THE DAILY BEE.
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NEW ORLEANS, SATURDAY MORNING, FEBRUARY 2.

# The New Orleans Bee.

NEW ORLEANS, SATURDAY MORNING, FEBRUARY 2, 1861. Vol. XVII—New Series. Vol. XXXIII.—Whole No. 11,897.

SUBSCRIPTIONS BY THE WEEK.

The carriers of the Bee are authorized to receive subscriptions to our paper, at the rate of 25 cents a week, payable in advance to the carriers themselves.

Auction Sales This Day.

By M. Burnett, Jr., at 10 o'clock, at the corner Chartres and St. Louis streets, the contents of a dry goods and fancy store, clothing, furniture, jewelry, &c.; also, at 12 o'clock, at the St. Louis Exchange, property in the Second District—accounts of sales.

By F. Fernandez, at 12 o'clock, at the St. Louis Exchange, the slave girl Lucy.

By the Sheriff, at 11 o'clock, at No. 32 Julia street, household furniture and movable effects.

By C. E. Fenstell, at 12 o'clock, at the St. Louis Exchange, a tract of land in the Parish of Orleans, right bank, together with a number of slaves; also a brick house and lot on St. Louis street, and a three-story house on New Levee street.

By E. Roger & Co., 45 and 47 Old Levee streets, boots, shoes and clothing.

By N. Vigiale, at the St. Louis Exchange, at noon, valuable three-story brick dwelling-house, with a store on the ground floor, No. 187 Royal street, opposite the St. Louis Hotel; lot and buildings fronting back on St. Bernard avenue and Annette street; also, a large lot of ground, suitable for gardening, fronting on the Gentilly road and Marigny street. Sale on a long credit.

By Vincent & Co., at 10 o'clock, at their auction rooms, No. 28 Customhouse street, dry goods.

By E. de St. Romes, at the Louis Exchange, at noon, eight lots of ground in the Second District.

## POINT NO POINT.

Some of our Western exchanges strive to imitate the misty logic of President BUCHANAN, by assuming a marked difference between a State and the people of a State. One of them acknowledges that no State, as such, owes allegiance to the Federal Government, and then proceeds at once to strip the avowal of its significance by declaring that no State authority can absolve any citizen from that allegiance. We should be pleased to know what side the journal in question stands on in the term "States," and by what process of incomprehensible ratiocination it separates the abstraction "State" from the people, government, laws and institutions which constitute a State? The citizens of Louisiana living within the territory so called, electing the functionaries by which her affairs are conducted, and contributing by taxation towards the payment of her current obligations, form the State of Louisiana. Without them there could be no State, for there could be no organized government. What the State does may therefore be considered practically the will of her people. If the State owes no allegiance to the Federal authorities, neither do her citizens. If the State cannot be coerced, how can her citizens be coerced? If the General Government endeavors forcibly to collect the revenues of a State, and in the attempt kills or wounds certain citizens, what becomes of the shadowy distinction between the coercion of States and individuals?

We are told that the citizens of South Carolina are citizens of the United States in South Carolina, and continue to owe the same obligations to the Supreme Government that they did before the 20th of December, and that no State can release them from these obligations unless they themselves yield. We will overcome the difficulty, and achieve by arms a sufficient revolution. This is a most convenient theory. Admit the premises, concede that ours is a consolidated Government; that the States surrendered every thing and received nothing; that, consequently, no usurpation of unlawful powers by the Federal Government, no infractions of the Constitution, no extent of unequal and unjust legislation, no sectional and arbitrary oppression can possibly absolve the man from obedience, and the argument of the sheet we have referred to becomes impregnable. But the most superficial glance proves that this view is based upon a totally false assumption. The States, in forming the United States Government, never could have yielded the indefeasible right of self-protection. It is a right which no commonwealth can possibly part with. The privilege in the last resort of falling back upon this inalienable right is incontestable. If the States had been subjugated previously to their entrance into the Union, it might be said that their position was revolutionary, because in that case they would be seeking by force to regain immunities and prerogatives which had been wrested from them by war and conquest. With the South the case is entirely different. She associated herself voluntarily with other commonwealths for purposes of material benefit and protection, expecting and, indeed, providing by solemn compact for just and equal laws. This compact has been broken, and, as it is the reciprocal engagements, to the detriment of the weaker party. Hence the South declares she is no longer bound by it.

Says the Cincinnati *Gazette*—the paper from which we have quoted—

> Equally fallacious and absurd is the talk about making war upon the Cotton State people, to compel them to stay in the Union. If they obey the law—be sane and law-abiding—just as they have all along been living—nothing more is required of them. Those who will not do so, but organize rebellion, and thereby give the war against the Government, committing the crime of high treason, must be dealt with as the circumstances require.

What war is thus made, the Government must either meet it or succumb, and own itself no Government. There is no other alternative. Loyal citizens will not hesitate to assist in what ought to be done. Traitors and sympathizers with treason will try very hard to make something difficult out of the case, but the good sense of the people cannot be imposed upon by any of these tricks of the pettifogger and paltry partisan.

The only pettifogging and partisan tricks we wot of are those of the Black Republicans again. This one prates just as dolefully as the rest. One would imagine it had never had the most remote conception of a State rights view of secession. Did it never hear of certain distinguished Constitutional jurists, particularly at the South, who always maintained that the right of secession grew out of the very nature of our Federal Government? Does it not remember that DANIEL WEBSTER himself—the giant of the North—contended that a compact broken on one side was broken on all?

So it is fallacious and absurd to talk about making war on the Cotton States, to compel them to remain in the Union! Why then do the Black Republicans perpetually talk about such fallacies and absurdities? Oh! but they only wish to compel the seceding States to obey the laws of the Union. Well, if we obey those laws, do we not remain in the Union, and if obedience is to be enforced by fleets and armies, will the Solons of the *Gazette* inform us if this is not making war upon the Cotton States, to compel them to stay in the Union. The truth is—the Abolition sheets start with the notion that Disunion is an impossibility—that not even the fifteen slave States can quit the Union; and that if they try the experiment, they must be whipped into obedience. This the Abolitionists call "enforcing the laws," and in order to establish a pretext for such monstrous tyranny, they affirm that it is not intended to coerce a State, as the Constitution affords no warrant for that, but simply to execute the statutes of the Federal Government. This they are determined to do, and if civil war, with its nameless horrors and calamities, should follow, they will disclaim the slightest responsibility for the result.

JEFFERSON ACADEMY.—The institution, which was founded more than twenty years ago, and has been conducted with marked efficiency by that venerable teacher, G. J. Lord, has long held a deservedly high position in public esteem. The system of instruction pursued in Jefferson Academy is thorough and complete, beginning from early youth, and fitting the pupils gradually for taking their places in society and the world. Mr. Lord has recently added to the advantages of the institution a system of military training, which in these stirring times will be found of great utility. The Academy is situated at No. 53 Bourbon street.

COLORED GLASS—Justin Casbergue & Co., No. 203 Chartres street, will sell at cost price a large stock of colored glass and crinkled tin lamps, for the grand illumination of Wednesday, 6th instant. See their advertisement in another column.

OPERA-HOUSE.—To night "La Juive" will be repeated, with Philipe, Genibel and Mme. Borchard in the principal characters. On Monday we are promised positively "The Pardon of Plœrmel."

The steamship Tennessee, Capt. Forbes, sailed at 8 o'clock yesterday morning for Vera Cruz, with a heavy freight and the following passengers:

Messrs. Beatie and friends, Mr Armadee, H J Stevens, M Gallaudet, lady and child, Mr Bates, Mr Sanger, Mr Lefevre, Mr Lesser Hall and son, C Chelas, Mrs Tork, and 30 on deck.

MISCEGENISTS AND THE SLAVE TRADE.—In the State Convention, last Saturday, Mr. Holt offered the following resolution:

*Resolved*, That in the opinion of this Convention it is the duty of the Congress of the United States of Mississippi to reopen the African slave trade.

Mr. Miller, of Pontotoc, moved to lay the resolution on the table, which was decided in the negative by yeas 26, nays 50.

Mr. Holt then moved the previous question, which was sustained, when the resolution was adopted by 67 yeas to 19 nays.

The idea seems to prevail that Jefferson Davis will be elected President of the Southern Confederacy, under the Provisional Government, which is to be established by the Convention which meets at Montgomery on the 4th February.

A letter from Alabama to a Northern paper says that "C. White, a brother-in-law of *Abraham Lincoln*, has joined the volunteers and gone to help to take Fort Pickens."

The same writer says: "Regroot have never been known to be more submissive than at present, and that they would do anything I would like to be put in front of the battle to meet the *fuzzy-of-the-hills*."

## STATE CONVENTION.

EIGHTH DAY.

The Convention was called to order at a quarter before eleven o'clock yesterday morning, and prayer was said by the Rev. N. G. Ferché, curate of the Ursulines Convent Chapel. By the calling of the roll, 108 members were found present. The minutes of preceding meetings were then read. The President announced the receipt of the report of the Military Board, which was referred, without reading, to the Committee on Military and Naval Affairs on motion of Mr. Gladden, of Orleans. The President then announced the appointment of Messrs. J. K. Elgee, J. G. Olivier, John Pemberton, J. L. Lewis and L. P. Conner on the committee to confer with and advise the Governor.

Mr. Elgee, of Rapides, offered a resolution to remove the injunction of secrecy from the proceedings of this Convention in secret session on the 29th ult. Part of their action, the seizure of the Mint, was already known to the public, and the unnecessary continuance of secrecy was distrustful on account of this secrecy, and British bottoms were having the preference with shippers over American ships. Mr. Sentmis, of Orleans, seconded the motion, stating that the gentleman from Rapides had but anticipated his own intention. Mr. Elgee then moved that the minutes of the secret session be read, that the proceedings might be then made public.

Mr. Olivier, of St. Mary, thought that a motion to remove an injunction of secrecy should be made in secret session. Mr. Wickliffe, of Orleans, said that a portion of the proceedings referred to could not be made public without great impropriety. Mr. Elgee remarked that he would withdraw his motion to present it in secret session.

Mr. Hopford, of Orleans, offered a resolution appointing a standing committee of seven on public lands. This was a subject of great importance, he said, and was informed by gentlemen who were more conversant with it than himself, that it required immediate consideration. He believed that the lands obtained by Louisiana from the United States should remain in the possession of the State, and not revert to the new Federal Government. By this measure the revenues of Louisiana would be largely enhanced. This was a question that required the decision of this Convention previous to the session of the Congress at Montgomery. The resolution was adopted.

Mr. Wilkinson, of Plaquemines, offered a resolution authorizing the Collector of the Port, by and with the assent of the Governor, to pay the arrearages due employes for work on the fortifications, and for construction account of the New Customhouse. He also presented the resolution, accompanied by schedules of amounts due, was referred to the Committee on Commerce, Revenue and Navigation, with instructions to report to-day.

Mr. W. A. Davidson, of Livingston, offered a resolution amending the rules by requiring that any ordinance affecting the future policy of Louisiana should lie over one day before being acted upon. On motion, the rules were dispensed with, and this was carried.

Mr. Williamson, of Caddo, offered a resolution amending the eighty-first article of the Constitution in regard to the election of judges of inferior courts. Referred to the Committee on the Constitution.

Mr. Toppan, of Orleans, offered a resolution instructing the Committee on the Judiciary to report an ordinance providing for the promulgation of the ordinances of this Convention. Carried.

Mr. Perkins, of Orleans, offered a resolution which was referred to the Committee on Postal Affairs without reading, on his own motion.

Mr. Rozier, of Orleans, of the special committee appointed Thursday to inquire whether it was necessary to have a third secretary, reported unequivocally in the affirmative, and the report was adopted.

Mr. R. C. Davidson, of Sabine, offered a resolution instructing the Committee on Military and Naval Affairs to report a bill providing for purchasing for the State the arms at Greenville. Gen. Mirandon and Marquis de la Habana. As an amendment to this Mr. Wilkinson, of Plaquemines, moved to add Robichaux and Webb for the Marquis de la Habana. Mr. O. H. Morton, of Orleans, moved to lay the resolution and amendment on the table, as the South Carolina Convention had the same established would take steps for the formation of a navy as well as an army. By request, however, both the resolution and amendment were withdrawn.

The standing committees were then called in order, but only two reported. Mr. DeBlanc, of Terrebonne, for the Committee on Enrollment, reported the enrollment of the ordinance concerning the free navigation of the Mississippi, and the ordinance electing delegates to frame a Southern Confederacy, also, the preparation of the delegates' credentials.

The ordinance reported on Thursday by the Committee on State Convention, printed and made the order of the day, now came before the Convention. The first section was taken up and read, as follows:

1st. That article twelfth of the Constitution of this State be altered so as to read as follows, to wit: Every free white male who has attained the age of twenty-one years, and who has been a citizen of this State one year next preceding the election, and the last six months thereof in the parish in which he offers to vote, shall have the right of voting, unless he shall have moved from one parish to another, within the State, shall lose the right of voting in the former until he shall have acquired it in the parish of his residence, in all cases, except treason, felony, or breach of the peace, be privileged from arrest, during their attendance it, going to, or returning from election.

Mr. Rozier, of Orleans, wanted to amend by defining that "a citizen of the State should mean one qualified to be a citizen under the laws of the United States before the passage of the Ordinance of Secession. He thought it important to define this here, lest there be any conflict hereafter in the subject. Mr. Olivier thought the amendment unnecessary, as no law can be *ex post facto*, nor can the vested rights of individuals be disturbed except in specified cases of infringement of law. Mr. Hunt, of De Soto, thought it not only necessary to define who were citizens at the time of passing the Secession Ordinance, but to prevent any misunderstanding in future. This was not the occasion, however, to decide that, and he thought Mr. Rozier's motion should not be pressed. Mr. E. Lawrence, of Plaquemines, thought the amendment introduced belonged to the Committee on Citizenship, and moved to refer the amendment accordingly.

Mr. Rozier argued in favor of the necessity of defining who were citizens of Louisiana, in this connection, and cited the decision of the Supreme Court in the Dred Scott case to show that an individual might be a citizen of some States without being a citizen of the United States. Mr. Olivier replied, and Mr. L. Bush, of Jackson, then offered a substitute for the amendment, leaving out the word "citizen," and after the word "vote" adding, "and who shall be or hereafter may become a citizen under an ordinance to be reported by the Committee on Citizenship." Mr. T. H. Kennedy, of Orleans, chairman of the committee, announced that they were not ready to report to-day. On motion of Mr. Rozier, the whole subject was now postponed to be reconsidered on Monday, after the consideration of the report of that committee. The clerk then read the next section, as follows:

2d. That article twelfth of the Constitution of this State be altered so as to read as follows, to wit: No soldier, seaman or marine in the army or navy of this State, no pauper, no person under interdiction, no person disfranchised for crime punishable with hard labor, shall be entitled to vote at any election in this State.

This section caused a very spirited and interesting debate, in which Mr. Rozier, of Orleans, offering an amendment to strike out the words "soldier, seaman or marine in the army or navy of this State." Mr. Marrero, of St. Mary, seconded the adoption of this amendment on the ground that the principle which caused the withholding from United States soldiers or naval men of the franchise was to prevent the possibility of controlling elections by moving bodies of troops to points where their votes would control the election, but we can have no such fear in Louisiana from our own citizens who may be in the army or navy.

Mr. Olivier made an able speech, a masterly philippostical effort, in favor of withholding from soldiers the right of suffrage. We regret not having space to give his remarks entire, as a mere synopsis would not do it justice. Mr. Tappan said that the history of the Roman Legions proved the fallacious nature of this fear, and that the elective franchise in the hands of an army could not be more perverted than it was by the police force in the City of New Orleans, showing that those brave and gallant men who offer their lives in our defense should be classed in the same restriction with paupers and criminals. (Here the speaker was interrupted by hisses and boot heels in the galleries which required a continued rapping of the gavel to check). It was a shame, repeated the speaker, to place a pilgrim upon these gallant men by classing them with paupers and criminals. (Here the applause from the galleries was repeated more noisily, and the chair had to call loudly for order.)

Mr. Walker, of Orleans, arose to express his surprise and indignation at this interruption by outsiders, and called upon the Chair to prevent the Convention from a repetition of such insults. The Chair stated that if he heard any further applause the galleries should be immediately cleared.

Mr. Walker then supported the amendment. Mr. Marks, of Caddo, remarked upon the difficulties in the way of soldiers voting. Were elections generally to be conducted at the camps, where the troops to be marched to the nearest polling district? Mr. Wilkinson, of Plaquemines, thought that even the soldiers of the Union provided for by the Military Board were a powerful lever for good or evil. Mr. Olivier moved on the original section.

Mr. Elgee thought all this discussion useless. If the first section is faithfully applied to the second, then there would exist no danger in granting the elective franchise to soldiers. Mr. Baker, of Iberville, thought members should think there was still a Federal Government. In the State we are all soldiers in a measure. Mr. Walker read an ordinance passed by independent South Carolina, showing every free white male, bearing arms in her defense a citizen. The amendment was now carried, 54 rising in favor of it and 36 voting against it, whereupon Mr. Simmes called for the yeas and nays, which, being duly seconded, the yeas and nays were taken, and the amendment was lost—yeas 47, nays 61, as follows:

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Mr. Walker then supported the amendment. Mr. Marks, of Caddo, remarked upon the difficulties in the way of soldiers voting. Were elections generally to be conducted at the camps, where the troops to be marched to the nearest polling district? Mr. Wilkinson, of Plaquemines, thought that even the soldiers of the Union provided for by the Military Board were a powerful lever for good or evil. Mr. Olivier moved on the original section.

Mr. Elgee thought all this discussion useless. If the first section is faithfully applied to the second, then there would exist no danger in granting the elective franchise to soldiers. Mr. Baker, of Iberville, thought members should think there was still a Federal Government. In the State we are all soldiers in a measure. Mr. Walker read an ordinance passed by independent South Carolina, showing every free white male, bearing arms in her defense a citizen. The amendment was now carried, 54 rising in favor of it and 36 voting against it, whereupon Mr. Simmes called for the yeas and nays, which, being duly seconded, the yeas and nays were taken, and the amendment was lost—yeas 47, nays 61, as follows:

YEAS—Messrs. Abercrombie, Adams, Bailey, Baker, Bell, Bernard, Bonnecaze, Boyce, Brent, Brooks, Bryan, Burton, Chaffe, Chenault, Clark, Cleveland, Cole, Cox, Davidson, Dejernette, Dunn, Elgee, Fuller, Gaines, Gibson, Gladden, Gray, Hall, Hopkins, Hopper, Hunter, Jones, Kennedy, Kilgore, Lewis, Lindsay, Lyons, Marrero, Marshall, Mathews, Mills, Morgan, Morton, Nelson, Nicholson, Nolan, Pecot, Perkins, Pickens, Pierce, Pitman, Pitts, Pleasant, Prevost, Rozier, Sentmis, Shaw, Simmes, Smith, Stephens, Stewart, Tappan, Tarver, Thibodaux, Thompson, Tobin, Toppan, Trimble, Vance, Wickliffe, Wilkinson, Williams, Wilson, Wright, Yeiser, Young, Zeringue, Zimmerman, Mr. President—61.

NAYS—Messrs. Adams, Ashe, Bailey, Bell, Bernard, Bonnecaze, Boyce, Brent, Brooks, Bryan, Burton, Chaffe, Chenault, Clark, Cleveland, Cole, Davidson, Dejernette, Dunn, Elgee, Fuller, Gaines, Gibson, Gladden, Gray, Hall, Hopkins, Hopper, Hunter, Jones, Kennedy, Kilgore, Lewis, Lindsay, Lyons, Marrero, Marshall, Mathews, Mills, Morgan, Morton, Nelson, Nicholson, Nolan, Pecot, Perkins, Pickens, Pierce, Pitman, Pitts, Pleasant, Prevost, Rozier, Sentmis, Shaw, Simmes, Smith, Stephens, Stewart, Tappan, Tarver, Thibodaux, Thompson, Tobin, Toppan, Trimble, Vance, Wickliffe, Wilkinson, Williams, Wilson, Wright, Yeiser, Young, Zeringue, Zimmerman, Mr. President—47.

The following section was then read, as follows:

6th. That article twelfth of the Constitution of this State be altered so as to read as follows, to wit: No soldier, seaman or marine in the army or navy of this State, no pauper, no person under interdiction, no person disfranchised for crime punishable with hard labor, shall be entitled to vote at any election in this State.

This section caused a very spirited and interesting debate, in which Mr. Rozier, of Orleans, offering an amendment to strike out the words "soldier, seaman or marine in the army or navy of this State." Mr. Marrero, of St. Mary, seconded the adoption of this amendment on the ground that the principle which caused the withholding from United States soldiers or naval men of the franchise was to prevent the possibility of controlling elections by moving bodies of troops to points where their votes would control the election, but we can have no such fear in Louisiana from our own citizens who may be in the army or navy.

Mr. Olivier made an able speech, a masterly philippostical effort, in favor of withholding from soldiers the right of suffrage. We regret not having space to give his remarks entire, as a mere synopsis would not do it justice. Mr. Tappan said that the history of the Roman Legions proved the fallacious nature of this fear, and that the elective franchise in the hands of an army could not be more perverted than it was by the police force in the City of New Orleans, showing that those brave and gallant men who offer their lives in our defense should be classed in the same restriction with paupers and criminals. (Here the speaker was interrupted by hisses and boot heels in the galleries which required a continued rapping of the gavel to check). It was a shame, repeated the speaker, to place a pilgrim upon these gallant men by classing them with paupers and criminals. (Here the applause from the galleries was repeated more noisily, and the chair had to call loudly for order.)

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