NEW ORLEANS DAILY BEE.

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No. 23 Chartres Street.

TERMS OF THE BEE.

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Semi-Weekly Edition.

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NEW ORLEANS:
SATURDAY MORNING, FEB. 5, 1870.

PRESS CONVENTION.

NEW ORLEANS, Feb. 4, 1870.

To the Conservative Press of Louisiana.:

It has been proposed to call a Convention of the conductors of the Conservative newspapers of the State, for the purpose of conferring together upon the various subjects of public interest, political, financial and industrial, which now agitate the people, as well as to consult together upon the policy proper to be adopted by the Conservative press in the next political campaign, so that uniform and well understood action may be had.

This suggestion has already been approved by the following journals:

The Iberville *South*.
The Opelousas *Courier*.
The Baton Rouge *Gazette and Comet*.
The Assumption *Pioneer*.
The *Planters' Banner*, St. Mary's.
The West Baton Rouge *Sugar Planter*.

And no doubt by others which have not yet been heard from.

The Conservative press of New Orleans also approve the suggestion, and as conductors thereof, we invite you to attend such a Convention in this city, on Monday, February 28.

DUFOUR & LIMET, Prop'rs *N. O. Bee*.
A. M. BLOOMBROOK & Co., do *Picayune*.
SEYMOUR JEWELL & Co., do *Bulletin*.
C. A. WEED, do *Times*.

STATE WARRANTS DECLARED UNCONSTITUTIONAL.

Judge Beaumont, of the Fifth District Court of this parish, has just pronounced a decree, supported by a very elaborate opinion that the acts of the Legislature, authorizing State Tax Collectors to receive in payment of taxes, warrants issued by the Auditor of the State are contrary to the Constitution of Louisiana and also to the Constitution of the United States.

The question came up under an application made to Judge Beaumont by one of our District Judges for a mandamus upon the Auditor and Treasurer of the State, requiring them to issue instructions to State Tax Collectors to receive only money of the United States in payment of taxes.

The only sense made to the proceeding by the Attorney General, who appeared in the case, strange to say, in opposition to the State's own petition, was the act of the Legislature, of January 4, 1869, authorizing Tax Collectors to receive State warrants the facts alleged by the petitioner not being controverted. The difficulty was narrowed down, says the Judge, to the question whether upon the first appearance of a Child or Cranch.

"Can the Legislature, by authorizing the several State Tax Collectors, Sheriffs and other State officers, including the Auditor and Treasurer, to receive State warrants in payment of all taxes, except special ones, and then by appointing an interior Board, consisting of the State Treasurer, defeat, finally, make void, or render inoperative, and as a dead, unwritten letter, those articles of our Constitution which guarantee to the officers the full payment of their salaries?"

This question Judge Leaumont answers in the negative.

His first objection to the act of the Legislature of January 4, 1869, is, that it contravenes the Constitution of the State by rendering certain of its provisions inoperative, preventing the payment in money of the State officers.

His second objection to it is that it contravenes that clause of the Constitution of the United States which prevents the State from emitting bills of credit.

We are pleased to see that Judge Leaumont takes occasion to inform the State Auditor and State Treasurer that they are bound to know, at their peril, whether or not the act of the Legislature, under which they perform their duties is constitutional. Something more than the mere acts of the Legislature, State and Federal, are law. They seem not to know that if unconstitutional they are without any force and validity, whatever, are null and void, and the same as if they never had any existence. This is the Judge's language:

Therefore, any law of the Legislature, giving those warrants the standing of a circulating medium, is unconstitutional and void as such void and no officer, not even as a protection to the officer in the final order said law, for it is their duty at their risk and peril, to know whether the act under which they perform certain duties is constitutional or not. One point more, and the Court closes its opinion. The Auditor and Treasurer are the receptive officers with their bill, with the presumed knowledge of the responsibility at the Auditor of the State are contrary to the Constitution of Louisiana and also to the Constitution of the United States.

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