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NEW ORLEANS:
TUESDAY MORNING, JAN. 8, 1867.

THE PRESIDENT'S MESSAGE.—We lay before our readers this morning, the Veto Message of President Johnson, on returning the Negro Suffrage Bill for the District of Columbia, as received by telegraph. It was sent to the Senate at the hour of noon yesterday. We leave our readers to judge of its merits for themselves.

VALUABLE REAL ESTATE IN THE THIRD DISTRICT AT AUCTION.—We are requested to call particular attention to the sales at auction, to be made to-morrow at noon, by the Messrs. Conrad and Austin-sers' Exchange, Royal street, by the Sheriff of the Parish of Orleans, of seven valuable lots of ground, with the improvements thereon, fronting on St. John the Baptist, Elysian Fields, Girod and Marigny streets, Third District. For particulars see advertisement.

U. S. CUSTOM HOUSE.—To-day being the anniversary of the battle of the 8th January, 1815, the Custom House will be closed, except from 9 to 11 o'clock A. M., for entering and clearing of vessels.

MERCHANTS' EXCHANGE.—The new Merchants' Exchange will be opened to-day, noon, in the Moresque Building. We acknowledge the receipt of an invitation to be present.

THE JACKSON HOUSE.—By their advertisement elsewhere, it will be seen that those popular gentlemen, Mr. John Cassedy and "Mike" Fleming, have purchased this well-known and favorite saloon from Mr. Frank Quirk, the proprietor. The building has been in a new and thorough repair, and fitted with the finest wines, brandies, &c., &c. We predict for the Jackson House renewed favor under the new regime of these gentlemen.

We have been invited to attend the opening sales of leaf tobacco at 11 o'clock to-day, at the rooms of the New Orleans Leaf Tobacco Association and Exchange, No. 77 Carondelet street, by Messrs. E. Brown & Co.

Thanks to the officers of the fine steamer Yuka of the Atlantic and Mississippi Line for favors.

By a dispatch to A. Moulin, Agent of the Cromwell Line, we learn that the steamship Gen. Meade, hence for New York, crossed the bar on Tuesday last at 3.30 P. M., yesterday.

ARRIVAL OF THE JUNIATA.—The steamship Juniata, Capt. Hoxil, from Philadelphia, Dec. 29th, anchored at her wharf this morning. Her Captain reports: Arrived at the bar Jan. 3d, but was detained by low tide and did not cross until 6th instant; experienced heavy weather during the entire passage.

THE CHRISTMAS GIFTS DISTRIBUTION AT CHARITY HOSPITAL ASSOCIATION.—We have been furnished with the tabular statement of the Christmas Gifts drawing of this Association, which but for the unusually crowded state of our columns we would gladly publish. We make the following extracts from the letter of General Jeff. Thompson, Chairman of Committee, on the subject:

It should be stated for the information of purchasers of tickets that 35,000 tickets, distributed to sale but 5351 have been reported as sold, and consequently the Gifts, though large in number, only equal in the aggregate $1727 or *one half the amount realized*, as promised by the Association. It is hoped that those who have drawn prizes in this *small affair* will help the GRAND BAZAAR, which the Association will hold in February, and that those who have not been fortunate will remember the true nature and try again.

Veto Message of the President.

THE CONSTITUTION ABLY DEFENDED.

To the Senate of the United States:—I have received and considered a bill entitled "An act to regulate the elective franchise in the District of Columbia," passed by the Senate on the 13th of December, and by the House of Representatives on the succeeding day. It was presented for my approval on the 26th ultimo, six days after the adjournment of Congress, and is now returned with my objections to the Senate, in which house it originated. Measures having been introduced at the commencement of the first session of the present Congress for the extension of the elective franchise to persons of color in the District of Columbia, steps were taken by the corporate authorities of Washington and Georgetown to ascertain and make known the opinion of the people of the two cities upon a subject so immediately affecting their welfare as a community.

The question was submitted to the people at special elections held in the month of December, 1865, when the qualified voters of Washington, had Georgetown, with great unanimity of sentiment, expressed themselves opposed to the contemplated legislation. In Washington, in a vote of 6331, the largest, with but two exceptions ever polled in that city, only 35 ballots were cast for equal suffrage, while in Georgetown, an aggregate of 843 votes, a number considerably in excess of the average vote at the four preceding annual elections, but one was given in favor of the proposed extension of the elective franchise. At these elections none but white citizens were allowed to vote, and the result must be accepted as a truthful expression of the opinion of the people of the District upon the question which excited it. Possessing, as an organized community, the same popular right as the inhabitants of a State or Territory, to make for their own their social and political condition, they could have selected no more appropriate mode of memorializing Congress upon the subject of this bill than through the suffrages of their qualified voters. Entirely disregarding the wishes of the people of the District of Columbia, Congress has deemed it right and expedient to pass the measure now submitted for my signature. It therefore becomes the duty of the executive, standing between the legislation of the country and the will of the other, fairly expressed, to determine whether he should approve the bill, and thus aid in placing upon the statute books of the nation a law against which the people in whose name it is to apply have solemnly, and with such unanimity, protested, or whether he should refrain it with his objections in the hope that, upon reconsideration, Congress, actuated by the representatives of the inhabitants of the District of Columbia, will permit them to regulate this local question as to them may seem best suited to their interests and condition.

The District of Columbia was ceded to the United States by Maryland and Virginia, in order that it might become the permanent seat of the Government of the United States. Adopted by Congress, it at once became subject to the exclusive legislation of that which possesses in such case all the powers of a State under the Federal Constitution. It should be borne in mind, however, that in exercising its functions as the law-making power of the District of Columbia, the authority of the National Legislature is not without limit, but that Congress is bound to observe the letter and spirit of the Constitution, as well in the enactment of local laws for the seat of Government, as in the general laws common to the entire Union. Were it to be admitted that the right to exercise exclusive legislation in all cases whatsoever, conferred upon Congress unlimited power within the District of Columbia, bodies of nobility might be granted within its boundaries, laws might be made respecting the establishment of religion, prohibiting the free exercise thereof, or abridging the freedom of speech or of the press, the right of the people peaceably to assemble and to petition the Government for a redress of grievances. Despotism would then reign at the seat of government of a free Republic, as a place of permanent residence it should be shunned by all who prefer the blessings of liberty to the mere enjoyments of municipal existence. It should also be remembered that in legislating for the District of Columbia, subject to the Federal Constitution, the relation of Congress to its inhabitants is analogous to that which exists between the people of a State under their own local Constitution. It does not, therefore, seem to be seeking too much of them, in matters pertaining to the District, Congress should have a like respect for the will and interests of its inhabitants as is entertained by a State Legislature for the wishes and prejudices of those whom they legislate. The true spirit of our Constitution, and the genius of our institutions require that in regard to any law which is to affect the local and domestic well being of a people, their will should exert at least a reasonable influence upon those who are selected by the agency of their legislators. Would, for instance, the State of Massachusetts or Pennsylvania, or of Indiana, 400 of any State of the Union, in opposition to the expressed will of a large majority of the people whom they were chosen to represent, arbitrarily confer upon the voters, all persons of the African or negro race and make them eligible for office without any other qualification than a certain term of residence within the State, while at the same time they would leave the colored population, when acting in order to be able to produce any great social or political result in New York before he can vote the term of color must fulfill more than twice as long, while in Indiana negroes and mulattoes are expressly excluded from the right of suffrage. It hardly seems consistent with the principles of right and justice that representatives of States, whose suffrage is restricted to the colored man, or granted to him on peculiar terms, requiring indulgence or proper, to compel the people of the District of Columbia to try an experiment which their own constituents have thus far shown an unwillingness to test in the States they more than it accord with the republican ideas, that the principle of self-government should base in force when applied to the residents of the District merely because their legislators are not like those of the States, responsible through the ballot to the people, for whom they make the law making power. The great object of placing the seat of Government under the exclusive legislation of Congress was to secure the entire independence of the General Government from undue State influence, and to enable it to discharge, without danger of interruption or infringement of its authority, the high functions for which it was created by the people. For this important purpose, it was ceded to the United States by Maryland and Virginia, and it certainly never could have been contemplated as one of the objects to be attained by placing it under the exclusive jurisdiction of Congress, that it would become a theatre of proscriptive or political parties a field for experimental test of their principles of adding to its strength and durability. In returning this bill to the Senate, I deeply regret that there should be any conflict of opinion between the Legislative and Executive Departments of the Government in regard to measures that vitally affect the prosperity and peace of the country. Sincerely desiring to reconcile the States with one another, and the whole people to the Government of the United States, it has been my earnest wish to co-operate with Congress in all measures having for their object a proper and complete adjustment of the questions resulting from our late civil war. Harmony between the coordinate branches of the Government always necessary for the public welfare, was never more demanded than at the present time, and it will therefore be my constant aim to promote, as far as possible, concert of action between them. The differences of opinion that have already occurred have rendered me only the more cautious lest the Executive should encroach upon any of the prerogatives of Congress, or by assuming in any manner the Constitutional limit of his duties, destroy the equilibrium which should exist between the several co-ordinate departments, and which is so essential to the harmonious working of the Government. I know it has been urged that the Executive Department is more likely to enlarge the sphere of its action than either of the other two branches of the Government, and especially in the exercise of the veto power conferred upon it by the Constitution.

It should be remembered, however, that this power is wholly negative and conservative in its character, and is intended to operate as a check upon unconstitutional, hasty and improvident legislation, and as a means of protection against invasions of the just powers of the Executive and Judicial Departments. It is remarked by Chancellor Kent that "To enact laws is a transcendent power, and if the body that possesses it be a full and equal representation of the people, there is danger of its pressing with destructive weight upon all other parts of the machinery of Government. It has, therefore, been thought necessary by the most skillful and most experienced artists in the sciences of civil polity, that strong barriers should be erected for the protection and security of the other necessary powers of the Government. Such barriers was provided between these several powers. The judiciary and executive members were left dependent on the legislature for their subsistence in office, and often for their continuance in it. Therefore, the legislature assumes executive and judiciary powers, no opposition is likely to be made, nor if made can be effectual; because it has the power of the purse, that is, the command over the money and other pecuniary resources of the nation. It can neither lay taxes nor appropriate money, nor command armies, or appoint to office. It is never brought into contact with the people by immediate dependence, and private intercourse which bestows on the other departments of Government. It is only through the medium of the laws which it prescribes, that it can act upon the rights, interests or conduct of the citizens. It is the weakest of the three departments of power." While, indeed, the residents of the District of Government are not citizens of any State, and are not therefore allowed a voice in the electoral college, or representation in the Senate of the nation, they are nevertheless American citizens entitled as such to every right which pertains to citizens of our common country. In all matters, then, affecting their domestic affairs, the spirit of our Democratic form of Government demands that their wishes should be considered and respected, and they ought to feel that although not permitted personally to participate in national concerns, they are, nevertheless, under a paternal Government, regardful of their rights, mindful of their wants, and solicitous for their prosperity. It was evidently contemplated that all local questions would be left to their decision, at least to an extent that would not be incompatible with the object for which Congress was granted exclusive legislation over the seat of Government. When the Constitution was under consideration, it was assumed by Mr. Madison that its importance would be allowed a municipal legislature for local purposes, composed from their own suffrages. When for the first time Congress, in the year 1800, assembled at Washington, President Adams in his speech, at its opening recommended the two Houses that for them to consider whether the local powers over the District of Columbia vested by the Constitution in the Congress of the United States should be immediately exercised, and he stated then to consider it as the capital of a great nation, advancing with unexampled rapidity in the arts, in commerce, in wealth and in population, and possessing within itself those resources, which, if not thrown away or unwisely misdirected, would secure to it a long course of prosperity and self government. Three years had thus elapsed when Congress was called upon to determine the property of relinquishing to Maryland and Virginia the jurisdiction of this territory, which they had respectively relinquished to the Government of the United States. It was urged on the one hand, that exclusive jurisdiction was not necessary or useful to the Government; that it deprived the inhabitants of the District of their political rights; that as much of the time of Congress was consumed in legislation pertaining to it, that the government was expensive; that Congress was not competent to legislate for the District, because the members were strangers to its local community, and that it was an example of a government without representation, an experiment dangerous to the liberties of the States. On the other hand, it was held, among other reasons, and successfully, that the Constitution; the act of cession of Virginia and Maryland; and the act of Congress accepting the grant, all contemplated the exercise of exclusive legislation by Congress over the District, and that its usefulness, if not its necessity, was derived from the inconvenience which was felt for the want of it by the Congress of the Confederation, that the people themselves, who it was said had been deprived of their political rights, had not complained and did not desire a retrocession, that the evil might be remedied by giving them a representation in Congress when the district should become sufficiently populous, and in the meantime a local legislature, that if the inhabitants had not political rights, they had great political influence; that the trouble and expense of legislation for the District would not be great, but would diminish, and might, in a great measure, be avoided by a local legislature, and that Congress could not reconcile inhabitants without their consent; continuing to live substantially under the laws that existed at the time of the cession, and such changes only having been made as were suggested by themselves. The people of the District have not sought by a local legislature that which has generally been willingly conceded by the Congress of the nation. As a general rule, equal policy requires that the District of Columbia should yield to the wishes of a people when not inconsistent with the Constitution and the laws. The measures suited to our community might not be well adapted to the condition of another, and the persons best qualified to determine such questions are those whose interests are to be directly affected by any proposed law. In Massachusetts, for instance, male persons are allowed to vote without regard to color, provided they possess a certain degree of intelligence.

In a population in that State of 1,231,066, there were, by the census of 1862, only 9602 persons of color, and of these males over twenty years of age there were 3,620,066 white, 2902 colored. By the same official enumeration there were in the District of Columbia 60,764 whites to 14,316 persons of the colored race. Should then, however, the population of the District has largely increased, and it is estimated that at the present time are nearly a hundred thousand souls and whites to thirty thousand negroes. The cause of the augmented numbers of the latter class is easily explained. Contiguous to Maryland and Virginia the district during the war became a refuge for those who escaped from servitude, and it is yet the abiding place of a considerable proportion of those who sought protection within its limits as shelter from bondage. Until then held in slavery and denied all opportunities for mental culture, their free knowledge of the Government was acquired while by conferring upon them freedom, it be came the benefactor of their race. The test of their capability for improvement being, which, for the first time, the career of free industry and the avenues of all intelligence were opened to them. Possessing these advantages but a limited time, the greater number perhaps having entered the District of Columbia during the later years of the war or since its termination. We may well pause to inquire whether after so brief a probation they are as a class capable of an intelligent exercise of the right of suffrage, and qualified to discharge the duties of official position. The people who are daily witnesses of their mode of living, and who have become familiar with their habits of thought, have expressed the conviction that they are not yet competent to serve as electors and thus become eligible for office in the local governments under which they live. Clothed with the elective franchise, their numbers already largely in excess of the white population, would soon increased by an influx from the adjoining States. Drawn from fields where employment is abundant, they would in vain seek it here, and so add to the embarrassments already experienced from the large class of idle persons thronging the District. Hardly yet capable of forming correct judgments upon the important questions that often make the issues of a political contest, they could readily be made subservient to the purposes of designing persons. While in Massachusetts, under the census of 1860, the proportion of white to colored males over twenty-one years of age as one hundred and fifty to one, here the black race constitutes nearly one-third of the entire population. Of the latter class are surrounds the District on all sides, ready to change residence at a moment's notice, and with all the facility of a transition from place to place, to enjoy hereafter a short residence of privilege. They feel no where else. It is within their power, in one year, to cause the District in such numbers as to have the supreme control of the white race, and to govern them by their own officers, and for the exercise of all the municipal authority—among the rest, the taxation of the property in which they have no interest. In the meantime the white citizens, who have enjoyed the benefit of a thorough educational system, a qualification of intelligence is required, while here suffrage is extended to all without discrimination, as well to the most incapable who can prove a residence in the District of one year, to those persons of color who, comparatively few in number, are permanent inhabitants, and having given evidence of merit and qualification, are recognized as useful and worthy members of the community. Imposed upon an unwilling people, enforced by the Constitution under the exclusive legislation of Congress, it would be viewed as an arbitrary exercise of power and as an indication by the country of the purpose of Congress to compel the general establishment of negro suffrage by the States. It would engender a feeling of opposition and hatred between the two races, which, becoming deep rooted and ineradicable, would prevent them from living together in a state of mutual friendliness. Carefully avoiding every measure that might tend to produce such a result, and cultivating the clear and well ascertained popular will we should assiduously endeavor to promote kindly relations between them, and thus establish the popular will leads the way, prepare for the gradual and harmonious introduction of the new element into the political body of the country. It cannot be urged that the proposed extension of suffrage in the District of Columbia is necessary to enable the inhabitants to take measures for protecting their interests or their rights. They stand precisely as they stood in Pennsylvania, Ohio and Indiana, when, or elsewhere, in all that pertains to civil rights there is nothing to distinguish this class of persons from citizens of the United States, for they possess the "Full and equal benefit of all laws and proceedings for the security of person and property as are enjoyed by white citizens, and are made subject to the punishment, pains and penalties, and to none other, any laws, statute, ordinance regulation or custom to the contrary notwithstanding." Such are the terms assumed, are their suffrages necessary to aid a loyal sentiment here, for local governments already exist of undoubted loyalty to the Government, and are sustained by a community in which there are among the first to testify their devotion to the Union, and which, during the struggle, furnished their full quota of men for the military service of the country. The exercise of the elective franchise is the highest attribute of an American citizen, and where it can be conferred without evil consequences, a proper appreciation of our institutions, constitutes the true bond of a democratic republic. Reposing, as it should, upon the consent of the governed, it is the highest duty of every government to secure to the people