

AMUSEMENTS.

CHARLES THEATRE. THE TALENTED MITCHELL. MISS MAGGIE MITCHELL.

WILL appear once more in her great character of MARI, THE PEARL OF SAVOY.

FRIDAY next—Newell's benefit of Miss Maggie Mitchell.

FRIDAY next—Grand CHRISTMAS MATINEE, presented by the company.

NEW OPERA HOUSE. M. CALABRESE, MANAGER.

Monday, December 13, 1870. Bolelli's opera, in three acts.

LA DAME BLANCHE. GRAND DIVERTISSEMENT arranged by M. Van Hanne.

THE performance will conclude with the vaudeville, in one act.

L'Amateur de la Rue de l'Oratoire. SUNDAY PRICES.

Orchestra seats for subscribers and by invitation.

Parquet, 1st tier, 50 cents.

Parquet, 2nd tier, 40 cents.

Parquet, 3rd tier, 30 cents.

Parquet, 4th tier, 20 cents.

Parquet, 5th tier, 10 cents.

Parquet, 6th tier, 5 cents.

Parquet, 7th tier, 5 cents.

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Parquet, 78th tier, 5 cents.

FOR SALE.

FOR SALE—TWO NEW AND BEAUTIFULLY IMPROVED places on St. Charles street, in the Sixth District of New Orleans.

Apply to SILEY SETMORE, No. 23 Carondelet street.

DAY ST. LOUIS LOTS, ON NICHOLSON street, extending from the New Orleans and Mobile river to the bay, are now for sale on easy terms, and at prices varying from two hundred to one thousand dollars each.

Apply to J. ALSTON, No. 23 Carondelet street.

TWO-STORY FRAME COTTAGE AND lot of ground thirty by ninety feet, on Canal street, between Poydras and Iberville, containing about three thousand square feet.

Apply to J. ALSTON, No. 23 Carondelet street.

FOR SALE—A VALUABLE TRACT OF LAND situated in the parish of St. Martin, fronting on the river Atchafalaya, and containing about three thousand acres.

Apply to J. ALSTON, No. 23 Carondelet street.

FOR SALE—ABOUT 10,000 ACRES OF THE best sugar lands, situated in the parishes of Terrebonne and Assumption, between the Mississippi river and Bayou Lafourche, near College Point and Thibodaux, containing about three thousand acres.

Apply to J. ALSTON, No. 23 Carondelet street.

FOR SALE—ONE OF THE FINEST SECTIONS of land in the parish of Iberville, in about nine miles from the city of New Orleans.

Apply to J. ALSTON, No. 23 Carondelet street.

FOR SALE OR RENT—A PLEASANT AND valuable property in Louisiana, two hours from New Orleans, containing about two hundred and fifty acres of land, with a fine view of the bay.

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THE COURTS.

Eighth District Court. State of Louisiana ex rel. F. L. Jewell, vs. the State Auditor—Judge Dibble yesterday rendered the following decision.

The relator asks for the writ of mandamus against the State Auditor to compel him to issue a duplicate warrant upon the State Treasurer for the sum of \$15,000.

The State Auditor, in his answer, says that he has issued a duplicate warrant, which has been lost, stolen or misplaced, and he asks to be relieved of the duty of issuing another.

There is no statute that makes it the duty of the Auditor to issue duplicate warrants. It has never been the custom of the office, but, on the contrary, the custom has been to issue a duplicate warrant more than once without the same. Therefore, mandamus will not lie. These instruments have from usage come to be considered in the same way as negotiable paper, transferable by delivery when indorsed in blank.

If in this instance the original has passed into the hands of a third party, and it would be manifestly unjust for the State to meet its demand at the treasury that he can not be paid, because a duplicate warrant has been issued by the Auditor and taken up by the Treasurer, the relator must seek relief, as others have had to do, at the hands of the Legislature. Let the relator apply to the Legislature for a new warrant.

Divorce Granted. Judge Dibble granted a divorce in the suit of Gustave Martelle vs. his wife, Hortense Huat, in which adultery was the charge preferred against the woman.

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Suit Against an Insurance Company. Mr. John A. Turnell, tutor of the Blackly minor children, has brought suit against the Knickerbocker Life Insurance Company for \$500, the alleged amount of a policy of life insurance issued by the company, through their agent in this city, to James P. Blackly, by March 1859, and which was in full force and effect on the 17th of July, 1870. Petitioner alleges that the company refused to pay the amount of the policy, and that the company is not bound to pay the amount of the policy.

Suit Against the State. The old Board of Assessors of the State have brought suit, in the Eighth District Court, to compel the Auditor to issue warrants in their favor for some \$850,000, amount alleged to be due them for the year 1868, in the case of some special tax.

The State Auditor takes the position that the accounts of the assessors have been settled and paid, and that he is not bound to issue warrants for the amount claimed.

The rule nisi granted by Judge Dibble upon the petition of John McGinny, praying for an injunction against Governor Warmoth, and the President of the Board of Public Works, to restrain them from allowing certain bonds of the \$3,000,000 appropriation for levees to be used until his claim of \$100,000 for repairs done to the engine-house of No. 13.

Jacob Strauss vs. Southern Bank.—In this case plaintiff obtained a judgment against the defendant for the sum of \$100,000, which was paid to the plaintiff, and to omit from the balance check known as the "Wickfield check," for about \$100,000.

From this judgment defendant applied for an appeal, which was granted, and the case is now pending in the Supreme Court.

H. Sofford vs. T. L. Maxwell.—This is an application for the injunction restraining Sheriff Maxwell from selling certain property under a fieri facias. Injunction made perpetual.

Seventh District Court. Macarty and wife vs. Spalding & Bidwell.—The plaintiffs agreed in September, 1865, to give entertainments, to be paid for by the defendants, for the purpose of a town, defendants to take one-third of the receipts on benefit night, it being contemplated that they would have one benefit night, and the balance of the receipts would be finally turned over to the plaintiffs.

After a faithful performance of seven months on both sides, defendants undertook to hire out the plaintiffs to the keeper of a saloon, which was done, and the plaintiffs refused to perform, the defendants declined their services.

The contract provided a penalty of \$5000 for breach of the contract, which was paid to the plaintiffs, and the case is now pending in the Supreme Court.

Held that the Oxford was a place of entertainment at which no respectable man would enter, much less allow his family.

That the defendants had no right to hire out the plaintiffs to the keeper of a saloon, and that the plaintiffs were entitled to the same night they were compelled to appear at the Academy. The exaction was extortionate. The law presumes the engagement to be for a place of entertainment, which is low, immoral and disreputable.

As the contract was partly performed, though other circumstances are to be considered, judgment is rendered against G. R. Bidwell, with interest and possession of the wood cuts.

Sixth District Court. Heron vs. Harris.—In this case an exception was taken yesterday to the jurisdiction of the court by the counsel for United States Senator Harris, in a suit brought by General Heron, ex-United States Marshal for the District of Louisiana, for certain sums, recovered under a writ of habeas corpus, and to some \$3100, alleged to have been loaned to be used in effecting the election of the said Senator to his seat in Congress.

The exception is, that Senator Harris is not a resident of the parish of Orleans, but of the parish of Concordia.

Among the witnesses before this court was Mr. Packard, the present United States Marshal.

In this court was fixed also the case of Arthur Hart vs. the city of New Orleans, in which he claims some \$4000, ascriber's fees, in some four thousand articles, instituted by the city against delinquent taxpayers.

A Correction. In our report of the decision of Judge Dibble in the latter case yesterday, we made him say "The State might have passed law prohibiting the sale of lottery tickets, and the Supreme Court of the United States would hold the law as void as unconstitutional." The correct statement is, "The Supreme Court would hold the law as void as unconstitutional."

Philadelphia Press on Governor Warmoth. We quote the following from the New Orleans correspondence of the Philadelphia Press of a recent date:

"That the Democratic leaders did not succeed in getting up a riot in this city two days after the election by the publication of the most inflammatory and outrageous falsehoods in reference to the Donaldsonville affair, is no fault of theirs. In fact, it will be known that had it not been for the wise precautions taken by Governor Warmoth, in calling out the militia and holding in readiness a sufficient force of United States troops to quell any disturbance which might arise, the disgraceful scenes of 1858 would have been repeated on a larger scale. And, while speaking of Governor Warmoth, it is but an act of simple justice to add that the Republican party of the State and the whole country are largely indebted to him for our recent grand success. For months, in connection with General Sheridan, the young Douglas of Louisiana, he has canvassed the whole State, addressing large audiences of both white and colored citizens, exposing the fallacies of Democracy and making many converts to the Republican party."

The property of the donors for pleasant weather during the present week.

GENERAL MUDGE'S RESIGNATION.

His Farewell to the Brigade. The resignation of W. S. Mudgett, as Brigadier General of Louisiana State Militia, approved October 13, 1870, is hereby accepted, to take effect from that day.

By command of the Governor, JAMES LONGSTREET, Adjutant General.

The Grand Concert at Minerva Hall. The press of other matter has delayed the appearance of our notice of the grand concert for the benefit of Trinity chapel, given last Thursday evening, at Minerva Hall, by