The New Orleans Bee.

OFFICE 73 CHARTRES STREET. NEW ORLEANS, WEDNESDAY MORNING, SEPTEMBER 15, 1869. 43d YEAR—Vol. XLIII.—Whole—14,855

THE NEW ORLEANS DAILY BEE.

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No. 73 Chartres Street.

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NEW ORLEANS:

WEDNESDAY MORNING, SEPT 15, 1869.

TRY GEORGE ALCES' CIGARS,

185.....Rampart Street.....185

AMENDMENTS TO THE CONSTITUTION.

We hear a great deal now-a-days of amendments to the Constitution of the United States. The Radicals not satisfied with having by force of arms obtained complete control over the legislation of the country, seek to make, as they think, their victory more secure, by adding to the Federal Constitution certain provisions which they term "amendments" to that instrument, without much regard either to the meaning of the word or the spirit of the document which they would, *in their language*, amend. We have already the 14th and 15th Amendments, and to make them binding we shall, no doubt, have several more, because if they think their victory more secure, by adding to the Federal Constitution certain provisions which they term "amendments" to that instrument, without much regard either to the meaning of the word or the spirit of the document which they would, *in their language*, amend. We have already the 14th and 15th Amendments, and to make them binding we shall, no doubt, have several more, because if they cannot get them they are not, in any just sense, binding upon such of the States as have not *freely* agreed to them

The mode of amending the Federal Constitution is laid down in its Fifth Article. Amendments are to be ratified by the Legislatures, or by Conventions of the people of the States as may be proposed by Congress. Now before deciding whether these Legislatures in the reconstructed States, are valid bodies, and whether an enforced consent to the Constitutional Amendments can possibly be considered a binding agreement, there is a preliminary matter to be determined. Are these Constitutional Amendments in any proper or legal sense, amendments at all? What is an amendment to a law or a constitution? Is it not an improvement—something which makes the law better? Can it be said with any propriety that to change the whole spirit of a law is to *amend* it? Every one of the original amendments to the Federal Constitution from article I to article XII are in perfect conformity to the spirit and purpose of the instrument, as set forth in its preamble. The people of the United States therein declared that they ordained and established the Constitution for these objects:

1. To form a more perfect Union.
2. To establish justice.
3. To insure domestic tranquility.
4. To provide for the common defense.
5. To promote the general welfare.
6. To secure the blessings of liberty to ourselves and our posterity.

Under which of these heads do the fourteenth and fifteenth amendments fall? To carry out which of these objects were they proposed by Congress to the States? Do these amendments not frustrate some and all of the proclaimed objects of the framers of the Constitution? Do they not render it a less perfect Union? Do they insure domestic tranquility? Do they promote the general welfare? Is it not a fact which cannot be questioned that these enormities have been converted to, under arbitrary pressure—that this consent has been yielded to as of worse evils which were threatened for the express purpose of compelling the ratification—we should rather say, the pretended ratification of these additions to the Constitution?

Practically, these amendments if ratified by the requisite number of States, will be held to bind the whole so long as a spirit of injustice prevails, but the very fact that consent has been extorted from any State is itself a violation of the Constitution, which will result in acrimony in the country. It vitiates the agreement upon which it is pretended that these additions become a part of the fundamental law. Notice of this kind can be heartily respected by the conscientious and reflecting portion of the American people, and we can only trust that time will bring a corrective to the evil.

DECLINES THE CANDIDATURE.—Our worthy confrere, Mr. Demarest, of the *Western Banner* of St. Mary, having been nominated by a correspondent of the New Iberia *Times* as the successor of Governor Warmoth, says he would rather be editor of the *Banner* than Governor of Louisiana at the present time. He declines the proffered honor. Demarest's head is level—Cheney has the head that wears the crown. So our confrere thinks.

Friendly Notice of the "Bee."

The Opelousas *Journal*, in its last issue, reviews the history of the *Bee* in a manner to indicate that our course has been followed and has met the approval of our representative contemporary, whose friendly expressions merit our best thanks. We trust it will not be thought an evidence of too much vanity on our part to copy this article. Such words stimulate and encourage us to continue in a course which shields such encumbrance upon the *Bee* as the *Journal* and our other contemporaries have been pleased to pronounce. Says the *Journal*:

We had gone to press last week when our venerable contemporary, the New Orleans *Bee*, of the 1st inst., reached us, announcing the twenty-third anniversary of its existence. At so long this announcement has excited more than ordinary comment in the press of the State, which has been extensively read, we feel that the occasion, with its associations, requires more than a passing notice. To the people of Opelousas and Attakapas especially the *Bee* has been a welcome companion for more than a generation. Published with equal ability in English and French, it has been the journal above all others, which has been most consulted by our Creole population. The *Bee* of whose days are now "in the sear and yellow leaf," derived their first impressions of money world from its columns. It comes to us of the time, fragrant with the associations of the past. It has been the medium of communication between our fathers and the past public. It has participated in the struggles which agitated the public mind half a century ago. It has witnessed the greatest social revolution recorded in the history of the human race, in the sudden emancipation and political enfranchisement of four millions of slaves. It has witnessed the rise, the progress and the fall of great political combinations. It has seen the Union in the periods of its power, and the subsequent decay of its wealth, concerned as to what it should do with the surplus revenue accumulated in the bursting of its fiscal bubble. It has seen the bulldozing and discordant, passing through a bloody civil war, maligned and misrepresented, and burdened with a national debt, the interest of which is computed by millions. It has recorded the events of a foreign war, in which the volunteer armies of the North and South, united under a common flag, marched victoriously to the City of Mexico, achieving victories which gave imperishable lustre to the national arms. It has seen the same gallant officers arrayed against each other in a gigantic civil war which threatened the existence of the American Union and startled the civilized world. It now witnesses the restorals in of peace, the supremacy of the national authority, and the attempt, on the part of patriotic men, to heal the wounds of civil strife, and re-establish concord and harmony between the late belligerent States.

In the great political changes of the country, the *Bee* has taken an active part. It was fearlessly during the administration of Gen. Jackson, and was an indifferent spectator of the old Whig and Democratic parties, when they were controlled by such intellectual giants as Clay, and Webster, and Calhoun, and Silas Wright, and others

Of the immortal names,
That were not born to die.

Throughout this long period, the *Bee* has been connected with a consistency, an independence, a manliness, and an intellectual vigor not unworthy of the great men among whom it was conducted. Some of the editors have left their mark in Louisiana. Professor Alexander Dimitry, noted for his rare scholarship, his glowing style, and his noble heart, once presided over its editorial columns. Alexander Bullitt, a brilliant and versatile writer, with a mind stored with varied information, with remarkable powers of reasoning and analysis, and the orator, the friend and adviser of Zachary Taylor, during his brief administration, established in connection with his elegant leaders. At a later period, the facile pen and fluent style of Dr. Hardy imparted unusual attraction to the editorial department.

The *Bee* is now, we are gratified to be able to say, as noted as it ever was, for independence, honor, consistency, and courtesy. There is an easy, witness and a freshness, a vigor and a straight forwardness about its editorials which we like.

Amidst the mutat, the accident to journalism in these troubled times, we trust that the *Bee* may continue to prosper, and to exercise over the present generation the same influence for good that it did over the generation that is past.

Gen. Jackson's Opinion of Clay and Webster.

A correspondent of the Cincinnati *Enquirer* furnishes that paper with some reminiscences of Gen. Andrew Jackson among which we answer to an inquiry made by some one of Gen. Jackson, as to his opinion of Clay and Webster, the following:

With this view, on one occasion he asked: "General, I would like you to give me your opinion of your old political opponents, Mr. Clay and Mr. Webster?" "Well, sir," was the prompt response, "they are both great men, every great man. Mr. Clay is a popular man with the people, always will be popular with the party, for he understands human nature; Mr. Webster is a man of great mind, but he is not a man of the people; he never can be President, *he don't understand human nature*."

The Opelousas *Journal* says that drunkenness is common in the streets of that city as it does not in the surrounding towns. It says that "a man may be as low as he pleases."

OFFICE 73 CHARTRES STREET.

CITY INTELLIGENCE.

The Humboldt Anniversary Festival.—The one hundredth anniversary of the birth of the great cosmopolitan, Alexander Von Humboldt, was celebrated yesterday in a worthy manner by our German population, in the presence of a large number of our citizens of various nationalities. It was intended to have the exercises take place on a more extended scale at the Fair Grounds, but for fear the weather would prove unpropitious they were held in the large hall of the Turners, corner of Lafayette and Dryades streets, which at the appointed hour, 3 o'clock precisely, was crowded with a large audience, composed in great part of ladies. The vast hall was beautifully and appropriately decorated with flags, evergreens and devices, and the stage was that of the United States, the old German flag, the flag of the New German Confederation, and the banner of the Turners.

After an overture by a fine orchestra and appropriate remarks by the worthy President of the Festival, Dr. Mass, the song "Free Like the Eagle's Mighty Wings" was sung in animated style. Then followed the musical selection, *The Parisians*, of Bellini, after which an eloquent and learned address was delivered in English by Professor Alexander Dimitry, which it would be unjust to attempt to delineate in a mere outline. The speaker paid a glowing tribute to the great author and philosophy of the cosmos, and the subjects which had engaged his profound attention. The address of Dr. Mass in German was spoken of by those familiar with the language in high terms as a similar tribute, and, together with that of Professor Dimitry, elicited round after round of the heartiest applause.

Crescent City Yacht Club.—Yesterday morning Messrs J. E. Austin, R. J. Dutton, and D. McNeil, judges for the challenge cup race of the day previous, decided on the protest of A. Antoni Allegre, owner of the yacht "Limne," Holly, sailing master of the yacht "Xiphias" from the sweepstakes race to be sailed yesterday, which reversed the contest to the "Limnae" and "Dominie," which the following is a summary: "Limnae," of New Orleans, entered by E. P. Ratcliffe, length 37.5, sailed by A. Healy; time, first round, 45 minutes 15 seconds; second round, 1 hour 30 minutes 15 seconds. "Dominie," of New Orleans, entered by M. Peacy, length 31.9, sailed by L. Bertrand; time, first round, 55 minutes, second round, 1 hour 13 minutes 35 seconds.

Board of Aldermen.—The first regular meeting of this Board, after the adjournment of the Common Council, was held last evening, at half-past 6 o'clock.

Mr. Kaiser in the chair, and Messrs. Brady, O'Brien, Shields, Prados, Harrison and McCaffrey present.

The minutes of the previous (called) meeting were read and adopted.

A report from the Water Works Superintendent was referred to the Water Works Committee.

A communication was received from Mr. Bell, on Surveyor's, relative to furnishing coal to the Bienville street draining machine, repairing roads, and in regard to the Orleans street draining machine. The Mayor declined the determination to drain into the Bayou St. John. Referred to the Committee on Streets and Landings.

A resolution was offered by Mr. Shields, authorizing the Mayor to take such legal steps as may be necessary in the case of the New Orleans *Republican* newspaper vs. the city of New Orleans. Adopted on its second reading.

Mr. Shields offered a resolution that a certain contract entered into by the Mayor and Kern & Fellman, before the City Notary, for erection of an iron fence, to be built and painted by Pesoz, Baroume, Perdido and Poydras streets, upon the conditions therein named, that said firm shall pay an annual rent of $300 per annum, and that said building shall revert unconditionally to the city at the expiration of said lease, say on the 11th of September, 1883, be ratified and approved. Adopted.

A communication was read from Mr. E. Bermudez, Attorney for the city, relative to the collection of the back taxes. Referred.

Mr. Prados offered a resolution authorizing Mr. E. Bermudez to take such action as may be necessary against the Sheriff. Mr. Mazzeau, to collect the back taxes of 1861, '62, '63, '64 and '65.

Mr. O'Brien moved to refer to the Finance Committee. Carried.

Mr. McCaffrey called up a resolution, offered by Mr. Shields at the last meeting, relative to more protection from overflow.

Mr. Shields amended the first section of the resolution, by giving the Surveyor and Streets and Landings Committee further powers in regard to repairing the draining levees.

The following is the resolution referred to, as amended:

Resolved, That the Surveyor, in conjunction with the Committee on Streets and Landings, be and they are hereby authorized to take all necessary measures for the security of the draining levees within the limits of the city, with full power to act.

Be it further resolved, That a joint committee, composed of two members of the Board of Aldermen and three members of the Board of Assistant Aldermen, be appointed for the purpose of drafting the necessary resolutions for the better protection of the city from overflow.

A resolution was offered by Mr. Brady, in the Board inviting the Upper Board to meet that body at 7½ o'clock, in order to proceed to the levee and call the Surveyor to fill the unexpired term of the late Louis Surgi. Adopted.

Mr. Harrison offered a resolution that the Street Commissioners be instructed to draw up plans and specifications for the sale of contracts ordered by the joint committees. Adopted.

Mr. McCaffrey offered a resolution that the Chairman of the Finance Committee be instructed to appoint a committee of four to draw up a License Ordinance, and that the Chairman of the Streets and Landings Committee be authorized to appoint a committee of four to draft a Market Ordinance. Adopted on its second reading.

Board adjourned to meet the Lower Board.

On reassembling, several resolutions from the Lower Board were read and concurred in. Several petitions were read and referred to the Streets and Landings Committee.

A recess was then taken for ten minutes.

A resolution authorizing offering of the Board was read from the Lower Board, increasing the appropriation to the west nurses of the Sisters of Charity's Orphan Asylum from $100 to $200. Concurred in.

The Board then adjourned.

Board of Assistant Aldermen.—Meeting last evening. Present—Messrs. Hardy in the chair, and Messrs. Breen, Barnes, Farrell, Logan, Winn, Kearney, Camp, Rose, Stringer and Wolfe—quorum present.

The Treasurer's report for the week ending September 11th, shows: receipts, $31,228 07; expenditures, $5162 91; balance on hand, $26,065 16.

A message from the Mayor relative to the overflow and similar to the one presented at the previous meeting was read. On motion of Mr. Breen it was ordered to be printed in full.

A motion was adopted that the Upper Board be invited to meet session at half past 7 o'clock to meet a City Surveyor to fill the vacancy caused by the death of Mr. Louis Surgi.

A resolution was adopted ordering the action of Mayor Conway in enjoining J. R. Beckwith, Esq., appointed by Gov. Warmoth City Attorney, from taking possession of the office.

A veto from the Mayor of the resolution to locate a cemetery on Bayou Road, near Mrs. Kern & Fellman, was sustained.

A resolution having the effect to recognize Mr. Dewey, elected by the Board, Beckwith, as City Attorney, was laid on the table.

Another message was received from the Mayor, returning without the signature a resolution appointing the Commissioners of the Water Works to turn over to the Fiscal Agent $20,000, for payment of interest coupons on certain bonds, and to newspapers of the city of New Orleans. Adopted on its second reading.

Mr. Shields offered a resolution to authorize the Mayor to take such legal steps as may be necessary in the matter of J. R. Beckwith vs. the City of New Orleans. Adopted on its second reading.

Mr. Shields offered a resolution that a certain contract entered into by the Mayor and Kern & Fellman, before the City Notary, for erection of an iron fence, to be built and painted by Pesoz, Baroume, Perdido and Poydras streets, upon the conditions therein named, that said firm shall pay an annual rent of $300 per annum, and that said building shall revert unconditionally to the city at the expiration of said lease, say on the 11th of September, 1883, be ratified and approved. Adopted.

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