and Vice President. The Washington correspondent of the Cincinnati *Enquirer* says that the movement "had its origin in New York," and that "some of Sherman's friends declare he would accept." The same correspondent telegraphs under date of the 17th ult. as follows:

"It is understood among Democratic politicians that preliminary conferences will be held in New York on December 17th, for the purpose of considering the subject of a candidate for the next Presidency. Pendleton, of Ohio, Seymour of New York, English, of Connecticut, Stockton, of New Jersey, Voorhees, of Indiana, and Marshall, of Illinois, are expected to be present."

A movement is on foot in Washington to organize a large Chase Club. The Washington correspondent of the Cincinnati *Gazette* says: "It will embrace a number of the most prominent and influential men in the city." The *New York Tribune*, in its prospectus for 1868, declares for Chief Justice as its candidate for President, and calls on its patrons who indorse its choice to make up clubs and extend its circulation in order to promote his nomination, and election if nominated. The *Tribune* indicates very distinctly that it will support no man who does not stand "on a platform which affirms and upholds the equal political as well as civil rights of citizenship of the republic."

The Washington correspondent of the Louisville *Courier*, writing on the 13th ult., says:

"We have been in a fog (and still are) about Grant's political status. All that is positively known is that he formally repudiated the trap set by these shallow tricksters, Forney, Logan and Washburne, to set him up as a Radical platform, but this by no means argues he is not with them in sentiment—only that the time for him to take position has not yet come. He drops a word from the West that some conversation with the General, in which the latter said, in reply to his being wanted as a candidate by each party 'I have as much as I want; I don't want anything—except to be let alone.

"Chase's friends are overjoyed at the recent republican that occurred about Grant's politics, as they think it damages his chances, and it is only justice to say that this opinion is correct. The Johnsons, I mean those who pretend to respectability, character and principle, know they can depend on Chase, and the declaration of Greeley that 'they do not believe he should be their candidate,' redeems the views of this class. While Chase may be possibly stronger before the masses, on the ground of his supposed availability, Chase is likely to prove strongest before a convention, and will be, almost to a certainty, the Radical candidate for the Presidency."

They have a dog at the Peoria (Ill.) post-office who stands guard at the ladies' door, and will not let gentlemen enter.

BY TELEGRAPH.

(To the New Orleans Bee)

FROM WASHINGTON.

Debates in Congress.

The Impeachment Question.

Sheridan's Defense of his Acts.

The Alabama Convention.

Loss of United States Vessels-of-War.

FROM EUROPE.

French Troops All Left Rome.

The English Press on President Johnson's Message.

FROM MEXICO.

Miscellaneous Intelligence.

Foreign and Domestic Markets.

From Southwest Pass.

Washington, Dec. 5—SENATE.—After local business, a bill was introduced to compel registered bondholders, when a bill to refund interest into coupon bonds, also, a bill to provide for appeals from the Court of Claims.

Grant was called on for a statement of the number of white and colored persons who registered and who voted, and the number of whites disfranchised.

Stanbery was called on for information regarding Assistant United States Attorneys.

A resolution to print the usual number of copies of the President's Message was adopted.

A bill striking the word "white" from the laws and ordinances of the District of Columbia was discussed.

Johnson, of Maryland, and Hendricks, of Indiana, taunted the extremists whose States had repudiated their debts.

Wilson advised the opposition Senators to be more modest, saying that Congress was always ahead of the people, but the people came up to good time. That because Congress acted it was no reason why Congress should swerve from the right path. Matter postponed.

The bill placing coin for the bonded debt was resumed and elaborately discussed and laid over.

The bill abolishing the word "white" in the District ordinances was resumed. During the discussion, Morton, of Indiana, said that the feeling against the rebellion and its abettors and collectors was as strong as ever, and ten years hence would be stronger. The bill passed—yeas, 33; nays, 8. It is Sumner's bill of last session and abolishes every distinction.

Adjourned.

HOUSE—Williams, of Indiana, introduced a bill funding the interest bearing debt and taxing it to form a sinking fund for the liquidation of the same.

The Committee on Ways and Means were instructed to inquire into the expediency of exempting from tax the products of hand looms.

Paine introduced a bill for the more efficient government of the rebel States, which was referred to the Judiciary Committee.

The memorial of the New Orleans Chamber of Commerce was referred to the Committee on Commerce.

Several financial bills were referred.

Ashley, of Ohio, introduced a bill to facilitate the restoration of the rebel States.

The Special Committee on Ordinance was continued.

The Blakie and Golladay case of the contested Kentucky delegation came up to-day. They were both allowed an hour. Blakie occupied his time, and was further indulged in abuse of Kentucky and personal disparagements. Golladay contented himself with a brief and eloquent defense of Judge Hise. The Committee's report in favor of Golladay was almost unanimously adopted. He was sworn in. Trimble, Brown and Mr. Boyd, of the Kentucky delegation, remain excluded.

The impeachment question was resumed.

The speaker announced that expressions by applause or otherwise would lead to clearing the galleries, or like demonstrations on the part of members would lead them to the bar of the House.

Boutwell, who has the opening, was allowed unlimited time. Early in his speech he argued against expulsion, unless a high crime be proven. Before he concluded the House adjourned.

Brevet Major Gen. J. C. Buchanan, Colonel of the 3d Infantry, has been ordered to report to Gen Hancock, to command the sub-District of Louisiana, and is to be Assistant Commissioner of the Freedmen's Bureau.

There will be no withdrawal of legal tenders during December. The debt statement for November will be issued in two-days, showing an increase of the public debt of ten to twelve millions.

Revenue receipts to day $751,000.

Stanbery's opinion, called for by Congress, contains the Government's clear title to the Harper's Ferry property.

Private advices state that the United States steamers Do Soto and Monongahela were lost during the recent West India hurricane. The larger portion of the crew of the De Soto, and a portion of the Monongahela's, were saved.

Sale of the Government's interest in the Dismal Swamp Canal, has been postponed to the 24d of January.

Washington, Dec. 5.—The official report of Sheridan of his operations in the Fifth Military District up to the time of his removal, has been received. He says that the persons whom he found holding civil offices in Louisiana and Texas were mostly all ex-rebel soldiers, or sympathizing with the rebellion, and that while they held office it was impossible to execute the Military Reconstruction bill. He defends his action in removing many of these officials, and shows that they were authorized to retain in office during good behavior. Referred.

Various committees next presented reports, which were read and referred.

Smith, of Orleans, Chairman of Special Levee Committee, asked time till to-day to report upon levee matters.

Resolutions from Thos. Thomas W. Conway and a colored teacher in the colored schools of New Orleans, Miss Edmonia Highgate, to-day in the Hall of the Convention, on national topics.

Bearing resolutions to allow registered voters to vote on the Constitution in the parishes they happen to be when they vote, was referred.

The Convention refused to confirm the Enrolling Clerks chosen by the Enrollment Committee.

The Convention went into Committee of the Whole, President, of Orleans, in the chair, on the resolutions of Wickliffe, of Orleans, declaring that in order to reconstruct the State in accordance with the Military bill of Congress it was necessary that all rebels should be removed from office.

The matter elicited exciting discussion, lasting till 5 o'clock in the afternoon. Speeches were made by several members, including Cooley, of Pointe Coupee, Wickliffe, Newsham, Harper and others.

Judge Cooley exploded, in a masterly and eloquent manner, the theory of the proposed resolutions that any further legislation by Congress for the reconstruction of the State, as claimed in the resolutions, was necessary, or that there was any danger, as apprehended or expressed therein, that the Constitution to be submitted to the people of the State could not be properly voted upon because rebels were in office. The registers of voters and commissioners of elections were the officers who controlled the matter, and they are certainly loyal, in military acquiescence of Gen Sheridan.

The President of the United States, the Sheriffs of the parishes, and other State, municipal or parochial officers, had no more to do with the voting on the constitution to be submitted than they had with the election of delegates to this Convention. Civil government existed in the rebel States as a fact, whether legal or illegal, though permitted, it is true, by the military. The only remedy for this was to be found in the first section of the act of Congress of March 23d. The civil government in the States was subject to but one limitation, the will of the military commanders, and this Convention has no more to do with the civil governments in the State than it has with the man in the moon. If Generals Sheridan, Mower and Hancock do anything in accordance with the civil government provisional in operation, it is because there is nothing in the military bill to require otherwise. The remedy was to change the civil government by the formation and adoption of a State constitution.

Newsham replied at length to Judge Cooley, but rather lamely. During the discussion the chairman ordered the sergeant-at-Arms to arrest Wickliffe, who had been declared out of order and grown restless under the ruling. The Sergeant-at-Arms moved slowly, however, till the Chairman peremptorily ordered the arrest to stop.

On motion the Committee of the Whole rose and, the discussion not having been concluded, simply reported that the Convention then adjourned till 12 o'clock Friday.

The Late Opinion of Judge Bill.

Editor Clarion—In a second reading of the decision of that erudite and accomplished jurist, the Hon. Robert A. Hill, of the United States Court, in the recent case of Brevet Major General Ord, *versus* myself, I find the following erroneous statement. The learned and Honorable Judge says:

It is insisted that the arrest was in violation of that provision of the constitution, which guarantees the freedom of speech and the press. I have no hesitancy in admitting that the freedom of both are as fully guaranteed to the citizens of this as of any other State in the Union, to discuss and criticise the acts of officers and the official acts of those intrusted with either the making or execution of the laws; but this does not sanction any slander or libel, and it cannot be the province of publishers to visit upon them such a penalty prescribed by law, for such abuse. It is admitted that the publications are libelous, and that under the laws of the State would subject the petitioner to indictment, and if found guilty, to punishment by fine and imprisonment; but it is insisted that this conviction can only be had by a jury, and the judgment pronounced by a proper Judge under the Constitution and laws of the State, but we have seen that none such exists, except those equally subject to the control of the Commander of the District, and under the act it is left with him to choose the tribunal.

I regret exceedingly, to be compelled to call in question the truth of any statement uttered in the Hall of the United States Court, but a due regard for truth, and a desire to "vindicate the truth of history," impels me to utter a prompt and early disclaimer of the gratuitous assumptions of His Honor, Judge Hill. My counsel, the Hon. Walker Brooke, the Hon. Thomas M. Marshall, and Hon. William E. Sharkey, (I mention them in the order in which they addressed the Court,) made no such admission. Neither of my counsel admitted that any language of mine was libelous. They denied it! and one of them declared that no language was too severe, or denunciatory, to be applied to the acts of tyranny and despotism which I have so freely denounced!

The only admission made by the gentleman engaged in my defence, was that "libel," under our laws, is an indictable offence, and that it is punishable with fine and imprisonment. They also stated what every body knows, that the party indicted can justify, by pleading and establishing the truth of what he has asserted, and thus escape punishment, by proving that he has committed no offence.

It is implacable to me to be called upon to criticise the utterances of a high judicial functionary, but respect for my distinguished counsel, respect for *myself*, forbids me to remain silent. The able and distinguished gentlemen who represented me before Judge Hill, understand too well their duties to their client to make any such weak and fatal admission, and I have too much sense and self respect to employ a lawyer silly enough to acknowledge that I had committed crime, when every decent and intelligent man and woman in the country knows that I had *not* committed a crime, and that the charge of "libel" was itself, false, libelous, scandalous and calumnious.

I am, Sir, Respectfully, your friend,
W. H. McCARDLE.
Jackson, Miss., Nov. 28, 1867. *Clarion.*

CONFEDERATE SOLDIER'S REMAINS.—There are buried on Mr. John Workman's place, "Fulton Hill," the remains of an Arkansas soldier, killed below the city on the 27th of—1864. His name was John T. Daniel, of Company "A," Third Arkansas Regiment. His brother, by whose request they were brought down on Mr. Workman's place, can't be long, and he would certainly come back for them if he lived to see the war through. He has never returned, and the presumption is that he was killed also. His friends or relatives can learn all of his fate concerning them by addressing Mr. Workman, Richmond, Va.

Mobile, Dec. 5.—Cotton market opened active, becoming excited during the day, and closed at an advance of ¼ to ¾c; sales 4500 bales; middlings 14¾ to 14¾c; receipts 1105.

Galveston, Dec. 5.—The steamer Tartar, from Vera Cruz, brings Mexican dates from the interior to November 25th. By a decree of Juarez each citizen is held to five years military service.

Part of a regiment formerly serving the Empress Carlota, mutinied, killing Col. Beuchez, one of the Military Commission who sentenced Maximilian. Congress was assembling.

Louisville, Dec. 5.—Sales 68 hhds Tobacco; logs $5 30 to $6 85; medium leaf $17 75. Flour—superfine $7 50 to $7 75. Hogs 6¾ to 7¼ gross. Wheat $2 25 to $2 50. Oats 66 to 68c. Corn, new, 80c. Bacon—shoulders 11½c; clear sides 15¾c. Lard 13 to 13¼c. Mess Pork, old $21; new $22 50. Whisky, raw, in bond 35c. Cotton 13½ to 14c.

Louisville, Dec. 5.—River on a stand, 2 feet 9 inches in the canal. Weather cloudy. Thermometer 35.

Cincinnati, Dec. 5.—Flour firm; family $11. Wheat higher at $2 25 to $2 50. Corn advanced to 85 to 87c for new ear. Oats quiet at 65c. Cotton firmer; middlings 14 to 14¼c. Tobacco active. Hogs steady at $6 75 to $7. Pork, $20 50 for old and $22 for new. Green Meats 7¼, 10 and 12c. Lard 12¼c. Nothing done in bulk meats.

St. Louis, Dec. 5.—Tobacco active and unchanged. Cotton held at 13½c. Flour weak—fall—family $12 75. Wheat dull—$1 80 to $2 55. Corn better—70c to $1. Oats firmer—71 to 73c. Pork held at $21 50 to $22. Bacon weak—shoulders 11c; clear sides 15c; dry salt shoulders 9c. Lard 11¾ to 12¼c. Hogs active—6¼ to 7¼c.

Weather clear and warm.

Vicksburg Dec. 5.—Passed up last night, Louisville at 3 P. M. Aground, Great Republic, at Friars Point; Vicksburg, below Helena, and the Mary E. Forsyth, at Stock Island. River stationary.

London, Dec. 5.—Extracts from the message of President Johnson, which were received per cable, are published here to-day. In commenting upon them the *Times* has the following: "The message shows that Mr. Johnson has learned nothing. He transcends himself in impudence. He regards his office as absolute sovereign in their appropriation. He forfeits all respect. It is hard to say where the hope of the people of the United States lies, between Johnson on the one side and Stevens on the other."

The other journals use similar language on the subject. The reference in the President's message to the Alabama claims, coupled with Lord Stanley's dispatch to Mr. Ford on the same subject, has created considerable distrust in financial circles.

London, Dec. 5, evening.—Bonds 71. Consols 93¾.

London, Dec. 5, evening.—Bullion in the Bank of England has decreased £311,000.

Frankfort, Dec. 5—Bonds 75½.

Liverpool, Dec. 5, evening.—Cotton closed active, advanced to 7¾d for middling uplands. 7¾d for middling Orleans. Sales 15,000 bales.

Paris, Dec. 5.—Threes made an elaborate speech to-day, defending French preservation of the Pope's power, characterizing Garibaldi as the falcon which daily had always bounds.

All the French troops have left Rome.

[Previous Dispatches.]

Richmond, Dec. 4—The Convention this morning elected Judge Underwood President; Gen. Rice, of Shenandoah, Secretary; Wm. R. Fall, of Richmond, Sergeant at Arms, and one white and one colored doorkeeper. Rev. Mr. Minnigerode, of Richmond, was elected Chaplain. The vote for President stood: 65 for Underwood, and 32 for Wilson, who was the candidate of the Conservative party.

Underwood, in taking the chair, said he hoped the deliberations of the Convention would be characterized by a spirit of charity for all, and as much forgiveness and forgetfulness of past injuries as is consistent with future safety. He hoped the Constitution to be framed would be humane and equal to all, preventing crime, promoting education, removing unequal taxation, and compelling every citizen to contribute to the necessities of the State in proportion to the value of his property. He also hoped a homestead exemption law would be passed.

Chaplain Minnigerode then offered a prayer, prayed for ex-Confederates as well as loyal men.

Gen Schofield sent a communication to the Convention, sending them all appeals which have been made to him in cases of contested seats, including those of the Richmond delegation, all of which are submitted to the Convention for its action.

The galleries and aisles are densely crowded with blacks and a slight sprinkling of whites. This afternoon the Convention only appointed a Committee on Rules, and Mr. Joseph H. Samuels, of Baltimore, stenographer to the body.

A rule was adopted to draw for seats, which the Conservatives, who are all sitting together, opposed, but could not defeat.

A committee who had waited on Schofield reported that he would furnish them a place, and would be glad to see members who wished to consult with him.

Washington, Dec. 5—The report to the Radical caucus state that one hundred and seventy eight speakers and orators have been added by the committee, and many more have been added by the committee, and many more have been added by the committee, and many more