

VOLUME IV—NO. 144.

AMUSEMENTS.

ACADEMY OF MUSIC.

SPALDING, BIDWELL & McDONOUGH, Managers and Proprietors.

Monday Evening, September 19, 1870.

EVERY NIGHT AND SATURDAY MOON.

Inauguration of the Regular Season with the

GAITE COMIQUE GROUPE

or

SPECIALTIES.

Presenting over FORTY SELECTED ARTISTS

of Established Reputation in

OPERA, BURLESQUE, NATIONALISTS, INSTRUMENTATION AND DRAMATICS.

Doors open at 7 o'clock. Overture quarter to 8 o'clock.

Box Office opens from 9 A. M. to 4 P. M.

FOR THE BENEFIT OF THE

GERMAN AND FRENCH WOUNDED SOLDIERS.

A Grand Dress Ball and Promenade

Concert

Will be given at DENECHAUD'S PAVILION, Lake

and Pontchartrain Railroad.

On Saturday, October 1, 1870.

For the benefit of the French and German wounded

Soldiers. (The proceeds to be equally divided

between the French and German Comrades in this

city.)

TICKETS, TWO DOLLARS.

MANAGERS:

Louis Schneider, Henry Stumberg, P. Rickert

Ladoux, Levi, Emil Mink, A. Blaffer, William

Todd, Charles Cayron, M. J. B. B. B. B. B. B.

John P. P.

Charles Wagner, G. Brunig, J. H. Haasinger, E. P.

Domestiani, Laboure, W. H. Helard, Ang.

Tourneur, M. A. Wilson, Thibaud, Jules Casart,

Thomas Taguino, William Davis, Hugo Lehmann,

H. Worman, Charles W. W. W. W. W. W. W.

INVESTIGATION COMMITTEE:

Thomas Taguino, A. Blaffer, J. Levi, William

Todd, J. Taguino.

Tickets can be had at all the Music and Book

Stores, and at the Show Managers.

Applications for ladies' invitations must be made

at A. Blaffer's, 24 and 26 Bienville street, and M.

Louis, 100 Poydras street, or to any of the

invitation committees. Positively no invitations

will be issued after the 10th inst. or to persons

not named in the list. Arrangements have been made with the

Post-charge Railroad Company, who have kindly

offered to run their cars to the Lake every hour

with eleven o'clock P. M., included, and to return

from the Lake at the same hour every morning,

without extra charge for return fare.

Mr. Charles Jagers, celebrated Silver Cornet

Band has kindly offered his services for the

entertainment. In case the weather should be unfavorable,

the Ball will be held at Denechaud's Washington

Hotel.

FOR SALE.

FOR SALE—LOTS ON BROADWAY, GREEN-

ville, in square bounded by Broadway, Bienville

and Lake streets, and the Orleans Canal, 100

to 300, according to location. Apply to

JOHN S. GOULD,

No. 24 Exchange street.

FOR SALE—ABOUT 10,000 ACRES OF THE

best sugar lands, situated in the parishes of

Orleans, St. Landry, St. Martin, St. Iberville, St.

Mississippi river and Bayou Lafourche, near Col-

lege Point and Thibodaux, three miles from Mor-

ganza, and the Opelousas Railroad. The lands

are well adapted for sugar planting, and are

at the same distance from the Opelousas Railroad.

The owner being anxious to dispose of these lands

will sell the whole or any portion as he may

deem best. For further particulars apply to

H. M. ROBINSON,

Real Estate Agent, 22 and 24 Commercial Place.

FOR SALE—A PLEASANT AND VALU-

able property in Levee, two hours run from

New Orleans, containing one and a half acres

THE POWERS OF REGISTRARS.

Important to Voters.

The following correspondence will be read

with interest:

CLERK'S OFFICE FIFTH DISTRICT COURT,

For the parish of Orleans, New Orleans, September 21, 1870.

J. W. Garley, Esq., Assistant United States Attorney

DEAR SIR—Will you oblige by giving

your opinion (written) for publication on the

following point?

Have the registrars of election in this city

the legal right to summarily pronounce as

null and void, certificates of naturalization,

illegally attested by the judges and clerks

thereof, and bearing the impress of their

legal seals, and to deny to holders of such

certificates the privileges of registration

when sought?

An early response is earnestly requested,

not only as a simple matter of guidance to

me, as a ministerial officer, but as a question

of grave moment to many naturalized

citizens residing under this head.

Very respectfully,

Your obedient servant,

LOUIS POWER, Clerk.

UNITED STATES ATTORNEY'S OFFICE,

District of Louisiana,

New Orleans, September 21, 1870.

Louis Power, Esq., Clerk Fifth District Court,

Parish of Orleans.

SIR—Your letter of the twenty-first in-

stance, asking my opinion as to the legal

right of registrars of election in this city

summarily to pronounce as null and void

certificates of naturalization issued by the

district courts of the parish, was received

and is under consideration.

I deem it proper to reply in so far, only,

as the question may be affected by the laws

of the United States and the jurisprudence

of this country.

The power to naturalize is vested, by the

acts of Congress, in the federal courts, and in

all courts of record in the several States

having common law jurisdiction, and a seal

of a competent court, in legal form, is in all

respects a judgment. As such it is entitled

to full faith and credit, as well when ob-

tained by fraud, as when procured upon

proper and legal evidence, until it has been

reversed by judicial authority.

Chief Justice Marshall, delivering the

opinion in the case of Spratt vs. Peters, 40, said:

"The various acts upon the subject, sub-

stantiated by the decision, on the right of aliens to

admission as citizens to courts of record,

they are to receive testimony, to compare

it with the law, and to judge on both law

and fact. This judgment is entered on

record as the judgment of the court. It

seems to me in legal form, to close

all inquiry, and like every other judgment,

to be complete evidence of its own valid-

ity.

As the power to decide upon matters of

this character is judicial, so also is the

power of revising such decisions. As no act

of Congress has conferred judicial powers

upon the registrars, they have no authority

to determine upon the validity of judgments

of the courts of the United States. But

this does not preclude an inquiry into the

means by which such judgments may have

been obtained, nor the institution of crim-

inal proceedings against parties implicated

in frauds.

In matters of naturalization, the district

courts for the parish act exclusively under

the laws of the United States, and it is

THE COURTS.

Fourth District Court.

City of New Orleans vs. John F. Rust—A

petition was filed yesterday morning,

through the City Attorney, Mr. George S.

Lacey, in which it is set forth that John F.

Rust, a resident of this city, unlawfully pre-

tending to have entered into a contract with

the city of New Orleans, made and a pro-

posed ordinance (No. 1014, new series),

alleged to have been promulgated on or

about the twelfth of September, 1868, did,

at that time, or shortly afterward, com-

mit and perform in a negligent and un-

skillful manner, and that on account thereof,

and more particularly on account of the in-

efficient and bad levee constructed by de-

fault during the fall of 1868, the bayou

of Lake Pontchartrain and the bayou

of Bayou St. John; that this ditch or canal,

and the work thereon, had been done, and

done and performed in a negligent and un-

skillful manner, and that on account thereof,

and more particularly on account of the in-

efficient and bad levee constructed by de-

fault during the fall of 1868, the bayou

of Lake Pontchartrain and the bayou

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done and performed in a negligent and un-

skillful manner, and that on account thereof,

and more particularly on account of the in-

THE PUBLIC SCHOOL FUND.

An Important Legal Opinion.

NEW ORLEANS, September 27, 1870.

George S. Lacey, Esq., Attorney at Law.

DEAR SIR—There having been some dis-

agreement in regard to the construction of the

law in relation to the various wards of the

City Board and the several ward boards of

the public schools, I take the liberty of making

the following inquiry, and solicit your opin-

ion thereon.

To whom should the apportionment of

public school money, now under the control

of the State Superintendent, be made—to the

Treasurer of the City Board, or to the treas-

urers of the various ward boards?

Very truly,

W. VAN NORDEN,

Treasurer Board School Directors, New

Orleans.

NEW ORLEANS, September 27, 1870.

W. Van Norden, Treasurer.

DEAR SIR—In reply to your appreciated

favor of this instant, I have to say, the

system of public schools inaugurated by an

act of the Legislature of this State, entitled

An act to regulate the public schools in the

State of Louisiana and city of New Orleans,

and to raise a revenue for that purpose,"

approved March 16, 1870, by the provisions

of that statute is sought to be carried into

effect by the City Board, and the irrespon-

sibility of several distinct and separate

boards, each board having assigned to it

well defined responsibilities, duties and

rights. There are, in fact, four boards, to-

wit: The Parish Board; the Ward or

District Boards; the City or Town Board;

and the Board of School Directors. The

legislative requirement in reference to

an apportionment to those boards, is

that the Board of School Directors shall