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NEW ORLEANS:
THURSDAY, MORNING, AUG 26, 1869.

TRY GEORGE ALCES' CIGARS.
183 .....Rampart Street 183

THE REPUBLICAN AND JEFFERSON CITY.

The *Republican* of yesterday comments upon our criticism of Governor Warmoth in connection with his intermeddling in the affairs of Jefferson city, but says nothing which calls for an answer from us. Our cotemporary has either not read what we have written on this subject and the authorities cited by us in support of the arguments we advanced, or he is determined not to see them. We certainly did say "that the present attitude of matters is in conflict with the late decision of the Supreme Court in the case of Leche versus Kreider;" and if we are correctly informed there is reason to believe that the court itself, which is strongly advised of Governor Warmoth's method of obeying its decree, takes the very same view of the case and of Governor Warmoth's action that we ourselves take.

The *Republican* says:

"The decision and the causes which led to it, are things in the history of the past with which the present acting of Governor Warmoth in Jefferson City, has no more connection, and is in no greater conflict than in its decisions on remote questions regarding the rights of private individuals in ordinary law suits. This decision was rendered in, and duly acknowledged by the Executive of the State, and will stand as a proper case in any future case arising under similar circumstances. The Court decided, simply, that at the time of the appointment of the Mayor and Council of Jefferson City, Leche and associates) in January last, and from that period down to about the latter part of May, there were no vacancies in that city to fill. That the act of 1868 revising and amending the city charter of Jefferson was constitutive, not independent of the act of 1867, and that as under that charter, Kreider and his council had been duly elected, they were entitled to hold over in office till their terms should expire in May, 1869. Notwithstanding the act of 1868, section 5 declared that they should be removed and others appointed in their stead by the Governor on the passage of the law.

It will be observed by those of our readers who have followed the argument, that the *Republican* carefully ignores the intimation of the Court that the authority to appoint granted by the Legislature, "transcended the powers of the body," and says the Court, "an author ity to say the least of it of every questionable validity."

We have no intention of going over the reasons for sustaining the Kreider council. They have been sufficiently set forth already. The question involved in the dispute between the Governor and the people of Jefferson is fundamental. It is neither more nor less than this, is it or not a constitutional right of the people to elect their Mayor and Aldermen. If this be a constitutional right, then the Legislature has no power to authorize the Executive of the State to appoint them either as a body or in filling vacancies. And the function is not an *Executive* function, according to the Constitution.

In the case of the People vs Burnham, cited in the third volume of California Reports, the Court said "that the established policy of the Government from its origin, was to make the *election* of officers of the State, counties and municipalities

In the case of Gorham vs. Campbell (21 Cal.) the same Court said "that the power to elect implies the power to fill vacancies."

In the case first cited, Justice Murray said "I hold it to be a necessary and proper rule of construction that whenever there is a question whether the people have parted with a particular right and the question cannot be clearly determined from the grant of power itself, it is considered as not to have been granted, &c."

The same Judge in the case of the People vs Reid (20 Cal. 256) said: "It is evident by the duty that the Court to adopt such a construction as would carry out the plain intend ment of the Constitution, which gave to the people the right to elect their officers in a popular way."

The principles of the Louisiana Constitution in respect to the right of the people to elect municipal officers, their Aldermen, being the same as those of the California Constitution, these decisions are directly applicable.

Does the *Republican* deny the right of the people to elect their Aldermen in Jefferson City?

PERSONAL.—We had the pleasure of receiving a call on Tuesday from our respected cotemporary, Mr. Daniel Dennett, editor and proprietor of the *Pointer Banner* of St Mary. He is in the city forwarding the interests of his useful and interesting newspaper, a paper which our friends in the Attakapas country have reason to congratulate themselves is published in their midst. Mr Dennett is a thoroughly competent newspaper man and knows what his people want, and he knows also how to say it. Success to his enterprise.

Mr. Paul Boudonnville, of the Houston Texas *Telegraph*, favored us with a call yesterday. He is in the city on business connected with that paper, and may be found for a week to come at the St. Charles Hotel. The *Telegraph* is one of the best conducted and most popular papers in our sister State. Somers Kinney, formerly of the *Rambler*, of Brownsville, is one of the proprietors and editors of this paper, and we may say the presiding genius of it. We need not add that it is a Democratic paper of the straightest sort, and as a vehicle of Texas news, unsurpassed.

CUMOS.

A mass will be said in the Jesuits' Church, Bar ne street, this morning, at 7 A. M., for the repose of the soul of the late Judge A. M. Buchanan. The friends and acquaintances of the family are respectfully invited to attend.

Our esteemed colaborer of the West Baton Rouge *Sugar Planter*, in his last issue, discusses, as we tell confident he would, any question to misrepresent our position on the subject of the canal steed project. All that was needed was a full and clear exposition of our reasons for objecting to the scheme to convince those who differed from us that there were good grounds for opposition. We deny the statement, and are glad to see that our objections are no longer misunderstood.

[Expunged from a letter from Santa Cruz.]

We had considered for many hours through tangled forests, Tropical shrubs and trees, some of them emitting a most delicious and invigorating odor, when we suddenly came upon a large and well cultivated plantation, in the centre of which were several buildings. Entering these we found them to be the sugar houses, stables, etc., where the sugar cane is crushed for the manufacture of St. Croix Rum. Over 100 Negroes were at work, and the smell from the fermenting Cane was very exhilarating and pleasant. We were shown through the entire establishment, and learned that all the Rum here produced was shipped to Messrs. P. M. Drake & Co., New York, to be made into their celebrated PLANTATION BITTERS. The peculiar good effects of this Rum—which is the purest and best in the world—are well known. Not a single case of Dyspepsia, Fever and Ague, Consumption, or any such disease can be found on this Island, (except of invalids come here for their health, and they are almost always cured). Combined with Calisaya Bark, Cascarilla, and other important ingredients, this Rum becomes PLANTATION BITTERS, and surely no finer Tonic and general Family Remedy was ever seen. The combination of these three was first discovered here forty years ago, and all the Natives swear by PLANTATION BITTERS, and say "there is nothing like it," proved by the robust health of the witnesses. I am certain their testimony is true.

R. S. T.

MAGNOLIA WATER—Superior, to the best imported German Cologne, and sold at half the price.

PRESIDENTS AND PRESENTS.—When James Madison was President, he was poor, and died poor. Just when it was to be all of the Government to then "Commissioner General of the Land Office" suggested to Mr. Madison that if he would permit it he would select from the public lands which Mr. Madison could enter, such as would inevitably enhance so much in value as to the rise would make him comfortably rich before the sun set.

Not at all; though as a private citizen I have the right to enter any of the public lands, while I am President of the United States I will not touch the public property for my own pecuniary emolument.

Washington, the Adamses, Jefferson, Monroe, Jackson, and some others were men like Madison, and would not allow their garments to be soiled either by suspicion or actual bribes. Andrew Johnson, too, refused gifts.—*Brooklyn Eagle Press*

The Edinburgh *Review* tells the following story: Walter Savage Landor: "In his garden at Fiesole he would bend over the flowers with a look of fondness, but rarely touched one of them, from which the notoriety of this sentiment in the vicinity of Florence, the legend was that he had been struck, after an imperfect dinner, by the ghost of the window, and, while the mass was nothing with a broken limb, ejaculated, 'Good God! I forgot the flowers!'"

The President's Position Towards Mississippi.

The Washington correspondent of the New York *Times* thus sets forth the position and views of President Grant touching the election in Mississippi:

The semi official statement of the President's position in regard to the political situation in Mississippi is not new to those who have conversed with him on the subject, nor was it necessary to assure the country that his sympathies and influence are decidedly with that party in each of the Southern States which embodies the largest number of loyal men, the greatest share of loyal sentiment, and guarantees most thoroughly the security of the future. It only disappoints those who, in the absence of official expression, have assumed that he would accept as loyal and as Republican whatever was called by that name, without reference to what might be disguised by it. All that are on the hand-ful "so called" Conservatives," who, for the last thirty days, have been here manœuvring to get the President committed to an indorsement of what is really nothing but the "white man's party" movement in Mississippi and Texas.

On the 12th of July last, just before the President left for Long Branch, and just after he had informed Messrs. Wright & Co. that he could promise them no encouragement in addvance, you printed a letter from your correspondent, which, without assuming to speak on official authority, gave the position of the President on this subject as accurately and as fully as does the dispatch of Thursday last. As my source of information was equally official, and no official assertion has been given to the publicity, there is now no impropriety in adding some further facts bearing upon the President's attitude toward parties both in and out of the reconstructed States.

Recognizing fully that he is the President of the whole country, he also recognizes quite as fully his duty to the party and the sentiment that placed him in his present position and, under his lead, subdued the rebellion. Disregarding a majority of ideas of revenue for the good, yet he cannot politically discard those who may only differ with him in the degree of punishment which they desire to see inflicted for the crime of rebellion. Any one who assumes that he does not think the hundred thousand Republicans who voted for Wells in Virginia as faithful supporters of his administration as the hundred and twenty thousand who voted for Walker, makes a serious error, and as evidence of this I may say that, prior to the Virginia election, when Hon. J. F. Lewis, the Lieutenant Governor elect, visited the city, he called upon the President by invitation at the White House in the parlor, and, after a long and interesting conversation, the President said to him that he would be entirely neutral as between Republicans and Democrats, and that he recognized no party if it acted in opposition to the fundamental principles of the Government.

As to "interference" in State elections I am convinced the President means to do so, as far as he has anything to do with what happens; but you will To say that he has not or ought not to interfere in the approaching elections in New York, Pennsylvania and Ohio, is to assume that he was be entirely neutral as between Republicans and Democrats, and that he recognizes no party if acts in opposition to the fundamental principles of the Government. That which is fundamental principle in Pennsylvania is not so in Ohio, and vice versa. The majority of these States would be entirely neutralized if the President should ignore the fundamental principles of the Government.

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With regard to Mississippi and Texas, the President has for some good time seen that a division in the Republican party, and calmed organizations in the face of the fact that the National Republican party in Mississippi have formally pronounced against a continuation of carpet-bag rule, and have nominated in Texas they have framed a constitution wholly free from these important provisions. General Ames, whom in my July posted the President as the character of the Republican candidate for Governor, is now in the field, and is fully believed, with the Democratic vote, to be elected. The President has not sat as the Republican party in Mississippi has formally announ