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NEW ORLEANS:
FRIDAY MORNING, OCT. 2, 1868.

NATIONAL DEMOCRATIC TICKET.

For President,
HORATIO SEYMOUR,
OF NEW YORK.

For Vice President,
FRANK P. BLAIR,
OF MISSOURI.

THE MANDAMUS CASES.

So far, all applications for writs of mandamus addressed to the Supervisors of Registration, requiring them to register the applicants, have been granted by the Courts. Judge Lemonnier, of the Fifth District Court, has granted two of these writs and Judge Cooley, of the Sixth District Court, has granted two. Several cases are to be tried to-day before the latter Court. Both of these Judges have decided, although on different grounds, that certificates of naturalization granted by them during vacation—that is from the 1st of July last to date—are valid and have the force and effect of judgments. Judge Cooley would not listen to any argument as to his authority to issue these documents at any time he saw fit to open his Court for that purpose, nor to their validity was impeached by parties cognizant of the fact. He simply issued the writ as prayed for by the relators, leaving the question of the validity of the certificate to be decided in a regular manner by suits as a judicial officer. Judge Lemonnier held in the first case decided by him that the appeal from the decision of the Supervisors, granted by the act known as the Registration act, to the Board of Registration, did not exclude the proceeding by mandamus before him. In the second case decided by the same judge he limited to argument on the point raised by the Supervisors as to the legality of naturalization papers issued since July 1st, and held that his authority to grant these documents was derived, not from the State of Louisiana, but from a statute of the United States and that statute did not restrict the Judges as to the time for listening to the application of aliens to be naturalized. Judge Lemonnier holds that he has the power to exercise this authority at any period of the year, in January or in September, or in any other month, when he may see fit to open his court for that purpose.

The trial of these cases occupied but a very short time. Forty eight hours will suffice to file a petition, serve it upon the registering officers and go through the trial, unless indeed some other and more difficult questions of law are raised by the Supervisors than they have yet done. No case need be deserted who has been rejected by these officers, from want of a remedy through the Courts, by fear of expense or delay. Neither expense nor delay need be incurred. But we have one suggestion to make for the purpose of saving valuable time slipping away; and that is—that the Ward Clubs should take the matter in hand and induce parties rejected by the Supervisors, to apply in a body to the counsel they may select, that he and the officers of the Court may be saved unnecessary labor.

By pursuing this course, one writ of mandamus can be made to cover the cases of all rejected in any particular ward. It was supposed that the Supervisors would be content with the determination of the principle in each case by the courts, but we learn some of them are not, and that they intend putting every man they can, to the trouble of taking out their writs against them. They can be circumvented in this, in the manner we suggest, by citizens clubbing together in petitioning the court. Those in one Ward whose naturalization papers are rejected should join in one petition—those who are rejected for some other reason should also join in stating their complaint in one petition. This saves, as we have said, time and trouble, and we call the attention of the officers of the Ward clubs to our suggestion.

AMENDMENT TO THE REGISTRATION ACT.

We are glad to learn through a courteous communication made to us by Senator Bacon and published below, that the act amending the Registration Act, which we referred to in our article of yesterday, on this subject, has been finally adopted by the Senate. If this Act shall be concurred in by the House and approved by the Governor, Mr. Baker and his colleagues of the Board of Registration will no longer have it in their power to say who shall and who shall not be registered, unless indeed they resort to some other trick for gaining time. We are further pleased to learn that Mr. Fordick, one of the members of the Registration Board, is of the opinion registration can be completed and every man who wishes to be registered placed on the lists by the time named in the law for the work to close, without the employment of additional supervisors and the opening of additional offices.

Senator Bacon informs us that so much of the bill introduced by him into the Senate, as for bids the exacting of other oaths or questions than the law and the Constitution prescribe and requiring the Board of Registration to receive their counter instructions, was passed. If Mr. Baker is ambitious of spending some time in the Hotel d'Orleans, kept by our friend Capt. Swain, he can accomplish that object by disobeying the writs of Judges Cooley and Lemonnier. We do not share the apprehensions of Senator Bacon, that Mr. Baker will be able to resist the *gentle pressure* that will be brought to bear upon him, should he continue his refractory behavior. He is certainly a rather bold individual when he undertakes to defy the fierce public opinion now pressing upon him.

Correspondence.

STATE OF LOUISIANA, SENATE CHAMBER, New Orleans, October 1st, 1868.

Messrs. Editors of the Bee—The bill introduced by me to adopt the registration made under the military authorities was not passed. Because, in the opinion of Mr. Registrar Fordick, the authority in the previous act introduced by me and passed—"to facilitate the registry of voters," whereby the Registrars can appoint any needed number of Supervisors, will enable Mr. F. says the city registry offices are each now registering 100 per day, and if this be kept up all will be easily registered, without any bill at all. As many frauds were committed under the old registry, and as all must register sooner or later under the Constitution it was deemed unnecessary to adopt the military registry.

So much of my bill as forbids the exacting of other oaths or questions than the law and the Constitution prescribe, and requiring the taking of the counter instructions, was passed. You seem to think that the decisions of Judge Cooley and Lemonnier will settle the questions. So far as the bar and courts are concerned they ought to have settled it, when publicly announced; but the Board of Registration of the Supervisors do not at least, but unless some more potent decision than that I spoke of has been rendered, I fear Senator Baker will refuse to obey the Legislature, as he has condemned the advice of the Governor and the opinion of all the members of his own party. But we can put him in a tight fix, before we move to oust him.

Respectfully, A. B. BACON.

We regret to earn that Mr. Charles Parent, one of the oldest and most esteemed citizens of Louisiana, died suddenly, on the 28th of September, on his plantation in St. Tammany parish, at the advanced age of 83 years. Mr. Parent was one of the few surviving veterans of 1814-15, having served as lieutenant of the Carabins, under Jackson. For a series of years he resided on his plantation, and won the esteem and affection of his neighbors. His loss will be deeply felt by his sister, the widow of the late and much regretted Governor A. B. Roman, and by all his relatives and friends.

BONDED WAREHOUSES.—We call the attention of our commercial readers to the advertisement, in another column, of the Importers Bonded Warehouse Company, who are receiving goods on storage at low rates in their Fire Proof Buildings, corner Conti and Peters streets. These stores are bonded warehouses of the United States and parties storing participate in the profits of the company. Tariff to be had on application.

The Editor of the *Bee* tenders his thanks to the Broom Rangers, Junior, for the compliment conferred upon him of an honorary membership of that club, on politely commissioning the Secretary, Mr. Henry Duval, Jr.

ST VINCENT DE PAUL CHURCH.—The Shakspeare Club will give an entertainment in the Opera House, corner Bourbon and Toulouse streets, next Monday evening, Oct. 5, for the benefit of the Church of St. Vincent de Paul, of which Reverend Mr. Faltier is Curate.

Messrs. Barbett & Bouequet, dealers in Wines and Liquors, announce elsewhere their removal from their old stand, No. 54 Conti street, to No 54 in the same street.

OFFICE 73 CHARTRES STREET. NEW ORLEANS, FRIDAY MORNING, OCTOBER 2, 1868. Vol. XLI.—Whole—14,561.

Louisiana Democratic Convention.

SECOND DAY—OCTOBER 1, 1868.

The Convention assembled at 10 A M, Major A S Herron in the chair, and all the parishes fully represented, except Calcasieu.

Mr. C P Morgan, in the course of some remarks, said he regarded the present government of Louisiana a usurpation, which we should protest against. He knew no law authorizing a Congressional election in Louisiana in November; believed Gov Warmoth's proclamation ordering one unauthorized, and offered a resolution of protest against it, which was referred to the Committee on Resolutions.

Mr. McCullum offered a resolution that all Democrats who can consistently do so be urged to make the registration certificate. Referred.

Mr. Tucker, of St Mary, offered a resolution to the effect that it is the right and duty of every voter in the State to cast his vote in the coming election, the infamous registration laws to the contrary notwithstanding. The resolution was referred.

Mr. Brandt, of St. Martin, offered a resolution declaring the Constitution of 1865 null and void, and recommending that an election be held under the Constitution of 1852 advising the people to refuse to pay taxes to the present State government, and while maintaining their support of the Constitution proper to refuse recognition of usurpers in office. Referred.

Mr Turnbull, of Jefferson, quoted articles 98 and 99 of the Constitution of 1868 regarding disfranchisement, and then read a report of a committee of the delegation, recommending that the recantation oath be subscribed to, or that the other oaths required be taken by all those who could honestly do so.

Mr. A. W. Walker, in behalf of the State Central Committee, stated that the committee had appointed six gentlemen to investigate the question of registration. As one of them, he was pleased to say that there was no reason why Democrats could not register. He considered the question of registration the most important one at issue, and he was sorry to see that leading Democrats were so far from eager to avail themselves of the right or privilege than the mass of the people—the hons and slaves of the land. In view of recent developments there was no longer any excuse for the non-registration of Democrats.

He offered a resolution to the effect that every Democrat be urged to register, and that no one will be considered as having performed his duty who shall refuse to do so.

Mr P Morgan, of Jefferson, spoke eloquently against filing the recantation oath; he said he did not believe there was a single man in Louisiana who could hold up his right hand and swear he regretted having aided the Southern cause.

The motion to refer the resolution was lost.

Mr. McMillan offered a resolution requesting Mr. Monton, of Opelousas, spoke against the adoption, saying he could never file the recantation oath; he could never cast aside a principle he believed right and fought for the cause. If all political rights were wrested from him, he wished to be able to say with Francis I, "All but my honor."

Mr Fuqua offered a substitute, declaring that it is the first duty of every good Democrat to present himself for registration.

Mr. Tucker said he saw no difference between the original resolution and the substitute; Judge Walker's resolution was simply intended as a mere hint to Democrats.

The substitute was then unanimously adopted.

The chairman of the Committee on Resolutions made a report relative to the time and offered yesterday, in reference to placing names of parties who cannot qualify before the Convention, and offered a substitute as follows:

Resolved, That while we protest against test oaths and disqualifications, except for crimes whereof the party has been duly convicted, we recognize the necessity of conforming to existing laws, and this Convention will entertain the name of no person, as a candidate for election, who cannot qualify under these laws, and we recommend to the Congressional Convention to adopt the same rule.

The resolution after some discussion was adopted.

Mr Fuqua then read a report on the condition of the State, showing the sad condition of affairs, that while white men were disfranchised and refused the privilege of voting, negroes were permitted to exercise all the rights and privileges hitherto exercised by the white race.

The report is, we regret to say, too lengthy for publication. It touched upon all topics of interest to Louisiana, and was received and adopted with applause.

Several resolutions were referred to the committee without being read.

A resolution was adopted declaring that all resolutions should, before being read, be handed to the Committee on Resolutions.

Ex-Gov. Wickliffe offered a resolution endorsing the humanity of the National Democratic Convention, and pledging them the support of the Democracy in Louisiana. Adopted.

Ex Gov Wickliffe tendered his resignation as elector at large, which was accepted.

A communication was then read from N. D Coleman tendering his resignation as elector for the Fifth District of the State. The resignation was accepted.

Col LeBlanc sent in his resignation as elector, which was also received.

Gen. Herron then announced his resignation.

The resignations were all accepted.

The Convention was also notified of the resignations of Hon Isaiah Garrett, of Ouachita, Elector at large, and Messrs J P Freret and N Lea, Alternates, which were also accepted.

Messrs George W. Race, of Orleans, and W F Blackman, of Claiborne, were unanimously elected Electors for the State at large, and Messrs Durant Deponte, of Orleans, and E J Ellis, of St Helena, Alternates.

Mr Race gracefully accepted the duty assigned him, assuring the Convention he would use his utmost endeavors to the good work.

Mr Purcell was announced as Elector, Judge E. North Julian, Alternate, and Hon M Kyan, of Rapides, as nominee for Congress from the Fourth Congressional District; and Messrs F M Goodwin, of Bossier, and J Harvey Brigham, as Alternate from the Fifth Congressional District. The selections were read.

The question whether Presidential Electors should all be voted for throughout the State, or each in his respective district, was postponed for consideration to-day.

The Convention adjourned till 10 o'clock this morning.

Mr. Pendleton Misrepresented.

A letter has been going the rounds of the papers, purporting to have been written by Mr Pendleton to Simeon Kinney, editor of the Houston (Texas) *Times*, in which he said that the Western Democracy would see that Texas was not deprived of her vote in the Presidential election.

We learn by the following telegraphic dispatch published in the Cincinnati *Commercial* that some mean person has been playing a very small practical joke on a man who cannot be injured by any such trickery:

Cincinnati, Sept. 29—The *Commercial* publishes the following, dated Circleville, Ohio, Sept. 28:—The letter in the *Commercial* of to-day, represented as being from me to Simeon Kinny, of Texas, dated Bangor, Me., Sep tember 21, is a forgery. Your friendly comments conveyed the first knowledge I had of the letter and the person to whom it was addressed.

(Signed) "GEO H. PENDLETON"

CITY INTELLIGENCE.

Reportorial Repertory—The Grand Jury yesterday presented a report recommending the appointment of Justice Macarthy, of Algiers, Bill for further inquiry.

The resignation of Lieut. Manning, of the Second District police, was accepted yesterday. He was at once appointed by the Cotton Press Association as Superintendent of their private watchman.

Clara Brown, a negress, was arrested Wednesday night for attempting to create a riot on Basin street, by appealing to the worst passions of the negroes.

Eight persons were naturalized yesterday in the First District Court. Other courts were crowded with applications for mandamus against the Registrars of voters.

Robert Butler, colored, has been arrested as an alleged accessory to the stealing of a trunk containing $100 worth of articles, stolen from a house in Hampson street.

Six pickpockets—three of them in the day time and three at night—guard the Governor's residence, four the house of the Lieutenant Governor and one or two the residence of Rachel State Senator Hugh J. Campbell.

Joe Williams and John Randolph were arrested Tuesday morning, charged with robbery from a steamboat cargo. The goods were taken to the Second District station.

Nelly Green, colored, is charged before Recorder Genius with assaulting a stand pipe.

The Fourth District ferry-boat was run into by a passing steamboat Wednesday and considerably damaged.

The body of an unknown white man was found floating in the river yesterday and towed up the Algiers side of the river, where an inquest will be held.

An effort is being made to have the police pass in city money, with an allowance of 37 per cent to their pay, instead of 37 per cent as proposed. D. M. C. Hughes, Esq., to urge it.

The Jewell Cadets—This club, numbering 120 voters, will be presented with a flag Saturday evening. The Independent Clubs of the Third District, the Broom Rangers and Broom Rangers, Jr., are invited to attend. At their last meeting Col. J. Zy mandi was elected an honorary member of the Jewell Cadets.

Suicide—About half-past one o'clock yesterday, Mr. John L. McGowan, of this city, who, during the late war was a captain member of the Washington Artillery, and at the time of his death belonged to the Hancock Club, shot himself the ugh the head with a pistol in the Lafayette Cemetery. A little boy, who heard the report of the pistol, reported the fact, and soon after the young man was found weltering in his blood in a dying condition, and was taken to the Charity Hospital, where, despite the best medical attention, he died last evening at half-past 7 o'clock. Deceased was born in Philadelphia, was 27 years of age and unmarried.

He was the nephew of Capt. McGowan, well known as an old and popular ship Captain in the California trade. Young McGowan bore a good character. The cause of his suicide is unknown outside of his family. He will be buried to-day by the Hancock Club and the Washington Artillery.

The Allurements of Vice—A young girl named Nellie Atkins, who left her home in Amite City, La., some six weeks ago and came to this city, has been recovered by her mother from a house of ill fame on Basin street and taken home. It is the old story of the false fascinations of vice.

The Death of Mr. Grasser—Mr. Grasser who resided at 170 Orleans street, and who was taken sick Sunday, died Monday, and not subsequently as reported. We make the correction in justice to his family and friends, to show that his death which was rather sudden, was duly discovered by them.

Fifth District Court.—Judge Lemonnier.—In this Court yesterday came up for trial the rule taken on the Supervisors of the Fourth Ward, to show cause why a peremptory mandamus should not issue to compel them to register Julius Bloch, a duly qualified voter.

The relator alleged he had been refused registration because his certificate of naturalization from this Court had been issued during the vacation of the Courts of New Orleans.

Defendants answered to the rule and set up for cause the nullity of relator's certificate of naturalization, because it had not been granted in open Court and during the time the District Courts of New Orleans were authorized to try causes on their docks.

It was also alleged that the Board of Registration was the proper tribunal for the settlement of the question.

Mr. Fergus Fuselier appeared for the relator and Mr S. Belden (the Attorney General) for defendants.

Mr. Fuselier argued that there was nothing in the statute of the United States (from whence State Judges derive power to naturalize aliens), restricting them as to the time and manner of carrying out the purpose of the law. It was sufficient if they were Courts of Record, having a Clerk and Seal. These conditions being present here, he contended that the law had been complied with.

Mr. Belden in reply argued strenuously for the nullity of relator's naturalization because it had been issued in vacation and bore on its face the fact. He quoted the State law of 1866, from which alone the District Courts of New Orleans derived power to sit during vacation. The terms and provisions of this law showing that it was only for the granting of orders and certain summary process that the courts could open, and not for the adjudication of cases upon their merits. Mr. Belden concluded that to issue a naturalization certificate was the same as to try a case upon its merits.

Judge Lemonnier thereupon pronounced the following decision:

The State of Louisiana, on the relation of Jules Bloch, vs. Board of Supervisors, Fourth Ward, City of New Orleans:—The simple point raised in this case is, whether the State Courts have the power to naturalize aliens, out of term time, or, as it is popularly called, in vacation; that question can present no difficulty. For the purpose of naturalization the 8 ate Courts be one Federal Courts, subject to the rules enacted by Congress by virtue of the article of the Constitution of the United States, which says that Congress shall have the power to establish uniform rules of naturalization, and not to any rules of a State Legislature, even if they should either contravene or modify those rules, which Congress alone has the right to make.

Now it is necessary, for a correct understanding of that last sentence, in the opinion of this court, to distinguish as to the various kinds of jurisdiction which in principle is exercisable of a grand primary division. The first jurisdiction, "*contentio lidi*," that of determining the right of parties in general or in special cases. That jurisdiction can be entirely taken away, conferred or modified, by the State in its sovereignty, but as to the other jurisdiction, which the French authors very properly qualify as "*jurisdiction gracieuse*," permissive jurisdiction, it cannot be taken away by the State in its sovereignty, unless it should abolish the court itself; because it is a right which attaches and is inherent to the office itself, and in the case at bar by a grant or permission of a higher sovereign, the Constitution of the United States.

Now, there is nothing to be found in the statutes of the United States on the subject of making naturalization. Whether they should be made in January or September, the law is silent upon that subject. It follows that they be made in open court and by a court of record; that is, one sitting at the time, keeping the minutes of its proceedings, and having a clerk and a seal, and the judgment of such a court is final and conclusive. In this case the court that granted the paper of naturalization was sitting at the time, kept a minute of its proceedings and had a clerk and a seal. No other formalities being necessary, it is therefore ordered that the mandamus be made peremptory.

Buckers' Benevolent Association—This large and worthy organization were presented with a banner yesterday, at the residence of the Treasurer of the Society, Mr. Louis Keck. The banner was presented by Mr. Keck, with some appropriate remarks delivered by Mr. Swan Dauchuer, to which Mr. Aaron Fuenberger handsomely responded.

First District Court—Judge Abell—The Grand Jury yesterday handed in a bill of indictment against Gen. Sheridan, charging him with the murder of Jules Block, colored, by shooting him through the head, on the night of the 15th ult. The bill was found on the testimony of Mr. Fendick & Co., Rabbi, steamships Morgan, Conordia, and Tuscaloosa.

RIVER NEWS.

Louisville, Oct. 1—River falling slowly—falls still navigable. Weather cloudy and warm.

Pittsburg, Oct. 1—Passed up—B E Lee at 3 P M. Passed down—Shark and barges at 11 A M.

(Previous Dispatches.)

Pittsburg, Oct. 1—Passed down, Stella and barges at 8 last night. Rising rising.

New York, Oct. 1—Money active at per cent. Sterling active 108¾. Gold 132¾. Sales of 5-20s of '62, 113¼. C's 73, do. Va 54. Tenn ex coupons 68.

Flour 10 to 15c lower. Wheat favors buyers. Corn unchanged. Mess pork quiet—$28 67½. Lard quiet at 15 to 15¼c. Cotton steady, firmer but quiet. Middling uplands 20½c. Freights firm.

Louisville, Oct. 1—Tobacco weaker—lugs $5 50 to $7 50; medium leaf $11; fair leaf $14; fancy $16 to $18. Gold 132½. Sterling quiet—Bankers $6 75 to $7. Wheat $1 85 to $2 05. Corn higher—old 75 to 77c. Oats 55 to 57c. Rye $1 35. Cotton 19½c. Mess Pork $28. Bacon—shoulders 12½ to 13c; clear sides and 18½c, packed. Lard in tierces 19½ to 20c. Hay on the wharf $16.

Cincinnati, Oct. 1—Family Flour $8 75 to $9 25; "*superfine*" $8 50. Corn 70 to 74c. Oats 60c. Eggs 22c. Whisky $4 30. Pork $29 25. Lard held at 15½c. Bulk Meats 15½ to 15½c. Bacon—shoulders 12½c; clear 15½ to 16c; hams 12 to 13½c. Hog suffice $1 to 25c.

St. Louis, Oct. 1—Tobacco steady and unchanged. Superfine Flour $5 50 to $6 65. Wheat $2 10 to $2 25. Corn 50 to 54c. Oats 32½c. Pork $28 75. Bacon—sides 15½ to 16½c, shoulders 12½c; hams 17½ to 18c.

Mobile, Oct. 1—Cotton market quiet; sales 250 bales, middlings 23c; receipts 313 bales; exports 81.

New York, Oct. 1—Gold, after some fluctuation, closed weak at 132½ to 132¾. Stock market unsettled, with a general advance in spite of the adverse report from the money market. Sub Treasury balances $95,000,000.

New York, Oct. 1—Money active at sharp rates all loans. Gold closed weak at 132½ to 132¾. Sterling quiet, 108.

FROM SOUTHWEST PASS.

Southwest Pass, Oct. 1, 6 P M—Barometer 29.90. Wind East; strong and equally. Arrived, bark Cristobal Street, Bobbidge, master, 23 days from Portland, with lines and hay to Thorndyke & Norton. Sailed, bark Limerick Lass.

Southwest Pass, Oct. 1—Noon—Barometer 29.90. Wind East; fresh. Arrived, steamship Alhambra, Thomas, master, from Liverpool, with merchandise and passengers to Jas Bridge & Son, Hipp F Sage, Crook, master, from New York, with general cargo to G A Fendick & Co, Bailey, steamships Morgan, Conordia, and Tuscaloosa.

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