NEW ORLEANS DAILY BEE

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TERMS OF THE BEE.

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NEW ORLEANS:

SUNDAY MORNING, FEB. 19, 1871.

Amusements This Evening.

OPERA HOUSE—"Les Songes d'une Nuit d'Ete."

ST. CHARLES THEATRE—"The Ticket of Leave Man."

ACADEMY OF MUSIC—Ostes' Comic Opera Company.

CRESCENT CITY MUSEUM—Nos. 40 and 42 St. Charles street.

THE BATTURE CONTROVERSY.

From the frequency with which questions relating to the batture property in this city, had been before the State and Federal Courts, and the numerous decisions rendered in cases involving title to the batture, one would have thought the subject needed no further elucidation, but that every possible question which could be raised in regard to this property had been finally determined and the whole matter set at rest. That suits should be instituted at this late day contesting the ownership and the title to the batture, after all that has been said and written upon the subject and after the many expositions and judgments of our courts, setting the question of title, is something difficult to be understood.

For several weeks past, the time of the Eighth District Court has been in a great measure devoted to hearing arguments from distinguished counsel in the cases of the Pontchartrain Railroad, Charles Morgan, the city of New Orleans and — Ochiglevich against the Chattanooga Railroad Company. And as these arguments are now closed and the cases taken under advisement by the court, it may be interesting to our readers to know what are the pretensions of the parties to this litigation, (so far as the batture above Canal street is concerned) as those pretensions are disclosed by the pleadings and speeches of counsel.

The question to be decided by the court in the cases wherein Morgan and the city of New Orleans are plaintiffs, is this: In whom vests the title and ownership of that portion of the batture claimed by the Chattanooga Railroad Company under their grant from the Legislature of Louisiana, and by Mr. Charles Morgan under an act of sale from the city of New Orleans. The city of New Orleans and Mr. Charles Morgan both contend that the title and ownership to these disputed lots of ground upon our levee, was vested in Mr. Morgan by an act of sale from the city, and that the city had the right to sell them to Mr. Morgan by virtue of a certain agreement or compromise entered into by the city with those who claimed to be the former riparian proprietors—Edward Livingston and others—in the year 1820, an agreement or compromise which was afterwards ratified by an act of the Legislature of the State.

On the other hand, the Chattanooga Railroad Company contend that the batture property belongs to the people of the State of Louisiana and not to the people of New Orleans alone; that the title and ownership of that property is vested in the people of Louisiana and not in the city of New Orleans as a municipal corporation; that the batture, like the streets and squares of the city and the roads in the country parishes, is a public place, over the uses of which the Legislature, as the sovereign power of the State, has alone the control; that the Legislature has a power over such public places, which neither the city of New Orleans nor any parish or other subdivision of the State has the right to exercise, and may change the destination and uses thereof, whenever in its judgment public utility requires such change.

We believe this is a fair statement of the claims of the plaintiffs and defendants respectively. That they have been well supported may be inferred from the names of the lawyers who have argued these cases. On the one side was Messrs. W. W. King, Miles Taylor, H. J. Leovy, Geo. S. Lacey, John Finney and Thomas Allen Clarke, and on the other Judge John A. Campbell and James B. Eustis, Esq.

The argument on the part of the city is that she acquired title under an agreement or compromise entered into by her in the year 1820, by which Edward Livingston and others, who claimed to be the riparian proprietors, ceded the batture in front of certain line to the city upon certain conditions, that being owner under said agreement she had the right to sell the lots in dispute in the present litigation to Mr. Morgan, and that the Chattanooga Railroad Company, in taking and holding possession of these lots, are mere trespassers upon that gentleman's property.

The argument on the part of the Railroad Company is that the very agreement or compromise entered into by the city with Livingston and others, on which the city bases her title, shows that Livingston and the other parties to that compromise considered their title defective, and that it was doubtful if the batture could be considered susceptible of private ownership, except when the title proceeded from legislative authority. The Railroad Company maintained that title to batture has been recognised by the courts only when the title has proceeded from legislative authority, that those who now hold title to what once was batture, hold such title only under the authority of the Legislature, and not under authority of the city of New Orleans, or by virtue of transfer from an individual. They maintained that that portion of the batture which by the compromise of 1820, was ceded or was assigned to Livingston as an equivalent for the abandonment by him of his pretensions to the remainder, because his only by virtue of the ratification of that compromise by the Legislature. That is to say, it was not the compromise which secured the title to Livingston, of the portion of the batture set apart to him by that agreement, but the sanction which the Legislature gave to the same.

The argument made by James B. Eustis, Esq., for the Chattanooga Railroad Company was regarded by those who heard it, as an exceedingly able effort. His great familiarity with the question in dispute enabled him to present clearly and strongly the claims of his clients. If his argument be correct, the question of compensation for the use of a public place for the benefit of the public, has been solved satisfactorily. Once let it be established in Louisiana, as it has been in twenty-two States of the Union, that railroads are works of public utility, then by authority of the lawmaking power of the State, it is not easy to see how they can be denied the right of way over all public streets and places, or required to compensate the public therefor by the payment of money, because the theory then is that the public are benefitted by the construction of such works, and not injured by the expropriation of property for their tracks as an individual may be. In such a case it would seem there is no one to compensate unless every citizen of the State were to receive a portion of the compensation.

But we desire to express no opinion upon the question now before the court, our sole object being to present the arguments made on both sides of the case. From what we have said, our readers will easily comprehend what is involved in these suits and the matters which are now to be decided by the Eighth District Court.

The New Orleans Academy of Science, through Mr. A. E. Mouton[illegible], Recording Secretary, announces the meeting of a scientific paper by Major R. Campbell, Chairman of Section on Mineralogy, on next Monday evening, 20th inst., the subject of the paper being "Deterioration, the Mother of Architecture." We acknowledge receipt of an invitation to attend.

TRUTH.—The powers of Mrs. Whitcomb's Syrup for children are as positive as the sunlight from heaven, and gentle and soothing as an angel's whisper.

[F] More than 500,000 people bear testimony to the wonderful curative effects of Dr. Pierce's Alt. Ext. or Golden Medical Discovery. For palpitation or irregular action of the heart, all severe acute or lingering Coughs, use Dr. "Lyon Complaint" or "Dispensary" it is unequaled. Sold by all druggists.

26 wed fri sunday

The New Orleans Bee.

OFFICE 73 CHARTRES STREET. NEW ORLEANS, SUNDAY MORNING, FEBRUARY 19, 1871. 44th YEAR—Vol. XLIV.—Whole—15,298

EULOGY ON THE LATE CYPRIEN DUFOUR.

At the regular quarterly meeting of the Law Association, held on the 18th inst., J. Adolphe Rozier, Esq., President of the Association, pronounced the following eulogy upon the life and character of the late Cyprien Dufour, which, on motion, was spread upon the journal:

My acquaintance with Cyprien Dufour, late member of this Law Association, dates as far back as 1833, when he entered St. Mary's College, (in Perry County, Missouri), founded by Bishop Dubourg, the Catholic Bishop of Lower and Upper Louisiana. It was his very good fortune to attend this college, during that series of years, when it was under the charge of a corps of teachers pre-eminently learned and pious, (the late Archbishop Odin one of them); for all institutions of learning, in common with other successful enterprises, have their marked day of excellence. Several of these Professors were promoted to Bishoprics. The institution was situated in a rural district far removed from the bustle of the world.

Owing to the very limited number of schools in Louisiana, at that remote period, his Alma Mater was mostly composed of young gentlemen, creoles of this State—all the main modern languages were there taught by professors who spoke respectively these various languages as their vernacular—Mexico, Italy, France and Germany all contributed. The Revolutions in Mexico caused the sending of pupils there. In our day, the study of modern languages is much neglected—a mere smattering is the bitter fruit of an imperfectly executed college or University curriculum.

His department at school was exemplary—displaying assiduity, perseverance, tenacity of purpose. He graduated in 1836.

On his return here, he entered the notarial office of Pollock, and there remained for two years, a good novitiate for a young man destined for the Bar, as exemplified in the case of Benjamin. The office of a notary is a most important one, requiring for its exercise, varied legal knowledge. The learning of forms, contracting habits of order in the case of papers, methodical industry, gradual knowledge of business and of the world, no doubt were of great benefit to him in his business career of life.

He entered the law office of Pierre Soulé in 1838, and became his protegé. On being called to the Bar, the path of success looked to him long, winding and gloomy—it was then he communicated to me, the intention of abandoning, of locating himself in the practice of the law, in Canada. The grass always looks greener at a distance. The customs of Paris were the laws in force there. Lately, Lower Canada has codified its laws—their code almost copied from our Louisiana Civil Code. Had he practiced there the 30 years which he did here, he would have resumed the study of the same Civil Code left in Louisiana.

The appointment of District Attorney was conferred on him—served as such, under distinguished and upright Attorney Generals—Elmore, Preston and Rosellius. Attorney Generals were selected from members of the Bar occupying the front rank, and the public voice unerringly designated the selection.

This was another fortunate apprenticeship which befell him, affording him golden opportunities to improve in the art of public speaking, to master the law of evidence and criminal law—all young practitioners can well envy this position.

In the district courts, he, as true, has noted for close methodical attention to the business of the State.

The Bay-kidnapping case in 1840, attracted public attention, and his ability in its management was discerned. The investigation was a protracted one. He then became a rising man, evidenced by his practice which became lucrative.

His debut had been in the Trouette duel indictment, in which Maurigan and Soulé indulged in a display of their respective talents and eloquence. The former taunted Soulé, in censuring him for educating the youth of the country in the defense of the practice of duelling. Dufour, for one so young, acquitted himself very well and his protector Soulé listened with marked interest and pride to his speech.

In politics, he took some part, never, however, forgetting the law, a jealous mistress. In the Senate—in the Convention of 1845—ever a hard working member. Whig—Know Nothing—ran on the Co-operative ticket—was defeated—opposed to Secession—subsequently carried away by the strong current.

Married in 1843—methinks, I still behold him, on that happy day at Church, accompanied by Preston, the Attorney-General, he of the ruddy, good face, and of elephantine size, acting as his witness and near friend. Such devotion to wife and children of our departed brother, the salient point in his character.

Composition in his early years had a charm for him—author of a brochure, containing interesting and critical sketches of the leading members of the Bar—it is evidenced acumen and powers of observation—written in French of some taste and purity. He was betrayed into an unpleasant quasi-religious controversy with the Abbé Perché, now Archbishop. Inexperienced in this new field of controversy (as could be expected) he labored under disadvantages in grappling with so able and practiced a writer.

In the preparation of his cases, very diligent, discriminating and untiring—his motto? *Always ready.* I never heard him ask for the continuance of a cause. His style of speaking was not florid, animated, not boisterous—positive, to the point, backed by tenacity of purpose. He restricted himself to a few carefully selected authorities. His pleadings, written in a neat handwriting, without erasures, were skillful, strictly accurate. He shunned the United States Courts as a generality the case with those who have removed, mainly a civil law-training, in speaking English his French accent was easily detected, the French court is the legitimate sphere of action, notwithstanding both Western or Northern education, are loth to part, with the accent of their youth.

The Bar of New Orleans, in 1840, could compare favorably in point of eloquence and knowledge with any Bar, at least in this country. Dufour was reared in the midst of the most brilliant galaxy of lawyers. Mazureau, Grymes, Roselius, Preston, Hunt and many others. He practiced before Judges whose reputations for legal lore are commensurate with the whole country. Martin, the Pothier, the classic discriminating Ballard, Eustis, he whose decisions have the solidity of granite.

Our departed brother was economical—thrifty—managed his affairs with that foresight vouchsafed to so few of the profession.

For integrity of character (scrupulously so) he abides out as a bright example during thirty years of practice; not a breath of suspicion. Incorruptible; devoted to the interests of his clients; unswerving; his own judgment his very best friend; measured and deliberate in his actions; capable in his temperament.

May he rest in peace.

AMUSEMENTS.

ACADEMY OF MUSIC.—We have to repeat what we have often said already, that the Ostes' troupe is unexceptionably the best burlesque opera company we have ever had on the boards above Canal street. We advise our readers that they can not well afford to miss so rich a treat as the "Fair Rebel with the Blonde Wig," which will be presented again to-night.

ST. CHARLES THEATRE.—Lotta's engagement for the season in this city closes to-night, when she will doubtless bring before her such an audience as will test the capacity of Old Drury to its utmost.

We acknowledge receipt of cards of invitation to attend a masked ball to be given at the National Theatre on next Tuesday evening, 21st instant.

From a private dispatch received last evening we learn that the Lydia Thompson troupe gave a benefit at the Arch Street Theatre, Philadelphia, in behalf of the sufferers by the war in France, which yielded upwards of one thousand dollars.

A SOUTHERN ENTERPRISE.—The attention of our readers is directed to the advertisement in another column of Messrs. Campbell & Strong, 64 Carondelet street, who announce they will take orders for cotton batting and wadding manufactured at the Amite Mills by Mr. M. A. Tarleton. Samples can be seen at the office of Campbell & Strong.

Being a Southern manufactory, the enterprise of Mr. Tarleton certainly deserves to be encouraged by the People of Louisiana.

BACON.—Messrs. J. B. Vanhorn & Co., 83 Poydras street, offer for sale, through our columns, 250,000 pounds bacon sides and shoulders; also, 300 barrels whisky, 200 kegs lard and 300 barrels pork.

Messrs. Barrett, Seymour & Co., No. 60 Camp street, announce by advertisement, in another column, that they have for sale checks on the Germania National Bank, Hibernia Bank, and other New Orleans banks.

The Chattanooga *Times* says: There now remains to be completed of the Alabama and Chattanooga Railroad ("Stanton's road") only twenty eight miles, of which twenty miles are graded, and in thirty days from this time trains will run from Chattanooga to Meridian.

Ex-Governor General Francis P. Blair was [illegible] when voting in the city of St. Louis on Wednesday, he manfully refused to take the oath, and was consequently passed by the [illegible] constitution. Since that time, himself and dozens of gloom and dismay, he has [illegible] the right, and [illegible] of the city, which he has [illegible] Missouri, the gallant soldier and able statesman is unanimously elected by his party with a seat in the United States Senate. Verily, time works wonders and remedies many evils.

LOUISIANA LEGISLATURE.

FORTIETH DAY.

SATURDAY, February 18, 1871.

Senate.

The Senate met at noon, Lieutenant Governor Dunn presiding.

Under a suspension of the rules, Mr. Twichell offered several amendments to the House bill creating the parish of Red River, providing for submitting the matter to the people of the localities affected by the bill, who shall pay the expenses of the election necessary to obtain the wish of the people. Passed finally.

REPORTS OF COMMITTEES.

By Mr. Anderson—Charitable Institution—Substitute for Senate' bill 218, relative to a deaf and dumb institution at Baton Rouge.

By Mr. Hunsacker—Drainage—Substitute for Senate bill No. 68, relative to the drainage of New Orleans.

By Mr. Lynch—Finance—House bill No. 266, relative to appropriation of $650,000 for expenses of legislature. Favorably.

Also, without action, a bill relative to the Mississippi River Packet Company, granting State aid.

The appropriation bill just reported with an amendment was taken up and finally passed.

By Mr. Lewis—Corporations—Relative to re-enacting an act relative to improvements, favorably; also, favorably on the Red River Rail Company bill.

NOTICES OF BILLS:

By Mr. Campbell—Relative to leave of absence to the Judge of the First District Court.

ACCORDING TO NOTICE.

By Mr. Anderson—Relative to a ferry across Bayou Caine. Referred to Committee on Drainage.

Also, for the relief of Story. Referred to Committee on Claims.

By Mr. Hunsacker—Relative to the inspection of spirits in New Orleans, and the creation of the office of Inspector. Referred to Committee on Commerce.

For the relief of Grieb & Byrnes. Referred to Committee on Claims.

JOINT RESOLUTIONS.

A bill for the relief of the New Orleans *Times* was read a third time; lies over.

Mr. Ragan called up a bill relative to the incorporation government and police of East Baton Rouge. Fixed for this evening at 8 o'clock.

A bill to incorporate the Atchafalaya Bay Company was fixed for Monday.

Mr. Ray called up Senate bill No. 101 creating an Insurance Department, and Senate bill No. 102, relative to Assurance Companies. Fixed for one o'clock on Tuesday next.

The order of the day was postponed for 30 minutes.

Mr. Hunsacker called up substitute for Senate bill No. 63, relative to the drainage of the city of New Orleans.

Mr. Pinchback moved that the rules be suspended for a second reading of the bill. Pending the debate on this motion the Senate went into executive session.

Executive session being raised, Mr. Blackman called for the reading of the bill, which was read by the Secretary and the bill was passed finally.

Mr. Ray called up Senate bill relative to the North Louisiana Railroad Company, which was finally passed.

Mr. Smith, by consent, introduced a bill and memorial for the relief of the Ramie Planting Manufacturing and Paper Company. Referred to the Committee on Commerce.

Mr. Whitney called up a bill to incorporate the Louisiana Joint Stock Bank, reported back without action by the Committee on Banks.

Mr. Coupland was called to the chair.

The bill was made the special order for Monday at 1 o'clock.

House bill No. 210, creating a commission for the selection and purchase of suitable site for a State House, was taken up.

Pending consideration the order of the day came up.

The Printing bill having been fixed for 2 o'clock, was to be taken up, when Mr. Smith rose to make a fervent defense against the attack made on the Senators of the "official press" in last night's session.

Mr. Blackman moved that the bill be taken up section by section.

The President resumed the chair.

During the debate a motion to take a recess until 7 o'clock was made, which was lost, by 13 ayes to 16 nays.

A motion to adjourn until Monday 12 o'clock prevailed. The bill come up on Monday under unfinished business.

The Senate then adjourned until Monday at 12 o'clock.

House of Representatives.

The House was called to order at 12 M. Speaker Carter in the chair.

Some unimportant matters having been disposed of,

Mr. Worrell, Chairman of the Committee on Public Health and Quarantine, presented a resolution directing that the committee to enquire into the quarantine system, the administration of the Crisis Hospital, etc., to ascertain to what extent quarantine is an obstruction to commerce. The resolution was laid on the table.

A bill providing for a geological survey of the State was indefinately postponed.

A resolution providing for the publication of the journal by several country papers, besides those already designated, the printing to be sold for out of the contingent fund, was laid upon the table.

A bill to create two additional District Court in the Parish of Orleans, was passed. The Judges fixed to be the Seventh; his court in the Sixth, and that the Sheriff or constable are to be appointed by the Governor until the next general election takes place.

A bill to secure homesteads to actual settlers passed.

[The Speaker was unable to procure a copy of the bill and cannot, therefore, give the synopsis which he gives of all important measures, when he can have access to the bills.]

A bill to amend the charter of Shreveport was referred to the delegation from Caddo and Bossier.

The bill for the annexation of Carrollton to New Orleans came up and was passed. Mr. Moncure asked for a reading of the bill. It was refused. As the ayes and nays were being called on the final passage, which the Speaker came to Mr. Moncure he refused to vote.

The chair said under the rules he would have to vote.

Mr. Moncure desired to know by what right he could be compelled to vote upon a measure after reading of which had been refused, and the nature of which he therefore could not know.

The Speaker said the Speaker if he should omit the name of Mr. Moncure.

The chair (Mr. Matthews) said no. The member could only be excused from voting by consent of the House.

On motion, Mr. Moncure was excused from voting.

Mr. Simpson refusing to vote for the same reason, he also was excused.

The vote on the final reading and final passage of the bill was [illegible]; ayes 54.

A bill granting aid to the Lafourche and Terrebonne Drainage Company passed.

The bill gives $365,000 of State bonds to the corporation.

The bill to establish the New Orleans Drainage Company, with the right of draining and leveling the city, the city to pay so much per cubic yard for the work and the company to have the right of owning steamboats, running them, and building post-roads within the corporate limits, was under discussion, if an indescribable uproar of confusion can be called discussion, for upwards of an hour, and was still pending when the House adjourned.

Romantic Episode.

[From the Louisville Courier-Journal.]

"Truth is stranger than fiction" has been said a hundred times a good many times, and the other day about 5 o'clock occurred an event verifying the somewhat trite adage. Since the early part of last week the very engaging and handsome Representative from Mercer, Capt. J. J. McAfee, has been confined to his room at the Capital Hotel with a severe pneumonia, and very shortly after his first attack its illness was pronounced serious by the physicians. There appeared at his bedside, to minister to his wants and soothe his nurest, one of Kentucky's fair daughters, not unknown to the world as a gifted authoress, to whom he had years ago plighted his love. There she sat by the sick man's couch from morning till night, watching the flushing cheek and fever-gleaming eye with that self-denying and utter devotion which only the true woman can know; until at last—how could it be otherwise?—the patient became better. The denouement is contained in the following official announcement:

MARRIED.—On the 13th inst, at the Capital Hotel, by Rev. Pathon Young, of the Catholic Church, Hon. J. J. McAfee, Representative in the Legislature from Mercer, and Miss Nelly Marshall, daughter of Gen. Humphrey Marshall.

PALM LEAVES.—The steamship Crescent City lately took out fifty bales of palmetto leaves from New Orleans to Liverpool, where, at the present gold premiums, they bring about ten and a half cents per pound. These leaves, which can be had for the more gathering in the Florida and Louisiana forests, this command almost the price of low ordinary cotton. If there is any permanent demand for them in Europe it will be the basis of a very profitable new industry. This first consignment is worth at least $3,000, of which at least $1000 is clear profit. The labor of gathering these leaves could not have occupied a man more than thirty or forty days.—*South Land.*

"COMPETITION IS THE LIFE OF TRADE." The travel by the Mobile & Ohio has not diminished since the opening of the railroad to New Orleans, and those creatures and persons who predicted that nobody would go by the boat when the cars had once been through, have been as usual disappointed. The number going by boat and rail seems to be about equally divided. There is certainly enough traffic for passengers for both lines, and the probability of threats.—*Mobile Register.*

Bravely as they may have borne up against the rigor of Paris must have suffered a deal of suffering in the early autumn. During the period when the citizens were firing their shells into the Prussian lines, the Germans fell victims to the attack. Of these there were 24 killed, the remainder wounded. Of the killed six were children and 12 women. Of the six children 11 are children and 6 women.

BY TELEGRAPH.

[By the New Orleans Bee.]

Armistice Extends Throughout France.

Executive Power Conferred on Thiers.

Election in Spain.

Crown Prince Opposed to German Army Entering Paris.

Rothschilds' Mission to England.

HOME NEWS.

Congressional Proceedings.

Miscellaneous Matters.

FOREIGN INTELLIGENCE.

Paris, Feb. 16, via London, Feb. 18.—Many members of the Diplomatic Corps have returned here.

The Crown Prince, Frederick William, is known to be opposed to the entry of the German army in this city.

The city journals say if the National Assembly consents to the dismemberment, the Parisian Delegation will protest and withdraw.

Rothschilds goes to London to convey thanks to the people for contributions of food by former city.

Bordeaux, Feb. 18.—The Assembly has conferred executive power on Thiers, with the power to select his Council, of which Thiers is President. Favre continues as Minister of Foreign Affairs. The Chamber showed a disposition to postpone consideration regarding Alsace and Lorraine.

Thiers insisted upon its present consideration, saying the Assembly must, on its own responsibility, clearly declare its wishes upon the subject.

Bordeaux, Feb. 18.—The English, American and Italian Ambassadors visited Thiers and officially recognized the new Government.

Bordeaux, Feb. 18.—Favre and Pickard have arrived. A majority of committees of the Assembly favor Thiers as Chief Executive.

The military force outside of the Assembly is devoted to-day.

All elections in the Department of the Seine have been completed.

A member of the left said, "I passed several lines of armed men before getting here; in future I shall come armed myself."

At to-day's session of the National Assembly, the following vice presidents were chosen: Louis Jacques Benoist Martel, Duc Decazes, Ludovic, Vital and Leon Bahkowitz.

Bordeaux, Feb. 18.—In the National Assembly, to-day, the President read a letter from M. Thiers, announcing his appointments with new Ministers in the Assembly on Sunday.

Rochefort protested against the display of military force around the Chamber.

During the discussion upon the declaration of M. Kolbe in the committee yesterday, Generals Chanzy and Bellot each declared a defensive war could, if necessary, be successfully prosecuted.

The number of deputies in attendance to-day exceeds 600.

London, Feb. 18.—In a debate in the House of Commons the general prevailing tone is that England's weak hesitancy has lost her the respect of belligerents and invited early war for her existence.

London, Feb. 18.—In the House of Commons, in answer to a question, the Ministry replied that the Anglo-American Commission is unauthorized to settle difficulties; their mission is to determine the mode of adjustment.

Layard has again left Paris for Bordeaux, whence he will return with the representatives of the Assembly and negotiate peace.

The armistice now extends throughout France.

London, Feb. 18.—Lord Lyons telegraphs to foreign departments that the French Assembly has unanimously concluded only for the appointment of M. Thiers as chief executive pending the decision of France upon definite conditions, as he has announced verbally to Thiers the recognition of the Government by England.

A letter from Frankfort, dated the 16th, says that the 23d French war indemnity has passed there, and will embark by sea for Bordeaux.

The small-pox is raging in the north of France, and is especially violent at Lille.

Madrid, Feb. 18.—Elections in Spain occur on the 24th of March, and shortly afterwards in Porto Rico and Cuba.

Orleans, Can., Feb. 18.—In Parliament the removal of British troops and the defence of the country were discussed. On motion of Sir A. T. Gold, for correspondence respecting the mission of the Hon. A. Cauchon to England, the Hon. Cauchon said, Sir Geo. E. Cartier remarked that the papers ought to be brought down would contain an utterance from the Imperial Government that the withdrawal of the troops was intended only for times of peace, and that Canada would still hold it to be her duty to defend Canada as a portion of the British Empire.

FROM HAVANA.

Havana, Feb. 17.—Exchange on London 16@16¾ premium; on the United States in gold 3¾@4¼ discount; short sight 3¾@4¼ discount. Gold, 60 days, 4¾ premium; short sight 6@6¼.

FROM WASHINGTON.

Washington, Feb. 18.—The Departments will be closed on Monday and Tuesday at 1 p. m., and all day on Wednesday.

No Southern nominations to-day. The following were confirmed: R. H. Isabel, Pension agent for New Orleans; Mahlon Dickerson, District Judge, Florida; Ricks, Collector at Norfolk, Virginia; Pierce, District Attorney; E. F. Smith, Agent for the Chippewas in Minnesota.

HOUSE.—The Conference Committee on consular and diplomatic appropriations reported and their report was adopted.

The army appropriation bill passed.

The New Iberia case was discussed the balance of the day.

SENATE.—The Judiciary Committee were discharged from further consideration of the female suffrage and the recognition of christian religion.

The Judiciary Committee reported adversely to the bill establishing the western judicial district of North Carolina; also in relation to the District of Southern Louisiana; also, a bill repealing several acts relative to the tenure of office.

After a short executive session the Senate adjourned.

Washington, Feb. 18.—Senator Harris was before the Commerce Committee to-day urging appropriations for the New Orleans Customhouse. It is understood that Mr. Hillhouse plans for completing the Custom House have been approved by the committee. They involve the ultimate expenditures of seven to eight hundred thousand dollars and the use of iron instead of stone for superstructure, saving many tons in weight.

Washington, Feb. 14.—In the Senate today Mr. Howard offered the following:

Resolved, That in the present disturbed relations of the Government of the United States and Great Britain, we regard the recent appointment of the High Commissioner for the discussion of the subjects of difference between them, as a highly auspicious event, furnishing a well grounded hope of a speedy, honorable and mutually advantageous settlement of all important matters of controversy and of a cordial amity and good feeling between the people of the two countries.

That we deem it of high interest to these ends that the Commission should take into consideration the fact that the position by the British Crown of the Southern portion of the continent of North America, stretching from the northern boundary of the United States to the frozen ocean, as in its very nature an obstacle to the present harmony of the two governments, and as a standing excitement to persons anxious to involve them in a war.

We therefore earnestly recommend that the commission may, in any settlement suggested by them, propose the cession to the United States of so much as the interest of such British possessions as lie to the west of the Lake of the Woods and the main channels connecting with the Ocean and to the outlet of Lake Superior, with the right to free navigation through the navigable waters to the Atlantic and Arctic Oceans.

MISCELLANEOUS INTELLIGENCE.

Vicksburg, Feb. 17.—A heavy storm and rain commenced over this city at 4 o'clock this evening. Several buildings were partially damaged, and several boats slightly damaged.

(NOTE.—The telegraph wires were prostrated by the storm above mentioned—delaying dispatches.)

Richmond, Feb. 18.—The Joint Committee of Finance of the Virginia Legislature and General Assembly met last night, and determined to recommend the payment of the coupons of the State debt, and to fund what is known as the old debt of the Commonwealth, amounting to about $6,000,000. The Legislature of 1865-'6 funded the accrued interest upon the bonds of these created nor the interest which accrued since on the old and new bonds as now issued, and which is unpaid by agreement. The committee recommend the appointment of a commissioner to take charge of the assets of the State out of which the two last named items of indebtedness shall be primarily provided for.

New York, Feb. 18.—The steamer Iowa sailed for Bremen to-day, with 14,000 barrels of flour for the French Government.

The Custom House appraisers on Castorhouse recommendations were with the Collector to-day, and took further testimony. Several witnesses were examined.

Arrived—Steamer City of Manchester, from Liverpool.

FOREIGN MARKETS.

Liverpool, Feb. 18.—Noon.—Cotton, declining; sales 12,000; speculation and export 2,000; receipts 10,000; American 8,000; sales of the week 70,000; American 60,000; receipts 45,000; American 30,000; stock 1,000,000; American 600,000. Futures firm. Uplands, low middling clause, February delivery, 7 15-16d; March and April, 8d; April and May, 8 1-16d; May and June, 8 1-16d; June and July, 8 1-16d. Orleans, low middling clause, February delivery, 8d; March and April, 8 1-16d; April and May, 8 1-16d; May and June, 8 1-16d; June and July, 8 1-16d.

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DOMESTIC MARKETS.

New York, Feb. 18.—Evening.—Cotton closed quiet and steady; sales 3400; middling uplands 18¾. Flour lower. Wheat firm; white and red Western $1 45@$1 60. Corn steadier—$2 03@$2. Pork heavy. Groceries firm. Naval Stores steady. Freights quiet.

New York, Feb. 18.—Stocks closed steady. Governments strong but dull. State bonds steady. Gold 11¼@11⅜. Money 5@6. Sterling, long, 9½; short, 9¾.

New York, Feb. 18.—Bank statement—Loans increased $2,500,000; specie decreased nearly $1,000,000; deposits decreased $3,350,000; legal tenders increased $600,000.

Boston, Feb. 18.—Cotton quiet; middling 15¾@15¾c; net receipts 700; gross 3126; sales 300; stock 4000.

Galveston, Feb. 17. — Cotton quiet and weak; good ordinary 13¾@13½c; net receipts 1315; exports to Great Britain none; sales 1200; stock 54,172, week's receipts 2891; exports to Great Britain 14,597; coastwise 1661; sales 6950.

Galveston, Feb. 18.—Cotton steady; good ordinary 13¾@13½c. Net receipts 2891; exports to Great Britain 155, coastwise 0; sales 400; stock 55,026 bales.

Savannah, Feb. 18.—Cotton in fair demand; middlings 14½c. Net receipts 2033; exports to Great Britain 2166, to the Continent 1000; sales 1600; stock 33,501 bales.

Charleston, Feb. 18.—Cotton quiet; gold, middling 14½c; receipts 927; exports to Great Britain 2894; to Spain 500; sales 800; stock 38,192.

Mobile, Feb. 18.—Cotton firm; middling 14½c; receipts 2626; exports to Great Britain 0023; to the Continent 1600; coastwise 695; sales 2000; stock 77,826.

Memphis, Feb. 18.—Cotton dull; middling 14c; sales 1400; receipts 3696; exports 1858 bales.

RIVER NEWS.

Vicksburg, Feb. 17.—Up—A. & Turner at 19 last night; Belle Yazoo, at 1; Marcella, at 8 P. M. Down—Mary Alice, at 12 M.; E. E. Lee, at 5 P. M. River rising.

Vicksburg, Feb. 18.—Down—John J. Moore, 10 last night; John Kilgour, 11 last night; John Kyle, 11 A. M.; Mary Houston, 4, and P. W. Thacker, at 5 P. M. Up—Combinewealth, 9 last night; Mollie Ebert, 12 M. River falling. Weather clear and cool.

Louisville, Feb. 18.—The river has risen 2 feet 10 inches in the past 24 hours and is still rising. Weather clear and cool. There is now 6 feet 10 inches in the chute, and 5 feet 10 inches in the canal, with prospects of 10 feet water over the falls. Weather colder. Mercury 38.

Arrived—Shamrock, from Cincinnati; Carlisle, and barges, and Glencoe, from New Orleans. Departed—Shamrock, for St. Louis; Robert Mitchell, for New Orleans.

While the Glasgow's chimneys were being lowered to-day the rigging gave way, letting the chimneys fall through the pilot-house deck into the cabin, doing considerable damage.

Pittsburg, Feb. 18.—Weather clear and cold. Mercury 26. River 32 feet in the channel and rising. Enough water for coal boats expected.

Cincinnati, Feb. 18.—River 32 feet in the channel, leaving 180 feet under the bridge. Departed—Minnesota, for Memphis; J. H. Groesbeck and Warren and barges for New Orleans.

Memphis, Feb. 18. — Weather clear and pleasant. River falling. Passed up—Rubicon, Pauline Carroll, Grand Tower and Oceanus.

FROM SOUTHWEST PASS.

Southwest Pass, Feb. 18, 6 P. M.—Barometer 30.30. Wind N. W., blowing strong. No arrivals. Sailed—Steamships Mississippi and St. Louis, and ship Emily Augusta.

The bark Norma, Gilmore, master, 9 days from Havana, in ballast, sailed for Mobile.

[PREVIOUS DISCHARGE.]

Washington, Feb. 18.—The coal carrying railroads of Pennsylvania have combined with the coal speculators against the Southern and consumers, and prohibitory rates of freight is the result.

London, Feb. 18.—A resolution is pending in the British House of Commons declaring it to be the duty of neutral powers to use their influence between Prussia and France speedily to effect a peace of Europe, and maintaining independence.

The resolution is opposed by the Government as inopportune and impolitic. The opponents of the Government could not keep up, for long, that line policy of the Government amounted to selfish isolation. Henry Bulwer said there was mischief in the resolution, and would irritate Prussia.

Berlin, Feb. 18.—The Emperor, by a decree, suspends the state of siege during the elections, and orders the release temporarily of all political prisoners awaiting trial, without prejudice to their future prosecution.

Liverpool, Feb. 18.—Noon.—Cotton market quiet but steady; sales 10,000 bales; uplands 7¾d; Orleans 7¾ @7¾d.

London, Feb. 18. — Noon. — Consols 92⅝. 5-20s of 1865, 91⅛.

The Presidential Succession—Gen. Hancock Named.

Bowling Green, Ky., Feb. 18.—The Democrats are [illegible] President-making at their brekfast of the dominant party. They are now bothered about a candidate than the Republicans, principally because they have more material from which to select. Ex-Senator Hendricks, of Indiana, has been up all winter, and watching every movement of the Republicans and keeping a sharp eye on the little games in progress among the aspirants of his own party. Of course Hendricks is a candidate. He is to be considered the only candidate upon that side of the House. At the brilliant stag party given by Fred. Fox, a few weeks ago, in honor of Hendricks and Blair, the question was remarked, with as the unequally impressive and solemn for the [illegible] There are men in this room who will settle the question of the next Democratic nomination for the Presidency. It was noticed, however, that Governor Hoffman was not present. Governor Hoffman was present, but not Governor Hoffman. Governor Hoffman was recognised alike by Democrats and Republicans, so-called. That is enough. The next Democratic Presidential candidate must be able to carry Pennsylvania. This is the stumbling block and the rock of offence in the way of Hendricks. He is a pronounced free trader, and the question is that the old Keystone State, with its manufactures of coal and iron, cannot swallow him. It is generally conceded that he would be a strong man in the West, though there are those who go so far as to question his popularity in some of the Western States. Hoffman is not open to any such [illegible] calculations of the Democratic President makers. The troubles with him seems to be his connection with Tammany, and the fact that he is comparatively unknown. Governor Seymour, of New York, it is said, will be the candidate if New York will be certain to give a large majority for the Democratic candidate, no matter who is nominated, and it is not considered necessary, therefore, to take a man from that State, at least to lead the ticket.

Senator Thurman, of Ohio, is spoken of, but he is of the extreme school of the Democracy, and, even if nominated, would not prove a strong candidate. With the strong sentiment and